

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 330



Introduced by Representative ROSE MARIE J. ARENAS

**AN ACT PROTECTING SEAFARERS WHO SUFFER SERIOUS INJURY OR
DEATH, AND THEIR FAMILIES**

EXPLANATORY NOTE

Filipino seafarers sacrifice so much being onboard vessels for months, exposing themselves to the dangers of the ship and the sea, away from their families and friends, just to uplift the lives of their families. In the process, they substantially contribute to our national economy. In times of serious injury or death, our seafarers and their families should be treated with the highest degree of dignity and respect. They are not chattel that can just be discarded once deemed inutile.


Further, the death at sea of a seafarer is a very painful experience for the family, especially because of their absence during the final moments of their loved ones. Sometimes their grief is further prolonged for various reasons such as a refusal of the foreign principal to furnish them a copy of the master's report involving the seafarer's death, or the delayed shipping of the late seafarer's personal effects.

This bill was filed consistent with the mandate of our Constitution, which affirms labor as a primary social economic force under Article II, Section 18, and affords full protection to labor, both local and overseas, under Article XIII, Section 3. Further, Article II, Section 12 of the Constitution recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. In line with this policy, we must extend the greatest protection to seafarers and their families during times of death, serious injury, and unburden them with their grief as much as we can.

It is a perceived notion of many Filipinos that working overseas offers better opportunities for employment and higher source of income. Once in foreign soil or in the high seas however, they become vulnerable to various sorts of perils. Unfortunately, many of our migrant workers, both land-based and sea-based, are either subject to abuses or ill-treatment by their employers or get into accidents or illnesses. In the worst cases, they die, leaving families with no sufficient source of livelihood, and their children unable to finish their education.

This proposed measure seeks to establish an educational scholarship program for the immediate dependents of OFWs who died or suffered total and permanent disabilities while working abroad. As they dauntlessly risk their lives and limbs to uplift the welfare of their families, and ultimately our nation, such a scholarship program is but a small, but meaningful way of giving back to them. Indeed, an institutionalized program, which would assure OFW dependents of a state-funded educational support in case of their death or permanent disability, would be a fitting recognition of their invaluable contribution to our economy.

This bill was first introduced by ANGKLA partylist during the 17th Congress.



ROSE MARIE J. ARENAS
Representative
3rd District, Pangasianan

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

Sec. 1. Declaration of Policy. – The State affirms labor as a primary social economic force, and shall afford full protection to overseas Filipino workers such as seafarers. Further, the State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution, especially the families of seafarers who are separated from their loved ones working on board vessels, and risking their health and life to earn a living.

Sec. 2. Rights of Seafarer's Heirs. - In case a seafarer suffers death/serious injury onboard a vessel, or at any other place outside the Philippines, the seafarer and/or his/her heirs shall be entitled to the following:

- (a) A letter from the seafarer's manning agency informing them of the fact of death/serious injury, the circumstances surrounding the death/serious injury, all the benefits they are entitled to, as well as the documentary requirements to claim said benefits to be sent within ten (10) days from the seafarer's death;
- (b) A copy of the Master's Report involving the death/serious injury of the seafarer which should be furnished within thirty (30) days from the seafarer's death/serious injury;
- (c) The duly authenticated medical/death certificate and report of death of the seafarer within thirty (30) days from the seafarer's death/serious injury;
- (d) The personal effects of the deceased seafarer which should be transported by air together with the late seafarer's remains;
- (e) All benefits as provided for by the POEA Standard Employment Contract, or Collective Bargaining Agreement, whichever is higher; and
- (f) All other documents required of the seafarer or his/her heirs to process their benefits under law and contract, and document the fact of death/disability/serious injury.

Sec. 3. *Implementing Rules and Regulations.* – The Philippine Overseas Employment Administration shall issue the implementing rules and regulations of this Act within sixty (60) days from its effectivity. In no case shall the absence of the implementing rules and regulations be used as justification for the non-enforcement of this Act.

Sec. 4. *Repealing Clause.* - All existing laws, orders, decrees, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby amended, modified or repealed accordingly.

Sec.5. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,