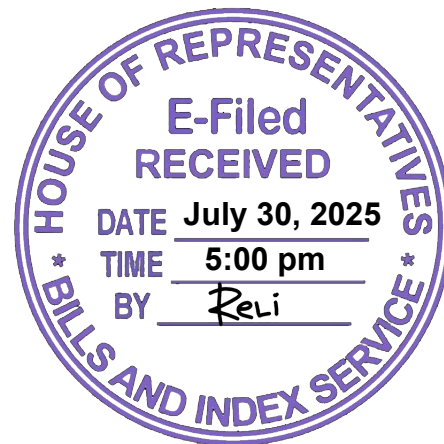


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **2719**



Introduced by Representatives Bryan B. Revilla, Lani Mercado-Revilla, and Ramon Jolo B. Revilla III

AN ACT
EXPANDING THE USE OF THE LEGAL ASSISTANCE FUND AND THE
AGARANG KALINGA AT SAKLOLO PARA SA MGA OFWS NA
NANGANGAILANGAN (AKSYON) FUND, AMENDING FOR THE PURPOSE
SECTION 26 OF REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE
“MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995,” AS
AMENDED, AND SECTION 14 OF REPUBLIC ACT NO. 11641, OTHERWISE
KNOWN AS THE “DEPARTMENT OF MIGRANT WORKERS ACT”

EXPLANATORY NOTE

Overseas Filipino Workers (OFWs) often face urgent legal and welfare issues abroad, including detention, abuse, and medical emergencies. While the government has existing funds to support them, these are sometimes limited in scope and access.

This bill seeks to expand the allowable use of the Legal Assistance Fund (LAF) and the *Agarang Kalinga at Saklolo para sa mga OFWs na Nangangailangan (AKSYON) Fund*. By amending relevant provisions of Republic Act No. 8042 and Republic Act No. 11641, the measure aims to ensure faster, more flexible, and more responsive assistance for OFWs in distress.

With this amendment, the government strengthens its commitment to protect the rights and welfare of OFWs, providing them with timely help when they need it most.

In view of the foregoing, the passage of this bill – previously approved on third and final ready by the House of Representatives in the 19th Congress – is earnestly sought.


REP. BRYAN B. REVILLA
Representative, AGIMAT Partylist


REP. LANI MERCADO-REVILLA
Representative, 2nd District of Cavite



REP. RAMON SOLO B. REVILLA III
Representative, 1st District of Cavite

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KNOWN AS THE “DEPARTMENT OF MIGRANT WORKERS ACT”

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

SECTION 1. Section 26 of Republic Act No. 8042, otherwise known as the “Migrant Workers and Overseas Filipinos Act of 1995,” as amended, is hereby further amended to read as follows:

“SEC. 26. Uses of the Legal Assistance Fund. – The Legal Assistance Fund created under the preceding section, **WHICH HAS BEEN RETAINED BY THE DEPARTMENT OF FOREIGN AFFAIRS (DFA) PURSUANT TO SECTION 14 OF REPUBLIC ACT NO. 11641, OTHERWISE KNOWN AS THE “DEPARTMENT OF MIGRANT WORKERS ACT”**, shall be used [exclusively] to provide legal **AND CONSULAR ASSISTANCE** services to [migrant workers and] **OTHER** overseas Filipinos [in distress] in accordance with the guidelines, criteria and procedures **TO BE** promulgated **BY THE DFA** [in accordance with Section 24 (a) hereof]. The expenditures to be charged against the **LEGAL ASSISTANCE** Fund shall include the fees for the foreign lawyers to be hired [by the Legal Assistant for Migrant Workers Affairs] to represent [migrant workers] **OVERSEAS FILIPINOS** facing charges, **EXPENSES FOR THE [or in] filing OF LABOR AND/OR CRIMINAL** cases against erring or abusive employers **OR OTHER PERSONS** abroad, bail bonds to secure the temporary releases and other litigation expenses: **PROVIDED, THAT THE LEGAL ASSISTANCE FUND SHALL, AT ALL TIMES, BE MADE AVAILABLE FROM THE TIME OF THE INVESTIGATION, DETENTION, ARREST OR INDICTMENT OF THE OVERSEAS FILIPINOS ALL THE WAY TO THE TRIAL PROPER,**

AND AT ALL LEVELS OF APPEAL THEREAFTER: *Provided, FURTHER,* That at the end of every year, the Department of Foreign Affairs shall include in its report to Congress, as provided for under Section 33 of this Act, the status of the Legal Assistance Fund, including the expenditures from the said fund duly audited by the Commission on Audit (COA): *Provided, further***MORE,** That the hiring of foreign legal counsels **AND OTHER RELEASES OF FUNDS FOR OTHER EXPENSES RELATED TO THE PROVISIONS OF THIS SECTION,** when circumstances warrant urgent action, shall be exempt from the coverage of Republic Act No. 9184 or the Government Procurement Act.

THE ABOVEMENTIONED PROVISION SHALL SIMILARLY APPLY TO THE UTILIZATION OF THE AGARANG KALINGA AT SAKLOLO PARA SA MGA OFWS NA NANGANGAILANGAN (AKSYON) FUND BY THE DEPARTMENT OF MIGRANT WORKERS FOR CASES REQUIRING LEGAL ASSISTANCE, IN ACCORDANCE WITH REPUBLIC ACT NO. 11641.

IN COUNTRIES AND TERRITORIES WHERE THERE ARE NO MIGRANT WORKERS OFFICES YET, THE DFA SHALL EXTEND LEGAL AND OTHER FORMS OF ASSISTANCE TO OFWS LOCATED IN SAID AREAS.”

SEC. 2. Section 14 of Republic Act No. 11641, otherwise known as the “Department of Migrant Workers Act,” is hereby amended to read as follows:

“SEC. 14. Agarang Kalinga at Saklolo para sa mga OFW na Nangangailangan (AKSYON) Fund. – The Agarang Kalinga at Saklolo para sa mga OFWs na Nangangailangan (AKSYON) Fund is hereby established to provide legal and other forms of assistance to OFWs, separate from the funds managed by the DFA. The DFA shall retain ATN and Legal Assistance Funds for the benefit of other Filipinos overseas and for consular assistance services. An appropriate amount shall initially be provided for the AKSYON Fund in the General Appropriations Act of the year following its enactment into law and an appropriate amount for every year thereafter to provide assistance to OFWs at Foreign Service Posts where MWO have been established and staffed.

“THE EXPENDITURES TO BE CHARGED AGAINST THE AKSYON FUND SHALL INCLUDE THE FEES FOR THE FOREIGN LAWYERS TO BE HIRED TO REPRESENT OFWS FACING CHARGES, EXPENSES FOR THE FILING OF LABOR AND/OR CRIMINAL CASES AGAINST ERRING OR ABUSIVE EMPLOYERS OR OTHER PERSONS ABROAD, BAIL BONDS TO SECURE THE TEMPORARY RELEASES AND OTHER LITIGATION EXPENSES: PROVIDED, THAT THE AKSYON FUND SHALL, AT ALL TIMES, BE MADE AVAILABLE FROM THE TIME OF THE INVESTIGATION, DETENTION, ARREST OR INDICTMENT OF THE OFWS ALL THE WAY TO THE TRIAL PROPER, AND AT ALL LEVELS OF APPEAL THEREAFTER: PROVIDED, FURTHER, THAT AT THE END OF

EVERY YEAR, THE DEPARTMENT OF MIGRANT WORKERS SHALL REPORT TO THE CONGRESSIONAL OVERSIGHT COMMITTEE CREATED UNDER SECTION 25 OF THIS ACT THE STATUS OF THE AKSYON FUND, INCLUDING THE EXPENDITURES FROM THE SAID FUND DULY AUDITED BY THE COMMISSION ON AUDIT (COA): PROVIDED, FURTHERMORE, THAT THE HIRING OF FOREIGN LEGAL COUNSELS AND OTHER RELEASES OF FUNDS FOR OTHER EXPENSES RELATED TO THE PROVISIONS OF THIS SECTION, WHEN CIRCUMSTANCES WARRANT URGENT ACTION, SHALL BE EXEMPT FROM THE COVERAGE OF REPUBLIC ACT NO. 9184 OR THE GOVERNMENT PROCUREMENT REFORM ACT.

Within thirty (30) days from the promulgation of this Act, the Secretary, in consultation with relevant stakeholders, shall issue the necessary guidelines regarding the use of the AKSYON Fund.

A sufficient sum shall be appropriated to the DFA to perform functions of the MWO in Foreign Service Posts where there is yet no such office.”

SEC. 3. The Department of Foreign Affairs and the Department of Migrant Workers shall, in consultation with the Overseas Workers Welfare Administration and other stakeholders, within sixty (60) days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SEC. 4. All laws, presidential decrees, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 5. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,