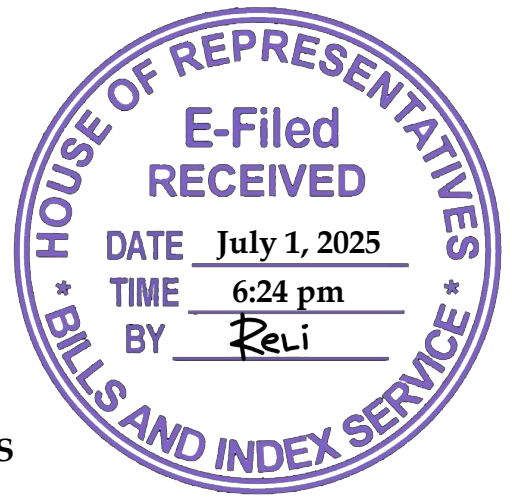




Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Batasan Hills, Quezon City

**TWENTIETH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 1044**

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Introduced by 4Ps Partylist Representative  
**JC M. ABALOS**

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**EXPLANATORY NOTE**

Those who have less in life must have more in law.

The Philippine Constitution affirms this ideal that it pledges to protect the rights of workers and promote their welfare in recognition of the role of labor as the primary economic force of the nation. Moreover, enshrined in our Constitution is the guarantee that the State shall promote the right of individuals towards adequate social services, full employment, improved quality of life, and increased standard of living. It formulates and adopts policies aimed at freeing the people from poverty. The State ensures this is realized through social protection programs and strategies that benefit the people, especially the marginalized and underprivileged.

Among the marginalized workers deserving of attention are the golf caddies, whose compensation parallels that of workers in the informal sector. The informal sector encompasses individuals who earn daily wages and generally lack protection under the country's labor laws and regulations.

According to the March 2022 Labor Force Survey conducted by the Philippine Statistics Authority (PSA), approximately 36.2 percent or 17.016 million of the employed population can be classified as informal sector workers. Their considerable numbers translate into significant contributions to the economy, as evidenced by data from the PSA indicating that the informal sector accounted for a substantial P5.013 trillion of the country's Gross Domestic Product (GDP).

However, despite their vital role in sustaining the economy, workers in the informal sector often go unnoticed. This situation also extends to golf caddies, who provide their services to specific golf and country clubs without a formal employee-employer relationship. Hence, remuneration for golf caddies is typically given as "tips" or gratuity payments directly from golf players, following a standard going rate in the industry. Consequently, they lack job security, guaranteed pay or compensation, and protection against work-related injuries, accidents, or even death.

Despite the inherent hardships associated with their profession, their untapped potential and aspirations for themselves and their families, golf caddies warrant recognition and support. Noteworthy is the background of Mayor Benjamin S. Abalos Sr. A proud caddy himself for a number of years who strove hard and transformed any perceived limitations into opportunities. He is an example of an individual who relied on odd jobs, including caddying, to support his studies to eventually achieve success. Although, it is important to acknowledge that not all caddies can achieve the same level of success as Mayor Abalos. However, the resilience, determination, and prevailing realities of golf caddies cannot be ignored. The State can minimize their vulnerability to risks by enacting laws and adopting programs that safeguard their well-being.

This proposed measure aims to establish channels through which golf caddies, whose unprotected and unregulated occupations fall within the informal sector and are highly susceptible to economic disruptions, may access the government's social protection. This shall be achieved through the implementation of affordable daily contribution schemes or other comparable strategies. By bringing social protection initiatives closer to those in need, the allure of these services increases, alleviating the necessity for individuals to traverse multiple government offices merely to access the social protection to which they are inherently entitled. Furthermore, the bill endeavors to establish a welfare fund for caddies, ensuring their well-being in instances of work-related accidents, illnesses, or fatality.

Finally, the measure is a step towards encouraging our golf caddies to create good habits. It is the hope of this representation that the sector will see this measure as an investment for their future and that of their families.

In view of the foregoing, approval of the bill is earnestly sought.



JC M. ABALOS  
*Representative*  
*4Ps Partylist*



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**AN ACT**  
**PROMOTING AND UPHOLDING THE WELFARE OF GOLF CADDIES**

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

**CHAPTER I**  
**GENERAL PROVISIONS**

**SECTION 1. *Short Title.*** - This Act shall be known as the "*Golf Caddies Welfare Act.*"

**SEC. 2. *Declaration of Policy.*** - It is hereby declared the policy of the State to ensure holistic growth and prosperity of the country that bears in mind the welfare and needs of the people. The State declares labor as an important force that drives economic and social growth. It shall ensure labor protection and welfare, primarily by providing opportunities for social protection and employment that promotes an improved quality of life of workers.

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

- a. *Association* refers to the golf caddies' association which is a nonstock, nonprofit corporation registered with the Securities and Exchange

Commission (SEC) organized by duly accredited golf caddies of a public or private sports and/or golf country club.

- b. *Contribution* refers to the amount paid by a golf player that goes to the welfare fund for golf caddies.
- c. *Country club* refers to a publicly and privately owned and managed club that has a variety of recreational sports and facilities such as for dining, entertainment, and recreation.
- d. *Golf caddy* refers to any individual or any natural person who is hired, retained, or acts as an independent contractor to provide work or service to a golf player in exchange for wage or other forms of compensation.
- e. *Golf club member* refers to any person with preferential access to a golf country club's course(s), facilities, and services in exchange for a fee.
- f. *Golf course* refers to any area of land laid out for golf with a series of holes including tee, fairway, and putting green and often one or more natural or artificial hazards.

**SEC. 4. *Registration with the SEC.*** – Every association of golf caddies shall be required to register with the SEC. This registration shall serve as the juridical personality to all such associations that have not previously acquired the same by operation of the Revised Corporation Code of the Philippines, or Republic Act No. 11232, or by any other law. The existence of associations previously registered with the SEC shall be respected.

## CHAPTER II

### GOLF CADDIES' ASSOCIATION

**SEC. 5. *Qualification of a Member.*** – A golf caddy as defined under this Act shall be qualified to be a member of an association: *Provided*, That the golf caddy is accredited in the golf country club where he/she shall provide caddy services to the golf players of the country club where the association is recognized: *Provided, further*, That the golf caddy agrees to be bound by the rules of the association unless those rules are inconsistent with this Act or by any other law.

**SEC. 6. *Rights of a Member.*** – A golf caddy member has full rights:

- a. to avail of and enjoy all services provided by the association;

- b. to access the register of members and officers, rules and bylaws of association;
- c. to inspect association books and records, minutes of the meetings, and to be provided upon request with annual reports, including financial records;
- d. to participate, vote and be eligible for any elective or appointive office of the association subject to the qualifications as provided for in the bylaws;
- e. to participate in association meetings, elections and referenda, as long as he/she continues to be a bona fide member; and
- f. to enjoy all other rights as may be provided for in the association bylaws.

**SEC. 7. *Duties of a Member.*** – A golf caddy member shall have the following duties:

- a. to attend meetings of the association; and
- b. to support and participate in projects and activities of the association.

**SEC. 8. *Golf Caddies Database.*** – The golf country club local association, in coordination with the management of the golf country club, shall establish and maintain a database system that contains an updated roster of all golf caddies and other related service workers rendering work or service to the members and players of the golf country club.

The database shall be in aid of the implementation of the Golf Caddies Welfare Fund pursuant to this Act: *Provided*, That management and processing of the database shall be in accordance with the General Data Privacy Principles found in the Data Privacy Act of 2012.

### CHAPTER III

#### GOLF CADDIES WELFARE FUND

**SEC. 9. *Golf Caddies Welfare Fund (GCW Fund).*** – To carry out the purpose of this Act, the Golf Caddies Welfare Fund, herein referred to as GCW Fund, is hereby created.

Golf caddies' association, duly registered in the SEC, together with country club management or its representative, shall create a GCW Fund in their respective golf country clubs, public and private, within six (6) months upon the approval of this Act. The GCW Fund shall form a compensation package to golf caddies and/or their dependents in the event of work-related sickness, injury, death, retirement benefits, and other appropriate form of compensation thereof. The GCW Fund shall be created from the contribution of a golf player, either as a member or guest of a golf country club, who shall use the service of a golf caddy: *Provided*, That the golf caddy is accredited by the golf country club where the golf player shall make the contribution.

**SEC. 10. *Management of GCW Fund.*** – The GCW Fund shall be held-in-trust and managed by the Social Security System. The SSS shall have the authority to manage, invest, and reinvest the GCW Fund in favor of the golf caddies duly accredited by the golf clubs and members of their respective golf caddy associations.

**SEC. 11. *Contributions.*** – A golf player shall contribute not less than One Hundred Pesos (Php 100.00) every time they acquire the services of an accredited golf caddy in a country club. Each contribution shall be credited to the GCW Fund account of the golf caddy who rendered services to the golf player contributor.

All golf country clubs shall have GCW Fund Custodians who shall receive and record all contributions made to each golf caddy. The GCW Fund Custodians are composed of two (2) representatives from the golf caddies' association and one (1) representative of the golf country club: *Provided*, That the representatives of the golf caddies' association are appointed from the roster of its members.

The GCW Fund Custodians shall provide an annual report to all its golf caddy members of all contributions and payments made to GCW Fund.

**SEC. 12. *Tax Treatment of Investment Income.*** – All income earned from the investments and reinvestments of the GCW Fund is tax-exempt.

**SEC. 13. *Coverage.*** – This Act shall apply to all golf caddies, who render work or service to public and private golf country clubs, as beneficiaries of the

compensation package and other appropriate form of compensation thereof appropriated under the Golf Caddies Welfare Fund.

**SEC. 14. *Eligibility of GCW Fund Benefits.*** - Golf Caddies and/or their dependents are eligible to receive compensation from their GCW Fund in the event of work-related sickness, injury, disability, and death. The compensation assistance shall be determined by the SSS and GCW Fund Custodians in cooperation with the accredited golf caddy associations and golf country club representatives.

**SEC. 15. *Distribution of GCW Fund Benefits.*** - Distribution of all contributions and incomes derived from investment and reinvestment of the GCW Fund shall be made to a golf caddy upon discontinuance of service but whose GCW Fund account has been credited with at least 120 contributions. A golf caddy member may claim their GCW Fund benefits in lump-sum cash or opt to transfer contributions to their SSS account or other available SSS programs.

#### **CHAPTER IV**

##### **SOCIAL PROTECTION PROGRAMS ACCESS**

**SEC. 16. *Access to Social Protection Programs.*** - To carry out the purpose of this Act, the government agencies in charge of social protection insurance programs including, but not limited to, Social Security System (SSS), the Philippine Health Insurance Corporation (PhilHealth), and the *Pagtutulungan sa Kinabukasan: Ikaw, Bangko, Industriya, at Gobyerno* (Pag-IBIG), shall establish, within sixty (60) days upon the approval of this Act, a procedure that will provide golf caddies access to their social protection insurance services through affordable daily contribution scheme, or any other mechanism of similar nature.

All golf country clubs shall provide suitable dedicated space within the golf country club and/or golf course that shall be used by the SSS, PhilHealth, and Pag-IBIG personnel to conduct their social protection insurance procedure, or any other mechanism of similar nature: *Provided*, That the said suitable and dedicated space shall be accessible to golf caddies providing work or service to their golf country club or golf course: *Provided, further*, That payment of the SSS, PhilHealth, and Pag-IBIG contributions shall be voluntary and shouldered by the golf caddies.

## CHAPTER V

### FINAL PROVISIONS

**SEC. 17. *Implementing Rules and Regulations.*** – The Social Security System, the Department of Labor and Employment (DOLE), SEC, and other relevant stakeholders, shall formulate and issue the implementing rules and regulations within sixty (60) days from the effectivity of this Act.

**SEC. 18. *Separability Clause.*** – If any provision or part hereof is declared unconstitutional, the remainder of this Act or any provision not affected shall remain in full force and effect.

**SEC. 19. *Repealing Clause.*** – All laws, presidential decrees, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

**SEC. 20. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

*Approved,*