



Republic of the Philippines  
**House of Representatives**  
Quezon City, Metro Manila

Twentieth Congress  
First Regular Session



HOUSE BILL NO. 8

---

**Introduced by Representatives Ferdinand Martin G. Romualdez,  
Andrew Julian K. Romualdez and Jude A. Acidre**

---

### EXPLANATORY NOTE

The principal law governing immigration—the Philippine Immigration Act of 1940—is a seventy-five (75) year-old law. Understandably, many of its provisions have become outdated and no longer responsive to current realities. To address deficiencies in the law, department and administrative orders, memoranda, and other issuances have been issued over the years. However, these fragmented efforts have resulted in inconsistencies, conflicting interpretations, and widespread confusion among the public. The resulting lack of clarity and predictability in the implementation of immigration laws, rules, and regulations has created opportunities for abuse and corruption within the implementing agency—tarnishing the country’s image in the eyes of the international community.

The House of Representatives has tried to improve, harmonize, and modernize the Philippine immigration system through bills reorganizing the Bureau of Immigration since the 9<sup>th</sup> Congress. Despite the filing and processing of several bills in each Congress since then, no corresponding law has been enacted.

In the preceding 19<sup>th</sup> Congress, the House of Representatives promptly passed House Bill No. 8203 during its First Regular Session. Unfortunately, the Senate failed to act on this measure before the *sine die* adjournment of the 19<sup>th</sup> Congress, derailing the enactment of this very important measure. Hence, this bill is being refiled in the 20<sup>th</sup> Congress.

This bill seeks to modernize and rationalize the operations of the Bureau of Immigration by establishing a clear organizational structure, enhancing institutional capacity, and professionalizing its personnel. It establishes a Board of Commissioners—composed of the Commissioner and Deputy Commissioners—vested with quasi-judicial functions and the power to formulate immigration policies and regulations. This bill will also increase the salary grade of entry-level positions and other critical positions to ensure that the Bureau is staffed by elite and professional personnel. An Immigration Trust Fund (ITF) from retained income of the Bureau is also proposed in order to ensure that funding is readily available for the modernization of equipment, facilities, and infrastructure, as well as employee benefits, training, and professional development.

Finally, the bill seeks to **harmonize all existing immigration rules and regulations** related to visa issuance and implementation, addressing the long-standing need for coherence, transparency, and predictability in the country's immigration framework.

In sum, this bill lays the foundation for a responsive, professional, and modern immigration service aligned with global standards, while reinforcing transparency, accountability, and efficiency in the administration of immigration laws.

We acknowledge Representatives Juliet Marie de Leon Ferrer, Rufus B. Rodriguez, Jurdin Jesus M. Romualdo, Luis Raymund "Lray" F. Villafuerte Jr., and Miguel Luis R. Villafuerte, among others, for filing this bill during the Nineteenth Congress and was approved on Third Reading.

Given the foregoing, the urgent passing of this bill is earnestly sought.



FERDINAND MARTIN G. ROMUALDEZ



JUDE A. ACIDRE



ANDREW JULIAN K. ROMUALDEZ



Republic of the Philippines  
**House of Representatives**  
Quezon City, Metro Manila

Twentieth Congress  
First Regular Session

HOUSE BILL NO. 8

---

**Introduced by Representatives Ferdinand Martin G. Romualdez,  
Andrew Julian K. Romualdez and Jude A. Acidre**

---

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

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

**TITLE I**  
**GENERAL PROVISIONS**

**SEC. 1. *Short Title.*** — This Act shall be known as the “*Immigration Modernization Act*”.

**SEC. 2. *Declaration of Policy.*** — In the conduct of its relations with other States, the Philippines shall give paramount consideration to national sovereignty, territorial integrity, national security, national interest, the right to self-determination, the enhancement of economic diplomacy, and the protection of overseas Filipinos in destination countries as it adheres to the policy of peace, cooperation, and amity with all nations. To this end, Philippine immigration policies, rules and regulations under this Act shall be applied and administered as instruments for the promotion of domestic and external interests of the Philippines, in recognition of:

- (a) the necessity for encouraging and enhancing capital investments, trade and commerce, cultural exchanges and other forms of friendly relations and cooperation;
- (b) the need to support technological and scientific development in the country;
- (c) the goal to promote the conditions for social welfare and economic security of the people;
- (d) the fulfillment of obligations and compliance with standards set by international law in the admission and exclusion of foreign nationals;
- (e) the modernization of structures and mechanisms necessary for the administration of immigration laws in keeping with the changing demands of the country’s role in the global community; and
- (f) the professionalization of the immigration service by instituting a rigid system of screening and

1 selection of immigration officials and employees and promoting their development.

2  
3 **SEC. 3. *Definition of Terms.*** — As used in this Act:

- 4  
5 (a) *Admission* refers to the process by which a foreign national arriving at a port of entry in the  
6 Philippines is allowed into the country whereby a status or entry category is granted by the  
7 immigration authorities;
- 8 (b) *Border Control Officer* refers to any person authorized to man the Border Control Checkpoints as  
9 provided in this Act;
- 10  
11 (c) *Captain* refers to the master of a vessel or pilot of an aircraft;
- 12  
13 (d) *Child* or *children* refers to a person or persons below eighteen (18) years of age;
- 14  
15 (e) *Citizen* refers to any person who is a citizen of the Philippines under Section 1, Article IV of the  
16 Constitution of the Republic of the Philippines;
- 17  
18 (f) *Commissioner* refers to the Commissioner of the Bureau of Immigration;
- 19  
20 (g) *Commitment Order* refers to an order issued by the Commissioner under this Act that directs the  
21 taking into custody of a foreign national after it has been determined that probable cause exists that  
22 a foreign national committed acts or omissions in violation of Philippine immigration laws, rules  
23 and regulations, or during the pendency of deportation proceedings against such foreign national:  
24 *Provided*, That such custody shall not exceed three (3) months, unless there exists other legal  
25 grounds for continued custody;
- 26  
27 (h) *Consular Officer* refers to any consular, diplomatic, or other officer of the Department of Foreign  
28 Affairs (DFA) who has been duly granted a consular commission for the purpose of issuing visas  
29 under this Act;
- 30  
31 (i) *Derogatory Information* refers to details about persons and travel documents relating to  
32 immigration consisting of the following:
- 33  
34 (1) *Blacklist Order* refers to an order issued by the Commissioner that prevents a foreign  
35 national from entering the territorial jurisdiction of the Philippines;
- 36  
37 (2) *Hold Departure Order* refers to an order issued by the Commissioner preventing a foreign  
38 national from leaving the territorial jurisdiction of the Philippines in cases where bail or  
39 recognizance is granted pending implementation of a Deportation Order, or a directive  
40 implementing an order issued by the appropriate court preventing a person from leaving  
41 the territorial jurisdiction of the Philippines;
- 42  
43 (3) *Monitor Order* refers to an order issued by the Commissioner under this Act that requires  
44 immigration personnel to monitor the travel of any person for a period of thirty (30) days,  
45 and to notify the concerned government agencies of the Philippines; and
- 46  
47 (4) *Alert Order* refers to an order issued by the Commissioner pursuant to a validly issued  
48 warrant of arrest;
- 49  
50 (j) *Entry* refers to the arrival of a foreign national into any designated port of entry in the Philippines  
51 from a place outside the Philippine territorial jurisdiction;
- 52  
53 (k) *Exclusion* refers to the act of Immigration Officers denying admission of a foreign national into the  
54 country on grounds provided in this Act;
- 55  
56 (l) *Foreign national* or *alien* refers to any person who is not a citizen of the Philippines;

- 1  
2 (m) *Immigrant* refers to any foreign national, other than a non-immigrant, granted resident status in the  
3 Philippines under the provisions of this Act and other laws granting immigrant status;  
4  
5 (n) *Immigration laws* refer to this Act and other laws presently existing or which may hereafter be  
6 enacted relating to the movement of natural persons to and from the Philippines;  
7  
8 (o) *Immigration Officer* refers to any person appointed under Title II, Chapter 8 of this Act or any  
9 employee designated by the Commissioner to perform the powers, duties and functions of an  
10 Immigration Officer as specified under this Act;  
11  
12 (p) *Non-immigrant* refers to any foreign national who is allowed entry and admission into the  
13 Philippines for a temporary or limited period of stay;  
14  
15 (q) *Non-refoulement* refers to a principle of international law which prohibits the forced or involuntary  
16 return of refugees or those seeking asylum in the Philippines to a state or territory where there are  
17 valid reasons to believe that the life or freedom of such refugee or asylum seeker would be  
18 threatened on account of race, religion, nationality, membership in a particular social group, or  
19 political opinion;  
20  
21 (r) *Passport* refers to a document issued by a government to its citizens requesting other governments  
22 to allow such citizens to pass through or enter into a territory of other states safely and freely, and  
23 in case of need to give them all lawful aid and protection;  
24  
25 (s) *Person* refers to a natural person or a juridical person such as a partnership, corporation, company,  
26 or association;  
27  
28 (t) *Port of entry* refers to any port designated by the Commissioner through which a foreign national  
29 may enter or exit the Philippines;  
30  
31 (u) *Refugee* refers to a person who, owing to a well-founded fear of being persecuted for reasons of  
32 race, religion, nationality, membership in a particular social group, or political opinion, is outside  
33 such person's country of nationality, and is unable or, owing to such fear, unwilling to avail of the  
34 protection of that country; or a person who, not having a nationality and being outside such person's  
35 country of former habitual residence, is unable or, owing to such fear, unwilling to return to it;  
36  
37 (v) *Seaman, Seafarer or Crewmember* refers to a person actually employed in the operation or service  
38 in any capacity on board a vessel;  
39  
40 (w) *Stateless person* refers to a person who is not considered a national by any state under the operation  
41 of its laws;  
42  
43 (x) *Travel document* refers to a certification or identifying document containing the description and  
44 other personal circumstances of its bearer, issued for direct travel to and from the Philippines valid  
45 for short periods or a particular trip. It is issued only to persons whose claim to Philippine  
46 citizenship is doubtful or who fall under the category enumerated in Section 13 of Republic Act  
47 No. 8239, otherwise known as the "*Philippine Passport Act of 1996*", as amended;  
48  
49 (y) *Vessel* refers to all means of conveyances, whether aircraft or sea craft; and  
50  
51 (z) *Visa* refers to an endorsement on a passport or any travel document issued by a Consular Officer  
52 abroad authorizing the holder thereof to proceed to a designated port of entry in the Philippines and  
53 there, to apply for entry and admission under the status specified therein; or an endorsement on a  
54 passport or any travel document, or any equivalent digital or electronic endorsement, granted by  
55 the Bureau under this Act, or by any other person authorized by existing laws.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

**TITLE II**  
**THE BUREAU OF IMMIGRATION**

14  
15  
16

**CHAPTER 1**  
**THE BUREAU**

17  
18  
19  
20  
21  
22  
23  
24

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

25  
26  
27  
28  
29  
30  
31  
32  
33  
34

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

35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45

**SEC. 5. Composition and Qualifications.** — 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 Bureau.

46  
47  
48  
49  
50  
51

**SEC. 6. Powers and Functions.** — The Board shall have the following powers and functions:

- 52  
53  
54  
55
- (a) Decide on applications or cases relative to:
    - (1) Deportation;
    - (2) Issuance of all visas; and
    - (3) 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; and
  - (e) Such other powers and functions as provided in this Act and other existing laws, rules and regulations not inconsistent with any of the provisions of this Act.

56  
57  
58  
59  
60  
61

**SEC. 7. Decisions.** — All cases or proceedings before the Board shall be decided with the concurrence of the majority of the members of the Board. A decision of the Board or a resolution on a motion for reconsideration shall become final and executory fifteen (15) days from notice thereof by the concerned party, unless before the expiry of such period, a motion for reconsideration or an appeal is filed before the Office of the Secretary of Justice or the Office of the President.

62  
63  
64  
65

**SEC. 8. Appeals.** — The decision of the Board or a resolution on a motion for reconsideration may be appealed to the Secretary of Justice or the Office of the President within fifteen (15) days from notice thereof by the concerned party. Unless otherwise ordered by the Secretary of Justice or the President, the filing of an appeal shall not stay the execution of the decision or resolution appealed from.



1 for the provisional release of respondents in deportation proceedings;

- 2
- 3 (l) Impose reasonable fines and penalties for violations of immigration and alien registration laws in  
4 accordance with this Act and the guidelines adopted by the Board;
- 5
- 6 (m) Accept donations of materials, equipment or technical services from any foreign government,  
7 international or domestic organization, to upgrade the efficiency and operations of the Bureau;
- 8 (n) Provide an express lane system for the rendition of services performed for individuals and entities upon  
9 payment of fees that may be prescribed, and deposit in an authorized government depository bank such  
10 fees received under a trust fund subject to auditing and accounting rules, fifty percent (50%) of which  
11 shall be made available for the augmentation of the salaries of the employees of the Bureau, and  
12 fifty percent (50%) of which shall be remitted to the national treasury;
- 13
- 14 (o) Submit to the President and to Congress, annually or as may be directed, a report on:
- 15
- 16 (1) the number and status of foreign nationals in the Philippines;
- 17
- 18 (2) foreign nationals admitted or granted change of status as permanent residents;
- 19
- 20 (3) foreign nationals who have been excluded or deported from the Philippines;
- 21
- 22 (4) the estimated number of illegal foreign nationals in the Philippines in each calendar year and actions  
23 taken to arrest them, grouped by nationality, for each region in the Philippines; and
- 24
- 25 (5) such other transactions of the Bureau;
- 26
- 27 (p) Determine the manning levels of Immigration Officers of the Bureau nationwide in accordance with  
28 the number of arrivals in each port of entry;
- 29
- 30 (q) Exercise disciplinary authority over personnel of the Bureau charged with less grave and light  
31 administrative offenses, in accordance with civil service rules: *Provided*, That the disciplinary  
32 authority over those charged with grave administrative offenses under civil service rules shall belong  
33 to the Secretary of Justice;
- 34
- 35 (r) Prescribe, with the concurrence of the Board, the appropriate forms, bonds, reports, entries and other  
36 papers in accordance with this Act;
- 37
- 38 (s) Require all vessel operators to submit advance passenger information and prescribe penalties for the  
39 violation hereof;
- 40 (t) Engage foreign counterparts pertaining to border control;
- 41
- 42 (u) Designate Senior Immigration Officers who will oversee and supervise immigration operations in all  
43 international airports and seaports; and
- 44
- 45 (v) Perform such other functions inherent to the Bureau.
- 46

47 **SEC. 12. Appointment and Rank of Deputy Commissioners.** — There shall be two (2) Deputy  
48 Commissioners who shall be appointed by the President. They shall have the rank, salary and privileges of an  
49 Assistant Secretary of a Department.

50

51 **SEC. 13. Duties of Deputy Commissioners.** — In addition to their duties as members of the Board, the  
52 Deputy Commissioners shall perform such duties as may be required by law or regulation, or as may be specified  
53 by the Commissioner not otherwise inconsistent with law.

54

55 **CHAPTER 4**  
56 **THE BOARDS OF SPECIAL INQUIRY**

1  
2 **SEC. 14. *Creation of the Boards of Special Inquiry.*** — There shall be created up to five (5) Boards of  
3 Special Inquiry (BSI) as required in the exigency of service as determined by the Board. Each BSI shall be  
4 composed of a Chairperson and two (2) members. The BSI shall be designated according to their areas of  
5 specialization to be determined by the Board.  
6

7 **SEC. 15. *Appointment and Qualifications of the Chairpersons and Members of the BSI.*** — The  
8 Chairpersons and members of the BSI shall be appointed by the Commissioner, shall be natural-born citizens  
9 of the Philippines and, at the time of their appointment, at least thirty (30) years of age, members of the  
10 Philippine Bar in good standing and have been engaged in the practice of law for at least three (3) years prior  
11 to appointment.  
12

13 **SEC. 16. *Powers and Functions.*** — The BSI shall:  
14

- 15 (a) Recommend to the Board for final resolution cases and applications relative to:  
16  
17 (1) Deportation;  
18  
19 (2) Revocation of immigration status; and  
20  
21 (3) Legalization of residence in accordance with law;  
22  
23 (b) Recommend to the Commissioner for appropriate action cases and applications relative to:  
24  
25 (1) Citizenship matters; and  
26  
27 (2) Issuance of alien certificates of registration to asylum seekers, refugees and stateless persons;  
28  
29 (c) Issue subpoena in cases being heard by the BSI;  
30  
31 (d) In the exercise of its quasi-judicial power, cite and punish persons for contempt in accordance with the  
32 Rules of Court;  
33  
34 (e) Recommend to the Commissioner the imposition, waiver, or reduction of fines, penalties and other  
35 charges, subject to existing laws, rules and regulations;  
36  
37 (f) Administer oaths in connection with the performance of their duties, as may be authorized by the  
38 Commissioner;  
39  
40 (g) Promulgate rules and regulations governing matters within its assigned mandate, subject to the  
41 approval of the Commissioner; and  
42  
43 (h) Perform such other duties and functions as may be directed by the Commissioner.

44 **SEC. 17. *Proceedings.*** — The proceedings before the BSI shall be public and recorded. In all cases, the  
45 BSI shall meet and act as a collegial body. Only members of the Philippine Bar in good standing may appear  
46 for and in behalf of any party before the BSI.  
47

48 **SEC. 18. *Creation of Positions.*** — The positions created under the BSI shall have the following  
49 classification and salary grades:  
50

| DESIGNATION | POSITION    | SALARY GRADE |
|-------------|-------------|--------------|
| Chairperson | Attorney V  | 25           |
| Members     | Attorney IV | 23           |

1  
2  
3 **CHAPTER 5**  
4 **DIVISIONS AND OTHER OPERATING OFFICES OF THE BUREAU**

5 **SEC. 19. *Divisions and Other Operating Offices of the Bureau.*** — The Bureau shall have the following  
6 Divisions and other operating offices, namely:

- 7  
8 (a) Divisions:
- 9 (1) Administrative;
  - 10 (2) Alien Registration;
  - 11 (3) Finance and Logistics;
  - 12 (4) Human Resource Management and Development;
  - 13 (5) Immigration Regulation;
  - 14 (6) Information and Communications Technology;
  - 15 (7) Immigration Intelligence;
  - 16 (8) Immigration Law Enforcement;
  - 17 (9) Legal Affairs; and
  - 18 (10) Planning and Research;
- 19  
20 (b) Regional Offices that shall be proposed by the Board according to political or administrative  
21 regions, and created pursuant to authorization by Congress; and
- 22  
23 (c) District and Field Offices.
- 24

25 **SEC. 20. *Heads of the Divisions and Other Operating Units.*** — Each Division shall be headed by a  
26 Division Chief with a Salary Grade (SG) of SG-24, except the Legal Affairs Division, which shall be headed  
27 by an Attorney V, SG-25: *Provided*, That the Chief for Legal Affairs shall be a member of the Philippine Bar  
28 in good standing and must have been engaged in the practice of law for at least three (3) years prior to  
29 appointment, and that the Chief for Finance and Logistics must be a Certified Public Accountant in good  
30 standing for at least three (3) years prior to appointment.

31  
32 No person shall be appointed as Chief of any of the Divisions enumerated in Section 19 (a) of this Act  
33 unless such person meets the qualification standards set by the Bureau and approved by the Civil Service  
34 Commission (CSC).

35  
36 **SEC. 21. *Organizational Structure and Staffing Pattern of the Bureau.*** — The Board shall determine the  
37 organizational structure and staffing pattern of the Bureau in accordance with the revised compensation and  
38 position classification system, subject to the review and approval of the Department of Budget and Management.

39  
40 **SEC. 22. *Administrative Division.*** — The Administrative Division shall have the following functions:

- 41  
42 (a) Develop and implement an administrative support strategy for the Bureau;
- 43  
44 (b) Coordinate all administrative functions of the Bureau;
- 45  
46 (c) Monitor and evaluate all policies and programs of the Bureau, and recommend to the Board  
47 such policies, programs and measures for the effective and efficient administration of the  
48 Bureau; and
- 49  
50 (d) Perform such other tasks as may be directed by the Commissioner.

51  
52 **SEC. 23. *Alien Registration Division.*** — The Alien Registration Division shall have the following  
53 functions:

- 54  
55 (a) Formulate plans and policies for the implementation of the Alien Registration Program;

- 1  
2 (b) Establish and implement measures for the effective registration, monitoring and accounting of  
3 aliens, including the collection and safekeeping of biometric data of all aliens pursuant to this  
4 Act and other laws, rules and regulations;  
5  
6 (c) Monitor and evaluate all policies, programs and measures relative to alien registration, and  
7 recommend to the Commissioner such measures to improve the system of alien registration;  
8 and  
9  
10 (d) Perform such other tasks as may be directed by the Commissioner.  
11

12 **SEC. 24. Finance and Logistics Division.** — The Finance and Logistics Division shall have the following  
13 functions:  
14

- 15 (a) Formulate and supervise the implementation of policies pertaining to procurement, fiscal  
16 management, auditing and accounting in support of the overall plan and strategic direction of  
17 the Bureau;  
18 (b) Direct and manage all the procurement activities of the Bureau;  
19  
20 (c) Implement sound fiscal policy;  
21  
22 (d) Supervise the preparation of the Annual Procurement Plan;  
23  
24 (e) Initiate projects in the furtherance of the improvement of the Bureau;  
25  
26 (f) Set performance targets for the Bureau in order to meet its objectives, plans and programs; and  
27  
28 (g) Perform such other tasks as may be directed by the Commissioner.  
29

30 **SEC. 25. Human Resource Management and Development Division.** — The Human Resource  
31 Management and Development Division shall have the following functions:  
32

- 33 (a) Develop and execute human resource strategies in support of the overall plan and strategic  
34 direction of the Bureau especially in the areas of selection, hiring and promotion;  
35  
36 (b) Design employee training modules;  
37  
38 (c) Develop comprehensive strategic recruitment and retention plans to meet human capital  
39 strategy goals;  
40  
41 (d) Set qualification standards and implement competency-based hiring and promotion policies;  
42  
43 (e) Oversee the recruitment, selection and promotion of employees of the Bureau;  
44  
45 (f) Set performance standards for the employees of the Bureau in order to meet its objectives, plans  
46 and programs;  
47  
48 (g) Prepare and implement schemes to strengthen the relationship between management and  
49 employees; and  
50  
51 (h) Perform such other tasks as may be directed by the Commissioner.

52 **SEC. 26. Immigration Regulation Division.** — The Immigration Regulation Division shall have the  
53 following functions:  
54

- 55 (a) Formulate plans and programs for the effective enforcement of immigration laws relating to the  
56 admission, sojourn, and exit of aliens;  
57

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

24 **SEC. 27. *Information and Communications Technology Division.*** — The Information and  
25 Communications Technology Division shall have the following functions:  
26

- 27 (a) Formulate policies, plans and programs on management information systems, network,  
28 cybersecurity, and information and communications technology (ICT) resources of the Bureau;  
29  
30 (b) Supervise the implementation of all the information and communications technology projects  
31 of the Bureau;  
32  
33 (c) Review, evaluate, and recommend for approval by the Commissioner the integration of all  
34 existing ICT systems of the Bureau;  
35  
36 (d) Initiate the conduct of ICT research, development, and standardization; and  
37  
38 (e) Perform such other tasks as may be directed by the Commissioner.  
39

40 **SEC. 28. *Immigration Intelligence Division.*** — The Immigration Intelligence Division shall have the  
41 following functions:  
42

- 43 (a) Develop plans and programs for the gathering and collating of intelligence through effective  
44 management of all intelligence and counter-intelligence activities of the Bureau;  
45  
46 (b) Manage the conduct of intelligence and counter-intelligence activities of the Bureau;  
47  
48 (c) Serve as the linkage between the Bureau and foreign counterparts or embassies;  
49  
50 (d) Initiate development of intelligence training modules; and  
51  
52 (e) Perform such other tasks as may be directed by the Commissioner.  
53

54 **SEC. 29. *Immigration Law Enforcement Division.*** — The Immigration Law Enforcement Division shall  
55 have the following functions:

- 1 (a) Develop plans and programs for effective law enforcement actions against foreign nationals  
2 who violate immigration laws, rules and regulations;  
3  
4 (b) Exercise command, control, direction, coordination, and supervision of all law enforcement  
5 activities of the Bureau, such as the deployment of personnel, subject to the power of the  
6 Commissioner under Section 11(b) of this Act;  
7  
8 (c) Develop and implement law enforcement training modules;  
9  
10 (d) Establish an effective monitoring tool for fugitives and undesirable foreign nationals;  
11  
12 (e) Direct operations regarding the control, security and administration of staff, persons deprived  
13 of liberty, and equipment at the immigration detention facility; and  
14  
15 (f) Perform such other tasks as may be directed by the Commissioner.  
16

17 **SEC. 30. *Legal Affairs Division.*** — The Legal Affairs Division shall have the following functions:  
18

- 19 (a) Serve as the legal office of the Bureau, in coordination with the Office of the Solicitor General;  
20  
21 (b) Develop guidelines for the summary deportation of foreign nationals who are fugitives,  
22 overstaying, undocumented, or convicted of crimes involving moral turpitude or crimes where  
23 the penalty of deportation is imposed;  
24  
25 (c) Assign lawyers in the division as Special Prosecutors for regular deportation proceedings;  
26  
27 (d) Implement deportation orders;  
28  
29 (e) Review contracts affecting the Bureau and submit recommendations to the Board relative  
30 thereto;  
31  
32 (f) Render legal opinions on matters arising from the administration and operation of the Bureau;  
33 and  
34  
35 (g) Perform such other tasks as may be directed by the Commissioner.  
36

37 **SEC. 31. *Planning and Research Division.*** — The Planning and Research Division shall have the  
38 following functions:  
39

- 40 (a) Formulate and implement the Bureau's programs, projects and processes for planning and  
41 research;  
42  
43 (b) Facilitate and organize strategic planning sessions for the entire Bureau;  
44  
45 (c) Conduct workload assessment and forecasting;  
46  
47 (d) Assist the Board in the implementation and establishment of a risk management process;  
48  
49 (e) Implement a monitoring feedback measurement and evaluation system for the implementation  
50 of all Bureau policies, projects, and programs;  
51  
52 (f) Represent the Board in meetings relating to planning and research; and  
53  
54 (g) Perform such other tasks as may be directed by the Commissioner.

**CHAPTER 6**  
**IMMIGRATION OFFICERS**

**SEC. 32. *Qualifications of Immigration Officers.*** — No person shall be appointed to the position of Immigration Officer unless such person meets the qualification standards set by the Bureau and approved by the CSC.

**SEC. 33. *Powers and Duties.*** — The Immigration Officers shall have the following powers and functions:

- (a) Examine, with the assistance and advice of medical authorities in appropriate cases, foreign nationals at the port of entry concerning their admissibility to enter and their qualifications to remain in the Philippines;
- (b) Exclude foreign nationals not properly documented, and to admit foreign nationals complying with the applicable provisions of immigration and related laws;
- (c) Administer oaths in connection with the performance of their duties, as may be authorized by law;
- (d) Search for foreign nationals on any vessel believed to be used to illegally transport foreign nationals into the Philippines, and to take into custody without warrant any foreign national who, in the presence or view of the Immigration Officer, is entering or is about to enter the Philippines in violation of immigration and related laws, rules and regulations;
- (e) Act as control personnel with authority to prevent the departure of passengers who do not comply with duly published departure requirements;
- (f) Detect and report violations of the immigration and alien registration laws and, in appropriate cases, take necessary actions upon the instructions of the Commissioner, including follow-up on the stay of non-immigrants to prevent overstaying;
- (g) Detect and report subversive activities of aliens in the interest of national security;
- (h) Investigate any case at the instance of the Commissioner and submit the required reports;
- (i) Report on the activities of aliens inimical to national interest with a view to taking appropriate action in accordance with law;
- (j) Locate and conduct surveillance against foreign nationals in violation of immigration laws, rules and regulations;
- (k) Provide actionable operational, tactical and strategic intelligence to the operating units;
- (l) Conduct case build up, analysis and other in-depth research, as well as provide analytical reports on foreign nationals who violate or are in violation of immigration laws, rules and regulations;
- (m) Coordinate with other local and international law enforcement agencies in the gathering of intelligence information related to immigration law violations;
- (n) Conduct counter-intelligence operations;
- (o) Enforce lawful orders relating to the exclusion, deportation and repatriation of aliens;
- (p) Take charge of the physical detention of aliens pending their exclusion, deportation or repatriation;
- (q) Attend to the deportation of aliens;
- (r) Monitor all arriving and departing suspected terrorists, drug couriers or members of crime syndicates;
- (s) Assist and escort deportees, excluded passengers and transiting restricted passengers until finally boarded;
- (t) Investigate and escort from ports of entry intercepted passengers who are found in possession of spurious travel documents;
- (u) Implement Warrants of Deportation and Mission Orders involving foreign nationals who violate or are in violation of immigration laws, rules and regulations; and

1 (v) Perform such other functions as may be assigned by the Commissioner from time to time.

2 Qualified Immigration Officers and Immigration Agents with the requisite training and experience may be  
3 assigned to the Intelligence, Law Enforcement, Alien Registration, or Immigration Regulation Divisions  
4 depending on the exigencies of the Bureau.

5  
6 **CHAPTER 7**  
7 **CAREER DEVELOPMENT PATTERN**

8  
9 **SEC. 34. *Career Development.*** — The Bureau shall:

- 10 (a) Establish and strengthen the Philippine Immigration Academy which shall be under the control and  
11 supervision of the Commissioner;  
12  
13 (b) Create a continuing program to enhance the knowledge, skills and competence of all personnel  
14 through a career advancement training and education prior to their promotion; and  
15  
16 (c) Formulate training requirements to implement the provisions under this Title.  
17

18  
19 **CHAPTER 8**  
20 **OTHER OFFICES**

21  
22 **SEC. 35. *Changes in the Composition, Distribution and Assignment of Personnel.*** — The Commissioner  
23 may make changes in the composition, distribution and assignment of regional, district and field offices as well  
24 as its personnel, based on the demographics of foreign nationals and as the exigency of the service requires,  
25 subject to civil service rules and regulations.

26 **SEC. 36. *Border Control Checkpoints.*** — In addition to international airports and seaports, there shall be  
27 established Border Control Checkpoints which shall be manned by Immigration Officers appointed as Border  
28 Control Officers by the Commissioner. The Border Control Checkpoints shall be placed in specific areas. Border  
29 Control Officers shall perform the following duties:

- 30  
31 (a) Conduct immigration formalities to foreign nationals passing through their areas of responsibility;  
32  
33 (b) Enforce immigration laws, rules and regulations;  
34  
35 (c) Coordinate with other law enforcement agencies in the enforcement of immigration laws, rules, and  
36 regulations;  
37  
38 (d) Apprehend and take into custody illegal entrants; and  
39  
40 (e) Perform such other functions as may be directed by the Commissioner.  
41

42  
43 **TITLE III**  
44 **IMMIGRATION**

45  
46 **CHAPTER 1**  
47 **NON-IMMIGRANTS**

48  
49 **SEC. 37. *Categories of Non-immigrants and Types of Visa Issued.*** — Foreign nationals departing  
50 from any place outside the Philippines who are otherwise admissible and qualify under any one of the  
51 following categories may be admitted as non-immigrants:

- 52  
53 (a) Temporary visitors (A Visas): Visitors coming to the Philippines for a temporary period for reasons  
54 of business, pleasure or health:  
55

- 1 (1) Business (A-1 Visa): Temporary visitors engaged in activities of a commercial or  
2 professional nature for a foreign employer or for themselves that will not result in gainful  
3 employment in the Philippines. As used herein, the term "business" refers to conventions,  
4 conferences, consultations and other legitimate activities of a commercial or a professional  
5 nature, but does not include local employment or labor for hire;  
6  
7 (2) Pleasure (A-2 Visa): Temporary visitors who stay in the Philippines for holiday, including  
8 sightseeing, recreation or visiting relatives; and  
9  
10 (3) Health (A-3 Visa): Temporary visitors who stay in the Philippines to avail of medical  
11 treatment;  
12

13 (b) Transit Persons (B Visa): Persons in transit through the Philippines solely for a layover and who  
14 have a confirmed connecting flight to another country, or passengers in immediate and continuous transit to a  
15 destination outside the Philippines;

16 (c) Crewmembers (C Visa): Persons required for the normal operation and servicing of vessels that  
17 come to the Philippines on a temporary basis, either arriving with a vessel or intending to depart the Philippines  
18 on the same vessel or any other vessel;  
19

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

26 Citizens from a country that has an investor treaty with the Philippines, including their family members,  
27 and who come to work in the Philippines for a business they own or one that is at least fifty percent (50%)  
28 owned by nationals of their home country, which business is supported by a substantial investment from  
29 nationals of their home country, shall be granted a D-2 visa;  
30

31 (e) Accredited Foreign Government Officials, Their Families and Household Member (E Visas):  
32 Foreign government officials, their families and household members coming to the country for official purpose,  
33 pursuant to international conventions and bilateral agreements, shall be granted E Visas, in accordance with the  
34 following categories:  
35

- 36 (1) Persons eligible for E-1 Visa: The E-1 Visa shall be issued to the following classes of foreign  
37 nationals:  
38  
39 (i) Heads of State and Heads of Government and their personal representatives;  
40 (ii) Members of reigning royal families from countries recognized by the Philippine  
41 Government;  
42 (iii) Governors-General, Governors, and High Commissioners of dependent territories  
43 and their personal representatives;  
44 (iv) Cabinet ministers and their deputies, and officials with cabinet rank of ministers;  
45 (v) Presiding officers of national legislative bodies;  
46 (vi) Justices or judges of the highest national judicial bodies;  
47 (vii) Diplomats and career consular officials on foreign assignment in the Philippines;  
48 (viii) Military, naval, air and other attaches assigned to a diplomatic mission; and  
49 (ix) Accompanying spouses and unmarried dependents of foreign nationals within the  
50 abovementioned categories;  
51  
52 (2) Persons eligible for E-2 Visa: The E-2 visa shall be issued to an official of a foreign  
53 government recognized by the Philippines and who is a national of the country whose  
54 government he represents, and is proceeding to the Philippines on a long-term basis in  
55 connection with official business for such foreign official's government.

1  
2 This category includes, *inter alia*, the following classes of foreign nationals:

- 3 (i) Administrative and technical members of the staff of a diplomatic or consular  
4 mission;  
5 (ii) Officials participating in programs under the auspices of the Philippine Government  
6 or recognized international institutions; and  
7 (iii) Accompanying spouses and unmarried dependents of foreign nationals within the  
8 abovementioned categories;  
9

- 10 (3) Persons eligible for E-3 Visa: The E-3 visa shall be issued to an official of a foreign  
11 government recognized by the Philippines, is a national of the country whose government  
12 he represents, and is proceeding to the Philippines on a short-term basis in connection with  
13 official business for such foreign official's government.  
14

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

- 16 (i) Diplomatic couriers regularly and professionally employed as such;  
17 (ii) All members of official special missions of a diplomatic character;  
18 (iii) Members of delegations proceeding to or from an international conference of a  
19 diplomatic or official nature; and  
20 (iv) Such other officials going to the Philippines on diplomatic or official missions;  
21  
22

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

27 All visas described in this subsection (e) shall be exclusively issued and renewed by the Department of  
28 Foreign Affairs (DFA), which shall also determine the type of E-Visa of Foreign Government Officials not  
29 identified in the foregoing lists. The grant of immunities and privileges shall be subject to applicable domestic  
30 and international law and international agreements to which the Philippines is a party, as well as in consideration  
31 of the principle of reciprocity;  
32

33 (f) Students (F Visa): Foreign students having means sufficient for their support and education in the  
34 Philippines who seek to enter the Philippines temporarily for the sole purpose of taking up a course of study  
35 higher than high school at a university, seminary, academy or college accredited to admit such foreign students  
36 by the Commission on Higher Education (CHED) in coordination with the Bureau;  
37

38 (g) Employment (G Visa): Foreign nationals coming to the Philippines on prearranged employment,  
39 including their family members accompanying or following to join them within the period of their employment.  
40 This category includes intra-company transferees, professionals, performing artists, athletes, and cultural  
41 exchange workers under a work exchange program;  
42

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

48 (i) Representatives of Accredited International Organizations and Government Agencies (I Visa):  
49 Foreign officials and staff of accredited international organizations, including their dependent family members,  
50 staff, and household members shall be granted I Visas in accordance with the following categories:  
51

- 52 (1) Persons eligible for I-1 Visa: The I-1 Visa shall be issued to the principal officials of accredited  
53 international organizations, as well as their accompanying spouses and dependents;  
54

- 1 (2) Persons eligible for I-2 Visa: The I-2 visa shall be issued to the other officials and staff of  
2 accredited international organizations, as well as their accompanying spouses and dependents;  
3  
4 (3) Persons eligible for I-3 Visa: The I-3 visa shall be issued to officials and staff of international  
5 organizations who will perform short-term official work with the international organization upon  
6 its invitation; and  
7  
8 (4) Persons eligible for I-4 Visa: The I-4 Visa shall be issued to the private employees and household  
9 members of persons to whom I-1 and I-2 visas have been granted, as well as their immediate  
10 dependents.  
11

12 Accredited international organization includes any public international organization engaged in  
13 activities of which the Philippines participates pursuant to any treaty or under the authority of any act of the  
14 Congress of the Philippines authorizing such participation or making an appropriation for such participation and  
15 such other international organizations, institutions, agencies, programs, foundations and entities which are  
16 recognized by the government of the Republic of the Philippines, including those existing and already  
17 recognized as such at the time of the effectivity of this Act.  
18

19 All types of visas described in this subsection (i) shall be exclusively issued and renewed by the DFA,  
20 which shall also determine the type of I Visa of officials and staff of international organizations that are not  
21 identified in the foregoing list. The grant of immunities and privileges shall be subject to applicable domestic  
22 and international law, relevant Headquarters Agreements, and international agreements to which the Philippines  
23 is a party;  
24

25 (j) Media Workers (J Visa): Foreign media personnel or correspondents, duly accredited by the  
26 government agency concerned, who are *bona fide* representatives of a foreign press, radio, satellite, television,  
27 film, or other information media, and are coming to the Philippines solely to engage in gathering information  
28 principally for dissemination abroad, including their family members accompanying them or subsequently  
29 joining them during the period of the assignment in the Philippines;  
30

31 (k) Exchange Visitors (K Visa): Foreign nationals entering the Philippines to teach, study, observe,  
32 conduct research or receive training in a specific Exchange Visitor Program duly approved by the Philippine  
33 Government;  
34

35 (l) Refugees (L-1 Visa) and Stateless Persons (L-2 Visa): Refugees as defined in this Act and in the  
36 1951 Convention Relating to the Status of Refugees and its 1967 Protocol shall be issued L-1 Visas. Stateless  
37 persons as described in this Act shall be issued L-2 Visas. The President or the Secretary of Justice, for  
38 humanitarian reasons not inimical to public interest, shall have the exclusive authority to admit refugees and  
39 stateless persons in such classes of cases and under such conditions as they may prescribe. The President or the  
40 Secretary of Justice shall likewise have the exclusive authority to cancel, revoke, or cease the refugee or stateless  
41 status of an individual; and  
42

43 (m) Special Non-Immigrant Visa (M Visa): Such other foreign nationals including their family  
44 members who may be admitted as non-immigrants under special laws, or foreign nationals not otherwise  
45 described in this Act who are coming for temporary periods only, and whose admission is authorized by the  
46 Board or the President in the interest of the public or for humanitarian considerations and under such conditions  
47 as they may prescribe.  
48

49 All other visas issued by other agencies and offices authorized to issue visas in accordance with existing  
50 laws, except the DFA, shall be implemented by the Bureau subject to requirements prescribed by the  
51 Commissioner.  
52

53 **CHAPTER 2**  
54 **IMMIGRANTS**  
55

1       **SEC. 38. Quota Immigrants.** — Subject to the conditions set forth in this Act, there may be admitted into  
2 the Philippines, based upon immigration reciprocity and upon allotment by the Commissioner, “*quota*  
3 *immigrants*”, not to exceed two hundred (200) of any one nationality for any one calendar year. The following  
4 order of preference shall be observed in the allotment of quota immigrants:  
5

6       (a) First Preference: Those whose service and qualifications show high educational attainment,  
7 technical training, specialized experience, or exceptional ability in the sciences, arts, professions, or business as  
8 would reasonably enhance and contribute substantial benefits prospectively to the national economy, or cultural  
9 or educational interests or welfare of the Philippines, including their family members, accompanying or  
10 following to join them, who shall likewise be allotted individual quota numbers;  
11

12       (b) Second Preference: Parents of a naturalized Philippine citizen;  
13

14       (c) Third Preference: Spouses or minor children of foreign nationals who are lawful permanent  
15 residents of the Philippines; and  
16

17       (d) Fourth Preference: Parents of foreign nationals who are lawful permanent residents of the  
18 Philippines.  
19

20       **SEC. 39. Allotment of Quota.** — The Commissioner shall, with respect to the first preference, allot not  
21 more than fifty percent (50%) of the annual quota allotment up to the end of June of each year: *Provided*, That  
22 if the fifty percent (50%) allotment for the first preference by any nationality is not utilized, the balance thereof  
23 shall be given to the second, third, and fourth preferences for the same nationality in accordance with the  
24 preceding section. Any unused quota allotment for a calendar year shall not be carried over and utilized for the  
25 ensuing calendar year.  
26

27       **SEC. 40. Basis in Determination of Quota Allotment.** — The numerical limitation imposed under Section  
28 38 of this Act shall be on the country of which the immigrant is a national or a citizen.

29       **SEC. 41. Non-Quota Immigrants.** — The following immigrants, known as “*non-quota immigrants*”,  
30 may be admitted without regard to numerical limitation and immigration reciprocity:  
31

32       (a) The spouse of a Philippine citizen: *Provided*, That abandonment by the foreign spouse, the failure  
33 to give support by the foreign spouse to the Filipino spouse and family, and the legal separation or termination  
34 of the marital status by annulment, declaration of nullity of marriage or divorce where the cause is attributable  
35 to the foreign spouse, shall constitute grounds for cancellation of the immigrant visa issued to the foreign spouse;  
36

37       (b) A person of Filipino descent regardless of generation;  
38

39       (c) A child born to a mother during her temporary visit abroad, the mother being a foreign national and  
40 lawful permanent resident of the Philippines, if accompanied by or coming to join the mother who applies for  
41 admission within five (5) years from the birth of the child;  
42

43       (d) A child born subsequent to the issuance of an immigrant visa to the accompanying parent, the visa  
44 not having expired or revoked;  
45

46       (e) A foreign national who had been previously lawfully admitted into the Philippines for permanent  
47 residence who is returning from a temporary visit abroad to an unrelinquished residence in the Philippines;  
48

49       (f) A natural-born citizen who becomes a naturalized citizen of a foreign country and is returning to the  
50 Philippines for permanent residence therein, including the spouse and minor children accompanying or  
51 following to join such person; and  
52

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

**CHAPTER 3**  
**NATIVE-BORN FOREIGN NATIONAL**

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

**SEC. 42. *Status of Children Born to Immigrants.*** — A child born in the Philippines to a parent who is a foreign national and a lawful resident of the Philippines shall be deemed a native-born permanent resident.

**SEC. 43. *Status of Children Born to Non-immigrants.*** — A child born to parents who are both non-immigrants shall be deemed a native-born non-immigrant or temporary resident and may remain in the Philippines only during the period of authorized stay of the parents, unless the child reaches the age of eighteen (18) years while continuously residing in the Philippines, in which case such child may apply for naturalization under existing laws or for an appropriate visa.

33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52

**CHAPTER 4**  
**ADJUSTMENT OF STATUS**

**SEC. 44. *Conditions for Adjustment of Status of Foreign Nationals.*** — The status of a foreign national admitted into the Philippines as non-immigrant may be adjusted by the Board to that of a foreign national lawfully admitted as a permanent resident if:

(a) the foreign national makes an application for such adjustment;

(b) the foreign national is eligible to receive a quota or non-quota immigrant visa and is admissible to the Philippines as a permanent resident; and

(c) a quota immigrant visa is immediately available to the foreign national at the time of application, without the need of first departing from the Philippines.

In all such cases, the personal appearance of the foreign national shall be required during the consideration of the application.

**SEC. 45. *Effect of Approval on Application for Adjustment.*** — Upon the approval of an application for adjustment of status under the preceding section, the Commissioner shall record the foreign national's lawful admission as a permanent resident as of the date of the approval of the application.

**SEC. 46. *Adjustment of Status, When Not Allowed.*** — Adjustment of status under this Act shall not be applicable to:

(a) foreign nationals who have violated or are in violation of immigration laws, rules and regulations, unless the violation is for purely technical reasons or without the fault of the foreign national; and

(b) transients.

**SEC. 47. *Loss of Status.*** — A registered foreign national, except a temporary visitor, who fails to return to the Philippines within a period of one (1) year from departure shall lose the status granted under this Act. Such foreign national may apply for an extension of the period within which to return prior to its expiration and pay the prescribed fees and charges in order to maintain the status or type of visa granted.

53  
54  
55  
56

**CHAPTER 5**  
**DOCUMENTATION AND ADMISSION OF NON-IMMIGRANTS**

**SEC. 48. *Documentary Requirements of Non-immigrants.*** — Non-immigrants must present for admission into the Philippines valid passports issued by the governments of the countries to which they owe

1 allegiance or other travel documents showing their nationality and identity as prescribed by regulations, a valid  
2 visa granted by the Consular Officer, if required, and such other relevant documents as may be required under  
3 existing laws, rules, regulations, or multilateral or bilateral agreements.  
4

5 **SEC. 49. *Conditions and Period of Authorized Stay of Temporary Visitors.*** — The initial period of  
6 authorized stay of a foreign national admitted as a temporary visitor under Section 37(a) of this Act shall not  
7 exceed fifty-nine (59) calendar days from the date of arrival, subject to bilateral, regional and multilateral visa  
8 agreements entered into by the Philippines: *Provided*, That the conditions for extensions and total period of  
9 authorized stay shall be prescribed by the Commissioner: *Provided, further*, That during the foreign national's  
10 authorized stay, such foreign national shall not:

11 (a) take any employment, whether paid or unpaid;

12 (b) establish or join in any business; or

13 (c) enroll or become a student at a school, college, university, academy, or other educational institution,  
14 unless granted, upon proper application, a conversion to another immigration status provided under  
15 this Act.  
16  
17  
18

19 **SEC. 50. *Submission of Crew List and Passenger Manifest.*** — Simultaneous to the vessel's departure  
20 from the port of origin, the master, captain, agent, owner or consignee of any vessel arriving in the Philippines  
21 shall submit to the Bureau, within a reasonable time prior to such arrival, the crew lists, passenger manifests  
22 and such other information concerning the persons arriving on such a vessel. In the same manner and condition,  
23 the master, captain, agent, owner or consignee of any vessel departing from any port in the Philippines shall  
24 submit to the Bureau, within a reasonable time prior to such departure, the crew list, passenger manifest and  
25 such other information concerning the persons departing on such vessel. The crew list of an incoming sea craft  
26 shall contain the appropriate visa granted by the Consular Officer.  
27

28 **SEC. 51. *Inspection of Crewmembers.*** — It shall be the duty of the master, captain, agent, owner or  
29 consignee of any vessel arriving in the Philippines to have available on board, for inspection by Immigration  
30 Officers, any foreign crewmember employed on such vessel and, when required by the immigration authorities,  
31 to detain such crewmember on board after inspection or to remove such crewmember. No crewmember on board  
32 such vessel shall be discharged while the vessel is in port without the permission of the Commissioner.  
33

34 **SEC. 52. *Permission for Temporary Landing of a Foreign Crewmember.*** — A foreign crewmember  
35 on a vessel arriving in the Philippines may be permitted to land temporarily under such conditions as may be  
36 prescribed by the Commissioner. All expenses incurred by the Bureau while the crewmember is on land shall  
37 be borne by the master, captain, agent, owner or consignee of the carrying vessel.  
38

## 39 CHAPTER 6 40 DOCUMENTATION AND ADMISSION OF IMMIGRANTS 41

42 **SEC. 53. *Documentary Requirements of Immigrants; Instances When Not Required.*** — Immigrants  
43 must present for admission into the Philippines valid passports or travel documents issued by the government  
44 of the country to which they owe allegiance, showing their nationality and identity and valid immigrant visas  
45 indicating the date of issue and the period of validity thereof. Immigrant visas shall not be required of the  
46 following:

47 (a) A child born subsequent to the issuance of a valid immigrant visa to the accompanying parent;

48 (b) A child born during the temporary visit abroad of the mother who is a lawful permanent resident  
49 of the Philippines and a holder of a valid re-entry permit, if the child is accompanied by either parent  
50 within five (5) years from the date of the child's birth; and  
51

52 (c) A foreign national who is returning to an unrelinquished lawful permanent residence in the  
53 Philippines after a temporary residence abroad and presents for admission a valid re-entry permit.  
54  
55

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55

**CHAPTER 7  
VISA ISSUANCE**

**SEC. 54. *Nature of Visa.*** — A visa by itself does not authorize or guarantee entry into the Philippines. Nothing in this Act shall be construed to automatically entitle any foreign national, to whom a visa or other travel document has been issued, to enter the Philippines if, upon arrival at a port of entry, such foreign national is found to be inadmissible under this Act or any other law.

**SEC. 55. *Visa Policy.*** — The procedure for the application and issuance of visas referred to in this Act shall be formulated by the Bureau, in consultation with the DFA and other concerned government agencies and offices when appropriate.

**CHAPTER 8  
RE-ENTRY AND EMIGRATION CLEARANCE**

**SEC. 56. *Re-entry.*** — In all instances when a registered foreign national, except a temporary visitor, departs or is about to depart temporarily from the Philippines with the intention to return within one (1) year from departure, the foreign national must secure a re-entry permit or, if the authorized stay is less than one (1) year, a Special Return Certificate, and pay the corresponding fees and charges therefor.

**SEC. 57. *Emigration Clearance.*** — A registered foreign national who departs permanently from the Philippines shall surrender all Philippine immigration documents and apply for and be issued an Emigration Clearance Certificate, subject to the following conditions:

- (a) The immigrant has no pending obligation with the government or any of its agencies or instrumentalities;
- (b) The immigrant has no pending criminal, civil, or administrative proceeding which requires continued presence in the country; and
- (c) There is no ongoing legislative inquiry where the immigrant is called upon to testify as a witness.

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

**CHAPTER 9  
PRESIDENTIAL PREROGATIVES**

**SEC. 58. *Presidential Prerogatives.*** — Any provision of this Act to the contrary notwithstanding, the President may:

- (a) Deny the entry and admission into the Philippines of, or impose such restrictions as may be deemed appropriate on, any foreign national or a class of foreign nationals, whenever the President finds that such entry would be detrimental to the interest of the Philippines;
- (b) Waive passport or documentary requirements for non-immigrants and immigrants under such terms and conditions as may be prescribed;
- (c) Change the status of non-immigrants by allowing them to acquire permanent residence status without necessity of a visa;
- (d) Deport any foreign national, subject to the requirement of due process;
- (e) Admit non-immigrants not otherwise provided for in this Act for humanitarian considerations and when not detrimental to public interest, under such terms and conditions as may be prescribed; and

1  
2 (f) Exercise, with respect to foreign nationals in the Philippines, such powers as are recognized by  
3 the generally accepted principles of international law.  
4  
5

6  
7 **TITLE IV**  
8 **PROVISIONS RELATING TO ENTRY**

9  
10 **CHAPTER 1**  
11 **CLASSIFICATION OF PORTS OF ENTRY**

12 **SEC. 59. Authority to Classify Ports.** — The Commissioner shall classify and designate, from among  
13 the ports of entry established by law for immigration purposes, limited or unlimited ports of entry through which  
14 foreign nationals may be admitted into the Philippines. Only such classes of foreign nationals as provided under  
15 the rules and regulations prescribed by the Commissioner may be admitted at limited ports of entry. The  
16 Commissioner may, after due notice to the public, close designated ports of entry in the interest of national  
17 security or public safety.  
18

19  
20 **CHAPTER 2**  
21 **PROCEDURES ON ARRIVAL**

22  
23 **SEC. 60. Arrival Formalities.** — A foreign national seeking admission or readmission shall present a  
24 valid passport and visa, if required, to the Immigration Officer at the port of entry and shall be subject to primary  
25 inspection. The decision of the Immigration Officer to admit any foreign national may be challenged by another  
26 Immigration Officer on any ground provided in this Act. The final determination on the admissibility of such  
27 foreign national shall be determined by the Commissioner or his/her authorized representative. The resolution  
28 shall be reflected in the system of the Bureau.  
29

30 **SEC. 61. Arrival Notice Requirements of Vessel.** — The immigration authorities shall be given prior  
31 notice of the arrival of any vessel before such vessel comes into any area in the Philippines from any place  
32 outside thereof.  
33

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

38  
39 **CHAPTER 3**  
40 **FOREIGN CREWMEMBER**

41 **SEC. 62. Conditional Permit to Disembark.** — A foreign crewmember of a vessel under Section 37(c)  
42 of this Act may be granted a conditional permit, in a form prescribed by regulations, to disembark temporarily  
43 from the vessel on which such crewmember arrived while the vessel remains in port under such terms and  
44 conditions as may be prescribed by the Commissioner.  
45

46 **SEC. 63. Confiscation and Cancellation of Permit; Deportation from the Philippines.** — Upon the  
47 determination that the foreign national is not a *bona fide* crewmember or does not intend to depart on the vessel  
48 that brought him, the Commissioner shall cancel and confiscate the conditional permit already issued, take such  
49 foreign national into custody, and require the owner, operator, captain, master, pilot, agent or consignee of the  
50 vessel on which the foreign national arrived to receive and detain the foreign national on board. The expenses  
51 for removal of the foreign national, including the cost of detention and other expenses incidental thereto, shall  
52 be borne by the owner, operator, captain, master, pilot, agent or consignee of such vessel.  
53



- 1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55
- (3) Those who are found to be suffering from addiction to prohibited or regulated substance;
  - (b) Economic Grounds
    - (1) Those likely to become a public charge; and
    - (2) Those seeking entry for the purpose of unskilled manual labor;
  - (c) Moral Grounds
    - (1) Those coming to the Philippines to practice polygamy or who advocate the practice of polygamy unless the person's religion allows such practices;
    - (2) Those who are pedophiles, sexual perverts or those coming to the Philippines for immoral purposes;
    - (3) Those who are engaged or who seek to engage in prostitution or to procure or attempt to procure prostitutes, or who receives in whole or in part the proceeds of prostitution; and
    - (4) Those who, at the time of primary inspection by the Immigration Officer, exhibit any contemptuous or disrespectful behavior towards the said officer, any employee of the Bureau, or any government official;
  - (d) National Security, Public Order and Public Safety Grounds
    - (1) Those who have been convicted of a crime involving moral turpitude or who admit to the Immigration Officer of having committed such crime, or who attempt and conspire to commit the crime;
    - (2) Those who have been convicted of, or who admit having committed, or are committing, acts which constitute the elements of a violation or conspiracy to violate any law or regulation of the Philippines or a foreign country relating to a controlled, regulated or prohibited substance, or who admit having attempted or conspired to commit such acts;
    - (3) Those that the Philippine Government knows or has reason to believe are or have been traffickers of any controlled, regulated or prohibited substance, or accomplices, accessories, abettors, or co-conspirators in the illicit trafficking of any controlled, regulated or prohibited substance;
    - (4) Those who are fugitives from justice;
    - (5) Those who seek to enter the Philippines to engage in:
      - (i) espionage or sabotage, or a violation or evasion of laws prohibiting export of goods, technology or sensitive information;
      - (ii) any activity aimed to promote membership in an organization of syndicated criminal activities;
      - (iii) any activity, the purpose of which is to overthrow the Philippine government by force, violence, or other unlawful means; and
      - (iv) any other unlawful activity;
    - (6) Those who are engaged or believed to be engaged or likely to engage in, aid, abet or finance, any terrorist activity and members or representatives of a foreign terrorist organization;

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

12 **SEC. 70. *Temporary Custody of Excludable Foreign Nationals.*** — For the purpose of ascertaining  
13 whether a foreign national arriving in the Philippines belongs to any of the excludable classes of foreign national  
14 provided in this Act or related laws, the Immigration Officer, for a period not exceeding seventy-two (72) hours,  
15 may temporarily take into custody for investigation such foreign national either on board the vessel or at a place  
16 designated for the purpose at the expense of the owner, operator, master, captain, pilot, agent or consignee of  
17 the carrying vessel.  
18

19 **SEC. 71. *Finality of Exclusion Order.*** — An order by the Immigration Officer to exclude a foreign  
20 national who is excludable under this Act is final and executory unless revoked by the Commissioner upon a  
21 timely appeal prior to the implementation of the exclusion order.

22 **SEC. 72. *Authority to Waive Grounds for Exclusion.*** — The Commissioner may waive any of the  
23 grounds for exclusion mentioned in Section 69 of this Act, except for the grounds of exclusion under Section  
24 69(d), subparagraphs 1 to 8.  
25

26 **SEC. 73. *Procedure of Removal and Cost Thereof.*** — Foreign nationals arriving in the Philippines who  
27 are ordered excluded shall be immediately removed to the country where they boarded the vessel on which they  
28 arrived, in accommodations of the same class, unless the Commissioner determines that immediate removal is  
29 not proper and practicable pursuant to applicable Conventions, laws, rules and regulations, in which case such  
30 excluded foreign nationals shall be ordered detained. The cost of removal, detention and other expenses  
31 incidental thereto shall be borne by the owner, operator, master, pilot, captain, agent, or consignee of the vessel  
32 on which such foreign nationals arrived.  
33

34 **SEC. 74. *Country Where Removal is to be Directed.*** — If the government of the country designated in  
35 the preceding section will not accept the foreign national into its territory, the removal of the foreign national  
36 shall be directed, at the Commissioner's discretion to any of the following:  
37

- 38 (a) The country of which the excluded foreign national is a citizen or national;  
39  
40 (b) The country of birth;  
41  
42 (c) The country of the foreign national's habitual residence; or  
43  
44 (d) The country willing to accept the foreign national into its territory, if removal to any of the  
45 foregoing countries is impractical or impossible.  
46

47 **SEC. 75. *Obligation of Owner, Operator, Master, Captain, Pilot, Agent or Consignee.*** — It shall be  
48 unlawful for an owner, operator, master, captain, pilot, agent, or consignee of a vessel to refuse or fail to:  
49

- 50 (a) Board a foreign national ordered excluded and removed in the same vessel or another vessel  
51 owned or operated by the same company;  
52  
53 (b) Detain a foreign national on board any such vessel at the port of arrival when required by this  
54 Act or when so ordered by an Immigration Officer;  
55

- 1 (c) Deliver a foreign national for medical or other examinations when so ordered by an Immigration  
2 Officer;
- 3 (d) Remove a foreign national from the Philippines to the country to which the individual's removal  
4 has been directed; or
- 5  
6 (e) Pay the cost of detention and such other costs and expenses necessary or incidental to the removal  
7 of the excluded foreign national as provided in this Act.  
8

9 **SEC. 76. *Penalty for Non-compliance of Obligation.*** — The owner, operator, master, captain, pilot,  
10 agent, or consignee of a vessel who violates Section 75 of this Act shall pay the fines prescribed in Chapter 6,  
11 Title VI of this Act. No vessel shall be granted clearance from any port in the Philippines while such fines  
12 remain unpaid or while the validity thereof is being determined: *Provided*, That clearance may be granted prior  
13 to such determination upon deposit of a sum or cash bond sufficient to cover such fines as approved by the  
14 Commissioner.  
15

16  
17 **TITLE V**  
18 **DEPORTATION**

19  
20 **CHAPTER 1**  
21 **DEPORTABLE FOREIGN NATIONALS**  
22

23 **SEC. 77. *Classes of Deportable Foreign Nationals.*** — The following foreign nationals shall be taken  
24 into custody upon the order of the Commissioner and deported upon recommendation by the BSI and approval  
25 by the Board:  
26

- 27 (a) Those who entered the Philippines: (1) by means of misrepresentations or false or misleading  
28 statements or documents, or (2) without inspection and admission by the immigration authorities;  
29
- 30 (b) Those who were not lawfully admissible at the time of entry;  
31
- 32 (c) Those who abet or aid in the practice of prostitution, including the owner or manager of a  
33 prostitution den, or who are pedophiles;  
34
- 35 (d) Those who, at any time after the date of entry, have become a public charge;  
36
- 37 (e) Those who remain in the Philippines in violation of any period of limitation or condition under  
38 which they were admitted;  
39
- 40 (f) Those who believe in, advise, advocate, teach, or otherwise engage in any activity the purpose of  
41 which is the opposition to, or the control or overthrow of, the Government of the Republic of the  
42 Philippines or any of its duly constituted authority by force, violence, or other unlawful means, or those  
43 who do not believe in or are opposed to organized governments, or those who advise, advocate or teach  
44 the assault or assassination of public officials, or those who advise, advocate or teach the unlawful  
45 destruction of property, or those who are members of or affiliated with any organization entertaining,  
46 advocating or teaching such doctrines, or those who in any manner whatsoever extend assistance,  
47 financial or otherwise, in the dissemination of such doctrines;  
48
- 49 (g) Those who engage in, abet, aid or finance any terrorist activity;
- 50 (h) Those who, at any time after entry, are charged of a crime involving acts or omissions punishable  
51 under Philippine penal laws cognizable by the Regional Trial Courts and the *Sandiganbayan*;  
52
- 53 (i) Those who are convicted by final judgment of a crime involving moral turpitude punishable under

1 Philippine penal laws;

2  
3 (j) Those who were admitted as non-immigrants and who obtained an adjustment of their admission  
4 status for convenience, or through fraud, falsification of documents, misrepresentations or concealment  
5 of material facts;

6  
7 (k) Those who violated Philippine labor and taxation laws, rules and regulations;

8  
9 (l) Those who are found to be undesirable and whose further stay in the Philippines is inimical to  
10 public welfare and interest, or the dignity of Filipinos or the Republic of the Philippines as a sovereign  
11 nation;

12  
13 (m) Those who forge, counterfeit, alter or falsely make any document; or use, attempt to use, possess,  
14 obtain, accept or receive, or provide any forged, counterfeit, altered or falsely made document; or use,  
15 attempt to use, provide, attempt to provide, accept or receive a genuine document, even of another  
16 person, without authority to do so for the purpose of satisfying or complying with the requirements of  
17 the Bureau;

18  
19 (n) Those whose presence or activities in the country may result in adverse consequences to Philippine  
20 foreign policies as determined by the Secretary of Foreign Affairs;

21  
22 (o) Those who misrepresented themselves as Filipino citizens in all immigration matters; and

23  
24 (p) Those who violate any of the provisions of this Act, independent of any criminal action which may  
25 be brought against them: *Provided*, That in the case of a foreign national who, for any reason, is  
26 convicted and sentenced to suffer both imprisonment and deportation, said foreign national shall first  
27 serve the entire period of the sentence before being deported.

28  
29  
30 **CHAPTER 2**  
31 **DEPORTATION PROCEEDINGS**  
32

33 **SEC. 78. *Nature of Deportation Proceedings.*** — Deportation proceedings shall be independent of any  
34 action that may be instituted against a foreign national: *Provided*, That no deportation order shall be issued  
35 against foreign nationals facing preliminary investigation, prosecution and trial before competent authorities.  
36

37 **SEC. 79. *Non-Prescription of Deportation Cases.*** — The right of the State to initiate deportation  
38 proceedings shall not prescribe.  
39

40 **SEC. 80. *Formal Charge of Deportation.*** — A formal charge for deportation shall be issued upon  
41 determination of the existence of a *prima facie* case against the foreign national.

42 **SEC. 81. *Bail.*** — Pending final determination of the foreign national's deportation case, the foreign  
43 national shall, upon the discretion of the Commissioner, remain under detention or be released on bail or  
44 recognizance. The bail may be revoked and confiscated in favor of the government if there is sufficient evidence  
45 that the foreign national is evading the proceedings or is attempting to abscond, in which case such foreign  
46 national shall be taken into custody and placed under detention by order of the Commissioner.  
47

48 **SEC. 82. *Custody of a Foreign National Convicted of a Felony or an Offense.*** — After service of the  
49 sentence or compliance with the conditions of parole or probation, as the case may be, the foreign national shall  
50 be taken into custody for immediate deportation by order of the Board.  
51

52 **SEC. 83. *Voluntary Deportation, When Authorized.*** — The Commissioner may waive the deportation  
53 proceedings and order the departure of the foreign national within the period specified in the voluntary  
54 deportation order if the foreign national does not contest the formal charge and opts to voluntarily leave the  
55 country and pays for all expenses: *Provided*, That the foreign national has not committed any criminal offense

1 or has no pending criminal investigation: *Provided, further*, That the said foreign national so deported shall be  
2 barred from re-entering the country without prior written authorization from the Commissioner.  
3

4 **SEC. 84. *Period to Enforce Order of Deportation.*** — The order of deportation shall be enforced  
5 immediately but in no case shall exceed three (3) months from the date it has become final and executory. If  
6 deportation is not enforced within the prescribed period, the foreign national may be released on bail or  
7 recognizance.  
8

9 **SEC. 85. *Suspension of Deportation Order.*** — The Commissioner may suspend the implementation  
10 of the deportation order and order the release of the foreign national on bail or recognizance, taking into account  
11 the following factors:  
12

- 13 (a) Age, health, family or conduct;
- 14 (b) Period of detention;
- 15 (c) Impact on national security and public welfare;
- 16 (d) Unavailability of travel documents;
- 17 (e) Existence of an application for refugee or statelessness status; or
- 18 (f) Other humanitarian considerations.  
19

20 **SEC. 86. *Reinstatement of a Deportation Order.*** — A deportation order previously implemented  
21 against a foreign national who unlawfully re-entered the Philippines shall be deemed automatically reinstated  
22 and shall be implemented in accordance with this Act. This provision shall also apply to a foreign national who  
23 departed voluntarily under Section 83 of this Act and re-entered the Philippines unlawfully or without prior  
24 written authorization from the Commissioner.  
25

26 **SEC. 87. *Country of Destination of a Deportee.*** — Except as provided for under an existing treaty or  
27 international agreement, a foreign national shall be deported to the country of which the person is a citizen or  
28 national, or the foreign national's country of birth, or the country of which the foreign national is a resident, or  
29 the country from which the foreign national embarked for the Philippines, subject to the acceptance by the  
30 receiving country.

31 **SEC. 88. *Cost of Deportation.*** — The owner, operator, captain, master, pilot, agent or consignee of a  
32 vessel shall bear the cost of deportation of any of its foreign crewmembers deemed deportable under Section 77  
33 of this Act. In all other cases, the cost of deportation shall be borne either by the deportee, by the concerned  
34 consular office, nongovernment organizations or people's organizations with which the Bureau has an  
35 agreement on this matter, or shall be charged to the appropriations for the implementation of this Act.  
36

37 **SEC. 89. *Liability of Owner, Operator, Captain, Master, Pilot, Agent or Consignee of a Vessel.*** —  
38 Failure or refusal on the part of the owner, operator, captain, master, pilot, agent or consignee of a vessel to take  
39 on board, guard safely and transport the deportee to the foreign national's country of destination, or to shoulder  
40 the cost of deportation of the foreign crew member as provided in the preceding Section, shall be subject to the  
41 administrative fines prescribed under Chapter 6, Title VI of this Act.  
42

43 **SEC. 90. *Designation of Accompanying Person.*** — The Commissioner may, for security reason or by  
44 reason of the mental or physical condition of the deportee, direct an employee of the Bureau to accompany such  
45 deportee to the country of the deportee's destination, subject to the provisions of Section 88 of this Act.  
46

### 47 CHAPTER 3 48 INDIGENT FOREIGN NATIONALS 49

50 **SEC. 91. *Removal of Indigent Foreign Nationals.*** — At any time after entry, the Commissioner may  
51 remove indigent foreign nationals from the Philippines to either the country of which they are citizens or  
52 nationals, their country of birth, or their country of residence, as the case may be. The cost of deportation may  
53 be charged against the available funds of the Bureau. Any foreign national removed under this section shall be  
54 barred re-admission except upon written authorization of the Board.

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

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

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

11  
12 **SEC. 92. Requirement of Registration.** — All foreign nationals, regardless of any exemption provided  
13 by law, shall register with the Bureau or any Immigration Office nearest to their place of residence on or before  
14 the sixtieth (60<sup>th</sup>) day of their latest arrival in the Philippines.

15  
16 **SEC. 93. Registration Form and Oath.** — Applications for registration shall be under oath and in such  
17 form as prescribed by the Bureau. Upon registration, a certificate of registration shall be issued to the registrant.

18  
19 **SEC. 94. Amendment of Registration.** — Registered foreign nationals shall notify the Bureau in  
20 writing of any change of information in their registration documents not later than seven (7) days from such  
21 change.

22  
23 **SEC. 95. Presentation of Certificate of Registration.** — Every foreign national required to register  
24 under this Act or the parent or guardian of such foreign national shall present, upon demand by any personnel  
25 authorized by the Commissioner, a certificate of registration of such individual, and failure to do so without  
26 justifiable cause shall be dealt with in accordance with the provisions of this Act.

27  
28 **SEC. 96. Reportorial Requirements.** — Every foreign national registered under this Act shall, within  
29 the first sixty (60) days of every calendar year, report in person to the Bureau. The Commissioner may exempt  
30 personal appearance of foreign nationals registered under this Act subject to certain requirements and conditions  
31 as may be prescribed in the rules and regulations issued for the purpose.

32  
33 **SEC. 97. Failure to Comply with Requirements.** — A foreign national, or the parent or guardian of the  
34 foreign national, who, without justifiable reason, fails to comply with all the requirements under this Act, or  
35 who files an application for registration containing statements known by the individual to be false, or who  
36 utilizes registration documents other than that of the individual, shall be dealt with in accordance with the  
37 provisions of this Act and other existing laws.

38  
39 **SEC. 98. Cancellation of Registration of Foreign National.** — In case of death of a foreign national  
40 registered under the provisions of this Act, the legal heir, representative or administrator of the foreign national  
41 must inform the Bureau within sixty (60) days from such death, and the Bureau shall cancel the registration of  
42 the deceased foreign national. The Local Civil Registrar or other civil registry officer of the locality where said  
43 foreign national died shall furnish the Bureau with a copy of the Certificate of Death within thirty (30) days  
44 from issuance thereof. Failure on the part of the persons concerned to comply with the requirements specified  
45 in this Section shall be dealt with pursuant to the provisions of existing laws.

46  
47 **CHAPTER 2**  
48 **BONDS AND DEPOSITS**

49  
50 **SEC. 99. Bonds, When Required.** — The Bureau shall have the authority to require cash bonds in such  
51 amounts and under such conditions as it may prescribe in order to:

- 52 (a) control and regulate the admission into, and departure from, the Philippines of foreign nationals  
53 applying for temporary admission;  
54 (b) insure against foreign passengers liable to be excluded as likely to become public charges; and

1 (c) ensure the appearance of foreign nationals released from custody during the course of deportation  
2 proceedings instituted against them.  
3

4 **SEC. 100. Requirement of Cash Deposits for Services Rendered.** — The Bureau shall likewise have  
5 the authority to require cash deposits in such amounts as may be necessary from a vessel's owner, operator,  
6 captain, master, pilot, agent, or consignee or other persons served for services rendered as established by the  
7 implementing rules and regulations.  
8

9 **SEC. 101. Cancellation and Forfeiture of Bonds.** — When the conditions of the bond are fulfilled, or  
10 in case the Commissioner determines that the likelihood that a foreign national shall become a public charge no  
11 longer exists, or in case of death of the foreign national in whose behalf the bond is posted, the bond shall be  
12 cancelled and released to the depositor or the legal representative of the foreign national. In case of violation of  
13 the conditions of the bond, the same shall be forfeited and deposited in a trust fund account which may be  
14 utilized for the purchase of passage tickets for the removal of indigent foreign nationals and to cover the costs  
15 of operations in locating deportees who jump bail.  
16

### 17 CHAPTER 3 18 RECOGNIZANCE 19

20 **SEC. 102. Petitions for Recognizance, Sanction for Breach of Conditions.** — The Commissioner may  
21 order the release of a foreign national upon recognizance of the foreign national's lawyer or a person who is of  
22 good standing in the community, under such terms and conditions as the Board may prescribe. Failure to comply  
23 with the terms and conditions of the recognizance shall subject said lawyer or person to a fine of not less than  
24 Fifty thousand pesos (₱50,000.00) but not more than One hundred thousand pesos (₱100,000.00), without  
25 prejudice to other administrative sanctions or proceedings against the erring party.  
26  
27

### 28 CHAPTER 4 29 COOPERATION AND COORDINATION WITH OTHER OFFICES 30

31 **SEC. 103. Interoperability.** — The Bureau shall cooperate and coordinate with relevant government  
32 agencies and offices for purposes of the implementation of this Act.  
33  
34

### 35 CHAPTER 5 36 FEES AND CHARGES 37

38 **SEC. 104. Authority of the Board to Prescribe, Impose and Collect Fees and Charges.** — The Board  
39 is authorized to prescribe, impose, and collect fees and charges for services rendered, pursuant to the provisions  
40 of this Act.  
41  
42

### 43 CHAPTER 6 44 ADMINISTRATIVE FINES 45

46 **SEC. 105. Fine for Failing to Submit Crew List or Passenger Manifest, or Failure to Account Every  
47 Passenger and Crew.** — Any owner, operator, master, captain, pilot, agent, or consignee of a vessel arriving at  
48 any port in the Philippines from a place outside thereof who fails to submit to the immigration authorities a  
49 complete and accurate crew list or passenger manifest, or fails to produce or account every crewmember or  
50 passenger whose name appears in said list or manifest shall be subject to fines of One hundred thousand pesos  
51 (₱100,000.00) and Fifty thousand pesos (₱50,000.00) for each unaccounted crewmember or passenger,  
52 respectively.  
53

54 **SEC. 106. Fine for Violation of Obligation on the Landing or Removal of Foreign Nationals.** — Any  
55 owner, operator, master, captain, pilot, agent, or consignee of any vessel arriving at a port of the Philippines  
56

1 from a place outside thereof having a foreign national on board in violation of this Act shall be fined not less  
2 than Fifty Thousand pesos (₱50,000.00) but not more than Two hundred thousand pesos (₱200,000.00) for each  
3 act or violation consisting of:

- 4
- 5 (a) Failure to prevent the landing of such foreign national in the Philippines at any time or place other  
6 than as designated by the Immigration Officer;
- 7
- 8 (b) Refusal or failure to detain a foreign national on board any such vessel at the port of arrival when  
9 required by this Act or so ordered by an Immigration Officer;
- 10
- 11 (c) Refusal or failure to deliver a foreign national for medical or other examinations when so ordered  
12 by an Immigration Personnel;
- 13
- 14 (d) Refusal or failure to pay the cost of maintenance and other costs, as required by this Act, of such  
15 foreign national when temporarily removed from the vessels for examination by order of the  
16 Immigration Officer;
- 17
- 18 (e) Refusal to receive such foreign national on board for removal from the Philippines if the foreign  
19 national is excluded, or to pay the cost of removal as required under this Act;
- 20
- 21 (f) Refusal or failure to take on board, guard safely and transport the deportee to the foreign  
22 national's country of destination, or to shoulder the cost of deportation of the foreign crew member;  
23 and
- 24
- 25 (g) Making any charge against such foreign national for the cost referred to in item (d) above, or for  
26 the cost of the removal of the foreign national from the Philippines if the latter is excluded or taking  
27 any security from the foreign national for the payment of any such costs.
- 28

29 **SEC. 107. *Fine for Bringing Undocumented Foreign National, or Foreign National Afflicted with***  
30 ***Communicable or Contagious Disease, or Suffering from Mental Disorder.*** — The owner, operator, master,  
31 captain, pilot, agent, or consignee of the vessel arriving at a port in the Philippines from a place outside thereof  
32 bringing on board an undocumented foreign national shall be fined One hundred thousand pesos (₱100,000.00)  
33 for each foreign national. If the foreign national is afflicted with a communicable or contagious disease or is  
34 suffering from psychiatric disorder that may pose a threat to persons or danger to property as stated in Section  
35 69 of this Act, the fine shall be not less than Two hundred thousand pesos (₱200,000.00) but not more than  
36 Three hundred thousand pesos (₱300,000.00) for each foreign national.

37

38 **SEC. 108. *Fine for Bringing a Foreign National to Assist His Illegal Entry or Misrepresenting a***  
39 ***Foreign National as a Member of the Crew.*** — The owner, operator, master, captain, pilot, agent, or consignee  
40 of the vessel arriving at any port in the Philippines from a place outside thereof bringing on board a foreign  
41 national bound for the Philippines to assist the illegal entry of the foreign national, or misrepresenting the foreign  
42 national to the Immigration Officer at the port of arrival as a bona fide member of the crew, shall be fined not  
43 less than One hundred thousand pesos (₱100,000.00) but not more than Two hundred thousand pesos  
44 (₱200,000.00) for each foreign national.

45

46 **SEC. 109. *Fine for an Overstaying Crewmember.*** — Any foreign crewmember who willfully remains  
47 in the Philippines beyond the period allowed for temporary landing shall be fined not less than Fifty thousand  
48 pesos (₱50,000.00) but not more than One hundred thousand pesos (₱100,000.00). The owner, operator, master,  
49 captain, pilot, agent, or consignee of the vessel shall be solidarily liable for the fine imposed on such overstaying  
50 crewmember.

51

52 **SEC. 110. *Fine for Assaulting Immigration Personnel.*** — Any form of assault directed to any  
53 personnel of the Bureau is an act of disrespect. In case the assault is committed by a foreign national at the ports  
54 of entry and exit, such foreign national shall be excluded or deported, as the case may be, and shall be fined  
55 Two hundred thousand pesos (₱200,000.00) without prejudice to the right of the aggrieved Immigration  
56 Personnel to file appropriate criminal, civil or administrative cases against such person.

1 For purposes of this Act, an Immigration Officer shall be considered a person in authority while in the  
2 performance of official duty.  
3

4 **SEC. 111. *Fine for Violation of Other Provisions of this Act.*** — The owner, operator, master, captain,  
5 pilot, agent, or consignee of any vessel arriving at any port of the Philippines from a place outside thereof who  
6 violates any other provision of this Act not specifically provided in this Chapter shall be fined not less than Fifty  
7 thousand pesos (₱50,000.00) but not more than Two hundred thousand pesos (₱200,000.00) for each violation.  
8

9  
10 **CHAPTER 7**  
11 **PENAL PROVISIONS**

12 **SEC. 112. *Prohibited Acts and Penalties.*** — Any person who shall commit any of the acts specified  
13 hereunder shall, upon conviction, suffer the penalty of imprisonment for not less than five (5) years but not more  
14 than ten (10) years, or a fine of not less than One hundred thousand pesos (₱100,000.00) but not more than Five  
15 hundred thousand pesos (₱500,000.00), or both imprisonment and fine, at the discretion of the court:  
16

- 17 (a) Impersonating another individual, or falsely appearing in the name of a deceased individual, or  
18 evading immigration laws by using an assumed or fictitious name when applying for an immigration  
19 document;  
20  
21 (b) Issuing or otherwise delivering an immigration document or an immigration accountable form to  
22 any person not authorized by law to receive such documents;  
23  
24 (c) Obtaining, manufacturing, printing, accepting or using any immigration or travel document  
25 knowing it to be false, or using an immigration accountable form that is not legally issued;  
26  
27 (d) Entering or leaving the Philippines without inspection and admission by the immigration  
28 authorities, or obtaining entry into or departure clearance from the Philippines through fraud,  
29 misrepresentation, or concealment of material facts;  
30  
31 (e) Misrepresenting oneself to be a citizen of the Philippines;  
32  
33 (f) Knowingly making any false statement under oath regarding any immigration matter; or  
34  
35 (g) Bringing into, or landing in the Philippines, or concealing, harboring, employing, or giving  
36 comfort to, any person not duly admitted by an Immigration Personnel or not lawfully entitled to enter  
37 into or reside within the Philippines, or attempting, conspiring with, or aiding another to commit any  
38 such acts.  
39

40 Where the offender of any act specified in paragraph (g) of this section is a corporation, partnership or  
41 other juridical entity, the president, general manager, managing partner, or chief executive officer thereof shall  
42 be held liable. Dismissal of the employee by the employer before or after apprehension shall not relieve such  
43 employer from any liability arising from the offense: *Provided*, That if the offender is the owner, operator,  
44 master, captain, pilot, agent, or consignee, or other person in charge of the vessel that brought the foreign  
45 national into the Philippines from any place outside thereof, the fine imposed under this section shall constitute  
46 a lien against the vessel which may be enforced in the same manner as fines are collected and enforced under  
47 existing laws. Such vessel shall not be allowed to depart without prior clearance issued by the Bureau. Where  
48 forfeiture is justified under the particular circumstances of the case, the forfeiture of the vessel in favor of the  
49 government in lieu of the fine shall be decreed.  
50

51 Conviction by final judgment of any offense punishable under this Act or other related laws shall result  
52 in the automatic revocation or cancellation of any immigration document issued to the offender, including that  
53 of the foreign national's spouse and unmarried children, if applicable.  
54

55 **SEC. 113. *Penalty for Aiding the Escape of Detained Foreign National.*** — Any person who shall be  
56 found to have helped, assisted, supported, caused or ministered the escape, including harboring and concealing,

1 of a detained foreign national shall, upon conviction, be imprisoned for not less than five (5) years but not more  
 2 than ten (10) years and a fine of not less than Two hundred thousand pesos (₱200,000.00): *Provided*, That if the  
 3 person liable is a foreign national, such person shall be deported after service of sentence: *Provided, further*,  
 4 That any tools, equipment, implements or vehicles used in the escape of a detained foreign national shall be  
 5 destroyed or forfeited in favor of the government.  
 6

7 **SEC. 114. *Penalty for Failure to Comply with Subpoena.*** — Any person who, having been duly served  
 8 with a subpoena, fails to comply without valid and justifiable reasons, shall suffer the penalty of imprisonment  
 9 of not more than fifteen (15) days or a fine of not more than One thousand pesos (₱1,000.00), or both, at the  
 10 discretion of the court.  
 11

12 **SEC. 115. *Imposition of Maximum Penalty, When Applicable.*** — A person convicted under Republic Act  
 13 No. 3019, as amended, otherwise known as the “*Anti-Graft and Corrupt Practices Act*”, or other laws against  
 14 corruption and bribery, in relation to any violation or circumvention of any provision of this Act, shall suffer  
 15 the maximum penalty under the said Republic Act or other laws against corruption and bribery, as the case may  
 16 be.  
 17

18 **CHAPTER 8**  
 19 **UPGRADING OF POSITIONS, COMPENSATION AND BENEFITS**  
 20

21 **SEC. 116. *Creation of New Positions, Reclassification of Existing Positions and Upgrading of Salary***  
 22 ***Levels.*** — The following positions in the Bureau are hereby created, and the existing positions reclassified or  
 23 upgraded, with the corresponding salary grade levels:

| EXISTING POSITION  | RECLASSIFIED POSITION/<br>NEWLY CREATED POSITION                      | SALARY GRADE |    |
|--|---|--------------|----|
|  |   | From         | To |
| Commissioner   | Commissioner III  | 30           | 30 |
| Deputy Commissioner  | Deputy Commissioner III   | 29           | 29 |
| 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 (Administrative Division)         | Supervising Administrative Officer, Administrative Division           | 22           | 22 |
| Chief Immigration Officer (Alien Registration Division)              | Chief Immigration Officer (Chief Alien Registration Officer)          | 24           | 24 |
| Intelligence Officer V (Intelligence Division)                       | Intelligence Officer V (Chief Immigration Intelligence Officer)       | 24           | 24 |
| Chief Immigration Officer (Law Enforcement Division)                 | Chief Immigration Officer (Chief Immigration Law Enforcement Officer) |              | 24 |
| Chief Immigration Officer (Immigration Regulation Division)          | Chief Immigration Officer (Chief Immigration Regulation Officer)      | 24           | 24 |
| Chief Personnel Specialist   | Chief Personnel Specialist (Chief Human Resource Management Officer)  |              | 24 |
|  | Supervising Human Resource Management Officer                         |              | 22 |
| Chief Administrative Officer (Finance and Management Division)       | Chief Administrative Officer (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 |

| EXISTING POSITION   | RECLASSIFIED POSITION/<br>NEWLY CREATED POSITION   | SALARY GRADE |    |
|---|--|--------------|----|
|   |  |              |    |
| 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<br>(Management Information System Div) | Information Technology Officer III<br>(Chief Information and Communications<br>Technology Officer) | 24           | 24 |
|   |  |              |    |
| Supervising Immigration Officer<br>(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 |
| Intelligence Officer III  |  |              |    |
|   |  |              |    |
| Immigration Officer II  | Immigration Officer II   | 13           | 15 |
| Intelligence Officer II   |  |              |    |
| Special Investigator II   |  |              |    |
|   |  |              |    |
| Immigration Officer I   | Immigration Officer I  | 11           | 13 |
| Intelligence Officer I  |  |              |    |
| Special Investigator I  |  |              |    |
|   |  |              |    |
| Administrative Officer V<br>(Administrative Officer III)                  | Administrative Officer V   | 18           | 18 |
| Administrative Officer V<br>(Cashier III)                                 |  |              |    |
| Administrative Officer V<br>(HRMO III)                                    |  |              |    |
| Administrative Officer V<br>(Records Officer III)                         |  |              |    |
| Administrative Officer V<br>(Supply Officer III)                          |  |              |    |
| Administrative Officer V<br>(Procurement)                                 |  |              |    |
| Administrative Officer V<br>(Management and Audit Analyst III)            |  |              |    |
| Administrative Officer V<br>(Budget Officer III)                          |  |              |    |
|   |  |              |    |
| Computer Programmer II  | Information Technology Officer I   | 15           | 19 |
| Computer Maintenance Technologist II                                      |  |              |    |
|   |  |              |    |
|   | Regional Programs Coordinator  |              | 22 |
|   | Training Specialist III  |              | 18 |
|   | Psychologist III   |              | 18 |
|   | Document Examiner III  |              | 18 |
|   | Training Specialist II   |              | 15 |
|   | Project Development Officer II   |              | 15 |
|   | Psychologist II  |              | 15 |
|   | Security Officer II  |              | 15 |
|   | Computer Programmer I  |              | 11 |

1 Upon the recommendation of the Commissioner, and subject to existing civil service rules and  
2 regulations, the Secretary of Justice 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 extent possible, the incumbent  
4 chiefs of sections and divisions whose offices are hereby affected may be upgraded to positions of comparable  
5 rank in the reorganization: *Provided, further*, That for the new positions created under this Act, the Board shall  
6 designate the personnel thereof.

7  
8 **SEC. 117. *Additional Grant of Benefits.*** — The Bureau shall provide its employees with the following  
9 benefits:

- 10 (1) Night shift differential which shall be subject to Republic Act No. 11701; and
- 11 (2) Overtime pay for actual work rendered in accordance with the existing rules and regulations.

12  
13 **SEC. 118. *Establishment of Immigration Trust Fund.*** — An Immigration Trust Fund (ITF) is hereby  
14 created sourced from thirty percent (30%) of the immigration fees, fines and penalties, and other income that  
15 may be collected by the Bureau for the effective implementation of this Act: *Provided*, That the amount shall  
16 not exceed One billion two hundred million pesos (P1,200,000,000.00) every year: *Provided, further*, That any  
17 excess in the collections under this paragraph shall accrue to the general fund of the national government.  
18  
19

20  
21 The ITF shall be managed by the Board in accordance with existing government auditing rules and  
22 regulations, and shall be used exclusively for the following:

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

30  
31 All interest income, dividends and earnings accrued from the ITF shall also form part of the fund. No  
32 portion of the ITF shall revert to the general fund of the national government, except when the ITF is no longer  
33 necessary for the purposes for which it was established.

34  
35 Collections from express lane fees under Section 11 (n) of this Act shall not form part of the ITF, and  
36 shall be used strictly in accordance with the said provision.

## 37 38 39 40 41 42 **CHAPTER 9** 43 **ELECTRONIC TRANSACTIONS**

44  
45 **SEC. 119. *Development and Implementation of Electronic Systems.*** — The Bureau shall develop and  
46 implement electronic systems to facilitate transactions through the use of digital and electronic technology,  
47 including the processing of admission, visa transactions, citizenship, and alien registration, as well as the  
48 submission of reports, notices and documents required under this Act.

49  
50 The Bureau shall develop and implement an infrastructure plan to facilitate the electronic transmission  
51 and conveyance of government services in order to:

- 52 (a) Facilitate convenience in arrival and departure processes through e-systems;
  - 53 (b) Accept the creation, filing or retention of such documents in the form of electronic data messages  
54 or electronic documents;
- 55  
56

- 1 (c) Issue permits, visas, certification or approval in the form of electronic data messages or  
2 electronic documents;  
3  
4 (d) Require or accept payments, and issue receipts acknowledging such payments, through systems  
5 using electronic data messages or electronic documents; and  
6  
7 (e) Accept or issue any document in the form of electronic data messages or electronic documents  
8 upon the adoption, promulgation and publication of appropriate rules, regulations and  
9 guidelines.

10  
11 **CHAPTER 10**  
12 **TRANSITORY PROVISIONS**  
13

14 **SEC. 120. *Interim Period.*** — The incumbent Commissioner and the two Deputy Commissioners, if  
15 qualified under this Act, shall continue to discharge the functions of their position unless otherwise removed by  
16 the President. All personnel of the present Bureau of Immigration shall continue to discharge the functions of  
17 their positions pending the reorganization as provided in this Act.  
18

19 **SEC. 121. *Reorganization of the Bureau.*** — Upon approval of this Act, all employees of the Bureau  
20 of Immigration covered by civil service rules and regulations shall continue to hold their present positions  
21 pending the reorganization of the Bureau in accordance with the new staffing pattern: *Provided*, That the  
22 salaries, wages, allowances and other benefits of incumbent officers and employees of the Bureau shall not be  
23 subject to diminution: *Provided, further*, That employees who have been dismissed for cause shall no longer  
24 qualify for any position in the Bureau.  
25

26 **SEC. 122. *Inventory and Transfer of Properties, Accounts, Assets, Liabilities and Obligations to the***  
27 ***Commission.*** — All buildings, properties, equipment, facilities, accounts, other assets, liabilities and other  
28 obligations as well as records of the Bureau of Immigration shall be properly inventoried and transferred to the  
29 Bureau.  
30

31 **SEC. 123. *Force of Treaty or Agreement.*** — Any treaty or agreement entered into between the  
32 Philippines and any foreign state before the effectivity of this Act shall remain in force and effect.  
33

34 **SEC. 124. *Pending Cases.*** — Any prosecution, suit, action, proceeding, or any act or matter, civil or  
35 criminal, pending at the time of the effectivity of this Act shall not be affected by any of the provisions of  
36 this Act unless otherwise explicitly stated herein.  
37

38  
39 **CHAPTER 11**  
40 **ADMINISTRATION AND IMPLEMENTATION**  
41

42 **SEC. 125. *Implementing Rules and Regulations.*** — Within sixty (60) days from the effectivity of this  
43 Act, the Commissioner shall, in coordination with the Secretaries of Justice, Foreign Affairs and Budget and  
44 Management, promulgate the rules and regulations for the effective implementation of this Act.  
45

46 **SEC. 126. *Appropriations.*** — The amount necessary for the initial implementation of this Act shall be  
47 charged against the current year's appropriation of the Bureau of Immigration. Thereafter, such sums as  
48 may be necessary for the continued implementation of this Act shall be included in the annual General  
49 Appropriations Act.

50 **CHAPTER 12**  
51 **FINAL PROVISIONS**  
52

1           **SEC. 127. *Separability Clause.*** — Should any provision of this Act be declared invalid, the remaining  
2 provisions shall continue to be in force and effect.  
3

4           **SEC. 128. *Repealing Clause.*** — Commonwealth Act No. 613, otherwise known as the “Philippines  
5 Immigration Act of 1940”, as amended, Republic Act No. 562 entitled “Alien Registration Act of 1950”, as  
6 amended, and Republic 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 Allocations to the Provincial,  
8 City, and Municipal Governments of Ten Per Centum of Certain Fees Collected in Their Respective Territorial  
9 Limits”, are hereby repealed. All other laws, presidential decrees, executive orders, proclamations,  
10 memorandum orders, instructions, rules and regulations or parts thereof inconsistent with this Act are hereby  
11 amended or modified accordingly.  
12

13           **SEC. 129. *Effectivity.*** — This Act shall take effect fifteen (15) days after its publication in the *Official*  
14 *Gazette* or in a newspaper of general circulation.

Approved,