



Republic of the Philippines
House of Representatives
Quezon City

TWENTIETH CONGRESS

First Regular Session

House Bill No. 4510



Introduced by Representative Jernie Jett V. Nisay

EXPLANATORY NOTE

Overseas Filipino Workers (OFWs) are hailed as modern-day heroes, yet many continue to face legal challenges, abuse, and unfair treatment abroad. When they encounter legal troubles, whether due to abusive employers, unjust accusations, or unforeseen circumstances, they often lack the immediate legal and financial assistance needed to defend their rights.

This bill seeks to expand the use of the Legal Assistance Fund and the Agarang Kalinga at Saklolo para sa mga OFWs na Nangangailangan (AKSYON) Fund to ensure timely, accessible, and comprehensive legal aid for all overseas Filipinos, not just migrant workers. It mandates that these funds be readily available from the start of any legal process including investigation, detention, or trial and up to the final resolution of the case. It also exempts urgent legal expenditures from lengthy procurement procedures, ensuring faster response when our overseas kababayans are in distress.

By strengthening these mechanisms, this measure reaffirms the government's duty to protect the rights, welfare, and dignity of Filipinos abroad, whether they are workers, professionals, or ordinary citizens facing legal challenges.

In view of the foregoing, the swift passage of this bill is earnestly sought.


REP. JERNIE JETT V. NISAY
Pusong Pinoy Partylist



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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"

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

1 represent [migrant workers] **OVERSEAS FILIPINOS** facing charges, **EXPENSES FOR**
2 **THE** [or in] filing **OF LABOR AND/OR CRIMINAL** cases against erring or abusive
3 employers **OR OTHER PERSONS** abroad, bail bonds to secure the temporary releases
4 and other litigation expenses: **PROVIDED, THAT THE LEGAL ASSISTANCE FUND**
5 **SHALL, AT ALL TIMES, BE MADE AVAILABLE FROM THE TIME OF THE**
6 **INVESTIGATION, DETENTION, ARREST OR INDICTMENT OF THE OVERSEAS**
7 **FILIPINOS ALL THE WAY TO THE TRIAL PROPER, AND AT ALL LEVELS OF**
8 **APPEAL THEREAFTER:** Provided, **FURTHER,** That at the end of every year, the
9 Department of Foreign Affairs shall include in its report to Congress, as provided for
10 under Section 33 of this Act, the status of the Legal Assistance Fund, including the
11 expenditures from the said fund duly audited by the Commission on Audit (COA):
12 Provided, further**MORE,** That the hiring of foreign legal counsels **AND OTHER**
13 **RELEASES OF FUNDS FOR OTHER EXPENSES RELATED TO THE PROVISIONS**
14 **OF THIS SECTION,** when circumstances warrant urgent action, shall be exempt from
15 the coverage of Republic Act No. 9184 or the Government Procurement Act.

16
17 **THE ABOVEMENTIONED PROVISION SHALL SIMILARLY APPLY TO THE**
18 **UTILIZATION OF THE AGARANG KALINGA AT SAKLOLO PARA SA MGA OFWS**
19 **NA NANGANGAILANGAN (AKSYON) FUND BY THE DEPARTMENT OF MIGRANT**
20 **WORKERS FOR CASES REQUIRING LEGAL ASSISTANCE, IN ACCORDANCE**
21 **WITH REPUBLIC ACT NO. 11641.**

22
23 **IN COUNTRIES AND TERRITORIES WHERE THERE ARE NO MIGRANT**
24 **WORKERS OFFICES YET, THE DFA SHALL EXTEND LEGAL AND OTHER FORMS**
25 **OF ASSISTANCE TO OFWS LOCATED IN SAID AREAS."**

26
27 SEC. 2. Section 14 of Republic Act No. 11641, otherwise known as the
28 "Department of Migrant Workers Act," is hereby amended to read as follows:

29
30 **"SEC. 14. Agarang Kalinga at Saklolo para sa mga OFW na**

31
32 Nangangailangan (AKSYON) Fund. - The Agarang Kalinga at Saklolo para sa
33 mga OFWs na Nangangailangan (AKSYON) Fund is hereby established to provide
34 legal and other forms of assistance to OFs, separate from the funds managed by the

1 DFA. The DFA shall retain ATN and Legal Assistance Funds for the benefit of other
2 Filipinos overseas and for consular assistance services. An appropriate amount shall
3 initially be provided for the AKSYON Fund in the General Appropriations Act of the year
4 following its enactment into law and an appropriate amount for every year thereafter to
5 provide assistance to OFWs at Foreign Service Posts where MWO have been
6 established and staffed.

7
8 **"THE EXPENDITURES TO BE CHARGED AGAINST TH AKSYON FUND**
9 **SHALL INCLUDE THE FEES FOR THE FOREIGN LAWYERS TO BE HIRED TO**
10 **REPRESENT OF WS FACING CHARGES, EXPENSES FOR THE FILING OF LABOR**
11 **AND/OR CRIMINAL CASES AGAINST ERRING OR ABUSIVE EMPLOYERS OR**
12 **OTHER PERSONS ABROAD, BAIL BONDS TO SECURE THE TEMPORARY**
13 **RELEASES AND OTHER LITIGATION EXPENSES: PROVIDED, THAT THE**
14 **AKSYON FUND SHALL, AT ALL TIMES, BE MADE AVAILABLE FROM THE TIME**
15 **OF THE INVESTIGATION, DETENTION, ARREST OR INDICTMENT OF THE OFWS**
16 **ALL THE WAY TO THE TRIAL PROPER, AND AT ALL LEVELS OF APPEAL**
17 **THEREAFTER: PROVIDED, FURTHER, THAT AT THE END OF EVERY YEAR, THE**
18 **DEPARTMENT OF MIGRANT WORKERS SHALL REPORT TO THE**
19 **CONGRESSIONAL OVERSIGHT COMMITTEE CREATED UNDER SECTION 25 OF**
20 **THIS ACT THE STATUS OF THE AKSYON FUND, INCLUDING THE**
21 **EXPENDITURES FROM THE SAID FUND DULY AUDITED BY THE COMMISSION**
22 **ON AUDIT (COA): PROVIDED, FURTHERMORE, THAT THE HIRING OF FOREIGN**
23 **LEGAL COUNSELS AND OTHER RELEASES OF FUNDS FOR OTHER EXPENSES**
24 **RELATED TO THE PROVISIONS OF THIS SECTION, WHEN CIRCUMSTANCES**
25 **WARRANT URGENT ACTION, SHALL BE EXEMPT FROM THE COVERAGE OF**
26 **REPUBLIC ACT NO. 9184 OR THE GOVERNMENT PROCUREMENT REFORM**
27 **ACT.**

28
29 Within thirty (30) days from the promulgation of this Act, the Secretary, in
30 consultation with relevant stakeholders, shall issue the necessary guidelines regarding
31 the use of the AKSYON Fund.

32
33 A sufficient sum shall be appropriated to the DFA to perform functions of the
34 MWO in Foreign Service Posts where there is yet no such office."

1
2 SEC. 3. The Department of Foreign Affairs and the Department of Migrant
3 Workers shall, in consultation with the Overseas Workers Welfare Administration and
4 other stakeholders, within sixty (60) days after the effectivity of this Act, formulate the
5 necessary rules and regulations for its effective implementation.

6
7 SEC. 4. All laws, presidential decrees, orders, issuances, rules and regulations
8 or parts thereof inconsistent with the provisions of this Act are hereby repealed,
9 amended or modified accordingly.

10
11 SEC. 5. This Act shall take effect fifteen (15) days after its publication in the
12 Official Gazette or in a newspaper of general circulation.

13
14 *Approved,*