

Republic of the Philippines  
DEPARTMENT OF LABOR AND EMPLOYMENT  
Manila

35<sup>th</sup> TESDA Board Meeting  
20 June 2001, Thursday 7:30 a.m.  
TESDA Board Room, 7/F Admin. Building  
Taguig, Metro Manila

RESOLUTION NO. 2002-20

APPROVING THE IMPLEMENTING RULES AND REGULATIONS OF  
DOLE DEPARTMENT ORDER NO. 10 SERIES OF 2001 ON THE REVISED  
GUIDELINES ON THE TRAINING, TESTING, CERTIFICATION AND  
DEPLOYMENT OF OVERSEAS PERFORMING ARTISTS


**WHEREAS**, Section 14 of Republic Act 7796 mandates the Authority to develop and establish a national system of skills standardization, testing and certification in the country;

**WHEREAS**, Department Order No. 10 mainstreams the procedures and guidelines on the training, testing and certification of overseas performing artists (OPA) within the Technical Education and Skills Development Authority's (TESDA's) existing standards and procedures;

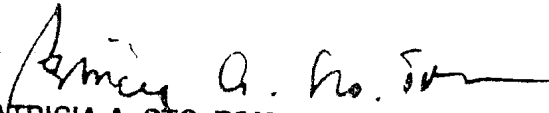
**WHEREAS**, during the 35<sup>th</sup> TESDA Board Meeting held on 20 June 2002, the TESDA Board approved the Implementing Rules and Regulations of DOLE Department Order No. 10 series of 2001 and shall be implemented fifteen (15) days after its publication;

**NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, that the Board approves the Implementing Rules and Regulations of DOLE Department Order No. 10 herein attached and shall form an integral part of this Resolution.

Adopted this 20<sup>th</sup> day of June 2002.

  
AVA HEIDI V. DELA TORRE  
Acting Board Secretary VI

Attested By:

  
PATRICIA A. STO. TOMAS  
Secretary, Department Labor and Employment  
Chair, TESDA Board

Republic of the Philippines  
TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY  
Taguig, Metro Manila

Memorandum Circular No. 01  
Series of 2002

GUIDELINES IMPLEMENTING DOLE DEPARTMENT ORDER NO. 10, SERIES OF 2001  
ON THE REVISED GUIDELINES ON THE TRAINING, TESTING, CERTIFICATION,  
AND DEPLOYMENT OF OVERSEAS PERFORMING ARTISTS

RULE I

POLICY AND APPLICATION

**Article 1 Title.** These Guidelines shall be known and cited as the TESDA Guidelines Implementing DOLE Department Order No. 10 series of 2001.

**Art. 2. Purpose.** These Guidelines are promulgated to prescribe the procedures and guidelines for the implementation of Department Order No. 10 series of 2001 of the Department of Labor and Employment on the training, assessment, certification and deployment of overseas performing artists (OPA) at the Technical Education and Skills Development Authority (TESDA). These Rules also serve to streamline the bureaucracy in the provision of pre-employment and welfare services to migrant workers, pursue continuous service improvement, and strengthen the accountability of all players in the overseas entertainment sector.

**Art. 3. Declaration of Policy.** It is the policy of the State to provide relevant, accessible, high quality and efficient technical education and skills development program in support of the development of high quality Filipino middle-level manpower responsive to and in accordance with Philippine development goals and priorities.

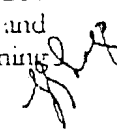
**Art. 4. Scope of application.** These Guidelines shall apply to the following:

- 4.1 Training Centers offering courses for overseas performing artists (OPAs)
- 4.2 Assessment Centers for OPAs
- 4.3 Assessors of OPAs
- 4.4 Applicants for certification as OPAs, and
- 4.5 Certified overseas performing artists

Rule II

REGISTRATION OF TRAINING PROGRAMS

**Art 5.** All training centers offering courses for OPAs are required to register these courses with TESDA in line with the policy of ensuring the quality of programs and courses in institutions offering or intending to offer technical-vocational education and training. Program registration applies to mandatory compliance with minimum standards of all technical-vocational education and training (TVET) courses including programs/courses being offered by public and private training institutions.



Art. 6. All training centers offering courses for Overseas Performing Artists (OPAs) shall register their courses with TESDA prior to enrollment of talents in accordance with the procedures for TVET Program Registration as contained in TESDA Circular No. 017 series of 2000 and its manual of procedures.

Art. 7. The application for registration of OPA programs may be filed at the TESDA Provincial or District Offices where the OPA training programs shall be conducted.

Art. 8. As prescribed in the TESDA Circular No. 017 series of 2000, the Regional Director covering the province/district where the application was filed shall approve the registration and shall sign the Certificate of Registration.

Art. 9. When the decision of the Regional Director is contested, appeals shall be filed with the Office of the Director General whose decision shall be final and not appealable.

Art. 10. Monitoring of the continuous compliance by the Training Centers with the minimum requirements of TVET Program Registration shall be done by the TESDA Provincial/District Director or his/her designated representative.

### Rule III TRAINING CENTERS FOR OPAs

Art. 11. Requirements for the Training Centers. The following requirements for the accreditation of Training Centers will be submitted to the nearest TESDA Regional Office through the District, Provincial Offices.

#### *Facilities/ Equipment*

##### 11.1 For training of dancers

- 11.1.1 A dance studio with permanently installed dance bars that can accommodate at least 10 dancers at any given time
- 11.1.2 Wall mirrors at least 5 feet in height, the width at 2/3 of the dance area's length
- 11.1.3 karaoke/ sound system

##### 11.2 For training of singers and showbands

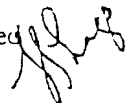
- 11.2.1 At least two music studios with acoustic protection that can accommodate at least three (3) to five (5) singers at any given time and a set of show band musical instruments
- 11.2.2 A sound system and piano
- 11.2.3 A complete set of show band musical instruments

11.3 One classroom with desks, writing boards and other teaching literature that can accommodate at least 15 persons at any given time

##### 11.4 Auxiliary rooms such as

- 11.4.1 Separate comfort room for men and women
- 11.4.2 Separate dressing rooms for men and women
- 11.4.3 Waiting room for entertainers
- 11.4.4 An administrative office

11.5 All the above-mentioned studios and rooms should be well ventilated and lighted



11.6 Training materials, equipment, and accessories based on training standards and course offering.

*Personnel*

11.8 A Training Center should have a regular staff and, for its academic training program, a full-time supervisor or manager who must at least be a college graduate.

11.9 The academic and skills trainers should have undergone the Competency Test with the TESDA and correspondingly certified.

*Training Curriculum*

11.10 A Training Center must use only academic and skills curriculum duly registered with the TESDA.

Art. 12 Nothing herein shall prevent a Training Center from seeking approval for the use of an improved curriculum. Training manuals and other support instructional materials may be developed by the Center pursuant to the approved curriculum.

Art. 13. **Registration of TVET Program.** A certificate of registration of a TVET program/s shall be issued to person/s or an entity, or a licensed agency which submits such documents to the District or Regional Office and complies with the following requirements:

- 13.1 A copy of its Articles of Incorporation or Partnership duly registered with the Securities and Exchange Commission, or a copy of its Registration with the Bureau of Domestic trade;
- 13.2 Copy of its municipal or city permit;
- 13.3 Proof of ownership of the Center's premises or copy of the lease/ rental agreement of the premises;
- 13.4 In the case of a licensed agency, a copy of its current license, in lieu of the above documents;
- 13.5 List of training staff with their bio-data and TESDA certifications as may be applicable;
- 13.6 List of training equipment;
- 13.7 List of training programs offered;
- 13.8 At least one year experience in the development and management of entertainers; and

13.9 Inspection and approval of Training Centers. Upon receipt of the applicant's notice, duly authorized TESDA inspectors shall conduct inspection at the proposed training center/s to determine compliance with facilities and operational requirements. The Training Center shall be properly identified in the façade through a signboard indicating the following:

**Name of Training Center - TVET Program Certificate Number**

Registration granted under these guidelines shall be valid for one (1) year from date of issue subject to suspension or cancellation for cause to be determined by the Authority. Training centers shall not engage in the deployment of artists unless duly licensed to act as employment agency.



## Rule IV

### ACCREDITATION OF ASSESSMENT CENTERS/ TESTING VENUES

**Art. 14.** For purposes of this implementing rules and regulations, an accredited OPA Assessment Center is an establishment authorized by TESDA to conduct competency assessment on performing artists to determine their readiness for the job. TESDA may also provide alternative Assessment Centers within the TESDA Central Office.

**Art. 15.** The application for accreditation shall be filed at TESDA Bldg., South Superhighway, Tugue, Metro Manila.

**Art. 16.** The accreditation procedures as generally defined in the Procedures Manual for Assessment Center Accreditation shall be adopted in the accreditation of OPA Assessment Centers as enumerated below.

**Art. 17. Documentary Requirements.** The following requirements for the accreditation of Assessment Venues should be submitted to TESDA:

- 17.1 Letter of Intent
- 17.2 Copy of the SEC/ DTI registration
- 17.3 Business permit
- 17.4 Company organization profile
- 17.5 Staff complement and profile
- 17.6 Building layout/ floor plan
- 17.7 List of equipment, tools, materials and accessories for the skills to be tested
- 17.8 Proof of ownership of the building or lease of contract if rented
- 17.9 Articles of incorporation which includes the conduct of assessment activities
- 17.10 Location/ vicinity map
- 17.11 Certification from the owner that the assessment venue is solely used for OPA testing
- 17.12 An indication of the skill category which it is capable of testing
- 17.13 Resume and picture of the owner or administrator of Assessment Center
- 17.14 List of staff with resume and pictures
- 17.15 Layout of the Assessment Center premises, and
- 17.16 Other requirements as may be prescribed by TESDA

**Art. 18.** The submitted documentary requirements shall be reviewed and evaluated while incomplete requirements will be immediately returned to the applicants. An inspection of the testing venue shall also be conducted after the documentary review.

**Art. 19.** The consolidated inspection report and assessment of documents are submitted to the TESDA Director General for approval or disapproval. Approved applicants are issued an accreditation certificate.

**Art. 20. Criteria for Accreditation.** An establishment seeking accreditation as an Assessment Center must comply with all the following requirements:

Location

- 20.1 Accessible by public conveyance and located in a peaceful and orderly community
- 20.2 Must carry appropriate signboards for easy identification



Facilities

- 20.3 Stage must have an area of at least one hundred (100) square meters and with dance bars to accommodate at least six (6) dancers, with two (2) adjacent dressing rooms with an area of twenty (20) square meters each provided with costume racks
- 20.4 Space for Testing Officers or Assessors
- 20.5 Well-ventilated and lighted, with windows or exhaust fans; with electric fans in each dressing room
- 20.6 Separate rest rooms for men and women; separate dressing rooms for men and women
- 20.7 Waiting area for observers and examinees; a canteen area
- 20.8 Testing equipment, accessories and materials based on the standards and test services the venue provides
- 20.9 Computer and printer set
- 20.10 VHS, VCD and audio system
- 20.11 Fire exit or easy egress in case of fire.

Personnel

- 20.12 A manager should head an Assessment Center
- 20.13 At least one computer clerk and such staff as may be necessary for it to provide the required services.

**Art. 21.** The certificate of accreditation is non-transferable. It shall be valid only for the specified location in the certificate.

**Art. 22.** The management and staff of the center are strictly prohibited from involving themselves directly or indirectly in the training and deployment of OPAs.

**Art. 23.** The TESDA Director General shall sign the Certificate of Accreditation.

**Art. 24. Accreditation Fees.** TESDA shall collect an annual accreditation fee from the successful applicant the amount of pesos three thousand (P3,000.00) prior to issuance of the certificate of accreditation. This accreditation fee may be changed anytime upon review of the TESDA Board.

**Art. 25.** TESDA shall publish lists of all assessment centers/testing venues that had been issued accreditation.

**Art. 26. Validity.** The accreditation shall be valid for a period of one (1) year from the date of issuance unless sooner canceled or withdrawn for cause such as those enumerated in Art. 30.

**Art. 29. Performance audits and spot checks.** TESDA shall have the right to conduct performance audit of and spot-check the accredited assessment centers and send Event Officers prior to or during actual testing.

**Art. 30. Cancellation of Accreditation.** The accreditation of an assessment center shall be suspended or canceled by TESDA on any of the following grounds:

- 30.1 Falsification of the requisite documents and/or false statement in connection with the application for accreditation



- 30.2 Non-implementation of the procedures manual on assessment of OPA
- 30.3 Collection of fees other than what TESDA has prescribed
- 30.4 Engaging in activities other than assessment such as training and deployment of OPAs
- 30.5 Committing any act of violation of the rules and regulations for the establishment and operation of assessment centers
- 30.6 The accreditation of the Assessment Center shall be cancelled or invalidated once a written or oral report of any of the above-mentioned irregularities has been verified by TESDA.

#### Rule V

#### ASSESSORS

**Art. 31.** For the purpose of certifying performing artists, the TESDA Director General may invite well-known and active professionals, artists and repertoire hereinafter referred to as "AR" into an OPA assessors' circle. The invitation is valid only for the period indicated therein, but maybe renewed by the Director General.

**Art. 32.** The invited assessors shall undergo an orientation program on the assessment of OPAs. They are prohibited from engaging directly or indirectly in the training, recruitment and deployment of OPAs.

**Art. 33.** The invitation to be an assessor/AR or the accreditation of the assessor/AR shall be immediately canceled by TESDA on the following grounds:

- 33.1 Falsification of the requisite documents and/or false statement in connection with the application for accreditation
- 33.2 Non-implementation of the procedures manual on assessment of OPAs
- 33.3 Collection of fees other than what TESDA prescribed
- 33.4 Engaging in activities other than assessment such as training and deployment of OPAs
- 33.5 Any act of violation of the rules and regulations in the conduct of OPA assessment.

#### Rule VI

#### ASSESSMENT OF OPAs

**Art. 34.** For the purpose of this implementing rules and regulations, performance assessment is the process of determining the readiness of an OPA to perform as dancer, singer/musician, or novelty acts performer through practical demonstration of skills. The term skills testing shall be used interchangeably with performance assessment.

**Art. 35.** The performance assessment is the only form of assessment to be conducted by TESDA to determine readiness of an OPA applying for a Certificate of Competency/ Artist Record Book (ARB) as proof that an OPA possesses a particular competency. The ARB shall be issued by TESDA directly to the OPA.

**Art. 36. Application for performance assessment.** The application for performance assessment shall be filed by either of the following:



- 36.1 Any person interested to have his or her skills in the performing arts assessed, or
- 36.2 Through any TESDA-registered OPA training center;
- 36.3 Through any recruitment agency licensed by the Philippine Overseas Employment Administration.

**Art. 37.** Training shall not be a precondition or requisite to performance assessment of OPA. An OPA may choose to submit directly to performance assessment in accordance with provision 1.3 of DO 10\*, series of 2001. In case of failure, an OPA may subject himself/ herself for a second try without undergoing formal training. However, after two failures it shall be mandatory for the OPA to obtain formal skills training. If the applicant fails the third time, TESDA shall recommend to the person concerned training courses for eventual employment or livelihood other than as performing artist.

**Art. 38.** Fees to be collected. Applicant-OPAs shall pay TESDA an assessment fee of P1,000.00 prior to actual performance assessment from which amount TESDA pays the Training Venues and Assessment Officers their fees.

**Art. 39.** The assessment grade of OPAs shall only be "pass" or "fail". The assessor, however, must adequately explain in writing the reasons for the grade in the comment sheet.

**Art. 40.** The OPA who passes the performance assessment shall be issued an ARB. The ARB should be in the custody of the OPA as stipulated by DOLE D.O. No. 10 series of 2001.

**Art. 41.** An outstanding and widely known performing artists may be exempted from performance assessment and may be issued an ARB upon request. Outstanding and widely popular performing artists are those performing artists who have recording contracts with a known recording studios for singers/musicians and/ or who have a dance contract with a known dance company.

**Art. 42.** The TESDA shall come up with a list of popularly known performing artists who may be exempted from the performance assessment and need not have an ARB. A reputable artists' organization shall endorse a valid request for exemption from performance assessment to the Office of the Director General for issuance of ARB.

**Art. 43.** The following must be submitted by the OPA requesting for exemption:

- 43.1 Certification of work experience from recruitment/licensed agency; or
- 43.2 References from past employers;
- 43.3 Testimonial from clients; and
- 43.4 Work sample.

**Art. 44.** In case of doubt performance shall be required to prove competence.

## Rule VII

### REVALIDATION, RENEWAL AND REPLACEMENT OF ARB

**Art. 45.** The ARB shall be valid for three (3) years and may renewed upon submission of the following:

- 45.1 Letter of request

1.3 The certificate of training by accredited training centers shall not be a precondition to performance assessment and certification. Based on the universal principle of recognition of prior learning, any aspiring performing artist may opt to proceed immediately to performance assessment, without formal skills training. For female dancers, singers and all-girl bands not falling under the exempted category as provided for in no. 6 below, they must be endorsed by a POEA-licensed agency. (DOLE DO no. 10, s. 2001).



- +5.2 Expired ARB
- +5.3 Information sheet
- +5.4 Two pieces 1.75 x 1.75 picture of the OPA

Art. 46. TESDA shall re-issue/replace loss ARB upon submission of the following –

- +6.1 Letter of request with affidavit of loss
- +6.2 Two pieces 1.75 x 1.75 inches picture
- +6.3 Information sheet

#### Rule VIII

### COMPLAINTS ON VIOLATIONS

Art. 47. A committee comprised of a TESDA executive director as chairman, and one representative each from the recognized major entertainment industry organization and from the sector that is the subject of complaint. For this committee to act on a complaint, the complaint should be made in writing, notarized, and accompanied by supporting documents.


Art. 48. Appeals on the decision of the committee shall be filed with the Office of the Director General within ten (10) days from receipt of the decision. The decision of the Director General is final and executory.

#### Rule IX

### COMPLIANCE WITH OTHER RELEVANT LAWS

Art. 49. Training centers, assessment centers, owners, managers agents and their employees must be aware and comply with the provisions of the Anti-Sexual Harassment Law of 1995 (RA7877). Owners and managers or their agents must educate their staff, officers, employees, clients and OPAs of this law.

These Guidelines shall take effect fifteen (15) days after publication in any major national daily or the Official Gazette. All issuances inconsistent with the provisions of this Memorandum Circular are hereby superseded or amended accordingly.

  
LUCITA S. LAZO  
*Director General*

*Taguig, Metro Manila*

June 2002

**Memoandum Circular No. 01**  
**Series of 2002**

**IMPLEMENTING THE DEPARTMENT ORDER NO. 18, SERIES OF 2001  
ON REVISED GUIDELINES ON THE TRAINING, TESTING, CERTIFICATION,  
AND DEPLOYMENT OF OVERSEAS PERFORMING ARTISTS**

**Rule I**  
**POLICY AND APPLICATION**

These Guidelines shall be known and cited as the TESDA Guidelines Implementing Order No. 10 series of 2001.

These Guidelines are promulgated to prescribe the procedures and guidelines for the implementation of Department Order No. 18 series of 2001 of the Department of Education on the training, assessment, certification and deployment of overseas performing artists (OPA) at the Technical Education and Skills Development Authority (TESDA). It also serves to streamline the bureaucracy in the provision of pre-employment and also to improve workers' pursue continuous services improvement, and strengthen skills of players on the overseas entertainment sector.

Declaration of Policy. It is the policy of the State to provide relevant, accessible, high efficient technical education and skills development program in support of the development of high quality Filipino middle level manpower responsible to and in accordance with development goals and priorities.

Scope of application. These Guidelines shall apply to the following:  
- Training Centers offering courses for overseas performing artists (OPAs)  
- Assessment Centers for OPAs  
- Applicants for certification as OPAs, and  
- Certified overseas performing artists

**Rule II**

**REGISTRATION OF TRAINING PROGRAMS**

Training centers offering courses for OPAs are required to register these courses in accordance with the policy of ensuring the quality of programs and courses in all institutions intending to offer technical vocational education and training. Program registration is mandatory compliance with minimum standards of all technical-vocational education and training (TVET) courses including programs/courses being offered by public and private institutions.

Training centers offering courses for Overseas Performing Artists (OPAs) shall register with TESDA prior to enrollment of talents in accordance with the procedure for registration as contained in TESDA Circular No. 017 series of 2000 and its manual book.

Application for registration of OPA programs may be filed at the TESDA Provincial Office where the application was filed shall approve the registration and issue a Certificate of Registration.

In the TESDA Circular No. 017 series of 2000, the Regional Director shall where the application was filed shall approve the registration and issue a Certificate of Registration.

When the decision of the Regional Director is contested, appeals shall be filed with the Director General whose decision shall be final and not appealable.

Monitoring of the continuous compliance by the Training Centers with the minimum fee of TVET Program Registration shall be done by the TESDA Provincial/District Office designated representative.

**Rule III**

**TRAINING CENTERS FOR OPAs**

Requirements for the Training Centers. The following requirements for the accrediting Centers will be submitted to the nearest TESDA Regional Office through the Provincial Offices.

**Facilities**

- 11.1.1 A dance studio with permanently installed dance bars that can accommodate at least 10 dancers at any given time
- 11.1.2 Wall mirrors at least 5 feet in height, the width at 2/3 of the dance area's length
- 11.1.3 Bars/boards system
- 11.2.1 At least two music stands with acoustic protection that can accommodate at least three (3) to five (5) singers at any given time and a set of show band musical instruments
- 11.2.2 A sound system and piano
- 11.2.3 A complete set of show band musical instruments
- 11.3.1 Office/ classroom with desks, writing boards and other teaching literature that can accommodate at least 15 persons at any given time
- 11.3.2 Administrative rooms such as:
  - 11.3.1 Separate comfort room for men and women
  - 11.3.2 Separate dressing room for men and women
  - 11.3.3 Waiting room for entertainers
  - 11.3.4 Administrative office

mentioned studios and rooms should be well ventilated and lighted with fans, equipment, and accessories based on training standards and course

A Training Center should have a regular staff and, for its academic training program, a full time supervisor or manager who must at least be a college graduate. The academic and skills trainers should have undergone the Competency Test with the TESDA and correspondingly certified.

Curriculum  
A Training Center must use only academic and skills curriculum duly registered with the TESDA.

Nothing herein shall prevent a Training Center from seeking approval for the use of an old curriculum, Training materials and other support instructional materials may be developed by the Center pursuant to the approved curriculum.

Registration of TVET Program. A certificate of registration of a TVET program/ course issued to persons or an entity, or a licensed agency which submits such documents to the Regional Office and complies with the following requirements:

- 1. A copy of Articles of Incorporation or Partnership duly registered with the Securities and Exchange Commission, or a copy of its Registration with the Bureau of Domestic Trade;
- 2. Proof of ownership of the Center's premises or copy of the lease/ rental agreement of the premises;
- 3. In the case of a licensed agency, a copy of its current license, in lieu of the above

- documents;
- 13.5 List of training staff with their bio data and TESDA certifications as may be applicable;
- 13.6 List of training equipment;
- 13.7 List of training programs offered;
- 13.8 At least one year experience in the development and management of entertainers; and
- 13.9 Inspection and approval of Training Centers. Upon receipt of the applicant's complete duly submitted TESDA requirements shall conduct inspection at a proposed training center to determine compliance with facilities and operational requirements. The Training Center shall be properly identified in the facade through a signboard indicating the following:

Name of Training Center \_\_\_\_\_ TVET Program Certificate Number \_\_\_\_\_

Registration granted under these guidelines shall be valid for one (1) year from date of issue subject to extension or cancellation for cause to be determined by the Authority. Training centers shall not engage in the deployment of artists unless duly licensed to act as employment agency.

**Rule IV**

**ACCREDITATION OF ASSESSMENT CENTERS/ TESTING VENUES**

Art. 14. For purposes of this implementing rules and regulations, an approved OPA Assessment Center is an establishment authorized by TESDA to conduct competency assessment on performing artists to determine their readiness for the job. TESDA may also provide alternative Assessment Centers with the TESDA Central Office

Art. 15. The application for accreditation shall be filed at TESDA Bldg., South Superhighway, Taguig, Metro Manila.

Art. 16. The accreditation procedures as generally defined in the Procedures Manual for Assessment Center Accreditation shall be applied in the accreditation of OPA Assessment Centers as enumerated below:

- Art. 17. Documentary Requirements. The following requirements for the accreditation of Assessment Centers shall be submitted to TESDA:
  - 17.1 Letter of Intent
  - 17.2 Copy of the SEC/DI Registration
  - 17.3 Business permit
  - 17.4 Company organization profile
  - 17.5 Staff complement and profile
  - 17.6 Building layout/ floor plan
  - 17.7 List of equipment, tools, materials and accessories for the skills to be tested
  - 17.8 Proof of ownership of the building or lease of premises
  - 17.9 Articles of Incorporation which includes the conduct assessment activities
  - 17.10 Location vicinity map
  - 17.11 Certification from the owner that the assessment venue is solely used for OPA testing
  - 17.12 Application of the skill category which it is capable of testing
  - 17.13 Resume and picture of the owner or administrator/ Assessment Center
  - 17.14 List of staff with resume and pictures
  - 17.15 Layout of the Assessment Center premises; and
  - 17.18 Other requirements as may be prescribed by TESDA

Art. 18. The submitted documentary requirements shall be reviewed and evaluated while the complete requirement will be immediately returned to the applicants. An inspection of the testing venue shall also be conducted after the documentary review.

Art. 19. The consolidated inspection report and assessment of documents are submitted in the TESDA Director General for approval or disapproval. Approved applicants are issued an accreditation certificate.

Art. 20. Criteria for Accreditation. An establishment seeking accreditation as an Assessment Center must comply with all the following requirements:

- Location**
  - 20.1 Accessible by public conveyance and located in a peaceful and orderly community
  - 20.2 Must carry appropriate signboards for easy identification
- Facilities**
  - 20.3 Studio must have an area of at least one hundred (100) square meters and with dance bars to accommodate at least six (6) dancers, with two (2) separate dressing rooms with an area of twenty (20) square meters each provided with costume racks
  - 20.4 Space for Testing Offices of Assessors
  - 20.5 Well-ventilated and lighted, with windows or exhaust fans; with electric fans in each dressing room
  - 20.6 Separate rest rooms for men and women; separate dressing rooms for men and women
  - 20.7 Waiting area for observers and waitresses; a cafeteria area
  - 20.8 Testing equipment, accessories and materials based on the standards and test services the venue provides
  - 20.9 Computer and printer set
  - 20.10 VHS, VCD and audio system
  - 20.11 Fire exit or easy egress in case of fire
- Personnel**
  - 20.12 A manager should head an Assessment Center
  - 20.13 At least one computer clerk and such staff as may be necessary for it to provide the required services.

Art. 21. The certificate of accreditation is non-transferable. It shall be valid only for the specified location in the certificate.

Art. 22. The management and staff of the center are strictly prohibited from involving themselves directly or indirectly in the training and deployment of OPAs.

Art. 23. The TESDA Director General shall sign the Certificate of Accreditation.

Art. 24. Accreditation Fees. TESDA shall collect an annual accreditation fee from the successful applicant the amount of peso Five thousand (P5,000.00) prior to issuance of the certificate of accreditation. This accreditation fee may be changed any time upon review of the TESDA Board.

Art. 25. TESDA shall publish lists of all assessment centers/testing venues that had been issued accreditation.

Art. 26. Validity. The accreditation shall be valid for a period of one (1) year from the date of issuance unless sooner cancelled or withdrawn for cause such as those enumerated in Art. 30.

Art. 29. Performance audits and spot checks. TESDA shall have the right to conduct performance audit of and spot-check the accredited assessment center and send Event Officers prior to or during actual testing.

Art. 30. Cancellation of Accreditation. The accreditation of an assessment center shall be suspended or canceled by TESDA on any of the following grounds:

- 30.1 Falsification of the requisite documents and/or false statement in connection with the application for accreditation
- 30.2 Non-implementation of the procedures manual on assessment of OPA
- 30.3 Collection of fees other than what TESDA has prescribed
- 30.4 Engaging in activities other than assessment such as training and deployment of OPAs
- 30.5 Committing any act of violation of the rules and regulations for the establishment and operation of assessment centers
- 30.6 The accreditation of the Assessment Center shall be cancelled or invalidated once a written or oral report of any of the above mentioned irregularities has been verified by TESDA.

**Rule V**  
**ASSESSORS**

Art. 31. For the purpose of certifying performing artists, the TESDA Director General may invite well known and active professional artists and reputable personalities referred to as "AFB" (Artists For the Benefit) to act as assessors. The invitation is valid only for the period indicated therein, but may be renewed by the Director General.

Art. 32. The invited assessors shall undergo an orientation program on the assessment of OPAs. They are prohibited from engaging directly or indirectly in the training, recruitment and deployment of OPAs.

Art. 33. The invitation to be an assessor/AFB of the accreditation of the assessor/AFB shall be immediately cancelled by TESDA on the following grounds:

- 33.1 Falsification of the requisite documents and/or false statement in connection with the application for accreditation
- 33.2 Non-implementation of the procedures manual on assessment of OPAs
- 33.3 Collection of fees other than what TESDA has prescribed
- 33.4 Engaging in activities other than assessment such as training and deployment of OPAs
- 33.5 Any act of violation of the rules and regulations in the conduct of OPA assessment.

**Rule VI**  
**ASSESSMENT OF OPA**

Art. 34. For the purpose of this implementing rules and regulations, performance assessment is the process of determining the readiness of an OPA to perform as dancer, singer/musician, or novelty acts performer through practical demonstration of skills. The latter skills testing shall be used interchangeably with performance assessment.

Art. 35. The performance assessment is the final form of assessment to be conducted by TESDA to determine the readiness of an OPA applying for a Certificate of Competency Artist Record Book (ARB) as proof that an OPA possesses a particular competency. The ARB shall be issued by TESDA directly to the OPA.

Art. 36. Application for performance assessment. The application for performance assessment shall be filed by either of the following:

- 36.1 Any person interested to have his or her skills in the performing arts assessed;
- 36.2 Through any TESDA-registered OPA training center;
- 36.3 Through any recruitment agency licensed by the Philippine Overseas Employment Administration.

Art. 37. Training shall not be a precondition or requisite to performance assessment of OPA. An OPA may choose to submit directly in performance assessment in accordance with provision 1.3 of DO 10 series of 2001. In case of failure, an OPA may suffer fines/withdrawal for a second try without undergoing formal training. However, after two failures it shall be mandatory for the OPA to obtain formal skills training. If the applicant fails the third time, TESDA shall recommend to the person concerned training course for eventual employment or livelihood other than as performing artist.

Art. 38. Fees to be collected. Applicant OPAs shall pay TESDA an assessment fee of P1,000.00 prior to actual performance assessment from which amount TESDA pays the Training Venues and Assessment Officers their fees.

Art. 39. The assessment grade of OPAs shall only be "pass" or "fail". The assessor, however, must adequately explain in writing the reasons for the grade in the comment sheet.

Art. 40. The OPA who passes the performance assessment shall be issued an ARB. The ARB should be in the custody of the OPA as stipulated by DOLE D.O. No. 10 series of 2001.

Art. 41. An outstanding and widely known performing artists may be exempted from performance assessment and may be issued an ARB upon request. Outstanding and widely known performing artists are those performing artists who have recording contracts with a known recording studio for singers/musicians and/or who have a dance contract with a known dance company.

Art. 42. The TESDA shall come up with a list of popularly known performing artists who may be exempted from the performance assessment and need not have an ARB. A verifiable subject organization shall endorse a valid request for exemption from performance assessment to the Office of the Director General for issuance of ARB.

- Art. 43. The following must be submitted by the OPA requesting for exemption:
  - 43.1 Certification of work experience from recruitment/licensed agency; or
  - 43.2 References from past employers;
  - 43.3 Testimonial from clients; and
  - 43.4 Work sample.

Art. 44. In case of doubt performance shall be required to prove competence.

**Rule VII**

**REVALIDATION, RENEWAL AND REPLACEMENT OF ARB**

Art. 45. The ARB shall be valid for three (3) years and may be renewed upon submission of the following:

- 45.1 Letter of request
- 45.2 Expired ARB
- 45.3 Information sheet
- 45.4 Two pieces 1.75 x 1.75 picture of the OPA

Art. 46. TESDA shall re-issue/replace lost ARB upon submission of the following:

- 46.1 Letter of request with affidavit of loss
- 46.2 Two pieces 1.75 x 1.75 inches picture
- 46.3 Information sheet

**Rule VIII**

**COMPLAINTS ON VIOLATIONS**

Art. 47. A committee comprised of TESDA executive director as chairman, and one representative each from the recognized major entertainment industry organization and from the sector that is the subject of complaint. For this committee to act on a complaint, the complaint should be made in writing, notarized, and accompanied by supporting documents.

Art. 48. Appeals on the decision of the committee shall be filed with the Office of the Director General within ten (10) days from receipt of the decision. The decision of the Director General is final and executory.

**Rule IX**

**COMPLIANCE WITH OTHER RELEVANT LAWS**

Art. 49. Training centers, assessment centers, owners, managers agents and their employees must be aware and comply with the provisions of the Anti-Sexual Harassment Law of 1995 (RA 7877). Owners and managers or their agents must educate their staff, officers, employee, clients and OPAs of this law.

These Guidelines shall take effect fifteen (15) days after publication in any major national daily or the Official Gazette. All issuances inconsistent with the provisions of the Memorandum Circular are hereby suspended or amended accordingly.

*[Signature]*  
LUCIA B. DELA  
Director General

[ ] 1.3 The certificate of training by accredited training centers shall not be a precondition to performance assessment and certification. Based on the universal principle of recognition of prior learning, any existing performing artist may opt to proceed immediately to performance assessment, without formal skills training. For female dancers, singers and all girl bands not falling under the exempted category as provided for in no. 8 below, they must be endorsed by a POEA-licensed agency. (DOLE D.O. No. 10, s. 2001)

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