

SENATE OF THE PHILIPPINES)
SIXTEENTH CONGRESS)
First Regular Session)



'13 OCT 16 AM 10:07

SENATE

Senate Bill No. 1858

RECEIVED
ji

Introduced by **SENATOR JOSEPH VICTOR G. EJERCITO**

EXPLANATORY NOTE

It has consistently been a matter of government policy to provide every possible manner of aid and assistance to our brothers and sisters who toil overseas. But even the best policies must fail if there are no concrete resources allotted to their implementation. As such, in line with House Bills no. 1243 and 5331, this bill aims to create a Special Assistance Fund for Overseas Filipino Workers in Distress, to ensure that our overseas countrymen who are most in need shall be provided with, not just the cold comfort of intangible promises, but the financial aid necessary to ensure their freedom and good health.

They certainly deserve no less.

JOSEPH VICTOR G. EJERCITO

'13 OCT 16 AM 10:07

SENATE

Senate Bill No. 1858

RECEIVED *js*

Introduced by **SENATOR JOSEPH VICTOR G. EJERCITO**

AN ACT
PROVIDING AN ASSISTANCE PROGRAM FOR OVERSEAS FILIPINO
WORKERS IN DISTRESS, AND PROVIDING FUNDS THEREFOR AND FOR
OTHER PURPOSES

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

SECTION 1. Short Title. - This Act shall be known as the
"Distressed OFW Assistance Act of 2013."

SECTION 2. Declaration of Policy. - It is hereby declared a policy
of the State that full protection must be accorded to overseas workers,
particularly those who are forced to seek employment abroad in order to
provide for their families at home. Furthermore, this assistance to
overseas Filipino worker must be without distinction, covering both
documented and undocumented migrant workers.

SECTION 3. Creation of Fund. - A Special Assistance Fund for
Overseas Filipino Workers in Distress, in the amount of One Billion Pesos
(P1,000,000,000.00) is hereby created. The fund shall be utilized for the
following purposes:

- (a) Repatriation;
- (b) Medical expenses, hospitalization and purchase of medicine in
the form of vouchers for six (6) months from arrival;
- (c) Migration fees for overstaying Filipinos;
- (d) Legal assistance including litigation expenses, legal fees,
payment of translation fees, attendance in court hearings;
- (e) Basic necessities of OFWs caught in emergencies or are
detained.

Provided, That at least thirty percent (30 %) of the total fund shall be
allotted to provide monetary support, in the form of a lump sum payment

not in excess of Fifty Thousand pesos (PHP 50,000.00) for each recipient, to be given to overseas workers who have been the victims of abuse from their employers, or those who have been repatriated from host countries due to natural or man-made calamities.

SECTION 4. Transparency. - In the utilization of the Fund, the principles of accountability and transparency must be fully observed. As such, every Filipino citizen has a right to, and shall, on request, be given access to any information pertinent to this law, when such information is under the control or in the possession of any government agency involved in the implementation of this law. Government agencies involved in the implementation of this law shall maintain appropriate records of their actions under this law, particularly with regard to the disbursements of funds and the identity of recipients.

SECTION 5. Implementing Agencies and Rules. - The Overseas Workers Welfare Administration (OWWA) is hereby tasked to implement this Act, and shall coordinate with and be supported by the Department of Labor and Employment, and the Department of Foreign Affairs. The abovementioned agencies, in consultation with the Department of Budget and Management and representatives of the private sector, and recognized overseas labor organizations, shall issue the necessary implementing rules and regulations to implement the provisions of this Act within ninety (90) days after its effectivity.

SECTION 6. Appropriations. - The fund needed to initially implement the provisions of this Act must be sourced primarily from the General Appropriations Act. The appropriation allotted to the Assistance to Nationals and Legal Assistance Fund in the Department of Foreign Affairs, and to the OWWA, shall serve as core fund for the program. Thereafter the yearly PHP 1 Billion appropriation shall be sourced from the earnings of the Bureau of Immigration, Duty- Free Philippines, passport processing fees of the Department of Foreign Affairs, Philippine Charity Sweepstakes Office, and other relevant offices or agencies as may be recommended and identified in the implementing rules and regulations.

SECTION 7. Separability Clause. - If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 8. Repealing Clause. - All laws, executive orders, presidential decrees, presidential proclamations, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 9. Effectivity Clause. - This Act shall take effect fifteen (15) days from its publication in the Official Gazette or at least two (2) national newspapers of general circulation.

Approved.