

[POEA MEMORANDUM CIRCULAR NO. 36, August 23, 1996]

GUIDELINES TO RATIONALIZE THE CONDITIONS, REQUIREMENTS AND PROCEDURES FOR THE DEPLOYMENT OF PERFORMING ARTISTS

Pursuant to Department Order No. 21 Series of 1996 rationalizing the conditions, requirements and procedures for the deployment of performing artists, the following guidelines are hereby issued and shall take effect immediately.

A.

Qualifications and Conditions for Deployment

1. A performing artist who meets the following qualifications may be deployed for overseas performances:

1.a. at least 21 years old

1.b. holds a valid Artist Record Book (ARB)

2. The performing artist who meets the above qualifications shall be deployed only to foreign employers who are members of associations jointly undertaking welfare programs with Philippine entertainment industry associations including but not limited to the operationalization of welfare and monitoring centers at the worksites. For purposes of determination, the foreign employer shall submit to the POEA during the processing of the employment contracts of the artists a copy of the Memorandum of Agreement between his mother association and the Philippine entertainment industry association.

3. The Memorandum of Agreement (MOA) or Memorandum of Understanding (MOU) between the foreign employers' associations and the Philippine entertainment industry association shall be a requirement for employers accreditation or renewal of accreditation at the Philippine Overseas Labor Office/Consular Office.

4. The welfare monitoring centers shall submit quarterly reports to the Philippine Overseas Labor Office/Consular Office of their list of personnel and activities.

B.

Conditions and Requirements for Exemptions

1. Artists who are below 21 years of age and who may have been booked for overseas performance prior to the issuance of D.O. No. 21 (S. of 1996) may apply for exemption from the minimum deployment age with the Secretary of Labor and

Employment provided they meet any of the following conditions:

1.a they hold Artist Record Books issued on or before 27 August 1996.

1.b they hold valid entry/work visas or Certificate of Eligibility in the case of Japan-bound artist which were issued on or before 27 August 1996.

Applications for exemptions shall be filed with the POEA and shall be accompanied by any of the following documents:

1.c valid Artist Record Book

1.d Notice of ARB Issuance from the POEA

1.e valid entry/work visas or Certificate of Eligibility in the case of Japan-bound artists.

The POEA shall evaluate the applications for exemptions and forward the same to the Secretary for the appropriate action.

2. Exemptions may likewise be sought by the following artists with the Secretary of Labor and Employment:

2.a the artist performs with his/her family such as but not limited to novelty act performers and musical bands

2.b the artist is an outstanding performer within the qualifications and requirements provided in D.O. No. 18 Series of 1995.

The POEA shall accept and evaluate the applications for exemptions of such artist and shall forward the same to the Secretary of Labor and Employment for the appropriate action together with the following documents:

2.c valid Artist Record Book or Notice of ARB Issuance from POEA.

2.d valid entry/work visa or Certificate of Eligibility

2.e evaluation and recommendation of the POEA

3. All artists who are granted exemptions by the Secretary of Labor and Employment either from the minimum age or from training and testing shall acquire the Artist Record Book prior to deployment.

C.

Simplified Requirements and Procedures

C.1 On Issuance of the Certificate of Competency (COC) by TESDA

c.1.1 The three (3) pictures of the artist which shall be submitted to TESDA should be in accordance with the size and specifications of the Artist Record Book, i.e. extreme close-up; no bangs; hair pulled back; and both ears visible.