

**[POEA MEMORANDUM CIRCULAR NO. 04, S. 2011,
March 04, 2011]**

GUIDELINES ON EMERGENCY REPATRIATION OF WORKERS

Further to Section 1 of Rule I and Section 1 of Rule III, Part VIII of the 2002 POEA Rules and Regulations Governing the Recruitment and Employment of Land-based Overseas Workers and in relation to Section 15 of R.A. 8042, as amended, and Section 5 of Rule XIII of the Omnibus Rules and Regulations Implementing the Migrant Workers and Overseas Filipinos Act of 1995, as amended by Republic Act No. 10022, the following guidelines is hereby issued:

I. Coverage

These guidelines shall cover emergency repatriation of all agency hired workers, name hires/direct hires, re-hires and government hired workers, and other types of workers in cases of war, epidemic, disasters or calamities, natural or man-made, and other similar events.

II. Primary Responsibility of Principal, Employer and/or Deploying Agency for Emergency Repatriation

The emergency repatriation of workers and the transport of his personal belongings shall be the primary responsibility of the principal, employer and/or agency which recruited or deployed the worker overseas. All costs attendant to the emergency repatriation shall be borne or charged to the principal, employer and/or agency. Likewise, the repatriation of remains and transport of the personal belongings of the deceased workers and all costs attendant thereto shall be borne by the principal, employer and/or agency.

In the event that the principal, employer and/or agency is unable to immediately provide the cost attendant to emergency repatriation of the worker and notwithstanding the provisions of Section 37-A of R.A. No. 8042, as amended, the OWWA, in coordination with DFA, shall undertake the repatriation of workers without prejudice to reimbursement by the responsible principal, employer and/or agency.

III. Repatriation Procedure