

S. No. 2835
H. No. 5268

Republic of the Philippines
Congress of the Philippines
Metro Manila

Sixteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand fifteen.



[REPUBLIC ACT No. **107061**

AN ACT PROTECTING SEAFARERS AGAINST
AMBULANCE CHASING AND IMPOSITION OF
EXCESSIVE FEES, AND PROVIDING PENALTIES
THEREFOR

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

SECTION 1. This Act shall be known as the "Seafarers
Protection Act".

SEC. 2. *Declaration of Policy.* - It shall be the policy of the State to promote and protect every Filipino seafarer desiring to work overseas by securing the best possible terms and conditions of employment. As some unscrupulous individuals have taken advantage of the plight of our seafarers who met an accident, illness or death in the course of their service by exploiting the compensation system, our seafarers have fallen prey to an unfair scheme where ambulance

chasers charge exorbitant fees, with the promise of huge monetary award. Towards this end, such practice shall be declared unlawful.

SEC. 3. *Prohibition on Ambulance Chasing.* - It shall be unlawful for any person to engage in ambulance chasing or the act of soliciting, personally or through an agent, from seafarers, or their heirs, the pursuit of any claim against their employers for the purpose of recovery of monetary claim or benefit, including legal interest, arising from accident, illness or death, in exchange of an amount or fee which shall be retained or deducted from the monetary claim or benefit granted to or awarded to the seafarers or their heirs.

SEC. 4. *Imposition of Excessive Fees.* - When any contract or arrangement between a seafarer or his/her heirs, and a person who appears for or represents them in any case for recovery of monetary claim or benefit, including legal interest, arising from accident, illness or death before the National Labor Relations Commission (NLRC) or any labor arbiter, the National Conciliation and Mediation Board (NCMB), the Philippine Overseas Employment Administration (POEA), the Department of Labor and Employment (DOLE) or its regional offices, or other quasi-judicial bodies handling labor disputes stipulates that the person who appears for or represents them shall be entitled to fees, such fees shall not exceed ten percent (10%) of the compensation or benefit awarded to the seafarer or his/her heirs.

For purposes of this Act, fees referred to in this section shall mean the total amount of compensation of the person who appears for or represents the seafarer, or his/her heirs for services rendered.

SEC. 5. *Penalties.* - Any person who violates Section 3 of this Act shall be punished by a fine of not less than fifty thousand pesos (P50,000.00) but not more than one hundred thousand pesos (P100,000.00), or by imprisonment of one (1) year but not more than two (2) years, or both fine and imprisonment. The same penalties shall be imposed upon any person who shall be in collusion in the commission of the prohibited act in Section 3 hereof.

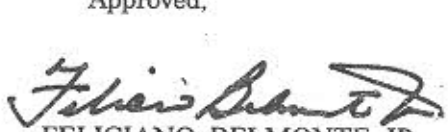


SEC. 6. *Implementing Rules and Regulations.* – Within ninety (90) days from the approval of this Act, the Secretary of Labor and Employment, in coordination with the Maritime Industry Authority (MARINA) and the POEA, shall promulgate the necessary rules and regulations for the effective implementation of the provisions of this Act.

SEC. 7. *Repealing Clause.* – All laws, orders, issuances, decrees, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.


SEC. 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,


FELICIANO BELMONTE JR.
*Speaker of the House
of Representatives*


FRANKLIN M. DRILON
President of the Senate

Senate Bill No. 2835, which was approved by the Senate on September 21, 2015, was adopted as an amendment to House Bill No. 5268 on September 30, 2015.


MARILYN B. BARUA-YAP
*Secretary General
House of Representatives*


OSCAR G. YABES
Secretary of the Senate

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Approved:


BENIGNO S. AQUINO III
President of the Philippines



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