

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

7 JUL -2 P1:59

SENATE

RECEIVED BY: _____

Senate Bill No. 425

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

Since the overseas employment program began two decades ago, the Philippines emerged as one of the top suppliers of seafarers for the world's merchant fleet. Pursuant to the Constitutional provision that "the State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare" (Article II, Section 18), the government is mandated to uphold and protect the welfare of our labor force, regardless whether they are employed here or abroad.

The proposed measure then seeks to fix the minimum death benefits for Filipino seafarers and to establish a mechanism at the Philippine Overseas Employment Agency which is tasked to review and realign on a regular basis the said minimum standard rates for death benefits which should always be at par with the prevailing international standards.

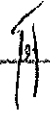
The passage of this bill is recommended.


JINGGOY EJERCITO ESTRADA
Senator

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AN ACT
FIXING THE MINIMUM STANDARD FOR DEATH BENEFITS TO FILIPINO
SEAFARERS EMPLOYED OVERSEAS AND ESTABLISHING A MECHANISM
AT THE PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION FOR ITS
REGULAR REVIEW AND REALIGNMENT TO PREVAILING INTERNATIONAL
STANDARDS AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as the “**Death Benefits for Seafarers Act of 2007.**”

SEC 2. *Declaration of Policy.* – There is hereby declared a policy of the State to promote the welfare of Filipino seafarers employed overseas by setting up minimum standards of death benefits for seafarers at the level with the prevailing international standards.

SEC 3. *Death Benefits.* – (a) Upon effectivity of this Act, in case of death of a Filipino seafarer during the term of his contract, the employer shall pay his beneficiaries the Philippine currency equivalent to the amount of Fifty Thousand US Dollars (US\$50,000.00) at the exchange rate prevailing during the time of payment.

- (b) The benefits shall be separate and distinct from and in addition to whatever benefits which the seafarer is entitled to under the Philippine laws and regulations.
- (c) No benefits shall be payable in case of death resulting from a willful act on his life by the seafarer; *Provided, That* the employer can prove that such death is directly attributable to the seafarer.

SEC 4. *Reviews of Benefits.* – The Philippine Overseas and Employment Administration shall, upon consultation with the seafarers’ union and associations of manning agencies and shipping companies, undertake a regular annual review of the death benefits provided under this Act and through its governing board,

update or amend the death benefits to keep it at a level with the prevailing international standard.

SEC 5. *Separability Clause.* – If any provision of this Act is declared invalid, the remaining provisions shall not be affected thereby.

SEC 6. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, or parts thereof contrary or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC 7. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation, whichever comes earlier.

Approved,