


THIRTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES }  
*Second Regular Session*

6 JUN -7 1995

SENATE

S. No. 2323

RECEIVED BY: 

---

---

INTRODUCED BY HON. MANNY VILLAR

---

---

### EXPLANATORY NOTE


Republic Act 8042, otherwise known as the Migrant Workers and Overseas Filipinos Act of 1995 was enacted to ostensibly protect and promote the welfare of migrant workers, their families and overseas Filipinos in distress.

Over a decade after its enactment, RA 8042 has not lived up to its intended purpose'. Filipinos abroad continue to suffer under abusive employers, inhuman working conditions, and various human rights violations. Every time a Filipino encounters problems he/she seeks assistance from various posts abroad but some concerned officials feign helplessness. Unfortunately, the law does not chastise or penalize any government official in the consular, labor and welfare services who fails or refuses to give assistance to Filipino migrants.

This bill seeks to impose penalties on Philippine consular officials and other government personnel for failure to act on complaints of, or to give assistance or render service to migrant workers, their families and overseas Filipinos in distress, amending for the purpose the "Migrant Workers and Overseas Filipinos Act of 1995."

It is hoped that instituting penalties for errant government officials posted abroad shall ensure their adherence to their duties and responsibilities. This bill also aims to give our compatriots some assurance that their fundamental rights and freedoms shall not at anytime be compromised or violated.


*Approval of this measure is earnestly requested.*

  
**MANNY VILLAR**

THIRTEENTH CONGRESS OF THE }  
REPUBLIC OF THE PHILIPPINES }  
Second Regular Session

6 JUN -7 1975

SENATE

RECEIVED BY: 

S. No. 2323

INTRODUCED BY HON. MANNY VILLAR

**AN ACT IMPOSING PENALTIES ON PHILIPPINE CONSULAR OFFICIALS AND OTHER GOVERNMENT PERSONNEL ASSIGNED TO OVERSEAS POSTS FOR FAILURE TO ACT ON COMPLAINTS OF, GIVE ASSISTANCE TO OR RENDER SERVICES TO MIGRANT WORKERS, THEIR FAMILIES AND OVERSEAS FILIPINOS IN DISTRESS, AMENDING FOR THE PURPOSE THE "MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995"**

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

SECTION 1. Republic Act No. 8042 entitled the "Migrant Workers and Overseas Filipinos Act of 1995" is hereby amended by adding a new section after Section 24 to be stated as Section 24-A to read as follows:

"SECTION. 24-A. PENALTIES.- WITHOUT PREDUDICE TO THE FILING OF CRIMINAL COMPLAINT/S, PHILIPPINE CONSULAR OFFICIALS AND OTHER GOVERNMENT PERSONNEL WHO FAIL OR REFUSE TO RENDER THE SERVICE/S AND/OR ASSISTANCE PROVIDED IN TITLES III, IV AND V OF THIS ACT SHALL, AFTER DUE NOTICE AND HEARING, AND IF FOUND GUILTY, BE PUNISHED WITH SUSPENSION FROM OFFICE OF NOT LESS THAN THIRTY (30) DAYS TO DISMISSAL FROM THE SERVICE WITH FORFEITURE OF RETIREMENT AND OTHER BENEFITS DEPENDING ON THE GRAVITY OF THEIR OFFENSES, AND SHALL BE DISQUALIFIED FROM HOLDING ANY OTHER GOVERNMENT OFFICE IN THE FUTURE.

FOR THIS PURPOSE, CONGRESS, IN COORDINATION WITH THE DEPARTMENT OF FOREIGN AFFAIRS AND DEPARTMENT OF LABOR AND EMPLOYMENT, SHALL FORMULATE THE NECESSARY RULES AND PROCEDURES FOR THE CONDUCT OF SUCH HEARING/S AND IMPOSITION OF APPROPRIATE PENALTIES."

SECTION 2. This Act shall take effect immediately upon approval.

Approved,