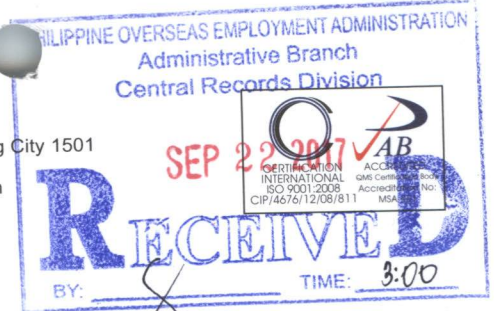




Philippine
Overseas
Employment
Administration

Republic of the Philippines
Department of Labor and Employment
BFO Building, Ortigas Avenue cor. EDSA, Mandaluyong City 1501
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ADVISORY NO. 12
Series of 2017

TO : ALL POEA LICENSED MANNING AGENCIES, SHIPOWNERS, AND PRINCIPAL/EMPLOYERS WITH FOREIGN FLAG SHIPS

SUBJECT: Memorandum Circular No. 07, series of 2017 on Financial Security for Foreign Flag Ships and Requirements on Enrolment of Ships per 2016 Revised POEA Rules on the Recruitment and Deployment of Seafarers

Relative to the above-subject, we wish to inform that the mentioned circular was published in a newspaper of general circulation and will take effect on 16 September 2017.

The financial security document shall be included in the requirements for enrolment of ships stated in the 2016 POEA Revised Rules. The following is the list of requirements for enrolment of ships for submission by licensed manning agency:

1. Certificate of Ship Registry (CSR) indicating the ship's particulars.

For new building ship, Builder's or Owner's certificate and affidavit of undertaking of the licensed manning agency to submit the CSR within thirty (30) days from submission.

2. Crew order request
3. Salary scale

4. Ship's insurance Certificate of Cover (COC) (standard form Annex A) for existing ship and affidavit of undertaking ensuring the continuing validity of the COC (sample affidavit in Annex B).

For new building ship, Affidavit of Undertaking of the agency to submit the COC upon ship delivery and its continuing validity (sample affidavit in Annex C).

5. Financial security document/s compliant with the amendments to the Code implementing Regulations 2.5 and 4.2 and appendices A2-1 and A4-1 of the MLC,2006 and an Affidavit of Undertaking ensuring the continuing validity of the financial security (sample affidavit in Annex D).

For enrolment of new building ship, a copy of valid document of financial security shall be submitted, if available. In its absence, an affidavit of undertaking (sample affidavit in Annex E) on the following shall be submitted:

- To submit a copy of valid document of financial security provided by the shipowner or principal, or P&I of the vessel within 60 days after ship's delivery; **and**
- To assume responsibility for the deployed seafarers in relation to the items required to be covered by the financial security.

Manning agencies with **existing enrolled ship** are reminded to submit within sixty (60) days from 16 September 2017, the required proof of financial security with the corresponding Affidavit of Undertaking ensuring the continuing validity of the financial security document (sample affidavit in Annex F).

For your information and guidance.

11 September 2017, Mandaluyong City.

BERNARD P. OLALIA
Undersecretary and Officer-in-Charge

CONTROLLED AND DISSEMINATED
BY CRD ON 25 SEP 2017

POEA ACCREDITED PRINCIPAL'S LETTERHEAD

CERTIFICATE OF COVER

This is to certify that the ship described hereunder:

Name of Ship :
Flag Registry :
IMO No. :
Name of POEA Accredited Principal :
Gross Tonnage :
Class :

is covered with indemnity by (Name of P&I Club), valid until _____
with respect to the liabilities under the POEA approved Seafarer's Employment Contract and/or
the ship's Collective Bargaining Agreement (CBA) and/or applicable Philippine laws, subject to
the Club rules, terms and condition.

(signature)

Principal
(Printed Name)

Position

ANNEX B

REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

**AFFIDAVIT OF UNDERTAKING ON INSURANCE CERTIFICATE OF COVER (COC)
(FOR ENROLMENT OF EXISTING SHIP)**

I _____, Filipino, of legal age, with postal address at _____, after having been duly sworn to in accordance with law, do hereby depose and say:

1. That I am the (Agency's Representative designation) of (Name of Agency), a company duly licensed by the Philippine Overseas Employment Administration to operate a licensed manning agency with office address at _____;
2. That (Name of Principal), our principal, with office address at _____, has designated our company as its lawful representative in the Philippines relative to the recruitment and deployment of Filipino seafarers to the ship of the principal;
3. That our company is requesting POEA for the enrolment of the ship (Name of Ship) under the above-named principal;
4. That our company had secured from the principal an insurance certificate of cover issued by (Name of Provider) for the ship; and
5. That our company and principal will ensure the continuing validity of the said certificate of cover.

Further, I sayeth not.

IN WITNESS WHEREOF, I have hereunto affixed my signature this _____ day of _____, 2017 at _____, Philippines.

Affiant

Subscribed and sworn to before me this _____ day of _____, 2017 at _____, Philippines.

WITNESS MY HAND AND SEAL, on the date and place just above-mentioned.

Notary Public

ANNEX C

REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

**AFFIDAVIT OF UNDERTAKING ON INSURANCE CERTIFICATE OF COVER (COC)
(FOR ENROLMENT OF NEW BUILDING SHIP)**

I _____, Filipino, of legal age, with postal address at _____, after having been duly sworn to in accordance with law, do hereby depose and say:

1. That I am the (Agency's Representative designation) of (Name of Agency), a company duly licensed by the Philippine Overseas Employment Administration to operate a licensed manning agency with office address at _____;
2. That (Name of Principal), our principal, with office address at _____, has designated our company as its lawful representative in the Philippines relative to the recruitment and deployment of Filipino seafarers to the ship of the principal;
3. That our company is requesting POEA for the enrolment of the ship (Name of Ship) under the above-named principal, which is expected to be delivered by (date of delivery of the ship);
4. That our company will secure from the principal an insurance certificate of cover for the ship and it will be submitted to POEA within sixty (60) days from the delivery of the ship;
5. That the company and concerned principal shall ensure continuing validity of the certificate of cover of the ship; and
6. That this affidavit is being executed in compliance with Section 97 of the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Seafarers and Memorandum Circular No. 7 series of 2017.

Further, I sayeth not.

IN WITNESS WHEREOF, I have hereunto affixed my signature this _____ day of _____, 2017 at _____, Philippines

Affiant

Subscribed and sworn to before me this _____ day of _____, 2017 at _____, Philippines.

WITNESS MY HAND AND SEAL, on the date and place just above-mentioned.

Notary Public

ANNEX D

REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

**AFFIDAVIT OF UNDERTAKING ON FINANCIAL SECURITY
(FOR ENROLMENT OF EXISTING SHIP)**

I _____, Filipino, of legal age, with postal address at _____, after having been duly sworn to in accordance with law, do hereby depose and say:

1. That I am the (Agency's Representative designation) of (Name of Agency), a company duly licensed by the Philippine Overseas Employment Administration to operate a licensed manning agency with office address at _____;
2. That (Name of Principal), our principal, with office address at _____, has designated our company as its lawful representative in the Philippines relative to the recruitment and deployment of Filipino seafarers to the ship of the principal;
3. That our company is requesting POEA for the enrolment of the ship (Name of Ship) under the above-named principal;
4. That our company and principal adhere to the amendments to the Code implementing Regulation 2.5 and 4.2 and appendices of the Maritime Labor Convention, 2006 (MLC 2006) on Financial Security for Foreign Flag Ships;
5. That our company had secured from the principal a financial security system in the form of (insurance or national fund or other similar arrangements) provided by (Name of Provider);
6. That the company and principal will ensure the continuing validity of the financial security coverage of the crew; and
7. That this affidavit is being executed in compliance with Memorandum Circular No. 7 series of 2017.

Further, I sayeth not.

IN WITNESS WHEREOF, I have hereunto affixed my signature this _____ day of _____, 2017 at _____, Philippines

Affiant

Subscribed and sworn to before me this _____ day of _____, 2017 at _____, Philippines.

WITNESS MY HAND AND SEAL, on the date and place just above-mentioned.

Notary Public

ANNEX E

REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

**AFFIDAVIT OF UNDERTAKING ON FINANCIAL SECURITY
(For Enrolment of New Building Ship)**

I _____, Filipino, of legal age, with postal address at _____, after having been duly sworn to in accordance with law, do hereby depose and say:

1. That I am the (Agency's Representative designation) of (Name of Agency), a company duly licensed by the Philippine Overseas Employment Administration to operate a licensed manning agency with office address at _____;
2. That (Name of Principal), our principal, with office address at _____, has designated our company as its lawful representative in the Philippines relative to the recruitment and deployment of Filipino seafarers to the ship of the principal;
3. That our company is requesting POEA for the enrolment of the new ship (name of ship) under the above-named principal, which is expected to be delivered by (date of delivery of the ship);
4. That our company and principal adhere to the amendments to the Code implementing Regulation 2.5 and 4.2 and appendices of the Maritime Labor Convention, 2006 (MLC 2006) on Financial Security for Foreign Flag Ships;
5. That the POEA had issued Memorandum Circular No. 7, Series of 2017 on financial security requirement and in compliance thereof, our company undertakes to submit to the Seabased Employment Accreditation Division, a copy/copies of the valid certificate/s of financial security or other document containing the information required in appendices A2-1 and A4-1 of MLC 2006, provided by our principal or shipowner, or P & I of the ship within **sixty (60) days** after ship delivery;
6. That pending submission of the required certificate/s, the company fully assumes responsibility for our deployed seafarers in relation to the items required to be covered by the financial security; and
7. That the company and concerned principal shall ensure continuing validity of the financial security coverage of the crew.

Further, I sayeth not.

IN WITNESS WHEREOF, I have hereunto affixed my signature this _____ day of _____, 2017 at _____, Philippines

Affiant

Subscribed and sworn to before me this _____ day of _____, 2017 at _____, Philippines.

WITNESS MY HAND AND SEAL, on the date and place just above-mentioned.

Notary Public

ANNEX F

REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

**AFFIDAVIT OF UNDERTAKING ON FINANCIAL SECURITY
(For Existing Enrolled Ship)**

I _____, Filipino, of legal age, with postal address at _____, after having been duly sworn to in accordance with law, do hereby depose and say:

1. That I am the (Agency's Representative designation) of (Name of Agency), a company duly licensed by the Philippine Overseas Employment Administration to operate a licensed manning agency with office address at _____;
2. That (Name of Principal), our principal, with office address at _____, has designated our company as its lawful representative in the Philippines relative to the recruitment and deployment of Filipino seafarers to the ship of the principal;
3. That our company had enrolled the ship, (Name of Ship) with the above-mentioned principal;
4. That our company and principal adhere to the amendments to the Code implementing Regulation 2.5 and 4.2 and appendices of the Maritime Labor Convention, 2006 (MLC 2006) on Financial Security for Foreign Flag Ships;
5. That our company had secured from the principal a financial security system in the form of (insurance or national fund or other similar arrangements) provided by (Name of Provider);
6. That the company and principal will ensure the continuing validity of the financial security coverage of the crew; and
7. That this affidavit is being executed in compliance with Memorandum Circular No. 7 series of 2017.

Further, I sayeth not.

IN WITNESS WHEREOF, I have hereunto affixed my signature this _____ day of _____, 2017 at _____, Philippines.

Affiant

Subscribed and sworn to before me this _____ day of _____, 2017 at _____, Philippines.

WITNESS MY HAND AND SEAL, on the date and place just above-mentioned.

Notary Public