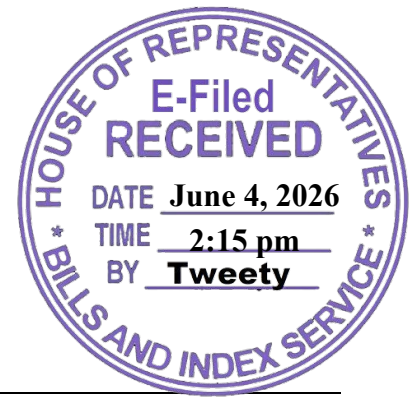


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



COMMITTEE REPORT NO. 452

Submitted by the Committee on Overseas Workers Affairs on June 4, 2026
Re : House Bill No. 9805
Recommending its approval in substitution of House Bills Numbered 2721, 4266 and 4422
Sponsors : Representatives Bryan B. Revilla, Jude A. Acidre and Ralph Wendel P. Tulfo

Mr. Speaker:

The Committee on Overseas Workers Affairs to which were referred House Bill No. 2721, introduced by Representatives Bryan B. Revilla, Lani Mercado-Revilla and Ramon Jolo B. Revilla III, entitled:

AN ACT REDEFINING THE CRIME OF ILLEGAL RECRUITMENT COMMITTED BY A SYNDICATE, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 442, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES, AS AMENDED, AND REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995, AS AMENDED

House Bill No. 4266, introduced by Representatives Yedda Marie K. Romualdez, Andrew Julian K. Romualdez and Jude A. Acidre, entitled:

AN ACT REDEFINING THE CRIME OF ILLEGAL RECRUITMENT COMMITTED BY A SYNDICATE, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 442, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES, AS AMENDED, AND REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995, AS AMENDED

and House Bill No. 4422, introduced by Representatives Ralph Wendel P. Tulfo and Jocelyn P. Tulfo, entitled:

AN ACT REDEFINING THE CRIME OF ILLEGAL RECRUITMENT COMMITTED BY A SYNDICATE, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 442, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES, AS AMENDED, AND

REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE MIGRANT
WORKERS AND OVERSEAS FILIPINOS ACT OF 1995, AS
AMENDED

has considered the same and recommends that the attached House Bill No. 9805 ,
entitled:

AN ACT REDEFINING THE CRIME OF ILLEGAL RECRUITMENT
COMMITTED BY A SYNDICATE, AMENDING FOR THE PURPOSE
PRESIDENTIAL DECREE NO. 442, OTHERWISE KNOWN AS THE
LABOR CODE OF THE PHILIPPINES, AS AMENDED, AND
REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE MIGRANT
WORKERS AND OVERSEAS FILIPINOS ACT OF 1995, AS
AMENDED

be approved in substitution of House Bills Numbered 2721, 4266 and 4422 with
Representatives Bryan B. Revilla, Lani Mercado-Revilla, Ramon Jolo B. Revilla III, Yedda
Marie K. Romualdez, Andrew Julian K. Romualdez, Jude A. Acidre, Ralph Wendel P.
Tulfo, Jocelyn P. Tulfo, Leonel "Jhong" D. Ceniza, Reynaldo P. Salvacion, Johanne
Monich G. Bautista, Dadah Kiram Ismula, Jose "Joboy" S. Aquino II, Sarah Jane I. Elago
and Salvador A. Pleyto as authors thereof.

Respectfully submitted,



REP. BRYAN B. REVILLA
Chairperson
Committee on Overseas Workers Affairs

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 9805
(In substitution of House Bills Numbered 2721, 4266 and 4422)

Introduced by
Representatives Bryan B. Revilla, Lani Mercado-Revilla, Ramon Jolo B. Revilla III, Yedda Marie K. Romualdez, Andrew Julian K. Romualdez, Jude A. Acidre, Ralph Wendel P. Tulfo, Jocelyn P. Tulfo, Leonel "Jhong" D. Ceniza, Reynaldo P. Salvacion, Johanne Monich G. Bautista, Dadah Kiram Ismula, Jose "Joboy" S. Aquino II, Sarah Jane I. Elago, and Salvador A. Pleyto

AN ACT
REDEFINING THE CRIME OF ILLEGAL RECRUITMENT COMMITTED BY A SYNDICATE, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 442, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES, AS AMENDED, AND REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995, AS AMENDED

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

1 SECTION 1. Article 38 of Presidential Decree No. 442, otherwise known as the
2 "Labor Code of the Philippines," as amended, is hereby further amended to read as
3 follows:
4

5 "Article 38. Illegal Recruitment. - (a) Any recruitment activities,
6 including the prohibited practices enumerated under Article 34
7 of this Code, to be undertaken by non- licensees or non- holders
8 of authority, shall be deemed illegal and punishable under
9 Article 39 of this Code. The Department of Labor and
10 Employment or any law enforcement officer may initiate
11 complaints under this Article.
12

13 "(b) Illegal recruitment when committed by a syndicate or in
14 large scale shall be considered an offense involving economic
15 sabotage and shall be penalized in accordance with Article 39
16 hereof.
17

18 "Illegal recruitment is deemed committed by a syndicate if (1)
19 carried out by a group of three (3) or more persons conspiring
20 and/or confederating with one another in carrying out any
21 unlawful or illegal transaction, enterprise or scheme defined
22 under the first paragraph hereof[.], **OR (2) IF THE**

OFFENDERS ARE NON-LICENSEES OR NON-HOLDERS OF AUTHORITY AND THE ACT WAS CARRIED OUT BY TWO (2) OR MORE PERSONS.

Illegal recruitment is deemed committed in large scale if committed against three (3) or more persons individually or as a group.

[(c) The Secretary of Labor and Employment or his duly authorized representatives shall have the power to cause the arrest and detention of such non-licensee or non-holder of authority if after investigation it is determined that his activities constitute a danger to national security and public order or will lead to further exploitation of job-seekers. The Secretary shall order the search of the office or premises and seizure of documents, paraphernalia, properties and other implements used in illegal recruitment activities and the closure of companies, establishments and entities found to be engaged in the recruitment of workers for overseas employment, without having been licensed or authorized to do so.]”

SEC. 2. Section 6 of Republic Act No. 8042, otherwise known as the "Migrant Workers and Overseas Filipinos Act of 1995," as amended by R.A. 10022, is hereby further amended to read as follows:

"SEC. 6. Definition. – For purposes of this Act, illegal recruitment shall mean any act of canvassing, enlisting, contracting, transporting, utilizing, hiring, or procuring workers and includes referring, contract services, promising or advertising for employment abroad, whether for profit or not, when undertaken by a non-licensee or non-holder of authority contemplated under Article 13(f) of Presidential Decree No. 442, as amended, otherwise known as the Labor Code of the Philippines: *Provided*, That any such non-licensee or non-holder who, in any manner, offers or promises for a fee employment abroad to two or more persons shall be deemed so engaged. It shall likewise include the following acts, whether committed by any person, whether a non-licensee, non-holder, licensee or holder of authority:

XXX

"(m) Failure to reimburse expenses incurred by the worker in connection with his documentation and processing for purposes of deployment, in cases where the deployment does not actually take place without the worker's fault[. Illegal recruitment when committed by a syndicate or in large scale shall be considered an offense involving economic sabotage]; and

"(n) To allow a non-Filipino citizen to head or manage a licensed recruitment/manning agency.

Illegal recruitment is deemed committed by a syndicate if **(1)** carried out by a group of three (3) or more persons conspiring or confederating with one another, **OR (2) IF THE OFFENDERS ARE NON-LICENSEES OR NON-HOLDERS OF AUTHORITY AND THE ACT WAS CARRIED OUT BY TWO (2) OR MORE PERSONS.** It is deemed committed in large scale if committed against three (3) or more persons individually or as a group.

ILLEGAL RECRUITMENT WHEN COMMITTED BY A SYNDICATE OR IN LARGE SCALE SHALL BE CONSIDERED AN OFFENSE INVOLVING ECONOMIC SABOTAGE.

XXX

SEC. 3. If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

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,

House of Representatives

Committee Affairs Department

FACT SHEET

House Bill No. **9805**

(In substitution of House Bills Numbered 2721, 4266 and 4422)

AN ACT

REDEFINING THE CRIME OF ILLEGAL RECRUITMENT COMMITTED BY A SYNDICATE, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 442, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES, AS AMENDED, AND REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995, AS AMENDED

Introduced by: REPRESENTATIVES BRYAN B. REVILLA, LANI MERCADO-REVILLA, RAMON JOLO B. REVILLA III, YEDDA MARIE K. ROMUALDEZ, ANDREW JULIAN K. ROMUALDEZ, JUDE A. ACIDRE, RALPH WENDEL P. TULFO, JOCELYN P. TULFO, LEONEL "JHONG" D. CENIZA, REYNALDO P. SALVACION, JOHANNE MONICH G. BAUTISTA, DADAH KIRAM ISMULA, JOSE "JOBOY" S. AQUINO II, SARAH JANE I. ELAGO, AND SALVADOR A. PLEYTO

Committee Referral: COMMITTEE ON OVERSEAS WORKERS AFFAIRS

Committee Chairperson: REPRESENTATIVE BRYAN B. REVILLA

OBJECTIVES:

- To intensify the crackdown on organized illegal recruitment by lowering the statutory threshold for syndicated crimes from three (3) persons to two (2) persons, specifically when committed by non-licensees or unauthorized entities.
- To facilitate the swift filing and prosecution of cases by requiring only two or more individuals conspiring or confederating with one another to qualify the offense as a syndicated crime.

KEY PROVISION:

- Redefines the crime of illegal recruitment committed by a syndicate under Presidential Decree No. 442, or the Labor Code of the Philippines, as amended, and Republic Act No. 8042, or the "Migrant Workers and Overseas Filipinos Act of 1995", as amended, by reducing the number of perpetrators from 3 or more to 2 or more persons if the crime is committed by non-licensees or non-holders of authorities.

RELATED LAWS:

- Presidential Decree No. 442, or the Labor Code of the Philippines, as amended
- Republic Act No. 8042, or the “Migrant Workers and Overseas Filipinos Act of 1995”, as amended.