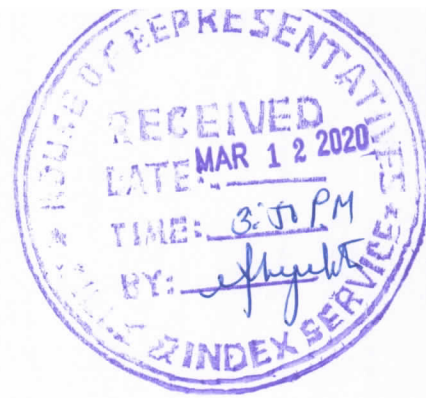


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session



COMMITTEE REPORT NO. 301

Submitted by the **Committee on Overseas Workers Affairs** on MAR 12 2020
Re : House Bill No. 6610
Recommending its approval in substitution of House Bills Numbered 1812 and 5097
Sponsor : Representative Raymond Democrito C. Mendoza

Mr. Speaker:

The Committee on Overseas Workers Affairs to which were referred:

House Bill No. 1812 introduced by Representative Rogelio D. Pacquiao, entitled:

AN ACT EXPANDING THE USE OF THE LEGAL ASSISTANCE FUND, AMENDING FOR THE PURPOSE SECTION 26 OF REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS "THE MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995," AS AMENDED

House Bill No. 5097, introduced by Representative Victor A. Yap, entitled:

AN ACT EXPANDING THE USE OF LEGAL ASSISTANCE FUND, AMENDING FOR THE PURPOSE SECTION 26 OF REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE "MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995," AS AMENDED, AND FOR OTHER PURPOSES

has considered the same and recommends that the attached House Bill No. 6610, entitled:

AN ACT EXPANDING THE USE OF THE LEGAL ASSISTANCE FUND, AMENDING FOR THE PURPOSE SECTION 26 OF REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE "MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995," AS AMENDED

be approved in substitution of House Bills Numbered 1812 and 5097 with Representatives Rogelio D. Pacquiao, Victor A. Yap, Raymond Democrito C. Mendoza, Alberto "Bobby" D. Pacquiao, Jocelyn P. Tulfo, Louise Vargas-Alfonso, Joseph Stephen "Caraps" S. Paduano, Joselito "Joel" S. Sacdalan, Rodrigo A. Abellanos and Gerardo "Gerryboy" J. Espina Jr. as authors thereof.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Raymond C. Mendoza', with a long, sweeping horizontal stroke at the end.

REP. RAYMOND DEMOCRITO C. MENDOZA
Chairman
Committee on Overseas Workers Affairs

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6610

(In substitution of House Bills Numbered 1812 and 5097)

Introduced by

Representatives Rogelio D. Pacquiao, Victor A. Yap, Raymond Democrito C. Mendoza, Alberto "Bobby" D. Pacquiao, Jocelyn P. Tulfo, Louise Vargas-Alfonso, Joseph Stephen "Caraps" S. Paduano, Joselito "Joel" S. Sacdalan, Rodrigo A. Abellanos and Gerardo "Gerryboy" J. Espina Jr.

AN ACT

EXPANDING THE USE OF THE LEGAL ASSISTANCE FUND, AMENDING FOR THE PURPOSE SECTION 26 OF REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE "MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995," AS AMENDED

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

SECTION 1. – Section 26 of Republic Act No. 8042, otherwise known as the "Migrant Workers and Overseas Filipinos Act of 1995," as amended, is hereby further amended to read as follows:

"SEC. 26. Uses of the Legal Assistance Fund. – The Legal Assistance Fund created under the preceding section shall be used exclusively to provide legal services to migrant workers and overseas Filipinos [in distress] in accordance with the guidelines, criteria and procedures promulgated in accordance with Section 24 (a) hereof. The expenditures to be charged against the Fund shall include the fees for the foreign lawyers to be hired by the Legal Assistant for Migrant Workers Affairs to represent migrant workers **OR OVERSEAS FILIPINOS** facing charges, **EXPENSES FOR THE** [or in] filing **OF LABOR AND/OR CRIMINAL** cases against erring or abusive employers **OR OTHER PERSONS** abroad, bail bonds to secure the temporary releases and other litigation expenses: **PROVIDED, THAT THE LEGAL ASSISTANCE FUND SHALL, AT ALL TIMES, BE MADE AVAILABLE FROM THE TIME OF THE INVESTIGATION, DETENTION, ARREST, CHARGING OR INDICTMENT OF THE MIGRANT WORKER OR OVERSEAS FILIPINO ALL THE WAY TO THE TRIAL PROPER, AND AT ALL LEVELS OF APPEAL THEREAFTER:** *Provided,* That at the end of every year, the Department of Foreign Affairs shall include in its report to Congress, as provided for under Section 33 of this Act, the status of the Legal Assistance Fund, including the expenditures from the said fund duly audited by the Commission on Audit (COA): *Provided, further,* That the hiring of foreign

1 legal counsels **AND OTHER RELEASES OF FUNDS FOR OTHER**
2 **EXPENSES RELATED TO THE PROVISIONS OF THIS SECTION,**
3 when circumstances warrant urgent action, shall be exempt from the coverage
4 of Republic Act No. 9184 or the Government Procurement Act.”
5

6 SEC. 2. All laws, presidential decrees, orders, issuances, rules and regulations or parts thereof
7 inconsistent with the provisions of this Act are hereby repealed, amended or modified
8 accordingly.
9

10 SEC. 3. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette*
11 or in a newspaper of general circulation.
12

13 Approved,

House of Representatives
Committee Affairs Department

FACT SHEET

House Bill No. 6610

**AN ACT EXPANDING THE USE OF THE LEGAL ASSISTANCE
FUND, AMENDING FOR THE PURPOSE SECTION 26 OF
REPUBLIC ACT NO. 8042, AS AMENDED**

Introduced by: REPRESENTATIVES ROGELIO D. PACQUIAO AND VICTOR A. YAP

Committee Referral: COMMITTEE ON OVERSEAS WORKERS AFFAIRS
Committee Chairperson: REPRESENTATIVE RAYMOND DEMOCRITO C. MENDOZA

OBJECTIVES:

- To make the Legal Assistance Fund (LAF) under Republic Act No. 8042, as amended, available to overseas Filipinos, including migrant workers, if they want to file labor complaints or criminal cases against their employers or other persons.
- To make the LAF available to an overseas Filipino from the time of the latter's investigation, detention, arrest, charging or indictment up to trial and at all levels of appeal thereafter.

KEY PROVISIONS:

- Expands the coverage of the LAF to include the filing of labor complaints against erring employers, and criminal actions against other persons in the receiving countries.
- Provides that the LAF be made available to the overseas Filipino from the time of the latter's investigation, detention, arrest, charging or indictment, all the way to the trial proper and at all levels of appeal thereafter.

RELATED LAW:

- Republic Act No. 8042, or the "Migrant Workers and Overseas Filipinos Act of 1995", as amended.