

CLARIFICATION OF ADMINISTRATIVE GUIDELINES IMPLEMENTING DEPARTMENT CIRCULAR 01-91

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Further to DOLE Administrative Guidelines Implementing Department Circular 01-91 dated 13 December 1991 and Department Circular No. 3, Series of 1992 on deployment rules for performing artists overseas, the following clarifications/information are hereby issued:

1. On Pipeline Accounts (Section 6 — Transitory Provisions) :Employers/promoters with valid accreditation and in possession of working visas or Certificates of Eligibility issued on or before 01 March 1992, shall undergo regular processing. All Certificates of Eligibility issued after 01 March 1992 shall be processed under the requirements of new accreditation. The deadline for visa issuance covered by regular processing under pipeline accounts has been moved from 31 January 1992 to 01 March 1992.

2. On Exemptions (Section 2) - All exempted performing artists defined under Section 2 shall be processed by the POEA Government Placement Branch subject to the submission of the following:

- a. Written exemption issued by the Secretary of Labor and Employment
- b. Original booking contract/invitation to perform for charity shows
- c. Visa/entry permit
- d. Airline ticket or airline booking certificate
- e. For graduates of performing arts schools — diploma from such school
- g. Processing Fee of P75.00

3. On the \$20,000 Cash Bond Requirement (Section 3 No. 2) — Requirements for POEA Accreditation)

3.1 Coverage: The cash bond of \$20,000 shall answer primarily for whatever valid and legal claims the worker may lodge against the employer.

3.2 Posting of the Cash Bond: The cash bond shall be deposited in escrow in favor of POEA under the terms and conditions prescribed in an escrow agreement, copies of which are attached (EA-1 and EA-2) and shall form as part of this memorandum circular.

3.3 Procedures in Filing of Escrow Agreement:

Parties to the escrow agreement shall be the employer/representative, his designated Philippine bank and the POEA.

The escrow agreement form, issued by Accreditation Branch, shall be submitted by the employer/representative to the Accreditation Branch, duly accomplished and signed by the employer and the

designated bank together with the proof of payment from the bank.

The POEA Administrator shall sign the Escrow Agreement after evaluation by Accreditation Branch.

The fully accomplished and signed agreement shall be returned to the employer/representative for notarization upon which the agreement shall be deposited with the Accreditation Branch of POEA.

Copies of the agreement shall be made available to the employer and the bank.

3.4 Terms and Period of Payment: The cash bond may be paid in full or in two equal installments. The initial posting of \$10,000 shall be done upon application for accreditation and the remaining \$10,000 payable not later than 31 October 1992, detailed as follows:

- All previously accredited employers undergoing new accreditation under the abovementioned guidelines shall post the initial \$10,000 cash bond on or before 15 April 1992. The remaining \$10,000 shall be payable not later than 31 October 1992.

New employers applying for accreditation after 15 April 1992 shall pay the initial \$10,000 upon application for accreditation and the remaining \$10,000 on or before 31 October 1992.

Both payments shall be accompanied by separate escrow agreements.

After 31 October 1992, the cash bond shall be paid in a lumpsum of \$20,000.

This Circular shall take effect immediately.

For strict compliance.

Adopted: 21 Feb. 1992

(SGD.) JOSE N. SARMIENTO

Administrator

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