

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 7171



INTRODUCED BY
REP. ALFRED VARGAS

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

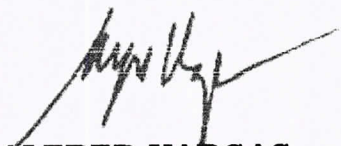
EXPLANATORY NOTE

Overseas Filipino Workers (OFWs) have contributed greatly to nation-building and economic development in the country. In 2018, the Bangko Sentral ng Pilipinas have noted that personal remittances was a major driver of domestic consumption making up 9.7 percent of our gross domestic product (GDP), and 8.1 percent of our gross national income (GNI).

As a sign of our gratitude, we have called our OFWs our "Modern Day Heroes". Despite the significant value they bring in to the economy, they continue to face problems while in the line of duty abroad. In cases of death or permanent disability, the State should be able to support their immediate dependents especially with regard to their education.

This bill seeks to establish an educational scholarship program for immediate dependents of OFWs, both sea-based and land-based, who died or suffered permanent disabilities while working abroad or overseas.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


ALFRED VARGAS

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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 as the “OFW Dependents Educational Scholarship Act.”

SECTION 2. 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 state: “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."

SECTION 3. *Definition of Terms.* – As used in this Act, the term:

- (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:

- i. 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
- ii. 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:

- i. who acquired their passports through fraud or misrepresentation;
- ii. who possess expired visas or permits to stay;
- iii. who have no travel document whatsoever;
- iv. who have valid but inappropriate visas;
- v. who leave the country to work abroad without any documentation from the POEA;
- vi. who initially have papers from the POEA but whose validity expired.

SECTION 4. 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.

SECTION 5. Objective. – The paramount objective of this Act is to provide assistance to immediate dependents or 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.

SECTION 6. Appropriations. – 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.

SECTION 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 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.

SECTION 8. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 9. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SECTION 10. *Effectivity.* – This Act shall take effect after fifteen (15) days following the completion of its publication either in the Official Gazette or in two (2) newspapers of general circulation in the Philippines.

Approved,