

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

**CHECKLIST OF REQUIREMENTS FOR ISSUANCE OF LICENSE OF SEABASED AGENCY**

1. ( ) Written application for issuance of license
2. ( ) Applicant Information Sheet for Issuance of License (FM-POEA-03-IR-01B)
3. ( ) Proof of business registration and minimum P2 million paid-up/capitalization (whichever is applicable)
  - ( ) SEC Certificate of Incorporation  
    \_\_\_\_ Corporation  
    \_\_\_\_ Partnership
  - ( ) DTI Certificate of Business Name Registration

4. Proof of financial capacity

For Sole Proprietor:

- ( ) Bank certificate on savings account deposit showing a maintaining balance of at least P500,000.00
- ( ) Bank Certificate on the remaining balance of the 2 Million Capitalization of the agency
- ( ) Authority to examine bank deposits signed by the authorized signatory of the agency
- ( ) Individual Income Tax Returns with confirmation receipt of payment for the past 2 years of the Proprietor

For Newly Registered Corporation/Partnership:

- ( ) Bank certificate on savings account deposit showing a maintaining balance of at least P500,000.00
- ( ) Bank Certificate on the remaining balance of the 2 Million paid up capital of the agency
- ( ) Authority to examine bank deposits signed by the authorized signatory of the agency
- ( ) Individual Income Tax Returns with confirmation receipt of payment/Electronic payment document for the past 2 years of the Board of Directors/Partners
- ( ) BIR tax exemption certificate, if tax exempt

For Existing Corporation/Partnership:

- ( ) Bank certificate on savings account deposit showing a maintaining balance of at least P500,000.00
- ( ) Authority to examine bank deposits signed by the authorized signatory of the agency
- ( ) Audited financial statements with stockholders' equity of Php2M and Corporate Income Tax Returns with confirmation receipt of payment for the past 2 years
- ( ) Individual Income Tax Returns with confirmation receipt of payment/Electronic payment document for the past 2 years of the Board of Directors/Partners
- ( ) BIR tax exemption certificate, if tax exempt.

For existing corporation not yet engaged in recruitment industry:

- ( ) Bank certificate on P2million

5. Proof of Marketing Capability

- ( ) Special Power of Attorney (SPA) duly executed by the principal verified by Philippine Overseas Labor Office (POLO) nearest the jobsite or authenticated by the Philippine Embassy/ Philippine Consulate in the absence of a POLO
- ( ) Manning agreement verified by the Philippine Overseas Labor Office nearest the jobsite

or authenticated by the Philippine Embassy nearest the prospective employer, in case there is no POLO at the jobsite.

- Principal's crew order request of not less than 50 seafarers verified by the Philippine Overseas Labor Office or authenticated by the Philippine Embassy nearest the prospective employer, in case there is no POLO at the jobsite.
- Vessels names & crew request
- Certification from the Pre-Employment Services Office (PSO) that the principal and vessel(s) are new markets
- Business registration of the principal

6. Notarized Affidavit of Undertakings (AU) per section 1(e)

A verified undertaking stating that the applicant shall:

1. Provide its seafarers orientation on recruitment policies and procedures, terms and conditions of employment and other relevant information;
2. Ensure that any seafarers recruited or deployed by them is qualified and holds the documents necessary for the job concerned;
3. Ensure that contracts of employment are in accordance with the standard employment contract and other applicable laws, regulations and collective bargaining agreements;
4. Ensure that seafarers are informed of their rights and duties under their contracts of employment and the articles of agreement prior to or in the process of engagement;
5. Ensure that proper arrangements are made for seafarers to examine their contracts of employment and articles of agreement before and after they are signed and for them to receive a copy of the contract of employment;
6. Ensure that the vessel/s and the crew are adequately covered by P & I Club or similar insurance thru the submission of the certificate of insurance coverage;
7. Assume full and complete responsibility for all claims and liabilities which may arise in connection with the use of the license;
8. Assume joint and solidary liability with the employer for all claims and liabilities which may arise in connection with the implementation of the employment contract, including but not limited to wages, death and disability compensation and their repatriation;
9. Guarantee compliance with the applicable labor, social and maritime legislations of the Philippines, and applicable regulations of the flag state and international organizations such as the International Maritime Organization (IMO) and the International Labor Organization (ILO);
10. Assume full and complete responsibility for all acts of its officials, employees and representatives done in connection with recruitment and placement;
11. Deploy at least fifty (50) seafarers to its new market within one-year from issuance of its license which shall also be a condition to the accreditation of old principals; and
12. Repatriate the deployed seafarers when the need arises.

AU per section 1 (f)

In case of corporation or partnership, verified undertaking by officers, directors and partners that they will be jointly and severally liable with the company over claims arising from employer-employee relationship.

7. Board of Directors/Partners/Proprietor/Officers and Staff

- Bio-data with 2 copies of passport size pictures
- NBI Clearance
- Police Clearance or its equivalent document from country of origin if foreigner
- Anti-Illegal Recruitment Branch clearance
- Individual letters of appointment for staff indicating specific functions

8. Proof of bachelor's degree and 3 years business experience of the Proprietor/President/Partner or the Chief Executive Officer

- College Diploma
- Certificate of employment or business registration of the company owned by the Proprietor/President/Partner or the Chief Executive Officer, if applicable

9. ( ) Certificate of Attendance of the Proprietor/President/Partner or the Chief Executive Officer to the Pre-Licensing Orientation Seminar.
10. ( ) Proof of publication of notice of application with the names of the Proprietor/President/ Partners, Incorporators and Officers
11. ( ) Contract of lease or proof of building ownership indicating the office address and office space of at least 100 square meters
12. ( ) Inspection Report Indorsement
13. ( ) Human resource development plan
14. ( ) Organizational chart, staffing pattern with job description.
15. Additional Requirements

\* Other requirements on proofs of sources of investment which may be asked during the panel interview:

1. employment certificate indicating salaries, allowances and other benefits
2. passbooks/bank statement
2. proof of loans or mortgaged properties
3. deed of sale, old and new titles of real estate property
- 4.

#### FOR UPGRADING OF PROVISIONAL LICENSE TO FULL LICENSE

- ( ) Deployment of 50 seafarers to new principals and vessels within 1 year from issuance of provisional license

#### **Important information/instructions before filing an application for a license:**

1. Only applications with **complete requirements/documents** as indicated in the checklist shall be received. Applications with incomplete documents shall be automatically returned without action.
2. In a folder, arrange documents according to the sequence of requirements as indicated in the checklist of requirements. Submit to Licensing Branch, POEA, 4<sup>th</sup> Floor, BFO Building.
3. Application may be followed-up 5 working days from the date of filing of application. Only authorized representative shall be allowed to follow-up or transact business with POEA.
4. After evaluation of documents and ocular inspection of agency premises, applicant shall be required to pay filing fee of P10,000.00 before the panel interview.
5. Where an application is denied, filing fee, being non-refundable, is deemed forfeited.

#### **Post Approval Requirements:**

Upon approval of an application for issuance of license, the Certificate of License shall be released only upon compliance/submission of the following:

1. Payment of license fee in the amount of P50,000.00

2. Three (3) copies of escrow agreement in the amount of P1 million with bank confirmation of escrow deposit with an accredited reputable bank. A standard form of the escrow agreement is available at the Licensing and Evaluation Division.
3. Original copy of a surety bond in the amount of P100,000.00 together with original copy of the official receipt from a bonding company acceptable to the POEA. The surety bond shall include the following conditions:
  - a. It shall answer for all valid and legal claims arising from violation of the conditions for the grant a use of the license and/or accreditation and contracts of employment.
  - b. Guarantee compliance with the Labor Code and its implementing rules and regulations, relating to recruitment and placement, rules of the POEA and relevant issuances of the Department and all liabilities which the Administration may impose.
  - c. That notice to the principal is notice to the surety and that any judgment against the principal in connection with matters falling under POEA's/NLRC's jurisdiction shall be binding and conclusive on the surety.
  - d. That the surety bond shall be co-terminus with the validity of the license.

Board Resolution/Secretary's Certificate of the bonding company on its authorized signatory/ies.  
Bonding company's certificate of accreditation issued by the Insurance Commission  
Official receipt evidencing premium payment issued by the bonding company.