

NINETEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*First Regular Session*

Office of the Secretary

'22 AUG -8 P1 :33

SENATE

RECEIVED BY: \_\_\_\_\_

S. No. 1085



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**Introduced by Senator Jinggoy Ejercito Estrada**

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

**EXPLANATORY NOTE**

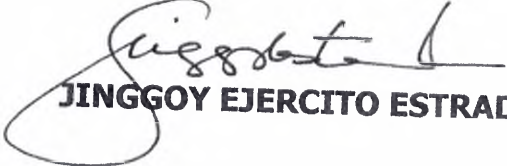
It is incumbent upon Congress to pass a law amending one of the most important pieces of legislation, Commonwealth Act No. 613, otherwise known as the Philippine Immigration Act of 1940. Commonwealth Act No. 613 was passed almost eighty-two (82) years ago. Since then, there have been significant changes in the social, economic, and political milieu, as well as major technological advancements. As such, the Bureau of Immigration should be able to adapt to the changing times and be responsive to the needs of the people. The agency is a vital component of government and an integral factor in the development of the country through the promotion of investments, trade and commerce, and tourism.

This bill seeks to reorganize and strengthen the Bureau of Immigration which shall be principally responsible for the administration and enforcement of

immigration, alien registration, citizenship laws, among others. Additionally, there is a need to systematize the procedures for immigrants and non-immigrants as well as provide for penalties for foreigners or aliens engaged in unlawful activities.

This version of the bill is the Committee Report version reported out by the Committee on Justice and Human Rights in the 18<sup>th</sup> Congress, which was sponsored by Senator Richard J. Gordon.

In view of the foregoing, passage of this bill is earnestly sought.

  
**JINGGOY EJERCITO ESTRADA**

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

**TITLE I**

**GENERAL PROVISIONS**

1  
2  
3 Section 1. *Short Title.* – This Act shall be known as the "*Bureau of*  
4 *Immigration Modernization Act*".

5 Sec. 2. *Declaration of Policy.* – In the conduct of its relations with other  
6 States, the Philippines shall give paramount consideration to national  
7 sovereignty, territorial integrity, national security, national interest, the right to  
8 self-determination, the enhancement of economic diplomacy, and the  
9 protection of overseas Filipino in destination countries as it adheres to the  
10 policy of peace, cooperation, and amity with all nations.

1 To this end, Philippine immigration policies, rules and regulations under  
2 this Act shall be applied and administered as instruments for the promotion of  
3 domestic and external interests of the Philippines, in recognition of:

4 It is hereby declared that the Philippine immigration structures, policies, rules  
5 and regulations established under this Act, shall be designed, operated, and  
6 administered in such a manner as to promote the domestic and international  
7 interests of the Philippines, recognizing the need to:

- 8 a. the admission of foreign nationals for the purpose of encouraging and  
9 enhancing capital investments, trade and commerce, cultural exchanges  
10 and other forms of friendly relations and cooperation;
- 11 b. the need to support technological and scientific development in the  
12 country;
- 13 c. the promotion of conditions for social welfare and economic security of  
14 the people;
- 15 d. the fulfillment of obligations and compliance with standards set by  
16 international law in the admission or exclusion of foreign nationals;
- 17 e. the modernization of structures and mechanisms necessary for the  
18 administration of immigration laws in keeping with the changing  
19 demands of the country's role in the global community; and
- 20 f. the professionalization of the immigration service by instituting a rigid  
21 system of screening and selection of immigration officials and employees  
22 and promoting their development.

23 *Sec. 3. Definition of Terms. – As used in this Act:*

- 24 a. *Admission* refers to the process by which a foreigner arriving at a port of  
25 entry in the Philippines is allowed into the country whereby a status or  
26 entry category is granted by the immigration authorities;
- 27 b. *Border Control Officer* - refers to any person tasked to man the Border  
28 Control Checkpoints authorized as provided in this Act;
- 29 c. *Captain* refers to the master of a vessel or pilot of an aircraft;



- 1 d. *Child or children* refers to a person or persons below eighteen (18) years  
2 of age;
- 3 e. *Citizen* refers to any person who is a citizen of the Philippines under  
4 Section 1, Article IV of the Constitution of the Republic of the  
5 Philippines;
- 6 f. *Commissioner* refers to the Commissioner of the Bureau of Immigration;
- 7 g. *Commitment Order* refers to an order issued by the Commissioner under  
8 this Act that directs the taking into custody of a foreign national after it  
9 has been determined that probable cause exists that the foreign national  
10 committed acts or omissions in violation of Philippine immigration laws,  
11 rules and regulations, or during the pendency of deportation  
12 proceedings against such foreign national: *Provided*, That such custody  
13 shall not exceed three (3) months, unless there exists other legal  
14 grounds for continued custody;
- 15 h. *Consular Officer* refers to any consular, diplomatic, or other officer of  
16 the Department of Foreign Affairs (DFA) who has been granted a  
17 consular commission for the purpose of issuing visas under this Act;
- 18 i. *Derogatory Information* refers to details about persons and travel  
19 documents relating to immigration consisting of the following:
- 20 1. *Blacklist Order* refers to an order issued by the Commissioner that  
21 prevents a foreign national from entering the territorial jurisdiction of  
22 the Philippines;
- 23 2. *Hold Departure Order (HDO)* refers to an order issued by the  
24 Commissioner preventing a foreign national from leaving the  
25 territorial jurisdiction of the Philippines in cases where bail or  
26 recognizance is granted pending implementation of a Deportation  
27 Order, or a directive implementing an order issued by the  
28 appropriate court preventing a person from leaving the territorial  
29 jurisdiction of the Philippines; and

- 1           3. *Monitor Order* refers to an order issued by the Commissioner under  
2           this Act that requires immigration personnel to monitor the travel of  
3           any person for a period of thirty (30) days, and to notify the  
4           concerned government agencies of the Philippines; and
- 5           4. *Temporary Travel Restriction (TTRO)* refers to a document issued by  
6           the Secretary of Justice, or his authorized representative, against a  
7           respondent in a case subject of preliminary investigation when the  
8           minimum imposable penalty is six (6) months and one (1) days or  
9           when the offender is a foreigner regardless of the imposable penalty,  
10          directing the Bureau of Immigration to prevent the subject thereof  
11          from leaving the Philippines for a period of sixty (60) days from  
12          issuance of the order, unless the handling prosecutor recommends  
13          the filing of the appropriate case before the Regional Trial Court,  
14          which has the authority to issue HDOs. The TTRO may be extended  
15          for another sixty (60) days, but without prejudice to the filing of an  
16          Allow Departure Order.
- 17          j. *Entry* refers to the arrival of a foreign national into any designated port  
18          of entry in the Philippines from a place outside the Philippine territorial  
19          jurisdiction. A foreign national having a lawful permanent residence in  
20          the Philippines shall not be regarded as making an entry for the purpose  
21          of this Act, if such foreign national proves that the departure to a place  
22          outside the Philippines was for a temporary or limited period, or the  
23          continued absence from the Philippines was occasioned by deportation  
24          proceedings, extradition, or other legal process;
- 25          k. *Exclusion* refers to the act of Immigration Officers denying admission of  
26          a foreign national into the county on grounds provided in this Act;
- 27          l. *Foreign National* or *Alien* refers to any person who is not a citizen of the  
28          Philippines;

- 1 m. *Immigrant* refers to any foreign national, other than a non-immigrant, -  
2 granted resident status in the Philippines under the provisions of this Act  
3 and other laws granting immigrant status;
- 4 n. *Immigration laws* refer to this Act and any other laws presently existing  
5 or which may hereafter be enacted relating to the movement of natural  
6 persons to and from the Philippines;
- 7 o. *Immigration Officer* refers to any person appointed under Title II,  
8 Chapter 18 of this Act or any employee designated by the Commissioner  
9 to perform the powers, duties and functions of an Immigration Officer  
10 as specified under this Act;
- 11 p. *Non-immigrant* refers to any foreign national who is allowed entry and  
12 admission into the Philippines for a temporary or limited period of stay;
- 13 q. *Non-refoulement* refers to a principle of international law which prohibits  
14 the forced or involuntary return of refugees or those seeking asylum in  
15 the Philippines to the state or territory where their lives or liberty are  
16 threatened;
- 17 r. *Passport* refers to a document issued by a government to its citizens  
18 requesting other governments to allow such citizens to pass through or  
19 enter into a territory of other states safely and freely, subject to  
20 pertinent rules and regulations;
- 21 s. *Port of entry* refers to any port designated by the Commissioner through  
22 which a foreign national may enter or exit the Philippines;
- 23 t. *Refugee* refers to a person who, owing to a well-founded fear of being  
24 persecuted for reasons of race, religion, nationality, membership in a  
25 particular social group, or political opinion, is outside such person's  
26 country of nationality, and is unable or, owing to such fear, unwilling to  
27 avail of the protection of that country; or a person who, not having a  
28 nationality and being outside such person's country of former habitual  
29 residence, is unable or, owing to such fear, unwilling to return to it;



- 1 u. *Seaman, Seafarer or Crewmember* refers to a person actually employed  
2 in the operation or service in any capacity on board a vessel;  
3 v. *Stateless Person* refers to a person who is not considered a national by  
4 any state under the operation of its laws;  
5 w. *Travel document* refers to a certification or identifying document  
6 containing the description and other personal circumstances of its bearer  
7 issued by a government to individuals for travel purposes;  
8 x. *Vessel* refers to all means of conveyances, whether aircraft or sea craft;  
9 and  
10 y. *Visa* refers to an endorsement on a passport or any travel document  
11 issued by a Consular Officer abroad authorizing the holder thereof to  
12 proceed to a designated port of entry in the Philippines and there to  
13 apply for entry and admission under the status specified therein; or an  
14 endorsement on a passport or any travel document granted by the  
15 Commissioner of the Board under this Act, or by any other person  
16 authorized by existing laws.

17 **TITLE II**

18 **THE BUREAU OF IMMIGRATION**

19 **CHAPTER 1**

20 **THE BUREAU**

21 *Sec. 4. Overview.* – The Bureau of Immigration, hereinafter referred to  
22 as the Bureau, shall be under the control and supervision of the Department of  
23 Justice (DOJ). The Bureau shall be principally responsible for the administration  
24 and enforcement of this Act, and the implementation of all laws, rules and  
25 regulations, or orders of any competent authority concerning the entry and  
26 admission into, stay in and the departure from the Philippines of all persons.  
27 The Bureau may seek the assistance of other government entities in the  
28 enforcement of laws, rules and regulations relating to immigration, border  
29 control and anti-trafficking in persons.



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**CHAPTER 2**  
**THE BOARD OF COMMISSIONERS**

*Sec. 5. Composition and Qualification of the Board of Commissioners. -*

The Bureau shall be administered by the Board of Commissioners, hereinafter referred to as the Board, headed by the Commissioner as Chairperson, and two (2) Deputy Commissioners as members, all of whom shall be natural-born citizens of the Philippines, holders of a college degree, with proven capacity for administration and, at the time of their appointment, at least thirty-five (35) years of age: *Provided*, That at least one of the members shall be a member of the Philippine Bar in good standing for at least five (5) years prior to the appointment: *Provided, further*, That at least one (1) member of the Board shall come from the ranks of the Commission.

*Sec. 6. Powers and Functions of the Board. -* The Board shall have the following powers and functions:

- a. Decide on applications or cases relative to:
  1. Deportation;
  2. Revocation of immigration status;
  3. Reacquisition and retention of Philippine citizenship under Republic Act No. 9225, otherwise known as the Citizenship Retention and Reacquisition Act of 2003;
  4. Issuance and revocation of all visas and permits;
  5. Declaration of indigence; and
  6. Legalization of residence in accordance with law.
- b. Cite and punish for contempt in relation to the discharge of its quasi-judicial functions in accordance with the Rules of Court;
- c. Prescribe and promulgate rules of procedure for proceedings before it;
- d. Prepare and publish operations manuals, including schedules of fees for all transactions entered into by the Bureau with the public;

- 1 e. Formulate policies, directives, programs and projects of the Bureau;  
2 and  
3 f. Such other powers and functions as provided in this Act and other  
4 existing laws, rules and regulations not inconsistent with any  
5 provisions of this Act.

6 *Sec. 7. Decisions of the Board.* - All cases or proceedings before the  
7 Board shall be decided with the concurrence of the majority of the members of  
8 the Board. Decisions of the Board shall become final and executory fifteen (15)  
9 days from receipt thereof by the concerned parties. Only one (1) motion for  
10 reconsideration shall be allowed.

11 Decisions in deportation cases may be appealed to the Secretary of  
12 Justice within fifteen (15) days from receipt thereof by the concerned party.  
13 The decision of the Secretary of Justice within fifteen (15) days from receipt of  
14 judgement. The decision of the Board shall become executory after thirty (30)  
15 days from promulgation, unless within such period the President shall order the  
16 contrary.

17 *Sec. 8. Period for Decision by the Board.* - The Board shall decide  
18 deportation cases within sixty (60) days from the date they are submitted for  
19 resolution.

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

26 **CHAPTER 3**

27 **THE COMMISSIONER AND THE DEPUTY COMMISSIONERS**

1           *Sec. 10. Appointment of the Commissioner.* – The Commissioner shall be  
2 appointed by the President and shall have the same rank, salary, and privileges  
3 of an Undersecretary of a Department.

4           *Sec. 11. Powers and Functions of the Commissioner.* – In addition to the  
5 duties as Chairperson of the Board of Commissioners, the Commissioner shall  
6 exercise the following powers and functions:

7           a. Supervise, direct and coordinate the overall operations of the  
8 Bureau;

9           b. Appoint, promote, and reassign personnel of the Bureau in  
10 accordance with civil service laws, rules and regulations, subject to  
11 the approval of the Secretary of Justice;

12          c. Issue the following:

13           1. Mission Order, after determination of the existence of probable  
14 cause for the purpose of deportation;

15           2. Commitment or Release Orders;

16           3. Warrants of Deportation;

17           4. Orders to inspect the documents, premises and records of  
18 persons covered by this Act; and

19           5. Derogatory information orders defined in Section 3(i) of this Act;

20          d. Delegate authority to subordinate immigration personnel and  
21 employees of the Commission, except the powers and function  
22 enumerated in paragraph (c) of this section, which may be delegated  
23 only to a Deputy Commissioner;

24          e. Act on application for extension of visas with the concurrence of the  
25 Board;

26          f. Act on application for study and work permits;

27          g. Control the opening and closure of posts, landing places, airports or  
28 ports classified as points of entry or exit, whether limited or  
29 unlimited;

- 1 h. Increase, reduce or waive immigration fines, penalties and other  
2 charges;
- 3 i. Issue Certificates of Naturalization to foreign nationals who have  
4 been granted Philippine citizenship;
- 5 j. Promulgate rules and regulations as may be necessary or proper for  
6 the effective discharge of the duties and responsibilities of the  
7 officials and personnel of the Bureau, and for the effective exercise  
8 of the powers and functions of the Bureau;
- 9 k. Deputize, subject to the concurrence of the Board, any official or  
10 employee of the national government and local government units,  
11 including uniformed personnel of the Armed Forces of the  
12 Philippines, the Philippine National Police, and the Philippine Coast  
13 Guard to assist immigration personnel in the performance of their  
14 duties and functions;
- 15 l. Seek the assistance of relevant government agencies for intelligence  
16 data gathering and sharing;
- 17 m. Authorize and prescribe, with the concurrence of the Board, the form  
18 and the amount of cash bonds for the provisional release of  
19 respondents in deportation proceedings;
- 20 n. Impose reasonable fines and penalties for violations of immigration  
21 and alien registration laws in accordance with this Act and the  
22 guidelines adopted by the Board;
- 23 o. Accept donations of materials, equipment or technical services from  
24 any foreign government, international or domestic organization, to  
25 upgrade the efficiency and operations of the Bureau;
- 26 p. Provide an express lane system for the rendition of services  
27 performed for individuals and entities upon payment of fees that may  
28 be prescribed, and deposit in an authorized government depository  
29 banks such fees received under a trust fund subject to auditing and



1 accounting rules, fifty percent (50%) of which shall be made  
2 available for the augmentation of the salaries of the employees of  
3 the Bureau and fifty percent (50%) of which shall be remitted to the  
4 national treasury;

5 q. Submit to the President and to Congress, annually or as may be  
6 directed, a report on:

- 7 1. The number and status of foreign nationals in the Philippines;
- 8 2. Foreign national admitted or granted change of status as  
9 permanent residents;
- 10 3. Foreign nationals who have been excluded or deported from the  
11 Philippines;
- 12 4. The estimated number of illegal foreign nationals in the  
13 Philippines in each calendar year and actions taken to arrest  
14 them, grouped by nationality, for each region in the Philippines;  
15 and

16 5. Such other transactions of the Bureau;

17 r. Determine the manning levels of Immigration Officers of the Bureau  
18 nationwide in accordance with the number of arrivals in each port of  
19 entry as determined by the Board: *Provided*, That for every three  
20 hundred (300) passengers there shall be one (1) Immigration Officer  
21 on an eight-hour shift;

22 s. Receive administrative complaints against BI personnel, gather  
23 evidence in relation thereto, conduct administrative investigation,  
24 and transmit complete records thereon to the Office of the Secretary  
25 through the Internal Affairs Service (IAS);

26 t. Prepare and submit a supplemental budget, if necessary, for the  
27 consideration of the Department of Budget and Management (DBM)  
28 and Congress;

- 1 u. Prescribe, with the concurrence of the Board, the appropriate forms,
- 2 bonds, reports, entries and other papers in accordance with this Act;
- 3 v. Require all vessel operators to submit advance passenger
- 4 information in the form prescribed by the Board, and prescribe
- 5 penalty for the violation hereof;
- 6 w. Engage foreign counterparts pertaining to border control; and
- 7 x. Perform such other functions inherent to the Bureau.

8 *Sec. 12. Powers and Functions of the Director General.* – There shall be  
9 two (2) Deputy Commissioners who shall be appointed by the President. They  
10 shall have the rank, salary and privileges of an Assistant Secretary of a  
11 Department.

12 *Sec. 13. Duties of Deputy Commissioners.* – In addition to their duties as  
13 members of the Board, the Deputy Commissioners shall supervise a minimum  
14 of two (2) Divisions and one (1) regional office each as determined by the  
15 Commissioner.

#### 16 **CHAPTER 4**

#### 17 **THE INTERNAL AFFAIRS SERVICE**

18 *Sec. 14. Qualifications of the Director, Internal Affairs Service (IAS).* –  
19 An Internal Affairs Service (IAS) of the Bureau is hereby created directly under  
20 the Office of the Secretary of Justice, which shall be headed by a Director who  
21 must be a natural-born citizen of the Philippines, at least thirty (30) years of  
22 age and a member of the Philippine Bar in good standing for at least five (5)  
23 years prior to the appointment.

24 *Sec. 15. Powers and Functions of the IAS.* – The IAS shall have the  
25 following powers and functions:

- 26 a. Conduct inspections and audit over all personnel and units of the
- 27 Bureau;
- 28 b. Conduct summary hearings of administrative cases initiated against
- 29 personnel appointed by the Commissioner. The Office of the

- 1 Commissioner shall receive all administrative complaint and indorse  
2 the same to the Office of the Secretary together with investigation  
3 reports and evidence gathered in relation to the complaint;  
4 c. File appropriate criminal cases against BI personnel before the court  
5 when warranted and assist in the prosecution thereof; and  
6 d. Provide assistance to the Office of the Ombudsman in cases involving  
7 the personnel of the Bureau.

## 8 **CHAPTER 5**

### 9 **THE BOARD SECRETARY**

10 Sec. 16. *Qualifications of the Board Secretary.* - There shall be a Board  
11 Secretary of the Board of Commissioners who must be a natural-born citizen of  
12 the Philippines, at least thirty (30) years of age and a member of the Philippine  
13 Bar in good standing for at least five (5) years prior to the appointment.

14 Sec. 17. *Powers and Duties.* – The Board Secretary shall:

- 15 a. Attend in and take the minutes of all meetings of the Board;  
16 b. Prepare the agenda for the deliberation of the Board on visa  
17 applications;  
18 c. Prepare the agenda for the deliberation of the Board on deportation  
19 cases as endorsed by a member of the Board after initial review;  
20 d. Implement the decision of the Board approving visa applications,  
21 including revalidation;  
22 e. Keep and manage all records of the deliberation of the Board;  
23 f. Advise the members of the Board on all matters relative to  
24 compliance with relevant laws and requirements of regulatory  
25 authorities; and,  
26 g. All other functions as may be directed by the Board.

## 27 **CHAPTER 6**

### 28 **THE BOARDS OF SPECIAL INQUIRY**

1           Sec. 18. *Creation of the Boards of Special Inquiry.* – There shall be  
2 created up to five (5) Boards of Special Inquiry (BSI) as required in the  
3 exigency of service as determined by the Board. Each BSI shall be composed of  
4 a Chairperson and two (2) members. The BSI shall be designated according to  
5 their areas of specialization to be determined by the Board.

6           Sec. 19. *Appointment and Qualifications of the Chairpersons and*  
7 *Members of the BSI.* – The Chairpersons and members of the BSI shall be  
8 appointed by the Commissioner, all of whom shall be natural-born citizens of  
9 the Philippines, and at the time of their appointment, at least thirty (30) years  
10 of age, members of the Philippine Bar in good standing and engaged in the  
11 practice of law for at least three (3) years

12           Sec. 20. *Powers and Functions of the BSI.* – The BSI shall:

- 13           a. Recommend to the Board of Commissioners for final resolution cases  
14           and applications relative to:
- 15           1. Deportation;
  - 16           2. Revocation of immigration status;
  - 17           3. Legalization of residence in accordance with law; and
  - 18           4. Issuance of visas for stateless persons.
- 19           b. Recommend to the Commissioner for appropriate action cases and  
20           applications relative to:
- 21           1. Cancellation of alien certificates or registration by marriage; and
  - 22           2. Issuance of alien certificates or registration to refugees;
- 23           c. Issue subpoena in cases being heard by the BSI;
- 24           d. In the exercise of its quasi-judicial power, cite and punish persons for  
25           contempt in accordance with the Rules of Court;
- 26           e. Recommend to the Board the imposition, waiver or reduction of fees,  
27           fines, penalties and other charges, subject to existing laws, rules and  
28           regulations;



- 1 f. Administer oaths in connection with the performance of their duties, as
- 2 may be authorized by the Board;
- 3 g. Promulgate rules and regulations governing matters within its assigned
- 4 mandate subject to the approval of the Board; and
- 5 h. Perform such other duties and functions as may be directed by the
- 6 Commissioner or the Board of Commissioners.

7 *Sec. 21. Proceedings Before the BSI.* – The proceedings before the BSI  
 8 shall be public and recorded. In all cases, the BSI shall meet and act as a  
 9 collegial body. Only members of the Philippine Bar in good standing may  
 10 appear for and in behalf of any party before the BSI.

11 *Sec. 22. Resolutions of the BSI.* – Cases before the BSI shall be resolved  
 12 within five (5) working days from the date the cases are submitted for  
 13 resolution. The resolution of the BSI shall be submitted immediately to the  
 14 Board for action.

15 *Sec. 23. Creation of the Positions; BSI.* – The positions created under  
 16 the BSI shall have the following classification and salary grades:

17 <b>DESIGNATION</b>	<b>POSITION</b>	<b>SALARY GRADE</b>
18 Chairperson	Attorney V	25
19 Members	Attorney IV	23

20 **CHAPTER 7**

21 **DIVISIONS AND OTHER OPERATING OFFICES OF THE BUREAU**

22 *Sec. 24. Divisions and Other Operating Offices of the Bureau.* – The  
 23 Bureau shall have the following Divisions and other operating offices, namely:

24 A. Divisions:

- 25 1. Administrative;
- 26 2. Alien Registration;
- 27 3. Finance and Logistics;
- 28 4. Human Resource Management and Development;

- 1 5. Immigration Regulation;
- 2 6. Information and Communications Technology;
- 3 7. Intelligence;
- 4 8. Law Enforcement;
- 5 9. Legal Affairs;
- 6 10. Operations; and
- 7 11. Planning and Research

8 B. Field Offices that shall be created by the Board of Commissioners  
9 according to political or administrative regions.

10 C. Districts:

- 11 1. Major airports; and
- 12 2. Seaports.

13 *Sec. 25. Heads of the Divisions and Other Operating Units.* – Each  
14 Division shall be headed by a Division Chief with a Salary Grade of 25:  
15 *Provided,* That the Chief for Legal Affairs shall be a member of the Philippine  
16 Bar in good standing and must have been engaged in the practice of law for at  
17 least three (3) years, and that the Chief for Finance and Logistics shall be a  
18 Certified Public Accountant in good standing for at least three (3) years.

19 The Regional Offices shall be headed by a Supervising Immigration  
20 Officer with a Salary Grade of 23, while the District and Field Offices shall be  
21 headed by a Senior Immigration Officer with a Salary Grade of 20.

22 No person shall be appointed as Chief of any of the Divisions  
23 enumerated in Section 24(A) of this Act unless such person meets the  
24 qualification standards set by the Bureau and approved by the Civil Service  
25 Commission (CSC).

26 *Sec. 26. Organizational Structure, Duties and Functions of the Divisions,*  
27 *Regional Offices, Districts, Field Offices and Other Operating Offices.* – Subject  
28 to the approval of the DBM, the Board shall determine the organizational

1 structure of the different Divisions and other operating offices of the Bureau to  
2 ensure the effective performance of their respective mandates.

3 *Sec. 27. Chief Administrative Officer.* – The Chief Administrative Officer  
4 shall perform the following duties:

- 5 a. Development and implement an administrative support strategy for  
6 the Bureau;
- 7 b. Coordinate all administrative functions of the Bureau;
- 8 c. Monitor and evaluate all policies and programs of the Bureau, and  
9 recommend to the Board of Commissioners such policies, programs  
10 and measures for the effective and efficient administrative functions  
11 of the Bureau; and
- 12 d. Perform such other tasks as may be directed by the Commissioner.

13 *Sec. 28. Chief Alien Registration Officer.* – The Chief Alien Registration  
14 Officer shall perform the following duties:

- 15 a. Formulate plans and policies for the implementation of the Alien  
16 Registration Program;
- 17 b. Establish and implement measures for the effective registration,  
18 monitoring and accounting of aliens, including the collection and  
19 safekeeping of biometric data of all aliens pursuant to this Act and  
20 other laws, rules and regulations;
- 21 c. Monitor and evaluate all policies, programs and measures relative to  
22 alien registration, and recommend to the Board of Commissioners  
23 such measures to improve the system of alien registration; and
- 24 d. Perform such other tasks as may be directed by the Commissioner.

25 *Sec. 29. Chief Finance and Logistics Officer.* – The Chief Finance and  
26 Logistics Officer shall perform the following duties:

- 27 a. Formulate and supervise the implementation of policies pertaining to  
28 procurement, fiscal management, auditing and accounting in support  
29 of the overall plan and strategic direction of the Bureau;

- 1 b. Direct and manage all the procurement activities of the Bureau;
- 2 c. Implement sound fiscal policy;
- 3 d. Supervise the preparation of the Annual Procurement Plan;
- 4 e. Initiate projects in the furtherance of the improvement of the
- 5 Bureau;
- 6 f. Set performance targets of the Bureau in order to meet its
- 7 objectives, plans and programs; and
- 8 g. Perform such other tasks as may be directed by the Commissioner.

9 *Sec. 30. Chief Human Resource Management and Development Officer.*

10 -- The Chief Human Resource Management and Development Officer shall  
11 perform the following duties:

- 12 a. Develop and execute human resource strategies in support of the
- 13 overall plan and strategic direction of the Bureau especially in the
- 14 areas of selection, hiring and promotion;
- 15 b. Design employee training modules;
- 16 c. Develop comprehensive strategic recruiting and retention plans to
- 17 meet the human capital of strategic goals;
- 18 d. Set qualification standards and implement competency-based hiring
- 19 and promotion policies;
- 20 e. Oversee the recruitment, selection and promotion of employees of
- 21 the Bureau;
- 22 f. Set performance standards for the employees of the Bureau in order
- 23 to meet its objectives, plans and programs; and
- 24 g. Prepare and implement schemes to strengthen the relationship
- 25 between management and employees.

26 *Sec. 31. Chief Immigration Regulation Officer.* -- The Chief Immigration  
27 Regulation Officer shall perform the following duties:

- 28 a. Enforce immigration laws relation to the admission of aliens on
- 29 primary inspection, as well as their exclusion, deportation and



- 1           repatriation; sojourn, and those relating to administrative penalties  
2           against commercial sea vessels;
- 3           b. Formulate plans and programs for the effective enforcement or  
4           immigration laws relating to the admission, sojourn and exit of  
5           aliens;
- 6           c. Establish policies for the effective surveillance, monitoring, and  
7           supervision of all Bay Service Operations of all commercial vessels  
8           while in Philippine territory;
- 9           d. Oversee and supervise all Regional, District and Field Offices, and  
10          Border Crossing Checkpoints;
- 11          e. Maintain administrative control over aliens admitted for limited  
12          periods by enforcing and implementing temporary visitors' visa  
13          extension policies for aliens;
- 14          f. Assist the Commissioner in administering issuances of student visas,  
15          permits and other orders related thereto;
- 16          g. Assist the Commissioner in the preparation of all orders pertaining to  
17          downgrading of visas, transfer, amendment, and correction of  
18          admission;
- 19          h. Represent the Bureau in the enforcement of the RP-Indonesian  
20          Agreement the RP-Malaysian Anti-Smuggling Agreement, and other  
21          subsequent similar agreements; and
- 22          i. Perform such other tasks as may be directed by the Commissioner.

23          *Sec. 32. Chief Information and Communications Technology Officer. –*  
24          The Chief Information and Communications Technology Officer shall perform  
25          the following duties:

- 26          a. Formulate policies, plans and programs on management information  
27          systems, network, cybersecurity, and information and  
28          communications technology (ICT) resources of the bureau;
- 29          b. Supervise the implementation of all the ICT projects of the Bureau;

- 1 c. Review, evaluate and recommend for approval by the Commissioner
- 2 the integration of all existing ICT systems of the Bureau;
- 3 d. Initiate the conduct of ICT research, development and
- 4 standardization; and,
- 5 e. Perform such other tasks as may be directed by the Commissioner.

6 *Sec. 33. Chief Immigration Intelligence Officer.* – The Chief Immigration

7 Intelligence Officer shall perform the following duties:

- 8 a. Develop plans and programs for the gathering and collating of
- 9 intelligence objectives through effective management of all
- 10 intelligence and counter-intelligence activities of the Bureau;
- 11 b. Manage the conduct of intelligence and counter-intelligence activities
- 12 of the Bureau;
- 13 c. Serve as the linkage between foreign counterparts or embassies and
- 14 the Bureau;
- 15 d. Initiate development of intelligence training modules; and
- 16 e. Perform such other tasks as may be directed by the Commissioner.

17 *Sec. 34. Chief Immigration Law Enforcement Officer.* – The Chief

18 Immigration Law Enforcement Officer shall perform the following duties:

- 19 a. Develop plans and programs for effective law enforcement actions
- 20 against foreign national who violate immigration laws, rules and
- 21 regulations;
- 22 b. Exercise command, control, direction, coordination and supervision
- 23 of all law enforcement activities of the Bureau, such as the
- 24 deployment of personnel in the implementation of the following:
  - 25 i. Mission Orders, after determination of the existence of
  - 26 probable cause for purpose of deportation
  - 27 ii. Commitment or Release Orders
  - 28 iii. Warrants of Deportation

- 1           iv. Orders to inspect the documents, premises and records of  
2           persons covered by this Act;
- 3           c. Initiate the development of law enforcement training modules;
- 4           d. Establish an effective monitoring tool for fugitives and undesirable  
5           foreigners; and
- 6           e. Perform such other tasks as may be directed by the Commissioner.

7           *Sec. 35. Chief Legal Affairs Officer.* – The Chief Legal Affairs Officer shall  
8 perform the following duties:

- 9           a. Serve as the legal counsel of the Bureau, in coordination with the  
10           Office of the Solicitor General;
- 11           b. Develop guidelines for the summary deportation of foreign nationals  
12           who are fugitives, overstaying, undocumented, or convicted of  
13           crimes involving moral turpitude or crimes where the penalty of  
14           deportation is imposed;
- 15           c. Assign prosecutors for regular deportation proceedings;
- 16           d. Implement deportation orders;
- 17           e. Study contracts affecting the Bureau and submit recommendations to  
18           the Board relative thereto;
- 19           f. Render legal opinion on matters arising from the administration and  
20           operation of the Bureau; and
- 21           g. Perform such other tasks as may be directed by the Commissioner.

22           *Sec. 36. Chief Immigration Operations Officer.* – The Chief Immigration  
23 Operations Officer shall perform the following duties:

- 24           a. Formulate plans and programs for the effective and efficient  
25           immigration operations in all international airports and seaports;
- 26           b. Oversee and supervise the immigration operations in all international  
27           airports and international seaports, including the conduct of arrival  
28           and departure formalities consistent with this Act and other  
29           applicable laws, rules and regulations;

- 1 c. Implement Blacklist Orders, Hold Departure Orders, Monitor Orders,
- 2 Travel Restriction Orders, Orders to Leave, Exclusion Orders, and
- 3 other such orders issued by the Board or by the Commissioner;
- 4 d. Ensure the compliance of all immigration personnel under the
- 5 Operations Division with the Bureau's Quality Management System
- 6 (QMS);
- 7 e. Monitor admitted foreign temporary visitors who were referred for
- 8 secondary or tertiary inspection;
- 9 f. Initiate the development of immigration operations training modules;
- 10 and
- 11 g. Perform such other tasks as may be directed by the Commissioner.

12 *Sec. 37. Chief Planning and Research Officer.* – The Chief Planning and  
13 Research Officer shall perform the following duties:

- 14 a. Formulate and implement the Bureau's programs, projects and
- 15 processes for planning and research;
- 16 b. Facilitate and organize strategic planning sessions for the entire
- 17 Bureau;
- 18 c. Conduct workload assessment and forecasting;
- 19 d. Provide assistance to the Board in the implementation and
- 20 establishment of a risk management process;
- 21 e. Implement a monitoring feedback measurement and evaluation
- 22 system for the implementation of all Bureau policies, projects and
- 23 programs; and
- 24 f. Represent the Board in meeting relating to planning and research.

25



1 **CHAPTER 8**

2 **IMMIGRATION OFFICERS**

3 *Sec. 38. Immigration Officers.* – The Bureau shall employ an elite group  
4 of Immigration Officers who shall be assisted by Immigration Inspectors and  
5 Immigration Agents in the performance of their duties and functions. No  
6 person shall be appointed to the position of Immigration Officer, Immigration  
7 Inspector or Immigration Agent unless such person meets the qualification  
8 standards set by the Bureau and approved by the Civil Service Commission.

9 The following determinative factors shall be included in setting the  
10 qualification standards for each position:

- 11 a. Educational Attainment
- 12 b. Civil Service Eligibility
- 13 c. Relevant Experience
- 14 d. Training (Basic, Advanced or Executive)
- 15 e. Agility

16 *Sec. 39. Powers and Functions of Immigration Officers.* – The  
17 Immigration Officers shall have the following powers and functions:

- 18 a. Examine, with the assistance and advice of medical authorities in  
19 appropriate cases, foreign nationals at the port of entry concerning  
20 their admissibility to enter and their qualifications to remain in the  
21 Philippines;
- 22 b. Exclude foreign nationals not properly documented, and to admit  
23 foreign nationals complying with the applicable provisions of  
24 immigration and related laws;
- 25 c. Administer oaths in connection with the performance of their duties,  
26 as may be authorized by the Board;
- 27 d. Search for foreign nationals on any vessel believed to be used to  
28 illegally bring foreign nationals into the Philippines, and to take into  
29 custody without warrant any foreign national who, in the presence

1 or view of the Immigration Officer, is entering or is about to enter  
2 the Philippines in violation of immigration and related laws, rules and  
3 regulations;

4 e. Act as control personnel with authority to prevent the departure of  
5 passengers who do not comply with duly published departure  
6 requirements;

7 f. Detect and report violations of the immigration and alien registration  
8 laws and, in appropriate cases, take necessary actions upon the  
9 instructions of the Commissioner, including follow-up on the stay of  
10 non-immigrants to prevent overstaying;

11 g. Detect and report subversive activities of aliens in the interest of  
12 national security;

13 h. Investigate any case at the instance of the Commissioner and submit  
14 the required reports;

15 i. Report on the activities of aliens inimical to national interest with a  
16 view to taking appropriate action in accordance with law;

17 j. Locate and conduct surveillance against foreign nationals in violation  
18 of immigration laws, rules and regulations;

19 k. Provide actionable operational, tactical and strategic intelligence to  
20 the operating units;

21 l. Conduct case build up, analysis and other in-depth research, as well  
22 as provide analytical reports on foreign nationals who violate or are  
23 in violation of immigration laws, rules and regulations;

24 m. Coordinate with other local and international law enforcement  
25 agencies in the gathering of intelligence information related to  
26 immigration law violations;

27 n. Conduct counter-intelligence operations;

28 o. Enforce lawful orders relation to the exclusion, deportation and  
29 repatriation of aliens;

- 1 p. Take charge of the physical detention of aliens pending their
- 2 exclusion, deportation or repatriation;
- 3 q. Attend to the deportation of aliens;
- 4 r. Monitor all arriving and departing suspected terrorists, drug couriers
- 5 or members of crime syndicates;
- 6 s. Assist and escort deportees, excluded passengers and transiting
- 7 restricted passengers until finally boarded;
- 8 t. Investigate and escort from ports of entry intercepted passengers
- 9 who are found in possession of spurious travel documents;
- 10 u. Implement Warrants of Deportation (WOD) and Mission Orders
- 11 involving foreign nationals who violate or are in violation of
- 12 immigration laws, rules and regulations; and
- 13 v. Perform such other functions as may be assigned by the
- 14 Commissioner from time to time.

15 Qualified Immigration Officers, Immigration Inspectors and Immigration  
16 Agents with the requisite training and experience may be assigned to the  
17 Intelligence, Law Enforcement, Alien Registration, Immigration Regulation, and  
18 Operations Divisions depending on the exigencies of the Bureau. The Board  
19 may, in the exigencies of service, designate certain duties and responsibilities  
20 listed in this section to other officers and employees in the Intelligence or Law  
21 Enforcement Divisions in an acting capacity: *Provided*, That such designation  
22 shall not exceed a period of one (1) year.

23 *Sec. 40. Deployment of Immigration Personnel Abroad.* – Within ninety  
24 (90) days from the effectivity of this Act, the Department of Foreign Affairs  
25 (DFA) and the Bureau shall promulgate the implementing rules and regulations  
26 on the assignment and deployment of Immigration Officers to select consular  
27 posts abroad who shall, subject to the pertinent provisions of Republic Act No.  
28 7157 or the *“Philippine Foreign Service Act of 1991”*, perform immigration  
29 duties, except diplomatic and consular functions.

1 **CHAPTER 9**

2 **CAREER DEVELOPMENT PATTERN**

3 Sec. 41. *Career Development.* – The Bureau shall:

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

11 **CHAPTER 10**

12 **OTHER OFFICES**

13 Sec. 42. *Changes in the Composition, Distribution and Assignment of*  
14 *Regional District and Field Offices.* – The Commissioner may make changes in  
15 the composition, distribution and assignment of regional, district and field  
16 offices, as well as its personnel, based on the demographics of foreign  
17 nationals and as the exigency of the service requires, subject to civil service  
18 rules and regulations.

19 Sec. 43. *Border Control Checkpoints.* – In addition to international  
20 airports and international seaports, there shall be established Border Control  
21 Checkpoints which shall be manned by Immigration Officers appointed as  
22 Border Control Officers by the Commissioner. The Border Control Checkpoints  
23 shall be placed in specific areas in the Philippines which shall be determined by  
24 the Board. Border Control Officers shall perform the following functions:

- 25 a. Conduct immigration formalities to foreigners passing through their  
26 areas of responsibility;
- 27 b. Enforce immigration laws, rules and regulations;
- 28 c. Coordinate with other law enforcement agencies in the enforcement  
29 of immigration laws, rules, and regulations;



- 1 d. Apprehend and take into custody illegal entrants; and  
2 e. Perform such other functions as may be directed by the  
3 Commissioner.

4 **TITLE III**  
5 **IMMIGRATION**  
6 **CHAPTER 1**  
7 **NON-IMMIGRANTS**

8 *Sec. 44. Categories of Non-immigrants and Types of Visa Issued. –*  
9 Foreign nationals departing from any place outside the Philippines who are  
10 otherwise admissible and who qualify under any one of the following categories  
11 may be admitted as non-immigrants:

- 12 a. Temporary visitors (A Visas): Visitors coming to the Philippines for a  
13 temporary period for reasons of business, pleasure or health:
- 14 1. Business (A-1 Visa): Temporary visitors engaged in activities of a  
15 commercial or professional nature for a foreign employer or for  
16 themselves that will not result in gainful employment in the  
17 Philippines. As used herein, the term “business” refers to  
18 conventions, conferences, consultations and other legitimate  
19 activities of a commercial or a professional nature, but does not  
20 include local employment or labor for hire;
  - 21 2. Pleasure (A-2 Visa): Temporary visitors who stay in the  
22 Philippines for holiday, including sightseeing, recreation or visiting  
23 relatives; and
  - 24 3. Health (A-3 Visa): Temporary visitors who stay in the Philippines  
25 to avail of medical treatment.
- 26 b. Transit Persons (B Visa): Persons passing through the Philippines  
27 solely for a “stop over” who have confirmed connecting flight to  
28 another country or passengers in immediate and continuous transit  
29 to a destination outside the Philippines;

- 1 c. Crew members (C Visa): Members of the crew of vessels required for  
2 the normal operation and servicing of the vessels who come to the  
3 Philippines temporarily as part of their jobs either arriving with or  
4 coming to join the vessels;
- 5 d. Treaty Traders (D-1 Visa) and Treaty Investors (D-2 Visa): Citizens  
6 from a country that has a trade treaty with the Philippines, including  
7 their family members, and who come to work in the Philippines for  
8 either a company they own or one that is at least fifty percent (50%)  
9 owned by nationals of their home country and which company is  
10 engaged in substantial trade between the Philippines and their home  
11 country shall granted a D-1 visa.  
12 Citizens from a country that has an investor treaty with the  
13 Philippines, including their family members, and who come to work in  
14 the Philippines for a business they own or one that is at least fifty  
15 perent (50%) owned by nationals of their home country shall be  
16 granted a D-2 visa;
- 17 e. Accredited Foreign Government Officials, Their Families and  
18 Household Member (E Visa): Foreign government officials, their  
19 families and household members coming to the country for official  
20 purpose, pursuant to international conventions and bilateral  
21 agreements, shall be granted E Visas into four (4) types, namely:  
22 1. Persons eligible for E-1 Visa: The E-1 Visa shall be issued to the  
23 following classes of foreign nationals:  
24 i. Heads of State and/or Heads of Government and their  
25 personal representatives;  
26 ii. Members of reigning royal families from countries recognized  
27 by the Philippine Government;  
28 iii. Governors-General, Governors, and High Commissioners of  
29 dependent territories and their personal representatives;

- 1           iv. Cabinet ministers and their deputies, and officials with cabinet  
2           rank of ministers;
- 3           v. Presiding officers of national legislative bodies;
- 4           vi. Justices or judges of the highest national judicial bodies;
- 5           vii. Diplomats and career consular officials on foreign assignment  
6           in the Philippines;
- 7           viii. Military, naval, air and other attaches assigned to a diplomatic  
8           mission; and
- 9           ix. Accompanying spouses and unmarried dependents of  
10          foreigners within the above mentioned categories;
- 11         2. Persons eligible for E-2 Visa: The E-2 Visa shall be issued to an  
12          official of a foreign government recognized by the Philippines and  
13          who is a national of the country whose government he  
14          represents, and is proceeding to the Philippines on a long-term  
15          basis in connection with official business for such foreign official's  
16          government.  
17          This category includes, *inter alia*, the following classes of foreign  
18          nationals:
  - 19         i. Administrative and technical members of the staff of a  
20         diplomatic or consular mission;
  - 21         ii. Officials participating in programs under the auspices of the  
22         Philippine Government or recognized international institutions;  
23         and
  - 24         iii. Accompanying spouses and unmarried dependents of  
25         foreigners within the abovementioned categories;
- 26         3. Persons eligible for E-3 Visa: The E-3 Visa shall be issued to an  
27          official of a foreign government recognized by the Philippines, is a  
28          national of the country whose government he represents, and is

1 proceeding to the Philippines on a short-term basis in connection  
2 with official business for such foreign official's government.

3 This category includes, *inter alia*, the following classes of foreign  
4 nationals:

- 5 i. Diplomatic couriers regularly and professionally employed as  
6 such;
  - 7 ii. All members of official special missions of a diplomatic  
8 character;
  - 9 iii. Members of delegations proceeding to or from an international  
10 conference of a diplomatic or official nature; and
  - 11 iv. Such other officials going to the Philippines on diplomatic or  
12 official missions;
- 13 4. Persons eligible for E-4 Visa: The E-4 Visa shall be issued to the  
14 private employees and household members of persons to whom  
15 E-1 and E-2 Visas have been granted, as well as their immediate  
16 dependents;

17 All visas enumerated in Section 44(e) of this Act shall be exclusively  
18 issued and renewed by the DFA, which shall also determine the type of E-Visa  
19 of Foreign Government Officials not identified in the foregoing lists. The grant  
20 of immunities and privileges shall be subject to applicable domestic and  
21 international law and international agreements to which the Philippines is a  
22 party, as well as in consideration of the principle of reciprocity.

- 23 f. Students (F Visa): International students who can demonstrate  
24 means sufficient for their support and education in the Philippines  
25 who seek to enter the Philippines temporarily for the primary  
26 purpose of studying or taking partial studies in eligible courses or  
27 degree programs in a university, seminary, academy or college  
28 recognized to offer such higher education programs by CHED and  
29 other authorities pursuant to law and accredited to admit such



1 international students by the CHED in coordination with BI. The  
2 international student's area of study may relate to the following  
3 fields/scope:

- 4 1. Full degree
- 5 2. Exchange of short-term mobility
- 6 3. Internship/co-op education
- 7 4. Certificates/diploma/qualifications
- 8 5. Immersion/service learning/social engagement
- 9 6. Research and/or graduate studies
- 10 7. Study, work, holiday pursuant to trade agreements
- 11 8. Cultural exchange
- 12 9. Language training program
- 13 10. Such other education or training-related activities  
14 undertaken pursuant to acquiring certification,  
15 diploma, credit recognition, degree or qualification.

16 g. Prearranged Employment (G Visa): Foreign nationals coming to the  
17 Philippines on prearranged employment, including their family  
18 members accompanying or following to join them within the period  
19 of their employment. This category includes intra-company  
20 transferees, professionals, performing artists, athletes, and cultural  
21 exchange workers under a work exchange program;

22 h. Religious Workers (H Visa): Duly ordained or professional  
23 missionaries and religious ministers, including members of their  
24 family, coming to the Philippines to join a religious congregation or  
25 denomination duly registered with the Securities and Exchange  
26 Commission, upon invitation, sponsorship or guarantee of such  
27 religious congregation or denomination, solely for the purpose of  
28 propagating, teaching and disseminating their faith or religion;

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

6 1. Persons eligible for I-1 Visa: The I-1 Visa shall be issued to the  
7 principal officials of accredited international organizations, as well  
8 as their accompanying spouses and dependents;

9 2. Persons eligible for I-2 Visa: The I-2 visa shall be issued to the  
10 other officials and staff of accredited international organizations,  
11 as well as their accompanying spouses and dependents;

12 3. Persons eligible for I-3 Visa: The I-3 visa shall be issue to officials  
13 and staff of international organizations who will perform short-  
14 term official work with the international organization upon its  
15 invitation; and

16 4. Persons eligible for I-4 Visa: The I-4 Visa shall be issued to the  
17 private employees and household members of persons to whom  
18 E-1 and E-2 visas have been granted, as well as their immediate  
19 dependents.

20 Accredited international organization includes any public  
21 international organization engaged in activities of which the Philippines  
22 participates pursuant to any treaty or under the authority of any act of  
23 the Congress of the Philippines authorizing such participation or making  
24 an appropriation for such participation and such other international  
25 organizations, institutions, agencies, programs, foundations and entities  
26 which are recognized by the government of the Republic of the  
27 Philippines, including those existing and already recognized as such at  
28 the time of the effectivity of this Act.

1 All types of visas under Section 44(i) of this Act shall be  
2 exclusively issued and renewed by the DFA, which shall also determine  
3 the type of I Visa of officials and staff of international organizations that  
4 are not identified in the foregoing list. The grant of immunities and  
5 privileges shall be subject to applicable domestic and international law,  
6 relevant Headquarters Agreements, and international agreements to  
7 which the Philippines is a party.

- 8 j. Media workers (J Visa): Foreign media personnel or correspondents,  
9 duly accredited by the government agency concerned, who are bona  
10 fide representatives of a foreign press, radio, satellite, television,  
11 film, or other information media, and are coming to the Philippines  
12 solely to engage in gathering information principally for  
13 dissemination abroad, including their family members accompanying  
14 or following to join them during the period of the assignment in the  
15 Philippines;
- 16 k. Exchange Visitors (K Visa): Foreign nationals entering the Philippines  
17 to teach, study, observe, conduct research or receive training in a  
18 specific Exchange Visitor Program duly approved by the Philippine  
19 Government;
- 20 l. Refugees (L-1 Visa) and Stateless Persons (L-2 Visa): Refugees as  
21 defined in the this Act in the 1951 Convention Relating to the Status  
22 of Refugees and its 1967 Protocol shall be issued L-1 Visas. Stateless  
23 persons, whose admission or humanitarian reasons and not inimical  
24 to public interest has been approved by the Secretary of Justice or  
25 the President in such cases and under such conditions as they may  
26 prescribe, shall be issued L-2 Visas;
- 27 m. Bridging Visa (M Visa): A temporary visa which allows a foreign  
28 national to stay in the Philippines after the expiration of the current

1 visa, other than temporary visitor visa under Section 44(a), and while  
2 an application for adjustment of status is being processed.

3 n. Startup Visa (N Visa): Visa issued by the DFA pursuant to Sec. 13,  
4 Chapter 3 of Republic Act No. 11337, otherwise known as the  
5 "Innovative Startup Act", which includes the Startup Owner Visa (N-1  
6 Visa), Startup Employee Visa (N-2 Visa) and Startup Investor Visa  
7 (N-3 Visa)

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

15 All other agencies and offices other than the DFA authorized to issue  
16 visas in accordance with existing laws shall be subject to reportorial  
17 requirements as prescribed by the Board. The Board shall likewise  
18 prescribe penalties for violations thereof.

## 19 CHAPTER 2

### 20 IMMIGRANTS

21 Sec. 45. *Quota Immigrants.* - Subject to the conditions set forth in this  
22 Act, there may be admitted into the Philippines, immigrants, otherwise known  
23 as "*quota immigrants*", not to exceed two hundred (200) of any one nationality  
24 for any one calendar year, based on immigration reciprocity and upon  
25 allotment by the Commissioner of the corresponding quota number. In the  
26 allotment of quota numbers, the following order of preference shall be  
27 observed:

28 a. First Preference: Those whose service and qualifications show high  
29 educational attainment, technical training, specialized experience, or



1 exceptional ability in the sciences, arts, professions, or business as  
2 would reasonably enhance and contribute substantial benefits  
3 prospectively to the national economy, or cultural or educational  
4 interests or welfare of the Philippines, including their family  
5 members, accompanying or following to join them, who shall likewise  
6 be allotted individual quota numbers;

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

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

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

12 *Sec. 46. Allotment of Quota.* - The Commissioner shall, with respect to  
13 the first preference, allot not more than fifty percent (50%) of the annual  
14 quota allotment up to the end of June each year: *Provided*, That if the fifty  
15 percent (50%) allotment for one nationality is not utilized by the first  
16 preference, the balance thereof shall be given to the second, third, and fourth  
17 preferences for the same nationality in accordance with the preceding Section.  
18 Any unused quota allotment for a calendar year shall not be carried over and  
19 utilized for the ensuing calendar year.

20 *Sec. 47. Basis in Determination of Quota Allotment.* - The nationality of  
21 immigrants whose admission is subject to the numerical limitation imposed by  
22 Section 45 of this Act shall be that of the country of which the immigrant is a  
23 national or a citizen. The nationality of immigrants possessing dual nationality  
24 may be that of either of the two countries regarding them as a national or  
25 citizen if they apply for a visa in a third country. If such immigrants apply for a  
26 visa within one of the two countries regarding them as a national or citizen,  
27 their nationality shall be that of the country in which they filed their application  
28 for a visa to enter the Philippines.











1 by the Commissioner: *Provided, further,* That during the foreign national's  
2 authorized stay: (a) he shall not take any employment, whether paid or  
3 unpaid; (b) he shall not establish or join in any business; or (c) he shall not e n  
4 d and become a student at a school, college, university, academy, or other  
5 educational institution, unless he is granted, upon proper application, a  
6 conversion to another immigration status provided under this Act.

7         *Sec. 57. Conditions for Issuance of Pre-Arranged Employment Visas.* - A  
8 foreign national who is coming to the Philippines for prearranged employment  
9 shall not be issued a non-immigrant visa referred to in Section 44(g) of this Act  
10 until the Consular Officer shall have received authorization for the issuance of  
11 the same. Such authorization shall be given only upon the filing of a petition  
12 with the Board establishing, among others, that no person can be found in the  
13 Philippines willing and competent to perform the work or service for which the  
14 foreign national is desired and that the admission would be beneficial to the  
15 public interest. The petition shall be made under oath by the prospective  
16 employer or the latter's representative in the form and manner prescribed by  
17 the Board.

18         If the Board finds that the petition complies with the requirements of  
19 the preceding paragraph and of other regulations, it shall grant the petition  
20 and shall promptly transmit the authorization to the DFA.

21         *Sec. 58. Submission of Crew List and Passenger Manifest.* -  
22 Simultaneous to the vessel's departure from the port of origin, the master,  
23 captain, agent, owner, or consignee of any commercial vessel arriving to the  
24 Philippines shall submit to the Bureau, within a reasonable time prior to such  
25 arrival, the crew lists, passenger manifests and such other information  
26 concerning the persons arriving on such vessel. In the same manner and  
27 condition, the master, captain, agent, owner or consignee of any commercial  
28 vessel departing from any port in the Philippines shall submit to the Bureau,  
29 within a reasonable time prior to such departure, the crew list, passenger

1 valid re-entry permit, if the child is accompanied by either parent  
2 within five (5) years from the date of the child's birth; and

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

## 6 CHAPTER 7

### 7 VISA ISSUANCE

8 Sec. 62. *Nature of Visa.* - Nothing in this, Act shall be construed to  
9 automatically entitle any foreign national, to whom a visa or other travel  
10 document has been issued, to enter the Philippines if, upon arrival at a port of  
11 entry, such foreign national is found to be inadmissible under this Act or any  
12 other law.

13 Sec. 63. *Visa Policy.* - The policies governing the issuance, extension,  
14 renewal, and conversion of visas referred to in this Act shall be formulated by  
15 the Bureau and the DFA when appropriate, in consultation with concerned  
16 government agencies and offices.

17 Sec. 64. *Visa Issuance Abroad.* - All visa issuances abroad shall be done  
18 by Consular Officers assigned at Philippine Foreign Service Posts in the  
19 following manner:

- 20 a. Upon approval by the Commissioner and recommendation by a  
21 Consular Officer, a quota immigrant visa may only be issued to a  
22 foreign national who has made a proper application therefor, which  
23 shall specify the nationality to which the quota number is assigned,  
24 the immigrant's particular status in such country, the preference to  
25 which the foreign national is classified, the date on which the validity  
26 of the visa shall expire, and such additional information as may be  
27 required; and  
28 b. The DFA, through its Consular Offices abroad or the Office of the  
29 Visa Director shall approve the issuance on non-quota immigrant and

1 non-immigrant visas to a foreign national who has made a proper  
2 application therefor.

3 The Issuance of special non-immigrant visas falling under the  
4 jurisdiction of a particular government office or agency can only be done in  
5 coordination with and upon recommendation of the government agency or  
6 office concerned.

7 *Sec. 65. Requirements for Physical and Mental Examination Prior to*  
8 *Issuance of Immigrant Visa.* – Prior to the issuance of an immigrant visa to any  
9 foreign national, the Consular Officer shall require such person to submit to a  
10 physical and mental examination in accordance with such regulations as may  
11 be prescribed by the Commissioner.

12 *Sec. 66. Visa Validity Period.* – A single-entry non-immigrant or  
13 immigrant visa issued by a Consular Officer abroad pursuant to Section 64 of  
14 this Act shall be valid for a period not exceeding three (3) months: *Provided,*  
15 That in prescribing the validity of a period of a single-entry non-immigrant visa,  
16 the Consular Officer may allow a longer validity period based on reciprocity as  
17 accorded by the foreign country to citizens of the Philippines who are within a  
18 similar class.

19 An immigrant visa may be replaced under the original number during  
20 the calendar year in which the original visa was issued to a foreign national  
21 who establishes to the satisfaction of the Consular Officer that the original  
22 immigrant visa was not used during the period of its validity for reasons  
23 beyond the visa holder's control: *Provided,* That the foreign national is found  
24 by the Consular Officer to be eligible for another immigrant visa and has paid  
25 all the required fees.

26 *Sec. 67. Denial of Visa, Grounds.* - The consular officer may deny the  
27 application for visa if it appears from the statements in the application or in the  
28 documents submitted the applicant is not eligible for a visa under this Act, or if







1 **CHAPTER 9**

2 **PRESIDENTIAL PREROGATIVES**

3 *Sec. 71. Presidential Prerogatives.* – Any provision of this Act to the  
4 contrary notwithstanding, the President may:

- 5 a. Deny the entry and admission into the Philippines of, or impose such  
6 restrictions as may be deemed appropriate on, any foreign national  
7 or a class of foreign nationals, whenever the President finds that  
8 such entry would be detrimental to the interest of the Philippines;
- 9 b. Waive passport or documentary requirements for non-immigrants  
10 and immigrants under such terms and conditions as may be  
11 prescribed;
- 12 c. Change the status of non-immigrants by allowing them to acquire  
13 permanent residence status without necessity of a visa;
- 14 d. Deport any foreign national, subject to the requirement of due  
15 process;
- 16 e. Admit non-immigrants not otherwise provided for in this Act for  
17 humanitarian consideration and when not detrimental to public  
18 interest, under such terms and conditions as may be prescribed;
- 19 f. Prohibit the departure from the Philippines of any person who is  
20 likely to disclose information affecting national security, or who is  
21 likely to organize a rebellion abroad against the Philippines, or whose  
22 presence in the country is necessary to face, or be a witness in,  
23 criminal proceedings; and
- 24 g. Exercise, with respect to foreign nationals in the Philippines, such  
25 powers as are recognized by the generally accepted principles of  
26 international law.

27 **TITLE IV**

28 **PROVISIONS RELATING TO ENTRY**

29 **CHAPTER 1**

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**CLASSIFICATION OF PORTS OF ENTRY**

*Sec. 72. Authority to Classify Ports.* – The Commissioner shall classify and designate, from among the ports of entry established by law for immigration purposes, limited or unlimited ports of entry through which foreign nationals may be admitted into the Philippines. Only such classes of foreign nationals as provided under the rules and regulations prescribed by the Commissioner may be admitted at limited ports of entry. The Commissioner may, after due notice to the public, close designated ports of entry in the interest of national security or public safety.

**CHAPTER 2**

**PROCEDURES ON ARRIVAL**

*Sec. 73. Inspection by Immigration Personnel.* – A foreign national seeking admission or readmission shall present a valid passport and visa, if required, to the Immigration Officer at the port of entry and shall be subject to primary inspection. The decision of the examining Immigration Officer, if favorable to the admission of any foreigner, may be challenged by another Immigration Officer on any ground provided in this Act. The final determination on the admissibility of such foreign national shall be determined by the Commissioner within forty-eight (48) hours in case no resolution is reached between the Immigration Officers on the challenged admission. In case of admission, the Immigration Officer shall indicate in the passport the date, the port of entry and the identity of the vessel boarded.

*Sec. 74. Detention or Quarantine for Examination.* – For the purpose of determining whether a foreign national arriving at any port in the Philippines belongs to any of the classes excludable under this Act by reason of being afflicted with any of the contagious or communicable disease or mental disorder as set forth under Section 84(a) of this Act or whenever the Commissioner has received information showing that foreigners are coming from a country or a place where any of such diseases are prevalent or





1 *fide* crewmember or does not intend to depart on the vessel that brought him,  
2 the Commissioner shall cancel and confiscate the conditional permit already  
3 issued, take such foreign national into custody, and require the owner,  
4 operator, captain, master, pilot, agent, or consignee of the vessel on which the  
5 foreign national arrived to receive and detain him on board. The expenses for  
6 removal of the foreign national, including the cost of detention and other  
7 expenses incidental thereto, shall be borne by the owner, operator, captain,  
8 master, pilot, agent or consignee of such vessel.

9       Sec. 79. *Liability for Overstaying Foreign Crewmen.* - A foreign  
10 crewmember who remains in the Philippines more than the period allowed in  
11 the conditional permit issued to him shall be solidarity liable with owner,  
12 operator, captain, master, pilot, agent or consignee of the vessel to pay the  
13 penalties prescribed in Section 124 of this Act.

14       Sec. 80. *Liability for Unauthorized Discharge of Foreign Crewmember.* -  
15 It shall be unlawful for any person, including the owner, operator, captain,  
16 master, pilot, agent or consignee of any vessel to discharge any foreign  
17 crewmember employed by a vessel arriving in the Philippines and while in port,  
18 without first obtaining the prior permission of the Commissioner. Otherwise,  
19 such person or owner, operator, captain, master, pilot, agent or consignee of  
20 the vessel shall pay such fines as may be prescribed under this Act. No vessel  
21 shall be granted clearance from any port in the Philippines while such fines  
22 remain unpaid or while the validity thereof is being determined: *Provided,* That  
23 a clearance may be granted prior to such determination upon deposit of a sum  
24 or cash bond sufficient to cover such fines as approved by the Commissioner.

25       Sec. 81. *Duty to Report Desertion or Illegal Landing of Foreign*  
26 *Crewmember.* - The owner, operator, captain, master, pilot, agent or  
27 consignee of any vessel shall immediately report, in writing, to the Immigration  
28 Officer all cases of desertion or illegal disembarkation in the Philippines from



1 the vessel, together with a description of such foreign national and any  
2 information that shall result in their apprehension.

3 *Sec. 82. Requirement for Submission of List of Newly Employed,*  
4 *Discharged and Illegally Landed Foreign Crewmember.* - Prior to the departure  
5 of any vessel from the last port in the Philippines destined to any place outside  
6 thereof, the owner, operator, captain, master, pilot, agent or consignee thereof  
7 shall deliver to the Immigration Officer at that port a list containing:

- 8 a. The names of crewmembers who were not employed thereon at the  
9 time of the vessel's arrival on such port but will depart thereat on the  
10 same vessel;
- 11 b. The names of those who have been discharged, if any;
- 12 c. The names of those who have deserted or illegally landed at that  
13 port, if any; and
- 14 d. Such other additional information as the Commissioner deems  
15 necessary.

16 *Sec. 83. Liability for Failure to Submit Complete, True and Correct*  
17 *Report.* – The owner, operator, captain, master, pilot, agent, or consignee who  
18 fails to submit a true and complete list or report of foreign nationals or to  
19 report cases of desertion or illegal landing shall pay such sum as may be  
20 prescribed under Section 121 of this Act. No vessel shall be granted clearance  
21 from any port in the Philippines while such fine remains unpaid or while the  
22 validity thereof is being determined: *Provided,* That clearance may be granted  
23 prior to such determination upon deposit of a sum or cash bond sufficient to  
24 cover such fines as approved by the Commissioner.

#### 25 **CHAPTER 4**

#### 26 **EXCLUSIONS**

27 *Sec. 84. Exclusion Grounds.* - The following classes of foreign nationals  
28 shall not be allowed entry and shall be excluded from the Philippines:

- 29 a. Health Related Grounds

- 1 1. Those who are found to be suffering from a communicable,  
2 dangerous or contagious disease, unless excepted under existing  
3 laws, rules and regulations;
- 4 2. Those who are found to be suffering from mental disorder or  
5 associated behavior that may pose a threat to persons or danger  
6 to property;
- 7 3. Those who are found to be suffering from addiction to prohibited  
8 or regulated substance;
- 9 b. Economic Grounds
- 10 1. Those likely to become a public charge;
- 11 2. Those seeking entry for the purpose of performing skilled or  
12 unskilled labor, without a permit from the Secretary of the  
13 Department of Labor and Employment as required by law;
- 14 c. Moral Grounds
- 15 1. Those coming to the Philippines to practice polygamy or who  
16 advocate the practice of polygamy unless the person's religion  
17 allows such practices;
- 18 2. Those who are pedophiles, sexual perverts or those coming to  
19 the Philippines for immoral purposes;
- 20 3. Those who are engaged or who seek to engage in prostitution or  
21 to procure or attempt to procure prostitutes, or who receives in  
22 whole or in part the proceeds of prostitution;
- 23 4. Those who, at the time of primary inspection by the Immigration  
24 Officer, exhibit any contemptuous or disrespectful behavior  
25 towards the said officer or any government official or employee of  
26 the Bureau;
- 27 d. Criminal and Security Grounds
- 28 1. Those who have been convicted of a crime involving moral  
29 turpitude or who admit to the Immigration Officer having

- 1 committed such crime, or who attempt and conspire to commit  
2 the crime;
- 3 2. Those who have been convicted, or who admit having committed,  
4 or are committing acts which constitute the elements of a  
5 violation or conspiracy to violate any law or regulation of the  
6 Philippines or a foreign country relating to a controlled, regulated  
7 or prohibited substance, or who admit having attempted or  
8 conspired to commit the crime;
- 9 3. Those that the Philippine Government knows or has reason to  
10 believe is a trafficker of any controlled, regulated or prohibited  
11 substance or knows or has reason to believe is or has been an  
12 accomplice, accessory, abettor, or co-conspirator in the illicit  
13 trafficking of any controlled, regulated or prohibited substance;
- 14 4. Those who are fugitives from justice;
- 15 5. Those who seek to enter the Philippines to engage in:
- 16 a. Espionage or sabotage, or a violation or evasion of any laws  
17 prohibiting export of goods, technology or sensitive  
18 information,
- 19 b. Any activity aimed to promote membership in an organization  
20 of syndicated criminal activities;
- 21 c. Any activity, the purpose of which is to overthrow the  
22 Philippine government by force, violence or other unlawful  
23 means; and
- 24 d. Any other unlawful activity;
- 25 6. Those who are engaged or believed to be engaged or likely to  
26 engage in, aid, abet or finance any terrorist activity and members  
27 or representatives of a foreign terrorist organization;

- 1           7. Those who have been identified by competent authorities, local or  
2           foreign, as having engaged or are engaging in human trafficking  
3           and smuggling;
- 4           8. Those who under fifteen (15) years of age and unaccompanied by  
5           or not coming to a parent, except that they may be admitted at  
6           the discretion of the Commissioner, if otherwise admissible:  
7           *Provided*, That they present a written consent to travel from  
8           either parent citing the purpose thereof and affirmed by a  
9           Consular Officer; and
- 10          9. Those who have been identified by competent authorities, local  
11          and foreign, as having engaged or are engaging in importation of  
12          contrabands and other prohibited articles into the country.

13           *Sec. 85. Temporary Custody of Excludable Foreign Nationals.* - For the  
14          purpose of ascertaining whether a foreign national arriving in the Philippines  
15          belongs to any of the excludable classes of foreign national provided in this Act  
16          or related laws, the Immigration Officer, for a period not exceeding seventy-  
17          two (72) hours, may temporarily take into custody for investigation such  
18          foreign national either on board the vessel or at a place designated for the  
19          purpose at the expense of the master, captain, agent, owner or consignee of  
20          the carrying vessel.

21           *Sec. 86. Finality of Exclusion Order.* - An order by the Immigration  
22          Officer to exclude a foreign national who is excludable under this Act is final  
23          and executory unless revoked by the Commissioner upon a timely appeal prior  
24          to the implementation of the exclusion order.

25           *Sec. 87. Authority to Waive Grounds for Exclusion.* - Except for grounds  
26          of exclusion under Section 84(d), subparagraphs 1 to 7 and 9, the  
27          Commissioner may waive any of the grounds for exclusion mentioned in  
28          Section 84 of this Act.



1           Sec. 88. *Procedure of Removal and Cost Thereof.* - Foreign nationals  
2 arriving in the Philippines who are ordered excluded shall be immediately  
3 removed in the same accommodation to the country where they boarded the  
4 vessel on which they arrived, unless the Commissioner determines that  
5 immediate removal is not proper and practicable, in which case such excluded  
6 foreign nationals shall be ordered detained. The cost of detention and other  
7 expenses incident thereto shall be borne by the owner, operator, master, pilot,  
8 captain, agent or consignee of the vessel on which such foreign nationals  
9 arrived.

10           Sec. 89. *Country Where Removal is to be Directed.* - If the government  
11 of the country designated in the preceding section will not accept the foreign  
12 national into its territory, the removal of the foreign national shall be directed  
13 at the Commissioner's discretion to any of the following:

- 14           a. The country of which the excluded foreign national is a citizen or  
15           national;
- 16           b. The country of birth;
- 17           c. The country of the foreign national's habitual residence; or
- 18           d. The country willing to accept the foreign national into its territory, if  
19           removal to any of the foregoing countries is impractical or  
20           impossible.

21           Sec. 90. *Obligation of Owner, Operator, Master, Captain, Pilot, Agent or*  
22 *Consignee.* - It shall be unlawful for an owner, operator, master, captain, pilot,  
23 agent, or consignee of a vessel to refuse or fail to:

- 24           a. Board a foreign national ordered excluded and removed in the same  
25           vessel or another vessel owned or operated by the same company;
- 26           b. Detain a foreign national on board any such vessel at the port of  
27           arrival when required by this Act or when so ordered by an  
28           Immigration Officer;

- 1 c. Deliver a foreign national for medical or other examination when so  
2 ordered by an Immigration Officer;  
3 d. Remove a foreign national from the Philippines to the country to  
4 which the individual's removal has been directed; or  
5 e. Pay the cost of detention and other expenses incidental thereto  
6 incurred while the excluded foreign national is being detained as  
7 required by Section 98 of this Act or other costs necessary or  
8 incidental to his removal as provided in this Act.

9 *Sec. 91. Penalty for Non-compliance of Obligation.* - The owner,  
10 operator, master, captain, pilot, agent, or consignee of a vessel who violates  
11 Section 90 of this Act shall pay the fines prescribed in Section 122 of this Act.  
12 No vessel shall be granted clearance from any port in the Philippines while such  
13 fine remains unpaid or while the validity thereof is being determined: *Provided,*  
14 That clearance may be granted prior to such determination upon deposit of a  
15 sum or cash bond sufficient to cover such fine as approved by the  
16 Commissioner.

17 **TITLE V**  
18 **DEPORTATION**  
19 **CHAPTER 1**

20 **DEPORTABLE FOREIGN NATIONALS**

21 *Sec. 92. Classes of Deportable Foreign Nationals.* - The following foreign  
22 nationals shall be taken into custody upon the order of the Commissioner and  
23 deported upon recommendation by the BSI and approval by the Board:

- 24 a. Those who entered the Philippines: (1) by means of  
25 misrepresentations or false or misleading statements or documents,  
26 or (2) without inspection and admission by the immigration  
27 authorities;  
28 b. Those who were not lawfully admissible at the time of entry;

- 1 c. Those who abet or aid in the practice of prostitution, including the  
2 owner or manager of a prostitution den, or who are pedophiles;
- 3 d. Those who, at any time after the date of entry, have become a  
4 public charge;
- 5 e. Those who remain in the Philippines in violation of any period of  
6 limitation or condition under which they were admitted;
- 7 f. Those who believe in, advise, advocate or teach the overthrowing by  
8 force and violence of the Government of the Republic of the  
9 Philippines or any duly constituted authority, or those who do not  
10 believe in or are opposed to organized governments, or those who  
11 advise, advocate or teach the assault or assassination of public  
12 officials, or those who advise, advocate, or teach the unlawful  
13 destruction of property, or those who are members of or affiliated  
14 with any organization entertaining, advocating or teaching such  
15 doctrines, or those who in any manner whatsoever extend  
16 assistance, financial or otherwise, in the dissemination of such  
17 doctrines;
- 18 g. Those who, at any time after entry, engage in, abet, aid or finance  
19 any terrorist activity;
- 20 h. Those who, at any time after entry, are charged of a crime involving  
21 acts or omissions punishable under Philippine penal laws cognizable  
22 by the Regional Trade Courts and the *Sandiganbayan*;
- 23 i. Those who, at any time after entry, are convicted by final judgement  
24 of a crime involving moral turpitude punishable under Philippine  
25 penal laws;
- 26 j. Those who were admitted as non-immigrants and who obtained an  
27 adjustment of their admission status for convenience, or through  
28 fraud, falsification of documents, misrepresentations or concealment  
29 of material facts;

- 1 k. Those who violated Philippine labor and taxation laws, rules and  
2 regulations;
- 3 l. Those who are found to be undesirable and whose further stay in the  
4 Philippines is inimical to public welfare and interest, or the dignity of  
5 the Filipinos, or the Republic of the Philippines as a sovereign nation;
- 6 m. Those who forge, counterfeit, alter or falsely make any document; or  
7 use, attempt to use, possess, obtain, accept or receive or provide  
8 any forged, counterfeit, altered or falsely made document; or use,  
9 attempt to use, provide, attempt to provide, accept or receive a  
10 genuine document, even of another person, without authority to do  
11 so for the purpose of satisfying or complying with the requirements  
12 of the Bureau;
- 13 n. Those whose presence or activities in the country may result in  
14 adverse consequences to Philippine foreign policies as determined by  
15 the Secretary of Foreign Affairs;
- 16 o. Those who misrepresented themselves as Filipino citizens in all  
17 immigration matters; and,
- 18 p. Those who commit any violation of the provisions of this Act,  
19 independent of any criminal action which may be brought against  
20 them: *Provided*, That in case of a foreign national who, for any  
21 reason, is convicted and sentenced to suffer both imprisonment and  
22 deportation, said foreign national shall first serve the entire period of  
23 the sentence before being deported.

24 *Sec. 93. Non-Prescription of Deportation Cases.* – The right of the State  
25 to initiate deportation proceedings shall not prescribe.

26 *Sec. 94. Nature of Deportation Proceedings.* – Deportation proceedings  
27 shall be independent of any action that may be instituted against a foreign  
28 national: *Provided*, That no deportation orders shall be issued against foreign



1 nationals facing preliminary investigation, prosecution and trial before  
2 competent authorities.

## 3 CHAPTER 2

### 4 DEPORTATION OF FOREIGN NATIONALS

5 Sec. 95. *Formal Charge of Deportation.* – A formal charge for  
6 deportation shall be issued upon determination of the existence of a *prima*  
7 *facie* case against the foreign national.

8 Sec. 96. *Bail.* – Pending final determination of the foreign national's  
9 deportation case, the foreign national shall, upon the discretion of the  
10 Commissioner, remain under detention or be released on bail or recognizance.  
11 The bail may be revoked and confiscated in favor of the government if there is  
12 sufficient evidence that the foreign national is evading the proceedings or is  
13 attempting to abscond, in which case such foreign national shall be taken into  
14 custody and placed under detention by order of the Commissioner.

15 Sec. 97. *Custody of a Foreign National Convicted of a Felony or an*  
16 *Offense.* – After service of his sentence or compliance with the conditions of his  
17 parole or probation, as the case may be, the foreign national shall be taken  
18 into custody for immediate deportation by order of the Board.

19 Sec. 98. *Voluntary Removal, When Authorized.* – The Commissioner may  
20 waive the deportation proceedings and order the departure of the foreign  
21 national within the period specified in the voluntary deportation order if the  
22 foreign national does not contest the formal charge and opts to voluntarily  
23 leave the country and pays for all expenses: *Provided,* That the foreign national  
24 has not committed any criminal offense or has no pending criminal  
25 investigation: *Provided, further,* That the said foreign national so deported shall  
26 be barred from re-entering the county without prior written authorization from  
27 the Commissioner.

28 Sec. 99. *Period to Enforce Order of Deportation.* - The order of  
29 deportation shall be enforced immediately, but in no case shall exceed three

1 (3) months from the date it has become final and executory. If deportation is  
2 not enforced within the prescribed period, the foreign national may be released  
3 on bail or recognizance.

4       Sec. 100. *Suspension of Deportation Order.* – The Commissioner may  
5 suspend the implementation of the deportation order and order the release of  
6 the foreign national on bail or recognizance, considering the following factors:

- 7       a. Age, health, family or conduct;
- 8       b. Period of detention;
- 9       c. Impact on national security and public welfare;
- 10      d. Unavailability of travel documents;
- 11      e. Existence of an application for refugee or statelessness status; or
- 12      f. Other humanitarian considerations.

13       Sec. 101. *Reinstatement of a Deportation Order.* - A deportation order  
14 previously implemented against a foreign national who unlawfully re-entered  
15 the Philippines shall be deemed automatically reinstated and shall be  
16 implemented in accordance with this Act. This provision shall also apply to a  
17 foreign national who departed voluntarily under Section 98 of this Act and re-  
18 entered the Philippines unlawfully or without prior written authorization from  
19 the Commissioner.

20       Sec. 102. *Country of Destination of a Deportee.* - Except as provided for  
21 under an existing treaty or international agreement, a foreign national shall be  
22 deported to the country of which the person is a citizen or national, or foreign  
23 national's country of birth, or the country of which the individual is a resident,  
24 or the country from which the individual embarked for the Philippines, subject  
25 to the acceptance by the receiving country.

26       Sec. 103. *Cost of Deportation.* – The cost of deportation shall be borne  
27 by the owner, operator, captain, master, pilot, agent or consignee of a vessel  
28 in case its foreign crewmember is to be deported under Section 92 of this Act.  
29 In all other cases, the cost of deportation shall be borne either by the





1 **TITLE VI**

2 **MISCELLANEOUS PROVISIONS**

3 **Chapter 1**

4 **REGISTRATION OF FOREIGN NATIONALS**

5 *Sec. 107. Requirement of Registration.* – All foreign nationals, regardless  
6 of any exemption provided by law, shall register with the Bureau or any  
7 Immigration Office nearest to their place of residence on or before the sixtieth  
8 (60<sup>th</sup>) day of their latest arrival in the Philippines.

9 *Sec. 108. Registration Form and Oath.* - Applications for registration  
10 shall be under oath and in such form as prescribed by the Bureau. Upon  
11 registration, a certificate of registration shall be issued to the registrant. In  
12 case of loss or destruction of the certificate, a replacement certificate may be  
13 issued by the Bureau upon proper application and payment of prescribed fees.

14 *Sec. 109. Amendment of Registration.* - Registered foreign nationals  
15 shall notify the Bureau in writing of any change of information in their  
16 registration documents not later than seven (7) days from such change.

17 *Sec. 110. Presentation of Certificate of Registration.* - Every foreigner  
18 required to register under this Act or the parent or guardian of such foreigner  
19 shall, upon demand of any authorized immigration official, present his  
20 certificate of registration, and failure to do so without justifiable cause shall be  
21 dealt with in accordance with the provisions of this Act.

22 *Sec. 111. Reportorial Requirement.* - Every foreign national registered  
23 under this Act shall, within the first sixty (60) days of every calendar year,  
24 report in person to the Bureau. The Commissioner may exempt personal  
25 appearance of foreign nationals registered under this Act subject to certain  
26 requirements and conditions as may be prescribed in the rules and regulations  
27 issued for the purpose.

28 *Sec. 112. Failure to Comply with Requirements.* – A foreign national, or  
29 the parent or guardian of the foreign national, who, without justifiable reason,









1           Sec. 124. *Fine for Violation of Obligation on the Landing or Removal of*  
2 *Foreign Nationals.* - Any owner, operator, master, captain, pilot, agent, or  
3 consignee of any vessel arriving at a port of the Philippines from a place  
4 outside thereof having a foreign national on board in violation of this Act shall  
5 be fined not less than Fifty thousand pesos (P50,000.00) but not more than  
6 Two hundred thousand pesos (P200,000.00) for each act or violation consisting  
7 of:

- 8           a. Failure to prevent the landing of such foreign national in the  
9           Philippines at any time or place other than as designated by the  
10           Immigration Officer;
- 11           b. Refusal or failure to detain a foreign national on board any such  
12           vessel at the port of arrival when required by this Act or so ordered  
13           by an Immigration Officer;
- 14           c. Refusal or failure to deliver a foreign national for medical or other  
15           examinations when so ordered by an Immigration Officer;
- 16           d. Refusal or failure to pay the cost of maintenance and other costs, as  
17           required by this Act, of such foreign national when temporarily  
18           removed from the vessels for examination by order of the  
19           Immigration Officer;
- 20           e. Refusal to receive such foreign national on board for removal from  
21           the Philippines if the foreign national is excluded, or to pay the cost  
22           of removal as required under Sections 90 and 104 of this Act;
- 23           f. Refusal or failure to take on board, guard safely, and transport the  
24           deportee to the foreign national's country of destination, or to  
25           shoulder the cost of deportation of the foreign crew member; and
- 26           g. Making any charge against such foreign national for the cost referred  
27           to in (d) above, or for the cost of the removal of the foreign national  
28           from the Philippines if the latter is excluded or taking any security  
29           from the foreign national for the payment of any such costs.



1           Sec. 125. *Fine for Bringing Undocumented Foreign National, or Foreign*  
2 *National Afflicted with Communicable or Contagious Disease, or Suffering from*  
3 *Mental Disorder.* – The owner, operator, master, captain, pilot, agent, or  
4 consignee of the vessel arriving at a port in the Philippines from a place outside  
5 thereof bringing on board an undocumented foreign national shall be fined One  
6 hundred thousand pesos (P100,000.00) for each foreign national. If the foreign  
7 national is afflicted with a communicable or contagious disease or is suffering  
8 from mental disorder, the fine shall be not less than Two hundred thousand  
9 pesos (P200,000.00) but not more than Three hundred thousand pesos (P  
10 300,000.00) for each foreign national.

11           Sec. 126. *Fine for Bringing a Foreign National to Assist His Illegal Entry*  
12 *or Misrepresenting a Foreign National as a Member of the Crew.* – The owner,  
13 operator, master, captain, pilot, agent, or consignee of the vessel arriving at a  
14 port in the Philippines from a place outside thereof bringing on board a foreign  
15 national bound for the Philippines to assist the illegal entry of the foreign  
16 national, or misrepresenting the foreign national to the Immigration Officer at  
17 the port of arrival as a *bona fide* member of the crew, shall be fined not less  
18 than One hundred thousand pesos (P100,000.00) but not more than Two  
19 hundred thousand pesos (P200,000.00) for each foreign national.

20           Sec. 127. *Fine for an Overstaying Crewmember.* – Any foreign  
21 crewmember who willfully remains in the Philippines beyond the period allowed  
22 for temporary landing shall be fined not less than Fifty thousand pesos  
23 (P50,000.00) but not more than One hundred thousand pesos (P100,000.00).  
24 The owner, operator, master, captain, pilot, agent, or consignee of the vessel  
25 shall be solidarily liable for the fine imposed on such overstaying crewmember.

26           Sec. 128. *Fine for Assaulting an Immigration Personnel.* – Any form of  
27 assault directed to any personnel of the Bureau is an act of disrespect. In case  
28 the assault is committed by a foreign national at the ports of entry and exit,  
29 such foreign national shall be excluded or deported, as the case may be, and

1 shall be fined Two hundred thousand pesos (P200,000.00) without prejudice to  
2 the right of the aggrieved Immigration Personnel to file appropriate criminal,  
3 civil or administrative cases against such person.

4 For purposes of this Act, an Immigration Officer shall be considered a  
5 person in authority while in the performance of official duty.

6 *Sec. 129. Fine for Violation of Other Provisions of this Act.* - owner,  
7 operator, master, captain, pilot, agent, or consignee of any vessel arriving at  
8 any port of the Philippines from a place outside thereof who violates any other  
9 provision of this Act not specifically provided in this Chapter shall be fined not  
10 less than Fifty thousand pesos (P50,000.00) but not more than Two hundred  
11 thousand pesos (P200,000.00) for each violation.

## 12 **CHAPTER 7**

### 13 **PENAL PROVISIONS**

14 *Sec. 130. Prohibited Acts and Penalties.* – Any person who shall commit  
15 any of the acts specified hereunder shall, upon conviction, suffer the penalty of  
16 imprisonment for not less than five (5) years but not more than ten (10) years,  
17 or a fine of not less than One hundred thousand pesos (P100,000.00) but not  
18 more than Five hundred thousand pesos (P500,000.00), or both imprisonment  
19 and fine, at the discretion of the court:

- 20 a. Impersonating another individual, or falsely appearing in the name of  
21 a deceased individual, or evading immigration laws by using an  
22 assumed or fictitious name when applying for an immigration  
23 document;
- 24 b. Issuing or otherwise delivering an immigration document or an  
25 immigration accountable form, to any person not authorized by law  
26 to receive such documents;
- 27 c. Obtaining, manufacturing, printing, accepting or using any  
28 immigration or travel document knowing it to be false, or using an  
29 immigration accountable form that is not legally issued;

- 1 d. Entering or leaving the Philippines without inspection and admission  
2 by the immigration authorities, or obtaining entry into or departure  
3 clearance from the Philippines through fraud, misrepresentation, or  
4 concealment of material facts;
- 5 e. Misrepresenting oneself to be a citizen of the Philippines;
- 6 f. Knowingly making a false statement under oath regarding any  
7 immigration matter; or
- 8 g. Bringing into, or landing in the Philippines, or concealing, harboring,  
9 employing, or giving comfort to, any person not duly admitted by an  
10 Immigration Personnel or not lawfully entitled to enter into or reside  
11 within the Philippines, or attempting, conspiring with, or aiding  
12 another to commit any such acts.

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



1 Conviction by final judgment of any offense punishable under this  
2 Act or other laws shall result in the automatic revocation or  
3 cancellation of any immigration document issued to the offender,  
4 including that of the foreign national's spouse and unmarried  
5 children, if applicable.

6 *Sec. 131. Penalty for Aiding the Escape of Detained Foreign National. –*  
7 Any person who shall be found to have helped, assisted, supported, caused or  
8 ministered the escape, including harboring and concealing, of a foreign national  
9 shall, upon conviction, be imprisoned for not less than five (5) years but not  
10 more than ten (10) years and a fine of not less than Two hundred thousand  
11 pesos (P200,000.00): *Provided*, That if the person liable is a foreign national,  
12 such person shall be deported after service of sentence: *Provided, further*, That  
13 any tools, equipment, implements or vehicles used in the escape of a detained  
14 foreign national shall be destroyed or forfeited in favor of the government.

15 *Sec. 132. Penalty for Non-compliance of Subpoena. -* Any person who,  
16 having been duly served with a subpoena, fails to comply without valid and  
17 justifiable reasons shall suffer the penalty of imprisonment of not more than  
18 fifteen (15) days or a fine of not more than One thousand pesos (P1,000.00),  
19 or both, at the discretion of the court.

20 *Sec. 133. Imposition of Maximum Penalty, When Applicable. –* A person  
21 convicted under Republic Act No. 3019, as amended, otherwise known as the  
22 "Anti-Grant and Corrupt Practices Act", or other laws against corruption and  
23 bribery in relation to any violation or circumvention of any provision of this Act  
24 shall suffer the maximum penalty under the said Republic Act or other laws  
25 against corruption and bribery, as the case may be.

## 26 **CHAPTER 8**

### 27 **UPGRADING OF POSITIONS, COMPENSATION AND BENEFITS**

28 *Sec. 134. Creation of New Positions, Reclassification of Existing Positions*  
29 *and Upgrading of Salary Levels. –* The following positions in the Bureau are



- 1 hereby created, and the existing positions reclassified or upgraded, with the
- 2 corresponding salary grade levels:

EXISTING POSITION	RECLASSIFIED POSITION/ NEWLY-CREATED POSITION	SALARY GRADE	
		From	To
Commissioner	Commissioner III	30	30
Deputy Commissioner	Deputy Commissioner III	29	29
	Director II, Internal Affairs Service		26
Attorney V (Board of Special Inquiry)	Attorney V, Board of Special Inquiry	25	25
Attorney IV (Board of Special Inquiry)	Attorney IV, Board of Special Inquiry	23	23
Attorney III (Board of Special Inquiry)	Attorney III, Board of Special Inquiry	21	21
Attorney V (Legal Division)	Chief Legal Affairs Officer	25	25
Attorney IV (Legal Division)	Attorney IV, Legal Division	23	23
Attorney III (Legal Division)	Attorney III, Legal Division	21	21
Chief Administrative Officer (Administrative Division)	Chief Administrative Officer	24	24
Supervising Administrative Officer	Supervising Administrative Officer, Administrative	22	22

	Division		
Chief Immigration Officer (Alien Registration Division)	Chief Alien Registration Officer	24	24
Intelligence Officer V (Intelligence Division)	Chief Immigration Intelligence Officer	24	24
	Chief Immigration Law Enforcement Officer		24
Chief Immigration Officer (Port Operations Division)	Chief Immigration Operations Officer	24	24
Chief Immigration Officer (Immigration Regulation Division)	Chief Immigration Regulation Officer	24	24
	Chief Human Resource Management Officer (Chief Personnel Specialist)		24
	Supervising Human Resource Management Officer		22
Chief Administrative Officer (Finance and Management Division)	Chief Finance and Logistics Officer	24	24
Supervising Administrative Officer (Finance and Management Division)	Supervising Administrative Officer, Finance and Logistics Division	22	22
Planning Officer V (Planning and Policy Division)	Chief Planning and Research Officer	24	24

Planning Officer IV (PPD)	Planning and Research Officer IV	22	22
Planning Officer III (PPD)	Planning and Research Officer III	18	18
Planning Officer II (PPD)	Planning and Research Officer II	15	15
Planning Officer I (PPD)	Planning and Research Officer I	11	11
Information Technology Officer III (Management Information System Div)	Chief Information and Communications Technology Officer	24	24
Information Technology Officer	Information Technology Officer	19	19
Information System Analyst II	Information System Analyst II	16	16
Supervising Immigration Officer (IRD, ARD, POD)	Supervising Immigration Officer	22	22
Intelligence Officer IV			
Senior Immigration Officer	Senior Immigration Officer	19	20
Immigration Officer III	Immigration Officer III	16	18
Immigration Officer III			
Immigration Officer II	Immigration Officer III	13	15
Intelligence Officer III			
Special Investigator II			
Immigration Officer I	Immigration Officer I	11	13
Intelligence Officer I			
Special Investigator I			

Intelligence Agent II			
Immigration Assistant			
Administrative Officer V (Administrative Officer III)	Administrative Officer V	18	18
Administrative Officer V (Cashier III)			
Administrative Officer V (HRMO III)			
Administrative Officer V (Records Officer III)			
Administrative Officer V (Supply Officer III)			
Administrative Officer V (Procurement)			
Administrative Officer V (Management and Audit Analyst III)			
Administrative Officer V (Budget Officer III)			
Medical Officer III			
Computer Programmer II	Information Technology Officer I	15	19
Computer Maintenance Technologist II			
Dentist II	Dentist II	17	17
Fingerprint Examiner IV	Fingerprint Examiner IV	15	15
Accountant III	Accountant III	19	19
Accountant II	Accountant II	16	16



Accountant I	Accountant I	12	12
	Board Secretary V		24
	Regional Programs Coordinator		22
	Training Specialist III		18
	Psychologist III		18
	Document Examiner III		18
	Training Specialist II		15
	Psychologist II		15
	Security Officer II		15
	Computer Programmer I		11

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

8           Sec. 135. *Additional Grant of Benefits.* – The Bureau shall provide its  
9 employees with the following benefits:

- 10           a. Health care services through an accredited Health Maintenance  
11           Organization for its regular employees;
- 12           b. Accident Insurance policies for all employees;
- 13           c. Night shift differential and overtime pay for actual work rendered, in  
14           accordance with existing guidelines;
- 15           d. Longevity pay, subject to guidelines that shall be issued by the Board  
16           in accordance with existing laws and regulations and subject to the  
17           approval of the Secretary of the DBM;

- 1 e. Transportation benefits;
- 2 f. Quarters allowance; and,
- 3 g. Hazard pay amounting to twenty percent (20%) of basic salary to
- 4 qualified employees as may be determined by the Board.

5 *Sec. 136. Retention and Use of Immigration Fees, Fines and Other*  
6 *Income; Immigration Trust Fund.* – The Board is hereby authorized to retain  
7 and use every year thirty percent (30%) of its collections from immigration  
8 fees, fines and penalties, and other income that may be collected by the  
9 Bureau for the effective implementation of this Act: *Provided,* That the amount  
10 so retained and used by the Board shall not exceed One billion two hundred  
11 million pesos (P1,200,000,000.00) every year: *Provided, further,* That the  
12 Board shall review every three (3) years the maximum allowable retained  
13 collections based on the needs of the Bureau under this Section, subject to the  
14 approval of the DBM: *Provided, finally,* That any excess in the collections under  
15 this paragraph shall accrue to the general fund of the national government.

16 There is hereby created an Immigration Trust Fund (ITF) sourced from  
17 the collections mentioned in this section. The ITF shall be administered by the  
18 Board in accordance with existing government auditing rules and regulations,  
19 and shall be used exclusively as follows:

- 20 a. Fifty percent (50%) for the modernization of equipment, facilities
- 21 and offices used by employees of the Bureau, including capital outlay
- 22 for the establishment of new buildings and field offices for the
- 23 effective implementation of this Act;
- 24 b. Thirty percent (30%) for the payment of employee benefits provided
- 25 in this Act, and as may be hereafter provided by the Board with the
- 26 approval of the Secretary of the DOJ; and
- 27 c. Twenty percent (20%) for the further professionalization of the
- 28 employees of the Bureau including trainings, seminars and other
- 29 career advancement programs.

1 All interest income, dividends and earnings accrued from the ITF shall  
2 also form part of the Fund. No portion of the ITF shall revert to the general  
3 fund of the National Government, except when the ITF is no longer necessary  
4 for the purposes for which it was established.

5 Collections from express lane fees under section 11(o) of this Act shall  
6 not form part of the ITF and shall be used strictly in accordance with the said  
7 provision.

8 **CHAPTER 9**  
9 **TRANSITORY PROVISIONS**

10 *Sec. 137. Interim Period.* – The incumbent Commissioner and the two  
11 Deputy Commissioners, if qualified under this Act, shall continue to discharge  
12 the functions of their position unless otherwise removed by the President. All  
13 personnel of the present Bureau of Immigration shall continue to discharge the  
14 functions of their positions pending the reorganization as provided in this Act.

15 *Sec. 138. Reorganization of the Bureau.* - Upon approval of this Act, all  
16 employees of the Bureau of Immigration covered by the civil service rules and  
17 regulations shall continue to hold their present positions pending the  
18 reorganization of the Bureau in accordance with the new staffing pattern:  
19 *Provided,* That the salaries, wages, allowances and other benefits of incumbent  
20 officers and employees of the Bureau shall not be subject to diminution:  
21 *Provided, further,* That employees who have been dismissed for cause shall no  
22 longer qualify for any position in the Bureau.

23 *Sec. 139. Inventory and Transfer of Properties, Accounts, Assets,*  
24 *Liabilities and Obligations to the Commission.* - All buildings, properties,  
25 equipment, facilities, accounts, other assets, liabilities and other obligations as  
26 well as records of the Bureau of Immigration shall be properly inventoried and  
27 transferred to the Bureau.





1           Sec. 145. *Separability Clause.* – Should any provision of this Act be  
2 declared invalid, the remaining provisions shall continue to be in force and  
3 effect.

4           Sec. 146. *Repealing Clause.* – Commonwealth Act No. 613, otherwise  
5 known as the “Philippine Immigration Act of 1940”, as amended, and Republic  
6 Act No. 750 entitled “An Act Designating as Special Agents of the Bureau of  
7 Immigration All Provincial, City and Municipal Treasurers, and Providing for the  
8 Allocations to the Provincial, City, and Municipal Governments of Ten Per  
9 Centum of Certain Fees Collected in their Respective Territorial Limits”, are  
10 hereby repealed. All other laws, presidential decrees, executive orders,  
11 proclamations, memorandum orders, instructions, rules and regulations or  
12 parts thereof, inconsistent with this Act are hereby amended or modified  
13 accordingly.

14           Sec. 147. *Effectivity.* – This Act shall take effect fifteen (15) days after  
15 its publication in the *Official Gazette* or in at least two (2) newspapers of  
16 general circulation.

*Approved,*