

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

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3070



Introduced by
OFW Family Party-List Representative ROY V. SEÑERES

EXPLANATORY NOTE

This bill is in furtherance of relevant provisions of the Constitution, the Family Code, and the Labor Code to wit:

1. Section 12, Article II, of the Constitution states: "The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of unborn from conception. The natural and primary right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the support of the Government."
2. Section 1, Article XV, of the Constitution provides: "The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development."
3. Section 3, (2) of the same article which says: "The State shall defend: (2) The right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development."
4. Section 2, (3) Article XIV of the Constitution provides: "The State shall: (3) Establish and maintain a system of scholarship grants, student loan programs, subsidies, and other incentives which shall be available to deserving students in both public and private schools, especially to the underprivileged."
5. Article 149 of the Family Code refers to the family as a "basic social institution which public policy cherishes and protects."
6. Section 18, Article II, of the Labor Code states: "The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare."

In the effort to recognize the valuable contribution of OFWs, lauded as our modern-day heroes, to the national economy, the proposed bill seeks to establish

an educational scholarship program for the immediate dependents of Overseas Filipino Workers (OFWs) who died or suffered total and permanent disabilities while working abroad. As our economic soldiers, they deserved to be treated as "casualties" of war against poverty.

In view of the foregoing, approval of this bill is most respectfully requested.



ROY VILLAREAL SEÑERES

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HOUSE BILL NO. 3070

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OFW Family Party-List Representative ROY V. SEÑERES

AN ACT
ESTABLISHING AN EDUCATIONAL SCHOLARSHIP PROGRAM FOR
IMMEDIATE DEPENDENTS OF OVERSEAS FILIPINO WORKERS (OFWs)
WHO DIED OR SUFFERED PERMANENT DISABILITIES WHILE WORKING
ABROAD OR OVERSEAS AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. Short Title. – This Act shall be known and cited as the “OFW Dependents Educational Scholarship Act of 2013.”

SEC. 2. Coverage. – This Act shall cover immediate dependents of Overseas Filipino Workers (OFWs), whether documented or undocumented, who died or suffered total and permanent disabilities while working abroad. The said immediate dependents are interested and qualified to pursue an educational course or training primarily in the field of science and technology.

SEC. 3. Declaration of Policy. – This Act is in furtherance of the State Policies provisions of the Constitution, to wit:

1. Section 12, Article II, of the Constitution states: “The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of unborn from conception. The natural and primary right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the support of the Government.”

2. Section 1, Article XV, of the Constitution provides: "The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development."
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(2) The right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development."
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5. Article 149 of the Family Code refers to the family as a "basic social institution which public policy cherishes and protects."
6. Section 18, Article II, of the Labor Code states: "The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare."

SEC. 4. Definition of Terms. – As used in this Act, the following terms shall be defined as:

- a). "*Overseas Filipino Worker (OFW)*" shall refer to a person, whether documented or undocumented, who is to be engaged, is engaged or has been engaged in a remunerated activity in a state of which he or she is not a citizen, or on board a vessel navigating the foreign seas other than a government ship used for military or non-commercial purposes, or on an installation located offshore or on the high seas; to be used interchangeably with migrant worker.

b). "*Immediate dependent*" refers to the legitimate, legitimated or legally adopted, unmarried and not gainfully employed child of an Overseas Filipino Worker.

c). "*total and permanent disability*" if as a result of the injury or sickness the person is unable to perform any gainful occupation for a continuous period exceeding 120 days.

d). "*Documented Overseas Filipino Workers (OFW) or Migrant Workers*" refer to those:

1). who possess valid passports and visas or permits to stay in the host country and whose contracts of employment have been processed by the POEA; or

2). Registered by the Migrant Workers and Other Overseas Filipinos Resource Center or by the Embassy.

Those who do not fall under the preceding paragraph are considered undocumented OFWs or Migrant Workers.

e). "*Undocumented Filipinos*" refer to those:

- 1). who acquired their passports through fraud or misrepresentation;
- 2). who possess expired visas or permits to stay;
- 3). who have no travel document whatsoever;
- 4). who have valid but inappropriate visas;
- 5). who leave the country to work abroad without any documentation from the POEA;
- 6). who initially have papers from the POEA but whose validity expired.

SEC. 5. Objective. –The paramount objective of this Act is to provide assistance to immediate dependents of Overseas Filipino Workers who died or suffered total and permanent disability while working abroad or overseas by

providing educational scholarship programs as a form of recognition by the State of the OFWs significant contribution to the national economy.

SEC. 6. Appropriation. - The amount necessary to effectively implement the provisions of this Act shall be included in the annual General Appropriations Act. However, for the initial budgetary requirements of this Act, the amount of One Hundred Million Pesos (P100,000,000.00) is hereby appropriated for the purpose.

SEC. 7. Implementing Rules and Regulations. - The Secretary of the Department of Labor and Employment (DOLE) is hereby tasked to implement this Act and shall, in coordination with the Department of Education (DepEd), the Philippine Overseas Employment Administration (POEA), the Overseas Workers Welfare Administration (OWWA), and other concerned government agencies, formulate the necessary implementing rules and regulations to effectively implement the provisions of this Act within ninety (90) days after its effectivity.

SEC. 8. Repealing Clause. - All laws, decrees, executive orders, issuances, rules and regulations which may be inconsistent with any of the provisions of this Act, are hereby deemed repealed, amended or modified accordingly.

SEC. 9. Effectivity. - This Act shall take effect fifteen (15) days after its complete publication in two (2) newspapers of general circulation.

Approved,