

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

7 JUN 30 P 2:18

RECEIVED BY: 

SENATE

Senate Bill No. 133

Introduced by Senator FRANCIS N. PANGILINAN

EXPLANATORY NOTE

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

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

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

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


FRANCIS N. PANGILINAN

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

Be it enacted by the Senate and House of Representatives of the Philippine Congress assembled:

1 SECTION 1. Title. – This Act shall be known as the Alien Social Integration Act
2 of 2007.

3 SEC. 2. Declaration of Policy. – The State shall control and regulate the
4 admission and integration of aliens into its territory and body politics. Towards this end,
5 aliens with unlawful residence status shall be integrated into the mainstream of
6 Philippine Society.

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

17 The bar to prosecution shall apply only to such crimes or felonies committed due
18 to acts necessary or essential to maintain a false or fraudulent or illegal residence, such

1 as falsification of marriage, birth or baptismal certificates or travel documents, visas or
2 alien certificates of registration.

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

6 4.1 Filing of registration forms with the following agencies: (1) the civil register of
7 his place of residence; (2) the Bureau of Internal Revenue (BIR); (3) the Bureau of
8 Immigration (BI); (4) the National Bureau of Investigation (NBI); (5) the commercial or
9 universal bank to which the alien pays the integration fee as hereafter provided.

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

13 4.2 The registration forms shall contain the applicant's full name and one *alias*
14 by which he may be known; proof of his identity, good moral character and financial
15 capacity through affidavits from two (2) Filipino citizens of good reputation in his/her
16 place of residence; history of stay in the Philippines; residential address for the
17 immediate past five (5) years; four (4) passport size pictures and a complete fingerprint
18 card for each of the agencies mentioned in 4.1, including his/her most recent dental
19 records which shall be submitted to the NBI.

20 4.3 Payment of the integration fees to any duly licensed commercial or
21 universal bank accredited by the BIR as authorized to receive income tax payments in
22 the following amounts:

23 4.3.1 A one time payment of Three Hundred Thousand Pesos (P300,000.00)
24 for the principal applicant upon filing of the registration forms with the bank. *Provided,*
25 the Bureau may promulgate rules and regulations for other modes of payment through
26 installment scheme.

27 4.3.2 A single payment of Twenty Five Thousand pesos (P25,000.00) for the
28 spouse and Twenty Five Thousand pesos (P25,000.00) for each legitimate child below
29 eighteen (18) years of age.

1 4.3.3 Children born after June 30, 2000 of parents who received the benefits of
2 this Act shall upon proper registration with the Bureau of Immigration, become legal
3 residents.

4 4.3.4 The integration fees paid by an alien shall be in lieu of all immigration
5 fees and fines said alien may have incurred during his unlawful residence in the country.

6 4.4 Submission of a medical certificate stating that the applicant is not a user of
7 prohibited drugs or otherwise a drug addict and that he is not afflicted with Acquired
8 Deficiency Syndrome (AIDS).

9 4.5 Submission of medical certificate stating that the applicant is mentally and
10 psychologically healthy.

11 SEC. 5. *Official Receipt.* – The commercial or universal bank shall issue an
12 official receipt of acknowledging receipt of the integration fee, upon payment by the
13 applicant of a processing fee of One thousand pesos (P1,000.00). In the event
14 registration was effected under paragraph 2 of subsection 4.1, the bank shall furnish
15 copies of the registration documents to the following agencies: (1) the civil register of
16 the applicant's place of residence; (2) the BIR; and (3) the NBI. Thereafter, the bank
17 shall issue a certification to this effect in favor of the applicant.

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

26 The Bureau of Immigration shall publish, at the applicant's cost, the names,
27 ages, addresses, and a photograph of each of the applicants *in a national newspaper of*
28 *general circulation* at the end of each calendar month during the effectivity of the
29 application period, as hereinafter provided in Section 8. The banks authorized under

1 this Act to collect the fees herein required shall collect a publication fee of Five
2 thousand pesos (P5,000.00) from the applicant.

3 SEC, 7, *Ministerial Duty of the Civil Registrar, the BIR and the NBI.* – The Civil
4 Registrar, the BIR and the NBI shall have the ministerial duty to accept the registration
5 forms required under Section 4. Each of these agencies may charge no more than *One*
6 *hundred pesos (P100.00)* for the filing of the registration forms. Upon payment of the
7 filing fee, the agency concerned shall issue a certification that the alien has filed with
8 said office by himself/ / herself or through the bank, all the forms required under Section
9 4.

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

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

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

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

24 SEC. 12. *Revocation of Resident Status.* Deceit or Misrepresentation on the
25 part of any applicants to enable them to obtain legal status under this Act shall be
26 ground for cancellation or revocation of their resident status. The Bureau shall
27 promulgate rules and regulations to determine the authenticity of documents submitted
28 by the applicants. The Bureau may revoke applicants or legalized aliens on the basis of
29 substantial evidence.

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

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

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

11 SEC. 14. *Appropriation.* –There is hereby appropriated, out of the payments
12 received under Section 4 hereof, an amount of Five million pesos (5,000,000.00) to
13 cover administrative and other expenses to be incurred in the implementation of this
14 Act.

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

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

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

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

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

4 Approved,