

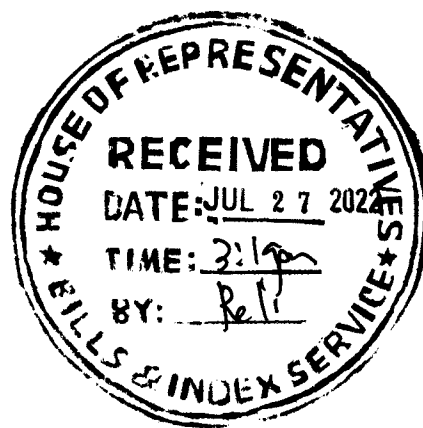


Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS

First Regular Session

House Bill No. **2526**



INTRODUCED BY:

**REPRESENTATIVE MARISSA “DEL MAR” P. MAGSINO
ONE FILIPINOS WORLDWIDE (OFW) PARTYLIST**

EXPLANATORY NOTE

The Overseas Workers Welfare Administration (OWWA) is one of the principal agencies of the State mandated by law, particularly Republic Act No. 10801, otherwise known as the “Overseas Workers Welfare Administration Act”, to serve and promote the rights, interest and welfare of Overseas Filipino Workers (OFWs) and their families.

It is vested with special functions to protect the interest and promote the welfare of member-OFWs in all phases of overseas employment, to facilitate the implementation of the provisions of the Labor Code of the Philippines (Presidential Decree No. 442, as amended) and the Migrant Workers and Overseas Filipino Act of 1995 (Republic Act No. 8042, as amended), to provide social and welfare programs and services to member-OFWs, including social assistance, education and training, cultural services, financial management, reintegration and entrepreneurial development services, to provide prompt and appropriate response to global emergencies or crisis situation affecting OFWs and their families, to ensure the efficiency of collections and viability and sustainability of the OWWA Fund through sound, judicious, and transparent investment and management policies, to undertake studies and researches for the enhancement of the social, economic, and cultural well-being of member OFWs and their families, to develop, support and finance specific projects for the welfare of member OFWs and their families, and to ensure implementation of all laws and ratified international conventions within its jurisdiction.

The OWWA is directed and controlled by a Board of Trustees which acts as its policy-making body. The Board is presently composed of thirteen (13) members, to wit:

- (a) *Secretary of Labor and Employment, as Chairperson;*
- (b) *OWWA Administrator, as Vice Chairperson;*
- (c) *Secretary of Foreign Affairs;*
- (d) *Secretary of Finance;*
- (e) *Secretary of Budget and Management;*
- (f) *Philippine Overseas Employment Administration (POEA) Administrator;*
- (g) *Two (2) representatives from the land-based OFWs who are nominated and appointed in accordance with the provisions of Republic Act No. 8042, as amended by Republic Act No. 10022;*
- (h) *Two (2) representatives from the sea-based OFWs who are nominated and appointed in accordance with the provisions of Republic Act No. 8042, as amended by Republic Act No. 10022;*
- (i) *One (1) representative from the women sector who is nominated and appointed in accordance with the provisions of Republic Act No. 8042, as amended by Republic Act No. 10022;*
- (j) *One (1) representative from the land-based recruitment sector who is selected from among the various associations of registered overseas placement and recruitment agencies based in the Philippines; and*
- (k) *One (1) representative from the sea-based manning sector who is selected from among the various associations of registered overseas placement and recruitment agencies based in the Philippines.*

The specific responsibilities and powers of the Board of the Trustees are as follows:

- (a) *To define the thrusts of the OWWA and adopt policy guidelines to ensure their implementation;*
- (b) *To approve programs, projects, and the organizational structure of the OWWA Secretariat;*
- (c) *To preserve the integrity of the OWWA Fund;*
- (d) *To modify or adjust the membership contribution and other necessary charges based on periodic reviews and actuarial studies, subject to due consultation with OFWs or nongovernment organizations (NGOs) advocating the protection of the rights and welfare of OFWs and their families;*
- (e) *To formulate rules and regulations governing financial transactions and prepare the annual and supplemental budget of the Secretariat for submission to the DBM;*
- (f) *To formulate rules and regulations governing the conduct and discipline of OWWA officials and employees in accordance with civil service rules;*
- (g) *To ensure the efficiency of collection and the viability and sustainability of the fund through sound and judicious investment and fund management policies;*

- (h) *To receive and appropriate all sums to carry out the purposes and functions of the OWWA;*
- (i) *To authorize the construction or repair of its buildings, machinery, equipment and other facilities, the purchase and acquisition of real and personal properties, including the necessary supplies, materials and equipment;*
- (j) *To receive in trust legacies, gifts and donations of real and personal property of all kinds, and to administer and dispose the same when necessary for the benefit of the OWWA general membership and subject to the instructions of the donor, if any;*
- (k) *To delegate any of its powers to the Chairperson of the Board or to the Administrator of the OWWA Secretariat in case of any national emergency that affects the rights and welfare of its member-OFWs and their families;*
- (l) *To prescribe such general policies, rules and regulations, not contrary to law, consistent with the purposes of the OWWA subject to due consultation with OFWs or NGOs advocating the protection of the rights and welfare of OFWs and their families; and*
- (m) *To exercised such, powers as may be proper and necessary to carry out the objectives of the Act.*

Hence, the direct significance of the functions of the Board relative to the promotion of the rights, interest and welfare of the OFWs and their families cannot be understated.

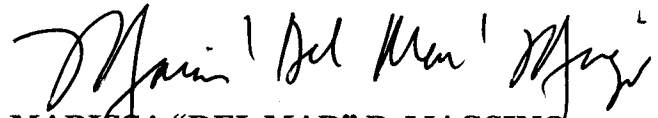
In recognizing thereof, Republic Act No. 8042, or the “Migrant Workers and Overseas Filipinos Act of 1995”, as amended by Republic Act No. 10022, declared as one of its policies to recognize and guarantee the right of Filipino migrant workers and all overseas Filipinos to participate in the democratic decision-making processes of the State and to be represented in institutions relevant to overseas employment. Thus, it mandated for additional members of the OWWA’s Board who shall come from the sea-based and land-based OFWs and the women sectors, to be selected and nominated openly by the general membership of the sectors being represented.

To promote greater participation in decision-making, this bill seeks to further add to the membership of the land-based and sea-based OFW sector in the OWWA’s Board of Trustees from two (2) to three (3) each, thereby increasing the total membership of the Board from thirteen (13) to fifteen (15). This will help towards creating policies and designing services reflective of the real needs and circumstances of the sector, enriched with their additional experience and expertise.

Representation is at the core of democratic processes and is the link between the representatives and the sectors or interests represented in ensuring that their true

sentiments and preferences are adopted in the decision-making process. In the context of the doctrine of the 'rule of the majority', an increase in the membership of a particular sector in a multi-sectoral governing body enhances the chances of its position being considered and taken. It will also facilitate the generation of more valuable inputs from additional competent and motivated minds representing the sector. For after all, the rights, interest and welfare of the sector concerned are the primary reasons for the existence of the established governing body.

Foregoing disquisitions considered, the immediate consideration and approval of the foregoing measure is earnestly urged.



MARISSA "DEL MAR" P. MAGSINO



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INTRODUCED BY:

**REPRESENTATIVE MARISSA “DEL MAR” P. MAGSINO
ONE FILIPINOS WORLDWIDE (OFW) PARTYLIST**

AN ACT
INCREASING THE MEMBERSHIP OF OVERSEAS FILIPINO WORKERS
(OFW) SECTORAL REPRESENTATIVES IN THE BOARD OF TRUSTEES OF
THE OVERSEAS WORKERS WELFARE ADMINISTRATION (OWWA),
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10801,
OTHERWISE KNOWN AS THE
“OVERSEAS WORKERS WELFARE ADMINISTRATION ACT”

SECTION 1. Section 20 of Republic Act No. 10801, otherwise known as the ‘Overseas Workers Welfare Administration Act’, is hereby amended to read as follows :

Section 20. *The OWWA Board of Trustees.* – To carry out the purposes of this Act, the OWWA shall be directed and controlled by a Board of Trustees which shall act as its policy-making body. It shall be composed of the following members:

- (a) Secretary of Labor and Employment, as Chairperson;
- (b) OWWA Administrator, as Vice Chairperson;
- (c) Secretary of Foreign Affairs;
- (d) Secretary of Finance;

- (e) Secretary of Budget and Management;
- (f) POEA Administrator;
- (g) **THREE (3) representatives from the land-based OFWs** who are nominated and appointed in accordance with the provisions of Republic Act No. 8042, as amended by Republic Act No. 10022;
- (h) **THREE (3) representatives from the sea-based OFWs** who are nominated and appointed in accordance with the provisions of Republic Act No. 8042, as amended by Republic Act No. 10022;
- (i) One (1) representative from the women sector who is nominated and appointed in accordance with the provisions of Republic Act No. 8042, as amended by Republic Act No. 10022;
- (j) One (1) representative from the land-based recruitment sector who is selected from among the various associations of registered overseas placement and recruitment agencies based in the Philippines, who shall be appointed by the President of the Philippines to serve a single term of three (3) years; and
- (k) One (1) representative from the sea-based manning sector, who is selected from among the various associations of registered overseas placement and manning agencies based in the Philippines, who shall be appointed by the President of the Philippines to serve a single term of three (3) years.

The Trustees holding office as members of the OWWA Board at the time of the effectivity of this Act shall continue to serve until the expiration of their term of appointments.

In case of vacancy in any of the appointive positions in the OWWA Board, the vacancy shall be filled by the subsequent nomination of the respective sector concerned, in the same manner as the selection of the predecessor. Such successor shall hold office for the unexpired term.

SECTION 2. *Repealing Clause* - All laws, decrees, executive orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 3. *Effectivity Clause*. - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.