

PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION  
Licensing and Regulation Office  
Licensing Branch, Licensing and Evaluation Division

**CHECKLIST OF REQUIREMENTS FOR RENEWAL OF LICENSE**

1. ( ) Applicant Information Sheet for Renewal of License (FM-POEA 03-IR-02B) signed by Head of Office
2. Proof of Business Registration
  - ( ) Updated DTI registration in case of sole proprietorship
  - ( ) General Information Sheet in case of partnership and corporation
3. Escrow Agreement
  - ( ) Three (3) copies of renewed/new escrow agreement with a commercial bank authorized to handle trust accounts by the *Bangko Sentral ng Pilipinas*,
  - ( ) Bank certificate of escrow deposit of PhP1,000,000.00 for agencies with no pending case.

Provided, that if during the renewal, the applicant has pending recruitment violation/s before the Administration, bank certification including the additional escrow deposit shall be required in accordance with the following schedule:

No. of Pending Case (s)	Additional Escrow Deposit
1 to 5	PhP 50,000.00 per case
6 to 10	PhP 75,000.00 per case
11 or more	PhP 100,000.00 per case

The total escrow deposit shall, in no case, exceed Two Million Pesos (PhP2,000,000.00)

4. Financial Statements
  - ( ) Duly filed latest audited Financial Statements and Income Tax Returns with confirmation receipt of payment of the licensed agency.
  - ( ) In case the equity of the licensed recruitment agency is below the minimum capitalization requirement, it shall be required to undertake capital infusion by submitting the following proofs of capital infusion:
    - For Single Proprietorship:
      - DTI certification on increase in owner's capital
    - For Corporation/Partnership:
      - a) SEC certificate on capital infusion
      - b) Bank certification corresponding to the amount of capital infusion
      - c) Treasurer's affidavit duly received by the SEC.
      - d) SEC certificate of present paid-up capital after infusion

\*Agency may execute an affidavit of undertaking to submit the required documents within thirty (30) days from release of the renewed license, otherwise the license shall be suspended until it has complied with such requirement.

5. All Directors, Officers and Staff
  - ( ) NBI Clearance (valid for at least one (1) year)
  - ( ) Anti-Illegal Recruitment Branch clearance (valid for at least six (6) months)
  - ( ) Photocopy of valid passport for previously reported foreign Director, if any

5.1. New board of directors/partners or personnel:

A. For New Board of Directors/Partners/President/CEO:

- Notarized Board Resolution on the election of new directors and corporate officers and the corresponding transfer or assignment of shares of stock
  - Deed of Assignment of shares
  - Certificate of true copy of Stock and Transfer Book
  - General Information Sheet duly received by the SEC or SEC certification on the names of the new Directors/Partners with corresponding shares of stocks
  - Individual Income Tax Returns for the past 2 years with confirmation receipt of payment
  - Proofs of financial capacity to invest for the new Director(s)/Partner(s)
  - Proof of registrable properties
  - Bio-data with two (2) pieces passport size pictures
  - Duly authenticated Police Clearance from his/her country of origin in case a member of the Board of Directors is a foreign national
  - NBI Clearance(s) valid for at least one (1) year
  - Anti-Illegal Recruitment Branch (AIRB) Clearance(s) valid for at least six (6) months
  - Proof of publication in a newspaper of general circulation
- Additional for new President/CEO only:*
- Proof of Bachelor's Degree duly authenticated by the Commission on Higher Education; or
  - Proof of four (4) year experience in human resource management or experience in heading or managing a manpower business – for landbased
  - Proof of four (4) year experience in shipping-related or human resource management or experience in heading or managing a shipping or manpower business – for seabased
  - Certificate of Attendance to the Pre-Licensing Orientation Seminar

B. For new personnel:

- Bio-data with two (2) pieces passport size pictures
- Appointment
- NBI Clearance(s) valid for at least one(1) year
- Anti-Illegal Recruitment Branch (AIRB Clearance(s) valid for at least six (6) months

C. For new signatory/ies:

- Notarized Board Resolution on the designation as official signatory/ies.

5.2. For terminated/resigned employees:

- Notice of termination/resignation
- Proof of publication in a newspaper of general circulation in case of termination

6.  A duly notarized undertaking by the sole proprietor, the managing partner, or the president of the corporation

For Landbased Agencies

- AU per section 4 (f)

- a. Negotiate for the best terms and conditions of employment for the worker;
- b. Select and deploy only medically fit and competent workers as tested by the employers or certified by TESDA or by other competent authority;
- c. Provide orientation to the workers on recruitment procedures, as well as the country profile and the working and living conditions, and other relevant information about the host country and work site;

- d. Obtain compulsory insurance coverage for its hired workers for the duration of the contract of employment, at no cost to the workers;
- e. Provide the worker a copy of the contract upon signing and provide OEC upon issuance;
- f. Guarantee that there is no officer or employee of the recruitment agency related within the fourth (4<sup>th</sup>) civil degree of consanguinity or affinity to any official or employee of any government agency engaged, directly or indirectly, in the implementation of RA 8042, as amended;
- g. Assume full and complete responsibility for all claims and liabilities which may arise in connection with the use of the license;
- h. Assume joint and several liability with the employer for all claims and liabilities which may arise in connection with the implementation of the contract, including but not limited to unpaid wages, death and disability compensation and repatriation;
- i. Assume full and complete responsibility for all acts of its officers, employees and representatives done in connection with recruitment and placement;
- j. Adhere to the ethical standards as prescribed in the Code of Conduct for Ethical Recruitment as endorsed by recruitment industry associations and the Administration; and
- k. Guarantee compliance with existing labor and social legislation of the Philippines and of the country of employment of the recruited workers.

For Seabased Agencies

( ) AU per section 4 (f)

- a. Select and deploy only medically fit and technically qualified recruits;
- b. Assume full and complete responsibility for all claims and liabilities which may arise in connection with the use of the license;
- c. Assume joint and several liability with the employer/shipowner/principal for all claims and liabilities which may arise in connection with the implementation of the contract, including but not limited to unpaid wages, death and disability compensation and repatriation;
- d. Guarantee compliance with existing labor and social legislation of the Philippines and applicable regulations of the Flag State and international organizations such as the International Maritime Organization (IMO) and International Labour Organization (ILO);
- e. Assume full and complete responsibility for all valid, legal and authorized acts of its officers, employees and representatives done in connection with recruitment and placement;
- f. Negotiate for the best terms and conditions of employment for its seafarers;
- g. Inform the seafarers of their rights and duties and disclose the full terms and conditions of employment under their contracts of employment and articles of agreement prior to and in the process of engagement;
- h. Provide orientation to the seafarers on recruitment procedures, terms and conditions and other relevant information to its seafarers, and provide the necessary facilities for the purpose;
- i. Act on complaints or problems brought to its attention or submit reports on the status or condition of seafarers;
- j. Ensure that the ship and the crew are adequately insured by the Protection and Indemnity Club or similar insurance, inclusive of the compulsory insurance required under RA 8042, as amended, through the submission of a Certificate of Cover;
- k. Ensure that the contracts of employment are in accordance with the standard employment contract and other applicable laws, regulations and collective bargaining agreements;
- l. Guarantee that there is no officer or employee of the licensed manning agency related within the fourth civil degree of consanguinity or affinity to any official or employee of any government agency engaged, directly or indirectly, in the implementation of RA 8042, as amended;
- m. Adhere to ethical standards as prescribed in the Code of Conduct for Ethical Recruitment, as endorsed by the recruitment industry associations and the Administration; and

- n. Repatriate deployed seafarers and their personal belongings when the need arises or reimburse expenses of repatriation advanced by OWWA.

7. ( ) AU per section 4(g) – Landbased and Seabased Agencies

In case of a corporation or partnership, a duly notarized undertaking by the corporate officers and directors, or partners that they shall be jointly and severally liable with the corporation or partnership claims and/or damages that may be awarded to the workers.

**IMPORTANT:**

The notarized undertaking shall be required every time there is change of partners, officers and directors.

- 8. ( ) Certificate of attendance to the Continuing Agency Education Program (CAEP) of all its officers and staff
- 9. ( ) Inspection Report Indorsement
- 10 ( ) Valid Certificate of Compliance with general labor standards and valid Certificate of Compliance with occupational safety and health standards
- 11. ( ) Track record of pending recruitment violation case(s)
- 12. ( ) Repatriation Case
- 13. ( ) Deployment record per year for the past four (4) years

**Important information:**

Pursuant to Section 15, Rule II Part II of the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers, and Section 16 of the 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Seafarers, all licensed landbased and seabased recruitment agencies should file application for renewal within three (3) months before expiration of license.

The Administration shall only accept applications with complete requirements based on the checklist for renewal of license. **No application shall be accepted after the date of expiration of license.**

PROCEDURES		RESPONSIBLE
Step 1	File all documents in a folder following the sequence indicated in the checklist of requirements. Put earmark per document. Submit to the Officer-of-the-Day at Window 9 at Licensing Branch and receive proof of filing. Only applications with complete documentary requirements will be accepted.	Officer-of-the-Day
Step 2	Return after two (2) working days to verify the result of evaluation at Window 9 at Licensing Branch. If found complete, the evaluator will proceed with the comprehensive evaluation. (if found incomplete, receive the notice of deficiency/ies).	Evaluator
Step 3	Upon approval of the application, the Licensing Branch shall issue an Order of Payment at Window 9.	Evaluator
Step 4	Pay the license fee of One Hundred Thousand pesos (PhP 100,000.00) to the POEA Cash Division, 5 <sup>th</sup> Floor, POEA Bldg.	Cashier
Step 5	Present at Window 9 the original and photocopy of official receipt and receive the Certificate of License Renewal	Evaluator

**Process Cycle Time:**

- Receipt and evaluation of complete documentary requirements based on the checklist within twenty four (24) working hours.
- Issuance of renewed license within sixteen (16) working hours from preparation of the Memorandum, approval and receipt of proof of payment of license fee

**Effect of Expiration of License**

Upon expiration of the license, the agency can no longer process documents until the renewed license has been finally approved and issued.