MEMORANDUM CIRCULAR NO. 36
Series of 1996

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' association 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 performances 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 artists 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 visa or Certificate of Eligibility for 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 artists 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.

C.2 On Issuance of the Artist Record Book (ARB) by POEA

c.2.1 A special day, Fridays, shall be designated for artists who do not show up to sign their ARB’s on their original appointed dates. This will ensure that the daily line-up of artists who will sign their ARB’s will not be disrupted.

c.2.2 In the case of artists who passed the skills test for more than one category, TESDA shall indicate such information in the subsequent Information Sheet which it shall endorse to the POEA. This will prevent double issuance of the ARB to one artist.

c.2.3 For artists who acquired their ARB’s in accordance with D.O. No. 22 S. of 1995, the subsequent Information Sheet shall also contain the necessary notations by TESDA.

C.3 On Documentation for Passport Issuance

c.3.1 Other than the birth records, only the Certificate of Competency (COC) shall be required by the DFA from artists.

c.3.2 For outstanding artists who have been exempted from the academic and skills tests, the DFA shall require the Notice of ARB Issuance from the POEA.

c.3.3 For artists who are below 21 years old, the following shall be required by the DFA:

- Letter of Exemption from the Secretary of Labor and Employment
- POEA Transmittal
- Certificate of Competency or Notice of ARB Issuance
D. **SANCTIONS**

1. Any false information or document that shall be submitted in compliance with D.O. No. 21 S. of 1996 and this Memorandum Circular will constitute grounds for immediate cancellation of the license of the Agency, the cancellation of the authority of the Training Center, the delisting of the Foreign Promoter / Employer, and the disqualification of the Performing Artist from the overseas employment program, as the case may be.

2. Non-implementation of the Memorandum of Agreement or Memorandum of Understanding on worksite welfare programs and welfare and monitoring centers between the associations of foreign promoter/employer and the Philippine entertainment industry association as determined and reported by the Philippine Overseas Labor Office shall constitute grounds for the suspension of the accreditation of the promoters/employers who are covered by the MOA or MOU.

For strict compliance.

[Firm Name]

FELICIANO O. JOSON
Administrator

23 August 1996