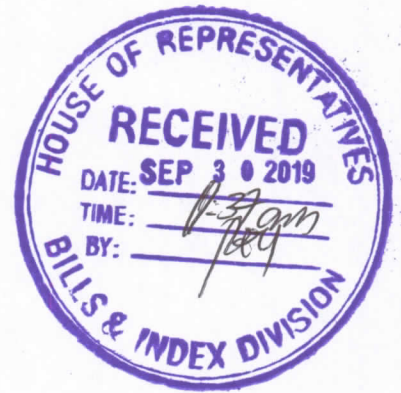


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila



Eighteen Congress  
First Regular Session

**HOUSE BILL NO. 4884**

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**Introduced by Representative JONATHAN KEITH T. FLORES**

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**EXPLANATORY NOTE**

In today's increasingly interconnected world, the Philippines plays a huge role in the world of international migration, with decades of sustained and large scale migration of Filipinos to foreign countries. As the third largest source of international migrants, after China and India, Filipinos can be found in over 200 countries around the globe in as many professions, industries, sectors, and situations. A snapshot of overseas Filipinos, based on the 2013 Stock Estimate of the Commission on Filipinos Overseas, presents that the Filipino diaspora approximately stands at 10.24 million, in which 48% are categorized as permanent migrants, while 41% are temporary, and 11% are considered in irregular status.

Recognizing the immense contributions of Filipinos overseas through financial and social remittances and investments, the Philippine government's initiatives to engage and re-engage our overseas Filipinos in our country's nation-building has been enshrined in landmark laws such as the Migrant Workers Act, the Overseas Voting Act, the Dual Citizenship Act, the Anti-Trafficking Law, among others.

In all of his State of the Nation Address (SONA), President Rodrigo Roa Duterte laid out his Administration's resolve to prioritize the protection of rights and welfare of all overseas Filipinos. The President's use of the term "overseas Filipinos" instead of OFWs emphasizes the need to be inclusive in terms of services and protection of all categories of overseas Filipino, to include not just those working temporarily abroad,

but also those who are permanently living abroad, those married to foreign spouses, and Filipinos born overseas.

The following are the migration related provisions in the President's first, second and third SONA:

1. Extension of the validity of Passports from the current 5 years to 10 years.
2. Fight against human traffickers and illegal recruiters.
3. Financial education and assistance to overseas Filipinos.
4. A single department for overseas Filipinos.

In 2019, the President reiterated his instructions to Congress to consider the consolidation and merging of agencies and offices catering to overseas Filipinos to a single department that shall focus and quickly respond to all their needs, problems and concerns.

As the trend in the Philippine international migration continuously increases over the years, so are the diverse and several issues our migrants face. Therefore, the creation of this department will address existing gaps and further improve migration governance for the benefit of all overseas Filipinos.

In view of the foregoing, the approval of this bill is earnestly sought.

  
**JONATHAN KEITH T. FLORES**  
Representative, 2<sup>nd</sup> District of Bukidnon

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

Eighteen Congress  
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**HOUSE BILL NO. 4884**

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**Introduced by Representative JONATHAN KEITH T. FLORES**

---

**AN ACT CREATING THE DEPARTMENT OF OVERSEAS FILIPINOS (DOFIL),  
DEFINING ITS POWERS AND FUNCTIONS AND APPROPRIATING FUNDS  
THEREFOR**

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

**CHAPTER I**  
**GENERAL PROVISIONS**

**SECTION 1. *Short Title.*** – This Act shall be known as the “Department of  
Overseas Filipinos (DOFIL) Act of 2019.”

**SEC. 2. *Declaration of Policies.*** –

(a) The State shall afford full protection to overseas Filipinos, promote their welfare and well-being at all times. The State shall protect the rights of all overseas Filipinos, especially those in precarious situations, or become victims of all forms of abuse, discrimination, and inhumane conditions, including but not limited to human trafficking. Towards this end, the State shall provide adequate and timely social, economic, and legal services to all overseas Filipinos regardless of their age, gender, religion, and status in the destination country.

1 (b) While recognizing the significant contribution of overseas Filipinos to the  
2 national economy through their personal and social remittances and investments, the  
3 State does not promote overseas employment as a means to sustain economic growth  
4 and achieve national development. The existence of the overseas employment  
5 program rests solely on the assurance that the dignity and fundamental human rights  
6 and freedoms of the Filipino citizens shall not, at any time, be compromised or  
7 violated. The State, therefore, shall continuously create local employment  
8 opportunities and promote the equitable distribution of wealth and the benefits of  
9 development. Toward this end, the State shall continuously address the drivers of  
10 migration and ensure that migration is by choice and not a necessity for every Filipino;

11  
12 (c) The State affirms the fundamental equality before the law of women and men  
13 and the significant role of women in nation building. Recognizing the contribution of  
14 women migrants and their particular vulnerabilities, the state shall apply gender-  
15 responsive criteria in the formulation and implementation of policies and programs  
16 affecting overseas Filipinos and the composition of bodies tasked for their welfare;

17  
18 (d) The right of all overseas Filipinos to participate in the democratic policy  
19 development and decision-making processes of the state and to be represented in  
20 institutions in the national, regional and local levels are recognized and guaranteed;

21  
22 (e) The State recognizes non-governmental organizations, international and multi-  
23 lateral organizations, trade unions, workers associations, business organizations,  
24 academe, and faith-based groups, and other stakeholders duly recognized as  
25 legitimate, as partners of the state in the protection of overseas Filipinos and in the  
26 promotion of their welfare;

27  
28 (f) The State shall protect every citizen desiring to work locally or overseas by  
29 securing for him or her the best possible terms and conditions of employment. The

1 State shall endeavor to facilitate a free choice of available employment by persons  
2 seeking work and regulate the movement of workers in conformity with the national  
3 interest;

4 (g) The State further affirms that the Filipino family, as a basic autonomous social  
5 institution, is the foundation of the nation. Accordingly, the solidarity of the families  
6 of overseas Filipinos shall be strengthened and their total development shall be  
7 actively promoted;

8  
9 (h) The State shall fulfill its commitment under the Global Compact for Safe,  
10 Orderly and Regular Migration (GCM), and the Sustainable Development Goals (SDG).

11  
12 **SEC. 3. Definition of Terms.** – The following terms, as used in this Act, shall  
13 mean:

14 a) *Act* refers to the "Department of Overseas Filipinos (DOFIL) Act";

15  
16 b) *Documented/regular overseas Filipino* refers to the following:

17 (1) Those who possess valid passports and appropriate visas or permits to stay  
18 and/or work in the receiving country; or

19 (2) Those whose contracts of employment have been approved by the  
20 Department.

21  
22 c) *License* refers to the document issued by the Department authorizing a person,  
23 partnership or corporation to operate a private recruitment/manning agency;

24  
25 d) *Manning agency* refers to any person, partnership or corporation duly licensed by  
26 the Secretary to engage in the recruitment and placement of seafarers for ships  
27 plying international waters and for related maritime activities;

28  
29 e) *Non-Licensee* refers to any person, partnership or corporation engaged in the  
30 recruitment and placement of overseas Filipino workers without a license, or whose

license has been revoked, cancelled, terminated, has expired or otherwise delisted from the roll of licensed recruitment/ manning agencies registered with the Department;

f) *Overseas employment* refers to employment outside the Philippines;

g) *Overseas Filipinos* refers to the following:

(1) Overseas Filipino Workers (OFWs) whether sea-based or land based;

(2) Filipinos who are permanent residents abroad;

(2.1) including Filipino emigrants who are either citizens of foreign countries or are still Filipino citizens awaiting naturalization, recognition, or admission, and their descendants;

(2.2) Filipinos who are naturalized citizens of other countries and with dual citizenships;

(2.3) Naturalized former Filipinos;

(2.4) Filipino marriage migrants and other partners of foreign nationals or former Filipinos or dual citizens leaving the country

(3) Cultural exchange participants;

(4) Overseas-based Filipino students; and

(5) Other Filipinos of irregular status in the destination countries.

h) *Overseas Filipino Worker (OFW)* refers to a Filipino who is to be engaged, is engaged, or has been principally engaged in remunerated activity for a limited period in a state of which he or she is not a citizen, or on board a vessel navigating the foreign seas other than a government ship used for military or non-commercial purposes, or on an installation located offshore or on the high seas.

i) *Overseas Filipino in Distress* refers to an overseas Filipino who has a medical, psycho-social or legal assistance problem requiring treatment, hospitalization, counselling, legal representation, or any kind of intervention with the authorities in the country where he or she is found;

j) *Private Recruitment/Employment Agency* refers to any person, partnership or corporation duly licensed by the Department to engage in the recruitment and placement of workers for overseas employment for a fee.

k) *Seafarer* refers to any person who is employed or engaged in overseas employment in any capacity on board a ship other than a government ship used for military or non-commercial purposes. The definition shall include fisher folk, cruise ship personnel, and those serving on mobile offshore and drilling units in the high seas;

l) *Secretary* refers to the Secretary of the Department of Overseas Filipinos (DOFIL);

m) *Undocumented/Irregular Filipino Migrant* refers to the following:

- (1) Those who acquired their passports through fraud or misrepresentation;
- (2) Those who possess expired visas or permits to stay;
- (3) Those who have no travel documents whatsoever;
- (4) Those who have valid but inappropriate visas; or
- (5) Those whose employment contracts were not approved by the Department.

## CHAPTER II THE DEPARTMENT PROPER

**Sec. 4. Creation.** – The Department of Filipinos Overseas, hereinafter referred to as the Department, is hereby organized, structurally and functionally in accordance with the provisions of this Act.

The Department is hereby created to serve as the primary agency under the Executive Branch tasked to promote the welfare of overseas Filipinos; formulate, plan, coordinate, promote, administer, implement policies, and undertake a systematic national development program for the benefit of all Filipinos overseas.

The Department shall be the primary policy, planning, coordinating, implementing, and administrative entity of the executive branch of the government



1 that will plan, develop and prepare a national framework on migration and  
2 development, and promote, manage, implement, monitor and evaluate the national  
3 migration and development agenda, supportive and complementary to national efforts  
4 to harness the full potential of overseas Filipinos who are returning home with skills  
5 and expertise acquired overseas which can be harnessed toward nation building.

6 The Department shall render an annual report of its activities and achievements  
7 to the President and to Congress. In addition, it shall have original and exclusive  
8 jurisdiction over all cases involving employer-employee relations, documented/regular  
9 or undocumented/irregular workers, arising out of or by virtue of any law or contract  
10 involving Filipino workers for overseas employment.

11  
12 **SEC. 5. Powers and Functions.** – In pursuit of its mandate, the Department  
13 shall have the following powers and functions:

- 14 (a) Formulate, recommend, and implement national policies, plans, programs, and  
15 guidelines that will ensure the protection of overseas Filipinos, and address the  
16 welfare problems that they face in the various stages of migration (pre-  
17 departure, on-site, and upon return) in consultation with all relevant  
18 stakeholders;
- 19  
20 (b) Formulate general policies and implement programs on matters affecting  
21 overseas Filipinos, to include land based and sea-based workers, permanent  
22 migrants, spouses and partners of foreign nationals, education and cultural  
23 exchange participants, multi-cultural families and overseas Filipino youth, OFW  
24 dependents, among others, and provide functional direction for its programs  
25 and operations.
- 26  
27 (c) Conduct in-depth studies and research on all policy areas and options that will  
28 ensure protection of all overseas Filipinos, in consultation with relevant  
29 stakeholders;
- 30



- (d) Develop, implement and monitor programs and services that strengthen the development potential of migrants and their families at the national and local level such as building assets, continuing provident savings program, diaspora philanthropy, ensuring social protection, engaging in investment and entrepreneurial opportunities, managing financial and social resources and networks, financial education and inclusion, enabling business environment, and ensuring multi-stakeholder partnerships and collaboration.
- (e) Develop and maintain information systems and integrated database of all overseas Filipinos including their profile, for use in policy development and evidence-based decision-making and governance;
- (f) Assess, review, harmonize, and coordinate all national, regional, and local policies and procedures and international agreements to ensure overall consistency and implementation of the national policies;
- (g) Protect and promote the interest of every citizen desiring to work overseas by securing for him/her the most equitable terms and conditions of employment, and by providing social and welfare services;
- (h) Protect and promote the welfare, well-being, and interests of the families of OFWs;
- (i) Formulate general guidelines concerning wage and income policy subject to the limitations imposed by the laws of the foreign countries;
- (j) Build a strong and harmonious partnership with foreign countries and the private sectors to formulate strategies and implement the same;
- (k) Assess, review, harmonize, and coordinate applicable policies and procedures, as well as multilateral or bilateral treaties and agreements with countries of destination and other migrant countries or origin, the United Nations and its affiliate organizations, and other international and regional organizations, fora,

- 1 (t) Administer and manage the resources and all funds and revenue of the  
2 department, including the overseas Filipinos assistance fund, and issue  
3 guidelines for its proper utilization;
- 4 (u) Coordinate with concerned government agencies in the training and support of  
5 Filipinos who have worked abroad and are returning to the country;
- 6
- 7 (v) Regulate and guide the business activities relative to the deployment of Filipino  
8 workers and other related activities;
- 9
- 10 (w) Regulate and accredit until such time that it will be transferred to the  
11 department, the operation of private recruitment agencies, immigration  
12 consultancy services, and other relevant business entities involved in the  
13 recruitment and deployment of OFWS and other categories of overseas Filipinos  
14 including education and cultural exchange participants, taking into account the  
15 primacy of upholding the welfare and protection of all overseas Filipinos, and  
16 with due consideration to prevailing conditions in the destination countries;
- 17
- 18 (x) Exercise regulatory and quasi-judicial functions in the performance of its  
19 mandate in relation to its powers and functions as stated in this section; and  
20
- 21 (y) Promulgate rules and regulations for the implementation of its guidelines and  
22 policies and related laws.  
23

24 **SEC. 6. *Composition.*** – The Department shall consist of the Department  
25 proper comprising the Office of the Secretary, the Office of the Undersecretaries and  
26 Assistant Secretaries, the service units and the staff bureaus, its regional offices and  
27 overseas offices.  
28

29 The Secretary shall be appointed by the President and confirmed by the Commission  
30 on Appointments. The Undersecretaries and Assistant Secretaries shall be likewise be  
31 appointed by the President upon the recommendation of the Secretary.  
32

1 and processes, in coordination with the Department of Labor and Employment  
2 (DOLE) and the Department of Foreign Affairs (DFA);

3  
4 (l) Represent Philippine interests and negotiate on matters pertaining to overseas  
5 Filipinos and migrant workers in international bodies, in coordination with the  
6 Department of Foreign Affairs and the Department of Labor and Employment;

7  
8 (m) Be the primary agency in countries of destination in charge of overseas Filipino  
9 concerns in coordination with the head of Post in the person of the Ambassador  
10 or Consul General.

11  
12 (n) Employ a proactive approach in providing assistance to the overseas Filipinos  
13 in times of war, civil unrest, or other analogous circumstances, whether  
14 potential or actual;

15  
16 (o) Assist and provide timely assistance to overseas Filipinos in distress and, for  
17 this purpose, tap the services of local and foreign-based personnel, lawyers,  
18 labor experts, security providers and other professionals;

19  
20 (p) Provide social and welfare services to overseas Filipinos, including insurance,  
21 social work assistance, legal assistance, and cultural services;

22  
23 (q) Provide job matching services to the public, in cooperation with the Department  
24 of Education, the Commission on Higher Education, the Technical Education  
25 and Skills Development Authority, and other government agencies, civil society  
26 and non-government organizations, with the view of promoting the global  
27 competitiveness of the Filipino;

28  
29 (r) Promote knowledge, information and resource sharing, and data banking to  
30 assist overseas Filipinos anywhere in the world;

31  
32 (s) Coordinate and support the generation and build-up of resources or funds for  
33 the use of overseas Filipinos and migrant Workers;

1       **SEC. 7. *Qualifications.*** – No person shall be appointed Secretary,  
2 Undersecretary, or Assistant Secretary of the Department unless he or she is a citizen  
3 and resident of the Philippines, of good moral character, and of proven competence  
4 of integrity.

5  
6       **SEC. 8. *Secretary of the Department of Overseas Filipinos.*** – The  
7 authority and responsibility for the exercise of the mandate of the Department and for  
8 the discharge of its powers and functions shall be vested in the Secretary of overseas  
9 Filipinos, hereinafter referred to as the Secretary, who shall have supervision and  
10 control over the Department. For such purposes, the Secretary shall have the following  
11 powers and functions:

- 12
- 13 (a) Establish the policies and standards for the operation of the Department pursuant  
14 to the approved programs of government;
  - 15 (b) Exercise jurisdiction over all bureaus, offices, agencies and corporations under  
16 the Department as are provided by law, and in accordance with the applicable  
17 relationships as specified in Chapters 7, 8, and 9 of the Administrative Code of  
18 1987;
  - 19 (c) Delegate authority for the performance of any function to officers and employees  
20 of the Department;
  - 21 (d) Advise the President on the promulgation of executive and administrative orders,  
22 other regulative issuances, and legislative proposals on matters pertaining to  
23 foreign labor and employment;
  - 24 (e) Formulate policies, guidelines, rules and regulations and other issuances essential  
25 and necessary to carry out Department policies, plans, programs and projects;
  - 26 (f) Issue orders, directives, rules and regulations, and other issuances to carry out  
27 migration and development and foreign labor and employment policies, plans,  
28 programs and projects;
  - 29 (g) Coordinate with other government offices, labor organizations, employers'  
30 associations, civil society and any other group to carry out the mandate of the  
31 Department;

- (h) Negotiate with foreign governments in coordination with the Department of Foreign Affairs treaties agreements, compacts, and other instruments that are related to labor migration;
- (i) Evaluate the policy, plans, programs and project accomplishments of the Department;
- (j) Prepare reports for the President and the public;
- (k) Administer and manage the resources of the department, including the overseas Filipinos assistance fund, the OWWA fund and all other pertinent funds, fees and income coming to its domain; and issue guidelines for its proper utilization; and
- (l) Exercise such other powers and functions as may be provided by law or assigned by the President.

**SEC. 9. Undersecretaries.** – The Secretary shall be assisted by not more than seven (7) Undersecretaries who shall be appointed by the President upon the recommendation of the Secretary provided. The following offices are hereby created to be each headed by the Undersecretary and assisted by other officers and staff:

a. *Office of the Undersecretary for Operations* which shall have the following functions:

1. Provide the Department with efficient, effective and, economical services relating to records, management, supplies, and equipment procurement, collections, disbursements, building administration and maintenance, security, and custodial work;
2. Administer personnel programs including selection and placement, development, performance evaluation, employee relations, and welfare; manage internal budgetary and financial matters; and data banking and information systems development; and
3. Supervise the operational activities of the administrative services & human resource development; financial management service; and the management information systems service.

1       b. *Office of the Undersecretary for Foreign Employment and International*  
2       *Seafarers* which shall absorb the mandates and functions of the Philippine  
3       Overseas Employment Administration (POEA) under Executive Order 247 s.  
4       1987 and Republic Act No. 8042, as amended and the pertinent office of marina  
5       that exercises jurisdiction over international Filipino seafarers. it shall have the  
6       following functions:

- 7       1. Advise and assist the Secretary in the formulation of the Department's over-  
8       all long-range and short-term plans and programs on overseas employment,  
9       with special focus on the government's compliance with international labor  
10      agreements;
- 11      2. Review and evaluate the progress/status of projects and accomplishments  
12      in relation to set standards, objectives and schedules; and
- 13      3. Perform such other functions as may be provided by law or assigned by the  
14      Secretary from time to time.

15  
16      c. *Office of the Undersecretary for Legal Affairs* which shall provide advice on all  
17      legal issues, domestic and international, arising in the course of the  
18      department's work. The office is organized to provide direct legal support to  
19      the department's various bureaus, including both regional and international  
20      offices. It shall have the following functions:

- 21  
22      1. Develops and manages the strategic framework on the provision of legal  
23      services to guide the operations of the legal offices for the department.
- 24      2. Provides legal advice to the department; interprets laws and rules  
25      affecting the operation of the department; prepares contracts and  
26      instruments to which the department is a party, and interprets provisions  
27      of contracts covering work performed for the department by private  
28      entities.
- 29      3. Assists management in the promulgation of rules governing the activities  
30      of the department; prepares comments on proposed legislation  
31      concerning the department; answers legal queries from the public.

4. Assists the Office of the Solicitor General in suits involving the department or its officers or employees, or acts as their principal counsel in all actions taken in their official capacity before judicial or administrative bodies, and performs such other functions as may be provided by law.
5. Conduct research for policy recommendations and program development;
6. Supervise the operational activities of the policy, planning, research and communications service, and the information and publication service; and
7. Perform other functions as may be determined by the Department.

d. *Office of the Undersecretary for Reintegration, Welfare and Social Services* which shall absorb the mandates and functions of the Overseas Workers Welfare Administration (OWWA) under Republic Act No. 10801, implement and deliver programs and services through regional and on-site operations. It shall have the following functions:

1. Develop support programs and project for livelihood, entrepreneurship, savings, investment and financial literacy for returning Filipino overseas migrant workers and their families, in coordination with relevant stakeholders, service providers and international organizations;
2. Coordinate with appropriate stakeholders, service providers and relevant international organizations for the promotion, development and the full utilization of the skills and potentials of returning overseas Filipino workers;
3. Institute, in cooperation with other government agencies concerns, a computer-based information system on returning overseas Filipinos, especially the migrant workers which shall be accessible to all local recruitment agencies and employers, both public and private;
4. Provide a periodic study and assessment of job opportunities returning overseas Filipinos, especially Filipino migrant workers;
5. Develop and implement other appropriate programs to promote the welfare of returning Filipinos overseas;



6. Maintain and an interest-based communication system for on-line registration of returning OFWs and interaction with clients, and maintain and upgrade computer-based service capabilities of the Department;
7. Develop capacity-building programs for returning overseas Filipino workers and their families, implementers, service providers and stakeholders; and
8. Supervise the operational activities of the reintegration service and the welfare and social services;
9. Undertake other programs and activities as may be determined by the Department.

e. *Office of the Undersecretary for Permanent Migrants Diaspora Engagements & Cultural Exchange* which shall absorb the mandate and functions of the Commission on Filipinos Overseas (CFO) under Batas Pambansa Bilang 79, republic act 10906, republic act 10364, republic act 10066, and other relevant policies. It shall have the following functions:

1. Formulate and implement integrated program for the promotion of the welfare of Filipinos overseas, including provision of pre-departure orientation seminars and counseling services to emigrants, marriage migrants, au pairs and exchange visitor program participants;
2. Implement programs and services to adequately prepare Filipinos migrating to other countries to meet the practical and psychological problems attendant to international migration.
3. Implement as the advocacy communication committee chair of the IACAT all the programs and services to raise public awareness on the dangers and indicators of illegal recruitment, human trafficking, mail-order-spouse schemes and access to the different government policies and programs in place that aim to address these concerns thru 1343 Actionline and in coordination with the interagency council against trafficking (IACAT).
4. Coordinate and monitor implementation of such an integrated program;

- 1           5. Initiate and directly undertake the implementation of special projects and
- 2           programs, whenever necessary, to promote the welfare of Filipinos overseas
- 3           with respect to their interests and activities in the Philippines;
- 4           6. Serve as a forum for preserving and enhancing the social, economic and
- 5           cultural ties of Filipinos overseas with their motherland;
- 6           7. Provide liaison services to Filipinos overseas with appropriate government
- 7           and private agencies in the transaction of business and similar ventures in
- 8           the Philippines;
- 9           8. Supervise the operational activities of the permanent migrants and cultural
- 10          exchange service and the irregular/undocumented migrants service; and
- 11          9. Perform such other functions as may be provided by law or assigned by the
- 12          Secretary.

13

14       f. *Office of the Undersecretary for Assistance to Overseas Filipinos In Distress*

15       which shall have the following functions:

- 16          1. Provide prompt and appropriate response to global emergencies or crisis
- 17          situations affecting overseas Filipinos and migrant workers and their
- 18          families;
- 19          2. Recommend to the secretary the grant of the use of overseas Filipinos
- 20          assistance fund;
- 21          3. Draft the guidelines, procedures and criteria for the provisions of overseas
- 22          Filipinos assistance fund to overseas Filipinos and migrant workers;
- 23          4. Ensure effective coordination and cooperation with other agencies and the
- 24          foreign service posts as they manage cases and in the provision of
- 25          assistance from the overseas Filipinos assistance fund to overseas Filipinos
- 26          and migrant workers;
- 27          5. Supervise the operational activities of the assistance fund service; and
- 28          6. Perform such other functions as may be provided by law or assigned by the
- 29          Secretary.

30

31       g. *Office of the Undersecretary for International Affairs* which shall have the

32       following functions:

1. Monitor the observance and implementation of the Philippines' obligations and commitments to international organizations and treaties;
2. Supervise and monitor the activities of the Philippine Overseas Labor Offices and the service attaché;
3. Coordinate with the Department of Foreign Affairs regarding treaties, agreements, compacts, and other instruments that are related to labor migration; and
4. Perform such other functions as may be provided by law or assigned by the Secretary.

**SEC. 10. *Department Offices*** – The following units are hereby created to be each headed by an Assistant Secretary and assisted by other officers and staff:

a. The *Administrative Services and Human Resource Development* which shall:

1. Provide the Department with efficient, effective and, economical services relating to records, management, supplies, equipment, collections, disbursements, building administration and maintenance, security, and custodial work;
2. Develop a program and corresponding projects that shall make available training, education, and development opportunities needed to upgrade the levels of competence and productivity of Department managers and personnel. It shall absorb the powers and functions of the Administrative Service in relation to the development and administration of personnel programs including selection and placement, development, performance evaluation, employee relations, and welfare;

b. The *Financial Management Service* which shall be responsible for providing the Department with efficient, effective and economical services relating to budgetary, financial, management improvement, and internal control matters;

- 1 n. The *Internal Audit Service* shall be responsible for the provision of an independent  
2 and objective evaluation of internal control systems of the Department, its bureaus  
3 and regional and overseas offices for effective, efficient, ethical, and economical  
4 operation through the conduct of compliance, management and operations audit.  
5  
6 o. The *Overseas Voting Secretariat* shall be responsible for overseeing the  
7 Department's role in assisting the Commission on Elections in the implementation  
8 of the Overseas Voting Act of 2003 as amended.  
9

10 **SEC. 11. GOVERNING BOARD.** – A Governing Board is hereby established  
11 to manage all the trust funds and membership contributions that will be managed by  
12 the department. It shall be chaired by the Secretary and composed of representatives  
13 from the government, civil society, private sectors and other stakeholders who will be  
14 appointed by the president with a fix term.  
15

16 **SEC. 12. Regional Offices.** – The Department is hereby authorized to  
17 establish, operate, and maintain such Department-wide Regional Offices in each of  
18 the administrative regions of the country, insofar as necessary, which shall be headed  
19 by a Regional Director who shall have supervision and control thereof. The Regional  
20 Director, whenever necessary, shall be assisted by an Assistant Regional Director. A  
21 Regional Office shall have, within its regional area, the following functions:  
22

- 23 (a) Implement laws, policies, plans, programs, rules and regulations of the  
24 Department;  
25 (b) Provide economical, efficient and effective service to the people;  
26 (c) Coordinate with regional offices of other departments and agencies;  
27 (d) Coordinate with local government units; and  
28 (e) Perform such other functions as may be provided by law or assigned by the  
29 Department.  
30

31 **SEC. 13. OVERSEAS REPRESENTATIVE OFFICES.** - The Department shall  
32 establish representative offices in countries/areas with large concentration of overseas

1 c. The *Management Information Service* which shall be responsible for the  
2 development and implementation of information and communication technology  
3 (ICT) in the department.

4  
5 d. *The Land-Based Workers Services* which shall be responsible for all matters relating  
6 to the recruitment of all land-based overseas Filipino workers.

7 e. *The Sea-Based Workers Services* which shall be responsible for all matters relating  
8 to the recruitment of all international Filipino seafarers.

9  
10 f. The *Policy Planning, Research, and Communications Service* which shall:

11 1. Undertake research necessary in preparation and evaluation of policy  
12 reports, treaties and multilateral and bilateral agreements;

13 2. Assist and draft policies in line with the functions of the Office of the  
14 Secretary and the Department;

15 3. Ensure that development policies are in line with national development;

16 4. Analyze data in order to make informed decisions and to guide policy  
17 intervention with regard to migration and foreign employment;

18 5. Ensure collection of accurate and quality statistics to conduct analysis of the  
19 changes in the labor and foreign market;

20 6. Advise and assist the Secretary and the Undersecretaries in the formulation  
21 of the Department's over-all long-range and short-term plans and programs  
22 on overseas employment, with special focus on the government's  
23 compliance with international labor agreements;

24 7. Reviews and evaluates the progress/status of projects and accomplishments  
25 in relation to set standards, objectives and schedules; and

26 8. Perform such other functions as may be provided by law or assigned by the  
27 Secretary and/or Undersecretaries from time to time.

28  
29 g. The *Information and Publication Service* which shall be responsible for promoting  
30 rapport and understanding between the Department and the public through the  
31 development of public relations programs and the dissemination of accurate and  
32 updated information on foreign labor and employment, by means of publication,

1 radio, television, and social media coverage of special events and related matters  
2 on the Department's policies, plans, programs, and projects. The Service shall  
3 likewise be responsible for providing answers to queries from the public regarding  
4 the Department's policies, rules, regulations, programs, activities, and services.  
5

6 h. The *Permanent Migrants, Diaspora Engagements and Cultural Exchange Service*  
7 which shall be responsible for enhancing stronger links between the Filipino  
8 diaspora and the homeland and promote further collaboration by creating  
9 programs and services that facilitates involvement, partnership and linkages  
10 between and among the overseas Filipinos and the homeland.  
11

12 i. The *Assistance Fund Service* which shall be responsible for assisting the Secretary  
13 in the management and use of the Overseas Filipinos IN DISTRESS Assistance  
14 Fund.  
15

16 j. The *Irregular /Undocumented Migrants Service* which shall be responsible for the  
17 provision of necessary and immediate assistance to Filipino migrants in irregular  
18 status.  
19

20 k. The *Philippine Overseas Labor Office* which shall be responsible for checking the  
21 labor conditions of all overseas Filipino workers and attend to all ATN cases  
22 involving all categories of migrants.  
23

24 l. The *Service Attaché Service* which shall be responsible for forging active ties  
25 between the Filipino diaspora and the homeland.  
26

27 m. The *Reintegration, Welfare and Social Service* which shall be responsible for the  
28 development and implementation of appropriate programs and services to  
29 reintegrate returning Filipinos overseas in their respective communities. It shall  
30 also be responsible for the development and provision of all relevant welfare and  
31 social services to promote the welfare of returning Filipino overseas.  
32

1 Filipinos and as deemed necessary, in promoting their interests and well-being.  
2 Overseas representative offices shall be established in North America, the Middle East,  
3 Europe, Asia and Australia.  
4

5 Service Attachés shall be posted to head the overseas representative offices.  
6 They shall assist in ATN cases involving all categories of migrants, check labor  
7 conditions, strengthen linkages with overseas Filipino communities and associations,  
8 and promote Philippine government programs and services under their jurisdiction. As  
9 far as practicable, overseas offices shall be housed at the Philippine embassy or  
10 consulate having relevant geographical jurisdiction. The attachés shall work in  
11 coordination with Philippine ambassador or chief of mission.

12 **SEC. 14. Sectoral and Industry Task Forces.** – The Department may  
13 create sectoral and industry task forces, technical working groups, advisory bodies or  
14 committees for the furtherance of its objectives. Additional private sector  
15 representatives, such as from the Overseas Filipino communities, academe and private  
16 industries, as well as other national government agencies, local government units, and  
17 government-owned and controlled corporations, may be appointed to these working  
18 groups.  
19

20 **SEC. 15. OVERSEAS FILIPINO COMMUNITY AND MALASAKIT CENTER.**  
21 – the Department, in partnership with other government agencies and local  
22 government units, shall establish a one-stop shop overseas Filipino assistance center  
23 to be known as "OF Community Malasakit Center" in its central and regional offices as  
24 well as in key provinces and major cities to ensure prompt and efficient provision of  
25 services to overseas Filipinos and their families such as acquisition of government  
26 permits, validation of overseas job offers, grievance and complaints desk and  
27 reintegration services.

28 The center shall include a museum, which will contain the history of the Filipino  
29 diaspora, the Virtual Sentro Rizal, and other matters relevant to our history, customs  
30 and culture.



1  
2 It shall also be a hub for overseas Filipinos, OFWs, marriage migrants, and  
3 returning migrants. Its set-up will be similar to overseas Filipino or *bayanihan*  
4 community centers abroad, which offer migrant and diaspora programs and services,  
5 and mainly serve as a venue for gathering of overseas Filipinos.  
6

7 Services of the center shall include integration and reintegration programs,  
8 welfare assistance, financial literacy program and other skill-enhancing trainings,  
9 counselling and referral system, diaspora philanthropy center, knowledge center for  
10 migration topics and issues, and provision of facilities for conferences and meetings,  
11 recreation facilities and services, among others.  
12  
13

14 **CHAPTER III**  
15 **THE OVERSEAS FILIPINO IN DISTRESS**  
16 **AND ASSISTANCE FUND**  
17

18 **SEC. 15. *Overseas Filipinos In Distress and Assistance Fund.*** – The  
19 Legal Assistance Fund provided for under Section 25 of Republic Act No. 8042, as  
20 amended, is abolished. In its stead, an Overseas Filipinos Assistance Fund to address  
21 the needs of all overseas Filipinos in distress regardless of their status in the host  
22 country, and those OFWs returning to the Philippines, in the amount of Five Billion  
23 Pesos (P5,000,000,000) is hereby created. The fund shall be allocated for the following  
24 purposes:

- 25 (a) Repatriations;  
26 (b) Legal assistance, including litigation expenses, legal fees, payment of  
27 translation fees, attendance in court hearings;  
28 (c) Defraying necessary expenses and making payments for the life-saving  
29 rescue, medical and hospitalization expenses, retrieval and rehabilitation of  
30 OFs in distress, as needed;  
31 (d) Basic necessities of OFs in emergency situations or in detention;

1 (e) Livelihood training and loans for OFs who have decided to return to the  
2 Philippines for good.

3  
4 The Secretary shall issue guidelines, rules and regulations on the proper  
5 management, utilization and disbursement of the Fund. The Department shall submit  
6 a quarterly fund utilization report to the Office of the President, copies of which shall  
7 be made available to Congress.

8  
9 **CHAPTER IV**  
10 **TRANSFER OF AGENCIES**

11 ***SEC. 16. Transfer of Bureaus, Offices, Agencies.*** – (a) The following  
12 agencies are hereby transferred and merged, and their powers and functions, under  
13 Republic Act 8042 as amended by RA 10022 and other applicable laws and the funds  
14 and appropriations, records, equipment, property, and personnel are likewise  
15 transferred to this Department:

- 16  
17 (1) Overseas Workers Welfare Administration (OWWA);  
18 (2) Philippine Overseas Employment Administration (POEA);  
19 (3) Commission on Filipinos Overseas (CFO);  
20 (4) International Labor Affairs Bureau of the Department of Labor and  
21 Employment (DOLE);  
22 (5) Philippine Overseas Labor Office (POLO) of the Department of Labor and  
23 Employment (DOLE)  
24 (6) National Reintegration Center for OFWs (NRCO)  
25 (7) Pertinent offices of Maritime Industry Authority (MARINA) in relation to  
26 international seafaring  
27 (8) Office of the Undersecretary For Migrant Workers Affairs (OUMWA) and  
28 Overseas Voting Secretariat (OVS) of the Department Of Foreign Affairs  
29 (DFA)  
30

1 The laws and rules on government reorganization as provided for by Republic  
2 Act 6656, otherwise known as the Reorganization Law, and other relevant civil service  
3 laws and regulations shall govern the reorganization process of the Department.  
4

## 5 **CHAPTER V**

### 6 **TRANSITORY PROVISIONS**

7

8 **SEC. 17. *New Structure and Pattern.*** – Upon approval of this Act, the  
9 relevant officers and employees of the transferred entities under Section 13 of this  
10 Act, shall in a hold over capacity, continue to perform their respective duties and  
11 responsibilities and receive the corresponding salaries and benefits unless in the  
12 meantime they are separated from government service as may be provided by law.  
13

14 Subject to the approval of the Department of Budget and Management, the  
15 Department shall, within six (6) months from the effectivity of this Act, determine its  
16 organizational structure, staffing pattern, operating system, and create new divisions  
17 or units as it may deem necessary, and shall appoint officers and employees of the  
18 Department in accordance with the civil service law, rules, and regulations.  
19

20 **SEC. 18. *Absorption or Separation of Employees of the Consolidated***  
21 ***Agencies.*** – The existing employees of the agencies transferred under the  
22 Department shall enjoy security of tenure and shall be absorbed by the Department,  
23 in accordance with the new staffing pattern and organizational structure as provided  
24 for in Section 14 of this Act, and the selection process as prescribed under Republic  
25 Act No. 6656, otherwise known as the “Government Reorganization Law”.  
26

27 Employees opting to be separated from the service as a consequence of the  
28 consolidation and reconstitution under the provisions of this Act shall within one (1)  
29 month from their separation or phase out from the service, receive separation benefits  
30 in accordance with existing laws. In addition, those who are qualified to retire shall be  
31 allowed to retire and be entitled to all benefits provided, under any of the existing  
32 retirement laws.

1  
2       **SEC. 19. *Rationalization and Other Transitory Provisions.*** – In the  
3 transfer of entity functions as prescribed in the Act, the following rules shall be  
4 provided:

5       (a) Any transfer of entities shall include the functions, appropriations, funds,  
6 records, equipment, facilities, other properties, assets, and liabilities of the transferred  
7 entity as well as the personnel thereof as may be necessary, who shall, in a hold over  
8 capacity, continue to perform their respective duties and responsibilities and receive  
9 the corresponding salaries and benefits, unless in the meantime they are separated  
10 from the service pursuant to existing laws. Those personnel from the transferred entity  
11 whose positions are not included in the new position structure and staffing pattern  
12 approved by the Secretary or who are not reappointed shall be entitled to the benefits  
13 provided in the second paragraph of Section 15 hereof;  
14

15       (b) Any transfer of functions which results in the abolition of the entity that  
16 has exercised such transferred functions shall include, as may be necessary to the  
17 proper discharge of the transferred functions, the appropriations, funds, records,  
18 equipment, facilities, other assets, and personnel of the entity from which such  
19 functions have been transferred. The remaining appropriations and funds shall revert  
20 to the General Fund and the remaining records, equipment, facilities, and other assets  
21 shall be allocated to such appropriate units as the Secretary shall determine or  
22 otherwise shall be disposed of, in accordance with the pertinent laws, rules and  
23 regulations. The liabilities, if any, of the abolished entity shall be treated likewise in  
24 accordance with pertinent laws, rules and regulations. Incumbents of the abolished  
25 entity shall, in a hold over capacity, continue to perform their respective duties and  
26 responsibilities and receive the corresponding salaries and benefits unless in the  
27 meantime they are separated from government service pursuant existing laws. Any  
28 such personnel whose position is not included in the new position structure and  
29 staffing pattern approved by the Secretary or who is not reappointed shall be entitled  
30 to the benefits provided in the second paragraph of Section 15 hereof; and  
31

1 (c) Any transfer of functions which does not result in the abolition of the  
2 entity that has exercised such transferred functions shall include the appropriations,  
3 funds, records, equipment, facilities, other assets as well as the personnel of the entity  
4 from which such functions have been transferred that are necessary to the proper  
5 discharge of such transferred functions. The liabilities, if any, which have been  
6 incurred in connection with the discharge of the functions, shall be allocated in  
7 accordance with pertinent laws, rules and regulations. Such personnel shall, in a hold  
8 over capacity, continue to perform their respective duties and responsibilities and  
9 receive the corresponding salaries and benefits unless in the meantime they are  
10 separated from government service pursuant existing laws. Any such personnel whose  
11 position is not included in the new position structure and staffing pattern approved by  
12 the Secretary or who is not reappointed shall be entitled to the benefits provided in  
13 the second paragraph of Section 15 hereof.

14  
15 (d) The Department shall cause the creation of additional positions and  
16 augment their budget appropriations, as may be necessary.  
17

## 18 CHAPTER VI 19 APPROPRIATIONS 20

21 **SEC. 20. Appropriations.** – The amount of Five Billion Pesos  
22 (P5,000,000,000) for the initial operation of the Department shall be sourced from the  
23 Contingent Fund of the President as well as from the existing funds of the attached  
24 offices, bureaus, and agencies. Subsequent funding requirements shall be included in  
25 the annual General Appropriations Act. The Department shall include in its proposed  
26 budget the necessary amount to enable it to achieve its mandate.  
27

## 28 CHAPTER VII 29 MISCELLANEOUS 30

31 **SEC. 21. Implementing Rules and Regulations.** – The DFA, DOLE, DBM,  
32 POEA, OWWA, CFO, NRCO, MARINA and the Civil Service Commission shall, within

1 sixty (60) days after the effectivity of this Act, promulgate such rules and regulations  
2 necessary to implement this Act.

3  
4 **SEC. 22. *Separability Clause.*** – Any proportion of this Act that is declared  
5 unconstitutional shall not have the effect of nullifying other portions or provisions  
6 hereof as long as such remaining portions can still subsist and be given effect in their  
7 entirety.

8  
9 **SEC. 23. *Repealing Clause.*** – All laws, executive orders, rules, regulations,  
10 other issuances or parts thereof, which are inconsistent with this Act, are hereby  
11 repealed or modified accordingly. This Act does not repeal any benefits already  
12 provided and accorded to overseas Filipinos and migrant workers in other laws,  
13 ordinances, rules, regulations and other issuances.

14  
15 **SEC. 24. *Effectivity.*** – This Act shall take effect fifteen (15) days after its  
16 publication in the *Official Gazette* or in a newspaper of general circulation.