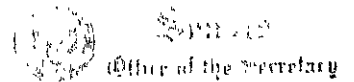


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



15 JUN -9 P 1:41

SENATE
S. No. 2835

RECEIVED BY. J

(In substitution of S.B. No. 2627, taking into consideration H. No. 5268)

Prepared by the Committee on Labor, Employment and Human Resources
Development with Senator Sonny Angara as author thereof

**AN ACT
PROTECTING SEAFARERS AND OTHER WORKERS SIMILARLY SITUATED
AGAINST AMBULANCE CHASING AND PROVIDING PENALTIES FOR
VIOLATION THEREOF**

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

1 **SECTION 1.** This Act shall be known as the "Anti-Ambulance Chasing Act".

2
3 **SECTION 2. *Prohibition of Ambulance Chasing.*** – It shall be unlawful for
4 any person to engage in ambulance chasing or the act of soliciting, personally or
5 through an agent, from seafarers and other workers similarly situated, or their heirs,
6 the pursuit of any claim against an employer for the purpose of recovery of monetary
7 claim or benefit, including legal interest, arising from accident, illness or death, in
8 exchange of an amount or fee which shall be retained or deducted from the
9 monetary claim or benefit granted to or awarded to the seafarer or other workers
10 similarly situated or heirs thereof. The Secretary of Labor and Employment shall,
11 through the appropriate rules and regulations, determine such other workers similarly
12 situated as seafarers, using reasonable criteria.

13
14 **SECTION 3. *Compensation or Benefit.*** – Any contract or arrangement
15 between the seafarer or other workers similarly situated or their heirs, and the
16 person who appears for or represents them in any case before the National Labor

1 Relations Commission (NLRC) or any labor arbiter, the National Conciliation and
2 Mediation Board (NCMB), the Philippine Overseas Employment Administration
3 (POEA), the Department of Labor and Employment (DOLE) or its regional offices, or
4 other quasi-judicial bodies handling labor disputes stipulating that the person who
5 appears for or represents them shall be entitled to fees exceeding ten percent (10%)
6 of the compensation or benefit awarded to the seafarer or other worker or heirs
7 thereof shall be null and void. This fee shall not be payable before the actual
8 payment of the compensation or benefit awarded to the seafarer or other worker, or
9 heirs thereof, except reasonable initial expenses in relation to handling the case.

10
11 For purposes of this Act, fees referred to in this section shall mean the total
12 amount of compensation of the person who appears for or represents the seafarer or
13 other workers similarly situated, or heirs thereof for services rendered.

14
15 **SECTION 4. Penalties.** – Any person who violates Section 2 of this Act shall
16 be punished by a fine of not less than fifty thousand pesos (P50,000.00) but not
17 more than one hundred thousand pesos (P100,000.00), or by imprisonment of one
18 (1) year but not more than two (2) years, or both fine and imprisonment. The same
19 penalties shall be imposed upon any person who shall be in collusion in the
20 commission of the prohibited act in Section 2 hereof.

21
22 **SECTION 5. Implementing Rules and Regulations.** – Within ninety (90)
23 days from the approval of this Act, the Secretary of Labor and Employment in
24 coordination with the Maritime Industry Authority (Marina), Philippine Overseas
25 Employment Administration (POEA), and appropriate labor organizations shall
26 promulgate the necessary rules and regulations for the effective implementation of
27 the provisions of this Act.

28
29 **SECTION 6. Repealing Clause.** All laws, orders, issuances, decrees, rules
30 and regulations inconsistent with the provisions of this Act are hereby repealed or
31 modified accordingly.

32
33 Approved,