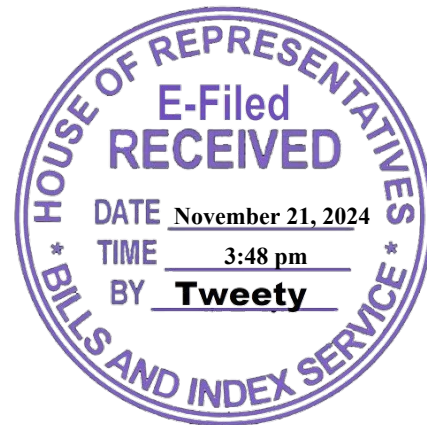




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Nineteenth Congress

Third Regular Session
House Bill No. **11130**

Introduced by :

HON. MARISSA 'DEL MAR' MAGSINO
OFW PARTY LIST

EXPLANATORY NOTE

As a matter of State policy, labor migration is regarded as temporary and assumes that Overseas Filipino Workers (OFWs) would eventually return to the country upon retirement or termination of contract, if not earlier due to voluntary or mandatory repatriation under any of the recognized grounds. However, OFWs returning to the Philippines, whether repatriated or otherwise, face the challenges of reintegrating into society via a smooth transition. For this reason, in the entire labor migration cycle, reintegration is considered a critical end-of-process stage where the financial sustainability, personal well-being, and the re-establishment of warm relationships with their families and communities hang in the balance.

Reintegration of returnee-OFWs essentially requires a set of integrated measures intended for mainstreaming the sustainable return of OFWs into Philippine society. It necessitates a holistic approach, including but not limited to social reintegration, psychosocial and counseling services, livelihood projects, wellness programs, financial literacy programs and other similar projects, based on the specific needs of the returning OFWs.

Hence, sustainable reintegration is considered achieved when returnee-OFWs have reached levels of economic self-sufficiency, social stability within their communities, and psychosocial well-being, empowering them to tackle the question of further migration as a matter of choice than necessity.

This bill seeks to focus on and address the issues confronting returnee-OFWs, specifically on the availability of and access to decent local employment prospects and entrepreneurial or livelihood opportunities to facilitate their and their families' transition and settlement to normal life. These concerns on 'economic reintegration' are

particularly pressing to returnee-OFWs who have been repatriated due to untimely job loss, disabling illnesses and health issues, or having been victims of illegal recruitment and human trafficking.

To address these concerns, the proposed measure aims to establish an integrated reintegration program for returnee-OFWs and mandates concerned government agencies, particularly the Department of Migrant Workers (DMW), the Overseas Workers Welfare Administration (OWWA), the Department of Trade and Industry (DTI), the Civil Service Commission (CSC), and local government units (LGUs), to plan and implement series of job fairs in strategic sites in the country where there is significant presence of returnee-OFWs for their possible employment in the private and public sectors, taking into consideration their specific skills, credentials, and experience acquired from working overseas.

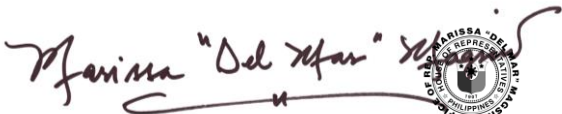
Financing or loan assistance will also be provided to aspiring returnee-OFWs, with the support of the Department of Finance (DOF), the Department of Budget and Management (DBM) and government financial institutions (GFIs) concerned, dedicated to facilitating the establishment, operation, and sustainability of enterprises and livelihood projects of returnee-OFWs, with minimal and affordable terms and conditions. Moreover, to support their entrepreneurial undertakings, relevant trainings and related capacity-building activities will be provided free of charge.

Additionally, to further achieve the economic empowerment of OFW-owned enterprises and livelihood projects, this bill offers exemptions from income tax on the earnings of the ventures and from customs tax and duties in the importation of raw materials, capital equipment, machinery and spare parts exclusively for the use of the returnee-OFW-owned enterprise or livelihood project, as well as other tax incentives.

Finally, the bill also seeks to provide returnee-OFWs with opportunities for community engagements and easier access to psychosocial and counseling services, and to healthcare and education.

The State recognizes the significant contributions of our OFWs to the national economy through their foreign exchange remittances, which provide impetus to the nation's economic growth and development. This bill not only brings flesh to the State's response to its constitutional duty to promote the welfare of OFWs, especially in their strive for sustainable reintegration to society upon their return back home, but also allows returnee-OFWs to continuously contribute to the economy and society.

For the foregoing reasons, the immediate approval of the bill is earnestly urged.


The image shows a handwritten signature in dark ink, which appears to read "Marissa 'Del Mar' Magasino". To the right of the signature is a circular official seal. The seal contains the text "OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES" around the perimeter and "PHILIPPINES" at the bottom. In the center of the seal is a smaller emblem. Below the seal, the text "NOT VALID WITHOUT OFFICIAL SEAL" is printed in small capital letters.

HON. MARISSA 'DEL MAR' MAGASINO



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HON. MARISSA 'DEL MAR' MAGSINO
OFW PARTY LIST

AN ACT
PROVIDING FOR AN INTEGRATED REINTEGRATION PROGRAM OVERSEAS
FILIPINO WORKERS RETURNING TO THE PHILIPPINES

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 ‘Overseas Filipino Workers Integrated Reintegration Act’.

Section 2. *Declaration of Policy* – The State recognizes the significant contributions of Overseas Filipino Workers (OFWs) to the national economy through their foreign exchange remittances, which provide impetus to the nation’s economic growth and development. In cognizance thereof, the State shall promote and implement measures in pursuit of sustainable reintegration of OFWs returning into Philippine society, particularly the accessibility of local employment and entrepreneurial and livelihood opportunities, development of financial literacy programs, and other similar projects, based on the specific needs and skills of the returning OFWs, to enable them to attain economic self-sufficiency, social stability within their communities, and psychosocial well-being, consistent with the policy that migration decisions are a matter of choice than necessity.

Section 3. *Principle of Integrated and Sustainable Approach to Returnee-OFW Reintegration* - This Act recognizes the need for an integrated approach to reintegration in addressing the economic, social, and psychosocial dimensions of

reintegration through multi-level and multi-sectoral programming involving concerned individuals and communities, and relevant private and public institutions.

Section 4. *Applicability* – This Act shall apply to all returnee-OFWs regardless of typology and status, including land-based and sea-based OFWs, documented or undocumented, those voluntarily or mandatorily repatriated irrespective of grounds, and those returning to the country on retirement or upon termination of overseas employment contract.

For purposes of this Act:

- a) *Documented OFWs* refers to those who possess valid passports and appropriate visas and permits to stay and work in the receiving country and whose contracts of employment have been processed by the Department of Migrant Workers (DMW), or subsequently verified and registered on-site by the Migrant Workers Office (MWO), when required; and
- b) *Undocumented OFWs* are those who acquired their passports through fraud or misrepresentation, or possess expired or valid but inappropriate visa or permits to stay, or whose employment contracts were not processed by the Department of Migrant Workers (DMW) nor subsequently verified and registered on-site by the Migrant Workers Office (MWO), and those who have no travel document whatsoever.

Section 5. *Access to Local Employment Opportunities* – The Department of Migrant Workers (DMW) together with the Overseas Workers Welfare Administration (OWWA), in coordination with the Department of Labor and Employment (DOLE) and the Department of Trade and Industry (DTI), and in consultation with concerned business chambers and groups in the private sector, shall regularly plan and conduct series of job fairs in strategic sites in the country where there is significant presence of returnee-OFWs for their possible employment in the private sector, taking into consideration their specific skills, credentials, and experience acquired from working overseas.

Likewise, the DMW together with the OWWA, in coordination with the Civil Service Commission (CSC) and the Department of the Interior and Local Government (DILG), shall regularly plan and conduct series of job fairs in strategic local government units (LGUs) in the country where there is significant presence of returnee-OFWs for their possible employment in the civil service in the national government and its instrumentalities, or in the local government, or for academic and non-academic positions in public schools and state colleges and universities (SUCs) in coordination with the Department of Education (DepEd) and the Commission on Higher Education (CHED), taking into consideration their specific skills, credentials, eligibilities, and experience acquired from working overseas.

Section 6. *Returnee-OFWs Management Information System* – The DMW, together with OWWA, shall establish a database with information on the educational attainment, skill levels, and experience of all returning OFWs.

This shall be utilized as a referral system to the private sector and government institutions for job matching and possible hiring, and/or skills upgrading.

Section 7. Capacity-Building and Trainings on Entrepreneurship and Livelihood Management - The DMW together with the OWWA, in coordination with the DTI, the Technical Education and Skills Development Authority (TESDA) and other concerned government agencies, and in consultation with relevant business groups for prospective mentoring and industry-networking, shall provide pertinent trainings and related capacity-building activities to returnee-OFWs who are seeking to engage in entrepreneurial and other livelihood and income-generating activities, free of charge. The trainings shall primarily focus on, but not limited to the following relevant areas:

- a) Business/Enterprise conceptualization, including the conduct of feasibility studies and piloting;
- b) Business/Enterprise promotion and advertising strategies and activities;
- c) Marketing and service/product delivery strategies;
- d) Identification and sourcing of sustainable business financing; and
- e) Information on and compliance with government regulatory and administrative requirements on business establishment and operation, including taxation and relevant labor laws.

Section 8. Dedicated Financing/Loan Programs – The DMW together with the OWWA, in coordination with the Department of Finance (DOF), the Department of Budget and Management (DBM), and government financial institutions (GFIs), shall develop and provide financing or loan programs dedicated to facilitating the establishment, operation, sustainability, or later expansion, of enterprises and livelihood projects of returnee-OFWs with minimal and affordable terms and conditions: *Provided*, That the programs shall exclusively cater to returnee-OFWs with no existing enterprise or livelihood project, or if one is existing but dismally performing, the need for support to revitalize the undertaking is clearly established: *Provided further*, That those with existing enterprises that are robust shall be accommodated by DTI's standing programs.

Section 9. Tax Exemption and Other Incentives – A returnee-OFW-owned enterprise or livelihood project shall be exempt from the payment of income tax for a non-extendible period of five (5) years from registration: *Provided*, That the exemption is without prejudice to any other tax benefit granted to the enterprise or livelihood project under existing laws.

A returnee-OFW-owned enterprise or livelihood project may also avail of the following incentives for a non-extendible period of five (5) years from registration:

- a) Fifty percent (50%) reduction on real property taxes imposed on real property if actually used in the returnee-OFW-owned enterprise or livelihood project;
- b) Tax and duty-free importation of raw materials, capital equipment, machinery and spare parts exclusively for the use of the returnee-OFW-owned enterprise or livelihood project; and
- c) Preferential access to financing from GFIs at preferred rates of interest and other terms and conditions.

Section 10. *Social Assistance Measures* – The DMW, together with OWWA and the Department of Social Welfare and Development (DSWD), shall include returnee-OFWs as beneficiaries in their social protection programs.

The DMW shall likewise encourage community engagements for returnees-OFWs and their families led by its regional offices.

Section 11. *Psychosocial and Counselling* – The DMW, together with OWWA and the Department of Health (DOH), shall facilitate psychosocial support and reintegration counselling for returnee-OFW and their families.

Section 12. *Implementing Rules and Regulations* – The DMW together with OWWA, in coordination with DTI, DILG, DOLE, DOF, DBM, DepEd, TESDA, CHED, DSWD, and DOH, and in consultation with other concerned government agencies and relevant stakeholders, shall promulgate the rules and regulation necessary for the effective implementation of this Act within ninety (90) days from the effectivity of this Act.

Section 13. *Appropriations* – The amount necessary to carry out the provisions of this Act shall be charged against those authorized in the current and subsequent General Appropriations Act.

Section 14. *Separability Clause* – If for any reason, any section, clause, or term of this Act is held to be illegal, invalid, or unconstitutional, such parts not affected by such declaration shall remain in full force and effect.

Section 15. *Repealing Clause* – All laws, presidential decrees, issuances, executive orders, letters of instruction, rules, and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 16. *Effectivity Clause* -This Act shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

Approved,