



Office of the Secretary of the Senate

20 DEC 14 AM 10:26

EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Second Regular Session

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RECEIVED BY

SENATE

Senate Bill No. 1949

INTRODUCED BY SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

**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

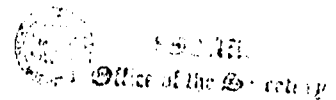
This particular bill, the third version I filed, is the result of a series of consultations and meetings among the Executive agencies, specifically those which will be primarily affected by the restructuring that will be occasioned by this measure, held after the filing of the first two versions. It represents the unified position of the entire Executive branch of the government on this measure, one that they believe will enable the proposed Department to address the most crucial problems, deliver the most important services, and ultimately achieve its goals.

Despite, however, it being the third version, the underlying policy and rationale behind the bill remains the same. The Department is the streamlining of how the government responds to the needs of overseas Filipinos and their families. It puts together all government agencies with functions related to the delivery of services to overseas Filipinos under a single roof, the ultimate goal of which is to make such services more accessible and the delivery thereof more responsive. Led by a Secretary, and operating in close coordination and cooperation with the Department of Foreign Affairs, the Department is envisioned to be a world-class agency which will deliver its promises and more.

This is the third and, perhaps, the best version of the measure. For this, the immediate passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to be 'Bong T. Go', written over the printed name.

SENATOR CHRISTOPHER "BONG" T. GO



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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

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

8

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

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- c. While recognizing the significant contribution of Overseas Filipinos, including Overseas Filipino Workers (OFWs), to the national economy through their foreign exchange remittances and investments, the State does not promote overseas employment as a means to sustain economic growth and achieve national development. The State's overseas employment program rests solely on the assurance that the dignity and human rights of OFWs shall neither be compromised nor violated. Towards this end, the State shall continuously aim to make overseas employment a choice of last resort and not a necessity for every Filipino citizen;
- d. In the pursuit of an independent foreign policy and while considering national sovereignty, territorial integrity, national interest, and the right to self-determination paramount in its relations with other states, the State shall, at all times, uphold the dignity of its citizens, whether in-country or overseas, continuously ensure implementation of bilateral agreements with countries of destination and monitor international conventions and related instruments in order to adopt or ratify those agreements that guarantee protection to Overseas Filipinos;
- e. The State shall afford full protection to Overseas Filipinos, including OFWs, promote full employment, ensure equal work opportunities regardless of sex, gender, race, ethnicity, color, disability, creed or religion, monitor the relations between OFWs and their employers, and promote their welfare and well-being at all times. The State shall protect the rights of the workers to security of tenure, and just and humane conditions of work. Towards this end, the State shall provide adequate and timely social, economic, and legal services to OFWs;
- f. The State affirms the fundamental equality before the law of men and women and the significant role of women and the youth in nation-building. In recognizing the particular vulnerabilities of women, especially those who are working abroad, the State shall apply gender sensitive criteria in the

1 formulation and implementation of its policies and programs. The State shall
2 formulate policies to further the protection and assistance to migrant children;
3

4 g. Free access to the courts, quasi-judicial bodies, and adequate legal assistance
5 shall not be denied to any person by reason of poverty. In this regard, it is
6 imperative that an effective mechanism be instituted by the State to ensure
7 that the rights and interests of Overseas Filipinos, including OFWs, in distress,
8 whether regular or irregular, are adequately protected and safeguarded;
9

10 h. The State shall recognize and guarantee the right of all Overseas Filipinos,
11 including OFWs, to participate in the democratic decision-making processes of
12 the State and to be represented in institutions relevant to them;
13

14 i. The State recognizes non-governmental organizations, trade unions, workers
15 associations, business organizations and other stakeholders duly recognized as
16 legitimate as partners of the State in the protection of Overseas Filipinos and
17 the promotion of their welfare. The State shall nurture and uphold mutual trust
18 and respect in areas of cooperation;
19

20 j. The State shall protect every citizen desiring to work locally or overseas by
21 securing for the citizen the best possible terms and conditions of employment.
22 The State shall endeavor to facilitate a free choice of available employment by
23 persons seeking work and regulate the movement of workers in conformity
24 with the national interest;
25

26 k. The State affirms that the Filipino family, as a basic autonomous social
27 institution, is the foundation of the nation. Accordingly, the solidarity of the
28 families of OFWs shall be strengthened and their total development shall be
29 actively promoted;
30

31 l. The State recognizes that the most effective tool for empowerment and
32 protection of rights of OFWs is their possession of appropriate skills. The

1 government shall embark on a robust expansion of skills development and
2 enhancement programs of the concerned agencies and shall facilitate access
3 of OFWs to these programs. The State shall also pursue bilateral, regional and
4 multilateral agreements on skills qualification, certification and matching;
5

6 m. The State commits to fulfill the twenty-three (23) objectives of the Global
7 Compact for Safe, Orderly and Regular Migration (GCM):
8

- 9 1. Collect and utilize accurate and disaggregated data as a basis for
10 evidence-based policies;
11
- 12 2. Minimize the adverse drivers and structural factors that compel people
13 to leave the country;
14
- 15 3. Provide accurate and timely information at all stages of migration;
16
- 17 4. Ensure that all migrants have proof of legal identity and adequate
18 documentation;
19
- 20 5. Enhance availability and flexibility of pathways for regular migration;
21
- 22 6. Facilitate fair and ethical recruitment and safeguard conditions that
23 ensure decent work;
24
- 25 7. Address and reduce vulnerabilities in migration;
26
- 27 8. Save lives and establish coordinated international efforts on missing
28 migrants;
29
- 30 9. Strengthen the transnational response to smuggling of migrants;
31

- 1 10. Prevent, combat and eradicate trafficking in persons in the context of
2 international migration;
- 3
- 4 11. Manage borders in an integrated, secure and coordinated manner;
- 5
- 6 12. Strengthen certainty and predictability in migration procedures for
7 appropriate screening, assessment and referral;
- 8
- 9 13. Use migration detention only as a measure of last resort and work
10 towards alternatives;
- 11
- 12 14. Enhance consular protection, assistance and cooperation throughout the
13 migration cycle;
- 14
- 15 15. Provide access to basic services for migrants;
- 16
- 17 16. Empower migrants and societies to realize full inclusion and social
18 cohesion;
- 19
- 20 17. Eliminate all forms of discrimination and promote evidence-based public
21 discourse to shape perceptions of migration;
- 22
- 23 18. Invest in skills development and facilitate mutual recognition of skills,
24 qualifications and competencies;
- 25
- 26 19. Create conditions for migrants and diasporas to fully contribute to
27 sustainable development in all countries;
- 28
- 29 20. Promote faster, safer and cheaper transfer of remittances and foster
30 financial inclusion of migrants;
- 31

1 21. Cooperate in facilitating the safe and dignified return and readmission
2 of migrants as well as their sustainable reintegration into their home
3 countries;

4
5 22. Establish mechanisms for the portability of social security entitlements
6 and earned benefits; and

7
8 23. Strengthen international cooperation and global partnerships for safe,
9 orderly and regular migration.

10
11 **Sec. 3. Definition of terms.** – As used in this Act, the following terms and
12 phrases are defined as follows:

13
14 a. Assistance to Nationals (ATN) – refers to services provided by the Philippine
15 Government to any Overseas Filipino in distress which may be in the form of
16 repatriation, medical assistance, shipment of remains, legal assistance and
17 representation, rescue, evacuation, financial assistance or any other analogous
18 help or intervention to ensure that the Filipino national's human rights and
19 welfare are protected, respected, and fulfilled;

20
21 b. Country of destination – refers to any country other than the Philippines where
22 a Filipino citizen is temporarily or permanently residing or working;

23
24 c. Ethical recruitment – refers to the practice of recruiting and deploying overseas
25 workers through government accredited recruitment or manning agencies, that
26 allow overseas workers to change employers and modify the conditions or
27 length of their stay with minimal administrative burden, while promoting
28 greater opportunities for decent work and respect for international human
29 rights and labor law, prohibit the confiscation or nonconsequential retention of
30 work contracts, and travel or identity documents from migrants and guarantees
31 that the employer pay principle is upheld;

- 1 d. Overseas Filipino (OF) – refers to a Filipino national outside the Philippines,
2 whether permanent or temporary, regardless of such national's legal status,
3 including Overseas Filipino Workers (OFW), tourists, pilgrims, students,
4 trainees, and religious missionaries;
5
- 6 e. Overseas Filipino In distress – refers to an OF who has a medical, psychosocial,
7 or legal problem, or is experiencing abuse or exploitation, or whose human
8 rights are being violated, and requires treatment, hospitalization, counseling,
9 legal representation, rescue, repatriation, or any other kind of analogous
10 intervention, including those who have died thereat and whose remains have
11 to be repatriated to the Philippines;
12
- 13 f. License – refers to the document issued by the Secretary of the Department
14 authorizing a natural or juridical person or his duly authorized official or
15 representative to operate a private recruitment, placement, or manning
16 agency;
17
- 18 g. Manning agency – refers to a natural or juridical person duly licensed by the
19 Secretary of the Department to engage in the recruitment and placement of
20 seafarers or sea-based migrant workers;
21
- 22 h. Overseas employment – refers to employment outside the Philippines;
23
- 24 i. Overseas Filipino Worker (OFW) – refers to a Filipino who is to be engaged, is
25 engaged, or has been engaged in remunerated activity outside the Philippines,
26 whether land-based or sea-based; Provided, That a Filipino who is qualified
27 under a government-recognized exchange visitor program for cultural and
28 educational purposes and not primarily for employment purposes, even if
29 remunerated, is not considered an OFW. For purposes of this provision, a
30 person engaged in remunerated activity covers a person who has been
31 contracted for overseas employment but has yet to leave the Philippines;
32

1 j. Recruitment agency – refers to a natural or juridical person duly licensed by
2 the Secretary of the Department to engage in the recruitment or placement of
3 land-based migrant workers;

4
5 k. Regular overseas Filipino worker – refers to an OFW who has a passport, valid
6 visa, permit to stay, travel paper, or any other document necessary to work or
7 continue working in the country in which he is working. It includes an OFW
8 who has a contract of employment approved by the Department;

9
10 l. Reintegration program – refers to a measure or a set of measures intended for
11 mainstreaming and sustainable return of OFWs into Philippine society, including
12 but not limited to livelihood projects, wellness programs, financial literacy
13 programs and other similar projects;

14
15 m. Seafarer – refers to an OFW who is engaged in employment in any capacity on
16 board a merchant marine vessel plying international waters or other sea-based
17 craft of similar category. For purposes of this Act, it shall include fisherfolk,
18 cruise ship personnel, yacht crew, those serving on mobile offshore and drilling
19 units in the high seas, and other persons similarly situated.

20
21 **Sec. 4. *Creation and mandate.*** – The Department of Overseas Filipinos,
22 hereinafter referred to as “the Department”, is hereby organized structurally and
23 functionally in accordance with the provisions of this Act.

24
25 The Department shall be the primary agency under the Executive Branch of the
26 government tasked to protect the rights and promote the welfare of overseas Filipinos;
27 formulate, plan, coordinate, promote, administer, and implement policies, and
28 undertake systematic national development programs for managing and monitoring
29 the overseas or foreign employment of Filipino workers, while taking into consideration
30 domestic manpower and human resource requirements and the need to protect the
31 right to decent work and fair and ethical recruitment practices.

1 **Sec. 5. Powers and functions.** – To carry out its mandate, the Department
2 shall:

3
4 a. Formulate, recommend, and implement national policies, plans, programs, and
5 guidelines that will ensure the protection of overseas Filipinos, including OFWs,
6 the promotion of their interests, and the timely and effective resolution of their
7 problems;

8
9 b. Ensure that policies and programs are in place to adequately protect
10 prospective overseas Filipinos, including OFWs;

11
12 c. Regulate, through the Philippine Overseas Employment Administration, the
13 deployment of overseas Filipino workers;

14
15 d. Initiate, pursue, and help prosecute, in coordination with the Department of
16 Justice, illegal recruitment and human trafficking cases as defined under
17 Republic Act No. 8042, as amended by Republic Act No. 10022, otherwise
18 known as the Migrant Workers and Overseas Filipinos Act, as amended, and
19 other existing laws and other issuances;

20
21 e. Conduct, in coordination with relevant stakeholders, studies on policy areas and
22 options that will ensure protection of overseas Filipinos and address perennial
23 issues that they encounter;

24
25 f. Protect and promote the welfare, well-being, and interests of the families of
26 overseas Filipinos;

27
28 g. Build, in coordination with the Department of Foreign Affairs, strong and
29 harmonious partnerships with counterpart and relevant agencies in foreign
30 countries in order to facilitate the implementation of strategies and programs
31 designed for the protection and promotion of the rights and well-being of
32 overseas Filipinos and their families;

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- h. Assess, review, harmonize, and provide technical inputs and guidance on the negotiation and implementation of bilateral and multilateral agreements, initiatives and programs, including intergovernmental processes, which primarily concern migration or overseas Filipinos, in coordination with the Department of Foreign Affairs;
- i. Cooperate and coordinate with foreign countries of destination, and monitor labor developments in foreign countries to ensure that the terms and conditions of work of overseas Filipino workers are in accordance with applicable and appropriate Philippine, on-site, and international standards, in coordination with the Department of Foreign Affairs;
- j. Employ proactive, effective, and efficient approaches in providing timely ATN services to overseas Filipinos, especially in times of actual or potential war, civil unrest, pandemic or other analogous circumstances and situations;
- k. Provide, in coordination with the Department of Foreign Affairs, ATN services to overseas Filipinos, especially those in distress. In times of national emergencies, such as the imminence of war or pandemic, the Department shall strengthen linkages with appropriate authorities in the host country for the timely mobilization and assistance to Overseas Filipinos;
- l. Provide social and welfare services, including insurance, social work assistance, legal assistance, cultural services, to overseas Filipinos;
- m. Provide, in cooperation with the Department of Education, the Commission on Higher Education, the Technical Education and Skills Development Authority, the Maritime Industry Authority, and other government agencies, civil societies, and non-governmental organizations aimed at promoting the global competitiveness of overseas Filipino workers, job matching services to prospective overseas Filipino workers;

- n. Administer the generation, accumulation, and utilization of funds for the benefit of overseas Filipinos;
- o. Administer reintegration and social service programs for overseas Filipinos who are returning or have returned to the Philippines;
- p. Encourage and enhance information and resource sharing, develop an electronic database to improve services for overseas Filipinos, and strengthen linkages and cooperation among government agencies, consistent with national and overseas Filipino-focused objectives;
- q. Regulate, through the Philippine Overseas Employment Administration, the operations of private recruitment, placement, and manning agencies and other related business entities involved in the employment of overseas Filipino workers to protect the interests and well-being of these workers, with due consideration to relevant market conditions;
- r. Foster the professionalization and ensure compliance with legal and ethical standards, training, and capacity-building of private recruitment and manning agencies;
- s. Represent, in coordination and cooperation with the Department of Foreign Affairs, Philippine interests pertaining to overseas Filipinos in regional, sub-regional, bilateral, and multilateral fora and international bodies, and negotiate on matters concerning overseas Filipinos;
- t. Promulgate rules and regulations for the implementation of pertinent laws and policies relating to overseas Filipinos;
- u. Accept, hold, administer, and utilize properties, subject to limitations set by existing laws, in pursuit of the mandate of the Department;

1

2 v. Perform all the powers, functions, and responsibilities assigned to all agencies,
3 offices, or units to be transferred to the Department pursuant to the
4 consolidation mandated by this Act;

5

6 w. Prosecute cases arising out of violations of the provisions of this Act, including
7 those involving trafficking in persons and illegal recruitment, in coordination
8 with quasi-judicial bodies such as the National Labor Relations Commission, the
9 Department of Labor and Employment, the National Bureau of Investigation,
10 and the Inter-Agency Council Against Trafficking;

11

12 x. Assume all powers, functions, and responsibilities assigned to the Department
13 of Labor and Employment relating to overseas Filipinos provided for under
14 Republic Act No. 8042 or the Migrant Workers and Overseas Filipinos Act, as
15 amended by Republic Act No. 10022, Republic Act No. 10801 or the Overseas
16 Workers Welfare Administration Act, and other related laws;

17

18 y. All functions relating to overseas employment being performed by offices under
19 the DOLE, which are not among those listed therein, including the power of the
20 DOLE Secretary as regards the imposition of prohibition and/or regulation on
21 direct hiring, shall likewise be subsumed to and assumed by the Department;
22 and

23

24 z. Perform such other functions as may be necessary to achieve the objectives of
25 this Act.

26

27 The exercise of the powers and functions of the Department shall in no way limit,
28 restrict or affect the pursuit of an independent foreign policy in the conduct of foreign
29 affairs.

30

31 **Sec. 6. *Composition.*** – The Department shall consist of the Department
32 Proper comprising of the Office of the Secretary, the Offices of the Undersecretaries

1 and Assistant Secretaries, the Service Units, the Staff Bureaus, Regional offices, and
2 ATN Units of Philippine Foreign Service Posts.

3
4 The Secretary shall be appointed by the President, subject to confirmation by
5 the Commission on Appointments in accordance with the Constitution. The
6 Undersecretaries and Assistant Secretaries shall likewise be appointed by the
7 President upon the recommendation of the Secretary.

8
9 **Sec. 7. *The Secretary.*** – The authority and responsibility for the exercise of
10 the mandate, powers, and functions of the Department shall be vested in the
11 Secretary of the Department, who shall exercise supervision and control over the
12 Department.

13
14 For such purposes, the Secretary shall have the following powers and functions:

- 15
16 a. Provide executive direction, supervision, and control over the entire operations
17 of the Department and its attached agencies, unless otherwise provided for
18 elsewhere in this Act;
- 19
20 b. Establish policies and standards for the effective, efficient, and economical
21 operation of the Department, consistent with the programs of the government;
- 22
23 c. Exercise jurisdiction over all bureaus, offices, agencies, and corporations under
24 the Department as provided by law and in accordance with the applicable
25 relationships as specified in the Administrative Code;
- 26
27 d. Delegate, with reasonable standards under the circumstances, authority for the
28 performance of any function to offices and employees of the Department;
- 29
30 e. Issue orders, directives, rules, and regulations, and other issuances to carry
31 out foreign labor and employment policies, plans, programs, or projects;
- 32

- 1 f. Negotiate with foreign countries' governments, in coordination and cooperation
2 with the Department of Foreign Affairs, treaties, agreements, pacts, and other
3 similar instruments that are related to labor migration and overseas
4 employment;
5
- 6 g. Evaluate policy, plan, program, and project accomplishments of the
7 Department;
8
- 9 h. Advise the President on the promulgation of executive and administrative
10 orders and on the formulation of necessary regulatory and legislative proposals
11 on matters pertaining to overseas Filipinos;
12
- 13 i. Administer and manage the Assistance to Nationals Fund and issue guidelines
14 for the proper and efficient utilization thereof;
15
- 16 j. Formulate such rules and regulations and exercise such other powers as may
17 be required to implement and realize the objectives of this Act;
18
- 19 k. Supervise and manage the prosecution of cases involving the utilization of the
20 ATN Fund;
21
- 22 l. Act as Chairperson of the Overseas Workers Welfare Administration Board;
23
- 24 m. Sit as a member of the Inter-Agency Council Against Trafficking created by
25 Republic Act No. 9208, as amended;
26
- 27 n. Create additional offices and positions, in coordination with the Department of
28 Budget and Management and the Civil Service Commission, as may be
29 necessary to fulfill the mandate of the Department;
30
- 31 o. Promulgate and implement the implementing rules and regulations of this Act;
32 and

- 1
- 2 p. Perform such other tasks as provided for under existing laws or assigned by
- 3 the President.
- 4

5 **Sec. 8. *Structure of the Department.*** – The Secretary shall be assisted by

6 four (4) Undersecretaries and by an appropriate number of Assistant Secretaries as

7 determined by this law. The Secretary shall have the authority to assess and evaluate,

8 and on the basis of which, transfer, delineate, reassign, or reorganize the functional

9 areas or responsibilities of each office as he may deem necessary. The Secretary is

10 further authorized to recommend the creation of additional Undersecretary and

11 Assistant Secretary posts and other positions as may be necessary, subject to existing

12 laws, rules, and regulations.

13

14 The following offices are hereby created, each to be headed by an

15 Undersecretary and assisted by other officers and staff:

16

- 17 a. Office of the Undersecretary for Administration and Finance. The Office of the
- 18 Undersecretary for Administration and Finance shall have the following
- 19 functions:
- 20

- 21 1. Provide the Department with efficient, effective, and economical services
- 22 relating to records management, supplies, equipment, collections,
- 23 disbursements, building administration and maintenance, security, and
- 24 custodial work;
- 25
- 26 2. Administer personnel programs including selection and placement,
- 27 development, performance evaluation, employee relations, and welfare;
- 28
- 29 3. Supervise and control the operational activities of the Assistant Secretary
- 30 heading each of the following units:
- 31

1 i. Human Resources, Regional Operations, Assets Management,
2 and Records and Archives; and

3
4 ii. Legal Department and Bids and Awards Committee; and

5
6 4. Perform such other functions as may be provided by law or assigned by
7 the Secretary.

8
9 b. Office of the Undersecretary for Foreign Employment. The Office of the
10 Undersecretary for Foreign Employment shall have the following functions:

11
12 1. Advise and assist the Secretary in the formulation of the Department's
13 overall long-term and short-term plans and programs on overseas
14 employment;

15
16 2. Review and evaluate the progress or status of projects and
17 accomplishments in relation to set standards, objectives, and schedules;

18
19 3. Undertake program and policy coordination, monitoring and evaluation
20 of the Philippine Overseas Employment Administration (POEA) and the
21 Overseas Workers Welfare Administration (OWWA);

22
23 4. Supervise and control operational activities of one (1) Assistant
24 Secretary; and

25
26 5. Perform such other functions as may be provided by law or assigned by
27 the Secretary.

28
29 c. Office of the Undersecretary for Assistance to Overseas Filipinos in Distress.
30 The Office of the Undersecretary for Assistance to Overseas Filipinos in Distress
31 shall subsume all the functions of the Office of the Undersecretary for Migrant
32 Workers' Affairs of the DFA and the Social Welfare Attaches Office (SWATO)

1 under the Department of Social Welfare and Development (DSWD), now
2 operating as the International Social Services Office (ISSO). It shall exercise
3 the following functions:
4

- 5 1. Provide prompt and appropriate response to global emergencies or crisis
6 situations affecting OFs, particularly OFWs, and members of their
7 families left behind;
8
- 9 2. Undertake all repatriation activities, in coordination with the DFA,
10 Philippine Foreign Service Posts, and other government agencies, in
11 cases of war, epidemic, disasters or calamities, whether natural or man-
12 made, amnesties, emergencies, abuse, and other similar events without
13 prejudice to reimbursement by the responsible principal employer or
14 recruitment or manning agency;
15
- 16 3. Enforce the Assistance to Nationals (ATN) Fund and Legal Assistance
17 Fund guidelines, procedures, and criteria for the utilization of the said
18 fund as provided for under this Act;
19
- 20 4. Administer the ATN Fund and the Legal Assistance Fund, and to
21 authorize disbursements therefrom in accordance with the purpose for
22 which the fund was set up;
23
- 24 5. Ensure effective coordination and cooperation with other government
25 agencies and Philippine Foreign Service Posts in the provision of legal
26 assistance and ATN services utilizing the Fund;
27
- 28 6. Tap the assistance of the Integrated Bar of the Philippines, other bar
29 associations, legal experts on labor, migration, and human rights laws,
30 reputable law firms, and civil society organizations, as appropriate, to
31 complement government services and resources to provide legal and
32 other forms of assistance to OFs in distress and OFWs;

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7. Establish a 24/7 Emergency Response and Action Center Unit and media and social media monitoring center to respond to the emergency needs of OFs and their families;
8. Exercise control and supervision over the Assistant Secretary heading each of the following units: (i) Operations; and (ii) Public Assistance Center; and
9. Perform such other functions as may be provided by law or assigned by the Secretary.

d. Office of the Undersecretary for Policy and International Cooperation and Special Overseas Filipino Concerns shall subsume all the substantive functions of the International Labor Affairs Bureau (ILAB) under the Department of Labor and Employment and all the related functions and mandate of the Commission on Overseas Filipinos. It shall exercise the following functions:

1. Monitor the observance and implementation of the Philippines' obligations and commitments to migration related international organizations and treaties;
2. Coordinate with the DFA regarding the negotiations of treaties, agreements, compacts, and other instruments that are related to labor migration;
3. Manage and supervise the ATN Unit as created by Section 15 of this Act in coordination with the DFA;
4. Exercise control and supervision over one (1) Assistant Secretary heading the ATN Unit;

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

26 There shall be an Office for Internal Audit which shall conduct objective
27 evaluation of the Department's extent of compliance with its mandate, functions,
28 programs, projects, activities, and outputs.
29

30 **Sec. 9. *Qualifications.*** – No person shall be appointed as Secretary,
31 Undersecretary, or Assistant Secretary of the Department unless he is a citizen and
32 resident of the Philippines, of good moral character, of proven integrity and

1 competence in public administration, and has recognized expertise in governance
2 involving overseas Filipinos.

3
4 No person involved in the business of recruitment and deployment of overseas
5 Filipinos and overseas Filipino workers shall be appointed as Secretary,
6 Undersecretary, or Assistant Secretary of the Department. This prohibition shall
7 likewise apply to relatives of such person involved in the business of recruitment and
8 deployment of overseas Filipinos and overseas Filipino workers up to the fourth degree
9 of consanguinity or affinity.

10
11 It shall be unlawful for any official or employee of the Department or other
12 government agencies involved in the implementation of this Act, or their relatives
13 within the fourth degree of consanguinity or affinity, to engage, directly or indirectly,
14 in the business of recruitment and deployment of overseas Filipino workers. Upon
15 conviction, the penalties under Republic Act No. 8042, as amended, shall be imposed
16 upon them.

17
18 **Sec. 10. Regional offices.** – The Department shall establish, operate, and
19 maintain a regional office and such other lower level offices as may be deemed
20 necessary by the Secretary in strategic locations in the country in consideration of
21 existing regional offices of the POEA and OWWA.

22
23 **Sec. 11. Structure and staffing pattern.** – The Department shall determine
24 its organizational structure and create new divisions or units as it may deem necessary
25 at the national, regional, provincial, and in such other lower levels, and shall appoint
26 officers and employees of the Department in accordance with Civil Service laws, rules
27 and regulations. Republic Act No. 6656, or the Government Reorganization Law shall
28 govern the organization of the Department, and the reorganization of affected
29 agencies.

30
31 Sixty (60) days from the approval of this Act, the Department shall present its
32 staffing pattern to the Department of Budget and Management for approval. This

1 staffing pattern shall be implemented effective immediately upon approval but not
2 later than the holdover period of all the subsumed agencies of the Department.

3
4 **Sec. 12. Sectoral and industry task forces.** – The Department may create
5 sectoral and industry task forces, technical working groups, advisory bodies, or
6 committees for the furtherance of its objectives. Additional private sector
7 representatives, such as from the OFWs, the academe, and private industries directly
8 involved in deployment of OFWs, as well as other national government agencies, local
9 government units, and government-owned and -controlled corporations, may be
10 appointed to these Sectoral and Industry Task Forces.

11
12 **Sec. 13. Establishment of Overseas Filipinos Malasakit Centers.** – The
13 Department, in partnership with other government agencies and local government
14 units, shall establish the Overseas Filipinos Malasakit Centers in strategic locations of
15 the country to ensure prompt, efficient, vital and relevant services to migrant Filipinos
16 and their families to include acquisition of government clearances and permits,
17 validation of overseas job offers, reintegration services and all pertinent seminars and
18 workshops for all stakeholders.

19
20 **Sec. 14. Assistance to Nationals Fund.** – The Legal Assistance Fund under
21 Section 25 of Republic Act No. 8042, as amended, as well as the ATN Fund now
22 administered by the Department of Foreign Affairs, which shall be consolidated into
23 the ATN Fund, shall be transferred to and administered by the Department. In addition
24 to those guidelines provided for under existing laws, and in accordance with guidelines
25 to be formulated by the Department, the ATN Fund shall be used for the provision of
26 ATN services as provided for under this Act.

27
28 The ATN Fund guidelines shall be issued by the Secretary in consultation with
29 relevant stakeholders.

30
31 With the transfer of the ATN Fund to the Department, a Consular Assistance
32 Fund is hereby created for the DFA. Until such time that all foreign service posts are

1 assigned ATN personnel from the Department, the DFA shall retain a portion of the
2 ATN Fund, which shall become and form part of the initial funds of the Consular
3 Assistance Fund, necessary for the discharge of its consular functions and its mandate
4 on the protection of nationals abroad.

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

- 12
- 13 a. Ensure the promotion and protection of the welfare and interests of
14 Filipinos Overseas and assist them in all problems arising out of employer-
15 employee relationships including violation of work contracts, conditions of
16 employment such as non-payment of wages and other benefits, illegal
17 dismissal, and other similar cases;
 - 18
 - 19 b. Verify employment contracts and other employment-related documents;
 - 20
 - 21 c. Monitor and report to the Secretary on situations and policy developments
22 in the receiving country that may affect Filipinos Overseas in particular and
23 Philippine labor policies, in general;
 - 24
 - 25 d. Pursue, in coordination with and supervision by the Philippine
26 Embassy/Consulate, discussion on bilateral and multilateral labor issues
27 and concerns with the host government, foreign embassies concerned, and
28 international organizations;
 - 29
 - 30 e. Supervise and coordinate the operations of the Migrant Workers and Other
31 Overseas Filipinos Resource Center;
 - 32

- 1 f. Provide social and welfare programs and services to Filipino nationals,
2 including social assistance, education and training, cultural services,
3 financial management, reintegration, and entrepreneurial development
4 services;
5
- 6 g. Provide prompt and appropriate response to global emergencies or crisis
7 situations affecting Filipino nationals;
8
- 9 h. Manage cases of OFWs and other overseas Filipinos in distress needing
10 psychosocial services, such as victims of trafficking or illegal recruitment,
11 rape or sexual abuse, maltreatment and other forms of physical or mental
12 abuse and cases of abandoned or neglected children;
13
- 14 i. Establish and maintain a data bank and documentation of OFWs and their
15 families so that appropriate welfare services can be more effectively
16 provided;
17
- 18 j. Repatriation of distressed Filipino nationals including shipment of remains
19 and personal belongings;
20
- 21 k. Verification of whereabouts and condition;
22
- 23 l. Provide assistance in criminal and immigration cases;
24
- 25 m. Provide assistance to victims of Illegal Recruitment and Trafficking in
26 Persons;
27
- 28 n. Provide assistance to kidnapping and hostage victims;
29
- 30 o. Conduct prison and hospital visitation, and attend court hearings;
31

1 p. Provide assistance to detained and/or convicted Filipino nationals, as may
2 be appropriate; and

3
4 q. Perform other functions and responsibilities as may be assigned by the
5 Secretary.

6
7 The Department shall establish the Assistance-to-Nationals Unit. The
8 qualifications, hiring and selection, continuous training and education, merit
9 promotion system, and rotation system for deployment and recall of ATN Officers shall
10 also be established by the Department, in accordance with existing civil service rules
11 and regulations.

12
13 ATN Officers shall be deployed in post and designated as attaché, with prior
14 clearance from the Secretary of Foreign Affairs. ATN Officers shall have the following
15 duties and responsibilities:

16
17 a. Repatriation of distressed and undocumented Filipinos;

18
19 b. Assistance to victims of natural and man-made disasters;

20
21 c. Monitoring of court cases of Filipinos;

22
23 d. Attending to police cases involving Filipinos such as but not limited to
24 sexual assault, theft/robbery, drug use/drug trafficking,
25 fraud/falsification/forgery, murder/homicide, trafficking in persons, etc.;

26
27 e. Prison visitation including counselling and provision of consular services;

28
29 f. Coordination with next-of-kin or relatives on police and immigration cases;
30 and

1 g. Attending to death of Filipinos including repatriation of remains or
2 personal belongings and issuance of mortuary certificate.

3
4 In this regard, all incidents relating to provision of ATN services shall be
5 consistent with the implementation of the One Country-Team Approach.

6
7 The functions of the ATN Office and the ATN Officers shall complement the
8 diplomatic and consular functions of the DFA in the performance of the latter's
9 mandate under the third pillar of Philippine Foreign Policy.

10
11 ATN Officers in the Central Office shall have the following duties and
12 responsibilities:

13
14 a. Receive requests for assistance from the next-of-kin of overseas Filipinos in
15 distress or the overseas Filipinos themselves;

16
17 b. Refer requests to the concerned Foreign Service Post;

18
19 c. Endorse the disbursement from the ATN Fund and the Legal Assistance
20 Fund, subject to rules and regulations for such disbursement;

21
22 d. In cases of emergency situations, monitor the situation abroad through
23 reports from the Philippine Embassies and Consulates; and

24
25 e. Provide information and updates to interested parties and government
26 agencies.

27
28 The deployment and performance of the ATN Unit members to Philippine
29 Foreign Service Post shall be governed by the Philippine Foreign Service Act of 1991,
30 Vienna Convention on Consular Relations and the Vienna Convention on Diplomatic
31 Relations and shall also be subject to the rules and regulations imposed by the
32 receiving State.

1
2 The Secretary of the Department shall designate an ATN Head to a foreign post
3 among the ATN officers or employees appointed by him. The ATN Head shall have an
4 assimilated rank.

5
6 All regional offices of the OWWA shall be located, as much as practicable,
7 beside the regional office of the Department wherein the ATN Unit is located. The
8 OWWA shall form part of the migration team of the ATN Unit.

9
10 **Sec. 16. *Migrant Workers and Other Overseas Filipinos Resource***
11 ***Center (MWOFRFC).*** – The Migrant Workers and other Overseas Filipinos Resource
12 Center (MWOFRFC) shall be under the Department and shall provide the following
13 services:

- 14
15 a. Temporary shelter to distressed OFWs;
16
17 b. Counselling and legal services;
18
19 c. Welfare assistance including the procurement of medical and hospitalization
20 services;
21
22 d. Information, advisory programs to promote social integration such as post-
23 arrival orientation, settlement and community networking services and
24 activities for social interaction;
25
26 e. Registration of irregular and undocumented workers;
27
28 f. Human resource development, such as training and skills upgrading;
29
30 g. Gender-sensitive programs and activities to assist particular needs of
31 migrant workers;
32

- 1 h. Orientation program for returning workers and other migrants;
- 2
- 3 i. Monitoring of the daily situation, circumstances and activities affecting
- 4 migrant workers and other overseas Filipinos;
- 5
- 6 j. Ensuring that labor and social welfare laws in the receiving country are fairly
- 7 applied to migrant workers and other overseas Filipinos; and
- 8
- 9 k. Conciliation of disputes arising from employer-employee relationship.

10
11 The following personnel may be assigned to the Center:

- 12
- 13 a. Psychologists, Social Workers, and a Shari'a or Human Rights Lawyer, in highly
- 14 problematic countries as categorized by the DFA and the Department and
- 15 where there is a concentration of Filipino migrant workers;
- 16
- 17 b. Individual volunteers and representatives from bona fide non-government
- 18 organizations from the receiving countries, if available and necessary as
- 19 determined by the ATN Head, in consultation with the Chief of Mission;
- 20
- 21 c. Public Relations Officer or Case Officer conversant, orally and in writing, with
- 22 the local language, laws, customs and practices; and
- 23
- 24 d. Legal Officers and such other professionals deemed necessary by the Secretary.

25
26 The ATN Head shall supervise and coordinate the day-to-day operations and
27 activities of the Center and shall keep the Chief of Mission informed and updated on
28 all matters affecting it at least quarterly through a written report addressed to the
29 Chief of Mission.

30
31 **Sec. 17. *One country-team approach.*** – Under the one country-team
32 approach, all officers, representatives, and personnel of the Philippine government

1 posted abroad regardless of their mother agencies shall, on a per country basis, act
2 as one country-team with a mission under the leadership of the Ambassador or the
3 Consul General. In this regard, the Ambassador or the Consul General acting as Head
4 of Post, through the Secretary of the Department of Foreign Affairs, may recommend
5 to the Secretary the recall of officers, representatives, and personnel of the
6 Department posted abroad for misbehavior, misconduct or commission of other acts
7 which may be deemed prejudicial or inimical to the national interest or in case of
8 failure to provide the necessary services to protect the rights of overseas Filipinos or
9 to perform the duties and responsibilities required of ATN Officers under this law.

10
11 Upon request of the Secretary of Foreign Affairs, the Department of Overseas
12 Filipinos shall recall the ATN Officer.

13
14 **Sec. 18. *Management information system.*** – The Department shall
15 establish, in cooperation with other government agencies concerned, a computer-
16 based management information system on overseas Filipinos to support its operations
17 and as well as to have a source of relevant data for programs and policy formulation.
18 Each office of the Department may likewise create and maintain its own relevant
19 database, as it deems necessary, *provided*, that these are integrated into the
20 Department's main management information system.

21
22 **Sec. 19. *Transfer of agencies and functions.*** – The following agencies are
23 hereby merged and transferred to the Department, and their powers and functions
24 subsumed to the Department which shall assume and perform all their powers and
25 functions:

26
27 a. The Office of the Undersecretary for Migrant Workers' Affairs (OUMWA) of the
28 Department of Foreign Affairs as provided for under Republic Act No. 8042, as
29 amended, to include all present and previous units in the Department of Foreign
30 Affairs performing functions mandated by the said law;

31
32 b. The Commission on Overseas Filipinos (CFO);

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- c. All Philippine Overseas Labor Offices (POLO) under the Department of Labor and Employment;
- d. The International Labor Affairs Bureau (ILAB) under the Department of Labor and Employment; and
- e. The Social Welfare Attaches Office (SWATO) under the Department of Social Welfare and Development, now operating as the International Social Services Office (ISSO).

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

The POEA, created under Executive Order 247 Series of 1987 and Republic Act No. 8042, as amended, is attached to the Department of Overseas Filipinos for purposes of policy and program coordination. The POEA shall continue to function in accordance with its charter.

The OWWA, created under Republic Act No. 10801, is attached to the Department of Overseas Filipinos for purposes of policy and program coordination. The OWWA shall continue to function in accordance with its charter. The Secretary shall be added to the OWWA Board of Trustees and shall act as Chairperson of the Board. The DOLE Secretary shall remain as member of the Board.

The original and exclusive jurisdiction of the National Labor Relations Commission over monetary claims arising out of an employer-employee relationship or by virtue of any law or contract involving overseas deployment or employment of Filipino workers, including claims for actual, moral, exemplary, and other forms of damages, is hereby transferred back to the POEA within one (1) year from the effectivity of this Act. The POEA shall likewise assume original and exclusive

1 jurisdiction over disputes relating to OFWs covered by collective bargaining
2 agreements which are previously filed before the National Conciliation and Mediation
3 Board.

4

5 The Department shall exercise appellate jurisdiction over decisions, orders,
6 resolutions, and judgments of the POEA. The decisions, orders, resolutions, and
7 judgments on appeal by the Department shall be appealable to the Court of Appeals
8 in accordance with the Rules of Court.

9

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

15

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

19

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

30

31 b. Any transfer of functions which results in the subsuming of the entity that has
32 exercised such transferred functions shall include, as may be necessary to the

1 proper discharge of the transferred functions, the appropriations, funds,
2 records, equipment, facilities, other assets, and personnel of the entity from
3 which such functions have been transferred. The remaining appropriations and
4 funds shall revert to the General Fund and the remaining records, equipment,
5 facilities, and other assets shall be allocated to such appropriate units as the
6 Secretary shall determine, or otherwise shall be disposed of, in accordance with
7 pertinent laws, rules and regulations. The liabilities, if any, of the subsumed
8 entity shall be treated likewise in accordance with pertinent laws, rules and
9 regulations. Incumbents of the subsumed entity shall, in a holdover capacity,
10 continue to perform their respective duties and responsibilities and receive the
11 corresponding salaries and benefits unless in the meantime they are separated
12 from government service, pursuant to existing laws. Any such personnel whose
13 position is not included in the new position structure and staffing pattern
14 approved by the Secretary or who is not reappointed shall be entitled to the
15 benefits provided in Section 22 hereof; and

- 16
- 17 c. Any transfer of functions which does not result in the subsuming of the entity
18 that has exercised such transferred functions shall include the appropriations,
19 funds, records, equipment, facilities, other assets as well as the personnel of
20 the entity from which such functions have been transferred that are necessary
21 to the proper discharge of such transferred functions. The liabilities, if any,
22 which have been incurred in connection with the discharge of the transferred
23 functions, shall be allocated in accordance with pertinent laws, rules and
24 regulations. Such personnel shall, in a holdover capacity, continue to perform
25 their respective duties and responsibilities and receive the corresponding
26 salaries and benefits unless in the meantime they are separated from
27 government service pursuant to existing laws. Any such personnel whose
28 position is not included in the new position structure and staffing pattern
29 approved by the Secretary or who is not reappointed shall be entitled to the
30 benefits under applicable laws, rules and regulations.

1 **Sec. 22. Absorption, separation, and retirement from service.** – The
2 existing employees of the transferred and subsumed agencies under this Act shall
3 enjoy security of tenure and shall be absorbed by the Department, in accordance with
4 their staffing patterns and the selection process as prescribed under Republic Act. No.
5 6656 or the Government Reorganization Law.

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

17
18 Employees who are separated from service within six (6) months from the
19 effectivity of this Act as a result of the organization and reorganization under this Act
20 shall also receive additional separation incentives, as follows:

- 21
22 a. Fifty percent (50%) of the actual monthly basic salary for every year of service,
23 for those who have rendered less than 11 years of service;
24
25 b. Seventy five percent (75%) of the actual monthly basic salary for every year of
26 service computed starting from the 1st year, for those who have rendered 11
27 to less than 21 years of service;
28
29 c. The actual monthly basic salary for every year of service, computed starting
30 from the 1st year, for those who have rendered 21 to less than 31 years of
31 service; and
32

1 d. One hundred twenty five percent (125%) of the actual monthly basic salary for
2 every year of service, computed starting from the 1st year, for those who have
3 rendered 31 years of service and above.
4

5 *Provided*, That personnel who will be separated from the service as a result of
6 the rationalization of the existing offices and will avail themselves of the incentives
7 shall not be reemployed in any agency of the Executive Branch for a period of five (5)
8 years, except as a teaching or medical staff in educational institutions and hospitals,
9 respectively: *Provided*, further, That retired or separated personnel who are
10 reemployed within the prohibited period shall refund the separation incentives
11 received on a pro-rated basis: *Provided*, finally, That retired or separated personnel
12 who will undertake consultancy services for the government shall be governed by RA
13 No. 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees).
14

15 For purposes of the additional separation incentives, the actual monthly basic
16 salary shall refer to the salary of the affected personnel as of the date of approval of
17 the Department's organizational structure and staffing pattern by the DBM.
18

19 **Sec. 23. *Transition period.*** – The transfer of functions, assets, funds,
20 equipment, properties, transactions, and personnel of the affected agencies, and the
21 formulation of the internal organic structure, staffing pattern, operating system, and
22 revised budget of the Department, shall be completed within six (6) months from the
23 effectivity of this Act: *Provided*, That within this period, the existing personnel of all
24 subsumed entities shall continue to assume their posts on holdover capacities until
25 new appointments or a new staffing pattern shall have been issued: *Provided*, further,
26 That after the organization and rationalization process, the Department, in
27 coordination with the DBM, shall determine and create new positions, the funding
28 requirements of which shall not exceed the equivalent cost of the positions subsumed.
29

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

1
2 The Committee shall be composed of six (6) members from the Senate and six
3 (6) members from the House of Representatives with the Chairpersons of the
4 Committees on Government Reorganization and Overseas Workers Affairs of the
5 House of Representatives and Committee on Labor, Employment and Human
6 Resources Development of the Senate as Co-chairpersons of this Committee. The
7 other members from each Chamber are to be designated by the Senate President and
8 the Speaker of the House of Representatives, respectively. The minority shall be
9 entitled to *pro rata* representation but shall have at least two (2) representatives from
10 each Chamber.

11
12 **Sec. 25. Appropriations.** – The amount needed for the initial implementation
13 of this Act shall be taken from the current year's appropriations of the agencies,
14 entities, divisions, sections or bodies subsumed or transferred to the Department by
15 virtue of this Act. Thereafter, such sums, as may be necessary for its continued
16 implementation, shall be included in the annual General Appropriations Act.

17
18 **Sec. 26. Mandatory review.** – Ten (10) years after the effectivity of this Act,
19 or as the need arises, the Congressional Oversight Committee shall conduct a
20 systematic evaluation of the accomplishments and impact of this Act, as well as the
21 performance and organizational structure of its implementing agencies, for purposes
22 of determining remedial legislation.

23
24 Ten (10) years from the creation of this Department, the Congressional
25 Oversight Committee may recommend to abolish the Department should
26 circumstances prove that there is no more need for its existence. The relevance and
27 practicality of maintaining the Department shall be reviewed every five (5) years after
28 the ten (10) year mandatory review period.

29
30 **Sec. 27. Implementing rules and regulations.** – The Department of
31 Overseas Filipinos, in coordination with the Department of Finance, the Department
32 of Foreign Affairs, the Department of Budget Management, the Department of Labor

1 and Employment, the Civil Service Commission, the National Economic and
2 Development Authority, the Philippine Statistics Authority, and the Office of the
3 Presidential Adviser on OFWs (OPA-OFW), shall, within sixty (60) days after the
4 effectivity of this Act, promulgate such rules and regulations necessary to implement
5 this Act.

6

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

10

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

14

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

Approved,