

Republic of the Philippines
Congress of the Philippines
Senate

Manila City

Sixteenth Congress

Second Regular Session



RESOLUTION NO. 83

RESOLUTION CONCURRING IN THE RATIFICATION OF
THE AGREEMENT ON SOCIAL SECURITY
BETWEEN THE PORTUGUESE REPUBLIC AND
THE REPUBLIC OF THE PHILIPPINES

WHEREAS, the Constitution, Article VII, Section 21 states: "No treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all the Members of the Senate";

WHEREAS, the Philippines has social security agreements with Austria, Canada, France, United Kingdom, Belgium, Switzerland, and Spain; this Social Security Agreement with the Portuguese Republic not only reaffirm the enhanced partnership between the Philippines and Portugal but also manifest the Philippine government's genuine concern for the welfare and well-being of Filipino migrant workers and their families wherever they may be;

WHEREAS, the Agreement on Social Security between the Portuguese Republic and the Republic of the Philippines was signed on 14 September 2012 in Lisbon;

WHEREAS, the Agreement seeks to reduce or eliminate border, nationality or other restrictions that prevent covered workers from receiving benefits under the social security legislation of the Philippines or Portugal;

WHEREAS, the Agreement adopts the fundamental principles of international coordination of social security legislations, namely: equality of treatment, export of benefits, and totalization of creditable periods to enable covered workers to access social security benefits such as sickness, maternity, paternity, occupational diseases, invalidity, old age, and survivor's pension;

WHEREAS, under these principles, a Filipino who works in Portugal and contributes to the social security scheme of Portugal will be entitled to benefits under the same conditions as nationals of Portugal; the Filipino worker will also be allowed to export benefits he/she is entitled to wherever he/she decides to reside, whether in the Philippines or Portugal;

WHEREAS, the principle of totalization allows the worker to combine creditable periods under the social security laws of the Philippines and Portugal to be eligible to benefit payments but on a proportional-sharing basis; these same principles shall apply to a Portuguese national who works and contributes to the social security system in the Philippines;

WHEREAS, on the part of the Philippines, the agreement shall be implemented in relation to the Philippine Social Security Act, the Government Service Insurance Act, the Portability and Employees' Compensation Act, and the State Insurance Fund; on the part of Portugal, it shall cover the social security schemes applicable to employed and self-employed persons and to optional affiliation schemes of the Portuguese insurance systems;

WHEREAS, the provisions of the Agreement are consistent with the State's policy to afford full protection to labor and with the right to social security enshrined in the Universal Declaration of Human Rights and under International Labour Organization (ILO) conventions;

WHEREAS, the Agreement, Article 33 provides that it shall enter into force on the first day of the second month after the date of receipt of the last notification, made in writing and through diplomatic channels, informing that the internal legal proceedings required for that purpose in the Parties have been finalized;

WHEREAS, the President of the Philippines ratified the Agreement on 16 January 2014, and has accordingly submitted it to the Senate for concurrence, in accordance with the Constitution;

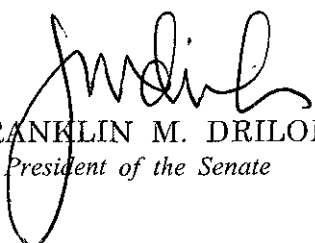
WHEREAS, in the hearing conducted by the Senate Committee on Foreign Relations on 5 March 2015, the following government agencies endorsed the concurrence in the ratification of the Agreement on Social Security between the Republic of the Philippines and the Portuguese Republic:

1. Department of Foreign Affairs;
2. Department of Labor and Employment;
3. Philippine Overseas Employees Administration;
4. Employees Compensation Commission;
5. Government Service Insurance System; and
6. Social Security System.

Now, therefore, be it

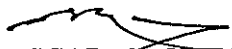
Resolved, as it hereby resolved, That the Philippine Senate concur, as it hereby concurs, in the ratification of the Agreement on Social Security between the Republic of the Philippines and the Portuguese Republic.

Adopted,



FRANKLIN M. DRILON
President of the Senate

This Resolution was adopted by the Senate on May 18, 2015.



OSCAR G. YABES
Secretary of the Senate