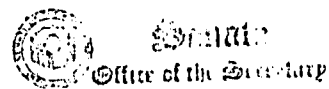


EIGHTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*Second Regular Session*



20 SEP 16 P4:10

SENATE  
Senate Bill No. 1835

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INTRODUCED BY SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

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**AN ACT**  
**CREATING THE DEPARTMENT OF OVERSEAS FILIPINOS, DEFINING ITS**  
**POWERS AND FUNCTIONS, RATIONALIZING THE ORGANIZATION AND**  
**FUNCTIONS OF GOVERNMENT AGENCIES RELATED TO OVERSEAS**  
**EMPLOYMENT AND MIGRATION, APPROPRIATING FUNDS THEREFOR,**  
**AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

We recognize our Overseas Filipino Workers (OFWs) as our "modern heroes" due to their exceptional contribution to the country's Gross Domestic Product and their sacrifices to support and attain a more comfortable life for their families. The dreams they brought gave them the courage to find fortune abroad but not everyone is lucky enough to succeed and some found misfortune instead.

As of 2018, there are around 10.08-million Overseas Filipinos around the globe. Together, they drive of domestic consumption and account for 9.7 percent of the Gross Domestic Product in 2018<sup>1</sup>. Particularly, the Bangko Sentral ng Pilipinas reports that, in 2018, cash remittances from overseas Filipinos have amounted to USD 28.943 Billion<sup>2</sup>. This is in addition to remittances in kind or in the form of investments that migrant Filipino workers send here in the country.

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<sup>1</sup> <https://www.manilatimes.net/ofw-remittances-hit-all-time-high-in-2018/512476/>

<sup>2</sup> <http://www.bsp.gov.ph/statistics/keystat/ofw.htm>

Currently, there are different agencies that have mandates relative to overseas employment, *i.e.*, the Department of Labor and Employment (DOLE), the Philippine Overseas Employment Agency (POEA), the Overseas Workers Welfare Administration (OWWA), and the Department of Foreign Affairs - Office of the Undersecretary for Migrant Workers Affairs (DFA-OUMWA). There are also other agencies that have programs and projects for OFWs such as Technical Education and Skills Development Authority (TESDA), Department of Social Welfare and Development (DSWD), Social Security System, among others. The absence of a single agency to address foreign employment concerns has made it difficult for the government to focus on the needs and demands of foreign Filipino employment, in general, and of OFWs, in particular.

Hence, there is a need for the establishment of an agency that would manage, harmonize, and strengthen existing policies and programs to address the needs of Overseas Filipino Workers.

This legislative measure proposes the establishment of a Department of Overseas Filipinos to serve as the umbrella agency to specifically address all the issues and concerns of Filipinos abroad and their families, to afford them full protection, promote their full and just employment, mitigate the social costs back home, and serve as a channel to address OFW issues and grievances.

While we recognize that the government has to prioritize to continuously create local employment opportunities and develop local industries, we shall not overlook the need to serve millions of our overseas Filipinos and ensure the just employment of our migrant workers.

In view of the foregoing, approval of this bill is earnestly sought.



**SENATOR CHRISTOPHER "BONG" T. GO**

EIGHTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*Second Regular Session*



Senate  
Office of the Secretary

20 SEP 16 P 4:10

SENATE

Senate Bill No. 1835

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INTRODUCED BY SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

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**AN ACT**

**CREATING THE DEPARTMENT OF OVERSEAS FILIPINOS, DEFINING ITS  
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FUNCTIONS OF GOVERNMENT AGENCIES RELATED TO OVERSEAS  
EMPLOYMENT AND MIGRATION, APPROPRIATING FUNDS THEREFOR,  
AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and the House of Representatives of the Philippines in  
Congress assembled:*

1       **Section 1. *Short Title.*** – This Act shall be known as the "Department of  
2 Overseas Filipinos Act of 2020."

3

4       **Sec. 2. *Declaration of policies.*** –

5       a. It is the primordial duty of the State to protect the rights and promote the  
6 welfare and interest of Overseas Filipinos;

7       b. It is the duty of the State to uphold the dignity of labor and enhance its  
8 bargaining position in both domestic and international conditions. The State  
9 shall protect the welfare of all Filipinos, particularly those working and/or  
10 residing abroad, provide social protection and minimize the social costs of  
11 migration to their families at home, execute programs to sustain them when  
12 they return from abroad, and harness the robust contribution of Filipino  
13 communities outside of the country towards nation-building, utilizing a whole-  
14 of-government and whole-of-society approach;

15       c. While recognizing the significant contribution of Overseas Filipinos, including  
16 Overseas Filipino Workers (OFWs), to the national economy through their

- 1 foreign exchange remittances and investments, the State does not promote  
2 overseas employment as a means to sustain economic growth and achieve  
3 national development. The State's overseas employment program rests solely  
4 on the assurance that the dignity and human rights of OFWs shall neither be  
5 compromised nor violated. Towards this end, the State shall continually aim  
6 to make overseas employment a choice of last resort and not a necessity for  
7 every Filipino citizen;
- 8 d. In the pursuit of an independent foreign policy and while considering national  
9 sovereignty, territorial integrity, national interest, and the right to self-  
10 determination paramount in its relations with other states, the State shall, at  
11 all times, uphold the dignity of its citizens, whether in-country or overseas,  
12 continuously monitor bilateral agreements with countries of destination and  
13 international conventions in order to adopt or be a signatory to and ratify  
14 those agreements that guarantee protection to Overseas Filipinos;
- 15 e. The State shall afford full protection to Overseas Filipinos, including OFWs,  
16 promote full employment, ensure equal work opportunities regardless of sex,  
17 gender, race, creed or religion, monitor the relations between OFWs and their  
18 employers, and promote their welfare and well-being at all times. The State  
19 shall protect the rights of the workers to security of tenure, and just and  
20 humane conditions of work. Towards this end, the State shall provide  
21 adequate and timely social, economic, and legal services to OFWs;
- 22 f. The State affirms the fundamental equality before the law of men and women  
23 and the latter's significant role in nation-building. In recognizing the particular  
24 vulnerabilities of women, especially those who are working abroad, the State  
25 shall apply gender sensitive criteria in the formulation and implementation of  
26 its policies and programs;
- 27 g. Free access to the courts, quasi-judicial bodies, and adequate legal assistance  
28 shall not be denied to any person by reason of poverty. In this regard, it is  
29 imperative that an effective mechanism be instituted by the State to ensure  
30 that the rights and interests of Overseas Filipinos, including OFWs, in distress,  
31 whether regular or irregular, are adequately protected and safeguarded;

- 1 h. The State shall recognize and guarantee the right of all Overseas Filipinos,  
2 including OFWs, to participate in the democratic decision-making processes of  
3 the State and to be represented in institutions relevant to them;
- 4 i. The State recognizes non-governmental organizations, trade unions, workers  
5 associations, business organizations and other stakeholders duly recognized  
6 as legitimate as partners of the State in the protection of Overseas Filipinos  
7 and the promotion of their welfare. The State shall nurture and uphold  
8 mutual trust and respect in areas of cooperation;
- 9 j. The State shall protect every citizen desiring to work locally or overseas by  
10 securing the citizen the best possible terms and conditions of employment.  
11 The State shall endeavor to facilitate a free choice of available employment  
12 by persons seeking work and regulate the movement of workers in conformity  
13 with the national interest;
- 14 k. The State affirms that the Filipino family, as a basic autonomous social  
15 institution, is the foundation of the nation. Accordingly, the solidarity of the  
16 families of OFWs shall be strengthened and their total development shall be  
17 actively promoted;
- 18 l. The State recognizes that the most effective tool for empowerment and  
19 protection of rights of OFWs is their possession of appropriate skills. The  
20 government shall embark on a robust expansion of skills development and  
21 enhancement programs of the concerned agencies and shall facilitate access  
22 of OFWs to these programs. The State shall also pursue bilateral, regional  
23 and multilateral agreements on skills qualification, certification and matching;
- 24 m. The State commits to fulfill the twenty-three (23) objectives of the Global  
25 Compact for Safe, Orderly and Regular Migration (GCM):
- 26 1. Collect and utilize accurate and disaggregated data as a basis for  
27 evidence-based policies;
- 28 2. Minimize the adverse drivers and structural factors that compel people  
29 to leave the country;
- 30 3. Provide accurate and timely information at all stages of migration;
- 31 4. Ensure that all migrants have proof of legal identity and adequate  
32 documentation;

- 1        5. Enhance availability and flexibility of pathways for regular migration;
- 2        6. Facilitate fair and ethical recruitment and safeguard conditions that
- 3        ensure decent work;
- 4        7. Address and reduce vulnerabilities in migration;
- 5        8. Save lives and establish coordinated international efforts on missing
- 6        migrants;
- 7        9. Strengthen the transnational response to smuggling of migrants;
- 8        10. Prevent, combat and eradicate trafficking in persons in the context of
- 9        international migration;
- 10       11. Manage borders in an integrated, secure and coordinated manner;
- 11       12. Strengthen certainty and predictability in migration procedures for
- 12       appropriate screening, assessment and referral;
- 13       13. Use migration detention only as a measure of last resort and work
- 14       towards alternatives;
- 15       14. Enhance consular protection, assistance and cooperation throughout
- 16       the migration cycle;
- 17       15. Provide access to basic services for migrants;
- 18       16. Empower migrants and societies to realize full inclusion and social
- 19       cohesion;
- 20       17. Eliminate all forms of discrimination and promote evidence-based
- 21       public discourse to shape perceptions of migration;
- 22       18. Invest in skills development and facilitate mutual recognition of skills,
- 23       qualifications and competencies;
- 24       19. Create conditions for migrants and diasporas to fully contribute to
- 25       sustainable development in all countries;
- 26       20. Promote faster, safer and cheaper transfer of remittances and foster
- 27       financial inclusion of migrants;
- 28       21. Cooperate in facilitating the safe and dignified return and readmission
- 29       of migrants as well as their sustainable reintegration into their home
- 30       countries;
- 31       22. Establish mechanisms for the portability of social security entitlements
- 32       and earned benefits; and

1       23.   Strengthen international cooperation and global partnerships for safe,  
2           orderly and regular migration.

3  
4       **Sec. 3. *Definition of terms.*** – As used in this Act, the following terms and  
5 phrases are defined as follows:

- 6       a. Assistance to Nationals (ATN) – refers to services provided by the Philippine  
7       Government to any Overseas Filipino in distress which may be in the form of  
8       repatriation, medical assistance, shipment of remains, legal assistance and  
9       representation, rescue, evacuation, financial assistance or any other  
10      analogous help or intervention to ensure that the Filipino national's human  
11      rights and welfare are protected, respected, and fulfilled;
- 12      b. Country of destination – refers to any country other than the Philippines  
13      where a Filipino citizen is temporarily or permanently residing;
- 14      c. Ethical recruitment – refers to the practice of recruiting and deploying  
15      overseas workers through government accredited recruitment or manning  
16      agencies, that allow overseas workers to change employers and modify the  
17      conditions or length of their stay with minimal administrative burden, while  
18      promoting greater opportunities for decent work and respect for international  
19      human rights and labor law, prohibit the confiscation or nonconsequential  
20      retention of work contracts, and travel or identity documents from migrants  
21      and guarantees that the employer pay principle is upheld;
- 22      d. Overseas Filipino (OF) – refers to a Filipino national outside the Philippines,  
23      whether permanent or temporary, regardless of such national's legal status,  
24      including Overseas Filipino Workers (OFW), tourists, pilgrims, students,  
25      trainees, and religious missionaries.
- 26      e. Overseas Filipino in distress – refers to an OF who has a medical,  
27      psychosocial, or legal problem, or is experiencing abuse or exploitation, or  
28      whose human rights are being violated, and requires treatment,  
29      hospitalization, counseling, legal representation, rescue, repatriation, or any  
30      other kind of analogous intervention, including those who have died thereat  
31      and whose remains have to be repatriated to the Philippines;

- 1 f. License – refers to the document issued by the Secretary of the Department
- 2 authorizing a natural or juridical person or his duly authorized official or
- 3 representative to operate a private recruitment or manning agency;
- 4 g. Manning agency – refers to a natural or juridical person duly licensed by the
- 5 Secretary of the Department to engage in the recruitment and placement of
- 6 seafarers or sea-based migrant workers;
- 7 h. Overseas employment – refers to employment outside the Philippines;
- 8 i. Overseas Filipino worker (OFW) – refers to a Filipino who is to be engaged, is
- 9 engaged, or has been engaged in remunerated activity in a state or country
- 10 which is not the Philippines and which he or she is not a permanent resident,
- 11 whether land-based or sea-based. For purposes of this provision, a person
- 12 engaged in remunerated activity refers to a person who has been contracted
- 13 for overseas employment but has yet to leave the Philippines;
- 14 j. Recruitment agency – refers to a natural or juridical person duly licensed by
- 15 the Secretary of the Department to engage in the recruitment or placement
- 16 of land-based migrant workers;
- 17 k. Regular overseas Filipino worker – refers to an OFW who has a passport,
- 18 valid visa, permit to stay, travel paper, or any other document necessary to
- 19 work or continue working in the country in which he is working. It includes an
- 20 OFW who has a contract of employment approved by the Department.
- 21 l. Reintegration program – refers to a measure or a set of measures intended
- 22 for mainstreaming returning OFWs into the Philippine society, including but
- 23 not limited to livelihood projects, wellness programs, financial literacy
- 24 programs and other similar projects;
- 25 m. Seafarer – refers to an OFW who is engaged in employment in any capacity
- 26 on board a merchant marine vessel plying international waters or other sea-
- 27 based craft of similar category. For purposes of this Act, it shall include
- 28 fisherfolk, cruise ship personnel, yacht crew, those serving on mobile offshore
- 29 and drilling units in the high seas, and other persons similarly situated.
- 30



1       **Sec. 4. *Creation and mandate.*** – The Department of Overseas Filipinos,  
2 hereinafter referred to as "the Department", is hereby organized structurally and  
3 functionally in accordance with the provisions of this Act.

4  
5       The Department shall be the primary agency under the Executive Branch of  
6 the government tasked to protect the rights and promote the welfare of overseas  
7 Filipinos; formulate, plan, coordinate, promote, administer, and implement policies,  
8 and undertake systematic national development programs for managing and  
9 monitoring the overseas or foreign employment of Filipino workers, while taking into  
10 consideration domestic manpower and human resource requirements and the need  
11 to protect the right to decent work and fair and ethical recruitment practices.

12  
13       **Sec. 5. *Powers and functions.*** – To carry out its mandate, the Department  
14 shall:

- 15       a. Formulate, recommend, and implement national policies, plans, programs,  
16       and guidelines that will ensure the protection of overseas Filipinos, including  
17       OFWs, the promotion of their interests, and the timely and effective  
18       resolution of their problems;
- 19       b. Ensure that policies and programs are in place to adequately protect and  
20       prospective overseas Filipinos, including OFWs;
- 21       c. Regulate, through the Philippine Overseas Employment Administration, the  
22       deployment of overseas Filipino workers;
- 23       d. Initiate, pursue, and help prosecute, in coordination with the Department of  
24       Justice, illegal recruitment and human trafficking cases as defined under  
25       Republic Act No. 10022 or the Migrant Workers and Overseas Filipinos Act;
- 26       e. Conduct, in coordination with relevant stakeholders, studies on policy areas  
27       and options that will ensure protection of overseas Filipinos and address  
28       perennial issues that they encounter;
- 29       f. Protect and promote the welfare, well-being, and interests of the families of  
30       overseas Filipinos;
- 31       g. Build, in coordination with the Department of Foreign Affairs, strong and  
32       harmonious partnerships with counterpart and relevant agencies in foreign

- 1 countries ~~to formulate and implement~~ in order to facilitate the implementation  
2 of strategies and programs designed for the protection and promotion of the  
3 rights and well-being of overseas Filipinos and their families;
- 4 h. Assess, review, harmonize, and coordinate, in coordination with the  
5 Department of Foreign Affairs, applicable policies and procedures pursuant to  
6 multilateral, regional, or bilateral treaties and agreements with foreign  
7 countries, the United Nations and its affiliate organizations, and other  
8 international and regional organizations;
- 9 i. Cooperate and coordinate with foreign countries of destination, and monitor  
10 labor developments in foreign countries to ensure that the terms and  
11 conditions of work of overseas Filipino workers are in accordance with  
12 applicable and appropriate Philippine, on-site, and international standards;
- 13 j. Employ proactive, effective, and efficient approaches in providing timely ATN  
14 services to overseas Filipinos, especially in times of actual or potential war,  
15 civil unrest, pandemic or other analogous circumstances and situations;
- 16 k. Provide, in coordination with the Department of Foreign Affairs, ATN services  
17 to overseas Filipinos, especially those in distress. In times of national  
18 emergencies, such as the imminence of war or pandemic, the Department  
19 shall strengthen linkages with appropriate authorities in the host country for  
20 the timely mobilization and assistance to Overseas Filipinos;
- 21 l. Provide social and welfare services, including insurance, social work  
22 assistance, legal assistance, cultural services, to overseas Filipinos;
- 23 m. Provide, in cooperation with the Department of Education, the Commission on  
24 Higher Education, the Technical Education and Skills Development Authority,  
25 and other government agencies, civil societies, and non-governmental  
26 organizations aimed at promoting the global competitiveness of overseas  
27 Filipino workers, job matching services to prospective overseas Filipino  
28 workers;
- 29 n. Administer the generation, accumulation, and utilization of funds for the  
30 benefit of overseas Filipinos;
- 31 o. Administer reintegration and social service programs for overseas Filipinos  
32 who are returning or have returned to the Philippines;

- 1 p. Encourage and enhance information and resource sharing, develop an  
2 electronic database to improve services for overseas Filipinos, and strengthen  
3 linkages and cooperation among government agencies, consistent with  
4 national and overseas Filipino-focused objectives;
- 5 q. Regulate, through the Philippine Overseas Employment Administration, the  
6 operations of private recruitment and manning agencies and other related  
7 business entities involved in the employment of overseas Filipino workers to  
8 protect the interests and well-being of these workers, with due consideration  
9 to relevant market conditions;
- 10 r. Foster the professionalization and ensure compliance with legal and ethical  
11 standards, training, and capacity-building of private recruitment and manning  
12 agencies;
- 13 s. Represent Philippine interests pertaining to overseas Filipinos in regional, sub-  
14 regional, bilateral, and multilateral fora and international bodies, and  
15 negotiate on matters concerning overseas Filipinos, in coordination and  
16 cooperation with the Department of Foreign Affairs;
- 17 t. Promulgate rules and regulations for the implementation of pertinent laws  
18 and policies relating to overseas Filipinos;
- 19 u. Accept, hold, administer, and utilize properties, subject to limitations set by  
20 existing laws, in pursuit of the mandate of the Department;
- 21 v. Perform all the powers, functions, and responsibilities assigned to all  
22 agencies, offices, or units to be transferred to the Department pursuant to  
23 the consolidation mandated by this Act;
- 24 w. Prosecute cases arising out of violations of the provisions of this Act, including  
25 those involving trafficking in persons and illegal recruitment, in coordination  
26 with quasi-judicial bodies such as the National Labor Relations Commission,  
27 the Department of Labor and Employment, the National Bureau of  
28 Investigation, and the Inter-Agency Council Against Trafficking;
- 29 x. Assume all powers, functions, and responsibilities assigned to the Department  
30 of Labor and Employment relating to overseas Filipinos provided for under  
31 Republic Act No. 8042 or the Migrant Workers and Overseas Filipinos Act,

1 Republic Act No. 10801 or the Overseas Workers Welfare Administration Act,  
2 and other related laws; and  
3 y. Perform such other functions as may be necessary to achieve the objectives  
4 of this Act.  
5

6 The exercise of the powers and functions of the Department shall in no way limit,  
7 restrict or affect the pursuit of an independent foreign policy in the conduct of  
8 foreign affairs.  
9

10 **Sec. 6. *Composition.*** – The Department shall consist of the Department  
11 Proper comprising of the Office of the Secretary, the Offices of the Undersecretaries  
12 and Assistant Secretaries, the Service Units, the Staff Bureaus, Regional offices, and  
13 ATN Units of Philippine Foreign Service Posts.  
14

15 The Secretary shall be appointed by the President, subject to confirmation by  
16 the Commission on Appointments in accordance with the Constitution. The  
17 Undersecretaries and Assistant Secretaries shall likewise be appointed by the  
18 President upon the recommendation of the Secretary.  
19

20 **Sec. 7. *The Secretary.*** – The authority and responsibility for the exercise of  
21 the mandate, powers, and functions of the Department shall be vested in the  
22 Secretary of the Department, who shall exercise supervision and control over the  
23 Department.  
24

25 For such purposes, the Secretary shall have the following powers and  
26 functions:

- 27 a. Provide executive direction, supervision, and control over the entire  
28 operations of the Department and its attached agencies, unless otherwise  
29 provided for elsewhere in this Act;  
30 b. Establish policies and standards for the effective, efficient, and economical  
31 operation of the Department, consistent with the programs of the  
32 government;

- 1 c. Exercise jurisdiction over all bureaus, offices, agencies, and corporations  
2 under the Department as provided by law and in accordance with the  
3 applicable relationships as specified in the Administrative Code;
- 4 d. Delegate, with reasonable standards under the circumstances, authority for  
5 the performance of any function to offices and employees of the Department;
- 6 e. Issue orders, directives, rules, and regulations, and other issuances to carry  
7 out foreign labor and employment policies, plans, programs, or projects;
- 8 f. Negotiate with foreign countries' governments, in coordination with the  
9 Department of Foreign Affairs, treaties, agreements, pacts, and other similar  
10 instruments that are related to labor migration and overseas employment;
- 11 g. Evaluate policy, plan, program, and project accomplishments of the  
12 Department;
- 13 h. Advise the President on the promulgation of executive and administrative  
14 orders and on the formulation of necessary regulatory and legislative  
15 proposals on matters pertaining to overseas Filipinos;
- 16 i. Administer and manage the Assistance to Nationals Fund and issue guidelines  
17 for the proper and efficient utilization thereof;
- 18 j. Formulate such rules and regulations and exercise such other powers as may  
19 be required to implement and realize the objectives of this Act;
- 20 k. Supervise and manage the prosecution of cases involving the utilization of the  
21 ATN Fund;
- 22 l. Act as Chairperson of the Overseas Workers Welfare Administration Board;
- 23 m. Sit as a member of the Inter-Agency Council Against Trafficking created by  
24 Republic Act No. 9208, as amended;
- 25 n. Create additional offices and positions, in coordination with the Department of  
26 Budget and Management and the Civil Service Commission, as may be  
27 necessary to fulfill the mandate of the Department;
- 28 o. Promulgate and implement the implementing rules and regulations of this  
29 Act; and
- 30 p. Perform such other tasks as provided for under existing laws or assigned by  
31 the President.

32

1       **Sec. 8. Structure of the Department.** – The Secretary shall be assisted by  
2 four (4) Undersecretaries and by an appropriate number of Assistant Secretaries as  
3 determined by this law.

4  
5       The following offices are hereby created, each to be headed by an  
6 Undersecretary and assisted by other officers and staff:

7       a. Office of the Undersecretary for Administration and Finance. The Office of the  
8 Undersecretary for Administration and Finance shall have the following  
9 functions:

- 10           1. Provide the Department with efficient, effective, and economical  
11           services relating to records management, supplies, equipment,  
12           collections, disbursements, building administration and maintenance,  
13           security, and custodial work;
- 14           2. Administer personnel programs including selection and placement,  
15           development, performance evaluation, employee relations, and  
16           welfare;
- 17           3. Supervise and control the operational activities of the Assistant  
18           Secretary heading each of the following units:
  - 19               i. Financial Management and Internal Audit;
  - 20               ii. Human Resources, Regional Operations, Assets Management,  
21               and Records and Archives; and
  - 22               iii. Legal Department and Bids and Awards Committee.
- 23           4. Manage internal budgetary and financial matters, including an internal  
24           accounting and auditing system, and data banking; and
- 25           5. Perform such other functions as may be provided by law or assigned  
26           by the Secretary.

27  
28       b. Office of the Undersecretary for Foreign Employment. The Office of the  
29 Undersecretary for Foreign Employment shall have the following functions:

- 30           1. Advise and assist the Secretary in the formulation of the Department's  
31           overall long-term and short-term plans and programs on overseas  
32           employment;

- 1           2. Review and evaluate the progress or status of projects and  
2           accomplishments in relation to set standards, objectives, and  
3           schedules;
- 4           3. Undertake program and policy coordination, monitoring and evaluation  
5           of the Philippine Overseas Employment Administration (POEA) and the  
6           Overseas Workers Welfare Administration (OWWA);
- 7           4. Supervise and control operational activities of one (1) Assistant  
8           Secretary; and
- 9           5. Perform such other functions as may be provided by law or assigned  
10          by the Secretary.
- 11
- 12       c. Office of the Undersecretary for Assistance to Overseas Filipinos in Distress.  
13       The Office of the Undersecretary for Assistance to Overseas Filipinos in  
14       Distress shall subsume all the functions of the Office of the Undersecretary  
15       for Migrant Workers' Affairs of the DFA and the Social Welfare Attaches Office  
16       (SWATO) under the Department of Social Welfare and Development (DSWD),  
17       now operating as the International Social Services Office (ISSO). It shall  
18       exercise the following functions:
  - 19           1. Provide prompt and appropriate response to global emergencies or  
20           crisis situations affecting OFs, particularly OFWs, and members of their  
21           families left behind;
  - 22           2. Undertake all repatriation activities, in coordination with the DFA,  
23           Philippine Foreign Service Posts, and other government agencies, in  
24           cases of war, epidemic, disasters or calamities, whether natural or  
25           man-made, amnesties, emergencies, abuse, and other similar events  
26           without prejudice to reimbursement by the responsible principal  
27           employer or recruitment or manning agency;
  - 28           3. Enforce the Assistance to Nationals (ATN) Fund and Legal Assistance  
29           Fund guidelines, procedures, and criteria for the utilization of the said  
30           fund as provided for under this Act;

- 1 4. Administer the ATN Fund and the Legal Assistance Fund, and to  
2 authorize disbursements therefrom in accordance with the purpose for  
3 which the fund was set up;
- 4 5. Ensure effective coordination and cooperation with other government  
5 agencies and Philippine Foreign Service Posts in the provision of legal  
6 assistance and ATN services utilizing the Fund;
- 7 6. Tap the assistance of the Integrated Bar of the Philippines, other bar  
8 associations, legal experts on labor, migration, and human rights laws,  
9 reputable law firms, and civil society organizations, to complement  
10 government services and resources to provide legal and other forms of  
11 assistance to OFs in distress and OFWs;
- 12 7. Establish a 24/7 Emergency Response and Action Center Unit and  
13 media and social media monitoring center to respond to the  
14 emergency needs of OFs and their families;
- 15 8. Exercise control and supervision over the Assistant Secretary heading  
16 the following units: (i) Operations; and (ii) Public Assistance Center;  
17 and
- 18 9. Perform such other functions as may be provided by law or assigned  
19 by the Secretary.  
20
- 21 d. Office of the Undersecretary for Policy, Treaties, International Agreements  
22 and Special Concerns. The Office of the Undersecretary for Policy, Treaties,  
23 International Agreements and Special Concerns shall subsume all the  
24 substantive functions of the International Labor Affairs Bureau (ILAB) under  
25 the Department of Labor and Employment and all the related functions and  
26 mandate of the Commission on Overseas Filipinos. It shall exercise the  
27 following functions:
  - 28 1. Monitor the observance and implementation of the Philippines'  
29 obligations and commitments to migration related international  
30 organizations and treaties;



- 1           2. Coordinate with the DFA regarding the negotiations of treaties,  
2           agreements, compacts, and other instruments that are related to labor  
3           migration;
- 4           3. Manage and supervise the ATN Career Corps as created by Section 15  
5           of this Act in coordination with the DFA;
- 6           4. Exercise control and supervision over one (1) Assistant Secretary  
7           heading the ATN Career Corps Unit;
- 8           5. Formulate and implement an integrated program for the promotion of  
9           the welfare of OFs, and the provision of pre-departure orientation  
10          seminars and counseling services to emigrants, marriage migrants, au  
11          pairs, and exchange visitor program participants;
- 12          6. Implement programs and services to adequately prepare Filipinos  
13          migrating to other countries to meet the practical and psychological  
14          problems attendant to international migration;
- 15          7. Act as the Department's advocacy arm and shall execute programs and  
16          services to raise public awareness on the dangers and indicators of  
17          illegal recruitment, human trafficking, mail-order-spouse schemes, and  
18          access to the different government policies and programs in place that  
19          aim to address these concerns;
- 20          8. Serve as a forum for preserving and enhancing the social, economic,  
21          and cultural ties of OFs with their motherland;
- 22          9. Provide liaison services to OFs with appropriate government and  
23          private agencies in the transaction of business and similar ventures in  
24          the Philippines; and
- 25          10. Perform such other functions as may be provided by law or assigned  
26          by the Secretary.

27  
28           **Sec. 9. *Qualifications.*** – No person shall be appointed as Secretary,  
29 Undersecretary, or Assistant Secretary of the Department unless he is a natural born  
30 citizen and resident of the Philippines, of good moral character, of proven integrity  
31 and competence in public administration, and has recognized expertise in  
32 governance involving overseas Filipinos.

1  
2       The Undersecretaries shall be members of the Philippine Bar who have been  
3 engaged in the practice of law for at least five (5) years.

4  
5       No person involved in the business of recruitment and deployment of  
6 overseas Filipinos and overseas Filipino workers shall be appointed as Secretary,  
7 Undersecretary, or Assistant Secretary of the Department. This prohibition shall  
8 likewise apply to relatives of such person involved in the business of recruitment and  
9 deployment of overseas Filipinos and overseas Filipino workers up to the fourth  
10 degree of consanguinity or affinity.

11  
12       It shall be unlawful for any official or employee of the Department or other  
13 government agencies involved in the implementation of this Act, or their relatives  
14 within the fourth degree of consanguinity or affinity, to engage, directly or indirectly,  
15 in the business of recruitment and deployment of overseas Filipino workers. Upon  
16 conviction, the penalties under Republic Act No. 8042, as amended, shall be  
17 imposed upon them.

18  
19       **Sec. 10. Regional offices.** – The Department shall establish, operate, and  
20 maintain a regional office and such other lower level offices as may be deemed  
21 necessary by the Secretary in strategic locations in the country in consideration of  
22 existing regional offices of the POEA and OWWA.

23  
24       **Sec. 11. Structure and staffing pattern.** – The Department shall  
25 determine its organizational structure and create new divisions or units as it may  
26 deem necessary at the national, regional, provincial, and in such other lower levels,  
27 and shall appoint officers and employees of the Department in accordance with Civil  
28 Service laws, rules and regulations. Republic Act No. 6656, or the Government  
29 Reorganization Law shall govern the organization of the Department, and the  
30 reorganization of affected agencies.

1       Sixty (60) days from the approval of this Act, the Department shall present its  
2 staffing pattern to the Department of Budget and Management for approval. This  
3 staffing pattern shall be implemented effective immediately upon approval but not  
4 later than the holdover period of all the subsumed agencies of the Department.

5  
6       **Sec. 12. Sectoral and industry task forces.** – The Department may  
7 create sectoral and industry task forces, technical working groups, advisory bodies,  
8 or committees for the furtherance of its objectives. Additional private sector  
9 representatives, such as from the OFWs, the academe, and private industries  
10 directly involved in deployment of OFWs, as well as other national government  
11 agencies, local government units, and government-owned and -controlled  
12 corporations, may be appointed to these Sectoral and Industry Task Forces.

13  
14       **Sec. 13. Establishment of Overseas Filipinos Malasakit Centers.** – The  
15 Department, in partnership with other government agencies and local government  
16 units, shall establish the Overseas Filipinos Malasakit Centers in strategic locations of  
17 the country to ensure prompt, efficient, vital and relevant services to migrant  
18 Filipinos and their families to include acquisition of government clearances and  
19 permits, validation of overseas job offers, reintegration services and all pertinent  
20 seminars and workshops for all stakeholders.

21  
22       **Sec. 14. Assistance to Nationals Fund.** – The Legal Assistance Fund  
23 under Section 25 of Republic Act No. 8042, as amended, as well as the ATN Fund  
24 now administered by the Department of Foreign Affairs shall be transferred to and  
25 administered by the Department. In addition to those guidelines provided for under  
26 existing laws, and in accordance with guidelines to be formulated by the  
27 Department, the ATN Fund shall be used for the provision of ATN services as  
28 provided for under this Act.

29  
30       The ATN Fund guidelines shall be issued by the Secretary in consultation with  
31 relevant stakeholders.

1       **Sec. 15. ATN Office.** – The Assistance-to-Nationals (ATN) Office of the  
2 Philippine Foreign Service Post shall be the operating arm overseas foreign office of  
3 the Department. The ATN Office shall absorb all the powers, existing functions and  
4 personnel of the Philippine Overseas Labor Offices (POLO), existing ATN units of the  
5 DFA and social welfare services in all Philippine embassies and consulates, and shall  
6 perform the following functions:

- 7       a. Ensure the promotion and protection of the welfare and interests of  
8       Filipino Overseas and assist them in all problems arising out of employer-  
9       employee relationships including violation of work contracts, conditions of  
10       employment such as non-payment of wages and other benefits, illegal  
11       dismissal, and other similar cases;
- 12       b. Verify employment contracts and other employment-related documents;
- 13       c. Monitor and report to the Secretary on situations and policy developments  
14       in the receiving country that may affect Filipinos Overseas in particular  
15       and Philippine labor policies, in general;
- 16       d. Pursue, in coordination with and supervision by the Philippine  
17       Embassy/Consulate, discussion on bilateral and multilateral labor issues  
18       and concerns with the host government, foreign embassies concerned,  
19       and international organizations;
- 20       e. Supervise and coordinate the operations of the Migrant Workers and  
21       Other Overseas Filipinos Resource Center;
- 22       f. Provide social and welfare programs and services to Filipino nationals,  
23       including social assistance, education and training, cultural services,  
24       financial management, reintegration, and entrepreneurial development  
25       services;
- 26       g. Provide prompt and appropriate response to global emergencies or crisis  
27       situations affecting Filipino nationals;
- 28       h. Manage case of OFWs and other overseas Filipinos in distress needing  
29       psychosocial services, such as victims of trafficking or illegal recruitment,  
30       rape or sexual abuse, maltreatment and other forms of physical or mental  
31       abuse and cases of abandoned or neglected children;

- 1 i. Establish and maintain a data bank and documentation of OFWs and their
- 2 families so that appropriate welfare services can be more effectively
- 3 provided;
- 4 j. Repatriation of distressed Filipino nationals including shipment of remains
- 5 and personal belongings;
- 6 k. Verification of whereabouts and condition;
- 7 l. Provide assistance in criminal and immigration cases;
- 8 m. Provide assistance to victims of illegal Recruitment and Trafficking in
- 9 Persons;
- 10 n. Provide assistance to kidnapping and hostage victims;
- 11 o. Conduct prison and hospital visitation, and attend court hearings;
- 12 p. Provide assistance to detained and/or convicted Filipino nationals, as may
- 13 be appropriate; and
- 14 q. Perform other functions and responsibilities as may be assigned by the
- 15 Secretary.

16

17 The Department shall establish the Assistance-to-Nationals Career Officer  
18 Corps. The qualifications, hiring and selection, continuous training and education,  
19 merit promotion system, and rotation system for deployment and recall of ATN  
20 Officers shall also be established by the Department, in accordance with existing civil  
21 service rules and regulations.

22

23 ATN Officers in foreign posts shall be designated as service attaches and shall  
24 have the following duties and responsibilities:

- 25 a. Repatriation of distressed and undocumented Filipinos;
- 26 b. Assistance to victims of natural and man-made disasters;
- 27 c. Monitoring of court cases of Filipinos;
- 28 d. Attending to police cases involving Filipinos such as but not limited to
- 29 sexual assault, theft/robbery, drug use/drug trafficking,
- 30 fraud/falsification/forgery, murder/homicide, trafficking in persons, etc.;
- 31 e. Prison visitation including counselling and provision of consular services;

- 1 f. Coordination with next-of-kin or relatives on police and immigration  
2 cases; and  
3 g. Attending to death of Filipinos including repatriation of remains or  
4 personal belongings and issuance of mortuary certificate.  
5

6 ATN Officers in the Central Office shall have the following duties and  
7 responsibilities:

- 8 a. Receive requests for assistance from the next-of-kin of overseas Filipinos  
9 in distress or the overseas Filipinos themselves;  
10 b. Refer requests to the concerned Foreign Service Post;  
11 c. Endorse the disbursement from the ATN Fund and the Legal Assistance  
12 Fund, subject to rules and regulations for such disbursement;  
13 d. In cases of emergency situations, monitor the situation abroad through  
14 reports from the Philippine Embassies and Consulates; and  
15 e. Provide information and updates to interested parties and government  
16 agencies.  
17

18 The deployment and performance of the ATN Career Officer Corps members  
19 to Philippine Foreign Service Post shall be governed by the Philippine Foreign Service  
20 Act of 1991, Vienna Convention on Consular Relations and the Vienna Convention on  
21 Diplomatic Relations and shall also be subject to the rules and regulations imposed  
22 by the receiving State.  
23

24 There shall be an ATN Head with an assimilated diplomatic rank to be  
25 appointed by the Secretary of the Department.  
26

27 All regional offices of the OWWA shall be located, as much as practicable,  
28 beside the regional office of the Department for foreign posts. The OWWA shall be  
29 under the ATN Office to consolidate the migration team of the Foreign Service and  
30 will be under supervision of the ATN Head.  
31

1           **Sec. 16. *Migrant Workers and Other Overseas Filipinos Resource***  
2 ***Center (MWOFRFC).*** – The Migrant Workers and other Overseas Filipinos Resource  
3 Center (MWOFRFC) shall be under the Department and shall provide the following  
4 services:

- 5           a. Temporary shelter to distressed OFWs;
- 6           b. Counselling and legal services;
- 7           c. Welfare assistance including the procurement of medical and  
8           hospitalization services;
- 9           d. Information, advisory programs to promote social integration such as  
10           post-arrival orientation, settlement and community networking services  
11           and activities for social interaction;
- 12           e. Registration of irregular and undocumented workers;
- 13           f. Human resource development, such as training and skills upgrading;
- 14           g. Gender-sensitive programs and activities to assist particular needs of  
15           migrant workers;
- 16           h. Orientation program for returning workers and other migrants;
- 17           i. Monitoring of the daily situation, circumstances and activities affecting  
18           migrant workers and other overseas Filipinos;
- 19           j. Ensuring that labor and social welfare laws in the receiving country are  
20           fairly applied to migrant workers and other overseas Filipinos; and
- 21           k. Conciliation of disputes arising from employer-employee relationship.

22  
23       The following personnel may be assigned to the Center:

- 24           a. Psychologists, Social Workers, and a Shari'a or Human Rights Lawyer, in  
25           highly problematic countries as categorized by the DFA and the Department  
26           and where there is a concentration of Filipino migrant workers;
- 27           b. Individual volunteers and representatives from bona fide non-government  
28           organizations from the receiving countries, if available and necessary as  
29           determined by the ATN Head, in consultation with the Chief of Mission;
- 30           c. Public Relations Officer or Case Officer conversant, orally and in writing, with  
31           the local language, laws, customs and practices; and

1 d. Legal Officers and such other professionals deemed necessary by the  
2 Secretary.

3 The ATN Head shall supervise and coordinate the day-to-day operations and  
4 activities of the Center and shall keep the Chief of Mission informed and updated on  
5 all matters affecting it at least quarterly through a written report addressed to the  
6 Chief of Mission.

7

8 **Sec. 17. *One country-team approach.*** – Under the one country-team  
9 approach, all officers, representatives, and personnel of the Philippine government  
10 posted abroad regardless of their mother agencies shall, on a per country basis, act  
11 as one country-team with a mission under the leadership of the Ambassador or the  
12 Consul General. In this regard, the Ambassador or the Consul General acting as  
13 Head of Post, may recommend to the Secretary, in coordination with the Secretary  
14 of the Department of Foreign Affairs, the recall of officers, representatives, and  
15 personnel of the Philippine government posted abroad for acts inimical to the  
16 national interest such as the failure to provide the necessary services to protect the  
17 rights of overseas Filipinos.

18

19 **Sec. 18. *Management information system.*** – The Department shall  
20 establish, in cooperation with other government agencies concerned, a computer-  
21 based management information system on overseas Filipinos to support its  
22 operations and as well as to have a source of relevant data for programs and policy  
23 formulation. Each office of the Department may likewise create and maintain its own  
24 relevant database, as it deems necessary, *provided*, that these are integrated into  
25 the Department's main management information system.

26

27 **Sec. 19. *Transfer of agencies and functions.*** – The following agencies  
28 are hereby merged and transferred to the Department, and their powers and  
29 functions subsumed to the Department which shall assume and perform all their  
30 powers and functions:

31 a. The Office of the Undersecretary for Migrant Workers' Affairs (OUMWA) of the  
32 Department of Foreign Affairs as provided for under Republic Act No. 8042,



- 1 as amended, to include all present and previous units in the Department of  
2 Foreign Affairs performing functions mandated by the said law;
- 3 b. The Commission on Overseas Filipinos (CFO);
  - 4 c. All Philippine Overseas Labor Offices (POLO) under the Department of Labor  
5 and Employment;
  - 6 d. The International Labor Affairs Bureau (ILAB) under the Department of Labor  
7 and Employment; and
  - 8 e. The Social Welfare Attaches Office (SWATO) under the Department of Social  
9 Welfare and Development, now operating as the International Social Services  
10 Office (ISSO).

11

12 **Sec. 20. *Attached agencies.*** - The Philippine Overseas Employment  
13 Administration (POEA) and the Overseas Workers Welfare Administration shall be  
14 attached to the Department.

15

16 The Department shall exercise administrative supervision over the POEA  
17 created under Executive Order 247 Series of 1987 and Republic Act No. 8042, as  
18 amended. The POEA shall continue to function in accordance with its charter.

19

20 The Department shall exercise administrative supervision over the OWWA  
21 created under Republic Act No. 10801 as an attached agency for purposes of policy  
22 and program coordination, monitoring and evaluation. The OWWA shall continue to  
23 function in accordance with its charter. The Secretary shall be added to the OWWA  
24 Board of Trustees and shall act as Chairperson of the Board. The DOLE Secretary  
25 shall remain as member of the Board.

26

27 Five (5) years after the effectivity of this Act, the Department shall conduct a  
28 thorough review of the administration, operations, and functions of the POEA and  
29 OWWA as attached agencies of the Department. From its evaluation, the  
30 Department may propose and recommend the necessary changes, legislative or  
31 administrative, to fulfill its mandate and the objectives of this Act.

32

1       **Sec. 21. *Reorganization and other transitory provisions.*** – In the  
2 transfer of functions of affected agencies under this Act, the following rules shall  
3 apply:

4       a. Any transfer of entities shall include the functions, appropriations, funds,  
5 records, equipment, facilities, other properties, assets, and liabilities of the  
6 transferred entity as well as the personnel thereof as may be necessary, who  
7 shall, in a holdover capacity, continue to perform their respective duties and  
8 responsibilities and receive the corresponding salaries and benefits, unless in  
9 the meantime they are separated from government service pursuant to  
10 existing laws. Those personnel from the transferred entity whose positions  
11 are not included in the new position structure and staffing pattern approved  
12 by the Secretary or who are not reappointed shall be entitled to the benefits  
13 provided in the second paragraph of Section 22 hereof;

14       b. Any transfer of functions which results in the subsuming of the entity that has  
15 exercised such transferred functions shall include, as may be necessary to the  
16 proper discharge of the transferred functions, the appropriations, funds,  
17 records, equipment, facilities, other assets, and personnel of the entity from  
18 which such functions have been transferred. The remaining appropriations  
19 and funds shall revert to the General Fund and the remaining records,  
20 equipment, facilities, and other assets shall be allocated to such appropriate  
21 units as the Secretary shall determine, or otherwise shall be disposed of, in  
22 accordance with pertinent laws, rules and regulations. The liabilities, if any, of  
23 the subsumed entity shall be treated likewise in accordance with pertinent  
24 laws, rules and regulations. Incumbents of the subsumed entity shall, in a  
25 holdover capacity, continue to perform their respective duties and  
26 responsibilities and receive the corresponding salaries and benefits unless in  
27 the meantime they are separated from government service, pursuant to  
28 existing laws. Any such personnel whose position is not included in the new  
29 position structure and staffing pattern approved by the Secretary or who is  
30 not reappointed shall be entitled to the benefits provided in Section 22  
31 hereof; and

1 c. Any transfer of functions which does not result in the subsuming of the entity  
2 that has exercised such transferred functions shall include the appropriations,  
3 funds, records, equipment, facilities, other assets as well as the personnel of  
4 the entity from which such functions have been transferred that are  
5 necessary to the proper discharge of such transferred functions. The  
6 liabilities, if any, which have been incurred in connection with the discharge  
7 of the transferred functions, shall be allocated in accordance with pertinent  
8 laws, rules and regulations. Such personnel shall, in a holdover capacity,  
9 continue to perform their respective duties and responsibilities and receive  
10 the corresponding salaries and benefits unless in the meantime they are  
11 separated from government service pursuant to existing laws. Any such  
12 personnel whose position is not included in the new position structure and  
13 staffing pattern approved by the Secretary or who is not reappointed shall be  
14 entitled to the benefits under applicable laws, rules and regulations.

15

16 **Sec. 22. Absorption, separation, and retirement from service.** – The  
17 existing employees of the transferred and subsumed agencies under this Act shall  
18 enjoy security of tenure and shall be absorbed by the Department, in accordance  
19 with their staffing patterns and the selection process as prescribed under Republic  
20 Act. No. 6656 or the Government Reorganization Law.

21

22 Employees who are affected by the creation of the Department and are  
23 separated from service within six (6) months from the effectivity of this Act as a  
24 result of the organization and reorganization under this Act shall receive separation  
25 benefits under Republic Act No. 6656, or the Government Reorganization Law, and  
26 other applicable laws, rules and regulations: *Provided*, That those who are qualified  
27 to retire and receive retirement benefits under existing retirement laws shall be  
28 allowed to retire. Detailed, transferred, or seconded career personnel to the  
29 Department from transferred or subsumed entities or any government entity shall  
30 neither lose seniority in rank or status, nor suffer any diminution of their salaries,  
31 allowances, or other privileges and entitlements.

32

1 Employees who are separated from service within six (6) months from the  
2 effectivity of this Act as a result of the organization and reorganization under this Act  
3 shall also receive additional separation incentives, as follows:

- 4
- 5 a) Fifty percent (50%) of the actual monthly basic salary for every year of  
6 service, for those who have rendered less than 11 years of service;
  - 7 b) Seventy five percent (75%) of the actual monthly basic salary for every year  
8 of service computed starting from the 1st year, for those who have rendered  
9 11 to less than 21 years of service;
  - 10 c) The actual monthly basic salary for every year of service, computed starting  
11 from the 1st year, for those who have rendered 21 to less than 31 years of  
12 service; and
  - 13 d) One hundred twenty five percent (125%) of the actual monthly basic salary  
14 for every year of service, computed starting from the 1st year, for those who  
15 have rendered 31 years of service and above.
- 16

17 *Provided*, That personnel who will be separated from the service as a result of  
18 the rationalization of the existing offices and will avail themselves of the incentives  
19 shall not be reemployed in any agency of the Executive Branch for a period of five  
20 (5) years, except as a teaching or medical staff in educational institutions and  
21 hospitals, respectively: *Provided*, further, That retired or separated personnel who  
22 are reemployed within the prohibited period shall refund the separation incentives  
23 received on a pro-rated basis: *Provided*, finally, That retired or separated personnel  
24 who will undertake consultancy services for the government shall be governed by RA  
25 No. 6713 ( Code of Conduct and Ethical Standards for Public Officials and  
26 Employees).

27

28 For purposes of the additional separation incentives, the actual monthly basic  
29 salary shall refer to the salary of the affected personnel as of the date of approval of  
30 the Department's organizational structure and staffing pattern by the DBM.

31

1       **Sec. 23. *Transition period.*** – The transfer of functions, assets, funds,  
2 equipment, properties, transactions, and personnel of the affected agencies, and the  
3 formulation of the internal organic structure, staffing pattern, operating system, and  
4 revised budget of the Department, shall be completed within six (6) months from  
5 the effectivity of this Act: *Provided*, That within this period, the existing personnel of  
6 all subsumed entities shall continue to assume their posts on holdover capacities  
7 until new appointments or a new staffing pattern shall have been issued: *Provided*,  
8 further, That after the organization and rationalization process, the Department, in  
9 coordination with the DBM, shall determine and create new positions, the funding  
10 requirements of which shall not exceed the equivalent cost of the positions  
11 subsumed.

12

13       **Sec. 24. *Congressional Oversight Committee.*** – There shall be created a  
14 Congressional Oversight Committee on Overseas Filipinos to monitor and oversee  
15 the implementation of the provisions of this Act.

16

17       The Committee shall be composed of six (6) members from the Senate and  
18 six (6) members from the House of Representatives with the Chairpersons of the  
19 Committees on Government Reorganization and Overseas Workers Affairs of the  
20 House of Representatives and Committee on Labor, Employment and Human  
21 Resources Development of the Senate as Co-chairpersons of this Committee. The  
22 other members from each Chamber are to be designated by the Senate President  
23 and the Speaker of the House of Representatives, respectively. The minority shall be  
24 entitled to *pro rata* representation but shall have at least two (2) representatives  
25 from each Chamber.

26

27       **Sec. 25. *Appropriations.*** – The amount needed for the initial  
28 implementation of this Act shall be taken from the current year's appropriations of  
29 the agencies, entities, divisions, sections or bodies subsumed or transferred to the  
30 Department by virtue of this Act. Thereafter, such sums, as may be necessary for its  
31 continued implementation, shall be included in the annual General Appropriations  
32 Act.

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**Sec. 26. *Mandatory review.*** – Ten (10) years after the effectivity of this Act, or as the need arises, the Congressional Oversight Committee shall conduct a systematic evaluation of the accomplishments and impact of this Act, as well as the performance and organizational structure of its implementing agencies, for purposes of determining remedial legislation.

Ten (10) years from the creation of this Department, the Congressional Oversight Committee may recommend to abolish the Department should circumstances prove that there is no more need for its existence. The relevance and practicality of maintaining the Department shall be reviewed every five (5) years after the ten (10) year mandatory review period.

**Sec. 27. *Implementing rules and regulations.*** – The Department of Overseas Filipinos, in coordination with the Department of Finance, the Department of Foreign Affairs, the Department of Budget Management, the Department of Labor and Employment, the Civil Service Commission, the National Economic and Development Authority, the Philippine Statistics Authority, and the Office of the Presidential Adviser on OFWs (OPA-OFW), shall, within sixty (60) days after the effectivity of this Act, promulgate such rules and regulations necessary to implement this Act.

**Sec. 28. *Separability clause.*** – Should any provision of this Act or part thereof be declared unconstitutional, the other provisions or parts not affected thereby shall remain valid and effective.

**Sec. 29. *Repealing clause.*** – All other laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

1       **Sec. 30. Effectivity.** – This Act shall take effect fifteen (15) days after its  
2 complete publication in the Official Gazette and in at least two (2) newspapers of  
3 general circulation.

*Approved,*