



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
Second Regular Session

House Bill No. **6138**



Introduced by Representatives Pantaleon D. Alvarez, Rodolfo C. Fariñas,
Dakila Carlo E. Cua and Lucy T. Gomez

EXPLANATORY NOTE

The contribution of Overseas Filipino Workers (OFWs) to the country's revenue raising effort and economic standing, in general, is undeniably significant, with their total yearly remittances amounting to billions of pesos. Indeed, as they have always been acknowledged, the OFWs are Philippine society's modern day heroes. And, rightfully so, government has as much as possible conferred upon them privileges and protection in various matters.

This notwithstanding, there is still some void to fill as the so-called solo parent OFWs face some sort of inequity in the field of taxation. Specifically, children of these single parent modern day heroes are currently denied exemption from travel tax, an incentive to which broods of their married counterparts are entitled as provided for under Republic Act No. 6768, as amended, otherwise known as "AN ACT INSTITUTING A BALIKBAYAN PROGRAM", which incidentally considers OFWs as "balikbayans". Considering that solo parent OFWs are as equally worthy of government recognition as those married Filipino migrant workers, the single valid criterion being their honest and hard toil in foreign lands, this unfortunate circumstance must be remedied. There should be undivided and impartial recognition of the laudable and selfless hard work of all OFWs.

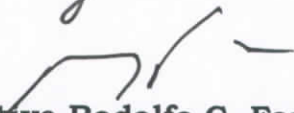
It is worth noting, however, that Republic Act No. 8042, as amended, otherwise known as the "MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995" grants travel tax exemption solely to OFWs and not to their dependents, which is contrary to the provisions of RA No. 6768.

This legislative proposal seeks to address the abovementioned disproportion in tax treatment and apparent inconsistency between the laws involved by categorically providing travel tax exemption to children of both married and solo parent OFWs, amending Republic Act No. 8042, as amended.

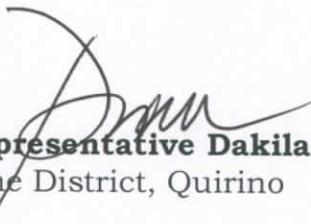
Accordingly, passage of the measure is earnestly sought.



Representative Pantaleon D. Alvarez
1st District, Davao del Norte



Representative Rodolfo C. Fariñas
1st District, Ilocos Norte



Representative Dakila Carlo E. Cua
Lone District, Quirino



Representative Lucy T. Gomez
4th District, Leyte



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**AN ACT GRANTING TRAVEL TAX EXEMPTION TO DEPENDENTS OF
MARRIED OR SOLO PARENT OVERSEAS FILIPINO WORKERS, AMENDING
FOR THE PURPOSE SECTIONS 3 AND 35 OF REPUBLIC ACT NO. 8042,
OTHERWISE KNOWN AS THE "MIGRANT WORKERS AND OVERSEAS
FILIPINOS ACT OF 1995", AS AMENDED BY REPUBLIC ACT NO. 10022**

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

1 SECTION 1. Section 3 of Republic Act No. 8042, as amended, is hereby further
2 amended to read as follows:

3
4 "Section 3. Definitions. – For purposes of this Act:

5
6 (a) xxx;

7
8 (B) 'SOLO PARENT' AS DEFINED UNDER SECTION 3 (A) OF
9 REPUBLIC ACT NO. 8972, OTHERWISE KNOWN AS THE "SOLO
10 PARENTS' WELFARE ACT OF 2000";

11
12
13 (C) 'DEPENDENTS' REFERS TO THE FOLLOWING:

14
15 (1) SPOUSE AND CHILDREN OF THE MARRIED OVERSEAS
16 FILIPINO WORKER; AND

1
2 (2) CHILDREN OF THE SOLO PARENT OVERSEAS FILIPINO
3 WORKER.
4

5 [(b)] (D) xxx
6

7 [(c)] (E) xxx"
8
9

10 SEC. 2. Section 35 of Republic Act No. 8042, as amended, is hereby further
11 amended to read as follows:
12

13 "Sec. 35. Exemption from Travel Tax, Documentary Stamp Tax and
14 Airport Fee. – All laws to the contrary notwithstanding, the migrant worker
15 AND HIS OR HER DEPENDENTS shall be exempt from the payment of
16 travel tax and airport fee upon proper showing of entitlement by the POEA.
17

18 The remittances of all overseas Filipino workers, upon showing of the same
19 proof of entitlement by the overseas Filipino worker's beneficiary or
20 recipient, shall be exempt from the payment of documentary stamp tax."
21
22

23 SEC. 3. Implementing Rules and Regulations. – Within six (6) months from the
24 effectivity of this Act, the Secretary of Finance shall, upon the recommendation
25 of the Commissioner of Internal Revenue, promulgate the necessary rules and
26 regulations for its effective implementation.
27

28 SEC. 4. Separability Clause. – If any provision of this Act is subsequently
29 declared invalid or unconstitutional, the other provisions hereof which are not
30 affected thereby shall remain in full force and effect.
31

32 SEC. 5. Repealing Clause. – Republic Act No. 6768, as amended, otherwise
33 known as "AN ACT INSTITUTING A BALIKBAYAN PROGRAM" is hereby
34 amended or modified accordingly.
35

36 All other laws, acts, presidential decrees, executive orders, issuances,
37 presidential proclamations, rules and regulations or parts thereof, which are
38 contrary to or inconsistent with any provision of this Act are hereby repealed,
39 amended or modified accordingly.
40

41 SEC. 6. Effectivity Clause. – This Act shall take effect fifteen (15) days after its
42 complete publication in the Official Gazette or in at least two (2) newspapers of
43 general circulation.

Approved,