

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

16th Congress
Second Regular Session

HOUSE BILL NO. **4924**



Introduced by Honorable Weslie T. Gatchalian
and Honorable Sherwin T. Gatchalian

EXPLANATORY NOTE

In today's political and economic world, acts of war, terrorism, political or civil unrest dominates the global politics. We have the "Arab Spring" and its post era known as "Arab Winter", many years back, we also have the "Autumn of Nations" that swept the Eastern Europe and now, worst are the acts of terrorism committed by some fundamentalist groups.

The unrest are sustained campaigns involving strikes, demonstrations, marches, rallies, lootings and attacks on government and civil structures that endangers human lives because some are met with violent response from the authorities hence, the sprouting of the UN refugee camps in affected areas.

In the midst of this unrest are our OFW's who are caught in the crossfire who happens to be working on dangerous zone or high risk areas. They are exposed to various forms of threats resulting to death, injuries, kidnapping, tortures, and even as prisoners of war.

While there are government efforts to secure OFW's from this war torn areas thru evacuations and repatriations, our OFW's are not yet financially protected for all the risk they encounter in dangerous countries and/or high risk remote regions brought about by the unrest.

Also, although Republic Act No. 8042, as amended and known as "The Migrant Workers and Overseas Workers Act of 1985" provides for a compulsory insurance to all the migrant and overseas workers during the duration of their employment, the insurance however, exclude "war risk" losses as they are normally excluded from basic insurance policy.

This bill therefore seeks to includes war risk provisions in all the insurance policy required under RA 8042 as amended for the financial protection of all OFW's and their dependents, against losses sustained from occurrences such as war risk insurance, invasion, insurrection, revolution, military coup and terrorism.

Hence, approval of the bill is earnestly sought.



HON. WESLIE GATCHALIAN
Representative Party List – ALAY BUHAY



HON. SHERWIN T. GATCHALIAN
Representative First District, Valenzuela City

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AN ACT
PROVIDING MANDATORY INSURANCE COVERAGE
FOR AGENCY HIRED OVERSEAS FOREIGN
WORKERS AGAINST RISK SUSTAINED FROM WAR,
INVASION, INSURRECTION, REVOLUTION,
MILITARY COUP AND TERROSISM, AMENDING
SECTION 37-A OF REPUBLIC ACT NO. 8042, AS
AMENDED OTHERWISE KNOWN AS THE
MIGRANT WORKERS AND OVERSEAS WORKERS
ACT OF 1995.

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

SECTION. 1. Section 37-A of Republic Act No. 8042, as amended, otherwise known as the Migrant Workers and Overseas Workers Act of 1995, is hereby amended to read as follows:

Sec.. 37-A. Compulsory Insurance Coverage for Agency-Hired Workers. – In addition to the performance bond to be filed by the recruitment/manning agency under Section 10, each migrant worker deployed by a recruitment/manning agency shall be covered by a

compulsory insurance policy including war risk insurance, invasion, insurrection, revolution, military coup and terrorism which shall be secured at no cost to the said worker. Such insurance policy shall be effective for the duration of the migrant worker's employment contract and shall cover, at the minimum: x x x.

SECTION 2. *Implementing Rules and Regulations*- The department, agencies and the Insurance Commission charged with carrying the provisions of this act shall formulate the rules and regulations for its effective implementation.

SECTION 3. *Repealing Clause*. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with any provision of this Act are hereby amended or modified accordingly.

SECTION 4. *Effectivity Clause*. - This Act shall take fifteen (15) days following its publication in the *official Gazette* or in at least two (2) newspaper of general circulation.

Approved,