

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

SENATE
Senate Bill No. 2110



INTRODUCED BY SENATOR RONALD "BATO" DELA ROSA

AN ACT
CREATING THE DEPARTMENT OF OVERSEAS FILIPINOS, DEFINING ITS MANDATES, 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

The Sec. 18, Article II of the 1987 Philippine Constitution explicitly provides that:

"The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare."

Furthermore, it is also laid down in Sec. 3, Article XIII, that:

"The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all."

According to the Stock Estimate of Filipino Overseas by the Commission on Filipino Overseas, there is a total of 10.2 million overseas Filipinos located in more than two hundred destination countries and territories – 4.8 million are permanent

migrants, 4.2 million temporary migrants, and 1.2 million irregular migrants.¹ On the other hand, there are 2.2 million Overseas Filipino Workers (OFWs) working abroad based from the 2019 Survey on Overseas Filipinos by the Philippine Statistics Authority.²

With the huge number of our *kababayans* living and working abroad, it is important that policies and programs for the promotion of their welfare and protection, must be unequivocally instituted.


The proposed measure seeks to rationalize and integrate the powers and functions of agencies which deals with the all the concerns, welfare and interest of overseas Filipinos. The Department of the Filipino Overseas will be created and will subsume all the powers and functions of the Office of the Undersecretary for Migrant Workers' Affairs (OUMWA) of the Department of Foreign Affairs, the Commission on Overseas Filipinos (CFO), all Philippine Overseas Labor Offices (POLO) and the International Labor Affairs Bureau (ILAB) under the Department of Labor and Employment, the Social Welfare Attaches Office (SWATO) under the Department of Social Welfare and Development (DSWD), Philippine Overseas Employment Administration (POEA). The Overseas Workers Welfare Administration (OWWA) will be attached to the Department for policy and coordination. However, there will be a reconstitution of the OWWA Board of Trustees which will now include three (3) representatives from the land-based OFWs, three (3) representatives from the sea-based OFWs, one (1) representative from the women sector, one (1) representative from the land-based recruitment sector, and one (1) representative from the sea-based recruitment sector. Moreover, the OWWA Trust Fund created under Republic Act 10801 will be renamed into OFW Fund. This fund serves to support the programs and services for member-OFWs, such as social benefits, educational and livelihood assistance, repatriation and reintegration programs.

¹ <https://cfo.gov.ph/statistics-2/>

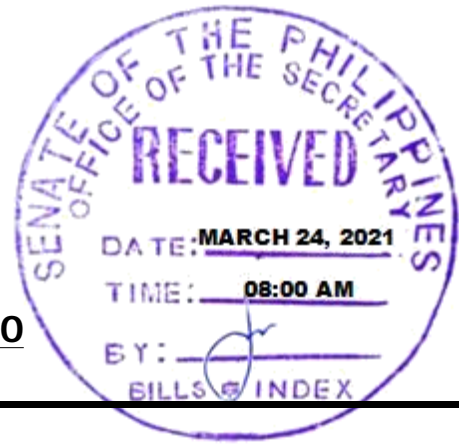
² <https://psa.gov.ph/statistics/survey/labor-and-employment/survey-overseas-filipinos>

The creation of one single department our overseas Filipinos, the mandates of this key agencies will be synchronized and will inconsiderably make the delivery of assistance and services to our overseas Filipinos more accessible and available.

Hence, the early passage of this bill is earnestly sought.


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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."

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

- 4 a. It is the primordial duty of the State to protect the rights and promote the
5 welfare and interest of Overseas Filipinos;
- 6 b. It is the duty of the State to uphold the dignity of labor and enhance its
7 bargaining position in both domestic and international conditions. The State
8 shall protect the welfare of all Filipinos, particularly those working and/or
9 residing abroad, provide social protection and minimize the social costs of
10 migration to their families at home, execute programs to sustain them when
11 they return from abroad, and harness the robust contribution of Filipino
12 communities outside of the country towards nation-building, utilizing a whole-
13 of-government and whole-of-society approach;
- 14 c. While recognizing the significant contribution of Overseas Filipinos, including
15 Overseas Filipino Workers (OFWs), to the national economy through their
16 foreign exchange remittances and investments, the State does not promote

1 overseas employment as a means to sustain economic growth and achieve
2 national development. The State's overseas employment program rests solely
3 on the assurance that the dignity and human rights of OFWs shall neither be
4 compromised nor violated. Towards this end, the State shall continuously aim
5 to make overseas employment a choice of last resort and not a necessity for
6 every Filipino citizen;

7 d. In the pursuit of an independent foreign policy and while considering national
8 sovereignty, territorial integrity, national interest, and the right to self-
9 determination paramount in its relations with other states, the State shall, at
10 all times, uphold the dignity of its citizens, whether in-country or overseas,
11 continuously ensure implementation of bilateral agreements with countries of
12 destination and monitor international conventions and related instruments in
13 order to adopt or ratify those agreements that guarantee protection to
14 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, ethnicity, color, disability, creed or religion, monitor the relations
18 between OFWs and their employers, and promote their welfare and well-being
19 at all times. The State shall protect the rights of the workers to security of
20 tenure, and just and humane conditions of work. Towards this end, the State
21 shall provide 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 significant role of women and the youth in nation-building. In
24 recognizing the particular vulnerabilities of women, especially those who are
25 working abroad, the State shall apply gender sensitive criteria in the
26 formulation and implementation of its policies and programs. The State shall
27 formulate policies to further the protection and assistance to migrant children;

28 g. Free access to the courts, quasi-judicial bodies, and adequate legal assistance
29 shall not be denied to any person by reason of poverty. In this regard, it is
30 imperative that an effective mechanism be instituted by the State to ensure
31 that the rights and interests of Overseas Filipinos, including OFWs, in distress,
32 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 as
6 legitimate as partners of the State in the protection of Overseas Filipinos and
7 the promotion of their welfare. The State shall nurture and uphold mutual trust
8 and respect in areas of cooperation;
- 9 j. The State shall protect every citizen desiring to work locally or overseas by
10 securing for the citizen the best possible terms and conditions of employment.
11 The State shall endeavor to facilitate a free choice of available employment by
12 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 and
23 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 the
- 16 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 public
- 21 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 **Sec. 3. *Definition of terms.*** – As used in this Act, the following terms and
4 phrases are defined as follows:

- 5 a. *Assistance to Nationals (ATN)* refers to services provided by the Philippine
6 Government to Overseas Filipino in distress which may be in the form of
7 repatriation, medical assistance, shipment of remains, legal assistance and
8 representation, rescue, evacuation, financial assistance or any other analogous
9 assistance or intervention to ensure that the Filipino national's human rights
10 and welfare are upheld and protected;
- 11 b. *Country of destination* refers to any country other than the Philippines where a
12 Filipino citizen is temporarily or permanently residing or working;
- 13 c. *Ethical recruitment* refers to the practice of recruiting and deploying overseas
14 workers through government accredited recruitment or manning agencies, that
15 allow overseas workers to change employers and modify the conditions or
16 length of their stay with minimal administrative burden, while promoting
17 greater opportunities for decent work and respect for international human
18 rights and labor law, prohibit the confiscation or nonconsequential retention of
19 work contracts, and travel or identity documents from migrants and guarantees
20 that the employer pay principle is upheld;
- 21 d. *Overseas Filipino (OF)* refers to a Filipino citizen outside the Philippines,
22 whether permanent or temporary, regardless of such citizen's legal status,
23 including Overseas Filipino Workers (OFW), tourists, pilgrims, students,
24 trainees, and religious missionaries;
- 25 e. *Overseas Filipino in distress* refers to an OF who has a medical, psychosocial,
26 or legal problem, or is experiencing abuse or exploitation, or whose human
27 rights are being violated, and requires treatment, hospitalization, counseling,
28 legal representation, rescue, repatriation, or any other kind of analogous
29 intervention, including those who have died thereat and whose remains have
30 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 to operate a private recruitment,
3 placement, 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 outside the Philippines,
10 whether land-based or sea-based: *Provided*, That a person engaged in
11 remunerated activity who has been contracted for overseas employment but
12 has yet to leave the Philippines shall be considered an OFW: *Provided, however*,
13 That a Filipino who is qualified under a government-recognized exchange visitor
14 program for cultural and educational purposes and not primarily for
15 employment purposes, even if remunerated, is not considered an OFW;
- 16 j. *Recruitment agency* refers to a natural or juridical person duly licensed by the
17 Secretary of the Department to engage in the recruitment or placement of land-
18 based migrant workers;
- 19 k. *Regular overseas Filipino worker* refers to an OFW who has a passport, valid
20 visa, permit to stay, travel paper, or any other document necessary to work or
21 continue working in the country in which he is working. It includes an OFW
22 who has a contract of employment approved by the Department;
- 23 l. *Reintegration program* refers to any measure intended for mainstreaming and
24 sustainable return of OFWs into Philippine society, including but not limited to
25 livelihood projects, wellness programs, financial literacy programs and other
26 similar projects;
- 27 m. *Seafarer* refers to an OFW who is engaged in employment in any capacity on
28 board a merchant marine vessel plying international waters or other sea-based
29 craft of similar category. For purposes of this Act, it shall include fisherfolk,
30 cruise ship personnel, yacht crew, those serving on mobile offshore and drilling
31 units in the high seas, and other persons similarly situated.

1 **Sec. 4. *Creation and mandate.*** – There is hereby created the Department
2 of Overseas Filipinos, hereinafter referred to as “the Department”.

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

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

- 14 a. Formulate, recommend, and implement national policies, plans, programs, and
15 guidelines that will ensure the protection of overseas Filipinos, including OFWs,
16 the promotion of their interests, and the timely and effective resolution of their
17 problems;
- 18 b. Regulate the deployment of overseas Filipino workers;
- 19 c. Initiate, pursue, and help prosecute, in coordination with the Department of
20 Justice, illegal recruitment and human trafficking cases as defined under
21 Republic Act No. 8042, as amended by Republic Act No. 10022, otherwise
22 known as the Migrant Workers and Overseas Filipinos Act, as amended, and
23 other related laws and issuances;
- 24 d. Conduct, in coordination with relevant stakeholders, studies on policy areas and
25 options that will ensure protection of overseas Filipinos and address perennial
26 issues that they encounter;
- 27 e. Protect and promote the welfare, well-being, and interests of the families of
28 overseas Filipinos;
- 29 f. Build, in coordination with the Department of Foreign Affairs, strong and
30 harmonious partnerships with counterpart and relevant agencies in foreign
31 countries in order to facilitate the implementation of strategies and programs

- 1 designed for the protection and promotion of the rights and well-being of
2 overseas Filipinos and their families;
- 3 g. Assess, review, harmonize, and provide technical inputs and guidance on the
4 negotiation and implementation of bilateral and multilateral agreements,
5 initiatives and programs, including intergovernmental processes, which
6 primarily concern migration or overseas Filipinos, in coordination with the
7 Department of Foreign Affairs;
- 8 h. Cooperate and coordinate with foreign countries of destination, and monitor
9 labor developments in foreign countries to ensure that the terms and conditions
10 of work of overseas Filipino workers are in accordance with applicable and
11 appropriate Philippine, on-site, and international standards, in coordination
12 with the Department of Foreign Affairs;
- 13 i. Employ proactive, effective, and efficient approaches in providing timely ATN
14 services to overseas Filipinos, especially in times of actual or potential war, civil
15 unrest, pandemic or other analogous circumstances and situations;
- 16 j. Provide ATN services to overseas Filipinos, especially those in distress. In times
17 of national emergencies, such as the imminence of war or pandemic, the
18 Department shall strengthen linkages with appropriate authorities in the host
19 country for the timely mobilization and assistance to Overseas Filipinos;
- 20 k. Provide social and welfare services, including insurance, social work assistance,
21 legal assistance, cultural services, to overseas Filipinos;
- 22 l. Provide training and education, in cooperation with the Department of
23 Education, the Commission on Higher Education, the Technical Education and
24 Skills Development Authority, the Maritime Industry Authority, and other
25 government agencies, civil societies, and non-governmental organizations
26 aimed at promoting the global competitiveness of overseas Filipino workers,
27 job matching services to prospective overseas Filipino workers;
- 28 m. Implement reintegration and social service programs for overseas Filipinos who
29 are returning or have returned to the Philippines;
- 30 n. Encourage and enhance information and resource sharing, develop an
31 electronic database to improve services for overseas Filipinos, and strengthen

1 linkages and cooperation among government agencies, consistent with national
2 and overseas Filipino-focused objectives;

- 3 o. Regulate the operations of private recruitment, placement, and manning
4 agencies and other related business entities involved in the employment of
5 overseas Filipino workers to protect the interests and well-being of these
6 workers, with due consideration to relevant market conditions;
- 7 p. Accept, hold, administer, and utilize properties, subject to limitations set by
8 existing laws, in pursuit of the mandate of the Department;
- 9 q. Assume all powers, functions, and responsibilities assigned to the Department
10 of Labor and Employment relating to overseas Filipinos provided for under
11 Republic Act No. 8042 or the Migrant Workers and Overseas Filipinos Act, as
12 amended by Republic Act No. 10022, Republic Act No. 10801 or the Overseas
13 Workers Welfare Administration Act, and other related laws;
- 14 r. Perform all functions relating to overseas employment being performed by
15 offices under the DOLE, which are not among those listed herein, including the
16 power of the DOLE Secretary on the imposition of prohibition and/or regulation
17 on direct hiring; and
- 18 s. Perform all the powers, functions, and responsibilities assigned to all agencies,
19 offices, or units to be transferred to the Department pursuant to the
20 consolidation mandated by this Act;
- 21 t. Perform such other functions as may be provided by law or assigned by the
22 President.

23 **Sec. 6. *Composition.*** – The Department shall consist of the Department
24 Proper comprising of the Office of the Secretary, the Offices of the Undersecretaries
25 and Assistant Secretaries, the Service Units, the Staff Bureaus, Regional offices, and
26 ATN Units of Philippine Foreign Service Posts, and their immediate support staff.

27 **Sec. 7. *The Secretary.*** – The Secretary shall be appointed by the President
28 and shall exercise the following powers and functions:

- 29 a. Provide executive direction, supervision, and control over the entire operations
30 of the Department and its attached agencies, unless otherwise provided for
31 elsewhere in this Act;

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

32

1 **Sec. 8. Structure.** – The Secretary shall be assisted by four (4)
2 Undersecretaries and by an appropriate number of Assistant Secretaries as
3 determined by this law. The Secretary shall have the authority to assess and evaluate,
4 and on the basis of which, transfer, delineate, reassign, or reorganize the functional
5 areas or responsibilities of each office as he may deem necessary. The Secretary is
6 further authorized to recommend the creation of additional Undersecretary and
7 Assistant Secretary posts and other positions as may be necessary, subject to existing
8 laws, rules, and regulations.

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

11 a. Office of the Undersecretary for Administration and Finance. The Office of the
12 Undersecretary for Administration and Finance shall have the following
13 functions:

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

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

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

- 1 2. Review and evaluate the progress or status of projects and
2 accomplishments in relation to set standards, objectives, and schedules;
- 3 3. Undertake program and policy coordination, monitoring and evaluation
4 of the Overseas Workers Welfare Administration (OWWA);
- 5 4. Supervise and control operational activities of one (1) Assistant
6 Secretary; and
- 7 5. Perform such other functions as may be provided by law or assigned by
8 the Secretary.

9 c. Office of the Undersecretary for Assistance to Overseas Filipinos in Distress.

10 The Office of the Undersecretary for Assistance to Overseas Filipinos in Distress
11 shall subsume all the functions of the Office of the Undersecretary for Migrant
12 Workers' Affairs of the DFA and the Social Welfare Attaches Office (SWATO)
13 under the Department of Social Welfare and Development (DSWD), now
14 operating as the International Social Services Office (ISSO). It shall exercise
15 the following functions:

- 16 1. Provide prompt and appropriate response to global emergencies or crisis
17 situations affecting OFs, particularly OFWs, and members of their
18 families left behind;
- 19 2. Undertake all repatriation activities, in coordination with the DFA,
20 Philippine Foreign Service Posts, and other government agencies, in
21 cases of war, epidemic, disasters or calamities, whether natural or man-
22 made, amnesties, emergencies, abuse, and other similar events without
23 prejudice to reimbursement by the responsible principal employer or
24 recruitment or manning agency;
- 25 3. Enforce the Assistance to Nationals (ATN) Fund and Legal Assistance
26 Fund guidelines, procedures, and criteria for the utilization of the said
27 fund as provided for under this Act;
- 28 4. Administer the ATN Fund and the Legal Assistance Fund, and to
29 authorize disbursements therefrom in accordance with the purpose for
30 which the fund was set up;

- 1 5. Ensure effective coordination and cooperation with other government
2 agencies and Philippine Foreign Service Posts in the provision of legal
3 assistance and ATN services utilizing the Fund;
- 4 6. Tap the assistance of the Integrated Bar of the Philippines, other bar
5 associations, legal experts on labor, migration, and human rights laws,
6 reputable law firms, and civil society organizations, as appropriate, to
7 complement government services and resources to provide legal and
8 other forms of assistance to OFs in distress and OFWs;
- 9 7. Establish a 24/7 Emergency Response and Action Center Unit and media
10 and social media monitoring center to respond to the emergency needs
11 of OFs and their families;
- 12 8. Exercise control and supervision over the Assistant Secretary heading
13 each of the following units: (i) Operations; and (ii) Public Assistance
14 Center; and
- 15 9. Perform such other functions as may be provided by law or assigned by
16 the Secretary.
- 17 d. Office of the Undersecretary for Policy and International Cooperation and
18 Special Overseas Filipino Concerns shall subsume all the substantive functions
19 of the International Labor Affairs Bureau (ILAB) under the Department of Labor
20 and Employment and all the related functions and mandate of the Commission
21 on Overseas Filipinos. It shall exercise the following functions:
 - 22 1. Monitor the observance and implementation of the Philippines'
23 obligations and commitments to migration related international
24 organizations and treaties;
 - 25 2. Coordinate with the DFA regarding the negotiations of treaties,
26 agreements, compacts, and other instruments that are related to labor
27 migration;
 - 28 3. Manage and supervise the ATN Unit as created by Section 15 of this Act
29 in coordination with the DFA;
 - 30 4. Exercise control and supervision over one (1) Assistant Secretary
31 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. Implement programs and services to adequately prepare Filipinos
6 migrating to other countries to meet the practical and psychological
7 problems attendant to international migration;
- 8 7. Act as the Department's advocacy arm and shall execute programs and
9 services to raise public awareness on the dangers and indicators of
10 illegal recruitment, human trafficking, mail-order-spouse schemes, and
11 access to the different government policies and programs in place that
12 aim to address these concerns;
- 13 8. Serve as a forum for preserving and enhancing the social, economic,
14 and cultural ties of OFs with their motherland;
- 15 9. Provide liaison services to OFs with appropriate government and private
16 agencies in the transaction of business and similar ventures in the
17 Philippines; and
- 18 10. Perform such other functions as may be provided by law or assigned by
19 the Secretary.

20 There shall be an Office for Internal Audit which shall conduct objective
21 evaluation of the Departments extent of compliance with its mandate, functions,
22 programs, projects, activities, and outputs.

23 **Sec. 9. *Qualifications.*** – No person shall be appointed as Secretary,
24 Undersecretary, or Assistant Secretary of the Department unless he is a citizen and
25 resident of the Philippines, of good moral character, of proven integrity, competence
26 in public administration, and with at least seven (7) years of experience and expertise
27 in governance involving overseas Filipinos.

28 No person involved in the business of recruitment and deployment of overseas
29 Filipinos and overseas Filipino workers shall be appointed as Secretary,
30 Undersecretary, or Assistant Secretary of the Department. This prohibition shall
31 likewise apply to relatives of such person involved in the business of recruitment and

1 deployment of overseas Filipinos and overseas Filipino workers up to the fourth degree
2 of consanguinity or affinity.

3 **Sec. 10. *Regional offices.*** – The Department shall establish, operate, and
4 maintain regional offices and such other lower level offices as may be deemed
5 necessary by the Secretary in strategic locations in the country taking into
6 consideration the existing regional offices of the POEA and OWWA.

7 **Sec. 11. *Staffing pattern.*** – The Department shall determine its
8 organizational structure and create new divisions or units as it may deem necessary
9 at the national, regional, provincial, and in such other lower levels, and shall appoint
10 officers and employees of the Department in accordance with Civil Service laws, rules
11 and regulations. Republic Act No. 6656, or the Government Reorganization Law shall
12 govern the organization of the Department, and the reorganization of affected
13 agencies.

14 The Department shall present its staffing pattern to the Department of Budget
15 and Management for approval within sixty (60) days from the approval of this Act.
16 The approved staffing pattern shall be implemented effective immediately but not
17 later than the holdover period of all the subsumed agencies of the Department as
18 provided for in this Act.

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

26 **Sec. 13. *Establishment of OFW Centers.*** – The Department, in partnership
27 with other government agencies and local government units, shall establish the OFW
28 Centers in strategic locations of the country to ensure prompt, efficient, vital and
29 relevant services to migrant Filipinos and their families to include acquisition of
30 government clearances and permits, validation of overseas job offers, reintegration
31 services and all pertinent seminars and workshops for all stakeholders.

1 **Sec. 14. Assistance to Nationals Fund.** – The Legal Assistance Fund
2 established under Section 25 of Republic Act No. 8042, as amended, as well as the
3 ATN Fund now administered by the Department of Foreign Affairs, shall be
4 consolidated into the ATN Fund. The said consolidated fund shall be administered by
5 the Department. In addition to those guidelines provided for under existing laws, and
6 in accordance with guidelines to be formulated by the Department, the ATN Fund shall
7 be used for the provision of ATN services as provided for under this Act.

8 The ATN Fund guidelines shall be issued by the Secretary in consultation with
9 relevant stakeholders.

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

- 16 a. Ensure the promotion and protection of the welfare and interests of
17 Filipinos Overseas and assist them in all problems arising out of employer-
18 employee relationships including violation of work contracts, conditions of
19 employment such as non-payment of wages and other benefits, illegal
20 dismissal, and other similar cases;
- 21 b. Verify employment contracts and other employment-related documents;
- 22 c. Monitor and report to the Secretary on situations and policy developments
23 in the receiving country that may affect Filipinos Overseas in particular and
24 Philippine labor policies, in general;
- 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 e. Supervise and coordinate the operations of the Migrant Workers and Other
30 Overseas Filipinos Resource Center;
- 31 f. Provide social and welfare programs and services to Filipino nationals,
32 including social assistance, education and training, cultural services,

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

24

25 The Department shall establish the Assistance-to-Nationals Unit. The
26 qualifications, hiring and selection, continuous training and education, merit
27 promotion system, and rotation system for deployment and recall of ATN Officers shall
28 also be established by the Department, in accordance with existing civil service rules
29 and regulations.

30 ATN Officers shall be deployed in post and designated as attaché, with prior
31 clearance from the Secretary of Foreign Affairs. ATN Officers shall have the following
32 duties and responsibilities:

- 1 a. Repatriation of distressed and undocumented Filipinos;
- 2 b. Assistance to victims of natural and man-made disasters;
- 3 c. Monitoring of court cases of Filipinos;
- 4 d. Attending to police cases involving Filipinos such as but not limited to
- 5 sexual assault, theft/robbery, drug use/drug trafficking,
- 6 fraud/falsification/forgery, murder/homicide, trafficking in persons, etc.;
- 7 e. Prison visitation including counselling and provision of consular services;
- 8 f. Coordination with next-of-kin or relatives on police and immigration cases;
- 9 and
- 10 g. Attending to death of Filipinos including repatriation of remains or
- 11 personal belongings and issuance of mortuary certificate.

12
13 In this regard, all incidents relating to provision of ATN services shall be
14 consistent with the implementation of the One Country-Team Approach.

15 The functions of the ATN Office and the ATN Officers shall complement the
16 diplomatic and consular functions of the DFA in the performance of the latter's
17 mandate under the third pillar of Philippine Foreign Policy.

18 ATN Officers in the Central Office shall have the following duties and
19 responsibilities:

- 20 a. Receive requests for assistance from the next-of-kin of overseas Filipinos in
- 21 distress or the overseas Filipinos themselves;
- 22 b. Refer requests to the concerned Foreign Service Post;
- 23 c. Endorse the disbursement from the ATN Fund and the Legal Assistance
- 24 Fund, subject to rules and regulations for such disbursement;
- 25 d. In cases of emergency situations, monitor the situation abroad through
- 26 reports from the Philippine Embassies and Consulates; and
- 27 e. Provide information and updates to interested parties and government
- 28 agencies.

29 The deployment and performance of the ATN Unit members to Philippine
30 Foreign Service Post shall be governed by the Philippine Foreign Service Act of 1991,
31 Vienna Convention on Consular Relations and the Vienna Convention on Diplomatic

1 Relations and shall also be subject to the rules and regulations imposed by the
2 receiving State.

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

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

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

30

31 The following personnel may be assigned to the Center:

- 1 a. Psychologists, Social Workers, and a Shari'a or Human Rights Lawyer, in highly
2 problematic countries as categorized by the DFA and the Department and
3 where there is a concentration of Filipino migrant workers;
- 4 b. Individual volunteers and representatives from bona fide non-government
5 organizations from the receiving countries, if available and necessary as
6 determined by the ATN Head, in consultation with the Chief of Mission;
- 7 c. Public Relations Officer or Case Officer conversant, orally and in writing, with
8 the local language, laws, customs and practices; and
- 9 d. Legal Officers and such other professionals deemed necessary by the Secretary.

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

14 **Sec. 17. *One country-team approach.*** – Under the one country-team
15 approach, all officers, representatives, and personnel of the Philippine government
16 posted abroad regardless of their mother agencies shall, on a per country basis, act
17 as one country-team with a mission under the leadership of the Ambassador or the
18 Consul General. In this regard, the Ambassador or the Consul General acting as Head
19 of Post, through the Secretary of the Department of Foreign Affairs, may recommend
20 to the Secretary the recall of officers, representatives, and personnel of the
21 Department posted abroad for misbehavior, misconduct or commission of other acts
22 which may be deemed prejudicial or inimical to the national interest or in case of
23 failure to provide the necessary services to protect the rights of overseas Filipinos or
24 to perform the duties and responsibilities required of ATN Officers under this law.

25 **Sec. 18. *Management information system.*** – The Department shall
26 establish, in cooperation with other government agencies concerned, a computer-
27 based management information system on overseas Filipinos to support its operations
28 and as well as to have a source of relevant data for programs and policy formulation.
29 Each office of the Department may likewise create and maintain its own relevant
30 database, as it deems necessary: *Provided*, That these are integrated into the
31 Department's main management information system.

1 **Sec. 19. *Transfer of agencies and functions.*** – The following agencies are
2 hereby merged and transferred to the Department, and their powers and functions
3 subsumed to the Department which shall assume and perform all their powers and
4 functions:

- 5 a. The Office of the Undersecretary for Migrant Workers' Affairs (OUMWA) of the
6 Department of Foreign Affairs as provided for under Republic Act No. 8042, as
7 amended, to include all present and previous units in the Department of Foreign
8 Affairs performing functions mandated by the said law;
- 9 b. The Commission on Overseas Filipinos (CFO);
- 10 c. Philippine Overseas and Employment Office (POEA);
- 11 d. All Philippine Overseas Labor Offices (POLO) under the Department of Labor
12 and Employment;
- 13 e. The International Labor Affairs Bureau (ILAB) under the Department of Labor
14 and Employment; and
- 15 f. The Social Welfare Attaches Office (SWATO) under the Department of Social
16 Welfare and Development, now operating as the International Social Services
17 Office (ISSO).

18 **Sec. 20. *OWWA.*** - The OWWA, created under Republic Act No. 10801, is
19 attached to the Department of Overseas Filipinos for purposes of policy and program
20 coordination. The OWWA shall continue to function in accordance with its charter
21 except those powers and functions transferred to the Department. The OWWA Board
22 of Trustees is hereby reconstituted with the following members:

- 23 (a) Secretary of Overseas Filipino, as Chairperson;
- 24 (b) OWWA Administrator, as Vice Chairperson;
- 25 (c) Secretary of Labor and Employment;
- 26 (d) Secretary of Foreign Affairs;
- 27 (e) Secretary of Finance;
- 28 (f) Secretary of Budget and Management;
- 29 (g) Three (3) representatives from the land-based OFWs who are nominated
30 and appointed in accordance with the provisions of Republic Act No. 8042,
31 as amended by Republic Act No. 10022;

- 1 (h) Three (3) representatives from the sea-based OFWs who are nominated
2 and appointed in accordance with the provisions of Republic Act No. 8042,
3 as amended by Republic Act No. 10022;
- 4 (i) One (1) representative from the women sector who is nominated and
5 appointed in accordance with the provisions of Republic Act No. 8042, as
6 amended by Republic Act No. 10022;
- 7 (j) (One (1) representative from the land-based recruitment sector who is
8 selected from among the various associations of registered overseas
9 placement and recruitment agencies based in the Philippines, who shall be
10 appointed by the President of the Philippines to serve a single term of three
11 (3) years; and
- 12 (k) One (1) representative from the sea-based manning sector, who is selected
13 from among the various associations of registered overseas placement and
14 manning agencies based in the Philippines, who shall be appointed by the
15 President of the Philippines to serve a single term of three (3) years.

16 **SEC. 21. *The OFW Fund.*** – The OWWA Fund created under Republic Act No.
17 10801 otherwise known as Overseas Workers Welfare Administration Act,” is
18 hereinafter referred to as the OFW Fund. The OFW fund will remain a private fund
19 held in trust by the OWWA. Being a trust fund, no portion thereof or any of its income,
20 dividends or earnings shall accrue to the general fund of the National Government.
21 Neither shall any amount or portion thereof be conjoined with government money,
22 nor revert to the National Government. In the same manner, it is exempted from the
23 “one fund doctrine” of the government.

24 The OFW fund can only be used to serve the welfare of member-OFWs and
25 their families which shall include the financing of core programs and services of the
26 OWWA such as reintegration program; loan and other credit assistance; and social
27 benefits: *Provided*, That the OFW Fund shall only be resorted to for repatriation
28 assistance and workers assistance after full utilization of the ATN fund created under
29 this Act.

1 **Sec. 22. *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 existing
10 laws. Those personnel from the transferred entity whose positions are not
11 included in the new position structure and staffing pattern approved by the
12 Secretary or who are not reappointed shall be entitled to the benefits provided
13 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 and
19 funds shall revert to the General Fund and the remaining records, equipment,
20 facilities, and other assets shall be allocated to such appropriate units as the
21 Secretary shall determine, or otherwise shall be disposed of, in accordance with
22 pertinent laws, rules and regulations. The liabilities, if any, of the subsumed
23 entity shall be treated likewise in accordance with pertinent laws, rules and
24 regulations. Incumbents of the subsumed entity shall, in a holdover capacity,
25 continue to perform their respective duties and responsibilities and receive the
26 corresponding salaries and benefits unless in the meantime they are separated
27 from 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 provided in Section 22 hereof; and

31 c. Any transfer of functions which does not result in the subsuming of the entity
32 that has exercised such transferred functions shall include the appropriations,

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

13 **Sec. 23. Absorption, separation, and retirement from service.** – The
14 existing employees of the transferred and subsumed agencies under this Act shall
15 enjoy security of tenure and shall be absorbed by the Department, in accordance with
16 their staffing patterns and the selection process as prescribed under Republic Act. No.
17 6656 or the Government Reorganization Law.

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

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

- 31 a. Fifty percent (50%) of the actual monthly basic salary for every year of service,
32 for those who have rendered less than 11 years of service;

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

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

19

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

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

1 **Sec. 25. Congressional Oversight Committee.** – There shall be created a
2 Congressional Oversight Committee on Overseas Filipinos to monitor and oversee the
3 implementation of the provisions of this Act.

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

13 **Sec. 26. Appropriations.** – The amount needed for the initial implementation
14 of this Act shall be taken from the current years appropriations of the agencies,
15 entities, divisions, sections or bodies subsumed or transferred to the Department by
16 virtue of this Act. Thereafter, such sum as may be necessary for its continued
17 implementation, shall be included in the annual General Appropriations Act.

18 **Sec. 27. 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 **Sec. 28. Implementing rules and regulations.** – The Department of
24 Overseas Filipinos, in coordination with the Department of Finance, the Department
25 of Foreign Affairs, the Department of Budget Management, the Department of Labor
26 and Employment, the Civil Service Commission, the National Economic and
27 Development Authority, the Philippine Statistics Authority, the Office of the
28 Presidential Adviser on OFWs (OPA-OFW), and other stakeholders including OFW
29 groups and associations, shall, within sixty (60) days after the effectivity of this Act,
30 promulgate such rules and regulations necessary to implement this Act.

1 **Sec. 29. *Separability clause.*** – Should any provision of this Act or part
2 thereof be declared unconstitutional, the other provisions or parts not affected thereby
3 shall remain valid and effective.

4 **Sec. 30. *Repealing clause.*** – All other laws, decrees, orders, rules and
5 regulations or parts thereof inconsistent with this Act are hereby repealed or modified
6 accordingly.

7 **Sec. 31. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
8 complete publication in the Official Gazette and in at least two (2) newspapers of
9 general circulation.

Approved,