



NEWS RELEASE

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NEW LAW RESTORES REGULATORY POWER OF POEA

Recently, President Gloria Macapagal-Arroyo signed into law Republic Act No. 9422 on April 10, 2007 entitled “AN ACT TO STRENGTHEN THE REGULATORY FUNCTIONS OF THE PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION (POEA), AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE “MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995”.

Specifically, the new law repeals Sections 29 and 30 of R.A. 8042 which mandated the DOLE Secretary to phase-out the regulatory functions of the POEA within the period of five (5) years from June 7, 1995 the effectively of said Act pursuant to the objectives of deregulations.

It may be remembered that the industry sector filed petition with the Quezon City Regional Trial Court to enforce the phase-out provisions of the regulatory functions of POEA pursuant to Sections 29 and 30, which was granted by the Court. However, the government, through Solicitor General elevated the case to the Supreme Court, which issued a Temporary Restraining Order. The case is still pending with the High Court. Thus, with the passage of R.A. 9244 the issue pending thereat was rendered moot and academic.

As it is now, the POEA shall continue to exercise its power to regulate private sector participation in the recruitment and overseas placement of workers by setting up a licensing and registration system. It shall also formulate and implement, in coordination with appropriate

entities concerned, when necessary, a system for promoting and monitoring the overseas employment of Filipino workers taking into consideration their welfare and the welfare and the domestic manpower requirements.

In addition to its powers and functions, the POEA is ordained to inform migrant workers not only of their rights as workers but also of their rights as human beings, instruct and guide the workers how to assert their rights and provide the available mechanism to redress violation of their rights.

In order to ensure that the rights and welfare of the migrant workers will not be sacrificed in the foreign land, the POEA shall deploy only trained and competent Filipino workers to countries where the Philippines has concluded bilateral labor agreements or arrangements; and that such countries shall guarantee to protect the rights of Filipino migrant workers and: comply with the international laws and standards for migrant workers.

The law in effect recognizes the vital role of POEA, as an instrumentality of the State, in protecting the rights of the migrant workers and their families, Administrator Rosalinda Dimapilis-Baldoz said. ###