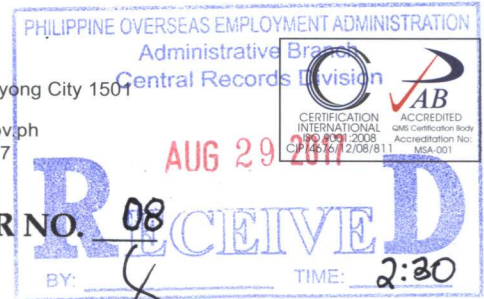




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MEMORANDUM CIRCULAR NO. 08
Series of 2017

TO : All POEA Licensed Manning Agencies and Accredited Principal/Employer

SUBJECT : Assignment of Representative of Accredited Principal/Employer at the Office of the Licensed Manning Agency

Pursuant to Section 99 of the 2016 Revised Rules and Regulation Governing the Recruitment and Employment of Seafarers, the POEA accredited principal/employer may assign its representative at the office of its authorized licensed manning agency/ies subject to the following guidelines:

I. ASSIGNMENT OF REPRESENTATIVE

- a. A duly authorized individual may be assigned as representative by a principal/employer to a maximum of three (3) licensed manning agencies where it has valid accreditation.
- b. The representative must be an employee of the principal/employer and an authorization or a corporate board resolution shall be issued for his/her assignment as a representative. He / she shall hold office and perform his/her authorized functions only at the registered office of the licensed manning agency/ies.
- c. The representative shall not be an employee of the licensed manning agency and shall not receive any compensation or benefit from the said licensed manning agency.
- d. The representative is not allowed to head or manage or be involved in the day to day operation of the licensed manning agency. He/she shall only be allowed to perform functions and responsibilities indicated in this Memorandum Circular.

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II. DUTIES AND RESPONSIBILITIES OF THE REPRESENTATIVE

The following are the duties and responsibilities of the representative of the accredited principal / employer:

- a. Approve officers and/or crew recruited by the licensed manning agency to join the vessel under the fleet of the principal/employer;
- b. Approve the promotion of the crew;
- c. Approve all manning costs chargeable against the principal/employer.
- d. Coordinate the principal's/employer's training requirements with the manning agencies;
- e. Coordinate the principal's/employer's cadetship program, if any;
- f. Coordinate with the manning agent the principal's/employer's welfare benefits to their crew and/or family, if any, not covered by the Collective Bargaining Agreement and/or Standard Employment Contract and other requirements under Philippine laws;
- g. Sign additional job orders and other accreditation documents if with written authorization by the principal; and
- h. Adhere to the laws, rules and regulations and other pertinent issuances.

III. APPROVAL OF AUTHORIZED REPRESENTATIVE

- a. The designation of an authorized representative shall be subject to the approval of the Pre-Employment Services Office (PSO) prior to performing his/her functions.
- b. The request for approval by the licensed manning agency shall be accompanied by the following documents:
 - i. Corporate board resolution or authorization identifying the full name of the representative and the fixed period of his/her assignment which shall not exceed the validity period of the principal's accreditation with the licensed manning agency/ies.
 - ii. Copy of passport of the representative;
 - iii. Bio-data with 2x2 photo of the representative;
 - iv. NBI clearance for Filipino national or Police clearance issued by the country of residence for foreign national;

- v. Certification from the PSO that the previous assignment or Letter of Acknowledgement of the representative was not withdrawn by the principal for cause or revoked by the Administration;
 - vi. Duly notarized Affidavit of Undertaking that the licensed manning agency shall take full responsibility for the acts related to the authorized functions of the representative of the principal/ employer as defined in this Circular and to report to the POEA the withdrawal or revocation of the assignment of the representative;
 - vii. Duly notarized Affidavit of Undertaking by the principal and the representative to adhere to the laws, rules and regulations and other pertinent issuances; and
- c. The PSO shall issue Letter of Acknowledgment (LOA) upon determination of the sufficiency of the documentary requirements.
 - d. After the issuance of the LOA, the representative shall secure a Certificate of Exclusion from the DOLE Regional Office pursuant to the pertinent issuances of DOLE. Thereafter, an appropriate and valid visa in accordance with Philippine regulations shall likewise be obtained from the Bureau of Immigration.

IV. WITHDRAWAL AND REVOCATION OF ASSIGNMENT

The assignment of the principal's representative or the Letter of Acknowledgement may be withdrawn or revoked on any of the following circumstances:

1. By the principal/employer, at any time, with or without cause; or
2. By the Administration, for non-compliance with the Affidavit of Undertaking or violation of any of the provisions and pertinent issuances, by the representative.

The licensed manning agency shall notify the PSO of such withdrawal or revocation by the principal/employer within seventy-two (72) hours from such action.

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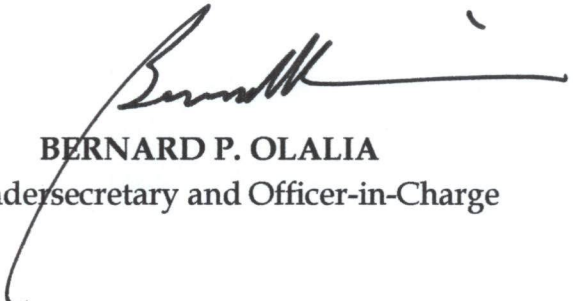
V. TRANSITORY PROVISION

The licensed manning agency may apply for the Letter of Acknowledgment for the new/incoming principal representative upon effectivity of this Circular.

In the case of representative of the principal presently assigned at the office of the licensed manning agency/ies where the principal has valid accreditation, the agency shall apply for the Letter of Acknowledgment of the representative within thirty (30) days from the effectivity of this Circular. The principal representative shall continue to function, consistent with the duties and responsibilities defined in this Circular.

VI. EFFECTIVITY

This Circular shall take effect within fifteen (15) days following its publication in a newspaper of general circulation and registration with the Office of National Administrative Register.



BERNARD P. OLALIA
Undersecretary and Officer-in-Charge

_____2017

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