GUIDELINES ON TRANSFER OF ACCREDITATION/REGISTRATION OF FOREIGN PLACEMENT AGENCIES (FPAS)

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Pursuant to Sec. 10, Rule I, Part III of the 2002 POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Workers, the following guidelines shall govern the transfer of registration/accreditation of foreign placement agencies:

I. Coverage

Foreign Placement Agencies (FPAs) that have valid registration or accreditation with a Philippine Recruitment Agency (PRA) may transfer their registration or accreditation to another PRA upon submission of the necessary requirements. These guidelines shall not apply to FPAs whose registration or accreditation has already expired.

II. Requirements for transfer of registration/accreditation

- Revocation by the FPA of the Special Power of Attorney (SPA) granted to the former agent. The revocation shall be notarized or certified or authenticated by the Chamber of Commerce or Notary Public or other similar offices in the jobsite;

- Notice of the FPA to the previous agent of such revocation;

- Application of the new agent for the transfer of registration or accreditation;

- Verified SPA issued to the new agent, Manpower request and Master Employment Contract Verification shall be done by the Philippine Overseas Labor Office (POLO) nearest the worksite prior to registration.

- Affidavit of assumption of responsibility by the transferee agent.

III. Action on the application for transfer of registration/accreditation

- Upon receipt of the application for the transfer of registration or accreditation, the Administration shall notify the previous agency of such application.

- The Administration shall act on the request for transfer of registration or accreditation within twenty-four (24) hours upon submission of all requirements by the new transferee agency, provided there are no legal impediments or orders prohibiting such action.

- Moreover, in accordance with Section 11 of the same Rule, claims for money or enforcement of obligations arising out of business relations between the FPA and the former agent may be conciliated by the Administration. However, the pendency of the conciliation shall not prevent the Administration from acting on the request for

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registration or accreditation if public interest so requires and the applicant meets all the requirements for registration or accreditation. If no compromise or amicable settlement is reached during the conciliation proceedings, the parties are free to ventilate their claims before the proper forum.

- All actions on the applications for transfer shall be without prejudice to any action, administrative or otherwise, that may be instituted by the former agent against the principal (FPA).

The above requirements and procedures shall likewise apply to transfer of registration or accreditation of direct principals and/or employers.

All issuances inconsistent herewith, including those issued for special markets, are hereby repealed or modified accordingly.

This Circular shall take effect fifteen (15) days after publication.

For strict compliance.

Adopted: 14 Apr. 2003

(SGD.) ROSALINDA DIMAPILIS-BALDOZ
Administrator

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