

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session



2073
HOUSE BILL NO. _____

Introduced by: **HON. "KUYA" JOSE ANTONIO R. SY-ALVARADO**

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

EXPLANATORY NOTE

Art II Section 19 of the 1987 Constitution provides that the State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.

According to an article of Business Mirror dated October 4, 2018, the Philippines has been the world's chief supplier of seafarers since 1987. It is easy to find Filipinos working in foreign vessels all over the world. They have approximately remitted more than \$5.8 billion to the country through banks, remittances that really help boost the economy.

In consonance with the mandate of the Constitution, the State shall provide legislative measures that will give overseas Filipino seafarers protection and benefits in case of injury or death suffered by them in the course of their employment abroad.

In view thereof, the early passage of this proposed measure is highly recommended.

"KUYA" JOSE ANTONIO R. SY-ALVARADO 
Representative
First District of Bulacan



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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

Administrative 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.

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.

Approved,

SEC. 3 Implementing Rules and Regulations. - The Philippines 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,

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