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SIXTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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Senate
Office of the Secretary

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SENATE

Senate Bill No. 305

RECEIVED BY: *ja*

Introduced by Senator Cynthia Villar

EXPLANATORY NOTE

The State is duty-bound to maintain and strengthen the mantle of ample support and full protection it accords for the upliftment and advancement of the overseas Filipino workers' welfare and their left-behind families.

While OFWs earn a significant pay compared to their peers in the country and remit their monies to their families in the Philippines, their left-behind families may however, suffer from loneliness and pain of separation caused by a family member working abroad. Worse, the spouses and the OFW children alike face a greater probability of complete separation where their loved one would ultimately leave them behind depriving them of any financial support, and sometimes leaving them with debts caused by financing the expensive overseas placement of the family member.

Thus it is extant that we extend assistance to these left behind families as a sign of gratitude for their sacrifices for their country in their time of need.

Cynthia Villar
CYNTHIA VILLAR



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SENATE

Senate Bill No. 305

REGISTERED BY:

Introduced by Senator Cynthia Villar

**AN ACT
TO PROVIDE A SYSTEM OF ASSISTANCE AND INCENTIVES TO FAMILIES
OF OVERSEAS FILIPINO WORKERS IN TIMES OF NEED AND FOR OTHER
PURPOSES**

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

1 **SECTION 1. Title.** This Act shall be known as "Assistance to OFW Family Act."

2
3 **SECTION 2. Declaration of Policies.** It is the policy of the State to protect the
4 families of Overseas Filipino Workers ("OFWs") and to extend reasonable assistance to
5 these families whenever any of the circumstances stated in the succeeding section
6 arise.

7
8 **SECTION 3. Instances when assistance may be given.** Assistance may be
9 extended to families of OFWs whenever any of the following instances, which are not
10 exclusive in character, arise:

- 11
12 a.) the OFW has deprived the legitimate family or the common-law wife of any form
13 of financial assistance for any reason;
14
15 b) the OFW has left the legitimate family or the common-law spouse without any
16 form of financial assistance for any reason;
17
18 c) the OFW has deprived the legitimate children of any form of financial assistance
19 for any reason;
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21 d) In the absence of any of the following, the illegitimate children shall be entitled to
22 avail of the assistance granted by the provisions of this Act.

23
24 **SECTION 4. Qualifications for assistance to be given.** The following
25 qualifications shall be imposed upon the applicants who are applying for any assistance
26 granted by this Act:

- 27
28 a) Families - for the legitimate family or the common-law spouse of the OFW, they
29 shall be required to show the following:
30
31 i. For the legitimate family:
32 -Marriage certificate of the spouse;
33 -Birth Certificate of the Children, if any; or
34 ii. For the common-law spouse:
35 -proof of cohabitation;

1 -proof that neither the applicant nor the OFW are barred from any legal
2 impediments to marry; and

3 iii. The total household income shall not exceed sixty thousand pesos
4 (P60,000.00) per annum subject to verification from the Bureau of
5 Internal Revenue of such fact and the appropriate clearances from the
6 employer;

7
8 b) Children -for the legitimate or illegitimate child, the assistance shall be limited to
9 the following qualified individuals:

- 10
11 i. the child shall not exceed the age of majority provided for by law; and
12 ii. the child has no sufficient means of income to support himself;

13
14 **SECTION 5. Form of assistance.** The assistance shall be in the following forms:

- 15
16 a) livelihood opportunities for the families; or
17 b) scholarship grants to the children; or
18 c) such other forms of assistance as may be provided for by law

19
20 Provided, that the number of children entitled to the assistance herein shall not
21 exceed four (4).

22
23 **SECTION 6. Livelihood assistance.** The livelihood assistance as defined herein
24 shall mean such assistance as may be sufficient to support the basic needs of the
25 family herein, such assistance to be extended primarily to the family in most need of
26 support. The livelihood assistance shall be provided for by the Department of Trade and
27 Industry through the creation of a new division, the OFW Livelihood Assistance Division.
28 Provided, that the implementing rules and regulations of this act shall be formulated by
29 the Department of Trade and Industry.

30
31 **SECTION 7. Scholarship grants.** The scholarship grants shall be extended to
32 children qualified according, to the provisions of this Act. Provided, that the scholarship
33 grant shall extend to the tertiary level of education but not to post-graduate studies;
34 Provided, further, that the Department of Education, shall be responsible for the grant of
35 such benefits accordingly; Provided, finally, that even upon reaching the age of majority,
36 the child previously entitled to the benefits of this Act shall be extended assistance until
37 the completion of the education, subject to the Implementing Rules and Regulations to
38 be formulated by the Department of Education.

39
40 **SECTION 8. Appropriations,** - The sum of fifty million pesos (P50,000,000.00)
41 necessary for the initial operating expenses of the assistance is hereby charged to the
42 appropriations authorized for the OFW Assistance Fund. Thereafter, the sum necessary
43 for the continued operation and maintenance shall be included in the annual budget of
44 the Office of the President.

45
46 **SECTION 9. Separability Clause.** - If any provision of this Act or any part hereof
47 be declared, unconstitutional or invalid the remainder of this Act or any provision not
48 affected thereby shall remain in force and effect.

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52 **SECTION 10. Repealing Clause.** - All laws, orders, proclamations, rules and
53 regulations, or part thereof, which are inconsistent with any provision of this Act are
54 hereby repealed or modified accordingly.

1 **SECTION 11. Effectivity.** - This Act shall take effect after fifteen (15) days
2 following its publication in the Official Gazette or in at least two newspapers of general
3 circulation.

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Approved,