

MEMORANDUM CIRCULAR No. 09
Series of 2022

TO : ALL CONCERNED

SUBJECT : INTERIM GUIDELINES ON THE PROVISIONAL ACCREDITATION/REGISTRATION OF LANDBASED PRINCIPAL/EMPLOYER

In the interest of public service and in view of Proclamation No. 1218 dated 10 September 2021 further extending the period of State of Calamity throughout the Philippines due to Corona Virus Disease 2019, POEA Memorandum Circular No. 32, Series of 2020 is hereby modified and expanded as to the following coverages:

I. COVERAGE

This Memorandum Circular covers the initial/ first or dual, renewal of accreditation and /or renewal of registration of the principal/employer including pending applications for accreditation / registration with the Landbased Center (LBC) except requests for cancellation.

II. REQUIREMENTS

Provisional accreditation/ registration may only be granted upon the request of the licensed recruitment agency or upon recommendation of the LBC after substantial compliance and submission of the following documents:

1. Recruitment Agreement;
2. Job order indicating the positions, the number of positions required and salary per position;
3. Copy of the valid commercial registration and business license of the principal;
4. Master employment contract; and
5. Contingency plan as may be applicable.

Additional Requirements

A. For Foreign Placement Agencies

1. Business license or valid commercial registration of the actual employer hiring skilled Overseas Filipino Workers;
2. Master employment contract from the employer;

3. Manpower request from the employer; and
4. Service agreement between the FPA and the client/ employer

B. For Staffing/ Sourcing Company

1. The list of names and addresses of its clients;
2. Manpower request from the client; and
3. Service agreement between the company and its clients.

The documents submitted should be verified by the Philippine Overseas Labor Office, or authenticated/ acknowledged by the Philippine Embassy/ Consulate or apostilled whichever is appropriate, and without prejudice to the application of the relevant provisions of Part VIII, INCENTIVES AND AWARDS, of the 2016 POEA Rules.

III. SIGNATORY AND VALIDITY OF PROVISIONAL ACCREDITATION/ REGISTRATION

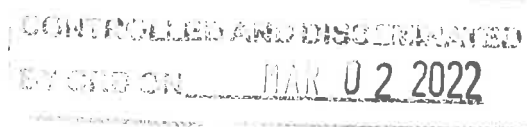
The Certificate of Provisional Accreditation/ Registration shall be signed by the Director, Pre-Employment Services Office and shall be valid for a period of **one hundred twenty (120) days** from the date of issuance.

IV. UPGRADING TO REGULAR ACCREDITATION/ REGISTRATION AND REVOCATION OF PROVISIONAL ACCREDITATION/ REGISTRATION

After submission of the lacking documents in the original request, if any, and after evaluation by the Landbased Center, a provisional accreditation / registration may be upgraded to full accreditation/ registration. Thorough evaluation by the Landbased Center will be done after the issuance of provisional accreditation/ registration and the concerned licensed recruitment agency shall be notified of the lacking documents and the period of compliance, if any.

Failure to submit the required documents indicated in the Notice of Deficiency within the validity of the provisional accreditation/ registration, shall result in the automatic cancellation/ revocation of the granted provisional accreditation / registration, including all approved job orders.

Submission of the required documents after the lapse of the prescribed period for provisional accreditation/ registration shall be treated as new request, and thus all the required supporting documents shall be submitted.



V. LIMITATION

The licensed recruitment agency may be allowed to deploy up to **fifty (50)** Filipino workers to the principal or employer during the validity of provisional accreditation/registration.

VI. MISCELLANEOUS PROVISIONS

The Pre-Employment Services Office, through the Landbased Center, shall look into any possible misrepresentation in cases of cancelled/revoked accreditation/registration and shall endorse to the Adjudication Office for filing and investigation.

A principal/employer whose provisional accreditation/ registration was revoked/ cancelled or has committed and/ or with a pending case for misrepresentation, in relation to the application for provisional accreditation/ registration, shall be disqualified to be issued dual provisional accreditation/ registration.

VII. RESPONSIBILITY AND OBLIGATION

The principals/ employers and the licensed recruitment agencies who were granted provisional accreditation/ registration shall have the same responsibilities and obligations provided under the POEA Rules and Regulations and their undertaking for the principals/ employers and the licensed recruitment agencies which were given regular accreditation/ registration.

VIII. EFFECTIVITY

This Circular shall take effect immediately.

For guidance and strict compliance.


BERNARD P. OLALIA
Administrator

CONTROLLED AND DISSEMINATED
BY ORG OR **MAR 02 2022**