

GUIDELINES ON THE DEPLOYMENT OF FILIPINO FISHERMEN BOARDING TAIWAN FISHING VESSELS IN PHILIPPINE PORTS

POEA MEMORANDUM CIRCULAR NO. 01, January 14, 1999

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The following guidelines on the deployment of Filipino fishermen boarding Taiwan registered fishing vessels in Philippine ports are hereby prescribed.

I

Coverage

Only licensed manning agencies are allowed to participate in the deployment of Filipino fishermen to work on board Taiwan registered fishing vessels.

II

Registration with the POEA or the Regional Centers Extension Units shall be a prerequisite for employment by manning agencies. As a requirement for registration, all fishermen shall submit to POEA or its Regional Centers/ Extension Units, a valid Seafarer's Identification Record Book (SIRS) issued by the Maritime Industry Authority (MARINA) or valid passport.

III

Accreditation of Taiwan Employers as Principals

The Philippine manning agency shall submit the following requirements for accreditation to POEA:

- Manning Agreement (MA) and/or Special Power of Attorney (SPA) authenticated by POEA if the Master owns the fishing vessel and the vessel is docked at a Philippine port. Otherwise, the MA and/or the SPA shall be authenticated by the MECO Labor Center
- Vessel Registration in Taiwan with the Council of Transportation number
- Valid fishing license issued by Taiwanese Fisheries Administration
- Certificate of membership in a Taiwan Fishermen's Association, if available
- Crew complement/job order reflecting data on salary schedule
- Information sheet of principal

IV

Enrollment of Fishing Vessels

The following requirements for enrollment of fishing vessels are required for submission by the manning agency to POEA:

- Vessel registration as per III(b) above
- Crew complement/job order
- Salary scale

V

Contract of Employment

The employment of Filipino fishermen shall be governed by the attached employment contract which forms part of this issuance. The contract provisions stipulates, among others:

- Basic salary of at least Eight Thousand Pesos (P8, 000);
- Insurance coverage of Five Hundred Thousand (P500.000) at no cost to the worker;
- Contract duration shall adopt to the vessel's fishing schedule or voyage contract, provided that it shall not be more than 12 months.

VI

Requirements for Contract Processing

The following requirements of contract processing shall be submitted by the manning agency to POEA:

- Individual Employment Contract signed by the fishermen and the manning agency
- Letter request for processing
- Seafarer's Identification Record Book/Valid Passport or C3 Certification
- Seafarer's Registration Certificate
- Seafarer's Information Sheet

VII

Pre-Departure Orientation Seminar

Pre-Departure Orientation Seminar shall be done both at POEA Central Office or its Regional Centers/ Extension Units.

VIII

Solidary Liability

The Philippine manning agency shall be jointly and severally liable with the principal for all claims arising from employment of its hired fishermen.

IX

Penal Clause

Any violation of the rules set forth herein shall be a ground for disqualification of the agency from the scheme in addition to administrative penalty under existing regulations.

This issuance shall be on experimental basis and subject to further evaluation of the Administration after three (3) months from its implementation,

For strict compliance.

Adopted: 14 Jan. 1999

(SGD.) REYNALDO A. REGALADO
Administrator

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