

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

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SENATE

10 JUL -7 AM 12

SENATE

Senate Bill No. 618

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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

10 JUL -7 AM 12

SENATE

Senate Bill No. 618

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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 2010.**"

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,