**AFFIDAVIT OF CANCELLATION OF MEMORANDUM OF AGREEMENT (MOA)**

**WITH UNDERTAKING (Between TMA and PRA)**

**取消互貿備忘錄誓章（臺灣仲介及菲律賓仲介之間）**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of President) ,President of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Name of Taiwan manpower agency), hereafter called TMA, for brevity, after having been duly sworn to in accordance with law hereby depose and states that:

本人，\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_（**臺灣仲介公司負責人名字**）是＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿（**公司名稱**）的負責人，後簡稱TMA，已依法正式宣示下列事項：

* Our company has an existing Memorandum of Agreement (MOA) accredited with the Philippine Overseas Employment Administration (POEA) to recruit Filipino workers through \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(name of Philippine recruitment agency (PRA), for the latter to supply the manpower demands of TMA.

本公司目前有與\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(菲仲名稱) 簽署的互貿協議備忘錄，委託該公司代理招募菲律賓工人，為本公司提供人力需求，業已經菲律賓海外就業局認證。

* I, as President of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(name of TMA), hereby CANCELS and/or TERMINATES our accreditation with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (PRA), based on the following grounds: 我作為 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_（**臺灣仲介名稱**）的負責人，基於以下理由，現取消並/或者終止我們與 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (**菲律賓仲介名稱)** 認證：

(CHOOSE ANY OF THE REASONS/GIVE YOUR OWN REASONS FOR THE CANCELLATION) （**以下理由請圈選一項，或請填寫取消理由）**

☐ False documentation or misrepresentation in connection with the application for accreditation; 申請認證時文書送繳不實，或陳述不實;

☐ Final judgment in a disciplinary action against the PRA; 菲律賓仲介有違紀行動並遭受主管機關最後裁罰;

☐ PRA failed to supply the manpower demands of the TMA / Employer within the last 6 months; **菲律賓仲介**在過去6個月內無法供應**臺灣仲介／雇主**的人力需求;

☐ There has been change in the ownership of the PRA; **菲律賓仲介**更換**負責人;**

☐ Poor working relationship between the TMA and the PRA; **臺灣仲介和菲律賓仲介**之間的工作關係不良；

☐Others: (Pls. indicate reason)其他(請填寫理由) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* I hereby declare that based on my personal knowledge and official documents in my possession, our company has no outstanding and/or unsettled financial, documentary and any other legal obligations with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(PRA). 我在此聲明，根據我個人的認知和公司文件紀錄，本公司對 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(**菲仲名稱)**無任何未付清/或未處理的金錢關係，文件和其他任何法律義務。
* I fully understand and commit that this AFFIDAVIT OF CANCELLATION OF MOA shall not prejudice the joint and solidary obligation of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(TMA) and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(PRA) to those workers who were processed and deployed on the basis of the Memorandum of Agreement and Accreditation subject of this cancellation. 我完全理解，並承諾，這取消備忘錄協議誓章之時，那些已經經由\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(**台灣仲介名稱**)\_\_\_\_\_\_\_\_\_＿＿＿＿＿＿＿＿＿＿(**菲律賓仲介名稱)**辦理入境還有已經在臺工作的工人不會有任何權益上的損失，雙方在互貿合作取消之後，本公司依舊會負責為這些工人服務。
* In the event that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(PRA) renege on its duties, as stated in our Memorandum of Agreement (MOA), and as mandated by pertinent POEA Rules and Regulations, Labor Laws of Taiwan and the Labor Code of the Philippines, towards Filipino workers processed and deployed on the basis of the MOA being cancelled, our company undertakes to continue to protect the interest, ensure the welfare and to honor our company’s legal and moral obligations to those Filipino workers processed and deployed on the basis of the MOA subject of this cancellation.

倘若\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(菲律賓仲介名稱)，因違反臺灣或是菲律賓相關的勞動法規而遭到撤照或是停業等處分，致使與本公司先前簽訂的合作備忘錄無法繼續履行，本公司會概括承擔道義上及法律上的責任，繼續維護外勞的權益，確保他們的福利不因備忘錄失效而受到損失。

* Finally, I undertake to submit a copy of this Affidavit of Cancellation of Memorandum of Agreement to the POEA, for their information and to cause the cancellation of our company’s accreditation with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(PRA). 本人承諾將本誓章的影本送繳菲律賓海外就業局，供其參考以認證本公司撤銷與\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(菲賓仲介名稱)互貿合作關係。

IN WITNESS WHEREOF, I hereunto affix my signature on this \_\_\_\_\_ day of \_\_\_\_\_\_(month), 20 \_\_\_in Manila Economic and Cultural Office, Philippine Representative Office in ☐Taipei, ☐Taichung, ☐Kaohsiung, Taiwan. 茲證明， \_\_\_月\_\_\_日 \_\_\_\_年 在馬尼拉經濟文化辦事處，菲律賓代表處在 ☐台北，☐台中，☐高雄，用印及簽名。

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Seal/Signature TMA and its President臺灣仲介名稱及負責人大小章