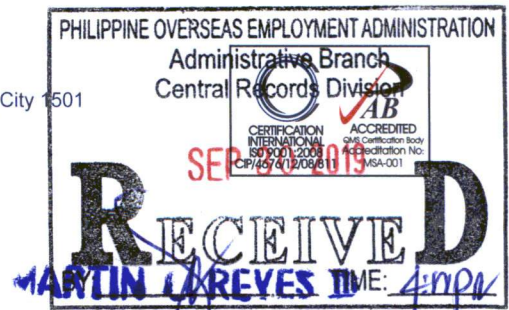




Philippine
Overseas
Employment
Administration

Republic of the Philippines
Department of Labor and Employment
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GOVERNING BOARD RESOLUTION NO. 10
Series of 2019

WHEREAS, it is the mandate of the POEA, after consultations with social partners to determine war risk trading areas and ports, and those under warlike operations or high-risk operations, and the amount of premium pay to which seafarers shall be entitled to when sailing into those areas and ports;

WHEREAS, on the recent negotiations among social partners of the International Bargaining Forum (IBF), an agreement was reached introducing Strait of Hormuz as an "IBF Temporary Extended Risk Zone", amending the list of Warlike and High Risk Designations with main applicable benefits attached, to be effective 13 August 2019;

WHEREAS, manning associations and seafarers' union through the Maritime Industry Tripartite Council (MITC) consulted by the POEA, fully support the new IBF agreement mentioned above;

WHEREAS, it is the paramount duty of the POEA to provide Filipino seafarers with the best possible protection and benefit coverage under such incidents of piracy attacks and captivity;

NOW THEREFORE, the POEA Governing Board, in a meeting duly convened, hereby **RESOLVES** to adopt the following:

- a. To restate the adoption of the definition of "basic wage" based on International Labour Organization (ILO) Maritime Labour Convention, 2006 (MLC, 2006) guidelines in the computation of applicable benefits for seafarers whose vessels are transiting through areas with warlike and high risk designations as follows:

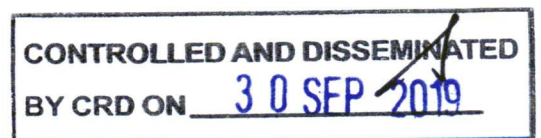
Basic pay or wages means the pay, however composed, for normal hours of work; it does not include payments for overtime worked, bonuses, allowances, paid leave or any other additional remuneration.

- b. To adopt the IBF list of Warlike and High Risk designations including its attachments, with main applicable benefits due to the seafarer, as follows:

Designation 1.

IBF Warlike Operations Area - 12 nautical miles off mainland Yemeni Coast,

[Handwritten signatures]



excluding Maritime Security Transit Corridor (MSTC) in the Red Sea - Chart 1

This Warlike Operations Area includes Yemeni territorial waters extending up to the 12 nautical miles' limit from the border of Yemen with Saudi Arabia in the Red Sea and the border of Yemen and Oman in the Gulf of Aden, with exception of the Maritime Security Transit Corridor (MSTC) in the Red Sea where the lanes of these safe passage corridor overlap with this Warlike Area.

- Bonus equal to basic wage, payable for 5 days minimum + per day if longer;
- Doubled compensations for death and disability; and
- Right to refuse sailing, with repatriation at company's cost and compensation equal to 2 month's basic wage.

Designation 1a.

IBF Warlike Operations Area - all ports in Yemen

This Area includes all port within the country of Yemen and applies to all vessels from the time that they are berthed "all fast" alongside.

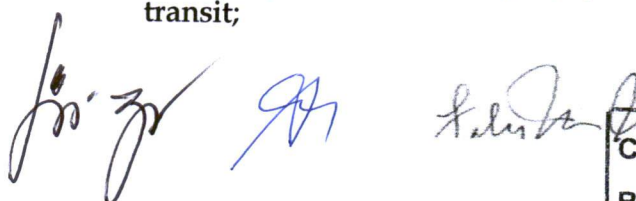
- Bonus equal to basic wage, payable for 5 days minimum + per day if longer;
- Doubled compensations for death and disability; and
- Right to refuse sailing, with repatriation at company's cost and compensation equal to 2 month's basic wage.

Designation 2.

"IBF High Risk"- Gulf of Aden + 400 nautical miles off Somali East Coast (Shown in red shade on Chart 2 (attached), excluding the Internationally Recognized Transit Corridor (IRTC) as detailed in Chart 2)

The Western Border of this High Risk Area runs from the coastline at the border of Djibouti and Somalia to position 11° 48' N, 45° E; from 12° 00' N, 45° E to Mayyun Island in the Bab El Mandeb Straits. The Eastern Border runs from Rhiy di-Irisal on Suqutra Island to position 14° 18' N, 53° E; from 14° 30' N, 53° E to the coastline at the border between Yemen and Oman together with a 400-mile zone off the eastern coast of Somalia, i.e. from Suqutra Island to the Kenyan border in the South.

- Bonus equal to basic wage, payable for the actual duration of stay/ transit;



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- Doubled compensations for death and disability;
- Right to refuse sailing, with repatriation at company's cost; and
- Increased Best Management Practice (BMP) level.

Notes: In Area 2 above, bonuses and compensations are not payable when the vessel is anchored or berthed in secure ports, except in Somalia.

Designation 3.

"IBF Extended Risk Zone"- West Indian Ocean and Red Sea, up to the Yemen/Saudi Arabia border at 16° 22'N (Shown on Chart 2) and including the MSTC (shown on Charts 1 and 3) but excluding the Warlike Operations Areas and the High Risk Area designated in 1, 1a and 2 above.

The Extended Risk Zone from Yemen/Saudi Arabia border at 16° 22'N in the Red Sea and 22°N in the Gulf of Oman, to 65° E and 5°S. A Warlike Area or High Risk Area within these coordinate will take precedence, except for transit with the Maritime Security Transit Corridor (MSTC), which includes Internationally Recognized Transit Corridor (IRTC).

- Bonus equal to basic wage, payable only the day the vessel is attacked;
- Doubled compensations for death and disability on the day the vessel is attacked; and
- Increased BMP level

Notes: In Area 3 above, bonuses and compensations are not payable when the vessel is anchored or berthed in secure anchorages or attached to SBM facilities or berthed in secure ports, except in Somalia and Yemen.

Designation 4.

"IBF High Risk Area"- Gulf of Guinea: territorial waters (12 nautical miles) ports and inland waterways of Nigeria and Benin (Chart 4a), excluding the MEZ, SAA and the STS* (Shown in green shade on Chart 4b, excluding the Maritime Exclusion Zone (MEZ), the Secure Anchorage Area (SAA) and the Ship-to-Ship Zone (STS) which are to be treated as IBF Extended Risk Zones with identical treatment as Designation 3 above)

The territorial waters of Benin and Nigeria, including ports, terminals and roads anchorages, the delta of the Niger river, other inland waterways and port facilities, except only when the vessel is attached securely to a berth or SBM facility in a guarded port area. MEZ, SAA and STS are excluded from this High Risk Area and are considered Extended Risk Zones.

- Bonus equal to basic wage, payable for the actual duration of stay/transit;

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- Doubled compensations for death and disability;
- Right to refuse sailing, with repatriation at company's cost (by submitting respective notice); and
- Increased security requirements

Notes: In Area 4 above, secure berthing in guarded port areas is excluded.

Designation 5.

"IBF Temporary Extended Risk Zone"- Strait of Hormuz

The Strait of Hormuz, excluding 3nm off the main coastlines of the United Arab Emirates (UAE), Oman and Iran (Chart 5)

The Extended Risk Zone (ERZ) applies to vessels in transit and includes:

On the West: A line joining Ra's-e Dastakan (26° 33'N - 55°17'E) in Iran, southward to Jaztal Hamra lighthouse (25°44'N - 55°48'E), in the United Arab Emirates (the common limit with the Persian Gulf). On the East: A line joining Ra's Limah (25°57'N - 56°28'E), in Oman, eastward to Ra's al Kûh (25°48'N - 57°18'E), in Iran (the common limit with the Arabian Sea).

Applicable only where higher entitlements have not been adopted.

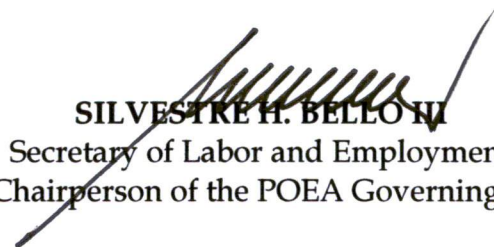
- Bonus equal to basic wage, payable only on the day the vessel is attacked;
 - In the event of the crew being forced to abandon ship, two months' basic pay and repatriation at Company's cost;
 - In the event of seizure or captivity of the seafarer, continuous full employment and pay until the seafarer's release and safe repatriation or until all of the company's contractual liabilities end;
 - Doubled compensations for death and disability if as a direct result of the attack; and
 - Increase BMP level.
- c. The payment of warlike operations area and of high risk operations area bonuses/additional compensation not covered by the above conditions shall remain unaffected by this Resolution.
- d. The POEA shall conduct an extensive information dissemination campaign to ensure the widest circulation of this Resolution.

RESOLVES finally that henceforth, the POEA Administrator is hereby authorized to issue guidelines adopting circulars and advisories on high risk zones areas that may be issued from time to time by competent and authorized bodies, to include payment of additional compensation and benefits.

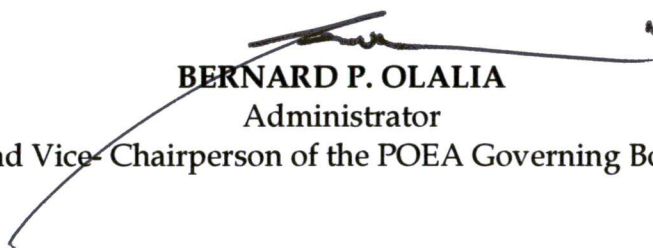
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The provisions herein provided shall apply to all Filipino seafarers effective 13 August 2019.

Done in the City of Manila this 24th of September 2019.



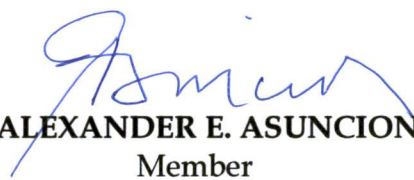
SILVESTRE H. BELLO III
Secretary of Labor and Employment
and Chairperson of the POEA Governing Board



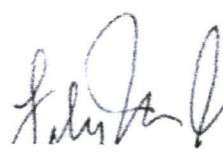
BERNARD P. OLALIA
Administrator
and Vice-Chairperson of the POEA Governing Board



ESTRELITA S. HIZON
Member
Private Sector Representative



ALEXANDER E. ASUNCION
Member
Landbased Sector Representative



FELIX M. OCA
Member
Seabased Sector Representative

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