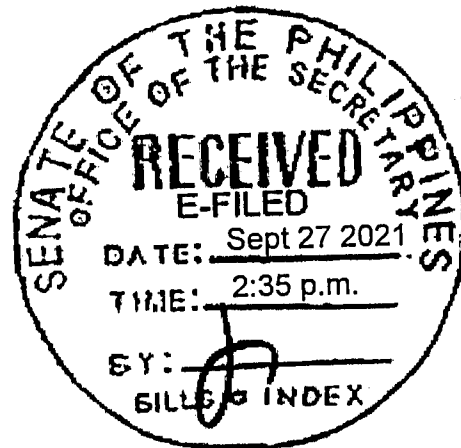


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )



SENATE  
Senate Bill No. 2416

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INTRODUCED BY SENATOR RONALD "BATO" DELA ROSA

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**AN ACT**  
**MODERNIZING THE BUREAU OF IMMIGRATION, DEFINING ITS POWERS AND**  
**FUNCTIONS, EXPANDING, RATIONALIZING AND FURTHER**  
**PROFESSIONALIZING ITS ORGANIZATION, UPGRADING THE COMPENSATION**  
**AND BENEFITS OF ITS OFFICIALS AND EMPLOYEES, APPROPRIATING FUNDS**  
**THEREFOR, AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

Recently, the Philippines' Bureau of Immigration was faced with numerous challenges that threatened not only the stability of the Bureau, but also the security of the nation as a whole. In the midst of the COVID-19 pandemic, several officials were alleged to be linked to a so-called *pastillas* scheme, thus leading to the suspension of more than forty (40) of them<sup>1</sup>. According to BI Commissioner Jaime Morente, since 2016 more than four hundred (400) employees at the Bureau have been "investigated and sanctioned."<sup>2</sup>

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<sup>1</sup> CNN Philippines Staff. "44 Immigration personnel suspended over 'pastillas' scheme," October 28, 2020. Retrieved from: <https://cnnphilippines.com/news/2020/10/27/44-immigration-personnel-suspended-pastillas-scheme.html>, retrieved on: September 25, 2021.

<sup>2</sup> John Eric Mendoza. "More than 400 BI employees probed, sanctioned for corruption since 2016," May 27, 2021. Retrieved from: <https://newsinfo.inquirer.net/1437582/more-than-400-bi-employees-probed-sanctioned-for-corruption-since-2016#ixzz77TXCvITS>, retrieved on September 25, 2021.

While corruption is, of course, inexcusable, it is also important to recognize that tendencies towards corruption fester and worsen if the system in place is outdated and unresponsive to the demands of the present. Thus, more than simply investigating, suspending, and eventually removing from office those who are found to be corrupt, there is a need to modernize the system, if only to institutionalize and establish a Bureau that is more than capable of handling current problems.

The Bureau of Immigration was created through Commonwealth Act No. 613, or the Philippine Immigration Act of 1940. With such an old law in place, it is high time for the Bureau to be modernized. Modernizing will help not only the system at large, but also the employees of the Bureau.

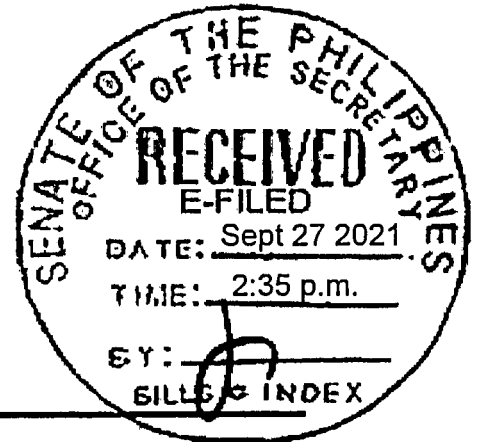
This proposed measure seeks to do those two things: to update the immigration system so as to make it more responsive to the demands of the present, as well as to ensure the improved efficacy of the Bureau by upgrading salary grades of officials and employees, as well as by creating positions and compensation for co-terminus officials and employees of the agency.

For these reasons, I earnestly seek the swift passage of this bill into law.

  
**RONALD "BATO" DELA ROSA**

EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* )

SENATE  
Senate Bill No. 2416



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INTRODUCED BY SENATOR RONALD "BATO" DELA ROSA

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**AN ACT**  
**MODERNIZING THE BUREAU OF IMMIGRATION, DEFINING ITS POWERS AND FUNCTIONS, EXPANDING, RATIONALIZING AND FURTHER PROFESSIONALIZING ITS ORGANIZATION, UPGRADING THE COMPENSATION AND BENEFITS OF ITS OFFICIALS AND EMPLOYEES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

1

**TITLE I**

2

3

**GENERAL PROVISIONS**

4

5

6 Section. 1. *Short Title.* -This Act shall be known as "The Bureau of Immigration  
7 Modernization Act of 2019."

8

9 Sec. 2. *Declaration of Policy.* - In the conduct of its relation with other States, the  
10 Philippines shall give paramount consideration to national sovereignty, territorial integrity,

1 national security, national interest, the right to self-determination, the enhancement of  
2 economic diplomacy, and the protection of overseas Filipinos in destination countries, as  
3 it adheres to the policy of peace, cooperation and amity with all nations. Towards this  
4 end, Philippine immigration policies, rules and regulations under this Act shall be applied  
5 and administered as instruments for the promotion of domestic and external interests of  
6 the Philippines, in recognition of:

7  
8 a. The admission of foreign nationals for the purpose of encouraging and  
9 enhancing capital investments, trade and commerce, cultural exchanges and other  
10 forms of friendly relations and cooperation;

11  
12 b. The need to support the country's technological and scientific development;

13  
14 c. The promotion of conditions for social welfare and economic security of the  
15 people;

16  
17 d. The fulfillment of obligations and compliance with standards set by international  
18 law in the admission or exclusion of foreign nationals;

19  
20 e. The modernization of structures and mechanisms necessary for the  
21 administration of immigration laws in keeping with the changing demands of the  
22 country's role in the global community; and

23  
24 f. The professionalization of the immigration service by instituting a rigid system  
25 of screening and selection of immigration officials and employees and promoting  
26 their development.

27  
28 *Sec. 3. Definition of Terms.* - As used in this Act:

- 1 a. Admission - refers to the process by which a foreign national arriving at a port  
2 of entry in the Philippines is allowed into the country by the Immigration  
3 authorities;
- 4
- 5 b. Border Control Officer - refers to any person tasked to man the Border Station  
6 authorized as Provided under Sec. 35 of this Act;
- 7
- 8 c. Captain - refers to the master of a vessel or pilot of an aircraft;
- 9
- 10 d. Child- refers to a person below eighteen (18) years of age;
- 11
- 12 e. Citizen - refers to any person who is a citizen of the Philippines under Sec.  
13 1, Article IV of the 1987 Constitution of the Republic of the Philippines;
- 14
- 15 f. Consular Officer- refers to any consular, diplomatic, or other officer of the  
16 Department of Foreign Affairs (DFA) who has been duly granted a consular  
17 commission for the purpose of issuing visas under this Act;
- 18
- 19 g. Derogatory Information - refers to details about persons and travel documents  
20 relating to immigration consisting of the following:
- 21
- 22 1. Blacklist Order - refers to an order issued by the Commissioner that  
23 prevents a foreign national from entering the territorial jurisdiction of  
24 the Philippines;
- 25
- 26 2. Hold Departure Order- refers to an order issued by the Commissioner  
27 preventing a foreign national from leaving the territorial jurisdiction of  
28 the Philippines in cases where bail or recognizance is granted pending

1 implementation of a Summary Deportation Order, or a directive  
2 implementing an order from the Regional Trial Courts, the  
3 Sandiganbayan, or the appellate courts to prevent a person from leaving  
4 the territorial jurisdiction of the Philippines; and  
5

6 3. Watchlist Order- refers to an order issued by the Commissioner under  
7 this Act that requires immigration personnel to monitor the travel of any  
8 person for a period of sixty (60) days, extendible for another sixty (60)  
9 days and to notify the concerned government agencies of the  
10 Philippines;  
11  
12

13 h. Entry- refers to the arrival of a foreign national into any designated port of entry  
14 in the Philippines from a place outside the Philippine territorial jurisdiction. A  
15 foreign national having a lawful permanent residence in the Philippines shall not  
16 be regarded as making an entry for the purpose of this Act if such foreign national  
17 proves that the departure to a place outside the Philippines was for a temporary  
18 or limited period, or the continued absence from the Philippines was occasioned  
19 by deportation proceedings, extradition, or other legal process;  
20

21 i. Exclusion - refers to the act of Immigration Personnel denying admission of a  
22 foreign national into the country on grounds Provided under Sec. 77, Chapter IV  
23 of this Act;  
24

25 j. Foreign National - refers to any person who is not a citizen of the Philippines;  
26

27 k. Immigrant - refers to any foreign national, other than a non-immigrant,  
28 departing from any place outside the Philippines destined for the Philippines;  
29

1 I. Immigration laws- refer to this Act and any other law presently existing or which  
2 may hereafter be enacted relating to the movement of natural persons to and from  
3 the Philippines;

4  
5 m. Immigration Officer- refers to any person appointed under Sec. 25 this Act or  
6 any employee designated by the Commissioner to perform the powers, duties and  
7 functions of an Immigration Personnel as specified under this Act;

8  
9 n. Non-immigrant- refers to any foreign national departing from any place outside  
10 the Philippines who is allowed entry and admission into the Philippines for a  
11 temporary or limited period of stay;

12  
13 o. Non-refoulement- refers to a principle of international law which prohibits the  
14 forced return of refugees to the state or territory where their lives or liberty would  
15 be threatened;

16  
17 p. Passport- refers to a document issued by the Philippine government to its  
18 citizens pursuant to Republic Act No. 8239, otherwise known as "The Philippine  
19 Passport Act of 1996", as amended; .

20  
21 q. Person- refers to a natural or juridical person such as but not limited to  
22 partnerships, corporations, companies, and associations;

23  
24 r. Port of entry- refers to any port designated by the Commissioner through which  
25 a foreign national may enter or exit the Philippines;

26  
27 s. Refugee - refers to a person who, owing to a well-founded fear of being  
28 persecuted for reasons of race, religion, nationality, membership in a particular  
29 social group, or political opinion, is outside the country of nationality, and is unable  
30 or, owing to such fear, is unwilling to avail of the protection of that country; or

1 who, not having a nationality and being outside the country of former habitual  
2 residence, is unable or, owing to such fear, is unwilling to return to it;

3  
4 t. Seaman, Seafarer or Crewmember- refers to a person actually employed in the  
5 operation or service in any capacity on board a vessel;

6  
7 u. Stateless Person - refers to a person who is not considered a national by any  
8 State under the operation of its laws;

9  
10 v. Travel document - refers to a certification or identifying document containing  
11 the description and other personal circumstances of its bearer, issued for direct  
12 travel to and from the Philippines valid for short periods or a particular trip. It is  
13 issued only to persons whose claim to Philippine citizenship is doubtful or who fall  
14 under the category enumerated in Sec. 13 of Republic Act No. 8239, otherwise  
15 known as "The Philippine Passport Act of 1996;"

16  
17 w. Vessel- refers to all means of conveyances, whether aircraft or sea craft; and

18  
19 x. Visa - refers to an endorsement on a passport or any travel document issued by  
20 an Immigration Attache abroad authorizing the holder thereof to proceed to a  
21 designated port of entry in the Philippines and there to apply for entry and  
22 admission under the status specified therein; or immigration status granted and/or  
23 issued to foreign nationals by the Commissioner or the Board under this Act.

24  
25 **TITLE II**

26 **THE BUREAU OF IMMIGRATION**

27  
28 **CHAPTER 1**

29 **THE BUREAU**





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iii. Reacquisition and retention of Philippine citizenship under Republic Act No. 9225, otherwise known as the "Citizenship Retention and Reacquisition Act of 2003;"

iv. Issuance and Revocation of all visas and permits;

v. Declaration of Indigence; and

vi. Legalization of residence In accordance with law.

2. Cite and punish for contempt in relation to the discharge of its quasi-judicial functions in accordance with the Rules of Court.

b. Rule-making:

1. Prescribe and promulgate rules of procedure for proceedings before it;  
2. Prepare and publish operations manual and rules of procedure, including schedule of fees, for all transactions entered into by the Bureau with the public; and

3. Formulate policies, directives, programs and projects of the Bureau.

The Board shall also perform such other powers and functions as Provided in this Act and other existing laws, rules and regulations not inconsistent with any of the provisions of this Act.

*Sec. 7. Decisions of the Board.* -All cases or proceedings before the Board shall be decided with the concurrence of the majority of the members of the board. Decisions of

1 the Board shall become final and executory fifteen (15) days from receipt thereof by the  
2 concerned parties. Only one (1) Motion for Reconsideration shall be allowed.

3  
4 Decisions in deportation cases may be appealed to the Secretary of the DOJ within  
5 fifteen (15) days from receipt thereof by the concerned parties. The decision of the  
6 Secretary of the DOJ shall be final and immediately executory unless stayed by an order  
7 of the Court of Appeals.

8  
9 *Sec. 8. Period for Decision by the Board.* - The Board of Commissioners shall decide  
10 deportation cases within (30) days from the date they are submitted for resolution.

11  
12 *Sec. 9. Meetings of the Board.* - In all cases, the Board of Commissioners shall  
13 convene and act as a collegial body in all matters referred to in Sec. 6 of this Act. The  
14 Board shall meet at least once a week or, if necessary, twice a week. Members of the  
15 Board shall be notified accordingly and the presence of the Chairperson and one (1)  
16 member shall constitute a quorum.

### 17 18 **CHAPTER 3**

#### 19 **THE COMMISSIONER AND THE DEPUTY COMMISSIONERS**

20  
21 *Sec. 10. Appointment of the Commissioner.* - The Commissioner shall be appointed  
22 by the President and shall have the same rank, salary, and privileges of an Undersecretary  
23 of a Department.

24  
25 *Sec. 11. Powers and Functions of the Commissioner.* - In addition to the duties as  
26 Chairperson of the Board of Commissioners, the Commissioner shall exercise the following  
27 powers and functions:

- 28  
29 a. Supervise, direct and coordinate the overall operations of the Office;

- 1 b. Exercise control and supervision over the officers and personnel of the Bureau,  
2 including the power to appoint, promote, and reassign personnel, subject to civil  
3 service laws, rules and regulations: *Provided*, that promotions and appointments  
4 to positions of Division Chiefs and above shall be made by the Secretary of  
5 the DOJ upon the recommendation of the Commissioner;  
6
- 7 c. Issue (1) letter orders after determination of the existence of probable cause  
8 for the purpose of deportation; (2) commitment or release orders; (3) warrant of  
9 deportation; (4) order to inspect the documents, premises and records of persons  
10 covered by this Act; and (5) derogatory information orders defined in Sec. 3(h) of  
11 this Act;  
12
- 13 d. Delegate authority to subordinate immigration personnel and employees, except  
14 the powers and functions enumerated in the immediately preceding paragraph,  
15 which may be delegated only to Deputy Commissioner;  
16
- 17 e. Act on applications for extension of visas;  
18
- 19 f. Control the opening and closure of posts, landing places, airports or ports  
20 classified as points of entry or exit, whether limited or unlimited;  
21
- 22 g. Increase, reduce or waive immigration fees, fines, penalties and other charges;  
23
- 24 h. Issue Certificates of Naturalization and Identification to foreign nationals  
25 who have been granted Philippine citizenship;  
26
- 27 i. Deputize, subject to the concurrence of the Board, any official or employee of  
28 the national government and local government units, including uniformed  
29 personnel of the Armed Forces of the Philippines, the Philippine National Police

1 and the Philippine Coast Guard to assist immigration personnel in the  
2 performance of duties and functions;

3  
4 j. Authorize and prescribe, with the concurrence of the Board, the form and the  
5 amount of cash bonds for the provisional release of respondents in deportation  
6 proceedings;

7  
8 k. Impose reasonable fines and penalties for violations of Immigration and alien  
9 registration laws in accordance with this Act and the guidelines adopted by the  
10 Board;

11  
12 l. Accept donation of materials, equipment, or technical services from any  
13 foreign government, international or domestic organization, to upgrade the  
14 efficiency and operations of the Bureau;

15  
16 m. Submit to the President and Congress, annually or as may be directed, a report  
17 on: (1) the number and status of foreign nationals in the Philippines; (2) foreign  
18 nationals admitted or granted change of status as permanent residents; (3) foreign  
19 nationals who have been excluded or deported from the Philippines; (4) the  
20 estimated number of illegal foreign nationals in the Philippines in each calendar  
21 year and actions taken to arrest them, grouped by nationality, for each region in  
22 the Philippines; and (5) such other transactions of the PIBCIS;

23  
24 n. Determine the manning levels of immigration officers of the Bureau nationwide  
25 in accordance with the number of arrivals in each port of entry as determined by  
26 the Board: *Provided*, that for every three hundred (300) passengers there shall be  
27 one (1) immigration personnel in an eight-hour shift;

28  
29 o. Exercise disciplinary authority over personnel of the Bureau charged with less  
30 grave and light administrative offenses, in accordance with the Revised Rules on

1 Administrative Cases in the Civil Service (RRACS): *Provided*, that the disciplinary  
2 authority over those charged with grave administrative offenses under RRACS shall  
3 belong to the Secretary of the DOJ;

4  
5 p. Prepare and submit a supplemental budget for the consideration of the  
6 Department of Budget and Management (DBM);

7  
8 q. Prescribe, with the concurrence of the Board, the appropriate forms, bonds,  
9 reports, entries and other papers in accordance with this Act; and

10  
11 r. Perform such other functions as are inherent to the Bureau.

12  
13 *Sec. 12. Appointment and Rank of Deputy Commissioners.* - There shall be two  
14 (2) Deputy Commissioners who shall be appointed by the President. They shall have the  
15 rank, salary and privileges of an Assistant Secretary of a Department.

16  
17 *Sec. 13. Duties of Deputy Commissioners.* - In addition to their duties as members  
18 of the Board, the Deputy Commissioners shall supervise a minimum of two (2)  
19 Directorates and one (1) regional office each as determined by the Commissioner.

20  
21 *Sec. 14. Creation of Positions and Compensation for Co-Terminus Officials and*  
22 *Employees.* - The following co-terminus positions are hereby created for the Office of the  
23 Commissioner and Deputy Commissioners, except for Executive Officer III/Board  
24 Secretary which shall be assigned only to the Office of the Commissioner. The basic  
25 monthly compensation of the following co-terminus officials and employees shall be as  
26 follows:

27

<b>POSITION</b>	<b>SALARY GRADE</b>
Head Executive Assistant	27

Executive Assistant VI	25
Executive Assistant V	24
Executive Assistant IV	22

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**CHAPTER 4**  
**THE BOARD SECRETARY**

Sec. 15. *Qualifications of the Board Secretary.* - There shall be a Board Secretary of the Board of Commissioners who must be a natural-born citizen of the Philippines, at least thirty (30) years of age and a member of the Philippine Bar in good standing at least five (5) years prior to the appointment.

Sec. 16. *Powers and Duties.* - The Board Secretary shall:

- a. Attend in and take minutes of all meetings of the Board;
- b. Prepare the agenda for the deliberations of the Board on Visa application;
- c. Prepare the agenda for the deliberations of the Board on deportation cases as endorsed by a Member of the Board after initial review;
- d. Implement the decision of the Board approving visa applications, including revalidation;
- e. Keep and manage all records of the deliberation of the Board;
- f. Advise the members of the Board on all matters relative to compliance with relevant laws and requirements of regulatory authorities; and
- g. All other functions as may be directed by the Board.

1 **CHAPTER 5**  
2 **THE BOARDS OF SPECIAL INQUIRY**  
3

4 *Sec. 17. Constitution of the Boards of Special Inquiry.* - There shall be constituted  
5 as many Boards of Special Inquiry (BSI) as required in the exigency of service but not  
6 more than twelve (12). Each Board shall be composed of a Chairperson and two (2)  
7 members. The Overall Chairperson of the BSI shall sit as the Chairperson of the First  
8 Board of the BSI. The BSI shall be designated according to their areas of specialization  
9 to be determined by the Board.  
10

11 *Sec. 18. Appointment and Qualification of the Chairpersons and Members of the*  
12 *BSL* - The Chairpersons and members of the BSI shall be appointed by the Commissioner,  
13 all of whom shall be natural-born citizens of the Philippines and, at the time of their  
14 appointment, at least thirty (30) years of age, members of the Philippine Bar in good  
15 standing and engaged in the practice of law for at least three (3) years.  
16

17 *Sec. 19. Powers and Functions of the BSL* -The BSI shall:

18 a. Recommend to the Board for final resolution cases and applications relative  
19 to:

- 20 1. Deportation;
- 21
- 22 2. Revocation of immigration status;
- 23
- 24 3. Recognition of Philippine citizenship by reason of birth, or marriage;
- 25
- 26 4. Legalization of residence in accordance with law; and
- 27
- 28 5. Issuance of visa for stateless person.

29 b. Issue subpoena in cases being heard by the BSI;  
30



- 1 c. In the exercise of its quasi-judicial functions, cite and punish persons for  
 2 contempt in accordance with the Rules of Court;  
 3  
 4 d. Recommend to the Board the imposition, waiver or reduction of fees, fines,  
 5 penalties and other charges subject to existing laws, rules and regulations;  
 6  
 7 e. Administer oaths;  
 8  
 9 f. Promulgate rules and regulations governing matters within its assigned  
 10 mandate subject to the approval of the Board; and  
 11  
 12 g. Perform such other duties and functions as may be directed by the  
 13 Commissioner and the Board.

14  
 15 *Sec. 20. Proceedings Before the BSL* - The proceedings before the BSI shall be  
 16 public and recorded. In all cases, the BSI shall meet and act as a collegial body. Only  
 17 members of the Philippine Bar in good standing shall appear for and in behalf of any party  
 18 before the BSI.

19  
 20 *Sec. 21. Creation of Positions under the BSL* - The following positions with the  
 21 corresponding salary grades are hereby created under the BSI:  
 22

POSITION	SALARY GRADE
Special Inquiry Officer II	25
Special Inquiry Officer I	24

23  
 24  
 25  
 26 **CHAPTER 6**  
 27 **DIRECTORATES AND OTHER OPERATING OFFICES OF THE BUREAU**

1  
2           *Sec. 22. Directorates and Other Operating Offices of the Bureau.* -The Bureau shall  
3 have the following directorates and other operating offices, namely:

- 4  
5           a. Directorates:
- 6                 1. Administration;
  - 7
  - 8                 2. Finance and Logistics;
  - 9
  - 10                3. Information and Communications Technology;
  - 11
  - 12                5. Planning and Research;
  - 13
  - 14                6. Alien Registration;
  - 15
  - 16                7. Immigration Regulation;
  - 17
  - 18                8. Intelligence;
  - 19
  - 20                9. Law Enforcement;
  - 21
  - 22                10. Operations;
  - 23
  - 24                11. Legal Affairs; and
  - 25
  - 26                12. Human Resource Management and Development.

27  
28           b. Regional Offices that shall be created by the Board according to political or  
29 administrative regions.

30

1 c. Districts:

2  
3 1. Major Airports; and

4  
5 2. Seaports

6  
7 *Sec. 23. Heads of the Directorates and Other Operating Units.* - Each Directorate  
8 shall be headed by a Director with a Salary Grade of 28: *Provided, That* the Director for  
9 Legal Affairs shall be a member of the Philippine Bar in good standing and must have  
10 been engaged in the practice of law for at least three (3) years, and that the Director for  
11 Finance and Logistics shall be a Certified Public Accountant in good standing for at least  
12 three (3) years. The Regional Offices shall be headed by a Regional Director with a Salary  
13 Grade of 27, while the District Offices shall be headed by a District Supervisor with a  
14 Salary Grade of 26.

15  
16 *Sec. 24. Duties and Functions of the Directorates Regional Office Districts, Field*  
17 *Offices and Other Operating Offices.* - The different directorates and other operating  
18 offices of the Bureau shall have such number of officers and as may be defined by the  
19 Board to ensure the effective performance of their respective mandates.

20  
21 **CHAPTER 7**  
22 **IMMIGRATION OFFICERS**

23  
24 *Sec. 25. Immigration Officers, Immigration Inspectors and Immigration Agents.*  
25 The Bureau shall employ an elite group of Immigration Officers who shall be assisted by  
26 Immigration Inspectors and Immigration Agents in the performance of their duties and  
27 functions. No person shall be appointed to the position of Immigration Officer,  
28 Immigration Inspector or Immigration Agent unless such person meets the qualification  
29 standards set by the Bureau, which shall include the following determinative factors in  
30 setting said qualification standards for each position:

- 1 a. Educational Attainment
- 2
- 3 b. Civil Service Eligibility
- 4
- 5 c. Relevant Experience
- 6
- 7 d. Training
  - 8 1. Basic
  - 9
  - 10 2. Advanced
  - 11
  - 12 3. Executive
  - 13
- 14 e. Ability
- 15

16 *Sec. 26. Powers and Functions of Immigration Officers.* - The Immigration  
17 Personnel shall have the following powers and functions:

- 18
- 19 a. Examine, with the assistance and advice of medical authorities in appropriate  
20 cases, foreign nationals at the port of entry concerning their admissibility to enter  
21 and their qualifications to remain in the Philippines;
- 22
- 23 b. Exclude foreign nationals not properly documented, and to admit foreign  
24 nationals complying with the applicable provisions of immigration and related laws;
- 25
- 26 c. Administer oaths in connection with the performance of their duties;
- 27
- 28 d. Within lawful bounds, search for foreign nationals on any vessel reasonably  
29 believed to be used to illegally bring foreign nationals into the Philippines, and to  
30 take into custody any foreign national who in one's presence or view is entering

- 1 or is about to enter the Philippines in violation of immigration and related laws,  
2 rules and regulations;
- 3
- 4 e. Act as control personnel with authority to prevent the departure of passengers  
5 who do not comply with duly published departure requirements;
- 6
- 7 f. Detect and report violations of the immigration and registration laws and, in  
8 appropriate cases, take the required necessary actions upon the instructions of the  
9 Commissioner, including follow-up on the stay of non- immigrants to prevent  
10 overstaying;
- 11
- 12 g. Detect and report subversive activities of aliens in the interest of national  
13 security;
- 14
- 15 h. Investigate any case at the instance of the Commissioner and submit the  
16 required reports;
- 17
- 18 i. Report on the activities of aliens inimical to national interest with a view t  
19 taking appropriate action in accordance with law;
- 20
- 21 j. Locate and conduct surveillance against foreign nationals in violation of  
22 immigration laws, rules and regulations;
- 23
- 24 k. Provide actionable operational, tactical and strategic intelligence to the  
25 operating units;
- 26
- 27 l. Conduct case build up, analysis and other in-depth research, as well as  
28 provide analytical reports on foreign nationals who violate or are in violation of  
29 immigration laws, rules and regulations;
- 30

- 1 m. Coordinate with other local and international law enforcement agencies in the  
2 gathering of intelligence information related to immigration law violations;  
3  
4 n. Conduct counter intelligence operations;  
5  
6 o. Enforce the immigration laws relating to the exclusion, deportation and  
7 repatriation of aliens;  
8  
9 p. Take charge of the physical detention of aliens pending their exclusion,  
10 deportation or repatriation;  
11  
12 q. Attend to the deportation of aliens;  
13  
14 r. Monitor all arriving and departing suspected terrorists, drug couriers and  
15 members of crime syndicates;  
16  
17 s. Assist and escort deportees, excluded passengers and transiting restricted  
18 passengers until finally boarded;  
19  
20 t. Assist in the queuing of passengers at the arrival and departure areas;  
21  
22 u. Investigate and escort from ports of entry intercepted passengers who are  
23 found in possession of spurious travel documents;  
24  
25 v. Warrants of Deportation (WOD) and Mission Orders involving foreign nationals  
26 who violate or are in violation of immigration laws, rules and regulations; and  
27  
28 w. Perform such other functions as may be assigned by the Commissioner from  
29 time to time.  
30

1 Qualified Immigration Officers, Immigration Inspectors and Immigration Agents  
2 with the requisite training and experience may be assigned to the Intelligence, Law  
3 Enforcement, or Operations Directorates depending on the exigencies of the Bureau. The  
4 Board may, in the exigencies of service, designate certain duties and responsibilities  
5 listed in this Section to other officers and employees in the Intelligence, Law Enforcement  
6 or Operations Directorates in an acting capacity: *Provided, That* such designation shall  
7 not exceed a period of one (1) year.

8  
9 *Sec. 27. Deployment of Immigration Personnel Abroad.* - Within ninety (90) days  
10 from the effectivity of this Act, the Bureau shall promulgate the implementing rules and  
11 regulations on the assignment and deployment of immigration personnel to select  
12 consular posts abroad who shall, subject to the pertinent provisions of Republic Act No.  
13 7157 or the "Philippine Foreign Service Act of 1991," perform immigration duties, except  
14 diplomatic and consular functions.

15  
16 **CHAPTER 8**  
17 **PLANNING AND RESEARCH**  
18

19 *Sec. 28. Immigration Research Specialist.*- No person shall be appointed to the  
20 position of Immigration Research Specialist unless such person meets the qualification  
21 standards set by the Bureau. The Immigration Research Specialists shall perform the  
22 following duties:

23 a. Formulate and Implement the planning programs, projects and processes;

24  
25 b. Facilitate and organize a strategic planning;

26  
27 c. Conduct workload assessment and forecasting;

28  
29 d. Provide assistance to the Board in the implementation and establishment of  
30 a risk management process;

1  
2 e. Implement a monitoring feedback measurement and evaluation system for  
3 the implementation of projects and programs;

4  
5 f. Represent the Board in meetings relating to Planning and Research; and  
6

7 g. Perform such other tasks as may be directed by the Commissioner.  
8

9 Sec. 29. *Creation of Positions; Directorate for Planning and Research.* - The  
10 following positions with corresponding salary grades are hereby created:  
11  
12

<b>POSITION</b>	<b>SALARY GRADE</b>
Chief Immigration Research Specialist	28
Supervising Immigration Research Specialist	25
Immigration Research Officer III	23
Immigration Research Officer II	21
Immigration Research Officer I	17
Immigration Research Assistant	15

13  
14 **CHAPTER 9**  
15 **HUMAN RESOURCE MANAGEMENT AND DEVELOPMENT**  
16

17 Sec. 30. *Human Resource Management Officer.* - No person shall be appointed to  
18 the position of Human Resource Management Officer unless such person meets the  
19 qualification standards set by the Commission. The Human Resource Management  
20 Officers shall perform the following duties:  
21



1 a. Develop and execute human resource strategies in support of the overall plan  
2 and strategic direction of the Commission especially in the areas of selection, hiring  
3 and promotion;

4  
5 b. Design employee training modules;

6  
7 c. Develop comprehensive strategic recruiting and retention plans to meet the  
8 human capital of strategic goals;

9  
10 d. Oversee the recruitment, selection and promotion of employees;

11  
12 e. Prepare schemes to strengthen the relationship between management and  
13 employees;

14  
15 f. Set qualification standards and implement competency-based hiring and  
16 promotion policies;

17  
18 g. Set performance standards for the employees of the Commission in order to  
19 meet the objectives, plans and programs of the Commission; and

20  
21 h. Perform such other tasks as may be directed by the Commissioner.

22  
23 *Sec. 31. Creation of Positions; Directorate for Human Resources Management and*  
24 *Development* - The following positions with the corresponding salary grades are hereby  
25 created under the Directorate for Human Resources Management and Development:  
26

<b>POSITION</b>	<b>SALARY GRADE</b>
Chief Human Resource Management Officer	28
Supervising Human Resource Management Officer	25

Human Resource Management Officer III	23
Human Resource Management Officer II	21
Human Resource Management Officer I	17
HR Management Assistant	15

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**CHAPTER 10**  
**CAREER DEVELOPMENT PATTERN**

*Sec. 32. Career Development* - The Bureau shall:

- a. Establish and strengthen the Philippine Immigration Academy which shall be under the control and supervision of the Commissioner;
- b. Create a continuing program to enhance the knowledge, skills and competence of all personnel through a career advancement training and education prior to their promotion; and
- c. Formulate training requirements to implement the provisions in this Title.

**CHAPTER 11**  
**OTHER OFFICES**

*Sec. 33. Reid Offices of the Bureau.* - The Bureau shall operate and maintain a field office in each of the administrative or political regions, including the National Capital Region.

*Sec. 34. Changes in the Composition, Distribution of Assignment of Reid Offices.* - The Commissioner may make changes in the composition, distribution and assignment of

1 field offices, as well as its personnel, based on the demographics of the foreign nationals  
2 and as the exigency of the service requires.

3  
4 *Sec. 35. Border Control Stations.* - There shall be established Border Control  
5 Stations which shall be manned by Border Control Personnel appointed by the  
6 Commissioner. The Border Control Stations shall be placed in specific areas in the  
7 Philippines which shall be determined by the Board.

8  
9 **TITLE III**  
10 **IMMIGRATION**

11  
12 **CHAPTER 1**  
13 **NON-IMMIGRANTS**

14  
15 *Sec. 36. Categories of Non-immigrants and Types of Visa Issued.* – Foreign  
16 nationals departing from any place outside the Philippines who are otherwise admissible  
17 and who qualify under any one of the following categories may be admitted as non-  
18 immigrants:

19  
20 a. Temporary visitors (A Visas): Visitors coming to the Philippines for a temporary  
21 period for reasons of business, pleasure or health:

22  
23 1. Business (A-1 Visa): Temporary visitors engaged in activities of a  
24 commercial or professional nature for a foreign employer or for themselves  
25 that will not result In gainful employment in the Philippines. As used herein,  
26 the term "business" refers to conventions, conferences, consultations and  
27 other legitimate activities of a commercial or a professional nature, but does  
28 not include local employment or labor for hire;

29  
30 2. Pleasure (A-2 Visa): Temporary visitors who stay in the Philippines for

1 holiday, including sightseeing, recreation or visiting relatives; and

2  
3 3. Health (A-3 Visa): Temporary visitors who stay in the Philippines to avail  
4 of medical treatment.

5  
6 b. Transit Persons (B Visa): Persons passing through the Philippines solely for a  
7 "stop over" who have a confirmed connecting flight to another country or  
8 passengers in immediate and continuous transit to a destination outside the  
9 Philippines;

10  
11 c. Crew members (C Visa): Members of the crew of vessels required for the normal  
12 operation and servicing of the vessels who come to the Philippines temporarily as  
13 part of their jobs either arriving with or coming to join the vessels;

14  
15 d. Treaty Traders (D-1 Visa) and Treaty Investors (D-2 Visa): Citizens from a  
16 country that has a trade treaty with the Philippines, including their family  
17 members, and who come to work in the Philippines for either a company they own  
18 or one that is at least fifty percent (50%) owned by nationals of their home country  
19 and which company is engaged in substantial trade between the Philippines and  
20 their home country shall be granted a D-1 visa. Citizens from a country that has an  
21 investor treaty with the Philippines, including their family members, and who come  
22 to work in the Philippines for a business they own or one that is at least fifty  
23 percent (50%) owned by nationals of their home country and which business is  
24 supported by a substantial investment from nationals of their home country shall  
25 be granted a D-2 visa;

26  
27 e. Accredited Foreign Government Officials, Their Families and Household Member  
28 (E Visas): Foreign government officials, their families and household members  
29 coming to the country for official purpose, pursuant to international conventions

1 and bilateral agreements, shall be granted E Visas divided into four (4) types,  
2 namely:

3  
4 1. Persons eligible for E-1Visa: The E-1Visa shall be issued to the following  
5 classes of foreign nationals:

6  
7 i. Heads of State and/or Heads of Government and their personal  
8 representatives;

9  
10 ii. Members of reigning royal families from countries recognized by the  
11 Philippine Government;

12  
13 iii. Governors-General, Governors, and High Commissioners  
14 of dependent territories and their personal representatives;

15  
16 iv. cabinet ministers and their deputies, and officials with cabinet rank  
17 of ministers;

18  
19 v. Presiding officers of national legislative bodies;

20  
21 vi. Justices or judges of the highest national judicial bodies;

22  
23 vii. Diplomats and career consular officials on foreign assignment in the  
24 Philippines;

25  
26 viii. Military, naval, air and other attaches assigned to a diplomatic  
27 mission; and

28  
29 ix. Accompanying spouses and unmarried dependents of foreigners  
30 within the abovementioned categories;

1  
2 2. Persons eligible for E-2 Visa: The E-2 visa shall be issued to an official of a  
3 foreign government recognized by the Philippines and who is a national of the  
4 country whose government he represents, and is proceeding to the Philippines on  
5 a long-term basis in connection with official business for such foreign official's  
6 government.

7  
8 This category includes, inter alia, the following classes of foreign nationals:

- 9  
10 i. Administrative and technical members of the staff of a diplomatic or  
11 consular mission;  
12  
13 ii. Officials participating in programs under the auspices of the Philippine  
14 Government or recognized international institutions; and  
15  
16 iii. Accompanying spouses and unmarried dependents of foreigners within the  
17 abovementioned categories;  
18

19 3. Persons eligible for E-3 Visa: The E-3 visa shall be issued to an official of a  
20 foreign government recognized by the Philippines, is a national of the country  
21 whose government he represents, and is proceeding to the Philippines on a short-  
22 term basis in connection with official business for such foreign official's  
23 government.

24  
25 This category includes, inter alia, the following classes of foreign nationals:

- 26  
27 i. Diplomatic couriers regularly and professionally employed as such;  
28  
29 ii. All members of official special missions of a diplomatic character;

1           iii.     Members of delegations proceeding to or from an international  
2           conference of a diplomatic or official nature; and

3  
4           iv. Such other officials going to the Philippines on diplomatic or official  
5           missions;

6  
7           4. Persons eligible for E-4 Visa: The E-4 Visa shall be issued to the private  
8           employees and household members of persons to whom E-1 and E-2 visas have  
9           been granted, as well as their immediate dependents;

10  
11           All visas under enumerated in Sec. 36(e) of this Act shall be exclusively issued and  
12           renewed by the DFA, which shall also determine the type of E- Visa of Foreign  
13           Government Officials not identified in the foregoing lists. The grant of immunities  
14           and privileges shall be subject to applicable domestic and international law and  
15           international agreements to which the Philippines is a party, as well as in  
16           consideration of the principle of reciprocity.

17  
18           f. Students (F Visa): Foreign students having means sufficient for their support  
19           and education in the Philippines who seek to enter the Philippines temporarily for  
20           the sole purpose of taking up a course of study higher than high school at a  
21           university, seminary, academy or college accredited to admit such. foreign  
22           students by the Commission on Higher Education in coordination with the Bureau;

23  
24           g. Prearranged Employment (G Visa): Foreign nationals coming to the Philippines  
25           on prearranged employment, including their family members accompanying or  
26           following to join them within the period of their employment. This category  
27           include intra-company transferees, professionals, performing artists, athletes,  
28           and cultural exchange workers under a work exchange program;

1 h. Religious Workers (H Visa): Duly ordained or professional missionaries and  
2 religious ministers, including members of their family, coming to the Philippines to  
3 join a religious congregation or denomination duly registered with the Securities  
4 and Exchange Commission, upon invitation, sponsorship or guarantee of such  
5 religious congregation or denomination, solely for the purpose of propagating,  
6 teaching and disseminating their faith or religion;

7  
8 i. Representatives of Accredited International Organizations and Government  
9 Agencies (I Visa): Foreign officials and staff of accredited international  
10 organizations, including their dependent family members, staff, and household  
11 members shall be granted I Visas divided into four (4) types, namely:

12  
13 1. Persons eligible for 1-1 Visa: The 1-1 Visa shall be issued to the principal  
14 officials of international organizations, as well as their accompanying  
15 wives and dependents;

16  
17 2. Persons eligible for 1-2 Visa: The 1-2 visa shall be issued to the other  
18 officials and staff of international organizations, as well as their  
19 accompanying spouses and dependents;

20  
21 3. Persons eligible for 1-3 Visa: The 1-3 visa shall be issued to officials and  
22 staff of international organizations who will perform short-term official work  
23 with the international organization upon its invitation; and

24  
25 4. Persons eligible for 1-4 Visa: The 1-4 Visa shall be issued to the private  
26 employees and household members of persons to whom E-1 and E-2 visas  
27 have been granted, as well as their immediate dependents.

28  
29 Accredited international organization include any public international organization  
30 engaged in activities of which the Philippines participates pursuant to any treaty



1 or under the authority of any act of the Congress of the Philippines authorizing  
2 such participation or making an appropriation for such participation and such other  
3 international organizations, institutions, agencies, programs, foundations and  
4 entities which are recognized by the government of the Republic of the Philippines,  
5 including those existing and already recognized as such at the time of the  
6 effectivity of this Act.

7  
8 All types of visas under Sec. 36(i) of this Act shall be exclusively issued and  
9 renewed by the DFA, which shall also determine the type of I Visa of officials and  
10 staff of International Organizations who are not identified in the foregoing list. The  
11 grant of immunities and privileges shall be subject to applicable domestic and  
12 international law, relevant Headquarters Agreements, and international  
13 agreements to which the Philippines is a party.

14  
15 j. Media Workers (J Visa): Foreign media personnel or correspondents, duly  
16 accredited by the government agency concerned, who are bona fide  
17 representatives of a foreign press, radio, satellite, television, film, or other  
18 information media, and are coming to the Philippines solely to engage in gathering  
19 information principally for dissemination abroad, including their family members  
20 accompanying or following to join them during the period of the assignment in the  
21 Philippines;

22  
23 k. Exchange Visitors (K Visa): Foreign nationals entering the Philippines to teach,  
24 study, observe, conduct research or receive training in a specific Exchange Visitor  
25 Program duly approved by the Philippine Government;

26  
27 l. Refugees (L-1 Visa) and Stateless Persons (L-2 Visa): Refugees as defined in  
28 Sec. 3 (y) hereof shall be issued L-1 Visa. Stateless persons, whose admission for  
29 humanitarian reasons and not inimical to public interest has been approved by the

1 Commissioner or the President in such cases and under such conditions as he may  
2 prescribe, shall be issued L-2 Visa;

3  
4 m. Bridging Visa (M Visa): A temporary visa which allows a foreign national to stay  
5 in the Philippines after the expiration of the current visa, other than temporary  
6 visitor visa under Sec. 43(a), while an application for adjustment of status is being  
7 processed; and

8  
9 n. Special Non-Immigrants (N Visas): Such other foreign nationals including their  
10 family members who may be admitted as non-immigrants under special laws or  
11 foreign nationals not otherwise Provided for by this Act who are coming for  
12 temporary periods only, and whose admission is authorized by the Board or the  
13 President in the interest of the public or for humanitarian considerations and under  
14 such conditions as may be prescribed.

15  
16 **CHAPTER 2**  
17 **IMMIGRANTS**  
18

19 Sec. 37. Quota Immigrants. - Subject to the conditions set forth in this Act, there  
20 may be admitted into the Philippines, immigrants, otherwise known as "quota  
21 immigrants," not to exceed two hundred (200) of any one nationality for any one calendar  
22 year and upon allotment by the Commissioner of the corresponding quota number. In  
23 the allotment of quota numbers, the following order of preference shall be observed:

24  
25 a. First Preference: Those whose service and qualifications show high educational  
26 attainment, technical training, specialized experience, or exceptional ability in  
27 the sciences, arts, professions, or business as would reasonably enhance and  
28 contribute substantial benefits prospectively to the national economy, or  
29 cultural or educational interests or welfare of the Philippines, including their

1 family members, accompanying or following to join them, who shall likewise  
2 be allotted individual quota numbers;

3  
4 b. Second Preference: Parents of a naturalized Philippine citizen;

5  
6 c. Third Preference: Spouses or minor children of foreign nationals who are lawful  
7 permanent residents of the Philippines; and

8  
9 d. Fourth Preference: Parents of foreign nationals who are lawful permanent  
10 residents of the Philippines.

11  
12 *Sec. 38. Allotment of Quota.* - The Commissioner shall, with respect to the first  
13 preference, allot not more than fifty percent (50%) of the annual quota allotment up to  
14 the end of June each year: *Provided, That* if the fifty percent (50%) is not utilized by the  
15 first preference, the balance thereof shall be given to the second, third, and fourth  
16 preferences in accordance with Sec. 37 of this Act shall be that of the country of which  
17 the immigrant is a national or a citizen. Any unused quota allotment for a calendar year  
18 shall not be carried over and utilized for the ensuing calendar year.

19  
20 *Sec. 39. Basis in Detennination of Quota Allotment* - The nationality of immigrants  
21 whose admission is subject to the numerical limitation imposed by Sec. 37 of this Act  
22 shall be that of the country of which the immigrant is a national or a citizen. The  
23 nationality of immigrants possessing dual nationality may be that of either of the two  
24 countries regarding them as a national or citizen if they apply for a visa in a third country.  
25 If such immigrants apply for a visa within one of the two countries regarding them as a  
26 national or citizen, their nationality shall be that of the country in which they filed their  
27 application for a visa to enter the Philippines.

1           Sec. 40. *Non-Quota Immigrants.* -The following immigrants, known as "non- quota  
2 immigrants," may be admitted without regard to numerical limitation and immigration  
3 reciprocity:

4           a. The spouse of a Philippine citizen: *Provided, That* abandonment by the foreign  
5 spouse, the failure to give support by the foreign spouse to the Filipino spouse and  
6 family, and the legal separation or termination of the marital status by annulment,  
7 declaration of nullity of marriage or divorce where the cause is attributable to the  
8 foreign spouse, shall constitute grounds for cancellation of the immigrant visa  
9 issued to the foreign spouse;

10  
11           b. A person of Filipino descent regardless of generation;

12  
13           c. A child born to a foreigner mother during her temporary visit abroad, the mother  
14 being a lawful permanent resident of the Philippines, if accompanied by or coming  
15 to join the mother who applies for admission within five (5) years from the birth  
16 of the child;

17  
18           d. A child born subsequent to the issuance of an immigrant visa to the  
19 accompanying parent, the visa not having expired or revoked;

20  
21           e. A foreign national who had been previously lawfully admitted into the Philippines  
22 for permanent residence who is returning from a temporary visit abroad to an  
23 unrelinquished residence in the Philippines;

24  
25           f. A natural-born citizen who becomes a naturalized citizen of a foreign country  
26 and is returning to the Philippines for permanent residence therein, including the  
27 spouse and minor children accompanying or following to join such person; and  
28

1 g. Spouse, parent, children, legitimate siblings of a foreign national who is gainfully  
2 employed and holder of a permanent resident status for a period of seven (7)  
3 years.

4  
5 **CHAPTER 3**  
6 **NATIVE-BORN FOREIGN NATIONAL**

7  
8 *Sec. 41. Status of Children Born to Immigrants.* – A child born in the Philippines to  
9 parents who are foreign nationals and lawful residents of the Philippines shall be deemed  
10 a native-born permanent resident.

11  
12 *Sec. 42. Status of Children Born to Non-immigrants.* -A child born to parents who  
13 are both non-immigrants shall be deemed a native-born non-immigrant or temporary  
14 resident and may remain in the Philippines only during the period of authorized stay of  
15 parents, unless the child reaches the age of eighteen (18) years while continuously  
16 residing in the Philippines, in which case such child may apply for naturalization under  
17 existing laws or for an appropriate visa.

18  
19 **CHAPTER 4**  
20 **ADJUSTMENT OF STATUS**

21  
22 *Sec. 43. Conditions for Adjustment of Status of Foreign Nationals.* - The status of  
23 a foreign national admitted into the Philippines as non-immigrant may be adjusted by the  
24 Board to that of a foreigner lawfully admitted as a permanent resident if:

- 25  
26 a. The foreigner makes an application for such adjustment;  
27  
28 b. The foreigner is eligible to receive a quota or non-quota immigrant visa and  
29 is admissible to the Philippines as a permanent resident; and  
30

1 c. A quota immigrant visa, if such is the case, is immediately available to the  
2 foreign national at the time of application, without the need of first departing from  
3 the Philippines.

4  
5 In all such cases, the personal appearance of the foreigner shall be required during  
6 the consideration of the application.

7  
8 *Sec. 44. Effect of Approval on Application for Adjustment -* Upon the approval  
9 of an application for adjustment of status under the preceding Sec., the Commissioner  
10 shall record the foreign national's lawful admission as a permanent resident as of the  
11 date of the approval of the application and shall be included as part of the quota for the  
12 calendar year in accordance with Sec. 37 of this Act.

13  
14 *Sec. 45. Adjustment of Status, When Not Allowed. -* Adjustment of status under  
15 this Act shall not be applicable to:

16  
17 a. A foreign national who has violated or is in violation of immigration laws,  
18 rules and regulations unless the violation is without the fault of the foreign  
19 national or for purely technical reasons; and

20  
21 b. Transients.

22  
23 *Sec. 46. Loss of Status. -* A registered foreign national, except a temporary visitor,  
24 who fails to return to the Philippines within a period of one (1) year from departure  
25 shall lose the status granted under title III of this Act. Such foreign national may  
26 apply for an extension of the period within which to return prior to its expiration  
27 and pay the prescribed fees and charges in order to maintain the status or type of  
28 visa granted.

1 **CHAPTER 5**

2 **DOCUMENTATION AND ADMISSION OF NON-IMMIGRANTS**

3  
4 *Sec. 47. Documentary Requirements of Non-immigrants.* - Non-immigrants must  
5 present for admission into the Philippines valid passports issued by the governments of  
6 the countries to which they owe allegiance or other travel documents showing their  
7 nationality and identity as prescribed by regulations, a valid visa granted by the Philippine  
8 Immigration Attache, if required, and such other relevant documents as may be required  
9 under existing laws, rules, regulations, or multilateral or bilateral agreements.  
10

11 *Sec. 48. Conditions and Period of Authorized Stay of Temporary Visitors.* -The  
12 initial period of authorized stay of a foreign national admitted as a temporary visitor under  
13 Sec. 37(a) of this Act shall not exceed fifty-nine (59) calendar days from the date of  
14 arrival, subject to bilateral, regional and multilateral visa agreements entered into by the  
15 Philippines: *Provided, That* the conditions for extensions and total period of authorized  
16 stay shall be prescribed by the Commissioner: *Provided, further, That* during the foreign  
17 national's authorized stay, such foreign national: (a) shall not take any employment,  
18 whether paid or unpaid; (b) shall not establish or join in any business; and (c) shall not  
19 enroll or become a student at a school, college, university, academy, or other educational  
20 Institution, unless granted, upon proper application, a conversion to another immigration  
21 status *Provided* under this Act.  
22

23 *Sec. 49. Conditions for Issuance of Pre-Arranged Employment Visas.* -A foreign  
24 national who is coming to the Philippines for prearranged employment shall not be issued  
25 a non-immigrant visa referred to in Sec. 36(g) until the Immigration Attache shall have  
26 received authorization for the issuance of the same. Such authorization shall be given  
27 only upon the filing of a petition with the Board establishing, among others, that no  
28 person can be found in the Philippines willing and competent to perform the work or  
29 service for which the foreigner is desired and that the admission would be beneficial to

1 the public interest. The petition shall be under oath by the prospective employer or the  
2 latter's representative in the form and manner prescribed by the Board.

3  
4 If the Board finds that the petition complies with the requirements of the preceding  
5 paragraph and of other regulations, it shall grant the petition and shall promptly transmit  
6 the authorization to the DFA.

7  
8 *Sec. 50. Submission of Crew List and Passenger Manifest* - Simultaneous to the  
9 vessel's departure from the port of origin, the master, captain, agent, owner or consignee  
10 of any commercial vessel arriving to the Philippines shall submit to the Bureau, within a  
11 reasonable time prior to such arrival, the crew lists, passenger manifests and such other  
12 information concerning the persons arriving on such a vessel. In the same manner and  
13 condition, the master, captain, agent, owner or consignee of any commercial vessel  
14 departing from any port in the Philippines shall submit to the Bureau, within a reasonable  
15 time prior to such departure, the crew list, passenger manifest and such other information  
16 concerning the persons departing on such vessel. The crew list of an incoming sea craft  
17 shall contain the appropriate visa granted by the Consular Officer.

18  
19 *Sec. 51. Inspection of Crewmembers.* - It shall be the duty of the master, captain,  
20 agent, owner or consignee of any vessel arriving in the Philippines to have available on  
21 board, for inspection by the Immigration Personnel, any foreign crewmember employed  
22 on such vessel and, when required by the immigration authorities, to detain such  
23 crewmember on board after inspection or to remove such crewmember. No crewmember  
24 on board such vessel shall be discharged while the vessel is in port without the permission  
25 of the Commissioner.

26  
27 *Sec. 52. Permission for Temporary Landing of a Foreign Crewmember.* - A  
28 foreign crewmember on a vessel arriving in the Philippines may be permitted to land  
29 temporarily under such conditions as may be prescribed by the Commissioner. All



1 expenses incurred by the Office while the crewmember is on land shall be borne by the  
2 master, captain, agent, owner or consignee of the carrying vessel.

## 3 4 **CHAPTER 6**

### 5 **DOCUMENTATION AND ADMISSION OF IMMIGRANTS**

6  
7 *Sec. 53. Documentary Requirements of Immigrants; Instances When Not*  
8 *Required.* - Immigrants must present for admission into the Philippines valid passports  
9 or travel documents issued by the government of the country to which they owe  
10 allegiance, showing their nationality and identity and valid immigrant visas indicating the  
11 date of issue and the period of validity thereof. Immigrant visas shall not be required of  
12 the following:

13  
14 a. A child born subsequent to the issuance of a valid immigrant visa to the  
15 accompanying parent;

16  
17 b. A child born during the temporary visit abroad of the mother who is a lawful  
18 permanent resident of the Philippines and a holder of a valid re-entry permit, if  
19 the child is accompanied by either parent within five (5) years from the date of  
20 the child's birth; and

21  
22 c. A foreign national who is returning to an unrelinquished lawful permanent  
23 residence in the Philippines after a temporary residence abroad and presents for  
24 admission a valid re-entry permit.

## 25 26 **CHAPTER 7**

### 27 **VISA ISSUANCE**

28  
29 *Sec. 54. Nature of Visa.* - Nothing in this Act shall be construed to automatically  
30 entitle any foreign national to whom a visa or other travel document has been issued to

1 enter the Philippines if, upon arrival at a port of entry, he/she is found to be inadmissible  
2 under this Act or any other law.

3  
4 Sec. 55. *Visa Policy.* - The policies governing the issuance, extension, renewal and  
5 conversion of visas referred to in this Act shall be formulated by the Bureau and the DFA,  
6 when appropriate, in consultation with concerned government agencies and offices.

7  
8 Sec. 56. *Visa Issuance Abroad.* - All visas issued abroad shall be done by Consular  
9 Officers assigned at Philippine Foreign Service posts in the following manner:

10  
11 a. Upon approval by the Commissioner and recommendation by a Consular Officer,  
12 a quota immigrant visa may only be issued to a foreign national who has made a  
13 proper application therefor, which shall specify the nationality to which the quota  
14 number is assigned, the immigrant's particular status in such country, the  
15 preference to which the foreign national is classified, the date on which the validity  
16 of the visa shall expire, and such additional information as may be required; and

17  
18 b. The DFA, through its Consular Office abroad or the Office of the Visa Director,  
19 shall approve the issuance of non-quota immigrant and non-immigrant visas to a  
20 foreign national who has made a proper application therefor.

21  
22 The issuance of special non-immigrant visas falling under the jurisdiction of a  
23 particular government office or agency can only be done in coordination with and  
24 upon recommendation of the government agency or office concerned.

25  
26 Sec. 57. *Requirements for Physical and Mental Examination Prior to Issuance of*  
27 *Immigrant Visa.* - Prior to the issuance of an immigrant visa to any foreign national, the  
28 Consular Officer shall require such person to submit to a physical and mental examination  
29 in accordance with such regulations as may be prescribed by the Commissioner.



1 intention to return within one (1) year from departure, the foreign national must secure  
2 a re-entry permit or, if the authorized stay is less than one (1) year, a Special Return  
3 Certificate, and pay the corresponding fees and charges therefor.

4  
5 *Sec. 62. Emigration Clearance.* - A registered foreign national who departs  
6 permanently from the Philippines shall surrender all Philippine immigration documents  
7 and apply for and be issued an Emigration Clearance Certificate, subject to the following  
8 conditions:

9  
10 a. The immigrant has no pending obligation with the government or any of its  
11 agencies or instrumentalities;

12  
13 b. The immigrant has no pending criminal, civil, or administrative proceeding  
14 which requires continued presence in the country; and

15  
16 c. There is no ongoing legislative inquiry where the immigrant is called upon  
17 to testify as a witness.

18  
19 A temporary visitor departing from the Philippines shall, after the expiration of the  
20 initial authorized stay, apply for emigration clearance and pay the prescribed fees and  
21 charges therefor.

22  
23 **CHAPTER 9**  
24 **PRESIDENTIAL PREROGATIVES**

25  
26 *Sec. 63. Presidential Prerogatives.* -Any provision of this Act to the contrary  
27 notwithstanding, the President may:

28  
29 a. Deny the entry and admission into the Philippines, or impose such restrictions  
30 as may be deemed appropriate, any foreign national or a class of foreign nationals,

1 whenever the President finds that such entry would be detrimental to the interest  
2 of the Philippines;

3  
4 b. Waive passport or documentary requirements for non-immigrants and  
5 immigrants under such terms and conditions as may be prescribed;

6  
7 c. Change the status of non-immigrants by allowing them to acquire  
8 permanent residence status without necessity of a visa;

9  
10 d. Deport any foreign national, subject to the requirement of due process;

11  
12 e. Admit non-immigrants not otherwise provided for in this Act for humanitarian  
13 considerations and when not detrimental to public interest, under such terms and  
14 conditions as may be prescribed;

15  
16 f. Prohibit the departure from the Philippines of any person who is likely to disclose  
17 information affecting national security, or who is likely to organize a rebellion  
18 abroad against the Philippines, or whose presence in the country is necessary to  
19 face, or be a witness in, criminal proceedings; and

20  
21 g. Exercise, with respect to foreign nationals in the Philippines, such powers as are  
22 recognized by the generally accepted principles of international law.

23  
24 **TITLE IV**

25 **PROVISIONS RELATING TO ENTRY**

26  
27 **CHAPTER 1**

28 **CLASSIFICATION OF PORTS OF ENTRY**



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*Sec. 67. Medical Examination Requirement* - Any arriving foreign national whom the examining Immigration Officer believes to belong under the class of excludable foreign nationals specified in Sec. 76(a) of this Act shall be referred to designated medical officers for physical and mental examination. Such medical officer shall certify the findings of the examination for the information of the Immigration Officer.

*Sec. 68. Arrival Notice Requirements of Vessel* - The immigration authorities shall be given prior notice of the arrival of any civilian vessel before such vessel comes into any area in the Philippines from any place outside thereof. Such prior notice shall not be required in the case of vessels with scheduled arrivals filed with the Immigration Officer in charge at the international port of entry.

If, upon arrival in any area other than the designated port and there is no available Immigration Officer therein, the master, pilot, captain, agent or consignee shall not allow the passengers and crew members to disembark or leave the primary inspection area until the Immigration Officer shall have conducted the primary inspection formalities.

*Sec. 69. Contents of Notice of Arrival* - The advance notice of arrival required in the preceding Sec. shall specify the following:

- a. Type of vessel and registration marks;
- b. Crew list, who have been duly issued visas;
- c. Passenger manifest;
- d. Port of last departure;

1 e. International port of intended destination, or other place authorized by the  
2 Commissioner;

3  
4 f. Estimated time of arrival; and

5  
6 g. Authorized agent or representative at the place of arrival.  
7

8 **CHAPTER 3**  
9 **FOREIGN CREWMEMBER**

10  
11 *Sec. 70. Conditional Permit to Disembark.* - A foreign crewmember of a vessel  
12 under Sec. 36(c) of this Act may be granted a conditional permit, in a form prescribed by  
13 regulations, to disembark temporarily from the vessel on which such crewmember arrived  
14 while the vessel remains in port under such terms and conditions as may be prescribed  
15 by the Commissioner.

16  
17 *Sec. 71. Confiscation and Cancellation of Permit; Deportation from the Philippines.*  
18 - Upon the determination that the foreign national is not a bona fide crewmember or does  
19 not intend to depart on the vessel that brought him, the Commissioner shall cancel and  
20 confiscate the conditional permit already issued, take such foreign national into custody,  
21 and require the owner, operator, captain, master, pilot, agent or consignee of the vessel  
22 on which the foreigner arrived to receive and detain the foreigner on board. The expenses  
23 for removal of the foreign national, including the cost of detention and other expenses  
24 incidental thereto, shall be borne by the owner, operator, captain, master, pilot, agent or  
25 consignee of such vessel.

26  
27 *Sec. 72. Liability for Overstaying Foreign Crewmen.* - A foreign crewmember who  
28 remains in the Philippines in excess of the period allowed in the conditional permit issued  
29 shall be solidarily liable with the owner, operator, captain, master, pilot, agent or  
30 consignee of the vessel to pay the penalties prescribed in Sec. 120 of this Act.



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*Sec. 73. Liability for Unauthorized Discharge of Foreign Crewmember.* - It shall be unlawful for any person, including the owner, operator, captain, master, pilot, agent or consignee of any vessel to discharge any foreign crewmember employed by a vessel arriving in the Philippines and while in port, without first obtaining the prior permission of the Commissioner. Otherwise, such person or owner, operator, captain master, pilot, agent or consignee of the vessel shall pay such fines as may be prescribed under this Act. No vessel shall be granted clearance from any port in the Philippines while such tines remain unpaid or while the validity thereof is being determined: *Provided*, that a clearance may be granted prior to such determination upon deposit of a sum or cash bond sufficient to cover such fines as approved by the Commissioner.

*Sec. 74. Duty to Report Desertion or Illegal Landing of Foreign Crewmember.* - The owner, operator, captain, master, pilot, agent or consignee of any vessel shall immediately report, in writing, to the Immigration Officer all cases of desertion or illegal disembarkation in the Philippines from the vessel, together with a description of such foreign nationals and any information that shall result in their apprehension.

*Sec. 75. Requirement for Submission of List of Newly Employed, Discharged and Illegally Landed Foreign Crewmember.* - Prior to the departure of any vessel from the last port in the Philippines destined to any place outside thereof, the owner, operator, captain, master, pilot, agent or consignee thereof shall deliver to the Immigration Officer at that port a list containing:

- a. The names of crewmembers who were not employed thereon at the time of the vessel's arrival on such port but will depart thereat on the same vessel;
- b. The names of those who have been discharged, if any;

1 c. The names of those who have deserted or illegally landed at that port, if any;  
2 and

3  
4 d. Such other additional information as the Commissioner deems necessary.  
5

6 *Sec. 76. Liability for Failure to Submit Complete, True and Correct Report* - The  
7 owner, operator, captain, master, pilot, agent, or consignee who fails to submit a true  
8 and complete list or report of foreign nationals or to report cases of desertion or illegal  
9 landing shall pay such sum as may be prescribed under this Section 116 of this Act. No  
10 vessel shall be granted clearance from any port in the Philippines while such fines remain  
11 unpaid or while the validity thereof is being determined: *Provided*, that clearance may be  
12 granted prior to such determination upon deposit of a sum or cash bond sufficient to  
13 cover such fines as approved by the Commissioner.  
14

15 **CHAPTER 4**  
16 **EXCLUSIONS**  
17

18 *Sec. 77. Exclusion Grounds.* -The following classes of foreign national shall not be  
19 allowed entry and shall be excluded from the Philippines:  
20

21 a. Health Related Grounds  
22

23 1. Those who are found to be suffering from a communicable, dangerous or  
24 contagious disease, unless excepted under existing laws, rules and regulations;  
25

26 2. Those who are found to be suffering from mental disorder or associated  
27 behavior that may pose a threat to persons or danger to property;  
28

29 3. Those who are found to be suffering from addiction to prohibited or regulated  
30 substance;

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b. Economic Grounds

- 1. Those likely to become a public charge;
- 2. Those seeking entry for the purpose of performing skilled or unskilled labor, without a permit from the Secretary of the Department of Labor and Employment as required by law;

c. Moral Grounds

- 1. Those coming to the Philippines to practice polygamy or who advocate the practice of polygamy unless the person's religion allows such practices;
- 2. Those who are pedophiles, sexual perverts, or those coming to the Philippines for immoral purposes;
- 3. Those who are engaged or who seek to engage in prostitution or to procure or attempt to procure prostitutes, or who receives in whole or in part the proceeds of prostitution;
- 4. Those who, at the time of primary inspection, by the Immigration Officer exhibit any obnoxious behavior, contempt or disrespect for the said officer or any government official or employee of the Bureau;

d. Criminal and Security Grounds

1 1. Those who have been convicted of a crime involving moral turpitude or who  
2 admit to the Immigration Officer having committed such crime, or who attempt  
3 and conspire to commit the crime;

4  
5 2. Those who have been convicted, or who admit having committed, or are  
6 committing acts which constitute the elements of a violation or conspiracy to  
7 violate any law or regulation of the Philippines or a foreign country relating to a  
8 controlled, regulated or prohibited substance, or who admit having attempted or  
9 conspired to commit the crime;

10  
11 3. Those that the Philippine Government knows or has reason to believe is a  
12 trafficker of any controlled, regulated or prohibited substance or knows or has  
13 reason to believe is or has been an accomplice, accessory, abettor, or co-  
14 conspirator in the illicit trafficking of any controlled, regulated or prohibited  
15 substance;

16  
17 4. Those who are fugitives from justice;

18  
19 5. Those who seek to enter the Philippines to engage in:

20  
21 i. Espionage or sabotage, or a violation or evasion of any laws  
22 prohibiting export of goods, technology or sensitive information;

23  
24 ii. Any activity aimed to promote membership in an organization of  
25 syndicated criminal activities;

26  
27 iii. Any activity, the purpose of which is to overthrow the Philippine  
28 government by force, violence or other unlawful means; and

29  
30 iv. Any other unlawful activity.

1  
2 6. Those who are engaged or believed to be engaged or likely to engage in, aid,  
3 abet or finance any terrorist activity and members or representatives of a foreign  
4 terrorist organization;

5  
6 7. Those who have been identified by competent authorities, local or foreign, as  
7 having engaged or are engaging in human trafficking and smuggling;

8  
9 8. Those who are under fifteen (15) years of age and unaccompanied by or not  
10 coming to a parent, except that they may be admitted at the discretion of the  
11 Commissioner, if otherwise admissible: *Provided*, that they present a written  
12 consent to travel from either parent citing the purpose thereof and affirmed by a  
13 Consular Officer; and

14  
15 9. Those who have been identified by competent authorities, local and foreign, as  
16 having engaged or are engaging in importation of contrabands and other  
17 prohibited articles into the country.

18  
19 *Sec. 78. Temporary Custody of Excludable Foreign Nationals.* - For the purpose of  
20 ascertaining whether a foreign national arriving in the Philippines belongs to any of the  
21 excludable classes of foreign national Provided for in this Act or related laws, the  
22 Immigration Officer, for a period not exceeding seventy-two (72) hours, may temporarily  
23 take into custody for investigation such foreign national either on board the vessel or at  
24 a place designated for the purpose at the expense of the master, captain, agent, owner  
25 or consignee of the carrying vessel; *Provided*, that nothing in this provision shall be  
26 construed to unlawfully deprive persons so taken into custody of any of their rights under  
27 international law or the Constitution.

28  
29 *Sec. 79. Finality of Exclusion Order.* - An order by the Immigration Personnel to  
30 exclude a foreign national who is excludable under this Act is final and executory unless

1 revoked by the Commissioner upon a timely appeal prior to the implementation of the  
2 exclusion order.

3  
4 *Sec. 80. Authority to Waive Grounds for Exclusion.* - Except for grounds of  
5 exclusion under Sec. 77(d), subparagraphs 1 to 7 and 9, the Commissioner may waive  
6 any of the grounds for exclusion mentioned in Sec. 77 of this Act.

7  
8 *Sec. 81. Procedure of Removal and Cost Thereof.* - Foreign nationals arriving In  
9 the Philippines who are ordered excluded shall be immediately removed in the same  
10 accommodation to the country where they boarded the vessel on which they arrived,  
11 unless the Commissioner determines that immediate removal is not proper and  
12 practicable, in which case such excluded foreign nationals shall be ordered detained. The  
13 cost of detention and other expenses incidental thereto shall be borne by the owner,  
14 operator, master, pilot, captain, agent or consignee of the vessel on which such foreigners  
15 arrived.

16  
17 *Sec. 82. Country Where Removal is to be Directed.* - If the government of the  
18 country designated in the preceding Sec. will not accept the foreign national into its  
19 territory, the removal of the foreign national shall be directed at the Commissioner's  
20 discretion to any of the following:

- 21
- 22 a. The country which the excluded foreigner is a citizen or national;
  - 23
  - 24 d. The country of birth;
  - 25
  - 26 c. The country of the foreign national's habitual residence; or
  - 27
  - 28 d. The country willing to accept the foreign national into its territory if removal  
29 to any of the foregoing countries is impractical or impossible.
- 30

1            *Sec. 83. Obligation of Owner, Operator, Master, Captain, Pilot, Agent or Consignee.*

2 - It shall be unlawful for an owner, operator, master, captain, pilot, agent, or consignee  
3 of a vessel to refuse or fail to:

4  
5            a. Board a foreign national ordered excluded and removed in the same vessel  
6 or another vessel owned or operated by the same company;

7  
8            b. Detain a foreign national on board any such vessel at the port of arrival  
9 when required by this Act or when so ordered by an Immigration Officer;

10  
11           c. Deliver a foreign national for medical or other examinations when so  
12 ordered by an Immigration Officer;

13  
14           d. Remove a foreign national from the Philippines to the country to which the  
15 individual's removal has been directed; or

16  
17           e. Pay the cost of detention and other expenses incidental thereto incurred while  
18 the excluded foreign national is being detained as required by Sec. 82 of this Act  
19 or other costs necessary or incidental to his removal as Provided in this Act.

20  
21           *Sec. 84. Penalty for Non-compliance of Obligation.* - The owner, operator,  
22 master, captain, pilot, agent, or consignee of a vessel who violates Sec. 83 of this Act  
23 shall pay the fines prescribed in Sec. 117 of this Act. No vessel shall be granted clearance  
24 from any port in the Philippines while such fines remain unpaid or while the validity  
25 thereof is being determined: *Provided*, that clearance may be granted prior to such  
26 determination upon deposit of a sum or cash bond sufficient to cover such fines as  
27 approved by the Commissioner.

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1 **TITLE V**  
2 **DEPORTATION**

3  
4 **CHAPTER 1**  
5 **DEPORTABLE FOREIGN NATIONALS**  
6

7 *Sec. 85. Classes of Deportable Foreign Nationals.* - The following foreign nationals  
8 shall be taken into custody upon the order of the Commissioner and deported upon  
9 recommendation by the BSI and approval by the Board:

10  
11 a. Those who entered the Philippines: (1) by means of misrepresentations or false  
12 or misleading statements or documents, or (2) without inspection and admission  
13 by the immigration authorities;

14  
15 b. Those who entered the Philippines who were not lawfully admissible at the time  
16 of entry;

17  
18 c. Those who abet or aid in the practice of prostitution, including the owner or  
19 manager of a prostitution den, or who are pedophiles;

20  
21 d. Those who, at any time after the date of entry, have become a public charge;

22  
23 e. Those who remain in the Philippines in violation of any period of limitation  
24 or condition under which they were admitted;

25  
26 f. Those who believe in, advise, advocate or teach the overthrowing by force and  
27 violence the Government of the Republic of the Philippines or any duly constituted  
28 authority, or those who do not believe in or are opposed to organized  
29 governments, or those who advise, advocate or teach the assault or assassination  
30 of public officials, or those who advise, advocate or teach the unlawful destruction



1 of property, or those who are members of or affiliated with any organization  
2 entertaining, advocating or teaching such doctrines, or those who in any manner  
3 whatsoever extend assistance, financial or otherwise, in the dissemination of such  
4 doctrines;

5  
6 g. Those who, at any time after entry, engage in, abet, aid or finance any  
7 terrorist activity;

8  
9 h. Those who, at any time after entry, are charged of a crime involving acts or  
10 omissions punishable under Philippine penal laws cognizable by the Regional Trial  
11 Courts and the Sandiganbayan;

12  
13 i. Those who, at any time after entry, are convicted by final judgment of a crime  
14 involving moral turpitude punishable under Philippine penal laws;

15  
16 j. Those who were admitted as non-immigrants and who obtained an adjustment  
17 of their admission status for convenience, or through fraud, falsification of  
18 documents, misrepresentations or concealment of material facts;

19  
20 k. Those who violated Philippine labor and taxation laws, rules and regulations;

21  
22 l. Those who are found to be undesirable and whose further stay in the Philippines  
23 is inimical to public welfare and interest, or the dignity of the Filipinos, or the  
24 Republic of the Philippines as a sovereign nation;

25  
26 m. Those who forge, counterfeit, alter or falsely make any document; or use,  
27 attempt to use, possess, obtain, accept or receive or provide any forged,  
28 counterfeit, altered or falsely made document; or use, attempt to use, provide,  
29 attempt to provide, accept or receive a genuine document, even of another person,

1 without authority to do so for the purpose of satisfying or complying with the  
2 requirements of the Bureau;

3  
4 n. Those whose presence or activities in the country may result in adverse  
5 consequences to Philippine foreign policies as determined by the Secretary of  
6 Foreign Affairs;

7  
8 o. Those who misrepresented themselves as Filipino citizens in all immigration  
9 matters; and

10  
11 p. Those who commit any violation of the provisions of this Act, independent of  
12 any criminal action which may be brought against them: *Provided, That* in case of  
13 a foreign national who, for any reason, is convicted and sentenced to suffer both  
14 imprisonment and deportation, said foreign national shall first serve the entire  
15 period of the sentence before being deported.

16  
17 *Sec. 86. Non-Prescription of Deportation. Cases.* - The right of the State to initiate  
18 at any time deportation proceedings shall not prescribe.

19  
20 *Sec. 87. Nature of Deportation Proceedings.* - Deportation proceedings shall be  
21 independent of any action that may be instituted against a foreign national: *Provided,*  
22 that no deportation orders shall be implemented against foreign nationals facing  
23 preliminary investigation, prosecution and trial before competent authorities.

24  
25 **CHAPTER 2**  
26 **DEPORTATION OF FOREIGN NATIONALS**

27  
28 *Sec. 88. Formal Charge of Deportation.* -A formal charge for deportation shall be  
29 issued upon determination of the existence of a prima facie case against the foreign  
30 national.

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Sec. 89. *Bail* - Pending final determination of the foreign national's deportation case, the foreign national shall, upon the discretion of the Commissioner: (a) remain under detention; or (b) be released on bail or recognizance. The bail may be revoked and confiscated in favor of the government if there is sufficient evidence that the foreign national is evading the proceedings or is attempting to abscond, in which case such foreign national shall be taken into custody and placed under detention by order of the Commissioner.

Sec. 90. *Custody of a Foreign National Convicted of a Felony or an Offense*. - After service of the sentence or compliance with the conditions of parole or probation, as the case may be, the foreign national shall be taken into custody for immediate deportation by order of the Board.

Sec. 91. *Voluntary Deportation, When Authorized*. -The Commissioner may waive the deportation proceedings and order the departure of the foreign national within the period specified in the voluntary deportation order if the foreign national does not contest the formal charge and opts to voluntarily leave the country and pays for all expenses: *Provided*, that the foreign national has not committed any criminal offense or has no pending criminal investigation: *Provided*, further, that the said foreign national so deported shall be barred from re-entering the country without prior written authorization from the Commissioner.

Sec. 92. *Period to Enforce Order of Deportation*. - The order of deportation shall be enforced immediately but in no case shall exceed three (3) months from the date it has become final and executory. If deportation is not enforced within the prescribed period, the foreign national may be released on bail or recognizance.

1           Sec. 93. Suspension of Deportation Order. - The Commissioner may suspend the  
2 implementation of the deportation order and order the release of the foreign national on  
3 bail or recognizance, taking into account the following factors:

4  
5           a. Age, health, family or conduct;

6  
7           b. Period of detention;

8  
9           c. Impact on national security and public welfare;

10  
11          d. Unavailability of travel documents;

12  
13          e. Existence of an application for refugee or statelessness status; or

14  
15          f. Other humanitarian considerations.

16  
17           Sec. 94. *Reinstatement of a Deportation Order.* -A deportation order previously  
18 implemented against a foreign national who unlawfully re-entered the Philippines shall be  
19 deemed automatically reinstated and shall be implemented in accordance with this Act.  
20 This provision shall also apply to a foreign national who departed voluntarily under Sec.  
21 92 and re-entered the Philippines unlawfully or without prior written authorization from  
22 the Commissioner.

23  
24           Sec. 95. *Country of Destination of a Deportee.* - Except as Provided for under an  
25 existing treaty or international agreement, a foreign national shall be deported to the  
26 country of which the person is a citizen or national, or foreign national's country of birth,  
27 or the country of which the individual is a resident, or the country from which the  
28 individual embarked for the Philippines, subject to the acceptance by the receiving  
29 country.



1 This provision shall not apply to a foreign national declared as an indigent by any  
2 Philippine court for purposes of filing a case or to pursue an action which resulted in the  
3 individual's indigency until such case or action is resolved with finality: *Provided*, that no  
4 other grounds for deportation exist during the pendency of such case or action.

5  
6 **TITLE VI**  
7 **MISCELLANEOUS PROVISIONS**

8  
9 **CHAPTER 1**  
10 **REGISTRATION OF FOREIGN NATIONALS**

11  
12 *Sec. 100. Requirement of Registration.* - All foreign nationals shall register with  
13 the Bureau or any Immigration Office nearest to their place of residence on or before the  
14 sixtieth (60th) day of their latest arrival in the Philippines.

15  
16 *Sec. 101. Registration Form and Oath.* - Applications for registration shall be under  
17 oath and in such form as prescribed by the Bureau. Upon registration, a certificate of  
18 registration shall be issued to the registrant. In case of loss or destruction of the  
19 certificate, a replacement certificate may be issued by the Bureau upon proper application  
20 and payment of prescribed fees.

21  
22 *Sec. 102. Amendment of Registration.* - A registered foreign national shall notify  
23 the Bureau in writing of any change of information in the person's registration documents  
24 not later than seven (7) days from such change.

25  
26 *Sec. 103. Presentation of Certificate of Registration.* - Every foreign national  
27 required to register under this Act or the parent or guardian of such foreign national shall,  
28 upon demand by any personnel authorized by the Commissioner, present a certificate of  
29 registration of such individual, and failure to do so without justifiable cause shall be dealt  
30 with in accordance with the provisions of this Act.

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Sec. 104. *Reportorial Requirements.* - Every foreign national registered under this Act shall, within the first sixty (60) days of every calendar year, report in person to the Bureau. The Commissioner may exempt personal appearance of foreign nationals registered under this Act subject to certain requirements and conditions as may be prescribed in the rules and regulations issued for the purpose.

Sec. 105. *Failure to Comply with Requirements.* - A foreign national, or the parent or guardian of the foreign national, who, without justifiable reason, fails to comply with all the requirements under this Act, or who files an application for registration containing statements known by the individual to be false, or who utilizes registration documents other than that of the individual, shall be dealt with in accordance with the provisions of this Act and other existing laws.

Sec. 106. *Cancellation of Registration of Foreign National.* - In case of death of a foreign national registered under the provisions of this Act, the legal heir, representative or administrator of the foreign national must inform the Office within sixty (60) days from such death, and the Bureau shall cancel the registration of the deceased foreign national. The Local Civil Registrar or other civil registry officer of the locality where said foreign national died shall furnish the Bureau with a copy of the Certificate of Death within thirty (30) days from issuance thereof. Failure on the part of the persons concerned to comply with the requirements specified in this Section shall be dealt with pursuant to the provisions of existing laws.

**CHAPTER 2**  
**BONDS AND DEPOSITS**

Sec. 107. *Bonds, When Required.* - The Bureau shall have the authority to require cash bonds in such amounts and under such conditions as it may prescribe in order to:

1 a. Control and regulate the admission into, and departure from, the Philippines  
2 of foreign nationals applying for temporary admission;

3  
4 b. Insure against foreign passengers liable to be excluded as likely to become  
5 public charges; and

6  
7 c. Ensure the appearance of foreign nationals released from custody during  
8 the course of deportation proceedings instituted against them.

9  
10 *Sec. 108. Requirement of Cash Deposits for Services Rendered.* - The Bureau shall  
11 likewise have the authority to require cash deposits in such amounts as may be necessary  
12 from a vessel's owner, operator, captain, master, pilot, agent, or consignee or other  
13 persons served for services rendered as established by the implementing rules and  
14 regulations.

15  
16 *Sec. 109. Cancellation and Forfeiture of Bonds.* - When the conditions of the bond  
17 are fulfilled, or in case the Commissioner determines that the likelihood that a foreign  
18 national shall become a public charge no longer exists, or in case of death of the foreign  
19 national in whose behalf the bond is posted, the bond shall be cancelled and released to  
20 the depositor or the legal representative of the foreign national. In case of violation of  
21 the conditions of the bond, the same shall be forfeited and deposited in a trust fund  
22 account which may be utilized for the purchase of passage tickets for the removal of  
23 indigent foreign nationals and to cover the costs of operations in locating deportees who  
24 jump bail.

25  
26 **CHAPTER 3**  
27 **RECOGNIZANCE**

28  
29 *Sec. 110. Petitions for Recognizance, Sanction for Breach of Conditions.* - The  
30 Commissioner may order the release of a foreign national upon recognizance of the



1 foreigner's lawyer or a person who is of good standing in the community, under such  
2 terms and conditions as the Board may prescribe. Failure to comply with the terms and  
3 conditions of the recognizance shall subject said lawyer or person to a fine of not less  
4 than Fifty Thousand Pesos (PHP 50,000.00) but not more than One Hundred Thousand  
5 Pesos (PHP 100,000.00), without prejudice to other administrative sanctions or  
6 proceedings against the erring party.

#### 8 **CHAPTER 4**

#### 9 **COOPERATION AND COORDINATION WITH OTHER OFFICES**

10  
11 Sec. 111. *Working Cooperation with the Department of Foreign Affairs.* – For  
12 purposes of efficient implementation and administration of this Act, the Bureau shall  
13 maintain a working cooperation with the DFA.

14  
15 Sec. 112. *Working Cooperation with the Commission on Higher Education*  
16 *(CHED).* - The Bureau shall maintain a working cooperation with the CHED with respect  
17 to the accreditation of schools and learning centers for enrollment of foreign students as  
18 authorized under this Act.

19  
20 Sec. 113. *Working Cooperation with the Civil Aviation Authority of the Philippines*  
21 *(CAAP).* - The Bureau shall maintain a working cooperation with the CAAP with respect  
22 to accreditation of flying schools for the enrollment of foreign students.

23  
24 Sec. 114. *Coordination with Law Enforcement, Security and Other Offices.* - The  
25 Commissioner shall have the authority to maintain coordination with the National Security  
26 Council, the Philippine National Police (PNP), and other law enforcement agencies of the  
27 government.

#### 28 **CHAPTER 5**

#### 29 **FEES AND CHARGES**

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Sec. 115. *Authority of the Board to Prescribe, Impose and Collect Fee Charges.* - The Board is authorized to prescribe, impose and collect fees and charges for services rendered pursuant to the provisions of this Act.

**CHAPTER 6**  
**ADMINISTRATIVE FINES**

Sec. 116. *Fine for Failing to Submit Crew List or Passenger Manifest, or Failure to Account Every Passenger and Crew.* - Any owner, operator, master, captain, pilot, agent, or consignee of a vessel arriving at any port in the Philippines from a place outside thereof who fails to submit to the immigration authorities a complete and accurate crew list or passenger manifest, or fails to produce or account every crewmember or passenger whose name appears in said list or manifest shall be subject to fines of One Hundred Thousand Pesos (PHP 100,000.00) and Fifty Thousand Pesos (PHP 50,000.00) for each unaccounted person, respectively.

Sec. 117. *Fine for Violation of Obligation on the Landing or Removal of Foreign Nationals.* - Any owner, operator, master, captain, pilot, agent, or consignee of any vessel arriving at a port of the Philippines from a place outside thereof having a foreign national on board in violation of this Act shall be fined not less than Fifty Thousand Pesos (PHP 50,000.00) but not more than Two Hundred Thousand Pesos (PHP 200,000.00) for each act or violation consisting of:

- a. Failure to prevent the landing of such foreign national in the Philippines at any time or place other than as designated by the Immigration Officer;
- b. Refusal or failure to detain a foreign national on board any such vessel at the port of arrival when required by this Act or so ordered by an Immigration Officer;

1 c. Refusal or failure to deliver a foreign national for medical or other examinations  
2 when so ordered by an Immigration Personnel;

3  
4 d. Refusal or failure to pay the cost of maintenance and other costs, as required  
5 by this Act, of such foreign national when temporarily removed from the vessels  
6 for examination by order of the Immigration Officer;

7  
8 e. Refusal to receive such foreign national on board for removal from the  
9 Philippines if the foreign national is excluded, or to pay the cost of removal as  
10 required under Sec. 81 and 96 of this Act;

11  
12 f. Refusal or failure to take on board, guard safely and transport the deportee to  
13 the foreign national's country of destination, or to shoulder the cost of deportation  
14 of the foreign crew member;

15  
16 g. Making any charge against such foreign national for the cost referred to in (d)  
17 above, or for the cost of the removal of the foreign national from the Philippines  
18 if the latter is excluded, or taking any security from the foreign national for the  
19 payment of any such costs.

20  
21 *Sec. 118. Fine for Bringing Undocumented Foreign National or Foreign National*  
22 *Afflicted with Communicable or Contagious Disease, or Suffering from Mental Disorder.*

23 - The owner, operator, master, captain, pilot, agent, or consignee of the vessel arriving  
24 at a port in the Philippines from a place outside thereof bringing on board an  
25 undocumented foreign national shall be fined One Hundred Thousand Pesos (PHP  
26 100,000.00) for each foreign national. If the foreign national is afflicted with a  
27 communicable or contagious disease or is suffering from mental disorder, the fine shall  
28 be not less than Two Hundred Thousand Pesos (PHP 200,000.00) but not more than  
29 Three Hundred Thousand Pesos (P300,000.00) for each foreign national.

1           Sec. 119. *Fine for Bringing a Foreign National to Assist His Illegal Entry or*  
2 *Misrepresenting a Foreign National as a Member of the Crew.* -The owner, operator,  
3 master, captain, pilot, agent, or consignee of the vessel arriving at any port in the  
4 Philippines from a place outside thereof bringing on board a foreign national bound for  
5 the Philippines to assist the illegal entry of the foreign national, or misrepresenting the  
6 foreign national to the Immigration Officer at the port of arrival as a bona fide member  
7 of the crew, shall be fined not less than One Hundred Thousand Pesos (PHP 100,000.00)  
8 but not more than Two Hundred Thousand Pesos (PHP 200,000.00) for each foreign  
9 national.

10  
11           Sec. 120. *Fine for an Overstaying Crewmember.* - Any foreign crewmember who  
12 willfully remains in the Philippines beyond the period allowed for temporary landing shall  
13 be fined not less than Fifty Thousand Pesos (PHP 50,000.00) but not more than One  
14 Hundred Thousand Pesos (PHP 100,000.00). The owner, operator, master, captain, pilot,  
15 agent, or consignee of the vessel shall be solidarily liable for the fine imposed on such  
16 overstaying crewmember.

17  
18           Sec. 121. *Fine for Assaulting an Immigration Personnel* - Any form of assault  
19 directed to any personnel of the Bureau is an act of disrespect. In case the assault is  
20 committed by a foreign national at the ports of entry and exit, such foreign national shall  
21 be excluded or deported, as the case may be, and shall be fined Two Hundred Thousand  
22 Pesos (PHP 200,000.00) without prejudice to the right of the aggrieved Immigration  
23 Personnel to file appropriate criminal, civil or administrative cases against such person.  
24 For purposes of this Act, an Immigration Officer shall be considered a person in authority  
25 while in the performance of official duty.

26  
27           Sec. 122. *Fine for Violation of Other Provisions of this Act* - The owner, operator,  
28 master, captain, pilot, agent, or consignee of any vessel arriving at any port of the  
29 Philippines from a place outside thereof who violates any other provision of this Act not

1 specifically Provided in this Chapter shall be fined not less than Fifty Thousand Pesos  
2 (PHP 50,000.00) but not more than Two Hundred Thousand Pesos (PHP  
3 200,000.00) for each violation.

4  
5 **CHAPTER 7**  
6 **PENAL PROVISIONS**  
7

8 *Sec. 123. Prohibited Acts and Penalties.* - Any person who shall commit any of the  
9 acts specified hereunder shall, upon conviction, suffer the penalty of imprisonment for  
10 not less than five (5) years but not more than ten (10) years, or a fine of not less than  
11 One Hundred Thousand Pesos (PHP 100,000.00) but not more than Five Hundred  
12 Thousand Pesos (PHP 500,000.00), or both imprisonment and fine, at the discretion of  
13 the court:

14  
15 a. Impersonating another individual, or falsely appearing in the name of a  
16 deceased individual, or evading immigration laws by using an assumed or fictitious  
17 name when applying for an immigration document;

18  
19 b. Issuing or otherwise delivering an immigration document or an immigration  
20 accountable form to any person not authorized by law to receive such documents;

21  
22 c. Obtaining, manufacturing, printing, accepting or using any immigration or travel  
23 document knowing it to be false, or using an immigration accountable form that is  
24 not legally issued;

25  
26 d. Entering the Philippines without inspection and admission by the immigration  
27 authorities, or obtaining entry into the Philippines through fraud,  
28 misrepresentation, or concealment of material facts;

29  
30 e. Misrepresenting oneself to be a citizen of the Philippines;

1  
2 e. Knowingly making any false statement under oath regarding any  
3 immigration matter; or  
4

5 g. Bringing into, or landing in the Philippines, or concealing, harboring, employing,  
6 or giving comfort to, any person not duly admitted by an Immigration Personnel  
7 or not lawfully entitled to enter into or reside within the Philippines, or attempting,  
8 conspiring with, or aiding another to commit any such acts.  
9

10 Where the offender of any acts specified in paragraph (g) of this Section is a  
11 corporation, partnership or other juridical entity, the president, general manager,  
12 managing partner, or chief executive officer thereof shall be held liable. Dismissal of the  
13 employee by the employer before or after apprehension shall not relieve such employer  
14 from any liability arising from the offense: *Provided*, that if the offender is the owner,  
15 operator, master, captain, pilot, agent, or consignee, or other person in charge of the  
16 vessel that brought the foreign national into the Philippines from any place outside  
17 thereof, the fine imposed under this Section shall constitute a lien against the vessel  
18 which may be enforced in the same manner as fines are collected and enforced under  
19 existing laws. Such vessel shall not be allowed to depart without prior clearance issued  
20 by the Bureau. Where forfeiture is justified under the particular circumstances of the case,  
21 the forfeiture of the vessel in favor of the government in lieu of the fine shall be decreed.  
22 Conviction by final judgment of any offense punishable under this Act or other related  
23 laws shall result in the automatic revocation or cancellation of any immigration document  
24 issued to the offender, including that of the foreign national's spouse and unmarried  
25 children, if applicable.  
26

27 *Sec. 124. Penalty for Aiding the Escape of Detained Foreign National* - Any person  
28 who shall be found to have helped, assisted, supported, caused or ministered the escape,  
29 including harboring and concealing, of a foreign national shall, upon conviction, be  
30 imprisoned for not less than five (5) years but not more than ten (10) years and a fine of



<b>EXISTING POSITION</b>	<b>RECLASSIFIED POSITION</b>	<b>SALARY GRADE</b>
Commissioner	Commissioner III	30
Deputy Commissioner	Deputy Commissioner III	29
Attorney V (Board of Special Inquiry)	Chief Special Inquiry Officer (Overall Chairperson, BSI)	28
Chief Administrative Officer (Administrative Division)	Chief Administrative Officer (Director for Administration)	28
Chief Administrative Officer (Finance and Management Division)	Chief Finance and Logistics Officer (Director for Finance and Logistics)	28
Information Technology Officer III	Chief Information and Communications Technology Officer (Director for JCT)	28
Immigration Officer (Alien Registration Division)	Chief Alien Registration Officer (Director for Alien Registration)	28
Chief Immigration Officer (Immigration Regulation Division)	Chief Immigration Officer for Immigration Regulation (Director for Immigration Regulation)	28
Chief Intelligence Officer (Intelligence Division)	Chief Immigration Officer for Intelligence (Director for Intelligence)	28

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Chief Immigration Officer (Port Operations Division)	Chief Immigration Officer for Operations (Director for Operations)	28
Attorney V	Chief Immigration Officer for Legal Affairs (Director for Legal Affairs)	28
	Chief Immigration Officer for Law Enforcement (Director for Law Enforcement) I	28
	Chief Planning and Research Specialist (Director for Planning and Research)	28
	Chief Human Resource and Management Officer (Director for Human Resource Management and Development)	28
	Regional Director	27
Attorney IV (BSI)	Special Inquiry Officer IV (Chairperson, BSI)	27
Attorney IV (Legal Division)	Immigration Prosecutor IV	27
Attorney III (BSI)	Special Inquiry Officer III (Member, BSI)	26
Attorney III (Legal Division)	Immigration Prosecutor III	26
Supervising Immigration Officer	Supervising Immigration Officer	26

Supervising Administrative Officer	Supervising Administrative Officer	26
Medical Officer III	Immigration Physician	26
	Supervising Human Resource Management Officer	26
	District Supervisor	26
Attorney II {Legal Division)	Immigration Prosecutor II	25
Intelligence Officer IV	Senior Immigration Officer	25
Accountant III	Immigration Accountant V	25
Dentist II	Immigration Dental Officer	25
	Supervising Immigration Research Specialist	25
Attorney I {Legal Division)	Immigration Prosecutor I	24
Senior Immigration Officer	Immigration Officer IV	24
Administrative Officer IV	Immigration Administrative Officer IV	24
Information Technology Officer I	Information and Communications Technology Officer I	24
Nurse II	Immigration Healthcare Officer	23
	Immigration Research Officer III	23
	HR Management Officer III	23
Accountant II	Immigration Accountant II	22
Information System Analyst	Immigration Information System Analyst	22
Immigration Officer III	Immigration Officer III	21
	Immigration Research Officer II	21
	HR Management Officer II	21

Accountant I	Immigration Accountant I	19
Computer Programmer II	Immigration Computer Programmer II	19
Computer Maintenance Technologist II	Immigration Information Technologist II	19

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Immigration Officer II	Immigration Officer II	19
Intelligence Officer II		
Special Investigator II		
Immigration Officer I	Immigration Officer I	17
Intelligence Officer I		
Special Investigator I		
Fingerprint Examiner IV	Alien Fingerprint Examiner IV	17
	Immigration Research Officer I	17
	HR Management Officer I	17
Immigration Assistant	Immigration Inspector	15
Intelligence Agent II	Immigration Agent II	15
Administrative Officer II	Immigration Administrative Officer II	15
	Immigration Research Assistant	15
	HR Management Assistant	15
Fingerprint Examiner III	Alien Fingerprint Examiner III	15
Administrative Aide VI	Immigration Aide VI	14
Administrative Assistant III	Immigration Administrative Assistant III	13
Administrative Aide V	Immigration Aide V	13
Fingerprint Examiner II	Alien Fingerprint Examiner II	13
Security Guard II	Civil Security Officer II	13

Intelligence Agent I	Immigration Agent I	13
Translator II	Immigration Translator II	12
Administrative Assistant II	Immigration Administrative Assistant II	12
Administrative Aide IV	Immigration Aide IV	12
Administrative Aide III	Immigration Aide III	11
Nursing Attendant	Immigration Healthcare Assistant	11
Fingerprint Examiner I	Alien Fingerprint Examiner I	11

1

Security Guard I	Civil Security Officer I	11
Seaman		
Launch Patron		
Marine Engineman		
Quartermaster		
Legal Aide	Immigration Legal Assistant	10
Administrative Assistant I	Immigration Administrative Assistant IV	10
Administrative Aide II	Immigration Administrative Assistant II	8

2

3 Upon the recommendation of the Board, the Secretary of the DOJ shall reorganize,  
4 upgrade, or otherwise make adjustments in the offices of the Bureau as required by the  
5 implementation of this Act: *Provided, That* to the extent possible, the Incumbent chiefs  
6 of sections and divisions whose offices are hereby affected may be upgraded to positions  
7 of comparable rank in the reorganization: *Provided, further, That* for the new directorates  
8 and positions created under this Act, the Board shall designate the directors and officers  
9 thereof.

10

1           Sec. 128. *Additional Grant of Benefits.* -The Bureau shall provide its employees  
2 with the following benefits:

3  
4           a. Health care services through an accredited Health Maintenance Organization for  
5 its regular employees;

6  
7           b. Accident Insurance policies for all employees;

8  
9           c. Night Shift differential and overtime pay for actual work rendered, in accordance  
10 with existing guidelines;

11  
12           d. Longevity pay, subject to guidelines that shall be issued by the Board in  
13 accordance with existing laws and regulations and subject to the approval of the  
14 Secretary of the DBM;

15  
16           e. Transportation benefits;

17  
18           f. Dislocation allowance; and

19  
20           g. Hazard pay amounting to twenty-five percent (25%) of basic salary to  
21 qualified employees as may be determined by the Board.

22  
23           Sec. 129. *Retention and Use of Immigration Fees, Fines and Other Income;*  
24 *Immigration Trust Fund.* - The Board is hereby authorized to retain and use every year  
25 thirty percent (30%) of its collections from immigration fees, fines and penalties, and  
26 other income that may be collected by the Bureau for the effective implementation of this  
27 Act.

28           There is hereby created an Immigration Trust Fund (ITF) sourced from the  
29 collections mentioned in this Section. The ITF shall be administered by the Board in

1 accordance with existing government auditing rules and regulations, and shall be used  
2 exclusively as follows:

3  
4 a. Forty percent (40%) for the modernization of equipment, facilities and offices  
5 used by employees of the Bureau, including capital outlay for the establishment of  
6 new buildings and field offices for the effective implementation of this Act;

7  
8 b. Thirty percent (30%) for the payment of employee benefits provided in this Act,  
9 and as may be hereafter Provided by the Board with the approval of the Secretary  
10 of the DOJ; and

11  
12 c. Thirty percent (30%) for the further professionalization of the employees of the  
13 Bureau including trainings, seminars and other career advancement programs.

14  
15 All interest income, dividends and earnings accrued from the ITF shall also form  
16 part of the Trust Fund. No portion of the ITF shall revert to the general fund of  
17 the National Government, except when the ITF is no longer necessary for the  
18 purposes for which it was established.

19  
20 **CHAPTER 9**  
21 **TRANSITORY PROVISIONS**

22  
23 *Sec. 130. Interim Period.*- The incumbent Commissioner and the two Deputy  
24 Commissioners, if qualified under this Act, shall continue to discharge the functions of  
25 their position unless otherwise removed by the President. All personnel of the present  
26 Bureau of Immigration shall continue to discharge the functions of their position pending  
27 the reorganization as Provided in this Act.

28  
29 *Sec. 131. Reorganization of the Bureau.* - Upon approval of this Act, all employees  
30 of the Bureau of Immigration covered by the civil service law and regulations shall

1 continue to hold their present position pending the reorganization of  
2 the Bureau in accordance with the new staffing pattern: *Provided*, That the salaries,  
3 wages, allowances and other benefits of incumbent officers and employees of the Bureau  
4 shall not be subject to diminution: *Provided*, further, That employees who have been  
5 dismissed for cause shall no longer qualify for any position in the Bureau.

6  
7 *Sec. 132. Inventory and Transfer of Properties, Accounts, Assets, Liabilities and*  
8 *Obligations to the Commission.* - All buildings, properties, equipment, facilities, accounts,  
9 other assets, liabilities and other obligations as well as records of the Bureau of  
10 Immigration shall be properly inventoried and transferred to the Bureau.

11  
12 *Sec. 133. Treaty or Agreement* - Any treaty or agreement entered into between  
13 the Philippines and any foreign state before the effectivity of this Act shall remain in force  
14 and effect.

15  
16 *Sec. 134. Pending Cases.* - Any prosecution, suit, action, proceeding, or any act or  
17 matter, civil or criminal, pending at the time of the effectivity of this Act shall not be  
18 affected by any of the provisions of this Act unless otherwise explicitly stated herein.

19  
20  
21 **CHAPTER 10**  
22 **ADMINISTRATION AND IMPLEMENTATION**

23  
24 *Sec. 135. Administration and Implementation Abroad.* -The administration and  
25 implementation of this Act abroad, including the rules and regulations, and specific visa  
26 policies or guidelines, shall be the responsibility of the DFA, with due notice to the Bureau  
27 and other concerned agencies and offices.

28  
29 *Sec. 136. Implementing Rules and Regulations.* -Within sixty (60) days from the  
30 effectivity of this Act, the Bureau shall, in coordination with the Secretaries of the DBM,

1 the DOJ, and the DFA, promulgate the rules and regulations for its effective  
2 implementation.

3

4 Sec. 137. *Appropriations.* - The amount necessary to cover the initial  
5 implementation of this Act shall be charged against the following:

6

7 a. Current year's appropriation of the Bureau of Immigration; and

8

9 b. Immigration fees, fines and other income authorized under Sec. 129 this Act.

10

11 Thereafter, such sums as may be needed for its continued implementation shall  
12 be included in the annual General Appropriations Act and from the immigration Trust  
13 Fund.

14

15

## CHAPTER 11

16

### FINAL PROVISIONS

17

18 Sec. 138. *Separability Clause.* - Should any provisions of this Act be declared  
19 invalid, the remaining provisions shall continue to be in force and effect.

20

21 Sec. 139. *Repealing Clause.* - Commonwealth Act No. 613, otherwise known as  
22 the "Philippine Immigration Act of 1940," as amended, and Republic Act No. 750 are  
23 hereby repealed. All other laws, presidential decrees, executive orders,  
24 proclamations, memorandum orders, instructions, rules and regulations or parts thereof  
25 inconsistent with this Act are hereby amended or modified accordingly.

26

27 Sec. 140. *Effectivity.* - This Act shall take effect fifteen (15) days after its  
28 publications in the Official Gazette or in any newspaper of general circulation.

29

30 *Approved,*