


THIRTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
SECOND REGULAR SESSION )

5 SEP -1 1955

SENATE

RECEIVED BY: 

Senate Bill No. **2107**

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Introduced By Senator Francis N. Pangilinan

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### EXPLANATORY NOTE

Enshrined in the *Universal Declaration of Human Rights* (UDHR) is the basic principle of recognizing fundamental rights and freedoms of all human beings everywhere. Article 6 of the UDHR states: "Everyone has the right to recognition everywhere as a person before the law." Pursuant to this principle, the *Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live*, which was adopted by the General Assembly on 13 December 1985, specifies the rights to be accorded to aliens residing in another country.

Whereas the State has ratified the UDHR and its accompanying instruments, and is committed to uphold human rights of all people including aliens, the Government is also duty-bound to regulate individuals residing in its jurisdiction. To balance these interests, it would be most beneficial for the State to allow the reintegration of aliens with unlawful residence status into mainstream society. This would bring them within the reach of the State's regulatory arm as their presence in the territory would be recorded and monitored. Also, they would become members of the productive participants in the country's development as they will be subject to taxes and other duties imposed against resident aliens.

In 1995, Republic Act No. 7919, "The Alien Social Integration Act of 1995" already provided for such an avenue. This Bill simply seeks to revive the said law. It shall benefit two groups of aliens: (1) those whose stay in the country is otherwise illegal under existing laws, legal and illegal entrants whose stay became illegal due to overstaying or expiration/revocation/voided visas; and (2) those who wish to confirm or affirm their stay in the country, those whose stay in the country is of doubtful status.

In view of the importance of this measure, passage of this bill is earnestly requested.



FRANCIS N. PANGILINAN  
Senator

THIRTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
Second Regular Session )

5 SEP -1 A9:56

SENATE  
S. No. **2107**

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Introduced by Senator Francis N. Pangilinan

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**AN ACT**  
**REVIVING THE ALIEN SOCIAL INTEGRATION ACT OF 1995 GRANTING LEGAL**  
**RESIDENCY STATUS TO CERTAIN ALIENS IN THE PHILIPPINES UNDER CERTAIN**  
**CONDITIONS**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

Section 1. *Title.* - This Act shall be known as the Alien Social Integration Act of 2005.

Section 2. *Declaration of Policy.* - The State shall control and regulate the admission and integration of aliens into its territory and body politic. Towards this end, aliens with unlawful residence status shall be integrated into the mainstream of Philippine Society.

Section 3. *Coverage.* - Upon effectivity of this Act, all aliens whose stay in the Philippines is otherwise illegal under existing laws, and who have entered the country prior to June 30, 2000, excluding those who already availed in good faith the benefits of Executive Order No. 324 and Republic Act 7919 whose applications have been duly approved, are hereby granted legal residence status upon compliance with the provisions of this Act, and shall not be prosecuted for crimes defined under Commonwealth Act No. 613, otherwise known as the Immigration Act of 1940, which are inherent to illegal residence such as the absence of valid travel documents or visa: *Provided, That in no case shall alien refugees in the Philippines be qualified to apply under this Act.*

The bar to prosecution shall apply only to such crimes or felonies committed due to acts necessary or essential to maintain a false or fraudulent or illegal residence, such as falsification of marriage, birth or baptismal certificates or travel documents, visas or alien certificates of registration.

Section 4. *Integration Requirements and Fees.* - The social integration of aliens established under Section 3 shall be effective and its benefits enjoyed by illegal residents upon completion of all the following acts:

4.1 Filing of registration forms with the following agencies: (1) the civil register of his place of residence; (2) the Bureau of Internal Revenue

(BIR); (3) the Bureau of Immigration; (4) the National Bureau of Investigation; (5) the commercial or universal bank to which the alien pays the integration fee as hereafter provided.

In lieu thereof, the filing of registration forms may be done in five (5) sets with a commercial or universal bank certified by the BIR as authorized collectors for income tax.

4.2 The registration forms shall contain the applicant's full name and one alias by which he may be known; proof of his identity, good moral character and financial capacity through affidavits from two (2) Filipino citizens of good reputation in his/ her place of residence; history of stay in the Philippines; residential address for the immediate past five (5) years; four (4) passport size pictures and a complete fingerprint card for each of the agencies mentioned in 4.1, including his/ her most recent dental records which shall be submitted to the NBI.

4.3 Payment of the integration fees to any duly licensed commercial or universal bank accredited by the BIR as authorized to receive income tax payments in the following amounts:

4.3.1 A one time payment of Three Hundred Thousand Pesos (P300,000.00) for the principal applicant upon filing of the registration forms with the bank. *Provided*, the Bureau may promulgate rules and regulations for other modes of payment through installment scheme.

4.3.2 A single payment of Twenty Five Thousand pesos (P25,000.00) for the spouse and Twenty Five thousand pesos (P25,000.00) for each legitimate child below eighteen (18) years of age.

4.3.3 Children born after June 30, 2000 of parents who received the benefits of this Act shall upon proper registration with the Bureau of Immigration, become legal residents.

4.3.4 The integration fees paid by an alien shall be in lieu of all immigration fees and fines said alien may have incurred during his unlawful residence in the country.

4.4 Submission of a medical certificate stating that the applicant is not a user of prohibited drugs or otherwise a drug addict and that he is not afflicted with Acquired Immune Deficiency Syndrome (AIDS).

4.5 Submission of medical certificate stating that the applicant is mentally and psychologically healthy.

Sec. 5. *Official Receipt.* – The commercial or universal bank shall issue an official receipt of acknowledging receipt of the integration fee, upon payment by the applicant of a processing fee of One thousand pesos (P1,000.00). In the event registration was effected under paragraph 2 of subsection 4.1, the bank shall furnish copies of the registration documents to the following agencies: (1) the civil register of the

applicant's place of residence; (2) the BIR; and (3) the NBI. Thereafter, the bank shall issue a certification to this effect in favour of the applicant.

*Sec. 6. Duties of the Bureau of Immigration.* – Upon presentation by the applicant of the official receipt from the bank, together with a certification from the bank or the agency concerned, as the case may be that the civil registrar, BIR and NBI received copies of the registration forms, and the submission to the Bureau of Immigration of the registration forms defined in Section 4.2 hereof, the Bureau of Immigration shall immediately issue an alien certificate of registration (ACR) to the applicant. The legal residence granted under this Act shall commence from the date the Bureau of Immigration issues the ACR.

The Bureau of Immigration shall publish, at the applicant's cost, the names, ages, addresses, and a photograph of each of the applicants in a national newspaper of general circulation at the end of each calendar month during the effectivity of the application period, as hereinafter provided in Section 8. The banks authorized under this Act to collect the fees herein required shall collect a publication fee of Five thousand pesos (P5,000.00) from the applicant.

*Sec. 7 Ministerial Duty of the Civil Registrar, the BIR and the NBI.* – The Civil Registrar, the BIR and the NBI shall have the ministerial duty to accept the registration forms required under Section 4. Each of these agencies may charge no more than One hundred pesos (P100.00) for the filing of the registration forms. Upon payment of the filing fee, the agency concerned shall issue a certification that the alien has filed with said office by himself/ herself or through the bank, all the forms required under Section 4.

*Sec. 8. Application Period.* – The benefits extended by Section 3 can be availed of from June 1, 2006 to December 31, 2008.

*Sec. 9. Administrative Confirmation.* – The procedure herein provided may be availed of by any alien who may want a confirmation or affirmation of his stay in the Philippines.

*Sec.10. Eligibility for Citizenship.* – Aliens granted legal residence under this Act shall be eligible to apply for naturalization after five (5) years from the approval of his/ her application.

*Sec.11. Compliance Report and Oversight Functions.* – The Bureau of Immigration shall submit to the chair of the committees on justice of each chamber of Congress, copy furnished the Senate President and the Speaker of the House of Representatives, a written report on the developments in the implementation of this Act on November 30 2006, May 31 2007, and May 31 2008 for purposes of oversight functions.

*Sec.12. Revocation of Resident Status.* – Deceit or Misrepresentation on the part of any applicants to enable them to obtain legal status under this Act shall be ground for cancellation or revocation of their resident status. The Bureau shall promulgate rules and regulations to determine the authenticity of documents submitted by the applicants.

The Bureau may revoke applicants or legalized aliens on the basis of substantial evidence.

Sec.13. *Perjury.* – The registration forms, together with the proof required therein, shall be supported by affidavits of two (2) Filipino citizens of good reputation in the applicant's place of residence.

All applications shall be under oath or affirmation, which oath or affirmation shall be required for their registration. Applicants who violate their oath or affirmation by knowingly making untruthful statements on any material matter in their application shall be liable for perjury under the Revised Penal Code.

In addition to the penalty imposed on perjury, the subsequent convictions of the applicant shall revoke the legal residence granted him/her and shall subject the applicant to deportation proceedings.

Sec. 14 *Appropriation.* – There is hereby appropriated, out of the payments received under Section 4 hereof, an amount of Five million pesos (P5,000,000.00) to cover administrative and other expenses to be incurred in the implementation of this Act.

Sec.15. *Privacy Clause.* – Information submitted by an alien applicant pursuant to this Act, shall be used only for the purpose of determining the veracity of the factual statements by the applicant or for enforcing the penalties prescribed by this Act.

Sec.16. *Rule-making Powers.* – The provisions of this Act are self-executory and shall not be dependent on the issuance of any rules or regulations. The Secretary of Justice is hereby authorised, however, to promulgate only such rules and regulations as may be needed to efficiently and administratively implement the provisions of this Act.

Sec.17. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall continue to be in full force and effect.

Sec.18. *Repealing Clause.* – All laws, decrees or rules inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec.19. *Effectivity Clause* – This Act shall take effect fifteen (15) days after the completion of its publication in at least two (2) national newspapers of general circulation.

Approved,

**FRANCIS N. PANGILINAN**