



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Batasan Hills, Quezon City

**NINETEENTH CONGRESS**  
Third Regular Session

**HOUSE BILL NO. 11148**



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Introduced by  
**HON. ATTY. GERVILLE “JINKY BITRICS” R. LUISTRO**

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**AN ACT REMOVING THE AGE RESTRICTION ON FILIPINO MIGRANT  
DOMESTIC WORKERS, AMENDING FOR THE PURPOSE  
SECTION 4 PARAGRAPH (M) OF REPUBLIC ACT NO.  
9208, AS AMENDED, OTHERWISE KNOWN AS THE “ANTI-TRAFFICKING IN  
PERSONS ACT OF 2003”**

**EXPLANATORY NOTE**

Republic Act No. 9208, also known as the “Anti-Trafficking in Persons Act of 2003”, serves as the foundational legal framework aimed at preventing human trafficking in the Philippines. The law seeks to uphold human dignity, protect individuals from violence and exploitation, reduce the pressures that lead to involuntary migration and servitude, provide support to trafficked persons, and ensure their recovery, rehabilitation, and reintegration into society.

Among the most significant sectors of employment for Overseas Filipino Workers (OFWs) is overseas domestic work, which accounts for approximately one-quarter of the total OFWs deployed annually. Unfortunately, domestic workers, now referred to as household service workers, represent one of the most vulnerable groups subject to trafficking, exploitation, and forced labor. This vulnerability is exacerbated by the private and informal nature of domestic work, which is often carried out within the employer's household and characterized by informal, unregulated employment arrangements. The situation is particularly dire for migrant child domestic workers (CDWs).

Migrant CDWs are typically young, economically disadvantaged, often female, and highly susceptible to trafficking and sexual exploitation. Research indicates that child domestic workers face significant psychosocial and physical risks, including long working hours, excessive

employer control, and physical and emotional abuse within the household in which they are employed.

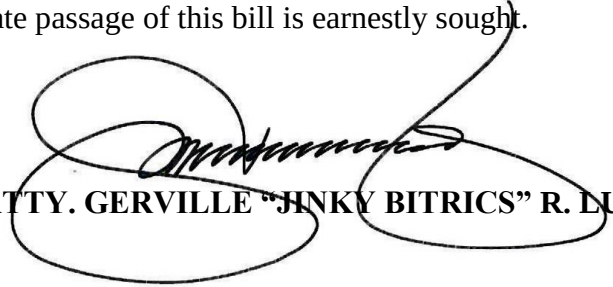
In response to these grave concerns, Republic Act No. 11862, also known as the “Expanded Anti-Trafficking in Persons Act of 2022”, amended RA 9208 to enhance the legal framework for protecting migrant children. The amendment explicitly includes the act of recruiting, transporting, obtaining, transferring, harboring, maintaining, offering, hiring, providing, receiving, or adopting a child for overseas employment as a form of human trafficking, irrespective of the use of force, threat, abduction, or other unlawful means.

However, the amendment also introduced a controversial proviso, specifying that in the context of overseas domestic work, a "child" is defined as an individual under the age of twenty-four (24) years. This age-based restriction is both discriminatory and restrictive, particularly for Filipino migrant women who work as domestic workers. By classifying domestic workers under the age of 24 as victims of trafficking, the proviso effectively limits their opportunities for overseas employment, violating their rights to work and travel.

International conventions and domestic laws universally define a "child" as an individual under the age of eighteen (18) years. Therefore, the age limit imposed by the amendment is inconsistent with established legal definitions and may unintentionally undermine the protection of migrant women workers who are above the age of 18 but still face significant risks of exploitation.

This bill seeks to delete the subject proviso in Section 4, paragraph (m) of RA 9208 as amended by Republic Act No. 11862.

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



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

**Section 1.** Section 4 of Republic Act No. 9208, otherwise known as the 'Anti-Trafficking in Persons Act of 2003', as amended, is hereby further amended to read as follows:

'Section 4. Acts of Trafficking in Persons - It shall be unlawful for any person, natural or juridical, to commit by means of a threat, or use of force, or other forms of coercion, or through abduction, fraud, deception, abuse of power or of position, or through taking advantage of the vulnerability of the person, or by giving or receiving of payment or benefit to obtain the consent of a person having control over another person, any of the following acts:

**x x x**  
**x x x**  
**x x x**

(m) To recruit, transport, obtain, transfer, harbor, maintain, offer, hire,

provide, receive or adopt a child for deployment abroad as migrant worker.

*Provided*, That when the victim is a child, the means to commit these unlawful acts as enumerated in the first paragraph of this section shall not be necessary.~~[Provided, further, that in the case of overseas domestic work, a 'child' means a person below twenty-four (24) years old.]'~~

**Section 2. *Repealing Clause*.** All laws, presidential decrees, issuances, executive orders, letters of instruction, rules or regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**Section 3. *Effectivity*.** This Act shall take effect fifteen (30) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.