

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

SEVENTEENTH CONGRESS
FIRST REGULAR SESSION

House Bill No. 193

HOUSE OF REPRESENTATIVES
RECEIVED
DATE: <u>0 JUN 2016</u>
TIME: <u>3:28 pm</u>
BY: <u>[Signature]</u>
REGISTRATION UNIT BILLS AND INDEX SERVICE

Introduced by ACTS-OFW Representative Aniceto R. Bertiz III

EXPLANATORY NOTE

The contribution of Filipinos overseas to the Philippine economy for the past many decades has been duly recognized. Based on the data of the Commission on Filipinos Overseas, the stock estimate of overseas Filipinos, as of December 2013, was 10.4 million. The number included permanent residents (4.8M), temporary workers (4.2M), and irregular migrants (1.3M). The remittances of their hard-earned money to their families left behind are plowed back into the economy, thus keeping the Philippine economy afloat.

As its way of recognizing their contribution, the government has adopted policies and programs to promote their welfare and interest, especially overseas. It has set in place welfare mechanisms on-site to provide greater protection to them. But it seems that the existing safety nets are not enough; thus, there is a need for government to enhance these mechanisms to better service its nationals abroad.

Due to the magnitude in the number of temporary workers or so-called circular migrants overseas, there is a need for the government to establish a system whereby the Philippine government is able to monitor and track their whereabouts at any given time to be able to provide immediate assistance, especially in emergency situations. There have been instances in the past that the government was caught off-guard when political crises erupted in the Middle East, like the war in Libya, Syria, Lebanon, Yemen and Egypt when government agencies had difficult time tracing the location of the OFWs deployed in these countries. There were the natural disasters that struck Japan, Haiti, and Italy, where the aid of government was slowed down by the inability of the Philippine government to reach them because of the incomplete registry of Filipino residents and temporary migrants at the Philippine missions. Even the data bases of the DFA, DOLE, POEA, OWWA and BI, which gave out different and varying figures, were of little help.

During the very critical period, government agencies in charge of providing assistance to the Filipinos trapped in those countries had to air their pleas to register at the nearest Philippine Embassy or Consulate so they could be assisted and/or rescued. Such scenario depicted the weakness and readiness of government to respond quickly and adequately because of the absence of a reliable monitoring system at the worksites.

The series of crises that affected overseas Filipinos and the apparent slow pace in extending assistance to them had highlighted the need to enhance government's capability in

servicing migrant Filipinos during crises. It is during these times that our people become vulnerable due to their desire to be evacuated or repatriated at the soonest time to save their own lives and those of their friends and colleagues.

But the immediate action of government is warranted not only during crises, but at all times. Philippine missions abroad should be able to connect to its nationals anytime. If the embassy or consulate receives a distress call from an abused or maltreated OFW, it should be able to respond readily and come to the succor of the caller.

In order to address this need, the government has to set up an efficient registration and management system that will capture the location of our OFWs from the time they are documented by POEA until they enter the country of destination. The monitoring system is envisioned to enhance the on-site protection of OFWs since it will greatly hasten government action when needed. Furthermore, an efficient database management system on-site will help the government craft more responsive policies and programs for our OFWs.

The passage of this Act is therefore, urgently requested.



Aniceto R. Bertiz III

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

SEVENTEENTH CONGRESS
FIRST REGULAR SESSION

House Bill No. 193

Introduced by ACTS-OFW Representative Aniceto R. Bertiz III

AN ACT
ENHANCING ON-SITE PROTECTION FOR OVERSEAS FILIPINO WORKERS BY
ESTABLISHING A REGISTRATION AND MONITORING SYSTEM
IN ALL FOREIGN POSTS

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

Section 1. Short Title. – This Act shall be known as the “*Overseas Registration and Monitoring System for Overseas Filipino Workers Act*”.

Section 2. Declaration of Policies.

(a) The State shall afford full protection to labor, local and overseas, organized and unorganized. Towards this end, the State shall provide adequate and timely social, economic and legal services to Filipino migrant workers.

(b) While recognizing the significant contribution of Filipino migrant workers to the national economy through their foreign exchange remittances, the State does not promote overseas employment as a means to sustain economic growth and achieve national development. The existence of the overseas employment program rests solely on the assurance that the dignity and fundamental human rights and freedoms of the Filipino citizens shall not, at any time, be compromised or violated.

(c) The State recognizes that an efficient database management system is an effective tool in the protection of Filipino migrant workers and in the promotion of their welfare.

Section 3. Registration and Monitoring System. – To implement the above declared policies, there is hereby created the Registration and Monitoring System in each of the Philippine Missions abroad, hereinafter referred to as the Monitoring System, which shall facilitate the registration of OFWs in their respective countries of work and which shall be the repository of vital information about a particular OFW working in a foreign country.

The Monitoring System shall form part of the database management system on OFWs of each Mission and shall complement the Shared Government Information System

For Migration as provided in Sec.20 of Republic Act 8042, otherwise known as Migrant Workers and Overseas Filipinos Act of 1995, As Amended.

Sec. 4. Designated Personnel. - The Head of the Mission shall designate a staff who shall be solely responsible for the maintenance of the Monitoring System. The Secretary of Foreign Affairs and the Secretary of Labor and Employment are authorized to assign additional personnel to the Mission, if necessary, to help operate and maintain the efficiency of the Monitoring System.

Sec. 5. Confidentiality. - The Head of Mission shall ensure that the integrity and confidentiality of the database are protected at all times and that the data therein shall be used only for the purpose of the creation of the Monitoring System.

Sec. 6. Report to the Home Office. - The Head of Mission shall render a report on the information generated by the System to the Secretary of Foreign Affairs and Secretary of Labor and Employment every quarter.

Sec. 7. Report to Congress. - In order to inform the Philippine Congress on the implementation of this Act, the Department of Foreign Affairs and Department of Labor and Employment shall submit to the said body an annual joint report on its implementation, including the data of OFWs gathered for the year.

Sec. 8. Appropriation and Other Sources of Funding. - The amount necessary to carry out the provisions of this Act shall be provided for in the General Appropriations Act of the year following its enactment into law and the years thereafter.

Sec. 9. Implementing Rules and Regulations. - The departments and agencies charged with carrying out the provisions of this Act shall, within ninety (90) days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

Section 10. Repealing Clause. - All laws, presidential decrees, executive orders, and rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 11. Separability Clause. - If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

Section 12. Effectivity Clause. - This Act shall take effect after Fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes first.

Approved