

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila**

Thirteenth Congress
First Regular Session

House Bill No. 2900

Introduced by Honorable Catalino V. Figueroa

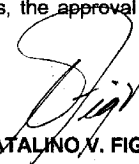
EXPLANATORY NOTE

The country's Overseas Filipino Workers (OFW's) supply a significant part of the nation's lifeblood through their multi-million dollar remittances. As former President Fidel V. Ramos puts it, "OFW's are our modern day heroes." Being such, they deserve to be accorded greater security. The present set-up necessitates improvement in that direction.

This proposed measure focuses on the plight of our overseas seafarers. It is anchored on the fact that they form a large portion of the OFW sector and are therefore a major contributor to national socio-economic development. Hence, they deserve to be treated no less.

It appears that, at present, overseas seafarers are entitled to an indemnity fund of less than Fifty Thousand Pesos (P50,000.00) for both of loss of life and in case of accident. This bill, therefore, proposes to create a welfare fund for overseas seafarers, separate from land-based laborers working abroad and to increase the amount of benefits of their personal accident and life insurance.

In view of the above considerations, the approval of this bill is strongly recommended.



CATALINO V. FIGUEROA

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AN ACT
CREATING THE OVERSEAS SEAFARERS WELFARE FUND,
APPROPRIATING FUNDS THEREFORE AND FOR OTHER PURPOSES

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

SECTION 1. Title – This Act shall be known as the “Seafarers’ Welfare Fund of 2004.”

SECTION 2. Declaration of Policy – It is the policy of the State to promote and safeguard the welfare of Filipino overseas seafarers and their families. For this purpose, it is necessary to establish and administer a separate welfare fund for sea farers abroad to provide a more efficient and effective service for their well being.

SECTION 3. Overseas Seafarers Welfare Fund – There is hereby created an Overseas Seafarers Welfare Fund, hereinafter referred to as the “Welfare Fund” which shall be used for the purpose of providing welfare services to Filipino seafarers abroad.

SECTION 4. Fund Source – All contributions of seamen to the Overseas Workers Welfare Fund (OWWF) collected prior to the effectivity of this Act, shall be transferred and deposited to the account of the Welfare Fund. Fees and other charges, including the monthly contributions of each overseas seafarers, to be imposed in the implementation of this Act, shall likewise accrue to the Welfare Fund.

SECTION 5. Administration – The Welfare Fund shall be administered by a Board of Trustees through a Secretariat. The Board of Trustees shall consist of Secretary of Labor and Employment as Chairman, the Secretary of Finance, the Secretary of Budget and Management, one Undersecretary of Labor and Employment, the Administrator of Philippine Overseas Employment Administration (POEA), the Director of Pre-Employment Services Offices, the Director of Welfare Fund as Vice-Chairman, and one representatives each from the shipping industry and a duly recognized overseas seafarer's association.

The Director of the Welfare Fund and the representatives of both the shipping industry and overseas seafarers shall be appointed by the Secretary of Labor and Employment.

The Director shall be the chief executive officer of the Welfare Fund. He shall have the qualifications, rank and compensation of the Bureau of Director. The Director shall be assisted by a Deputy Director who shall be appointed by the Board of Trustees upon the recommendation of the Chairman.

SECTION 6. Secretariat. – The Secretariat shall be attached to the Department of Labor and Employment. Its personnel shall be appointed by the Chairman, upon the recommendation of the Director. The compensation of the personnel and the operating expenses of the Secretariat shall be charged to the budget of the DOLE.

SECTION 7. Powers and Functions. – The Board of Trustees shall have the following powers and functions:

- (a) To formulate and implement measures to attain the Welfare's Fund objectives and purposes;
- (b) To enter into agreements and contracts in connection with its operations and objectives; and
- (c) To manage the Welfare Funds resources subject to such rules and regulations as maybe formulated by its Board of Trustees. The Board

of Trustees shall fix the yearly appropriation of the Secretariat which shall not be more than thirty percent (30%) of the Welfare Fund.

SECTION 8. Personal Accident and Life Insurance. – All seafarers working abroad shall be provided both life and personal accident insurance amounting to One Million Pesos (P1,000,000.00) and Three Hundred Thousand Pesos (P300,000.00) maximum face value, respectively: Provided, however, that an equal amount of Three Hundred Thousand Pesos (P300,000.00) insurance coverage shall be due in addition to the amount of life insurance. This life and personal accident insurance shall be provided from the Welfare Fund. The personal accident insurance shall cover dismemberment and disability: Provided, further, that should a subsisting insurance package provide for a coverage, the same shall be deemed in compliance with this requirement.

SECTION 9. Any violation of the provisions of this Act shall be punishable with a fine of not less than Ten Thousand Pesos (P10,000.00) or imprisonment of not less than six (6) months nor more than six (6) years, or both such fine and imprisonment in the court's discretion.

SECTION 10. Power to Promulgate Rules and Regulations. – The Board of Trustees shall have the power to promulgate rules and regulations: Provided, That said rules and regulations shall take effect fifteen (15) days after publication in the Official Gazette or in any newspaper of general circulation.

SECTION 11. Repealing Clause. – All laws, decrees, orders, rules or regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 12. Effectivity. – This Act shall take effect after completion of publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,