Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

COMMITTEE REPORT NO. 301

Submitted by the Committee on Overseas Workers Affairs on [MARCH 12, 2020]
Re  House Bill No. 6610

Recommending its approval in substitution of House Bills Numbered 1812 and 5097
Sponsor: Representative Raymond Democrito C. Mendoza

Mr. Speaker:

The Committee on Overseas Workers Affairs to which were referred:

House Bill No. 1812 introduced by Representative Rogelio D. Pacquiao, entitled:


House Bill No. 5097, introduced by Representative Victor A. Yap, entitled:

AN ACT EXPANDING THE USE OF LEGAL ASSISTANCE 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 FOR OTHER PURPOSES

has considered the same and recommends that the attached House Bill No. 6610, entitled:


Respectfully submitted,

REP. RAYMOND DEMOCRITO C. MENDOZA
Chairman
Committee on Overseas Workers Affairs

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY
Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City  

EIGHTEENTH CONGRESS  
First Regular Session  

House Bill No. 6610  
(In substitution of House Bills Numbered 1812 and 5097)

Introduced by  

AN ACT  
EXPANDING THE USE OF THE LEGAL ASSISTANCE 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  

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 shall be used exclusively to provide legal services to migrant workers and overseas Filipinos [in distress] in accordance with the guidelines, criteria and procedures promulgated in accordance with Section 24 (a) hereof. The expenditures to be charged against the Fund shall include the fees for the foreign lawyers to be hired by the Legal Assistant for Migrant Workers Affairs to represent migrant workers OR 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, CHARGING OR INDICTMENT OF THE MIGRANT WORKER OR OVERSEAS FILIPINO ALL THE WAY TO THE TRIAL PROPER, AND AT ALL LEVELS OF APPEAL THEREAFTER: Provided, 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, 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.”

SEC. 2. 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. 3. 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. 6610

AN ACT EXPANDING THE USE OF THE LEGAL ASSISTANCE FUND, AMENDING FOR THE PURPOSE SECTION 26 OF REPUBLIC ACT NO. 8042, AS AMENDED

Introduced by: REPRESENTATIVES ROGELIO D. PACQUIAO AND VICTOR A. YAP

Committee Referral: COMMITTEE ON OVERSEAS WORKERS AFFAIRS
Committee Chairperson: REPRESENTATIVE RAYMOND DEMOCRITO C. MENDOZA

OBJECTIVES:

- To make the Legal Assistance Fund (LAF) under Republic Act No. 8042, as amended, available to overseas Filipinos, including migrant workers, if they want to file labor complaints or criminal cases against their employers or other persons.

- To make the LAF available to an overseas Filipino from the time of the latter’s investigation, detention, arrest, charging or indictment up to trial and at all levels of appeal thereafter.

KEY PROVISIONS:

- Expands the coverage of the LAF to include the filing of labor complaints against erring employers, and criminal actions against other persons in the receiving countries.

- Provides that the LAF be made available to the overseas Filipino from the time of the latter’s investigation, detention, arrest, charging or indictment, all the way to the trial proper and at all levels of appeal thereafter.

RELATED LAW:

- Republic Act No. 8042, or the “Migrant Workers and Overseas Filipinos Act of 1995”, as amended.