

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 234



INTRODUCED BY CONGRESSMAN ALFRED VARGAS

EXPLANATORY NOTE

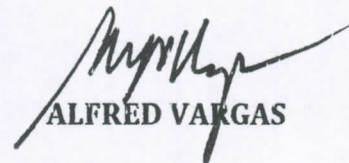
They are called the unsung heroes and the backbone of the Philippines economy.

But while the Overseas Filipino Workers (OFWs) have kept a sturdy stream of remittances that continue to strengthen the country's economy, the government needs to further ensure that their access to financial aid, especially in times of abuse or emergency, is available. It is only fair and prudent, that Government looks after the total well-being of those who have also contributed significantly to the country.

This bill intends to create a Special Assistance Fund for the Overseas Filipino Workers in Distress. The Fund shall be utilized for repatriation, medical expenses within six months upon the arrival of the OFW, migration fees for overstaying Filipinos, legal assistance for court hearings, and other basic necessities for OFWs caught in emergency situations or who are detained. The bill also provides special financial assistance to OFWs who have been victims of abuse from their employers, or who have been repatriated from host countries due to natural or man-made calamities.

Through this mandate, we effectively enable the progress of an empowered and protected migrant worker.

The passage of this bill is earnestly sought.


ALFRED VARGAS

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AN ACT
PROVIDING AN ASSISTANCE PROGRAM FOR OVERSEAS FILIPINO WORKERS IN
DISTRESS, AND PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as the “Distressed OFW Assistance Act of 2016.”

SECTION 2. *Declaration of Policy.* – It is hereby declared a policy of the State that full protection must be accorded to overseas workers, particularly those who are forced to seek employment abroad in order to provide for their families at home. Furthermore, this assistance to overseas Filipino worker must be without distinction, covering both documented and undocumented migrant workers.

SECTION 3. *Creation of Fund.* – A Special Assistance Fund for Overseas Filipino Workers in Distress, in the amount of One Billion Pesos (P1,000,000,000.00) is hereby created. The fund shall be utilized for the following purposes:

- (a) Repatriation;
- (b) Medical expenses, hospitalization and purchase of medicine in the form of vouchers for six (6) months from arrival;
- (c) Migration fees for overstaying Filipinos;

(d) Legal assistance including litigation expenses, legal fees, payment of translation fees, attendance in court hearings;

(e) Basic necessities of OFWs caught in emergencies or are detained.

Provided, That at least thirty percent (30%) of the total fund shall be allotted to provide monetary support, in the form of a lump sum payment not in excess of Fifty Thousand pesos (PHP 50,000.00) for each recipient, to be given to overseas workers who have been the victims of abuse from their employers, or those who have been repatriated from host countries due to natural or man-made calamities.

SECTION 4. *Transparency.*– In the utilization of the Fund, the principles of accountability and transparency must be fully observed. As such, every Filipino citizen has a right to, and shall, on request, be given access to any information pertinent to this law, when such information is under the control or in the possession of any government agency involved in the implementation of this law. Government agencies involved in the implementation of this law shall maintain appropriate records of their actions under this law, particularly with regard to the disbursements of funds and the identity of recipients.

SECTION 5. *Implementing Agencies and Rules.* – The Overseas Workers Welfare Administration (OWWA) is hereby tasked to implement this Act, and shall coordinate with and be supported by the Department of Labor and Employment, and the Department of Foreign Affairs. The abovementioned agencies, in consultation with the Department of Budget and Management and representatives of the private sector, and recognized overseas labor organizations, shall issue the necessary implementing rules and regulations to implement the provisions of this Act within ninety (90) days after its effectivity.

SECTION 6. *Appropriations.* – The fund needed to initially implement the provisions of this Act must be sourced primarily from the General Appropriations Act. The appropriation allotted to the Assistance to Nationals and Legal Assistance Fund in the Department of Foreign Affairs, and to the OWWA, shall serve as core fund for the program. Thereafter the yearly PHP 1 Billion appropriation shall be sourced from the earnings of the

Bureau of Immigration, Duty-Free Philippines, passport processing fees of the Department of Foreign Affairs, Philippine Charity Sweepstakes Office, and other relevant offices or agencies as may be recommended and identified in the implementing rules and regulations.

SECTION 7. *Separability Clause.* – If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 8. *Repealing Clause.* – All laws, executive orders, presidential decrees, presidential proclamations, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days from its publication in the Official Gazette or at least two (2) national newspapers of general circulation.

Approved.