

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

First Regular Session

House Bill No. 1522

Introduced by **REP. AUGUSTO BOBOY SYJUCO, Ph. D.**

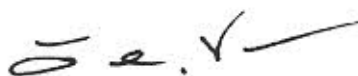
EXPLANATORY NOTE

The Overseas Filipino Workers (OFWs) are now being dubbed as "Overseas Filipino Investor" (OFI) for their undeniable immense contribution in our economy through their remittances, property acquisition and business ventures. According to Commission on Population (POPCOM), an estimated of ten percent (10%) of the country's population or about eight (8) million Filipinos are migrant workers distributed in 182 countries. The primary reason of many Filipinos leaving the Philippines to work abroad is the need to support their families back home. Many of our OFWs endure working in a foreign land just to be able to provide the needs of their families for decent living conditions.

However, as foreign workers, the OFWs are governed by the laws of the foreign countries where they are deployed. It is inevitable that they may infringe, intentionally or unintentionally, the laws and policies of the foreign land. It is therefore imperative that the government provides substantial protection and assistance to our distressed migrant workers.

This bill therefore seeks to amend Sections 25 and 26 of the Republic Act 8042 otherwise known as the "Migrant Workers and Overseas Filipinos Act of 1995" by augmenting the Legal Assistance Fund, a defense fund to help migrant workers. The Legal Assistance Fund shall be used exclusively to provide legal services to migrant workers and overseas Filipinos in distress.

With the foregoing, approval of this bill is earnestly requested.



AUGUSTO BOBOY SYJUCO, Ph. D.
2nd District, Province of Iloilo

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**AN ACT AMENDING SECTIONS 25 AND 26 OF REPUBLIC ACT NO. 8042,
OTHERWISE KNOWN AS THE "MIGRANT WORKERS AND OVERSEAS
FILIPINOS ACT OF 1995", AND FOR OTHER PURPOSES**

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

SECTION 1. Section 25 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. 25. *Legal Assistance Fund.* – There is hereby established a
legal assistance fund for migrant workers, hereinafter referred to as the
Legal Assistance Fund, in the amount of One hundred million pesos
(P100,000,000) to be constituted from the following sources:

"Fifty million pesos (P50,000,000) from the Contingency Fund of the
President;

"Thirty million pesos (P30,000,000) from the Presidential Social
Fund; [and]

"Twenty million pesos (P20,000,000) from the Welfare Fund for
Overseas Workers established under Letter of Instruction No. 537, as
amended by Presidential Decree Nos. 1694 and 1809 [.] **AND**

**"AN AMOUNT APPROPRIATED IN THE ANNUAL GENERAL
APPROPRIATIONS ACT (GAA) WHICH SHOULD NOT BE LESS THAN
THIRTY MILLION PESOS (P30,000,000) PER YEAR: PROVIDED, THAT
THE BALANCE OF THE LEGAL ASSISTANCE FUND INCLUDING THE
AMOUNT APPROPRIATED FOR THE YEAR SHALL NOT BE LESS
THAN ONE HUNDRED MILLION PESOS (P100,000,000): PROVIDED,
FURTHER, THAT THE FUND SHALL BE TREATED AS A SPECIAL
FUND IN THE NATIONAL TREASURY AND ITS BALANCE, INCLUDING
THE AMOUNT APPROPRIATED IN THE GAA WHICH SHOULD FORM
PART OF THE FUND SHALL NOT REVERT TO THE GENERAL FUND.**

"Any balances of existing funds which have been set aside by the
government specifically as legal assistance or defense fund to help migrant
workers shall, upon effectivity of this Act, be turned over to, and form part
of, the Fund created under this Act."

SEC. 2. Section 26 of Republic Act No. 8042 is likewise amended to read as follows:

"SEC. 26. *Uses of the Legal Assistance Fund.* – The Legal Assistance Fund created under the preceding section shall be used exclusively to provide legal services to migrant workers and overseas Filipinos in distress in accordance with the guidelines, criteria and procedures promulgated in accordance with Section 24(a) hereof. The expenditures to be charged against the Fund shall include the fees for the foreign lawyers to be hired by the Legal Assistant for Migrant Workers Affairs to represent migrant workers facing charges **OR IN FILING CASES AGAINST ERRING FOREIGN EMPLOYERS** abroad, bail bonds to secure the temporary release of workers under detention, court fees and charges and other litigation expenses[.]: **PROVIDED, THAT AT THE END OF EVERY YEAR, THE DEPARTMENT OF FOREIGN AFFAIRS SHALL SUBMIT A REPORT TO CONGRESS ON THE STATUS OF THE LEGAL ASSISTANCE FUND, INCLUDING THE EXPENDITURES FROM THE SAID FUND DULY AUDITED BY THE COMMISSION ON AUDIT (COA).**"

SEC. 3. All other laws, decrees, orders, issuances, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 4. This Act shall take effect fifteen (15) days from its publication in the *Official Gazette* or in at least two (2) national newspapers of general circulation.

Approved,