



Philippine
Overseas
Employment
Administration

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MEMORANDUM CIRCULAR No. 03
Series of 2022

FOR : ALL CONCERNED JAPANESE LANGUAGE TRAINING CENTER

SUBJECT : OPERATIONAL GUIDELINES ON THE REGISTRATION OF
JAPANESE LANGUAGE TRAINING CENTER (JLTC) FOR THE
SPECIFIED SKILLED WORKER (SSW) PROGRAM FOR JAPAN

Further to *Department of Labor and Employment (DOLE) Department Order No. 231 Series of 2021*, amending DOLE Department Order No. 207, Series of 2019, and POEA Memorandum Circular (MC) No. 17, Series of 2019 on *Guidelines on the Accreditation of the Japanese Language Training Center (JLTC)*, the following guidelines are hereby issued for the procedural direction in filing of application for the registration of Japanese Language Training Centers participating in the Specified Skilled Workers (SSW) deployment program for Japan.

I. **Scope**

This Memorandum Circular provides for the operational guidelines on the registration of JLTCs, the office that will handle the registration process as well as the policies covering the registration process.

II. **Office In Charge**

The Administration hereby organizes a Pre-Employment Regulation Services Unit (PERSU) for the purpose of registration of JLTCs participating in the SSW deployment program for Japan.

The PERSU shall be supervised by the Director of the Licensing and Regulations Office (LRO) and shall be composed of detailed personnel from the Landbased Center; the Employment Regulations Branch (ERB); Licensing Branch (LB) and the Anti-Illegal Recruitment Branch. Additional personnel from other POEA offices shall be pooled into the unit as necessary.

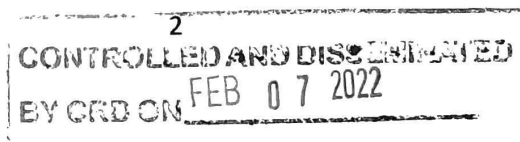
The PERSU shall perform the following functions:

1. Receive applications for the registration of JLTCs for the SSW program;
2. Evaluate applications for registration;
3. Issue a certificate of registration to qualified JLTC applicants;

4. Undertake coordination with POEA offices and other government agencies toward the smooth and efficient implementation of JLTC registration by the Administration;
5. In coordination with AIRB, conduct illegal recruitment detection, surveillance and prosecution activities among registered JLTCs;
6. Conduct administrative proceedings in relation to offenses that are not related to illegal recruitment as enumerated in Part IX, Nos. 4 to 9 herein; and
7. Provide recommendations to the Administration toward enhanced implementation of registering JLTCs for the SSW program.

III. Documentary Requirements and Procedure

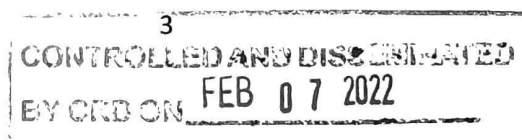
1. The documentary requirements for the registration of previously TESDA-accredited JLTC are as follows:
 - 1.1. Applicant's Letter of Intent indicating the Level of Registration being applied for;
 - 1.2. Original TESDA registration and accreditation (for verification purposes, to be returned to applicant) and copies for file by the Administration;
 - 1.3. Duly accomplished Affidavit of Undertaking (hereto attached and made an integral part of this Memorandum Circular)
2. The documentary requirements for JLTCs yet applying for TESDA accreditation are as follows:
 - 2.1. Applicant's Letter of Intent indicating the Level of Registration being applied for;
 - 2.2. Proof of application for TESDA accreditation/TESDA accreditation certificate;
 - 2.3. Certificate of Business Name Registration issued by Department of Trade and Industry (DTI) in the case of sole proprietorship; or a certified true copy of the Articles of Partnership or Articles of Incorporation duly registered with the Securities and Exchange Commission (SEC) in the case of a partnership or corporation;
 - 2.4. Business Permit;
 - 2.5. Bureau of Internal Revenue (BIR) Certificate of Registration;
 - 2.6. Company Profile;
 - 2.7. Location Map;
 - 2.8. Latest 2x2 photo with nameplate (Last Name, First Name, Middle Initial) of the Sole Proprietor, Partners, Directors and Officers;



- 2.9. Valid National Bureau of Investigation (NBI) and Anti-Illegal Recruitment Branch (AIRB) Clearances of sole proprietor, partners, shareholders, directors, officers, employees and representatives;
- 2.10. Affidavit of Undertaking that the Sole Proprietor, Partners, Shareholders, Members of the Board of Directors, President/CEO/Corporate Officers/Employees of the JLTC shall:
 - a. Not engage or participate in any act which constitutes illegal recruitment;
 - b. Not collect training fees from trainees referred by the licensed recruitment agencies;
 - c. Fully understand that any violation of the POEA Guidelines on Registration of Japanese Language Training Center shall be a ground for outright denial of application or renewal of registration or automatic revocation of registration.
- 2.11. List of Trainers:
 - Personal Data Sheet
 - Alien Employment Permit (For Non-Filipinos)
- 2.12. Training Program/Curriculum indicating mandatory number of hours required
- 2.13. Undertaking / Disclosure
 - Non-Affiliation to any overseas recruitment activity / PRAs
- 2.14. Schedule of Fees

3. Procedure for Filing of Application

- 3.1. An application for JLTC registration will be aided by a system for electronic queueing and appointment-setting developed by the POEA ICT Branch. Through the system, the applicant will generate and print an appointment ticket in two (2) copies.
- 3.2. During the designated time and date indicated in the appointment ticket, the applicant shall submit the application folder through the designated drop box at the PERSU. One (1) copy of the appointment ticket shall be attached to the submitted folder while the other copy shall be stamped by the receiving officer at the PERSU, returned to the applicant and shall serve as proof of submission.
- 3.3. The PERSU shall evaluate the application as to completeness, authenticity of documentary submissions and compliance with training standards. If deemed incomplete or requiring further compliance, the applicant shall receive a notice returning the application without prejudice to refiling.



- 3.4. Once approved, the Certificate of Registration of the JLTC shall be sent via email and/or registered mail.

IV. Levels and Validity of Registration

1. The Level of Registration of the applicant JLTC must correspond to the level of its offered course in terms of language proficiency as measured by the Japan Language Proficiency Test, as follows:

Level of Offered Course	Level of POEA Registration
N5 JLPT Level	Level 1
N4 JLPT Level	Level 2
N3 JLPT Level	Level 3
N2 JLPT Level	Level 4
N1 JLPT Level	Level 5

Registered JLTCs shall only be allowed to deploy the types of workers for the SSW consistent with the level of Japanese language proficiency that it has been registered with the Administration. For clarity, a registered JLTC with a Level 1 Registration shall only be allowed to deploy workers with N5 proficiency. A JLTC with a Level 3 registration shall be allowed to deploy workers with N3 proficiency as well as workers with lower levels of proficiency (N4 and N5). A JLTC with a Level 5 proficiency shall be allowed to deploy workers with N1 proficiency as well as workers with lower levels of proficiency (N2, N3, N4 and N5).

2. Initial JLTC registration shall be valid for four (4) years from the date of approval unless earlier revoked by the Administration.
3. The Registration Certificate duly signed by the Administrator shall contain the following information:
- Name of the Japanese Language Training Center;
 - Level of POEA Registration
 - Complete business address, email address, contact number;
 - Name of authorized representative;
 - Prohibited acts;
 - Validity period; and
 - Date and place of issuance.
4. The registered Japanese Language Training Center shall notify the Administration of any change in the composition of the partnership or corporation within thirty (30) days from such changes and submit the profile, photo, NBI, and AIRB Affidavit of Undertaking and AIRB Clearances of the new partner or director, officers and staff, as the case may be.

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 FEB 07, 2022
 BY CRD ON _____

V. Responsibilities of Registered Training Centers

In order to maintain the validity of their registration, JLTCs shall:

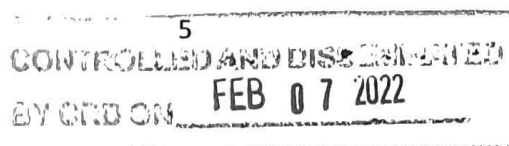
1. Maintain the standards entailed in the qualification requirements;
2. Conduct language trainings only on the approved venue or online platform and by competent trainers/instructors duly certified by TESDA;
3. Comply with the training regulations or benchmark developed by TESDA or with instructional materials corresponding to the proficiency levels;
4. Maintain the classroom in a safe, secure, sanitary, and comfortable condition;
5. Ensure that the required textbooks or e-books, other learning modules and/or teaching aids prescribed in the program shall be available, sufficient, and updated;
6. Provide Online Learning Plan, Protocolos, and Guidelines;
7. Issue Certificate of Training only to those who passed the assessment;
8. In case of cessation or suspension of operations, inform the POEA at least thirty (30) days before its intended date of cessation or operation of business;
9. Comply with such other orders, regulations, issuance and policies that the TESDA may issue relative to conduct of training; and
10. Submit report / data to POEA of trainings conducted along with a listing of trainees who have successfully completed and were issued certificates of training.

VII. Renewal of Registration

All applications of JLTCs for renewal of registration shall be filed within three (3) months prior to the expiration of the initial registration. No application shall be accepted after the date of expiration of the Registration Certificate.

Following Part V of this Memorandum Circular as guide, the JLTC shall be assessed by the Administration upon submission of the following documents:

1. Letter of Intent;
2. Latest General Information Sheet (GIS) duly received by the Securities and Exchange Commission (SEC) in the case of a partnership or corporation;
3. Profile and photos of the new Directors and Officers;
4. Valid NBI and AIRB Clearances of sole proprietor, partners, directors, officers, and staff;
5. Affidavit of undertaking by the Sole Proprietor, Partners or Members of the Board of Directors that: President / CEO / Corporate Officers / Employees that:
 - a. They shall not engage or participate in any acts which constitute illegal recruitment;
 - b. They shall not collect training fees from trainees referred by the licensed recruitment agencies;
 - c. They fully understood that any violation of the POEA Guidelines on Registration of Japanese Training Centers and any of these undertaking shall be a ground for outright denial of application or renewal of registration or automatic revocation of registration.



The PERSU shall check the completeness of the documents. Incomplete documents shall be returned without prejudice to refileing.

Once approved, the Certificate of Registration shall be sent via email and registered mail.

The renewed Registration Certificate of the JLTC shall be valid for another four (4) years unless earlier revoked by the Administration.

VIII. Grounds for Non-Approval of Renewal of Registration

1. Non-compliance with any responsibilities of registered training centers as enumerated in Part V hereof;
2. Violation of any of these guidelines and applicant's undertakings;
3. Commission of any prohibited acts stated hereunder;
4. Closure of the training center due to illegal recruitment activities.

IX. Acts Constituting Grounds for Automatic Revocation of Registration and Imposition of Sanctions and Penalties

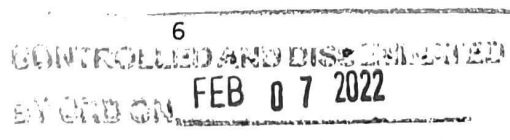
Consistent with existing laws, rules and regulations, the following acts shall constitute grounds for the automatic revocation of the registration of JLTCs as well as the imposition of sanctions and penalties, as appropriate:

Illegal Recruitment Activities.

When any of the Sole Proprietor, Partners, Shareholders, Members of the Board of Directors, President/CEO/Corporate Officers/Employees of the JLTC:

1. is engaged, is engaging or has been engaging in illegal recruitment activities, or when there is a verifiable report that the JLTC and/or any of the individuals in III.2.10 hereof has committed or is committing acts constituting illegal recruitment and/or trafficking in persons;
2. collects training fees, directly or indirectly, from trainees referred by the licensed recruitment agencies; or
3. falsifies or alters the certificate of training/ participation /attendance of trainee; and/or submitted to POEA falsified or altered certificate of training participation/attendance of trainee for the purpose of documenting the hired workers.

Any findings or reports of commission of any of the aforementioned grounds shall be endorsed to Anti-Illegal Recruitment Branch.



Activities not Considered as Illegal Recruitment

When any of the Sole Proprietor, Partners, Shareholders, Members of the Board of Directors, President/CEO/Corporate Officers/Employees of the JLTC:

4. submits false or misleading information, or spurious documents in its application for registration before this Administration;
5. goes beyond the scope of its purpose/s as stated in the Articles of Partnerships or Articles of Incorporation;
6. allows the use of registration number to any unauthorized training provider;
7. violates this Memorandum Circular and other POEA issuances;
8. commits acts which are against the law, public policy, and public morals; and
9. commits other acts analogous to the foregoing.

Any findings or reports of commission of any of the aforementioned grounds shall be acted upon by the PERSU accordingly.

X. Effectivity and Repealing Clauses

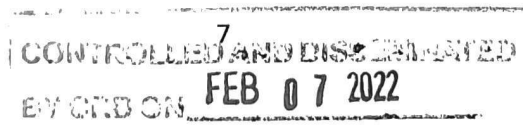
This Memorandum Circular shall take effect fifteen (15) days after publication in any newspaper of general circulation and upon filing with the Office of the National Administrative Register (ONAR).

All previous issuances inconsistent herewith are hereby repealed or modified accordingly.

For strict compliance.


BERNARD P. OLALIA
Administrator

____ February 2022



AFFIDAVIT OF UNDERTAKING

I, (FULL NAME), of legal age, Filipino and with office address at _____
and residential address at _____,
after having been sworn in accordance with law, do hereby depose and state that:

1. I am the (POSITION) of (NAME OF JLTC) with business address at (ADDRESS);
2. (NAME OF JLTC) is a Japanese Language Training Center (“JLTC”) duly accredited by the Technical Education and Skills Development Authority (“TESDA”) with Accreditation No: (ACCREDITATION NUMBER);
3. We are securing the registration of the above-named JLTC from the Philippine Overseas Employment Administration (“POEA”) by virtue of POEA Memorandum Circular No. 03 Series of 2022 in relation to Department of Labor and Employment (“DOLE”) Department Order No. 231 Series of 2021;
4. I am aware of existing Philippine Laws particularly the Migrant Workers Act (R.A. No. 8042 as amended by R.A. No. 10022); Anti-Trafficking in Persons Act (R.A. No. 9208 as amended by R.A. No. 10364); 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016 (POEA 2016 Rules); POEA Memorandum Circular No. 03 Series of 2022 in relation to DOLE Department Order No. 231 Series of 2021; and other related rules and guidelines;
5. Thus, in adherence to the foregoing, I hereby undertake that:
 - a. I shall not engage nor participate in any acts which constitute illegal recruitment and/or trafficking in persons;
 - b. I shall not collect training fees from trainees referred by the licensed recruitment agencies;
 - c. I fully understand that any violation of the POEA Guidelines on the Registration of Japanese Language Training Centers and any of these undertakings shall be a ground for outright denial of application or renewal of registration or automatic revocation of registration, as the case may be.
6. The attached documents relative to this Affidavit of Undertaking are authentic; thus submission of spurious documents shall be a ground for the outright denial of the application or renewal of registration of the JLTC;
7. That I execute this Affidavit to attest to the truth of the above stated facts and for all legal intents and purposes it may serve.

IN WITNESS WHEREOF, I have hereto affixed my signature this ____ day of ____ 2022
in _____ City.

(Signature over Printed Name)

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME this ____ day of _____,
affiant exhibiting to me his/her _____ ID with ID No. _____ issued by the
_____ on _____ in _____ and valid until _____.

Doc. No. ____;
Page No. ____;
Book No. ____;
Series of 2022.

CONTROLLED AND DISSEMINATED
BY CRD ON FEB 07 2022