



HOUSE OF REPRESENTATIVES

H. No. 8908

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BY REPRESENTATIVES VILLARICA, ALEJANO, MANALO, ANDAYA,  
VIOLAGO, GONZALES (A.D.), DATOL, GONZALEZ, VERGARA,  
RAMIREZ-SATO, TEJADA, SANDOVAL, DUAVIT, COJUANGCO,  
LOBREGAT, SAMBAR, AMATONG, PRIMICIAS-AGABAS,  
SY-ALVARADO, BRAVO (M.V.), NIETO AND MARCOLETA,  
PER COMMITTEE REPORT NO. 1110

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AN ACT ESTABLISHING THE OFFICE FOR SOCIAL WELFARE  
ATTACHÉ, AMENDING FOR THE PURPOSE REPUBLIC  
ACT NO. 8042, OTHERWISE KNOWN AS THE "MIGRANT  
WORKERS AND OVERSEAS FILIPINOS ACT OF 1995", AS  
AMENDED, AND FOR OTHER PURPOSES

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

1           SECTION 1. Section 2, paragraph (b) of Republic Act No. 8042,  
2 as amended, is hereby amended to read as follows:

3                       “(b) The State shall afford full protection to labor,  
4 local and overseas, organized and unorganized, and  
5 promote full employment and equality of employment  
6 opportunities for all. Towards this end, the State shall  
7 provide adequate and timely social, economic and legal  
8 services to Filipino migrant workers[.], ESPECIALLY  
9 FOR WORKERS WHO ARE VULNERABLE TO PHYSICAL,  
10 EMOTIONAL, AND PSYCHOLOGICAL STRESS OR ABUSE.”

11           SEC. 2. A new paragraph (e) is hereby inserted in Section 23  
12 of Republic Act No. 8042, as amended, to read as follows:

1           “(E) *DEPARTMENT OF SOCIAL WELFARE AND*  
2           *DEVELOPMENT.* - THE DEPARTMENT OF SOCIAL  
3           WELFARE AND DEVELOPMENT (DSWD) SHALL DEPLOY  
4           SOCIAL WELFARE ATTACHÉS IN COUNTRIES WITH  
5           LARGE CONCENTRATION OF OVERSEAS FILIPINO  
6           WORKERS (OFWS), AS DETERMINED IN COORDINATION  
7           WITH THE DEPARTMENT OF FOREIGN AFFAIRS (DFA)  
8           AND THE DEPARTMENT OF LABOR AND EMPLOYMENT  
9           (DOLE). THE SOCIAL WELFARE ATTACHÉ SHALL  
10          POSSESS THE MINIMUM QUALIFICATIONS SET BY THE  
11          CIVIL SERVICE COMMISSION AND THE PREFERRED  
12          QUALIFICATIONS PRESCRIBED BY THE DSWD.

13           “THE SOCIAL WELFARE ATTACHÉ SHALL  
14          PERFORM THE FOLLOWING FUNCTIONS AND DUTIES AT  
15          THE OVERSEAS POST:

16           “(E.1) MANAGE CASES OF OFWS AND OTHER  
17          OVERSEAS FILIPINOS IN DISTRESS NEEDING  
18          PSYCHOLOGICAL SERVICES, SUCH AS VICTIMS OF  
19          TRAFFICKING OR ILLEGAL RECRUITMENT, RAPE OR  
20          SEXUAL ABUSE, MALTREATMENT AND OTHER FORMS OF  
21          PHYSICAL OR MENTAL ABUSE, AND CASES OF  
22          ABANDONED OR NEGLECTED CHILDREN;

23           “(E.2) UNDERTAKE SURVEYS AND PREPARE  
24          OFFICIAL SOCIAL WELFARE SITUATIONERS ON THE  
25          OFWS IN THE AREA OF ASSIGNMENT;

26           “(E.3) ESTABLISH A NETWORK WITH  
27          OVERSEAS-BASED SOCIAL WELFARE AGENCIES AND/OR  
28          INDIVIDUALS AND GROUPS WHICH MAY BE MOBILIZED

1 TO ASSIST IN THE PROVISION OF APPROPRIATE SOCIAL  
2 SERVICES;

3 "(E.4) RESPOND TO AND MONITOR THE  
4 RESOLUTION OF PROBLEMS AND COMPLAINTS OR  
5 QUERIES OF OFWS AND THEIR FAMILIES;

6 "(E.5) ESTABLISH AND MAINTAIN A DATA BANK  
7 AND DOCUMENTATION OF OFWS AND THEIR FAMILIES  
8 SO THAT APPROPRIATE SOCIAL WELFARE SERVICES CAN  
9 BE MORE EFFECTIVELY PROVIDED;

10 "(E.6) SUBMIT REGULAR REPORTS TO THE DSWD  
11 AND DFA HOME OFFICE ON PLANS AND ACTIVITIES  
12 UNDERTAKEN, RECOMMENDATIONS, AND UPDATES ON  
13 THE SITUATION OF OFWS, PARTICULARLY THOSE  
14 ENCOUNTERING DIFFICULTIES IN THE HOST COUNTRY.  
15 SAID REPORT SHALL FORM PART OF THE SEMI-ANNUAL  
16 REPORT TO CONGRESS AS PROVIDED UNDER SECTION  
17 33 OF REPUBLIC ACT NO. 8042, AS AMENDED;

18 "(E.7) PROVIDE INFORMATION ABOUT THE  
19 DSWD AND ITS ATTACHED AGENCIES AND SERVICES;  
20 AND

21 "(E.8) PERFORM OTHER RELATED FUNCTIONS IN  
22 THE DELIVERY OF SOCIAL SERVICES, AS MAY BE  
23 DIRECTED BY THE HEAD OF THE DIPLOMATIC POST IN  
24 THE AREA OF ASSIGNMENT."

25 SEC. 3. *Appropriations.* - The Secretary of Social Welfare  
26 and Development shall include in the DSWD's programs the  
27 implementation of this Act, the funding of which shall be included  
28 in the annual General Appropriations Act.

1           SEC. 4. *Implementing Rules and Regulations.* – The DSWD,  
2 in consultation with the DFA, DOLE, Department of Health,  
3 Philippine Overseas Employment Administration, Overseas  
4 Workers Welfare Administration and other relevant stakeholders,  
5 shall, within sixty (60) days after the effectivity of this Act,  
6 formulate the necessary rules and regulations for its effective  
7 implementation.

8           The DSWD shall also provide the criteria for determining the  
9 selection of Diplomatic Posts to which Social Welfare Attachés will  
10 be deployed and the minimum qualifications and attributes of the  
11 Social Welfare Attachés.

12           SEC. 5. *Separability Clause.* – If, for any reason, any section  
13 or provision of this Act is declared unconstitutional or invalid, other  
14 sections or provisions hereof shall remain in force.

15           SEC. 6. *Repealing Clause.* – All laws, decrees, executive  
16 orders, rules, regulations or parts thereof inconsistent with the  
17 provisions of this Act are hereby repealed or modified accordingly.

18           SEC. 7. *Effectivity.* – This Act shall take effect fifteen (15)  
19 days after its publication in the *Official Gazette* or in a newspaper of  
20 general circulation.

Approved,

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