

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HB No. 383

Introduced by Rep. Roseller L. Barinaga

EXPLANATORY NOTE

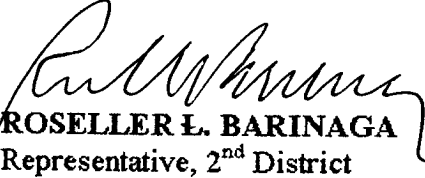
This bill seeks to amend Section 15 of Republic Act Act No. 8042, otherwise known as the Migrant Workers and Overseas Filipinos Act of 1995. In effect the proposed amendment puts a prohibition against the Overseas Workers Welfare Administration (OWWA) from using the OWWA Emergency Repatriation Fund under its administration, control and supervision for the purpose of funding the repatriation of OFWs who are unregistered and illegal.

It has been a customary practice that during emergency cases where immediate repatriation of OFWs is deemed necessary, the OWWA resorts to use its Emergency Repatriation Fund without minding whether the OFWs being repatriated have contributed to the funds or not.

This practice should be stopped. Allowing OWWA to use the said fund for the benefit of all including those who avoid the burden of paying their obligations is not just. It is simply not fair on the part of OFWs who are conscientious about their duty and obligation to contribute if others who by sheer neglect would still enjoy the benefit. The proposed measure will not, in any way, deny unregistered and illegal OFWs of their right to be repatriated. The Department of Foreign Affairs which has its own separate budgetary allocation for the purpose has also been mandated by Section 23 (a) of Republic Act No. 8042 "to protect the rights of migrant workers and other overseas Filipinos and extend immediate assistance including repatriation of distressed or beleaguered migrant workers and other overseas Filipinos."

The bill, therefore, mandates the use of OWWA Emergency Repatriation Fund for the repatriation purposes of registered and legal OFWs only. In this way, government will be able to show to OFWs that it pays to be conscientious of their obligations to the government.

Approval of this bill is earnestly sought.



ROSELLER L. BARINAGA
Representative, 2nd District
Zamboanga del Norte

THIRTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
FIRST REGULAR SESSION)

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HB No. 383

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AN ACT

**TO PROHIBIT THE USE OF OWWA EMERGENCY REPATRIATION FUND FOR
THE REPATRIATION OF UNREGISTERED AND ILLEGAL OVERSEAS FILIPINO
WORKERS (OFWs), AMENDING FOR THE PURPOSE SECTION 15 OF REPUBLIC
ACT NO. 8042 AND FOR OTHER PURPOSES**

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

SECTION 1. Section 15 of Republic Act No. 8042, otherwise known as the Migrant Workers and Overseas Filipinos Act of 1995, is hereby amended to read as follows:

“SEC. 15. Repatriation of Workers; Emergency Repatriation Fund. – XXX.

“The Overseas Workers Welfare Administration (OWWA), in coordination with appropriate international agencies, shall undertake repatriation of REGISTERED AND LEGAL workers in cases of war, epidemic, disasters or calamities, natural or man-made, and other similar events without prejudice to reimbursement by the responsible principal or agency. However, in cases where the principal or recruitment agency cannot be identified, all costs attendant to repatriation shall be borne by the OWWA.

“XXX.”

SEC. 2. This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of general circulation in the Philippines, whichever comes earlier.

Approved.