

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

8672
House Bill No. _____



Introduced by ANGKLA Party-list Representative Jesulito A. Manalo

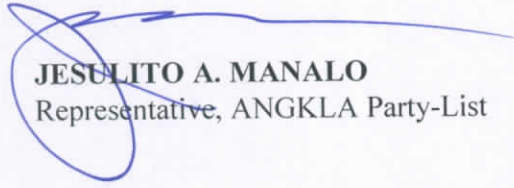
AN ACT
PROTECTING SEAFARERS WHO SUFFER SERIOUS INJURY OR DEATH, AND
THEIR FAMILIES

EXPLANATORY NOTE

Filipino seafarers sacrifice so much being onboard vessels for months, exposing themselves to the dangers of the ship and the sea, away from their families and friends, just to uplift the lives of their families. In the process, they substantially contribute to our national economy. In times of serious injury or death, our seafarers and their families should be treated with the highest degree of dignity and respect. They are not chattel that can just be discarded once deemed inutile.

Further, the death at sea of a seafarer is a very painful experience for the family, especially because of their absence during the final moments of their loved ones. Sometimes their grief is further prolonged for various reasons such as a refusal of the foreign principal to furnish them a copy of the master's report involving the seafarer's death, or the delayed shipping of the late seafarer's personal effects.

This bill was filed consistent with the mandate of our Constitution which affirms labor as a primary social economic force under Article II, Section 18, and affords full protection to labor, both local and overseas, under Article XIII, Section 3. Further, Article II, Section 12 of the Constitution recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. In line with this policy, we must extend the greatest protection to seafarers and their families during times of death or serious injury, and unburden them with their grief as much as we can.


JESULITO A. MANALO
Representative, ANGKLA Party-List

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. **8672**

Introduced by ANGKLA Party-list Representative Jesulito A. Manalo

AN ACT
PROTECTING SEAFARERS WHO SUFFER SERIOUS INJURY OR DEATH, AND
THEIR FAMILIES

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

Sec. 1. Declaration of Policy. – The State affirms labor as a primary social economic force, and shall afford full protection to overseas Filipino workers such as seafarers. Further, the State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution, especially the families of seafarers who are separated from their loved ones working on board vessels, and risking their health and life to earn a living.

Sec. 2. Rights of Seafarer's Heirs. – In case a seafarer suffers death/serious injury onboard a vessel, or at any other place outside the Philippines, the seafarer and/or his/her heirs shall be entitled to the following:

- (a) A letter from the seafarer's manning agency informing them of the fact of death/serious injury, the circumstances surrounding the death/serious injury, all the benefits they are entitled to, as well as the documentary requirements to claim said benefits to be sent within ten (10) days from the seafarer's death;
- (b) A copy of the Master's Report involving the death/serious injury of the seafarer which should be furnished within thirty (30) days from the seafarer's death/serious injury;
- (c) The duly authenticated medical/death certificate and report of death of the seafarer within thirty (30) days from the seafarer's death/serious injury;
- (d) The personal effects of the deceased seafarer which should be transported by air together with the late seafarer's remains;
- (e) All benefits as provided for by the POEA Standard Employment Contract, or Collective Bargaining Agreement, whichever is higher; and
- (f) All other documents required of these seafarer or his/her heirs to process their benefits under law and contract, and document the fact of death/disability/serious injury.

Sec. 3. *Implementing Rules and Regulations.* – The Philippine Overseas Employment Administration shall issue the implementing rules and regulations of this Act within sixty (60) days from its effectivity. In no case shall the absence of the implementing rules and regulations be used as justification for the non-enforcement of this Act.

Sec. 4. *Repealing Clause.* - All existing laws, orders, decrees, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby amended, modified or repealed accordingly.

Sec.5. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,