



DEL ROSARIO PANDIPHIL Inc.

Philippine Shipping Update – Manning Industry

By: Ruben Del Rosario, President, Del Rosario Pandiphil Inc., October 27, 2010

Update on the Amended Migrant Workers Act (AMWA – Republic Act No. 10022)

POEA Governing Board Resolution No. 08 which requires the compulsory insurance coverage under the AMWA was issued 4 October 2010. It was published in the Manila Times on 22 October 2010 and thus, its effectivity date is 6 November 2010.

POEA Memorandum Circular No. 09 Series of 2010 which provides the requirements for the issuance of the Overseas Employment Certificate (OEC) was issued 21 October 2010. It was published in the Manila Times on 23 October 2010 and thus, its effectivity date is 7 November 2010.

Thus, all seafarers to be deployed beginning 7 November 2010 must comply with the following:

“For seafarers, manning agencies whose seafarers will be deployed on board vessels with policies issued by foreign insurance companies including entities providing indemnity cover to the vessel, shall submit a certificate of cover or other proof of cover signed by its principal.” (Certificate of Cover is attached below).

“Manning agencies whose principals’ vessels are not covered by any indemnity insurance shall secure insurance policies from insurance companies duly licensed and certified / authorized by the Insurance Commission to underwrite insurance policies for overseas Filipino workers.”

To summarize, beginning November 7, 2010, the manning agencies must submit either a certificate of cover or other proof of cover to be signed by its principal or an insurance cover from a duly authorized insurance company in order to be issued an Overseas Employment Certificate allowing a seafarer to be deployed..

It is recommended that you check with your P&I Club as to the issuance of a Certificate of Cover or with your local manning agency as to the possibility of getting local insurance cover. The following insurance companies are currently accredited by the Insurance Commission to issue local insurance cover: Paramount Life & General Insurance Corporation, Philippine Charter Insurance Corporation and United Coconut Planters’ Life Assurance Corporation. Premiums are US\$56.50 for six months and US\$100.00 for one year.

The POEA Governing Board Resolution and the corresponding Memorandum Circular covering the amended POEA Standard Employment Contract has not yet been issued. The author is closely monitoring developments and will give updates as needed.

Certificate of Cover

POEA ACCREDITED PRINCIPAL'S LETTERHEAD

CERTIFICATE OF COVER

This is to certify that the ship described hereunder:

Name of Ship:
Flag of Registry:
IMO No.
Name of POEA Accredited Principal
Gross Tonnage
Class

Is covered by indemnity insurance by (Name of P&I Club) valid until _____ with respect to the liabilities under the POEA-approved Seafarer's Employment Contract and/or the ship's Collective Bargaining Agreement (CBA) and/or applicable Philippine laws, subject to the Club rules, terms and conditions.

(signature)

Principal
(Printed Name)

Position

*"The Philippines' top shipping firm, **Del Rosario & Del Rosario** has a wealth of talent at its disposal."*
from Asia-Pacific, The Legal 500, 2009-2010, p. 341

This publication aims to provide commentary on issues affecting the manning industry, analysis of recent cases and updates on legislation. It is meant to be brief and is not intended to be legal advice. For further information, please email ruben.delrosario@delrosario-pandiphil.com.

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