

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HB NO. 384

Introduced by Rep. Roseller L. Barinaga

EXPLANATORY NOTE

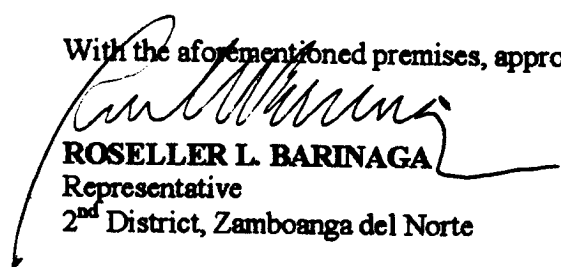
This proposed bill seeks to amend Executive Order No. 247, entitled "Reorganizing the Philippine Overseas Employment Administration and for other purposes". This specifically expands the composition and membership of the POEA Governing Board to enhance due representations on the part of the stakeholders. Hence, the proposal to include, in addition to the Secretary of Labor and Employment as Chairman and the POEA Administrator, the OWWA Administrator, the Chairpersons of the Committee on Labor and Employment of both Houses of Congress, as *ex officio* members, a representative from the management sector, one (1) from the sector of land-based OFWs, one (1) from the sector of sea-based OFWs, and one (1) from the OFW-women sector.

The supposed "third member, considered well-versed in the field of overseas employment who shall be appointed by the President to serve for a term of two (2) years" phrase is deleted in as much as the aforesaid "third member" representation is already covered under the additional representations as incorporated in the proposed amendment.

The inclusion of Congress in the composition of the POEA Governing Board is imperative as it has the oversight function over government agencies and instrumentalities.

President Corazon C. Aquino's Executive Order No. 5 (1986), which is still being observed up to this time, clearly provides that the necessary and proper changes in the organizational and functional structures of the government, its agencies and instrumentalities need to be effected to promote efficiency and effectiveness in the delivery of public services. Instituting this particular amendment is necessary so that democratic exchanges and genuine transparency at the POEA could be observed by all the sectors of OFWs for whom it is bound to be of service to.

With the aforementioned premises, approval of this bill is earnestly sought.



ROSELLER L. BARINAGA

Representative

2nd District, Zamboanga del Norte

Congress of the Philippines)
Thirteenth Congress)
First Regular Session)

HOUSE OF REPRESENTATIVES

HB NO. 384

Introduced by Rep. Roseller L. Barinaga

**AN ACT
TO AMEND THE COMPOSITION OF THE POEA GOVERNING BOARD,
AMENDING FOR THE PURPOSE EXECUTIVE ORDER NO. 247, ENTITLED
"REORGANIZING THE PHILIPPINE OVERSEAS EMPLOYMENT
ADMINISTRATION AND FOR OTHER PURPOSES"**

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

SECTION 1. Section 4, paragraph (a) of Executive Order No. 247 is hereby amended to read as follow:

"Sec. 4. Structural Organization. - The Administration shall consist of the Governing Board, the Office of the Administrator, the Offices of such number of Deputy Administrators as may be necessary, Office of the Director for each of the principal subdivisions of its internal structure."

"(a) The Governing Board shall be composed of the Secretary of Labor and Employment as Chairman, the POEA Administrator, [and a third member, considered well-versed in the field of overseas employment who shall be appointed by the President to serve for a term of two (2) years;] THE OWWA ADMINISTRATOR, THE CHAIRPERSONS OF THE COMMITTEE ON LABOR AND EMPLOYMENT OF BOTH HOUSES OF CONGRESS, AS EX OFFICIO MEMBERS, A REPRESENTATIVE FROM THE MANAGEMENT SECTOR, ONE (1) FROM THE SECTOR OF LAND-BASED OFWS, ONE (1) FROM THE SECTOR OF SEA-BASED OFWS, AND ONE (1) FROM THE OFW-WOMEN SECTOR."

"THE REPRESENTATIVE FROM THE MANAGEMENT SECTOR SHALL BE SELECTED FROM AMONG THE VARIOUS ASSOCIATIONS OF REGISTERED OVERSEAS PLACEMENT AND RECRUITMENT AGENCIES BASED IN THE PHILIPPINES AND NOMINATED BY THE PRESIDENT, TO SERVE FOR A TERM OF TWO (2) YEARS."

"THE NOMINEE FROM THE LAND-BASED OFW SHALL HAVE RENDERED AT LEAST FIVE (5) YEARS OF PRODUCTIVE EMPLOYMENT OVERSEAS, AND SELECTED BY REGISTERED OFW ORGANIZATIONS OR ASSOCIATIONS, TO SERVE FOR A TERM OF TWO (2) YEARS."

"THE NOMINEE FROM THE SEA-BASED OFW SHALL HAVE RENDERED AT LEAST FIVE (5) YEARS OF PRODUCTIVE EMPLOYMENT OVERSEAS, AND SELECTED BY REGISTERED OFW ORGANIZATIONS OR ASSOCIATIONS, TO SERVE FOR A TERM OF TWO (2) YEARS."

"THE NOMINEE FROM THE OFW-WOMEN SECTOR SHALL HAVE RENDERED AT LEAST FIVE (5) YEARS OF PRODUCTIVE EMPLOYMENT OVERSEAS, AND SELECTED BY REGISTERED OFW ORGANIZATIONS OR ASSOCIATIONS, TO SERVE FOR A TERM OF TWO (2) YEARS."

"IN CASE OF VACANCY IN THE OWWA BOARD OF ANY APPOINTEE POSITION, SUCH VACANCY SHALL BE FILLED BY THE SUBSEQUENT NOMINATION AND SELECTION BY THE RESPECTIVE SECTOR CONCERNED. THE SUCCESSOR SHALL BE CHOSEN IN THE SAME MANNER AS PROVIDED FOR THE PREDECESSOR AND SUCH SUCCESSOR SHALL HOLD OFFICE FOR THE UNEXPIRED TERM."

"MEMBERS OF THE GOVERNING BOARD SHALL SERVE WITHOUT COMPENSATION OTHER THAN ACTUAL AND NECESSARY EXPENSES INCURRED IN ATTENDANCE OF MEETINGS OF THE BOARD OR OTHER OFFICIAL BUSINESS AUTHORIZED BY THE BOARD."

"X X X."

SEC. 2. All laws, decrees, rules and regulations or parts thereof, which are contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 3. If any part or provision of this Act is declared unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 4. This Act shall take effect fifteen days from its publication in two national newspapers of general circulation after its approval by the President.

Approved.