

PRESCRIBING ADDITIONAL REQUIREMENTS, CONDITIONS AND PROCEDURES FOR THE DEPLOYMENT OF PERFORMING ARTISTS

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Pursuant to Article 36 of P.D. 442, as amended, otherwise known as the Labor Code of the Philippines, and in order to provide continuing employment opportunities to legitimate Filipino performing artists abroad and to ensure their protection and welfare, the following shall govern the recruitment and placement of Filipino performing artists overseas:

1. No Filipino entertainers shall be deployed outside the Philippines except for legitimate performing artists consisting of musicians, singers and members of dance troupes. In all cases, the performing artists must have a track record of legitimate and reputable performance in the Philippines for at least one year. In no case shall the performing artist be below 23 years old.

The Secretary of Labor and Employment may, for justifiable reasons, exempt performing artists from coverage hereof;

2. The deployment of Filipino artists shall be limited to reputable night clubs, cabarets, hotels and theaters accredited by the Philippine Embassy/Consulate through the Office of the Labor Attache;

3. Only licensed recruitment agencies and their registered talent managers/promoters shall be allowed to recruit, train, manage and deploy performing artists;

4. The Labor Attache shall maintain a registry of establishment which comply with the requirements of the POEA regarding the employment of performing artists;

5. Foreign employers/promoters shall only be allowed to negotiate for the deployment of performing artists after accreditation by the Embassy/Consulate, through the Office of the Labor Attache.

Foreign employers/promoters shall be required to post a bond in the Philippines in the amount of US\$20,000.00 or its equivalent in Philippine currency, to answer for all claims of the artist against the employer/promoter;

6. In the accreditation of the foreign employers/promoters, the Labor Attache shall require the following:

- Certificate of compliance issued by the appropriate government agencies of all the applicable laws in his country regarding the employment of foreign workers.
- Submission of police and immigration clearances;
- Complete description of the night clubs or cabarets, etc. Including their exact location and address, size of establishment, number of personnel, name of owners, their addresses and telephone numbers; and
- Submission of copy of the booking contract between the foreign promoter and club owner, with English translation.

7. All performing artists shall be covered with accident and death, health and hospitalization insurance/bond, the premium of which shall be the sole obligation of the employer. In addition, the Filipino recruiter shall also cover

the performing artist with an accident and death insurance in the Philippines in an amount not less than P400,000.00;

8. No performing artist shall be required to work as receptionist/hostess, to engage in "dohan" or other similar practices, to perform nude, indecent or other illegal acts. In no case shall be artist be required to solicit customers for the establishment or its owners;

9. No performing artist deployed to a particular establishment or club shall be allowed to re-book or transfer to another club or establishment outside of the one to which he was deployed;

10. No performing artist shall receive less than sixty (60%) percent of the booking rate or the amount of US\$800.00 per month, whichever is higher;

11. The POEA shall no longer be involved in the audition of talents. The recruitment agencies shall ensure that only legitimate performing artist are deployed;

12. The Filipino recruitment agency shall likewise be required to file with the POEA a copy, with an English translation, of the booking contract between the agency and the foreign employer/promoter;

13. All performing artists shall undergo pre-employment orientation seminars (PEOS) and pre-departure orientation seminars (PDOS) to be conducted by NGOs and/or trade unions under the supervision of the POEA;

14. All performing artists shall be required to personally appear at the POEA for the processing of their contracts.

Any violation of this Circular shall cause the blacklisting, suspension and cancellation of the accreditation or license of the foreign employers/promoters and/or the recruitment agencies.

This Circular shall take effect (15) days after publication in a newspaper of general circulation.

Adopted: 20 Nov. 1991

(SGD.) RUBEN D. TORRES

Secretary

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