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# COMPULSORY INSURANCE COVERAGE FOR AGENCY-HIRED OFWS

*POEA MEMORANDUM CIRCULAR NO. 09, S. 2010, October 21, 2010*

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Pursuant to Governing Board Resolution No. 8, series of 2010, mandating the implementation of the compulsory insurance coverage of agency-hired overseas Filipino workers provided under Section 37-A of RA 8042 (The Migrant Workers and Overseas Filipinos Act of 1995), as amended by Republic Act 10022 and Rule XVI of the Omnibus Rules and Regulations Implementing Republic Act 8042, as amended, the following guidelines are hereby issued:

I. Overseas Filipino Workers Covered

All agency-hired overseas Filipino workers (OFWs), whether landbased or seabased, shall be covered by a compulsory insurance coverage issued by an insurance provider duly licensed and certified by the Insurance Commission.

Agency-hired OFWs are those hired through POEA licensed land-based recruitment or manning agencies.

II. Policy Duration and Coverage

Pursuant to Section 2, Rule XVI of the Omnibus Rules and Regulations Implementing Republic Act 8042, as amended by RA 10022, the insurance coverage shall be effective for the duration of the worker's employment contract and shall cover the following contingencies, at the minimum:

a. accidental death
b. natural death
c. permanent total disability
d. repatriation cost
e. subsistence allowance
f. settlement allowance
g. compassionate visit
h. medical evacuation
i. medical repatriation

III. Payment of Insurance Coverage

The recruitment/manning agency or the foreign principal/employer shall pay the cost of the insurance coverage. In no case shall it be charge directly or indirectly to the agency-hired OFW.

IV. Requirements for the Issuance of the Overseas Employment Certificate (POEA Exit Clearance)

In addition to the POEA requirements for the issuance of the overseas employment certificate (POEA exit clearance), the recruitment/manning agency shall present the following upon processing of the employment documents of the OFWs:

a. For landbased Filipino workers, recruitment agencies shall present an original copy of the insurance policy for



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each OFW, together with a one (1) page document detailing the name of the worker, the principal, the insurance provider and the insurance policy number.

In case of group insurance, a Proof of Cover which shall also be pre-approved by the Insurance Commission shall be issued to the individual insured OFW.

b. For seafarers, manning agencies whose seafarers will be deployed on board vessels with policies issued by foreign insurance companies, including entities providing indemnity cover to the vessel, shall submit a certificate or other proof of cover signed by its principal. A copy of the standard Certificate of Cover is attached.

Manning agencies whose principals' vessels are not covered by any indemnity insurance shall secure insurance policies from insurance companies duly licensed and certified/authorized by the Insurance Commission to underwrite insurance policies for overseas Filipino workers.

c. Agencies whose workers/seafarers were processed through the in-house processing scheme shall submit to the POEA the insurance policies/indemnity cover of their workers prior to the deployment of the workers.

V. Penal Provision

Violation by the recruitment/manning agency and/or the foreign principals of these guidelines shall be a ground for the imposition of appropriate sanctions under the POEA Rules and Regulations and other applicable laws.

These guidelines shall take effect fifteen (15) days from date of publication in a newspaper of general circulation.

(SGD.) JENNIFER JARDIN-MANALILI
Administrator


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