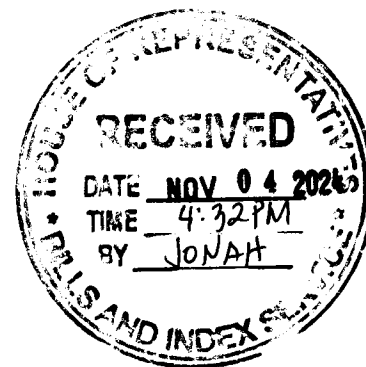




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. **11027**



Introduced by Representative Crispin Diego “Ping” D. Remulla

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

For decades, Overseas Filipino Workers (OFWs) have been considered as our modern-day heroes. They are a critical force in boosting the national economy through their remittances. Despite their sacrifices of being in a foreign land away from their family, they provide for their families and contribute to the economic stability of the country. However, many OFWs face dangerous working conditions in foreign lands. Some OFWs have met their untimely death or permanent disabilities due to these conditions.

This bill seeks to provide educational scholarships to the immediate dependents of OFWs who have died or suffered total and permanent disabilities while working abroad or overseas. By ensuring that these dependents have access to education, we are ensuring that the affected families are empowered with the knowledge necessary for personal and professional

growth. This measure will ensure that the children who are left behind can secure a better future through education.

In view of the foregoing, the approval of this measure is earnestly sought.

A handwritten signature in black ink, consisting of a stylized 'R' followed by a cursive 'D' and 'R'.

CRISPIN DIEGO "PING" D. REMULLA



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

1 **SECTION 1. Short Title.** – This Act shall be known as the “OFW Dependents
2 Scholarship Act.”

3 **SEC. 2. Declaration of Policy.** – This Act is in furtherance of the State policies of the
4 Constitution, to wit:

- 5 a) Section 12, Article II, of the Constitution, states that the State recognizes the
6 sanctity of family life and shall protect and strengthen the family as a basic
7 autonomous social institution. It shall equally protect the life of the mother and the
8 life of the unborn from conception. The natural and primary right and duty of
9 parents in the rearing of the youth for civic efficiency and the development of moral
10 character shall receive the support of the government;

- b) Section 1, Article XV, of the Constitution, provides that the State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development;
- c) Section 3, (2) of the same article states that the State shall defend 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;
- d) Section 2, (3) Article XIV of the Constitution provides that the State shall 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;
- e) Article 149 of the Family Code refers to the family as a basic social institution which public policy cherishes and protects; and
- f) Section 18, Article II of the Labor Code states that the State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.

SEC. 3. Definition of Terms. – As used in this Act, the following terms shall mean:

- a) Overseas Filipino Workers (OFWs) 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 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;

1 c) Total and permanent disability is if as a result of the injury or sickness, the person
2 is unable to perform any gainful occupation for a continuous period exceeding 120
3 days;

4 d) Documented Overseas Filipino Workers (OFW) or Migrant Workers refer to those:

- 5 i. Who possess valid passports and visas, or permits to stay in the host country
6 and whose contracts of employment have been processed by the Department
7 of Migrant Workers; or
8 ii. Registered by the Migrant Workers and Other Overseas Filipino Resource
9 Center or by the Embassy.

10 Those who do not fall under the preceding paragraph are considered
11 undocumented OFWs or Migrant Workers; and

12 e) Undocumented Filipinos refer to those:

- 13 i. Who acquired their passports through fraud or misrepresentation;
14 ii. Who possess expired visas or permits to stay;
15 iii. Who have no travel documents whatsoever;
16 iv. Who have valid but inappropriate visas;
17 v. Who leave the country to work abroad without any documentation from the
18 POEA; and
19 vi. Who initially have papers from the POEA but whose validity expired.

20 **SEC. 4. Coverage.** – This Act shall cover immediate dependents of Overseas Filipino
21 Workers (OFWs), whether documented or undocumented, who died or suffered total and
22 permanent disabilities while working abroad. The said immediate dependents are interested
23 and qualified to pursue an educational course or training.

24 **SEC. 5. Objective.** – The paramount objective of this Act is to provide assistance to
25 immediate dependents of Overseas Filipino Workers who died or suffered a total and

1 permanent disability while working abroad or overseas by providing educational scholarship
2 programs as a form of recognition by the State of the OFW's significant contribution to the
3 national economy.

4 **SEC. 6. Appropriations.** – The amount necessary to effectively implement the
5 provisions of this Act shall be included in the annual General Appropriations Act.

6 **SEC. 7. Implementing Rules and Regulations.** – The Secretary of the Department of
7 Migrant Workers is hereby tasked to implement this Act, and shall, in coordination with the
8 Department of Labor and Employment (DOLE), the Department of Education (DepEd), the
9 Philippine Overseas Employment Administration (POEA), the Overseas Workers Welfare
10 Administration (OWWA), and other concerned agencies, formulate the necessary
11 implementing rules and regulation to effectively implement the provisions of this Act within
12 ninety (90) days after its effectivity.

13 **SEC. 8. Non-Impairment Clause.** – Nothing in this Act shall be construed as to
14 diminish, impair, or repeal rights recognized, granted, or made available to disadvantaged,
15 marginalized, or specific sectors under existing laws.

16 **SEC. 9. Separability Clause.** – If any part of this Act is declared unconstitutional or
17 invalid, the other provisions not affected thereby shall continue to be in full force and effect.

18 **SEC. 10. Repealing Clause.** – All laws, decrees, orders, rules, and regulations or parts
19 thereof inconsistent with this Act are hereby repealed or amended accordingly.

20 **SEC. 11. Effectivity.** - This Act shall take effect after fifteen (15) days following its
21 publication in the Official Gazette or in any major newspaper of general circulation in the
22 Philippines.

Approved,