

Handbook for Filipinos Overseas

8th Edition

Office of the President of the Philippines
Commission on Filipinos Overseas

**HANDBOOK for
FILIPINOS OVERSEAS
EIGHTH Edition**

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FOREWORD

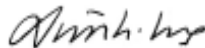
The Commission on Filipinos Overseas is pleased to publish the eighth edition of *Handbook for Filipinos Overseas* for our countrymen who need accurate and current information on the opportunities, services and programs available to them as they work and reside overseas.

The *Handbook* defines, among other things, the rights, obligations and privileges of Filipino immigrants, expatriates and workers. It explains specific programs, projects and services expatriates may invest in or support while living on foreign soil.

This eighth edition of the *Handbook* was prepared to reflect updates on these programs and services. The new information and statistics it provides will help expatriates gain easier access to these services. It is a useful “how-to” manual for using CFO’s programs.

We thank the agencies in the public and private sectors that helped us prepare this revised edition. We shall update it annually and as needed to apprise the readers about changes, amendments or revisions to the program and projects.

We recommend this *Handbook* to our overseas *kababayan* and urge them to make it a part of their personal or office library.



DR. DANTE A. ANG

Secretary

Commission on Filipinos Overseas

LIST OF ACRONYMS

Government/international organizations

ADB	Asian Development Bank
ARMM	Autonomous Region for Muslim Mindanao
BAI	Bureau of Animal Industry
BFAD	Bureau of Food and Drugs
BFAR	Bureau of Fisheries and Aquatic Resources
BI	Bureau of Immigration
BIR	Bureau of Internal Revenue
BOC	Bureau of Customs
BPI	Bureau of Plant Industry
BSP	Bangko Sentral ng Pilipinas Balik Scientist Program
CHED	Commission on Higher Education
COMELEC	Commission on Elections
DENR	Department of Environment and Natural Resources
DFA	Department of Foreign Affairs
DOF	Department of Finance
DOJ	Department of Justice
DOLE	Department of Labor and Employment
DOST	Department of Science and Technology
DOT	Department of Tourism
DSWD	Department of Social Welfare and Development
DTI	Department of Trade and Industry
ICAB	Inter-Country Adoption Board
IBC	Institutional Bio-safety Committee
IRRI	International Rice Research Institute
LRA	Land Registration Authority
LTO	Land Transportation Office
MTC	Maritime Training Council
MTRCB	Movie & Television Review & Classification Board
NAIA	Ninoy Aquino International Airport
NBI	National Bureau of Investigation
NCBP	National Committee on Bio-safety of the Philippines
NEDA	National Economic Development Authority
NERBAC	National Economic Research and Business Advisory Group
NLSF	National Livelihood Support Fund
NMIS	National Meat Inspection Service

NSO	National Statistics Office
NTC	National Telecommunications Commission
OMB	Optical Media Board
OSAC	One-Stop Action Center
OUMWA	Office of the Undersecretary for Migrant Workers Affairs
PEZA	Philippine Economic Zone Authority
PHILHEALTH	Philippine Health Insurance Commission
PNP	Philippine National Police
PQS	Plant Quarantine Service
PRC	Professional Regulation Commission
PTA	Philippine Tourism Authority
POEA	Philippine Overseas Employment Administration
RBOI	Regional Board of Investments
OMA	Office of Muslim Affairs
OWWA	Overseas Workers Welfare Administration
SEC	Securities and Exchange Commission
SSS	Social Security System
TESDA	Technical Education and Skills Development Authority
TRC	Technology Resource Center

Others

AEP	Alien Employment Permit
ACR	Alien Certificate of Registration
ADLE	Additional Deduction for Labor Expense
AO	Administrative Order
ATN	Assistance to Nationals
BC	Birth Certificate
CEA	Certificate of Eligibility for Admission
CITES	Convention on International Trade for Endangered Species
CPR	Certificate of Product Registration
CRTS	Certificate of Residence for Temporary Students
CTC	Certified True Copy
DLR	Driver's License Receipt
ECC	Emigration Clearance Certificate
ECP	Employment Compensation Program
EO	Executive Order
EVP	Exchange Visitor Program
FIA	Foreign Investments Act

FINL	Foreign Investments Negative List
GFI	Government Financial Institution
ICR	Immigrant Certificate of Registration
IP	Import Permit/Permit to Import
IPP	Investment Priorities Plan
ITH	Income Tax Holiday
LCR	Local Civil Registrar
LDA	Less Developed Area
LINKAPIL	Lingkod sa Kapwa Pilipino
MC	Marriage Certificate
MVBM	Modified Voting by Mail
NOA	Notice of Acceptance
NGO	Non-Government Organization
OAV	Overseas Absentee Voting
OEP	Overseas Employment Certificate
PC	Phytosanitary Certificate
PEC	Philippine Embassies and Consulates
PD	Presidential Decree
PDOS	Pre-Departure Orientation Seminar
PFSP	Philippine Foreign Service Post
PV	Personal Voting
RA	Republic Act
SECPA	Security Paper
SESP	Skills-for-Employment Scholarship Program
SIRV	Special Investors Resident Visa
SRRV	Special Retirees Resident Visa
SPA	Special Power of Attorney
SRC	Special Return Certificate
SSP	Special Study Permit
SUP	Seafarer's Upgrading Program
TCCP	Tariff and Customs Code of the Philippines
VAT	Value-Added Tax
VBM	Voting by Mail
VQC	Veterinary Quarantine Clearance

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THE REPUBLIC OF THE PHILIPPINES IN BRIEF



“The Philippines is your country, and the only country God has given you; that you must keep it for yourselves, for your children and for your children’s children until the world is no more. You must live for it and die for it if necessary.”

- **Manuel L. Quezon**

First President, Philippine Commonwealth, 1935-1944

Capital:	Manila
Land Area:	300,000 sq. km.
Land:	298,170 sq km
Water:	1,830 sq km
Population:	92.23 million (National Statistics Office projection for 2009)
Official Languages:	Filipino and English
Religion:	Roman Catholic 80.9%, Muslim 5%, Evangelical 2.8%, Iglesia ni Kristo 2.3%, Aglipayan 2%, other Christians 4.5%, other 1.8%, unspecified 0.6%, none 0.1% (2000 census)
Net migration rate:	-1.34 migrant(s)/1,000 population (2009 est.)

The Philippines, also known as the Pearl of the Orient and the Island of Smiles, is the world's second largest archipelago.

Located in the heart of Southeast Asia, the Philippines is bounded by the Pacific Ocean on the east, Celebes Sea on the south, and South China Sea on the west and north. It is composed of 7,107 islands and islets, which are clustered into three geographical groups –Luzon, Visayas, and Mindanao. The Philippines has mountainous terrain, interior valleys and plains, and narrow but long coastlines. There are no temperature extremes, with seasons either dry or wet. Despite the frequent typhoons experienced by the country half of the year, a wide variety of flora and fauna continue to thrive in its rainforests. It boasts of 500 species of birds, 800 species of orchids, and 8,500 species of flowering plants.

The country's natural beauty is surpassed by the warmth and rich culture of its people. While the present generation of Filipinos is largely of Malay descent (approximately 91.5%), the norms and practices observed are a unique combination of the East and West. The Filipino culture is a synthesis of centuries of colonization and immigration of Malays, Spaniards, Americans, Japanese, and Chinese.

Economic growth is propelled by services, industry, agriculture, forestry, and fishing. Major exports include garments, semiconductors and electronic microcircuits, coconut products, tropical fruits, and sugar. But more than these, it is the people's hard work, resiliency, and patriotism that have helped the nation triumph over the domestic and global, political, and economic challenges it continues to face.

*Sources: US Library of Congress, Country Study Philippines, 1991
National Statistics Office
The CIA World Factbook 2009*

FILIPINOS OVERSEAS AND THEIR CONTRIBUTION TO NATIONAL DEVELOPMENT

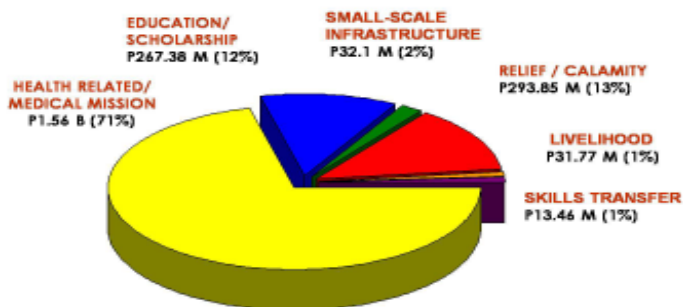


The Commission on Filipinos Overseas estimates that as of December 2008, there were 8.18 million Filipinos living or working abroad. The number is nearly 8.3 % in relation to the country's population of 92.23 million.

Of the 8.18 million overseas Filipinos, roughly 3.62 million are overseas Filipino workers, 3.90 million are permanent residents, and 0.65 million are classified as irregular. The top 5 countries of destination for overseas Filipino workers are the Kingdom of Saudi Arabia, Japan, Hong Kong, United Arab Emirates, and Taiwan. For the emigrants or permanent residents (including spouses and other partners of foreign nationals), the United States of America, Canada, Australia, Japan, United Kingdom, and Guam are the major destination countries.

Filipinos living and working abroad have been a major source of contributions and assistance. They have provided donations to various communities in the Philippines and have infused capital to the country through remittances, investments, and other forms of contributions.

SECTORAL DISTRIBUTION OF LINKAPIL ASSISTANCE (1990-2008)



TOTAL AMOUNT OF ASSISTANCE = P2.294B

REMITTANCES

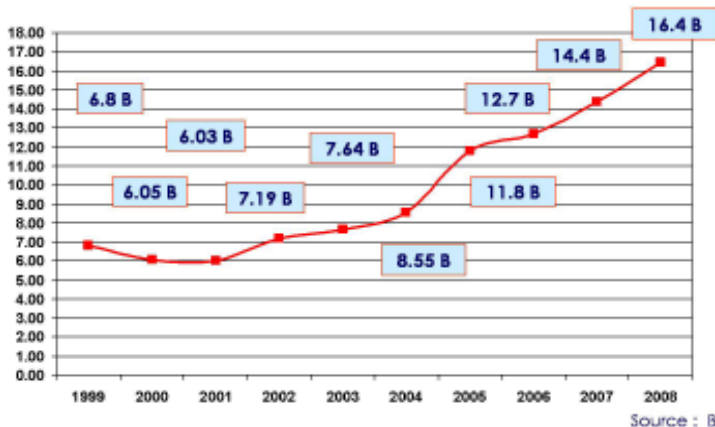
The remittances of overseas Filipinos have contributed significantly in keeping the current account deficit manageable and in stabilizing the economy. The Bangko Sentral ng Pilipinas (BSP) reported that Filipinos overseas remitted US\$16.4 billion in 2008. Major sources of remittance are the United States of America, Kingdom of Saudi Arabia, Italy, Japan, United Kingdom, Hong Kong, Singapore, Dubai, Germany, Kuwait and Abu Dhabi.

From 1999 to 2008, remittances of Filipinos overseas have reached a total of US\$97.56 billion.

DONATIONS AND OTHER FORMS OF ASSISTANCE

Overseas Filipinos also send financial and material assistance to the country through government agencies and NGOs for less privileged groups and individuals, as well as underserved communities. The donations fund and support activities for relief and rehabilitation, education and scholarships, health equipment/facilities and medical missions, water and sanitation facilities, and livelihood assistance.

**REMITTANCES/TRANSFERS FROM FILIPINOS OVERSEAS
THRU FORMAL BANKING CHANNELS
1999 – 2008 (in billion US dollars)**



Through the efforts of the Commission on Filipinos Overseas, an estimated P2.33 billion in donations have been sent by overseas Filipino groups through the *Lingkod sa Kapwa Pilipino* (service to fellow Filipinos) or LINKAPIL program from 1990 to the first semester of 2009 for projects in 85 provinces.

Major sources of these donations include Filipinos in the United States, Germany, Canada, Australia, and Japan.

Please refer to the section on LINKAPIL for more information on the program.

TRANSFER OF TECHNOLOGY

The support of overseas Filipinos is not limited to material/financial assistance. They also facilitate the transfer of information and technology to the country. Various opportunities are available for Filipinos overseas to visit the Philippines and share expertise with local counterparts through lectures, workshops, and other volunteer

work. These avenues include the Balik-Scientist Program of the Department of Science and Technology, Exchange Visitor Program of the Commission on Filipinos Overseas, and other exchange programs conducted by Filipino associations overseas in the Philippines. Aside from these activities, partnerships for research or special projects are being encouraged between Filipinos overseas and local counterparts to pass on new knowledge or develop indigenous technology.

RECOGNITION OF OVERSEAS FILIPINOS



MONTH OF OVERSEAS FILIPINOS

In 1988, Proclamation No. 276 declared December of every year as “Month of Overseas Filipinos”. Special activities to give recognition to Filipinos abroad and to encourage their participation in development activities in the country are undertaken every December in observance of this occasion.

PRESIDENTIAL AWARDS FOR FILIPINO INDIVIDUALS AND ORGANIZATIONS OVERSEAS

The Presidential Award gives recognition to individuals and organizations overseas for their invaluable contribution in the service of Filipinos here and overseas, and for demonstrating exceptional achievements in their work or profession.

The awards system was institutionalized in 1991, with the issuance of Executive Order No. 498 by then President Corazon C. Aquino. The awards have so far been conferred on three hundred fourteen (314) Filipinos and private organizations in 36 countries.

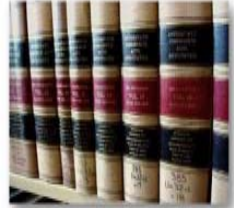
Awards Categories

There are four (4) categories under this awards system:

1. *Lingkod sa Kapwa Pilipino Award* is given to Filipino associations or individuals for their exceptional contributions to progress and development in the Philippines.
2. *Kaanib ng Bayan Award* is given to foreign private organizations for their exceptional contributions to Philippine development and progress.
3. *Banaag Award* is accorded to Filipino and foreign individuals or associations for advancing the cause of Filipino communities overseas or for supporting specific sectors/communities in the Philippines.
4. *Pamana ng Pilipino Award* is bestowed on overseas Filipinos for excellence and distinction in their work or profession.

All nominations must be endorsed by the Philippine embassy or consulate.

PHILIPPINE LAWS AND REGULATIONS AFFECTING FILIPINOS OVERSEAS



MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995

Republic Act No. 8042 was enacted in June 1995 to concretize government's commitment to protect the rights and promote the welfare of migrant workers, their families, and other overseas Filipinos in distress. It also provides the framework for concerted government action in dealing with difficulties faced by Filipinos abroad.

The law seeks to protect the rights and interests of Filipino workers and other Filipinos abroad through specific policies and services.

Policy Guidelines

The programs and services provided for in R.A. 8042 are anchored on the following policies:

1. The dignity of citizens, whether in the country or overseas, and Filipino migrant workers, in particular, shall be upheld.
2. Filipino migrant workers shall be provided with adequate and timely social, economic, and legal services.

3. Overseas employment shall not be promoted as a means to sustain economic growth and achieve national development. The existence of the overseas employment program rests solely on the assurance that the dignity and fundamental human rights and freedoms of the Filipino citizen shall not, at any time, be compromised or violated.
4. Women and men shall be equal before the law; women shall have significant role in nation building.
5. An effective mechanism shall be instituted to ensure that the rights and interests of distressed overseas Filipinos, in general, and Filipino migrant workers, in particular, are adequately protected and safeguarded.
6. Filipino migrant workers and all overseas Filipinos shall have the right to participate in the democratic decision-making processes of the State and to be represented in institutions relevant to overseas employment.
7. The ultimate protection of all migrant workers shall lie in the possession of skills.
8. Non-governmental organizations shall be recognized as partners in the protection of Filipino migrant workers and in the promotion of their welfare.

Programs and Services

The following programs and services for overseas Filipinos are provided for by R.A. 8042:

Name of Program/Service	Agency Concerned	Main Features/Highlights
Travel Advisory/Information Dissemination	Philippine embassies and consulates POEA	Issuance of travel advisories or dissemination of information on labor and employment conditions and migration realities and other facts to adequately prepare individuals into making informed and intelligent decisions about overseas employment
Migrant Workers Loan Guarantee Fund	OWWA in coordination with GFIs	<p>Institutionalization of financing schemes to expand grant of pre-departure loan and family assistance loan to Filipino migrant workers and their families</p> <p>A revolving amount of P100 million from the OWWA was set aside as a guarantee fund in favor of participating government financial institutions (GFIs)</p>
Migrant Workers and Other Overseas Filipino Resource Centers	Philippine embassies/consulates with other government agencies	<p>Establishment of a 24-hour information and assistance center in countries where there are large concentrations of Filipino migrant workers. Among the services of the center are:</p> <ul style="list-style-type: none"> • counseling and legal services • welfare assistance, including procurement of medical and hospitalization services • information programs to promote social integration, settlement, and community networking • training and skills upgrading

Name of Program/ Service	Agency Concerned	Main Features/Highlights
		<ul style="list-style-type: none"> • gender sensitive activities to address specific needs of women migrant workers <p>A counterpart 24-hour information and assistance center is also established at the DFA</p>
Shared Government Information System for Migration	DFA, CFO, DOLE, POEA, OWWA, DOT, DOJ, BI, NBI, and NSO	<p>Sharing of existing database among agencies concerned. The database initially include:</p> <ul style="list-style-type: none"> • masterlist of Filipino migrant workers with pertinent demographic information • inventory of pending legal cases of Filipino migrant workers • masterlists of departing/ arriving Filipinos • statistical profile on Filipino migrant workers/ overseas Filipinos/tourists • blacklisted foreigners/ undesirable aliens • basic data on legal systems, immigration policies, marriage laws, and civil and criminal codes in receiving countries particularly those with large numbers of Filipinos • list of labor and other human rights instruments where receiving countries are signatories • a tracking system of past and present gender disaggregated cases involving male and female migrant workers • listing of overseas posts which may render assistance to overseas Filipinos in general, and migrant workers in particular

Name of Program/Service	Agency Concerned	Main Features/Highlights
		The second phase involves linking of computer facilities to allow free-flow data exchanges among agencies
Emergency Repatriation Fund	OWWA	Administration, control, and supervision of a fund consisting of P100 million taken from existing OWWA funds and additional funds appropriated from the General Appropriations Act for the repatriation of workers in cases of war, epidemic, disaster, or natural or man-made calamities, similar events, and in cases of repatriation of workers where the principal or recruitment agency cannot be identified
	DFA	Repatriation of underaged migrant workers
Re-placement and Monitoring Center	DOLE	Establishment of a mechanism that will facilitate re-integration of returning Filipino migrant workers into Philippine society, serve as a promotion house for their local employment, and tap their skills and potentials for national development
	DOLE, OWWA, POEA	Formulation of a program that will motivate migrant workers to plan for productive options such as entry into highly technical jobs, livelihood, and entrepreneurial development, better wage employment, and investment of savings
	TESDA, TRC	Provision of training to returning overseas workers, giving priority to returnees who had been employed as domestic helpers and entertainers

Name of Program/Service	Agency Concerned	Main Features/Highlights
Legal Assistance for Migrant Workers	DFA Office of the Undersecretary for Migrant Workers Affairs	Creation of the Office of the Undersecretary for Migrant Workers Affairs which will be responsible for the provision and overall coordination of all legal assistance services to Filipino migrant workers, as well as overseas Filipinos in distress
Legal Assistance Fund	DFA Office of the Undersecretary for Migrant Workers Affairs	<p>Creation of a fund to be used to pay for legal services of migrant workers and overseas Filipinos in distress, especially for:</p> <ul style="list-style-type: none"> • fees for foreign lawyers • bail bonds • court fees and charges and other litigation expenses <p>The fund in the amount of P100 million was sourced from the President's Contingency and Social Funds and the Welfare Fund for Overseas Workers</p>
Assistance to Nationals	DFA Office of the Undersecretary for Migrant Workers Affairs	Created an Assistance-to-Nationals Task Force in order to establish an integrated government and public sector response system to the problems of international migration
Congressional Migrant Workers Scholarship Fund	DOLE, DOST	Establishment of scholarship fund to benefit deserving migrant workers and/or their immediate descendants below 21 years old who intend to pursue courses or training in the field of science and technology. Its implementation is subject to the availability of funds

In January 2000, Executive Order No. 203 was issued establishing the Inter-Agency Committee on the Shared Government Information System for Migration. This inter-agency body is envisioned to put in place a mechanism to harness data and information exchanges among the 17 member and support agencies of the Philippine government to better serve the interests and well being of Filipinos overseas.

Other Provisions of R.A. 8042

The other provisions of the law include the following:

1. Selective deployment of Filipino migrant workers to countries where their rights are protected.
2. Definition of illegal recruitment activities, and provision of appropriate penalties thereof.
3. Provision of incentives to professionals and highly-skilled Filipinos abroad especially in the field of science and technology to enable them to participate in and contribute to national development.
4. Exemption of overseas Filipino workers from the payment of travel tax and airport fees.
5. Designation of June 7 as Migrant Workers' Day

FOREIGN INVESTMENTS ACT OF 1991

Republic Act 7042, also known as the Foreign Investments Act of 1991, was enacted to spell out the procedures and conditions under which non-Philippine nationals, including former Filipino citizens, who have not re-acquired nor retained their Philippine citizenship, may invest and do business in the Philippines with a required paid-in capital of at least US\$200,000. The law was amended by Republic Act 8179 to further liberalize the entry of foreign investments into the country.

Foreign investments refer to equity investments made by a non-Philippine national in the form of foreign exchange and/or other assets actually transferred to the Philippines and duly registered with the Central Bank which shall assess and appraise the value of such assets other than foreign exchange. These non-cash assets may be in the form of capital goods and patents, formulae, or other technological rights or processes.

Specific Areas of Equal Investment Rights for Former Filipino Nationals

While most areas of business have limits for foreign investors, Section 9 of the amended Foreign Investments Act of 1991 lists the following types of businesses where former natural-born Filipinos, who have not elected dual citizenship, can enjoy the same investment rights as Philippine citizens:

1. Cooperatives
2. Rural banks
3. Thrift banks and private development banks
4. Financing companies

Former natural-born Filipinos can also engage in activities under List B of the Foreign Investments Negative List. This means that their investments shall be treated as Filipino or will be considered as forming part of Filipino investments in activities closed or limited to foreign participation.

The equal investment rights of former Filipino nationals do not extend to activities reserved by the Constitution for Filipino citizens, including the following:

1. Exercise of profession
2. Defense-related activities
3. Security agency
4. Small-scale mining
5. Rice and corn industry
6. Cockpit operation and management

Former natural-born Filipinos have been given the right to be transferees of private land up to a maximum of 5,000 square meters in the case of urban land or three (3) hectares in the case of rural land to be used by him for business or other purposes. Please refer to the section on land ownership for details.

Former natural-born Filipinos who have elected dual citizenship shall not be covered by the prohibitions set forth above, by virtue of Republic Act 9225. Dual citizens are not prohibited from enjoying the same investments rights as Philippine citizens.

General List of Businesses Exclusive to Filipino Nationals

Section 8 of the Amended Foreign Investments Act (FIA) enumerates the investment areas reserved for Filipino nationals. The Foreign Investments Negative Lists (FINL) are classified as follows:

1. List A - consists of areas of activities reserved for Philippine nationals where foreign equity participation in any domestic or export enterprise engaged in any activity listed therein shall be limited to a maximum of forty percent (40%) as prescribed by the Constitution and other specific laws.
2. List B - consists of areas of activities where foreign ownership is limited pursuant to law such as defense or law enforcement-related activities, or which have negative implications on public health and morals, and small and medium-sized

domestic market enterprises with paid-in equity capital of less than US\$200,000.

The revised Foreign Investments Act also deleted List C of the Foreign Investments Negative List. List C contains investment areas already adequately served by existing enterprises and in which foreign investments need not be encouraged further. Deletion of this list is expected to open further the market to foreign investments and keep existing firms efficient and responsive to the needs of consumers. Consumers will also benefit through wider choices of products in terms of quality and prices.

Application for Registration of Business of Non-Philippine Nationals

The following are the requirements for application for registration and the agencies responsible for processing such applications:

Agency	Type of Business	Requirements
Securities and Exchange Commission	1. Domestic corporations or partnerships which are non-Philippine nationals	In the case of a new domestic corporation or partnership: <ol style="list-style-type: none"> 1. Application form 2. Articles of incorporation or of partnership 3. Name verification slip 4. Bank certificate of deposit 5. ACR (Alien Certificate of Registration), ICR (Immigrant Certificate of Registration), SIRV (Special Investors Resident Visa), Visa 13 of the alien subscriber 6. Proof of inward remittance such as bank certificate of inward remittance or credit advices 7. Registration data sheet 8. Treasurer's affidavit

	<p>2. Foreign Corporations</p>	<p>For foreign corporation:</p> <ol style="list-style-type: none"> 1. Application form 2. Name verification slip 3. Certified Copy of Board Resolution authorizing the establishment of an office in the Philippines, designating the resident agent to whom summons and other legal processes may be served on behalf of the foreign corporation; and stipulating that in the absence of such agent or upon cessation of its business in the Philippines, the SEC shall receive any summons or legal process as if the same is made upon the corporation at its home office. 4. Financial statements for the immediately preceding year at the time of filing of the application, certified by an independent Certified Public Accountant of the home country 5. Certified copies of the Articles of Incorporation/Partnership with an English translation if in a foreign language 6. Proof of inward remittance such as bank certificate of inward remittance or credit advices 7. Registration data sheet 8. Resident agent's acceptance of appointment <p>For representative offices, the amount initially remitted should be at least US\$30,000.</p>
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Agency	Type of Business	Requirements
Bureau of Trade Regulation and Consumer Protection (BTRCP), DTI-NCR	<ul style="list-style-type: none"> • Single Proprietorships • Applications for Metro Manila 	<ol style="list-style-type: none"> 1. Certified true copy of the certificate of authority to engage in business in the Philippines per R.A. 7042 issued by the DTI-NCR 2. Certified true copy of latest business permit from the concerned Local Government Unit (LGU) 3. Alien certificate of registration (ACR) updated for the current year and present original copy for comparison 4. Accomplished DTI Form No. 17 under R.A. 7042 5. Current written appointment of Filipino Resident Agent 6. Clearance from other involved agencies such as Department of Science and Technology (DOST), PNP, etc. 7. In case of alien retailer, current year's permit to engage in retail business per R.A. 1180
Provincial Extension Offices of the SEC	<ul style="list-style-type: none"> • Corporations partnerships 	*same requirements
Provincial Offices of the DTI	<ul style="list-style-type: none"> • Sole proprietorships 	* *same requirements

All documents executed abroad must be authenticated by the Philippine Embassy/Consulate.

Pre-Processing of Documents

All applications are considered officially accepted only upon submission of complete documents to appropriate government agency.

Additional Requirements

Former natural-born Filipinos who wish to do business in the Philippines must also submit a copy of birth certificate, certified by the local civil registrar or the National Statistics Office. For those born abroad, a certificate of birth from the appropriate government agency of the country where the birth is recorded will be required. It must show the father or mother to be a Filipino at the time of birth or if the citizenship of the parents is not indicated, additional proof that the parent is a Filipino citizen or has not lost his/her Filipino citizenship at the time of the applicant investor's birth.

Those born before January 17, 1973 of Filipino mothers must also submit all of the following:

1. Certified true copies of his/her sworn statement of election of Filipino citizenship
2. Oath of allegiance from civil registrar where documents were filed and/or forwarded
3. Identification certificate issued by the Bureau of Immigration

In case of loss and/or destruction of record of birth or non-registration of birth, the following must be submitted:

1. Certificate of non-availability of birth certificate on account of loss and/or destruction of birth record from the local civil registrar and/or appropriate government agency if birth was registered abroad
2. Copy of birth certificate of mother or father certified by the local civil registrar or the NSO
3. Affidavit of two (2) disinterested persons attesting to their personal knowledge that at the time of the applicant's birth, he/she was born of a Filipino mother or father

Documents executed or issued abroad must be authenticated by the Philippine Embassy or Consulate having jurisdiction over the place of execution or issuance of the document.

Approval

Decision or approval of the application should be made within fifteen (15) working days from official acceptance of said document/s. Otherwise, the application shall be considered as automatically approved if not acted upon within the said period for a cause not attributable to the applicant.

One-Stop Action Center (OSAC)

The Board of Investments' One-Stop Action Center for Investment or OSAC expedites the setting up of business in the Philippines by providing frontline services and assistance to walk-in investors. Competent personnel from several government agencies are available to answer investors' inquiries and the process of investor's business registration. OSAC assists local and foreign investors thru the Investment Promotion and Network (IPN) consisting of 24 government agencies. The IPN facilitates transactions and resolves issues and concerns through a strong linkage and effective networking with the 24 agencies concerned with investments.

The **OSAC** is located at the:

One-Stop Action Center

G/F Board of Investments

Industry and Investments Building

385 Sen. Gil Puyat Avenue, Makati City

Telefax No. (632) 895-8322

E-mail: OSAC@boi.gov.ph or DRMiralles@boi.gov.phWebsite: www.boi.gov.ph

The Board of Investments (BOI)

The Board of Investments, created under the 1987 Omnibus Investment Code of the Philippines (EO 226), is an attached agency of the Department of Trade and Industry and the lead investments promotion agency of the country. The BOI is mandated to promote investments into the country and to assist local and foreign investors in their start-up and continuing operations in the country.

Investment Priorities Plan (IPP)

The IPP is an annual plan of priority industries and service areas that are encouraged through the grant of fiscal and non-fiscal incentives. The list of priority areas are drawn up based on extensive consultations with government agencies, foreign chambers, NGOs, and the private sector. It also takes into consideration the country's economic thrusts and development plans, the current global realities, trends and markets, and the Philippine international engagements.

The IPP contains the following:

- The **Preferred Activities** covers investment areas/activities that were identified to support the current priority programs of the government.
- The **Mandatory Inclusions** covers all areas/activities where the inclusion in the IPP and/or the grant of incentives under EO 226 is mandated by law.
- The **Export Activities** covers investments in non-traditional export products and services in support of exporters; and
- The **ARMM List** covers priority areas that have been independently determined by the Regional Board of Investments (RBOI) of the Autonomous Region of Muslim Mindanao (ARMM) in accordance with E.O. 458.

Incentives to the BOI-Registered Enterprises

An enterprise registered with the BOI pursuant to the 1987 Omnibus Investments Code (EO 226) is entitled to the following incentives, among others, subject to BOI rules and regulations:

Fiscal incentives

1. Income Tax Holiday (ITH)

BOI registered enterprises shall be exempt from the payment of income taxes reckoned from the scheduled start of commercial operations as follows:

- New projects with a pioneer status for six (6) years
- New projects with a non-pioneer status for four (4) years
- Expansion projects for three (3) years
- New or expansion projects in less developed areas (LDAs) for six (6) years regardless of status
- Modernization projects for three (3) years. As general rule, exemption is limited to incremental sales revenue/volume

2. Duty free importation of Capital Equipment

For BOI-registered enterprises are imposed zero (0%) duty with corresponding 12% VAT until the effectivity of EO 528 on 2011.

3. Duty free importation of spare parts

For BOI-registered enterprises are imposed zero (0%) duty with corresponding 12% VAT until the effectivity of EO 528 on 2011.

4. Exemption from taxes and duties on imported spare parts

For export producers with customs bonded warehouse exporting at least 70% of production.

5. Exemption from wharfage dues and export tax, duty, impost and fees

Exports of non-traditional export products are exempt from wharfage dues and any export tax, impost and fees.

6. Tax and duty free importation on breeding stocks and genetic materials

7. Tax Credits:

- a. Tax credit on duty portion of domestic breeding stocks and genetic materials
- b. Tax credit for taxes on raw materials

8. Additional deductions from taxable income

- a. Additional deduction for labor expense (ADLE)
Available for the first five (5) years from registration, additional deduction from the taxable income equivalent to 50% of the wages of additional skilled and unskilled workers in the direct labor force. This additional deduction shall be doubled if the activity is located in an LDA.
- b. Additional deduction for necessary and major infrastructure works

Non-Fiscal Incentives

1. Employment of foreign nationals.

Foreign nationals may be employed in supervisory, technical or advisory positions within five (5) years from a project's registration.

2. Simplification of customs procedures for the importation of equipment, spare parts, raw materials, and supplies and exports of processed products of registered enterprises in the operations of their bonded warehouses.

3. Unrestricted use of consigned equipment.

No restrictions on the use of consigned equipment provided a re-export bond is posted.

4. Access to Bonded Manufacturing/Trading Warehouse System.

Registered export-oriented enterprise shall have access to the utilization of the bonded warehousing system in all areas.

Registration with the BOI

To qualify for registration with the BOI, the enterprise's proposed activity should be listed in the current IPP and should satisfy the following qualifications:

- a. Must be a Filipino citizen or Filipino-owned corporation
- At least 60% of the capital stock (voting) is owned by Filipino
 - At least 60% of the members of the Board of Directors are Filipino

If foreign-owned corporation

- Must be engaged in a Pioneer Project (as defined in Art.17 of EO 226). The pioneer area it will engage in is one that is not within the activities reserved by the Constitution or other laws of the Philippines to Philippine citizens or corporations owned and controlled by the Philippine citizens.
 - Export at least 70% of its total production.
 - Must divest within 30 years from the date of registration to attain Filipino ownership, except if exporting 100% of total production.
- b. The applicant is proposing to engage in preferred areas of investment found in the current IPP, or if not listed, at least fifty percent (50%) of its production is for export.

For more information, you may contact:

(a) Investments Promotion Group

Tel Nos. 896-9212/897-6682 local 327/328

Fax No. 897-2181

**(b) National Economic Research and Business
Advisory Center (NERBAC)
Investments Servicing Group**



Tel. Nos. 897-2116/897-6682 locals 293/275
Fax No. 895-8332

Board of Investments (BOI)
Department of Trade and Industry (DTI)
Industry and Investments Bldg.
385 Sen. Gil Puyat Ave., Makati City
P.O. Box 1872 Makati City
Website: www.boi.gov.ph



RETAIL TRADE LIBERALIZATION ACT

Republic Act 8762, otherwise known as the Retail Trade Liberalization Act, is a law that intends to promote both Filipino and foreign investors to forge efficient and competitive retail trade in the interest of empowering the Filipino consumer through lower prices, higher quality goods, better services and wider choices.

Retail Trade is the act, occupation or calling of habitually selling direct to the general public merchandise, commodities or goods for consumption.

Under Section 4 of the said law, a natural born citizen of the Philippines who has lost his Philippine citizenship but who resides in the Philippines shall be granted the same rights as Filipino citizens.

In addition, the following are sales that are not considered as retail:

1. Sales by a manufacturer, processor, laborer or worker, to the general public of products manufactured, processed or produced by him if his capital does not exceed One Hundred Thousand Pesos (P100,000);
2. Sales by a farmer or agriculturist selling the products of his farm, regardless of capital;
3. Sales arising from restaurant operations by a hotel owner or inn-keeper irrespective of the amount of capital, provided, that the restaurant is incidental to the hotel business;

4. Sales through a single outlet owned by a manufacturer of products manufactured, processed or assembled in the Philippines, irrespective of capitalization;
5. Sales to industrial and commercial users or consumers who use the products bought by them to render service to the general public and/or produce or manufacture of goods which are in turn sold by them; or
6. Sales to the government and/or its agencies and government-owned and controlled corporations.

For foreign retailers, the qualifications to engage in retailing are the following:

A request for pre-qualification duly signed and acknowledged under oath by an authorized officer of the foreign retailer must be submitted to the Board of Investments accompanied by the following documents:

1. Latest audited annual financial statements incorporating an income statement and a balance sheet or their equivalents
 - For Category B** – minimum of US\$200M net worth
 - For Category D** – minimum of US\$50M net worth
2. Certification by a responsible officer of the applicant-foreign retailer duly authenticated by the Philippine Embassy/Consulate stating that:
 - i. it has been engaged in retailing for the past five years; and
 - ii. has at least five (5) retailing branches anywhere in the world, or at least one branch is capitalized at a minimum of Twenty-five million US dollars (US\$25,000,000.00)
 - iii. copies of franchise or licensing agreements between the applicant and its franchisee/licensee if the applicant fails to meet the preceding requirement of at least five (5) retailing branches;and

3. Certification by the proper official of the home state of the applicant-foreign retailer to the effect that the laws of such state allows or permits reciprocal rights to the Philippine citizens and enterprises together with the extent of participation allowed.

Foreign equity requirement:

Category B – Enterprises with a minimum paid-up capital of Two million five hundred thousand US dollars (US\$2,500,000.00)

The opening of branches by a foreign retailer is allowed, provided that the investments of each store/branch established under Category B must be no less than the peso equivalent of \$830,000.00

Category D – Enterprises specializing in high-end or luxury products with a paid-up capital of Two hundred fifty thousand US dollars (US\$250,000.00) per store may be wholly owned by foreigners.

For more information on Retail Trade Liberalization, please contact:

Legal Services Department
Board of Investments (BOI)
Industry and Investments Bldg.
385 Sen. Gil Puyat Ave., Makati City
Tel. Nos. (632) 890-2151/890-3172
897-6682 locals 314 or 302
Website: www.boi.gov.ph



TAX REFORM ACT OF 1997

The enactment of Republic Act 8424 or the Tax Reform Act of 1997, provides wide-ranging tax break to different groups of individuals including overseas Filipinos. According to Section 23 of the law, a non-resident citizen will be taxed only on income derived from sources within the Philippines.

Non-resident Citizen

A non-resident citizen is defined under the law as any of the following:

1. A citizen of the Philippines who establishes to the satisfaction of the Commissioner of the Bureau of Internal Revenue the fact of his physical presence abroad with a definite intention to reside therein.
2. A citizen of the Philippines who leaves the Philippines during the taxable year to reside abroad, either as an immigrant or for employment on a permanent basis.
3. A citizen of the Philippines who works and derives income from abroad and whose employment requires him to be physically present most of the time during the taxable year.
4. A citizen who has been previously considered as non-resident citizen and who arrives in the Philippines at any time during the taxable year to reside permanently in the Philippines shall likewise be treated as a non-resident citizen for the taxable year in which he arrives in the Philippines with respect to his income derived from sources abroad until the date of his arrival in the Philippines.

Tax Exemption

Filipinos overseas are exempted from paying taxes on their earnings from foreign sources.

Filing of Information Returns

Under Revenue Regulation No. 5-2001 (Bureau of Internal Revenue, 31 July 2001) non-resident citizens, overseas Filipino workers, and seamen

who are exempt from tax with respect to income derived from sources outside the Philippines, but who are nevertheless mandated to file information returns (BIR Form 1701C or the new computerized BIR Form 1703), shall no longer be required to file the same on their income derived from sources outside the Philippines beginning taxable year 2001.

Exemption from Tax on Interest Income from Foreign Currency Deposits

Revenue Regulation 10-98 (Bureau of Internal Revenue, 25 August 1998) contains provisions that exempt non-residents and overseas Filipino workers from payment of taxes on income derived from foreign currency deposits.

Under said regulation, interest income which is actually or constructively received by a resident citizen of the Philippines on interest income from a foreign currency deposit shall be subject to a final withholding tax of seven and one-half percent (7.5%). However, non-resident citizens who have foreign currency deposit accounts are exempt from payment of taxes on interest income derived from said deposits.

On the other hand, for a bank account that is jointly in the name of a non-resident citizen such as an overseas Filipino worker or a Filipino seaman, and his spouse or dependent who is a resident in the Philippines, fifty percent (50%) of the interest income from such bank deposit shall be treated as exempt while the other fifty percent (50%) shall be subject to a final withholding tax of seven and one-half percent (7.5%).

To be entitled to this exemption, the foreign currency bank account should be in the name of the non-resident individual. He/She should also present any of the following documentary evidence:

1. Immigration visa issued by the foreign government in the country where he/she is a resident
2. Certificate of residency which is issued by the Philippine embassy or consulate in the foreign country of his/her residence

3. Certificate of the contract of employment of an overseas Filipino worker which is duly registered with the Philippine Overseas Employment Administration (POEA); or a Seaman's Certificate, in the case of a Filipino seaman

In addition, the non-resident citizen or OFW should also execute a written permission allowing the depository bank to inform the Commissioner of Internal Revenue that as a non-resident, he/she is exempt from the tax on income from foreign currency deposit. A depositor who fails to comply with this requirement shall not be entitled to the exemption privilege.

For more information on the Tax Reform Act, please contact:

International Tax Affairs Division

Bureau of Internal Revenue

National Internal Revenue Building
Agham Road, Diliman, Quezon City
Tel. Nos. (632) 927-0022/926-5729
Website: www.bir.gov.ph



Tax Information and Education Division

Bureau of Internal Revenue

National Internal Revenue Building
Agham Road, Diliman, Quezon City
Tel. No. (632) 924-3245
Fax No. (632) 926-3866
Website: www.bir.gov.ph



TRAVEL TAX

Under Presidential Decree (PD) No. 1183, as amended by PD 1205, Batas Pambansa 38, and Executive Order 283, Filipinos and other nationals traveling to other countries are required to pay travel tax before departure from the Philippines, irrespective of the place where the air ticket is issued and the form or place of payment.

Coverage

The following individuals are required to pay travel tax:

1. Filipino nationals
2. Permanent resident aliens
3. Non-resident aliens who have stayed in the Philippines for more than one (1) year

Exemption

The following Filipino citizens are exempted from the payment of travel tax pursuant to Sec. 2 of PD 1183, as amended:

1. Overseas Filipino workers
2. Filipino permanent residents abroad whose stay in the Philippines is less than one year
3. Infants (2 years and below)

Requirements for Exemption

The following are the list of documents that must be submitted for travel tax exemption purposes (original documents need to be presented):

1. **Overseas Filipino Workers**
 - a. Valid passport
 - b. Employment Certificate
 - Valid Overseas Employment Certificate (OEC) from POEA if hired through this agency. The OEC serves as

the travel tax exemption certificate; workers do not need to go to PTA for exemption.

- Certificate of Work or Employment issued by the Philippine Embassy/ Consulate in the place of hire or employment contract authenticated by the Philippine Embassy/Consulate, for those directly hired abroad
2. Filipino Permanent Residents Abroad
 - a. Copies of ID pages of passport and stamp of last arrival in Philippines
 - b. Proof of permanent residence in foreign country which may, among others, be the official document issued by the foreign government concerned showing the grant of permanent resident status to the Filipino citizen
 3. Infants
 - a. Photocopy of passport
 - b. Certified true copy of birth certificate

Reduced Travel Rates

The following citizens are eligible for reduced rates of travel taxes upon submission of documentary requirements (original documents to be presented):

Eligible Citizens	Requirements	Reduced Rates	
		First Class	Economy Class
Minors from 2-12 years old	copy of birth certificate or ID pages of passport	P1,350.00	P 810.00
Legitimate spouse of overseas Filipino worker	<ul style="list-style-type: none"> • passport • authenticated copy and valid Overseas Employment Certificate of OFW from POEA or information sheet of OFW from POEA • original marriage contract 	P 400.00	P 300.00
Legitimate unmarried children of OFWs below 21 years old	<ul style="list-style-type: none"> • passport • authenticated copy and valid Overseas Employment Certificate of OFW from POEA • original birth certificate 	P 400.00	P 300.00

Other Individuals Exempted from Travel Tax

1. Foreign diplomatic representatives
2. Employees of the United Nations or its agencies
3. US military personnel
4. International carrier crew
5. Philippine Foreign Service personnel assigned abroad and their dependents
6. Philippine government officials and employees on official travel (excluding government-owned and controlled corporations)
7. Grantees of foreign government funded trips
8. Students with approved scholarships by appropriate government agency
9. Personnel of Philippine offices of multinational companies not engaged in business in the Philippines and their dependents
10. Those authorized by the President for reasons of national interest

Travel tax primer may also be accessed at PTA's website:
www.philtourism.gov.ph

For more information on travel tax, please contact:

Revenue Department**Philippine Tourism Authority**

Rm. 117, DOT Bldg. T.M. Kalaw, Rizal Park, Manila

Tel. Nos. (632) 525-3029 / 524-7734; 524-7141

loc. 100/ 103/ 109

Fax No. (632) 525-2545

E-mail: revenue@philtourism.gov.ph

trvltax@philtourism.gov.ph

Website: www.philtourism.com



BALIKBAYAN LAW

Republic Act No. 6768, also known as the Balikbayan Act of 1989, was enacted to attract and encourage overseas Filipinos to visit the Philippines as a “balikbayan”. The law was amended by Republic Act 9174 providing additional benefits to enable our *balikbayans* to become economically self-reliant members of society upon their return to the country.

Who is a Balikbayan

A “balikbayan” refers to:

1. Former Filipino citizens holding foreign passports, including spouses and children traveling with them.
2. Filipinos who have been continuously out of the Philippines for at least one (1) year.
3. Overseas Filipino workers.

Benefits

A “balikbayan” is entitled to the following benefits:

1. Travel tax exemption as provided under Presidential Decree 1183, Executive Order No. 283, and other allied laws.
2. Visa-free entry to the Philippines for a period of one (1) year for foreign passport holders.
3. Duty-free shopping privilege of up to US\$1,500.00, with the following limitations:
 - a. Shopping must be done within fifteen (15) days upon arrival; or 30 days if the *balikbayan* arrives during Christmas season (November 15 to January 15); or 1 year in the case of senior citizen or handicapped *balikbayan*
 - b. Duty-free shopping privilege can be availed of only once a year
 - c. Purchases must be made personally by the *balikbayan*
4. A special promotional/incentive program for the *balikbayan* established by all domestic carriers pursuant to the provisions of R.A. 9174.

5. Availment of especially designated reception areas at the authorized ports of entry for the expeditious processing of documents.
6. Use of accredited transportation facilities that will ensure their safe and convenient trips upon arrival.
7. *Kabuhayan* shopping privilege, through an additional duty and tax-exempt purchase in the amount of US\$2,000.00 exclusively for the purchase of livelihood tools at government-owned and controlled/operated Duty-Free shops.

Training Programs for Balikbayan

The Department of Labor and Employment, through the OWWA, in coordination with the Technology and Livelihood Resource Center, Technical Education and Skills Development Authority, and other concerned government agencies, shall provide the necessary entrepreneurial training and livelihood skills programs and marketing assistance to a *balikbayan*, including his or her immediate family members, who shall avail of the *kabuhayan* shopping privilege in line with the existing rules on the government's reintegration program.

In case of non-OFW *balikbayan*, the Department of Tourism (DOT) shall make the necessary arrangements with the TRC and other training institutions for possible livelihood training.

For more information, please contact the following:

Legal Service Office
Department of Tourism
Legaspi Towers 300, Roxas Blvd., Manila
Tel. No. (632) 524-1742
Fax No. (632) 525-6269
E-mail: ercajigal@tourism.gov.ph
Website: www.tourism.gov.ph



LAND OWNERSHIP BY FILIPINOS OVERSEAS

Article XII Section 8 of the Philippine Constitution provides that a natural-born citizen of the Philippines who has lost his/her Philippine citizenship may be a transferee of private lands subject to limitations provided by law.

The laws on land ownership by Filipinos overseas are contained in Batas Pambansa Blg. 185 which was enacted in March 1982 and Republic Act 8179, which amended the Foreign Investment Act of 1991. **Batas Pambansa No. 185** stipulates guidelines on land ownership by former Filipinos **for purposes of establishing residence**, while **Section 10 of R.A. 8179** specifies entitlements and conditions for land acquisition **for investment purposes**.

Transferee

The acquisition or transfer of private land refers to either voluntary or involuntary sale, devise or donation. Involuntary sale includes sales on tax delinquency, foreclosures, and executions of judgment.

Qualifications of Former Filipinos

Both laws define former Filipinos as citizens of the Philippines from birth without having to perform any act to acquire or perfect their Philippine citizenship, who lost said Philippine citizenship, and who have the legal capacity to enter into a contract under Philippine laws.

Provisions on Land Ownership

The following are the provisions of BP 185 and R.A. 7042, as amended, pertinent to land ownership by Filipinos overseas:

Particulars	Provision under BP 185 (for establishing residence)	Provisions under RA 7042 as amended by RA 8179 (for investment)
Size/Area of Coverage	<ul style="list-style-type: none"> • maximum of 1,000 sq. meters for urban land • maximum of one (1) hectare for rural land 	<ul style="list-style-type: none"> • maximum of 5,000 sq. meters for urban land • maximum of three (3) hectares for rural land
Land Acquisition for Both Spouses	<ul style="list-style-type: none"> • either of the spouses may avail of the privilege • in case both spouses wish to acquire lands for this purpose, the total area acquired should not exceed the maximum allowed 	<ul style="list-style-type: none"> • either of the spouses may avail of the privilege • in case both spouses wish to acquire lands for this purpose, the total area acquired should not exceed the maximum allowed
Additional Land Acquisition	<p>In case he/she already owns urban or rural lands for residential purposes, he/she may acquire additional urban or rural lands, which when added to those he/she presently owns shall not exceed the authorized maximum area</p>	<p>In case he/she already owns urban or rural lands for business purposes, he/she may acquire additional urban or rural lands, which when added to those he/she presently owns shall not exceed the authorized maximum area</p>
Limits to Acquisition of Land	<p>A person may acquire not more than two (2) lots which should be situated in different municipalities or cities anywhere in the Philippines, provided that the total area of these lots do not exceed 1,000 sq. meters for</p>	<p>A person may acquire not more than two (2) lots which should be situated in different municipalities or cities anywhere in the Philippines, provided that the total area of these lots do not exceed 5,000 sq. meters for urban land</p>

Particulars	Provision under BP 185 (for establishing residence)	Provisions under RA 7042 as amended by RA 8179 (for investment)
	<p>urban land or one (1) hectare for rural land for use as residence.</p> <p>An individual who has already acquired urban land shall be disqualified from acquiring rural land and vice versa.</p>	<p>or three (3) hectares for rural land for business purposes.</p> <p>Under Section 4 of Rule XII of the Implementing Rules and Regulations of RA 7042 as amended by RA 8179, a transferee who has already acquired urban land shall be disqualified from acquiring rural land and vice versa. However, if the transferee has disposed of his/her urban land, he/she may still acquire rural land and vice versa, provided that this will be used for business</p> <p>A transferee of residential land acquired under Batas Pambansa Blg. 185 may still avail of the privilege granted under this law</p>
Use of Land	<p>The acquired land should not be used for any purpose other than for residence.</p>	<p>Section 5 of Rule XII specifically states that “the land should be primarily, directly, and actually used in the performance or conduct of the owner’s business or commercial activities in the broad areas of agriculture, industry and</p>

Particulars	Provision under BP 185 (for establishing residence)	Provisions under RA 7042 as amended by RA 8179 (for investment)
		services including the lease of land, but excluding the buying and selling thereof”
Special Requirements	<p>In addition to the requirements provided for in other laws for the registration of titles to lands, the transferee should submit to the Register of Deeds of the province or city where the property is located a sworn statement stating the following:</p> <ul style="list-style-type: none"> • date and place of birth • names and addresses of his/her parents, spouse, and children, if any • area, location, and mode of acquisition of landholdings in the Philippines, if any • his/her intention to reside permanently in the Philippines • date he/she lost his/ 	<p>In addition to the usual registration requirements pertinent to the conveyance of real estate, the transfer contemplated shall not be recorded unless the transferee submits to the registry of the deeds of the province or city where the land is situated, the following:</p> <ul style="list-style-type: none"> • certification of business registration issued by the Bureau of Trade Regulation and Consumer Protection of the DTI • sworn statement stating information required under Batas Pambansa 185 • certification from assessor of municipality or province where the property is situated that the the subject land for transfer is an urban or rural area

Particulars	Provision under BP 185 (for establishing residence)	Provisions under RA 7042 as amended by RA 8179 (for investment)
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her Philippine citizenship and the country of which he/she is presently a citizen

- if an agricultural land is acquired, a certification from the Department of Agrarian Reform that the land is a retained area of the transferor and an affidavit of the transferee attesting that his/her total landholding inclusive of the land to be acquired does not exceed the 5-hectare limit provided under R.A. 6657, is required

Violations and Penalties

- Violations through:
- misrepresentation in the sworn statement
 - acquisition of land through fraudulent means
 - failure to reside permanently in the land acquired within two (2) years from its acquisition, except when such failure is caused by force majeure shall be penalized by the following:
 - liability to prosecution under the applicable provisions of the Revised Penal Code and subject to deportation in appropriate cases

Particulars	Provision under BP 185 (for establishing residence)	Provisions under RA 7042 as amended by RA 8179 (for investment)
	<ul style="list-style-type: none"> - forfeiture of such lands and their improvements to the national government through escheat proceedings by the representative of the Solicitor General - permanent disqualification from availment of the privilege under this Act 	

Requirements for Land Registration or Original Certificate of Title (Judicial Titling)

The application for land registration should be filed in triplicate with the Clerk of the Regional Trial Court of the province/city where the property is located. The following documents should be attached to the application:

1. Original plan on tracing cloth duly approved by the Director of Lands or Regional Land Director, or in lieu thereof, a true copy of the same on a tracing cloth properly attested and certified by said office or the official authorized to make such certification, together with two (2) print copies thereof
2. Three (3) copies of technical description
3. Three (3) copies of surveyor's certificate
4. Certificate of the assessed value of the property issued by the provincial treasurer, in quadruplicate

Requirements for Land Transfer or Transfer Certificate of Title

The following documents are required for the filing of land transfer:

1. Copies of the Deed of Absolute Sale
2. Latest real estate tax payments
3. Latest tax declaration of the property
4. Certificate from the Bureau of Internal Revenue that the capital gains tax and documentary stamps have been paid
5. Transfer tax
6. Receipt of payment of the transfer and registration fees

For more information on land ownership by Filipinos overseas, please contact:

Law Division**Land Registration Authority**

LRA Building, East Avenue cor. NIA Road

Diliman, Quezon City

Tel. Nos. (632) 920-1026/36



PERMANENT RESIDENCY STATUS FOR FILIPINO VETERANS

Republic Act No. 7837 is a law passed in 1994 that grants permanent residency status, other rights and privileges to World War II Filipino veterans who acquired American citizenship under the United States Immigration Act of 1990.

Any World War II Filipino veteran who acquired American citizenship shall be qualified for permanent residency status and granted limited property rights and other privileges. The rights and privileges shall also automatically accrue, upon proper application, to spouses, and legitimate, natural, recognized illegitimate, and unmarried children of Filipino veterans who thereafter acquired American citizenship.

Requirements and Application for Permanent Residence

Any qualified applicants who are American citizens and residing in foreign lands who wish to avail of permanent resident status in the Philippines shall comply with reentry requirements as prescribed by Philippine laws. Upon entry in the Philippines, they may acquire permanent resident status from the Bureau of Immigration (BI).

Filipino veterans who did not leave the Philippines and who have acquired American citizenship in the United States Embassy may also apply for permanent resident status from the BI.

The qualified applicants shall present their American passports and their birth or baptismal certificates, or any other documents that will prove that they were former Filipino citizens. All other documents as mandated by law and the BI are waived.

Rights and Privileges

1. Land ownership – They are entitled to continue to hold and retain all lands they have acquired before becoming American citizens, subject to the provisions of existing laws; provided that if they have no landholding upon becoming American citizens, they shall be qualified to acquire one residential lot

of not more than 1,000 sq. meters and/or farm lot of not more than 3 hectares.

2. Practice of profession – They are entitled to practice their professions in the Philippines.
3. Exemption from registration and other fees – They are exempt from payment of registration and other immigration fees after complying with the provisions of the Alien Registration Law.
4. Multiple entry visa – They are entitled to multiple entry visa which is valid for a period of two years.
5. Reentry permit – They may avail from the BI reentry permit which is valid for two years.
6. Immunity from deportation – They shall not be subject to deportation unless they commit and are convicted of crimes against the State; provided that their permanent residency status has been previously cancelled.
7. Other properties – Beneficiaries of R.A. 7837 who acquired shares of stocks in corporations and other properties as Filipino citizens shall continue to retain ownership of such properties registered in their name prior to their acquisition of American citizenship.

For more information, please contact:

Office of the Commissioner

Bureau of Immigration

Magallanes Drive, Intramuros, Manila

Tel. No. (632) 309-7753

Fax Nos. (632) 309-7751/52

One Stop Shop Processing Hotline

(632) 338-4537

Website: www.immigration.gov.ph



DUAL CITIZENSHIP LAW

Republic Act No. 9225 or the Citizenship Retention and Re-acquisition Act of 2003 enables natural-born Filipinos who have lost their Filipino citizenship through naturalization in a foreign country, to re-acquire their Filipino citizenship by taking an oath of allegiance to the Republic of the Philippines.

Natural-born Citizens of the Philippines

Natural-born citizens of the Philippines are those who are citizens of the Philippines from birth without having to perform any act to acquire or perfect their Philippine citizenship. These are:

1. Those whose fathers or mothers are citizens of the Philippines at the time of their birth; and
2. Those born before January 17, 1973, of Filipino mothers, who elect Philippine citizenship upon reaching the age of majority.

Civil and Political Rights and Liabilities Attendant to Dual Citizenship

Filipinos who retain or re-acquire Philippine citizenship under the law shall enjoy full civil and political rights and be subject to all attendant liabilities and responsibilities under existing laws of the Philippines and the following:

1. Those intending to exercise their right of suffrage must meet the requirements under the Constitution, Republic Act No. 9189 or “The Overseas Absentee Voting Act of 2003” and other existing laws;
2. Those seeking elective public office in the Philippines shall meet the qualifications required by the Constitution and existing laws and, at the time of filing of the certificate of candidacy, make a personal and sworn renunciation of any and all foreign citizenship before any public officer authorized to administer an oath;
3. Those appointed to any public office shall subscribe and swear to an oath of allegiance to the Republic of the Philippines

and its duly constituted authorities prior to their assumption of office, provided, that they renounce their oath of allegiance to the country where they took that oath;

4. Those intending to practice their profession in the Philippines shall apply with the Professional Regulation Commission (PRC) (or Supreme Court in case of lawyers) for a license or permit to engage in such practice; and
5. That right to vote or be elected or appointed to any public office in the Philippines cannot be exercised by, or extended to those who:
 - a) are candidates for or are occupying any public office in the country of which they are naturalized citizens; and/or
 - b) are in active service as commissioned or non-commissioned officers in the armed forces of the country which they are naturalized citizens.

Economic and Other Rights

1. Right to own land and property in the Philippines;
2. Right to engage in business or commerce reserved for Filipinos, and the exploitation of natural resources; and
3. Right to travel with a Philippine passport.

Requirements in Applying for Retention or Re-acquisition of Filipino Citizenship

1. Completed petition under oath with forwarding address
2. Three (3) recent 2" x 2" photographs of the applicant (front, left side and right side view over white background)
3. Processing fee of P2,500 for applicants who are in the Philippines, or US\$50 or its equivalent in foreign currency for applicants who are abroad
4. Copy of birth certificate authenticated by the Philippine National Statistics Office (NSO), or original copy of report of birth issued by the Philippine embassy/consulate with jurisdiction, or birth certificate issued by competent foreign authorities

5. Signed oath of allegiance

**Oath of Allegiance
To the Republic of the Philippines**

“I _____, solemnly swear (or affirm) that I will support and defend the Constitution of the Republic of the Philippines and obey the laws and legal orders promulgated by the duly constituted authorities of the Philippines; and I hereby declare that I recognize and accept the supreme authority of the Philippines and will maintain true faith and allegiance thereto; and that I impose this obligation upon myself voluntarily without mental reservation or purpose of evasion.”

Procedures in Re-acquisition of Filipino Citizenship under R.A. No. 9225

By virtue of Administrative Order No. 91, the Bureau of Immigration, as the implementing agency of R.A. No. 9225, issued on March 10, 2004, the rules governing the provisions of the Citizenship Retention and Reacquisition Act of 2003.

A natural-born Filipino who lost his/her Filipino citizenship through naturalization in another country may re-acquire Filipino citizenship through the following process (see next page).

For more information on the Citizenship Retention and Re-acquisition Act, please contact:

Task Force on Citizenship Retention and Reacquisition

Bureau of Immigration

Magallanes Drive, Intramuros, Manila

Tel. No. (632) 527-3265

Fax No. (632) 527-3279

Website: www.immigration.gov.ph

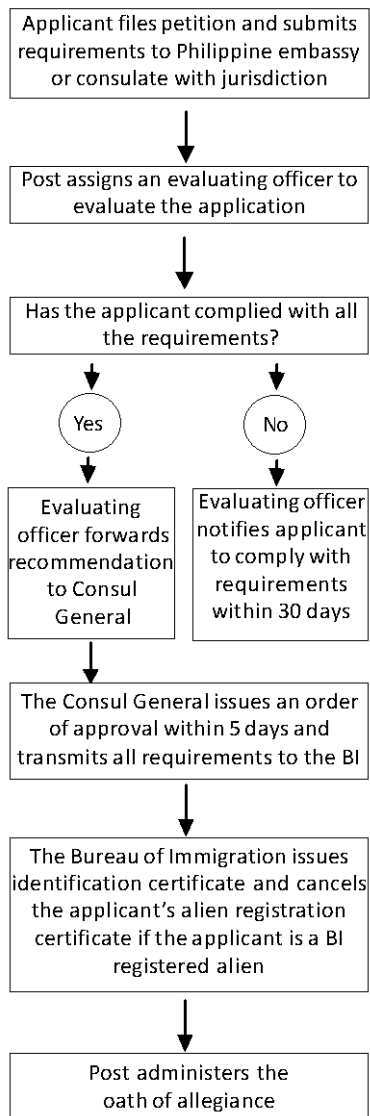
Dual Citizenship Hotline

Tel. No. (632) 301-0756

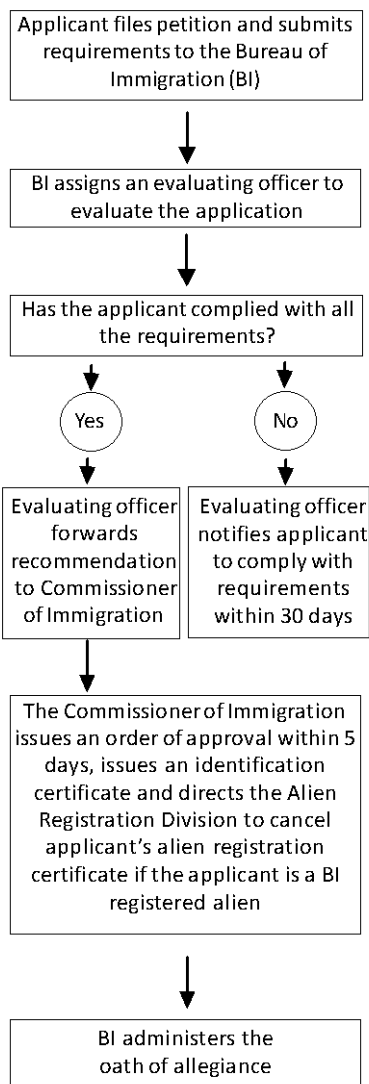
Fax No. (632) 309-7751



For applications filed overseas



For applications filed in the Philippines



PHILIPPINE PASSPORT ACT OF 1996

Republic Act 8239 or the Philippine Passport Act of 1996 was enacted to prescribe the minimum requirements for the application and issuance of passports and other travel documents.

Requirements for First Time Applicants

- Personal Appearance is required.
- Duly accomplished application form.
- Birth Certificate (BC) in Security Paper (SECPA) issued by the National Statistics Office (NSO) or Certified True Copy (CTC) of BC issued by the Local Civil Registrar (LCR) duly authenticated by NSO. Transcribed BC/MC from the LCR is required when entries in NSO BC/MC are blurred.
- Three (3) colored photos of the applicant taken against a royal blue background. Applicant should be in decent attire with collar. Photo must be of good quality, and must have been taken within the last six (6) months. Photo size: 4.5 cm x 3.5 cm. Facial image size: Not less than 3 cm. DFA has the right to reject photos that do not comply with specifications and international standards.
- Supporting documents to prove identity (please refer to the List of Supporting Documents below).

In case of no birth record:

If born after 1950

- Apply for the delayed registration of birth at the local civil registry office.
- Submit authenticated BC from NSO and supporting public document with correct date and place of birth (i.e. Form 137, Voter Registration Record, Baptismal Certificate or OMA Certificate)

If born on or before 1950:

- Certificate of non-availability of BC from NSO
- Joint Birth Affidavit

- Any public document with correct date and place of birth (i.e. Form 137, Voter Registration Record, Baptismal Certificate or OMA Certificate)

Additional Requirements:

For married women, who wants to adopt the surname of her spouse:

- Marriage Contract (MC) in Security Paper issued by NSO or Certified True Copy issued by the Local Civil Registrar duly authenticated by NSO.

For spouse of foreign national:

- Original and photocopy of Commission on Filipinos Overseas (CFO) Guidance and Counseling Certificate of Attendance.

For Minor applicant (below 18 years old)

- Personal appearance of either parent, marriage contract and proper ID (if minor is of legitimate status).
- Personal appearance of mother and mother's proof of identity (if minor is of illegitimate status).
- Birth Certificate from NSO.
- Document of identity, if any, if minor is 8-17 years old (for first time applicant only)
- Original and photocopy of the valid passport of the traveling companion except if the applicant is traveling alone.

Additional Requirements:

If minor is NOT traveling with either parent or alone:

- Original and photocopy of DSWD clearance.
- Affidavit of Support and Consent (ASC) from a parent indicating the name of the traveling companion and relationship to the minor. If minor is illegitimate, mother should execute the ASC.

If both parents are abroad:

- Affidavit of support and consent from parents indicating the name of the traveling companion (must be authenticated by the nearest Philippine Embassy or Consulate General if not executed before a Consul).
- Special Power of Attorney (must be authenticated by the nearest Philippine Embassy or Consulate General if not executed before a Consul designating the representative by name and authorizing him to apply for a passport on behalf of the minor).
- Passport and photocopy of the passport of the traveling companion of the minor.
- Original and photocopy of proper ID of the duly authorized representative.

If minor is legitimated by subsequent marriage of parents:

- Authenticated BC from NSO with annotation regarding the new status as legitimated and the full name of the child.
- MC of parents from NSO

If minor is illegitimate but acknowledged by father:

- Amended BC from NSO reflecting surname of father with affidavit of acknowledgement and consent to use the surname of father.

Foundling:

- Certificate of foundling authenticated by NSO
- DSWD clearance
- Passport of the person who found the applicant
- Letter of authority or endorsement from DSWD for the issuance of passport (If no longer a minor, supporting public documents establishing identity).

Orphaned minor applicant:

- Authenticated BC from NSO.
- Authenticated death certificates of parents from NSO.

- Court order awarding guardianship of the orphaned minor applicant or substitute parental authority under Article 214 and 216 of the Family Code.
- DSWD clearance.
- Original and photocopy of the valid passport of the traveling companion.

Legally adopted:

- Certified true copy of the court decision /order on adoption and certificate of finality.
- NSO amended birth certificate (BC after adoption)
- DSWD clearance for minor applicant, if traveling with the person other than the adopting parents.

Minor applicant whose mother is likewise a minor:

- Personal appearance of mother and maternal grandparents.
- Affidavit of support and consent from maternal grandparents.
- Proof of identity of mother and maternal grandparents.
- Passport of traveling companion.
- DSWD clearance if traveling with the person other than the maternal grandparents.

For Muslim applicants:

- Same general requirements stated above.

Additional requirement for late registered Muslim applicants

- Certificate of cultural affiliation from the Office on Muslim Affairs

For converts who would like to use their Muslim name

- Submit annotated BC in SECPA bearing the Muslim name.
- OMA certificate of conversion

Requirements for Renewal of Passport

- Personal appearance is required.

Brown passport or issued prior to 01 May 1995

- Old passport and photocopy of passport pages 1,2,3 (amendment). The pages showing latest Bureau of Immigration departure and arrival stamps.
- BC to determine complete middle name.

Green Passport or issued after 01 May 1995

- Present passport and photocopy of inside and back cover.
- The pages showing latest Bureau of Immigration departure and arrival stamps.

For married women, who want to use surname of their spouse:

- Marriage Contract (MC) in Security Paper issued by NSO or CTC issued by the Local Civil Registrar duly authenticated by NSO.

For married woman who would like to revert to her maiden name:

- If already widowed, death certificate from NSO of the deceased husband.
- If marriage is annulled: certified true copy and photocopy of the first page and the dispositive portion of the judgment on annulment and NSO-issued MC with the annotation on the annulment decree.
- If divorced: certified true copy and photocopy of the first page and the dispositive portion of the judgment on divorce authenticated by the Philippine Embassy or Consulate where the divorce was obtained. However, divorce should be duly recognized by a Philippine court.

For minor applicants, requirements for first time minor applicants are still prescribed, in addition to passport of minor.

Requirements for Replacement of Passport

- Fill out affidavit of loss. If the lost passport is still valid, submit a police report.
- Submit same documents required for first time passport applicants.

(Note: There is a 15-day clearing period prior to the processing of application for replacement of a lost valid passport.)

Passport Fees

Regular Processing

- (14 working days) - P 500.00

Expedited Processing

- (7 working days) - Additional P 250.00

For Replacement of Lost valid Passport

- Additional P 200.00

List of Supporting Documents

- Marriage Contract
- Voter's Registration Record
- PRC / IBP ID
- Baptismal Certificate
- Land Title
- Seaman's Book
- Driver's License
- Income Tax Return (Old)
- Government Service Record
- Old SSS-E1 form/or digitized SSS-ID
- School Form 137 or Transcript of Records
- Other documents that show full name and birth details of applicant, signature and citizenship

Reminders

- Personal appearance is required except when the applicant is:
 1. Below 8 years old.
 2. Exactly 65 years old and above but with properly filled out application form and to be filled by the immediate family member with authorization letter and ID.

3. Mentally and/or physically incapacitated but with properly filled out application form to be filled by the immediate family member with authorization letter and ID and medical certificate.
Immediately family members are parents, siblings, spouse and children of legal age.
- Passport shall only be released to immediate family member only with authorization letter. Passport of minor applicant shall be released to parents only. Passports unclaimed after six (6) months will be cancelled per Department Order No. 37-03.
 - Check all data in the passport upon release.
 - Number of processing days may vary depending on where the application was filed.
 - The DFA may require additional supporting documents as may be necessary.

For Passport and Consular related inquiries, please contact:

Consular Information

Passport Division

Department of Foreign Affairs

DFA Building, 2330 Roxas Blvd., Pasay City

1300 Tel. No. (632) 556-0000

Office hours: Monday-Friday from 8am to 4pm

Website: www.dfa.gov.ph



INTER-COUNTRY ADOPTION ACT OF 1995

Republic Act 8043, also known as the Inter-Country Adoption Act of 1995, was enacted to allow aliens to adopt Filipino children if such children cannot be adopted by qualified Filipino citizens.

Who May Be Adopted

A child who is below 15 years of age and is voluntarily or involuntarily committed to the DSWD may be adopted under the inter-country adoption law. However, a certification from DSWD that a child is legally available for adoption must be first obtained since it is a prerequisite for adoption proceedings.

For such a child to be considered for placement, the following documents must be submitted to the Inter-Country Adoption Board:

1. Child study to be prepared by the social worker of the DSWD or the accredited placement NGO
2. Birth certificate/ foundling certificate (NSO security paper)
3. Deed of voluntary commitment/ decree of abandonment/ death certificate of parents
4. Medical evaluation/history
5. Psychological evaluation by a psychologist
6. Recent photo of the child

Who May Adopt

The following qualifications are required of an alien or Filipino citizen permanently residing abroad to be eligible to adopt a Filipino child under the inter-country adoption law:

1. At least 27 years of age and at least 16 years older than the child to be adopted at the time of application unless the adopter is the natural parent of the child to be adopted or the spouse of such parent

2. If married, his/her spouse must jointly file for the adoption
3. Is capable of acting and assuming all rights and responsibilities of parental authority under his/her national law and has undergone the appropriate counseling from an accredited counselor in his/her country
4. Has not been convicted of a crime involving moral turpitude
5. Is eligible to adopt under his/her national law
6. Able to provide for the proper care and support and to inculcate the necessary moral values and example to his/her children, including the child to be adopted
7. Agrees to uphold the basic rights of the child as embodied under Philippine laws, the UN Convention on the Rights of the Child, and to abide by the rules and regulations issued to implement the provisions of this Act
8. Comes from a country with whom the Philippines has diplomatic relations and whose government maintains a similarly authorized and accredited agency and adoption is allowed under his/her national laws
9. Possesses all the qualifications and none of the disqualifications provided by applicable Philippine laws

Inter-Country Adoption Board

Under the law, a seven-member Inter-Country Adoption Board was created to act as the central authority on matters relating to inter-country adoption. It serves as a policy-making body in consultation and coordination with the DSWD, various child-care placement agencies, adoptive agencies, and non-government organizations engaged in child care and placement activities.

Where to File Applications

Application for inter-country adoption may be filed in the country of the prospective adoptive parents by coordinating with Philippine-accredited foreign adoption agencies.

Form Application

- An application shall be in the form prescribed by the Board which shall include an undertaking under oath, signed by the applicant to uphold the rights of the child under Philippine laws and the applicant's national laws, the United Nations Convention on the Rights of the Child and to abide by the provisions of the Act and all rules and regulations issued pursuant thereto.
- The application shall include an undertaking that should the adoption not be approved, or if for any reason the adoption does not take place, the applicant shall pay for the cost of travel back to the Philippines of the child and his/her companion, if any.

Documentary Requirements

The application to adopt must be submitted together with the following documents:

1. Birth certificate of applicant(s)
2. Marriage contract, if married, and divorce decree, if applicable
3. Written consent from their biological or adopted children above ten (10) years of age, in the form of sworn statement
4. Physical, medical, and psychological evaluation by a duly licensed physician and psychologist
5. Income tax returns or any document showing the financial

- capability of the applicant(s)
6. Police clearance of applicant(s)
 7. Character reference from the local church/ minister, the applicant's employer and a member of the immediate community who has known the applicant(s) for at least five (5) years
 8. Recent postcard-size pictures of the applicant(s) and his/her immediate family
 9. Letter of Acceptance by Designated Guardian
 10. Adoption Decree (if previously adopted Filipino children)

Pre-adoptive Placement Costs

The applicant shall bear the following costs incidental to the placement of the child:

1. The cost of bringing the child from the Philippines to the residence of the applicant(s) abroad including all travel expenses within the Philippines and abroad
2. The cost of passport, visa, medical examination and psychological evaluation required, and other related expenses

For details regarding requirements and procedures, please contact:

Inter-Country Adoption Board
Department of Social Welfare and Development
 2 Chicago Street cor. Ermin Garcia Street
 Brgy. Pinagkaisahan, Cubao, Quezon City
 Tel. Nos. (632) 721-9781 / 721-9782 / 726-4568
 726-4551 Fax No. (632) 727-2026
 Email: adoption@icab.gov.ph
 Website: www.icab.gov.ph



DOMESTIC ADOPTION ACT OF 1998

Republic Act 8552, also known as the Domestic Adoption Act of 1998, encourages domestic adoption to preserve the child's identity and culture and only when this is not available shall inter-country adoption be considered as a last resort.

However, a certification from DSWD that a child is legally available for adoption must be first obtained since it is a prerequisite for adoption proceedings.

Who May Be Adopted

The following may be adopted:

1. Any person below eighteen (18) years of age who has been administratively or judicially declared available for adoption
2. The legitimate son or daughter of one spouse by the other spouse
3. An illegitimate son or daughter by a qualified adoptor to improve his/her status to that of legitimacy
4. A person of legal age if, prior to the adoption, said person has been consistently considered and treated by the adoptor(s) as his/her own child since minority
5. A child whose adoption has been previously rescinded
6. A child whose biological or adoptive parent(s) has/have died, provided that no proceedings shall be initiated within six (6) months from the time of death of said parent(s)

Who May Adopt

In addition to Filipinos, Section 7(b) of the law also allows a non-Filipino national to adopt under the domestic adoption law provided that he/she meets the following requirements:

1. Of legal age and at least 16 years older than the adoptee (except when the adopter is the biological parent of the adoptee or is the spouse of the adoptee's parent)
2. Possesses full civil capacity and legal rights
3. Of good moral character and has not been convicted of any crime involving moral turpitude
4. Emotionally and psychologically capable of caring for children
5. In a position to support and care for his/her children in keeping with the means of the family
6. His/her country has diplomatic relations with the Philippines
7. Has been certified by the diplomatic or consular office or any appropriate government agency that he/she has the legal capacity to adopt in his/her country and that his/her government allows the adoptee to enter his/her country as an adopted child
8. Has been living continuously in the Philippines for at least three (3) years prior to the filing of the application for adoption and maintains such residence until the adoption decree is entered

Section 7(c) also provides that the guardian, with respect to the ward after the termination of the guardianship and clearance of his/her financial accountability, is also qualified to adopt under the law.

Waiver of Residency Requirement

The requirements on residency and certification of the alien's qualification to adopt in his/her country may be waived in the following cases:

1. The applicant is a former Filipino citizen seeking to adopt a relative within the fourth (4th) civil degree of consanguinity or affinity
2. The applicant is seeking to adopt the legitimate son or daughter of his/her Filipino spouse
3. The applicant is married to a Filipino citizen, and seeks to adopt jointly with his/her spouse a relative within the fourth (4th) civil degree of consanguinity or affinity of the Filipino spouse

Adoption by Husband and Wife

Husband and wife shall jointly adopt, except in the following cases:

- If one spouse seeks to adopt the legitimate son/daughter of the other
- If one spouse seeks to adopt his/her own illegitimate son or daughter, provided, however, that the other spouse has signified his/her consent
- If the spouses are legally separated from each other

In case the husband and wife jointly adopt, or one spouse adopts the illegitimate son or daughter of the other, joint parental authority shall be exercised by the spouses.

Supervised Trial Custody

No petition for adoption shall be finally granted until the adopter has been given by the court a supervised trial custody period for at least six (6) months within which the parties are expected to adjust psychologically and emotionally to each other and establish a bonding relationship. During the said period, temporary parental authority shall be vested on the adopter.

An alien adopter must complete the six (6) month trial custody except in the following cases:

- Former Filipino citizens adopting a relative within the fourth (4th) civil degree of consanguinity or affinity
- One who is adopting the legitimate son or daughter of his/her Filipino spouse
- One who is married to a Filipino citizen and seeks to adopt jointly with his/her spouse a relative within the fourth (4th) civil degree of consanguinity or affinity of the Filipino spouse

For more information on domestic adoption, please contact any of the following:

The ***DSWD Regional Office*** which has jurisdiction over the residence of the minor, or

Adoption Resource and Referral Unit

Department of Social Welfare and Development

National Capital Region

389 San Rafael cor. Legarda Sts., Manila

Tel Nos. (632) 488-27-54/734-86-22

Email: arru_ncr@yahoo.com

Website: www.dswd.gov.ph



OMNIBUS GUIDELINES FOR MINORS TRAVELING ABROAD

Republic Act 7610, also known as Special Protection of Children Against Child Abuse, Exploitation, and Discrimination Act, requires children below 18 years of age, who are traveling outside the Philippines unaccompanied by their biological/adoptive parents or legal guardians, to secure a travel clearance.

A travel clearance is a document issued by DSWD certifying that the child is authorized to travel abroad for valid reasons based on the assessment of the social worker. It seeks to provide protection to minors against exploitation, improper influences, abuse, hazards and other conditions prejudicial to their physical, mental, emotional, social and moral development.

The DSWD issued an Omnibus Guidelines for Minors Traveling Abroad and several amendments in 2005 (AO 14) and 2006 (AO 02) to streamline the process of travel clearance issuance.

Henceforth, this guideline shall provide the direction for the issuance of travel clearance to minors traveling abroad in so far as the specific provisions listed herein are concerned.

General Policies

1. A travel clearance is required and shall be secured from the DSWD by the following Filipino citizens:

- a. a minor traveling alone to a foreign country except under special circumstances where a minor whose parents are in the foreign service or are living abroad or are immigrants provided he/she is holding a valid pass such as a dependent's visa/pass/identification card or permanent resident visa/pass/identification card which serve as proof that he/she is living with parents abroad and their travel does not constitute child trafficking

b. a minor traveling to a foreign country accompanied by a person other than his/her parents

2. A travel clearance from the DSWD is not required by a minor traveling to a foreign country with both or either parents or with his/her solo parent or legal guardian. Solo parenthood or legal guardianship may be proved by:

a. a photocopy of the solo parent identification card from the Municipal Social Welfare & Development Office or

b. a photocopy of a certification from the local Social Welfare and Development Office of being a solo parent or Tallaq or Fasakh certification from the Shariah court or any Muslim barangay or religious leader or

c. in the case of an illegitimate minor, a certificate of no marriage from the local civil registrar or

d. in the case of a deceased parent, a photocopy of the death certificate, and

e. in the case of legal guardianship, a certificate of legal guardianship issued by the court

3. A minor traveling abroad whose parents are in the foreign service or are living abroad or are immigrants is not required a travel clearance provided he/she is holding a valid pass such as a dependent's visa/ pass/identification card or permanent resident visa/pass/ identification card which serve as proof that he/she is living with parents abroad and their travel does not constitute child trafficking.

4. A travel clearance certificate shall be valid for a period of one year from the date of issuance and shall be valid for multiple travels within the validity period, provided that the conditions under which the travel clearance was issued have

not changed. If a change in condition occurs, e.g., a change in traveling companion, a new travel clearance must be obtained.

Documentary Requirements:

1. For a minor traveling alone to a foreign country for the first time:

- a. Duly accomplished application form
- b. A photocopy of the birth certificate or passport of the minor
- c. A written consent of both parents or the solo parent or the legal guardian permitting the minor to travel alone to a foreign country
- d. As appropriate, a photocopy of the marriage certificate of the minor's parents or a photocopy of the certificate of legal guardianship of the minor or in the case of solo parents, a photocopy of the solo parent identification card from the Municipal Social Welfare & Development Office or a photocopy of a certification from the local Social Welfare and Development office of being a solo parent or Tallaq or Fasakh certification from the Shariah court or any Muslim barangay or religious leader or in the case of an illegitimate minor, a certificate of no marriage from the local civil registrar or in the case of a deceased parent, a photocopy of the death certificate
- e. Two colored passport size photos of the minor taken within the last 6 months

2. For a minor traveling alone to another country subsequently:

- a. Duly accomplished application form

- b. A written consent of both parents or the solo parent or the legal guardian permitting the minor to travel alone to a foreign country
 - c. A photocopy of the previous travel clearance or as required in 2.1.2 and 2.1.4
 - d. Two colored passport size photos of the minor taken within the last 6 months
3. For a minor traveling for the first time with a person other than the parents or legal guardian:
- a. Duly accomplished application form
 - b. A photocopy of the birth certificate or passport of the minor
 - c. A written consent of both parents or the solo parent or the legal guardian permitting the minor to travel to a foreign country with a specific person other than them
 - d. As appropriate, a photocopy of the marriage certificate of the minor's parents or a certificate of legal guardianship of the minor or in the case of solo parents, a solo parent identification card from the Municipal Social Welfare & Development Office or a certification from the local Social Welfare and Development office of being a solo parent or a court decree of separation, annulment or divorce, or Tallaq or Fasakh certification from the Shariah court or any Muslim barangay or religious leader or in the case of an illegitimate minor, a certificate of no marriage from the local civil registrar or in the case of a deceased parent, a photocopy of the death certificate

- e. Two colored passport size photos of the minor taken within the last 6 months
 - f. Photocopy of the passport of the traveling companion
4. For a minor traveling subsequently with a person other than the parents or legal guardian:
- a. Duly accomplished application form
 - b. A written consent of both parents or the solo parent or the legal guardian permitting the minor to travel to a foreign country with a specific person other than them
 - c. A photocopy of the previous travel clearance or as required in 2.3.2 and 2.3.4
 - d. Two colored passport size photos of the minor taken within the last 6 months
 - e. Photocopy of the passport of the traveling companion

Procedures

1. Application

The application for travel clearance together with the supporting documents required shall be submitted/filed by the parent or legal guardian or a duly authorized representative at any DSWD Field (regional) office. Application forms may be obtained from any DSWD Field (regional) office or travel clearance office or may be downloaded from the DSWD website www.dswd.gov.ph.

2. Issuance

The travel clearance may be obtained within 3 working days from the DSWD field (regional) or travel clearance unit where it was submitted, provided all requirements have been fulfilled.

3. Fees

The DSWD shall collect a processing fee of P300.00 for each travel clearance issued to minors traveling abroad in accordance to Administrative Order NO. 60, series of 2003 (Amendment in the Guidelines on the Charging of Fees and Services). An official receipt shall be issued for the fee collected.

Applications for travel clearance can only be filed at the DSWD Field/Regional offices. For other details, kindly contact:

The ***DSWD Field/Regional Office*** which has jurisdiction over the residence of the minor. See <http://dswd.gov.ph/fieldoffice.php> for the listings, or

For Metro Manila:

Travel Clearance Unit
Department of Social Welfare and Development

National Capital Region

389 San Rafael cor. Legarda Sts., Manila

Tel No: (632) 313-1435

Fax: (632) 734-8639

E-mail: regionaldir_ncr@yahoo.com

Website: www.dswd.gov.ph



OVERSEAS ABSENTEE VOTING ACT of 2003

Republic Act No. 9189, also known as “The Overseas Absentee Voting Act of 2003”, is the law that ensures equal opportunity to all qualified citizens of the Philippines abroad in the exercise of their right to participate in the election of President, Vice-President, Senators and Party-List Representatives.

Qualifications

All Filipino citizens, not otherwise disqualified by law, at least eighteen (18) years of age on the day of the election, and who are registered overseas absentee voters with approved application to vote *in absentia*, may vote for President, Vice-President, Senators and Party-List Representatives.

Disqualifications

The following are disqualified from registering as overseas absentee voters:

- a. Those who have lost their Philippine citizenship in accordance with Philippine Laws;
- b. Those who have expressly renounced their Philippine citizenship and who have pledged allegiance to a foreign country; except dual citizens as referred to under Republic Act No. 9225, Otherwise known as the “Citizenship Retention and Retention and Reacquisition Act of 2003”;
- c. Those who have been convicted by final judgment of a court or tribunal of an offense punishable by imprisonment of not less than one (1) year, unless such disability has been removed by plenary pardon or amnesty;
- d. Those who have been found guilty by final judgment of Disloyalty as defined under Article 137 of the Revised Penal

Code, unless such disability has been removed by plenary pardon or amnesty;

- e. An immigrant or a permanent resident who is recognized as such in the host country, unless he/she executes upon filing of an application for registration as overseas absentee voter an affidavit declaring that: (i) he/she shall resume actual physical permanent residence in the Philippines not later than three (3) years from approval of his/her registration, and (ii) he/she has not applied for citizenship in another country;
- f. Any citizen of the Philippines abroad previously declared insane or incompetent by competent authority in the Philippines or abroad, as verified by the Philippine embassy, consulate or Foreign Service establishment concerned, unless such competent authority subsequently certifies that such person is no longer insane or incompetent.

However, those disqualified under paragraphs (c) and (d) hereof who have not been granted plenary pardon or amnesty shall automatically acquire or reacquire the right to vote as an overseas absentee voter upon the expiration of five (5) years after service of sentence.

How May A Filipino Citizen Become A Registered Overseas Absentee Voter

Filipino citizens abroad or Filipino citizens in the Philippines who will be abroad on Election Day may become registered overseas absentee voters by filing an application for registration or certification as overseas absentee voters.

Note: A registered overseas absentee voter is not automatically entitled to vote, he/she must have an approved application in order to vote *in absentia* to be entitled to vote for President, Vice-President, Senators and Party-List Representatives.

Application For Registration Or Certification As Overseas Absentee Voter

The application for registration or certification as overseas absentee voter and application to vote in absentia are contained in one form, consisting of four parts:

Part 1 - The Application for Registration is to be accomplished by ALL applicants.

The Application for Certification is to be accomplished ONLY by applicants who are already registered as voters under Republic Act No. 8189, also known as "The Voter's Registration Act of 1996". (Those who registered before the June 1997 general registration of voters and those who registered before the December 1999 general registration of voters in the Autonomous Region in Muslim Mindanao [ARMM], except Cotabato City and Isabela City of Basilan, are not considered registered voters under RA No. 8189)

Part 2 - The Application to Vote *in Absentia* is to be accomplished by ALL applicants.

Part 3 - The Oath is to be accomplished ONLY by applicants who are immigrants or permanent residents abroad.

Part 4 - For COMELEC's Official use only

The abovementioned form may be obtained from: (i) the Philippine Embassies, Consulates and other Foreign Service establishments, (ii) the Committee on Overseas Absentee Voting at the Central Office of the Commission on Elections, Intramuros, Manila, and (iii) the Office of the Election Officer in every city/municipality/district (iv) the NAIA or POEA Overseas Absentee Voting Registration Center. It may also be downloaded from the Commission on Election website (www.comelec.gov.ph).

Where Shall Applications For Registration/Certification Be Filed**If the applicant is abroad during the period for the filing of applications:**

- a. File the application with the representative of the Commission on Elections (COMELEC) at the Philippine Embassy, Consulate and other Foreign Service establishment having consular jurisdiction over the locality where you temporarily reside.
- b. In case of qualified seafarers, file the application with the representatives of the Commission on Election (COMELEC) at the Philippine Embassy, Consulate and other Foreign Service establishment having consular jurisdiction over the locality where your vessel is docked during the period for the filing of applications.

If the applicant is in the Philippines during the period for the filing of applications but will be abroad on the day of the election:

- a. File the application with the Election Registration Board of the city/municipality/district where you are domiciled or at the NAIA or POEA OAV Registration Centers prior to your departure from the Philippines.
- b. In case of seafarers, you have the option to file the application either with (i) the Election Registration Board of the city/municipality/district where you are domiciled prior to your departure from the Philippines or (ii) the Committee on Overseas Absentee Voting at the Central Office of the Commission on Elections, Intramuros, Manila (iii) and at the NAIA or POEA OAV Registration Centers.

Procedure For Filing Of Application For Registration/ Certification**If the applicant is abroad during the period for the filing of applications:**

- a. Personally appear before the representative of the Commission on Elections (COMELEC) at the Philippine Embassy, Consulate

and other Foreign Service establishment having consular jurisdiction over the locality where you temporarily reside;

- b. Present your valid Philippine passport;
- c. Accomplish the prescribed application form; and
- d. Submit the accomplished application form with a photocopy of your passport.
- e. Have an actual capture of his/her biometrics

If the applicant is a seafarer:

- a. Personally appear before the representative of the Commission on Elections (COMELEC) at the Philippine Embassy, Consulate and other Foreign Service establishment having consular jurisdiction over the locality where your vessel is docked during the period for the filing of applications;
- b. Present your valid Philippine passport;
- c. Accomplish the prescribed form; and
- d. Submit the accomplished form together with (i) a photocopy of your passport and (ii) a photocopy of your Seaman's Book or any other document that will prove that you are a seafarer.
- e. Have an actual capture of his/her biometrics

If the applicant is in the Philippines during the period for the filing of applications but will be abroad on the day of the election:

- a. Personally appear before the Election Officer of the city/municipality/district where you are domiciled or at the NAIA or POEA OAV Registration Centers prior to your departure from the Philippines;

- b. Present your valid Philippine passport;
- c. Accomplish the prescribed application form; and
- d. Submit the accomplished form together with a photocopy of your passport.
- e. Have an actual capture of his/her biometrics

If the applicant is a seafarer:

- a. Personally appear at your option either (i) before the Election Officer of the city/municipality where you are domiciled prior to your departure from the Philippines or (ii) before the Committee on Overseas Absentee Voting at the Central Office of the Commission on Elections, Intramuros, Manila (iii) and at the NAIA or POEA OAV Registration Centers.
- b. Present your valid Philippine passport;
- c. Accomplish the prescribed application form; and
- d. Submit the accomplished form together with (i) a photocopy of your passport and (ii) a photocopy of your Seaman's Book or any other document that will prove that you are a seafarer.
- e. Have an actual capture of his/her biometrics

Modes of Voting

Personal Voting (PV) – Overseas absentee voters whose application to vote *in absentia* has been approved shall cast their ballots personally at anytime within the voting period.

Voting by Mail (VBM) - Overseas absentee voters whose application to vote *in absentia* has been approved shall cast their ballots anytime within the voting period. In VBM, the electoral mails are sent by the

Commission on Elections from the OAV Mailing Center in Manila directly to the voters based on their addresses selected from the Certified List of Overseas Absentee Voters (CLOAV) database.

The voters will receive a mailing/packet envelope that contains the ballot and the envelopes to seal and send/deliver the ballot. It also contains the Certified List of Candidates and Instructions which provides the step-by-step procedures on how they would be able to cast their votes.

Note: Seafarers may vote at any Post adopting **Personal Voting (PV)**. Additionally, they could vote at the following Posts that adopts **Voting by Mail (VBM)**, were allocated corresponding blank electoral mails (with no addresses) so that they may vote in case their ships are docked in ports situated at the host countries:

Modified Voting by Mail (MVBM) - Overseas absentee voters whose application to vote *in absentia* has been approved shall cast their ballots anytime within the voting period. In MVBM, the electoral mails are sent by the Commission on Elections from the OAV Mailing Center in Manila directly to the Foreign Service Posts (FSP). The FSPs in turn distributes the electoral mails to the voters.

For more information on the Overseas Absentee Voting Act, please contact:

Committee on Overseas Absentee Voting

Commission on Elections

7/F Palacio del Gobernador Bldg.
General Luna St. Intramuros, Manila
Tel. No. (632) 521-2952
Telefax No. (632) 527-0836
Website: www.comelec.gov.ph



**Overseas Absentee Voting Secretariat
Department of Foreign Affairs**

6/F, South Wing, Department of Foreign Affairs Bldg.
2330 Roxas Boulevard, Pasay City
Tel. Nos. (632) 834-4361, 834-3275
Telefax Nos. (632) 833-0914/15
Email: dfaoavs@yahoo.com.ph
Website: www.dfa-oavs.gov.ph



ANTI-TRAFFICKING LAW

The rise in international trafficking in persons for prostitution and forced labor especially in Asia, led to the enactment of Republic Act 9208 or the “Anti-Trafficking Law”. The law, which aims to eliminate trafficking in persons, especially women and children, establishes necessary institutional mechanisms to protect and support trafficked persons, and provides certain penalties for violators.

Trafficking in Persons

Trafficking in persons refers to the recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim’s consent or knowledge, within or across national borders by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others, or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs. The recruitment, transportation, transfer, harboring, or receipt of a child for the purpose of exploitation shall also be considered as “trafficking in persons” even if it does not involve any of the means set forth in the preceding paragraph.

Qualified trafficking, on the other hand, is committed under the following circumstances:

1. When the trafficked person is a child or below 18 years old
2. When the adoption is committed through the Inter-Country Adoption Law and said adoption is for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage
3. When the act is committed by a syndicate or in large scale
4. When the offender is a person who exercises authority over the trafficked person or when the offense is committed by a public officer or employee
5. When the trafficked person is recruited to engage in prostitution with any member of the military or law enforcement agencies
6. When the offender is a member of the military or law enforcement agencies
7. When the offended party dies, becomes insane, suffers mutilation or is afflicted with HIV or AIDS by reason or on occasion of the act of trafficking

Penalties for Violation of the Act

Act	Penalty
Qualified Trafficking in Persons	Life imprisonment and a fine of P2 million to P5 million
Trafficking in Persons	20 years imprisonment and a fine of P1 million to P2 million
Promoting Trafficking in Persons	15 years imprisonment and a fine of P500,000 to P1 million
Use of Trafficked Persons	First offense: 6 months community service and a fine of P50,000 Subsequent offenses: 1 year imprisonment and a fine of P100,000

Filing of Action

Filing of complaint may be done either orally or in writing to the Presidential Task Force on Human Trafficking, any member of the Inter-Agency Council Against Trafficking (IACAT), the nearest police or other law enforcement agency, the local social welfare and development office or the local Council for the Protection of Children. In case of trafficking abroad, the report may be made to the nearest Philippine Embassy/Consulate.

Who Can File Cases

The following may file a case/complaint for trafficking:

1. the trafficked person;
2. the trafficked person's parents, spouse, siblings, children, or legal guardian; or
3. anyone who has personal knowledge of the acts committed.

Repatriation of Trafficked Persons

The DFA in coordination with DOLE and other appropriate agencies, shall have the primary responsibility for the repatriation of trafficked persons, regardless of whether they are documented or undocumented.

If, however, the repatriation of the trafficked persons shall expose the victim to greater risks, the DFA shall make representation with the host government for the extension of appropriate residency permits and protection, as may be legally permissible in the host country.

The Presidential Task Force Against Trafficking may be reached through:

Task Force Against Human Trafficking

Commission on Filipinos Overseas

6th Floor, Citigold Centre

1345 Quirino Avenue corner

South Superhighway, Paco, Manila 1007

Tel. Nos. (632) 561-8291/(632) 561-8321 local 401

Fax Nos. (632) 561-8332/561-8291

Email: trafficking@cfo.gov.ph

Website: www.cfo-antitrafficking.org.ph



INFORMATION AND GUIDELINES ON THE IMPORTATION AND EXPORTATION OF PLANTS, PLANT PRODUCTS AND ANIMALS

In line with efforts to prevent the spread of diseases and damaging pests that may threaten national health and security, the Philippines enforces certain rules and regulations for the bringing in of plants, plant products and animals by Filipinos or alien citizens originating from foreign countries. Their shipment and export overseas are likewise governed by similar rules consistent with the interest of destination countries.

PLANT QUARANTINE

The quarantine of plants in the Philippines is enforced by virtue of P.D. No. 1433 or the Plant Quarantine Law of 1978 as revised by the Administrative Code of 1987. It has the primary function of preventing the entry of foreign pests into the country and preventing further spread of those pests already introduced to places where they are previously not known to exist.

On the other hand, the Philippines complies with the International Plant Protection Agreement on the phytosanitary requirements of plants and plant products for export to ensure acceptability upon entry at the country of destination.

Import Procedure

A. Import Permit Procedure

Application

Any person/company intending to import plants/plant products shall file an application for Permit to Import (BPI Q Form No. 1) with the PQS prior to importation.

Importations which require Permit to Import and are subject to inspection:

- Living plants

- Nursery stocks, including vegetative parts thereof used as propagating materials
- Seeds nut for planting
- Fresh fruits, vegetables, and other plant products, which have been declared as prohibited/restricted imports under Special Quarantine Orders by Virtue of their being known hosts of certain plant pests, or because they originate from restricted areas
- Pure cultures of fungi, bacteria, virus, nematodes and other phytopathogenic materials
- Mushroom cultures including spawn
- Algae cultures, rhizobial cultures as legume inoculants
- Soil and plant materials for isolation of organism
- Other plants cultures
- Certain species of animals such as insects, birds, monkeys, reptiles are capable of causing injury to agricultural crops are liable to become agricultural crop pests
- Biocontrol agents and genetically modified organism/ materials

B. Evaluation of Application

Evaluation and pest risk analysis (PRA) shall be conducted prior to the issuance of an import permit.

1. PQS shall conduct PRA based on:

- List of pest (insects, diseases, nematodes, viruses, weeds) which shall be obtained by PQS from the country of origin as applied for by the importer
- Other information gathered from international pest data bases, research institutions, scientific publications and personal communication with experts. Duration of PRA and action on the application shall depend on the availability of information for assessing the risks involved in importing the commodity. Conditions for entry shall be based on the pest present in the country of origin and other phytosanitary measures

2. For commodities that will require inspection and evaluation of field/ growing area the following are conducted:

- Inspection of the field where the materials will be planted
- Make the necessary phytosanitary measures/ recommendations required by the PQS
- Approval of the area by the PQS
- Sketch location of the growing area to guide the post entry team in monitoring and observing the materials for presence of pests during the growing period

3. Completed forms shall be assessed and the applicants are advised either to return on a specific date to gate the permit or to submit other requirements, for those who have not fully complied.

4. Importation of potentially hazardous biological and/or genetically modified organisms involved the following:

- Evaluation, approval and monitoring of the biosafety aspects of the biological research by the Institutional Biosafety Committee (IBC)
- Evaluation and approval by the National Committee on Biosafety of the Philippines (NCBP) and
- Upon recommendation of the NCBP evaluation of the conditions or entry and issuance of the import permit by the PQS

C. Approval of Application for Issuance of Permit to Import

Upon approval of the application and payment of regulatory fee, the Permit to Import is issued to the applicant importer in four copies: the original shall be given to the Permittee for presentation to the Plant Quarantine officer at the port of entry: the duplicate copy shall be Plant Quarantine of the source country for compliance of the terms and conditions stipulated in the permit: the third copy shall be furnished to the collector of Customs at the port of entry: and the fourth copy shall be filed with the PQS.

Inspection upon Arrival of Commodities

Application for inspection upon arrival

The importer shall file with the PQS a duly accomplished Application for Inspection at least twenty-four (24) hours prior to arrival of the consignment. The following documents shall be submitted:

1. Phytosanitary Certificate (original FAO/IPPC Model) issued by the PQ of the country of origin;
2. Permit to Import (original copy) issued by PQS
3. Bill of lading/airway bill;
4. Inword cargo manifest and Bureau of Customs (BOC) entry declaration (photocopy)

In the absence of a Permit to Import (IP) or Phytosanitary Certificate (PC), the consignment shall be held under BOC custody or transferred (upon importer's request) to PQS custody until such documents are presented.

In the absence of both IP and PC, the consignment shall either be returned to the country of origin or re-exported to another accepting country or destroyed.

Importation Not Requiring Permit to Import

The following imports maybe allowed to enter the country without securing the Permit to Import. However, they are subject to inspection/verification and prescribed treatment and payment of regulatory fees and charges.

1. Plant products not governed by any plant quarantine restriction/prohibition and fruits and vegetables in limited quantity and plant products intended for food or animal feed or those for processing or manufacturing purposes.
2. Properly dried or sterilized, or poisoned botanical specimens or herbaria, provided, free from soil or sand.

3. Fresh flowers, bouquets and other floral arrangements when free from soil, sand and other prohibited materials.

Export Procedure

The export certification procedures and phytosanitary certification system is based on the IPPC standard for export certification system. However, import requirements imposed by trading partners and agreed export procedures, in case of bilateral agreement, are complied with to ensure acceptability of commodities to the country of destination.

1. Export Certification Procedure

The PQS shall require the exporter to submit the following: Import Permit from the country of destination if required. The IP shall state the terms and conditions to be complied with to facilitate clearance of commodities.

- Clearance to export restricted and/or prohibited exports or movement of plants and plant products issued by designated agencies of the Philippines, such as the Bureau of Forest Development, Department of Environment and Natural Resource (DENR) for certification with regards to the Convention on International Trade for Endangered Species (CITES) of wild Fauna and Flora.
- Accomplished application for Phytosanitary Certification
- The commodities to be inspected/examined/verified must be submitted at least 48 hours prior to actual loading, either at the office of the Plant Quarantine Services or at the premises of the exporter, whichever is convenient for both parties
- Treatment, unless compulsory or mandated by the importing country may be waived. It may be performed at the facilities operated by the PQS or private firms licensed to operate fumigation facilities. If the latter, a plant quarantine officer must supervise the entire operations

2. Phytosanitary Certification

Upon compliance with the preceding requirements, the commodities will be issued a phytosanitary certificate or plant health certificate in accordance with IPPC/FAO.

- The BPI-PQS is the only government agency in the Philippines authorized to issue the PC
- Only an authorized plant quarantine officer may validate a PC
- Certification shall only be issued for commodities that completely meet the import requirements of the country of destination
- PC shall be denied for exports to countries in which the commodity is prohibited by the plant quarantine regulations

3. Re-export Phytosanitary Certification

PC for re-export shall be issued for in-transit shipments if the country of destination requires such certification. Any treatment and/or quarantine actions instituted on the in-transit cargo during its stay in the Philippines shall be stated in the re-export PC.

List of most important export products

- Fresh Bananas
- Coconut (desiccated)
- Fresh Pineapple
- Coconut Copra
- Coconut Copra Meal/Pellets
- Fresh Mango
- Fresh Onion (shallots)
- Coconut Copra solvent
- Tobacco leaves (dried)

Verification / Inspection and Treatment

After verification and evaluation of the required documents, inspection shall be conducted by random sampling. Samples are then subjected to laboratory examination. Depending on the results of the examination, the following maybe conducted:

1. Release to the consignee if no pest is found in the consignment
2. Treat the commodity if the pest found can be eliminated by internationally approved treatment
3. Hold under post-entry quarantine for a period of time
4. If found infested with dangerous quarantine pest, and treatment is not possible:
 - Return to the port of origin
 - Ship to other countries that will accept the consignment, and
 - Destroy the consignment
5. In all cases, the corresponding fees and charges shall be borne by the importer.

Permits shall be revoked and further permit issuance shall be refused if the materials have the following findings:

1. Inspection and certification are confirmed to be merely superficial:
2. Failure of the Permittee to give the required notice
3. False notice;
4. Misdeclared shipment;
5. Falsification of plant quarantine terms and conditions imposed in the permit;
6. Other violations of plant quarantine rules and regulations

For more information on the importation or exportation of plants or plant products, you may contact:

Plant Quarantine Service

Bureau of Plant Industry

692 San Andres Street

Malate, Manila

Tel. Nos. (632) 524-3749, 404-0409,

524-3706 Fax no. (632) 521-7650

Email: bpipqs.phil@yahoo.com

Website: www.pqs.da.gov.ph



ANIMAL QUARANTINE

1. Exportation of animal, animal products and by-products:

I. A. General Requirements

1. Letter of Intent of Exporter addressed to the Director of the Bureau of Animal Industry
2. Identification of exporter and representative and photocopy of both
3. Special Power of Attorney (SPA) if through representative
4. SPS Clearance or import issued by the importing country

B. Additional requirements for:

1. Animals, animal products and by-products
 - a. Convention on International Trade in Endangered Species(CITES) Clearance of wild fauna and flora
 - b. Results of laboratory examination
2. Meat and meat products
 - a. Official meat inspection certificate (OMIC) issued by the National Meat Inspection Service (telephone no. (632-924-7971)
 - b. Process flow of products
 - c. Results of laboratory examination
3. Processed food (e.g. noodle, dairy products etc.)
 - a. Certificate of product registration (CPR)/License to operate (LTO) from BFAD
 - b. Process flow of products

II. Inspection of facilities

1. Validation of process flow
2. Collection of laboratory samples for live animals and animals where the meat will be sourced.
3. Inspection of process required by the importing country.

III. Issuance of International Veterinary Certificate (IVC) to export or veterinary healthcertificate (VHC) or commodity clearance (CC) or veterinary quarantine clearance (VQC) or whichever is needed by the importing country.

IV. Documentation and final inspection at the port of exit.

V. Annual inspection of manufacturing plant/warehouse is required. Collection of laboratory samples every six (6) for farms where the animals and its products for export will be sourced if needed.

2. Importation of Animal, Animal Products, and by-products

I. A. General Requirements

1. Letter of Intent of Exporter addressed to the Director of the Bureau of Animal Industry
2. Special Power of Attorney (SPA) if through representative
3. Notarized application for the importation of live animals

B. Additional requirements for

1. Animals, animal products and by-products
 - a. Convention on International Trade in Endangered Species (CITES) Clearance of wild fauna and flora from Protected Areas and Wildlife Bureau-Department of Environment and Natural Resources (Tel. No. (632) 924-6031 to 35)
2. Meat and meat products
 - a. Accreditation certificate of the National Meat Inspection Service
 - b. Application form to import to be secured from BAI

c. Pro forma invoice from the supplier

3. Processed food (e.g. noodle, dairy products etc.)

a. FDA's certificate of product registration (CPR) if finished products

b. Inspection of storage facilities for imported animal products and by-products

II. A. Inspection/Accreditation of quarantine and storage facilities

1. Animals, animal products and by-products

a. Inspection of quarantine facilities to validate if the quarantine area can handle the quarantine activities of live animals during the 30 days quarantine period of imported live animals

b. inspection of storage facilities for imported animal products and by-products

III. Issuance of veterinary quarantine clearance (VQC) to import or commodity clearance or import permit

IV. Documentation and inspection of imported items at the port of entry

V. Inspection and collection of laboratory specimen of imported live animals at the quarantine area

For more information, please contact:

**National Veterinary Quarantine Services
Bureau of Animal Industry**

Visayas Avenue, Diliman, Quezon City

Tel. Nos. (632) 925-4343/920-0816

Fax No. (632) 920-0815

Email: quarantine_bai@yahoo.com

Website: www.bai.gov.ph



RENEWAL OF PHILIPPINE DRIVER'S LICENSE FOR FILIPINOS ABROAD

The Land Transportation Office in the Philippines has amended its rule on validating expired driver's license of overseas Filipinos. In the past, only overseas Filipino workers can renew driver's license through authorized representatives while working abroad. With the new regulation under Administrative Order No. RIB-2007-011, all Filipino citizens abroad who are holders of authentic Philippine driver's license can already renew their license through a duly authorized representative in the Philippines.

The amendment came after reports of inconvenience by other Filipinos overseas, mostly students and family members of OFWs who are forced to return to the Philippines to renew their license because they are not covered by LTO Administrative Order No. 88-002 dated 8 November 1988 which allows only OFWs to renew through authorized representative.

Applications for renewal of license within the National Capital Region will be accepted only at the License Section of the Central Office where a fast lane for the processing of licenses of foreigners and overseas Filipino workers is available. Applications outside NCR may be filed at any field office at the option of the representative.

The authorized representative shall present to the LTO documents from the licensee such original driver's license with one photocopy, photocopy of Philippine passport with visa, and letter addressed to the LTO requesting the renewal and authorizing his representative to renew on his behalf. In no case should any other agency take the photograph of the licensee.

Upon payment, LTO will issue to the licensee a Driver's License Receipt (DLR) stamped at the right portion with "LICENSEE ABROAD FOR PHOTOTAKE WITHIN 30 DAYS UPON ARRIVAL."

Within 30 days upon arrival in the Philippines, the licensee shall present himself to the same office where renewal was made for

photograph taking, to present his original DLR and passport, to submit a valid drug test result and medical certificate, and to surrender his expired driver's license. The licensing center will retrieve applicant's previous files and incorporate with other requirements for evaluation and approval, production of the license and eventual release to the licensee.

The fee for renewal of license is Php180.00 for non-professional or Php240.00 for professional driver's license. Penalty will apply for holders of expired license at the following rate:

	Professional	Non-professional
Expired for less than one year	P 40.00	P 30.00
Expired for 1 year to less than 2 years	P 80.00	P 60.00
Expired for 2 years and more	P 120.00	P 90.00

For more details, kindly contact:

License Section

Land Transportation Office
East Avenue, Q.C.
Tel. Nos. 926-7081 / 921-5370
Website: www.lto.gov.ph



BUREAU OF CUSTOMS PHILIPPINES - PASSENGER GUIDELINES

All persons and baggage are subject to a search at any time. (Sections 2210 & 2212, Customs Law)

General Provisions

All articles, when imported from any foreign country into the Philippines, shall be subject to duty and tax upon each importation, even though previously exported from the Philippines, except as otherwise specifically provided in the Customs Code or in other laws. (Section 100, TCCP)

Prohibited and Regulated Articles

The unlawful importation of prohibited articles (i.e. marijuana, cocaine or any other narcotics or synthetic drugs), firearms, ammunitions, gun replicas, explosives and parts thereof, obscene, pornographic and immoral articles, mislabeled, misbranded and adulterated articles of food or drugs, gambling outfits and paraphernalia, used clothing and rags – (R.A. 4653), elephant tusks and their by-products or those which violate the Intellectual Property Rights Act (i.e., pirated DVDs, VCDs, and other imitation products) and regulated items (such as transceivers and communication equipment; controlled chemicals / substances and precursors, regardless of quantity constitutes a violation of Tariff and Customs Code of the Philippines, as amended, and other special laws and may subject the person to criminal prosecutions and /or fines and penalties.

Agriculture and Quarantine Regulations

Agriculture quarantine restricts the entry of animals, fish and plant products or their by-products (such as meat, eggs, birds, fruits, etc.). Transport of endangered species and their by-products is also restricted / prohibited by CITES / DENR regulations. Likewise, export of such products / by-products must be referred to quarantine officers to ensure compliance with Philippine regulations and requirements of country of destination. Failure to obtain prior import and / or export permit from the Philippine Department of Agriculture together with corresponding health sanitary or phytosanitary certificate from country of origin and to declare the same may result to seizure, fines and / or penalties.

Regulated Articles That Require Import Permit / Clearances:

Articles that need import / export permits and / or clearances and government agencies that issue them:

Live Animals and Meat	Bureau of Animal Industry (BAI)
Fruits and Plants	Bureau of Plant Industry (BPI)
Marine and Aquatic Products	Bureau of Fisheries and Aquatic Resources (BFAR)
Firearms, Parts, Ammunition, etc.	PNP Firearms and Explosives Office (FEO)
VHS, Tapes, CDs, DVDs, etc.	Optical Media Board (OMB)
TV, Movie, Film Print and Negatives, etc.	Movie and Television Review and Classification Board (MTRCB)
Transceivers, Communication Equipment, etc.	National Telecommunications Commission (NTC)
Endangered Species	Dept. of Environment and Natural Resources (DENR)
Medicines and the like	Bureau of Food and Drugs (BFAD)

Currency Regulations

Philippine currency - No person may import or export or export or bring with him into or out of the country legal tender Philippine notes, coins, checks, money orders and other bills of exchange drawn in pesos against banks operating in the Philippines in an amount exceeding P10,000.00 without authorization by the Bangko Sentral ng Pilipinas (BSP Circular 98-1995).

Foreign currency - Any person bringing in or taking out of the Philippines foreign currency, or other foreign exchange-denominated bearer negotiable monetary instruments such as travellers check, other checks, drafts, notes, money order, bonds, deposit, certificates, securities, commercial papers, trust certificates, custodial receipts, deposit substitute instruments, trading orders, transaction tickets and confirmation of custodial receipts, trading orders, transaction tickets and confirmation of sale/investment, in excess of US\$10,000.00 or its equivalent must accomplish a Foreign Currency Declaration (FCD) Form which may be obtained from the Bureau of Customs office at NAIA and after accomplishment is submitted to a Customs Officer at the Customs Desk in the Arrival or Departure Areas (BSP Circular No. 308, Series of 2001, as amended by BSP Circular No. 507, series of 2006). Any violation thereof shall be subject to the sanctions provided for in Section 36 of Republic Act No. 7653 (New Central Bank Act), without prejudice to the application of remedies and sanctions provided for under customs laws and regulations (BSP Circular No. 308, series of 2001).

Balikbayan Categories

1. Filipino citizen who has been continuously out of the Philippines for a period of at least one (1) year from the date of last departure;
2. A Filipino overseas worker (OFW); or
3. Former Filipino with foreign passport and members of his family (i.e. spouse and children) who are traveling with him.

Exemptions / Duty-Free Concessions**Adult Passengers:**

- Two (2) reams of cigarette or two (2) tins of tobacco
- Two (2) bottles of liquor or wine not exceeding one (1) liter per bottle.

Balikbayan and Overseas Filipino Workers (OFWs) are entitled to a Ten Thousand (10,000.00) Peso duty exemption on their USED personal and household effects. Any excess thereof is subject to an ad valorem duty (Executive Order 206). In addition, OFWs are entitled to duty and tax-free privileges on their USED appliances limited to one of every kind provided the total value does not exceed PHP10,000.00. Any excess is subject to duty and tax.

Philippine Duty-Free Shopping

All passengers arriving from abroad can enjoy a one-time duty-free shopping privilege within forty-eight (48) hours from date of arrival, upon presentation of a valid passport, flight ticket and boarding pass. Philippine duty-free shops are retail establishments licensed by the government to sell duty and tax-free merchandise to cater to travelers and balikbayans. Frequent travelers can enjoy up to US\$10,000.00 worth of duty-free shopping privileges in a given calendar year.

Purchases must be made in US dollars or its equivalent in Philippine Peso and other acceptable foreign currencies. This privilege is not transferable (However, duty-free shopping is subject to certain conditions and limitations. Purchases must be made in US dollars or its equivalent in Philippine Peso and other acceptable foreign currencies. This privilege is not transferable (except for kabuhayan shopping).

Balikbayan privileges can only be availed of once a year. Minors are not allowed to buy cigarettes, liquors, wines, electronics, and home appliances. Tourists buying home appliances and electronics are subject to duties and taxes.

Accompanied Baggage Intended as Donation

Relief, charitable and / or humanitarian organizations intending to donate for free distribution or extend free medical, dental or any other services to the less privileged must coordinate with the Philippine Department of Social Welfare and Development, through the Philippine embassies and / or consulates abroad, for purposes of clearance, prior to actual departure. Donations must be covered by a Deed of Donation and Deed of Acceptance, approved by the Department of Finance.

Non-Resident Foreigners

Passengers who intend to bring back to their place of residence abroad any dutiable article must inform the inspecting Customs Officer of said intention. In this case, the passenger may be required to accomplish a re-exportation commitment form duly secured by a cash bond deposit equal to the ascertained duty and tax on the article, refundable upon departure of the passenger with the article, for which a corresponding Official Receipt will be issued.

IMPORTANT NOTICE

Your Customs Declaration

All arriving passengers are required to accomplish a Customs Declaration form (BC Form 117) given on board the carrying aircraft. If traveling as one family, one declaration is sufficient.

Arriving passengers are required to declare all articles purchased or acquired abroad, indicating the quantity and its total acquisition price. If unsure of what to declare, please consult any Customs Officer on duty.

For more information, please contact:

**The Commissioner of Customs
Bureau of Customs**

South Harbor, Port Area, Manila 1018
Tel. No. (632) 527-4573 - Fax (632) 527-9453



NAIA District Collector of Customs

Tel. No. (632) 879-6003 - Telefax (632) 819-5088

Deputy Collector for Passenger Service

Telefax (632) 831-6262

Chief, Arrival Operations Division

Telefax (632) 879-5185



Email: arrivalcustoms@hotmail.com

Website: www.customs.gov.ph

APPLICATION FOR BIRTH CERTIFICATE

e-Census (www.e-Census.com.ph) is an online facility that allows you to submit requests for the following civil registry services:

- issuance of certified copies of civil registry documents, i.e., birth, marriage and death certificates; and
- issuance of certificate of no marriage record (CENOMAR or Singleness)

e-Census also accepts requests from within and outside the Philippines.

Payment for Foreign Requests

After submission of a request, an Acknowledgment Page will be presented, and one will also receive an e-mail acknowledgment. These will contain the transaction details of the request/s (i.e., name of document owner, number of copies applied for and the corresponding costs, Batch Request Number, Request Reference Number, etc). This information is needed when paying.

Foreign requests may be paid through credit cards or through foreign correspondent banks. The credit card payment facility accepts Visa, Mastercard, American Express and Discover cards. For correspondent banks, the list is available in e-census website.

If you pay immediately after the Acknowledgment Page is displayed, you will be charged the amount corresponding to the batch request.

Credit card payments use the payment facility of Kabayan Central Networks, Inc. Thus, the billing statement will reflect Kabayan Central Networks, Inc. On the other hand, the official receipt of the requested document/s will bear the name of Unisys Public Sector Services Corporation (UPSSC). It is possible that the fee will be reflected in the credit card statement of account before one receives the document.

Filipino Children Born Overseas

A child born of Filipino parents can request for a birth record via the e-Census website as long as the birth was reported at the Philippine Consulate in the country where the child was born. The following information should be forwarded immediately via e-mail (e-census.info@mail.census.gov.ph) to facilitate the search and retrieval efforts:

- (1) Dispatch no.
- (2) Date of dispatch
- (3) Reference no.

The above-mentioned information can be obtained from the Philippine Embassy/Consular Office where the event, i.e., birth, marriage or death, was registered.

The regular schedule of transmission of civil registry documents, i.e. birth, marriage and death certificates, from the Philippine Embassies/Consular Offices to NSO's Central Office archives, is quarterly, though schedule may be changed as appropriate from the office of origin.

Additionally, one may request for the birth, marriage or death certificate, after two months from the month of receipt by the NSO.

For details, the NSO may be reached at:

Civil Registration Department
National Statistics Office
Vibal Building, EDSA, Quezon City
Email: e-census.info@mail.census.gov.ph
Website: www.ecensus.com.ph



PROFESSIONAL REGISTRATION AT THE PHILIPPINE REGULATION COMMISSION (PRC)

The Philippine Regulation Commission (PRC) has passed Resolution No. 2006-313 (amending Resolution No. 2004-235) to accommodate registration of newly registering professionals under exceptional circumstances.

This resolution addresses the shortcomings of Resolution No. 2004-235 which calls for registering professionals to personally fill up all entries in the registry book, affix his/her signature and 1 x 1 picture with complete nametag on it, therefore making personal appearance to the Commission mandatory.

Recognizing the problems encountered by new registering professionals who have either left abroad immediately after examinations or before the results were released, the Commission now allows newly passed professionals to register through their authorized representatives. Following are the requirements and conditions:

- 1) The new registrants should fill up an Oath Form required by PRC and take his oath under the presence of an officer of the Philippine Embassy or Consulate where he/she is situated;
- 2) The registrant shall designate his/her representative in the Philippines and execute a Special Power of Attorney preferably before the same officer of Philippine Embassy or Consulate who administered his/her oath;
- 3) The SPA should expressly declare that his/her representative is fully authorized to accomplish, sign and execute documents, perform all acts necessary for his/her registration, and;
- 4) The registrant should come to PRC as soon as he/she arrives from overseas to personally sign the Registry Book of Professionals.

Queries can be directed to PRC through their email address: *webmaster@prc.gov.ph*. More information can be found at the PRC website *http://www.prc.gov.ph*

IMMIGRATION POLICIES ON VISITING AND RETURNING OVERSEAS FILIPINOS



TEMPORARY VISITOR

Under R.A. 6768, a former Filipino citizen and his/her spouse and children traveling with him/her are entitled to visa-free entry to the Philippines for a period of one (1) year. Extensions may be requested at the Bureau of Immigration (BI). BI has established an “Express Lane” service to allow its clientele to obtain certain documents within the same date of filing.

PERMANENT RESIDENT (Non-quota Immigrant)

Aliens Married to Philippine Citizens¹

A non-quota immigrant visa under Section 13(a) may be issued to alien spouses who are married to Philippine citizens, upon presentation of proof that the parties contracted a valid marriage. In addition, the alien should also present appropriate documents to prove the following:

1. he/she contracted a valid marriage with a Filipino citizen;
2. the marriage is recognized under existing Philippine laws;
3. there is no record of any derogatory information against him/her in any local or foreign law enforcement agency;
4. he/she is not afflicted with any loathsome or dangerous and contagious disease² ;

5. he/she has sufficient financial capacity to support a family and shall not become a public charge;
6. he/she was allowed entry into the Philippines by immigration authorities; and
7. he/she has not been institutionalized for any mental disability.

The documentation required for this class of visa includes:

1. letter of application;
2. completed application form, signed and notarized;
3. one passport size photograph of the applicant;
4. birth certificates of the applicant and of the Filipino spouse – if a birth certificate is not available, then a Certificate of its loss or unavailability from the Local Civil Registrar or the National Statistics Office and any public document sufficient to establish the Philippine citizenship of the spouse, such as a Philippine passport;
5. affidavits from two independent persons indicating the nationality of the parents of the Filipino spouse, the birthplace of the Filipino spouse and the birthplace of the applicant;
6. certified true copy of the marriage contract of the applicant and the Filipino spouse;
7. certificate of legal capacity to contract marriage, stating any previous marriage(s) and the manner in which any previous marriage was dissolved, a duly authenticated true copy of any divorce decree, dissolution of marriage or death certificate, as the case may be;
8. certified true copy of birth certificate of minor unmarried children under 21 years of age;
9. joint affidavit of financial capacity and support executed by the applicant and the alien spouse with supporting documents showing capacity to support themselves;
10. medical certificate from the Bureau of Quarantine that the alien spouse and any unmarried children are not afflicted with any loathsome or contagious, dangerous and disease;

11. clearance from the central government agency of the applicant's country or place of residence regarding any criminal record the applicant may have, duly authenticated by the Philippine Embassy or Consulate in or closest to the applicant's country;
12. NBI (National Bureau of Investigation) clearance;
13. BI Intelligence clearance;
14. copy of passport of alien spouse and children showing date of arrival and validity of stay; and
15. official receipt of payment of the fee.

Notes:

1. A visa granted on the basis of marriage to a Filipino citizen may be revoked if the marriage is void, couples separate or *d i v o r c e*, t h e marriage is annulled, the marriage was contracted to evade the Immigration Act (CA 613), or loss of citizenship of the spouse.
2. The validity of Muslim marriages is determined by Sharia Law under PD 1083.
3. All foreign documents or documents issued or executed outside the Philippines must be authenticated by officials in the relevant Philippine Mission abroad.

In the case of an alien married to a Philippine citizen, the Philippine citizenship should be maintained by the latter for the non-quota immigrant visa to remain valid under Sec. 13(a) of the Philippine Immigration Act (PIA). The moment the Philippine spouse loses his/her citizenship, the 13(a) visa of his/her alien spouse and their children is automatically revoked or cancelled.

In the event that the Filipino loses his/her citizenship, he/she can apply for the downgrading of his/her dependents' 13(a) visa to temporary visitor's visa under Section 9(a) and, thereafter, apply for a non-quota immigrant visa under Section 13(g) for himself/herself, his/her spouse, and their unmarried minor children below 18 years old.

Child born outside the Philippines while mother temporarily abroad -

The eligibility requirements for this type of visa are:

1. the mother must have been previously admitted for permanent residence in the Philippines;
2. the child is accompanying either of the parents; and
3. the child is not more than 5 years old at the time of application for admission into the Philippines.

The mother must also show proof of her relationship with the child; and her admission as a lawful permanent resident of the Philippines.

Child born after issuance of visa to parent

The child will qualify for this visa provided:

1. the visa that was issued to the accompanying parent is still valid; and
2. there is sufficient proof of the child's relationship to the parent.

Woman who lost her Philippine citizenship

The applicant must present duly authenticated copies of the following documents:

1. her birth certificate;
2. marriage contract; and
3. documentary proof of her present foreign citizenship.

She may also be asked to show proof that she does not possess any of the disqualifications under immigration laws (e.g. no mental disability or disease, becoming a public charge, having a derogatory record with local or foreign police agencies, etc).

Permanent residence after temporary absence

The applicant must produce evidence to show that:

1. his/her original entry and admission into the Philippines was lawful and valid;
2. he/she intends to return to a retained residence in the Philippines; and
3. he/she is not disqualified under immigration laws

(e.g. no mental disability, disease, becoming a public charge, having derogatory record with local or foreign police agencies)

Natural-Born Filipinos Who Have Become Naturalized Citizens Of Another Country

Under Republic Act 4376, a law amending the Philippine Immigration Act of 1940, a natural-born Filipino who has become a naturalized citizen of another country and is returning to the Philippines for permanent residence, including his/her spouse and minor unmarried children, shall be considered non-quota immigrants for purposes of entering the Philippines.

To apply for a non-quota immigrant visa, the applicant must submit documents to establish that he/she:

1. was previously a natural-born citizen of the Philippines
2. was naturalized in a foreign country
3. is not afflicted with any dangerous, contagious, or loathsome disease
4. has no derogatory information against him/her from any local or international law enforcement agency
5. is financially capable of supporting himself/herself so that he/she will not become a public charge while residing permanently in the Philippines
6. has not been institutionalized for any mental disability
7. was allowed lawful entry by immigration authorities with a valid admission status
8. has not violated the terms and conditions of his/her admission status
9. intends to reside permanently in the Philippines

Notes:

1. US citizens are not required to produce evidence of their naturalization or citizenship because of the prohibition of US law under Title 18, US Code, Chapter 69, Section 1426 (a) to (h)
2. The responsibility for ensuring that applicants meet the eligibility

criteria for immigrant visas rests with the relevant Philippine Consular representative abroad or the BI official processing the application inside the Philippines, as appropriate.

Women Who Lost Philippine Citizenship by Virtue of Marriage

Under Section 13(d) of the Philippine Immigration Act of 1940, a woman who lost her Philippine citizenship because of marriage to an alien or because of the loss of Philippine citizenship of her husband, may, together with her unmarried child who is 21 years old, be issued a non-quota immigrant visa.

To qualify for this visa, she must present duly authenticated copies of the following documents:

1. Birth certificate
2. Marriage contract
3. Documentary proof of her present foreign citizenship

In addition, the applicant may also be asked to submit documents to prove that she:

1. has not been institutionalized for any mental disability
2. will not become a public charge
3. is not afflicted with any dangerous, contagious, or loathsome disease
4. has no derogatory information from any local or foreign law enforcement agency

STUDENT VISA (NON-IMMIGRANT)

Section 9(f) of the Philippine Immigration Act of 1940 states that aliens, including former Filipino nationals, at least 18 years old and with sufficient means for their support and education, who intend to enter the Philippines to take up a course of study higher than high school level may be admitted as a student non-immigrant. Executive Order 423 signed in June 1997 provides amendments in the guidelines for the entry and stay of foreign students in the Philippines.

Authorization for conversion from tourist visa category to a student visa or issuance of a special study permit is now restored pursuant to E.O. No. 285 dated 4 September 2000. The purpose of the order was to establish the Philippines as a center for education in the Asia Pacific Region. Only schools accredited by the Bureau of Immigration (BI) to accept students can accept them for enrollment and only foreign students with 9(f) visa or special study permit (SSP), or those who, by regulations, are exempt from securing 9(f) visa or SSP can be accepted for enrollment by these schools. A BI-accredited school may, however, temporarily enroll a foreign student with pending application for conversion of his admission status to that of a student visa but only for that semester.

Any violation of the guidelines will cause the revocation of the BI-accreditation and/or penalty of fifty thousand pesos (P50,000).

There are two ways to secure a student visa for the Philippines:

- i. by visa conversion in country, or
- ii. by being issued a visa outside the Philippines.

Student Visa by Conversion

An alien admitted into the Philippines under any visa category may apply at the Bureau of Immigration for the change/conversion of his/her admission status to that of a student under Section 9(f) of the Philippine Immigration Act of 1940, as amended pursuant to E.O. No. 285 subject to the following documentary requirements.

The student applicant is required to submit documentary evidence in support of the application to the Student Desk of the Bureau of Immigration through the designated school's Liaison Officer. The School Liaison Officer is required to bring these documents in person under a covering letter typewritten on the school's official stationery, signed by the school's Registrar and stamped with the school's official dry seal.

The required documentary evidence will consist of the written endorsement from the school for the change/conversion of the

admission status of the alien to that of a student and the following supporting documents:

1. Original copy of the Notice of Acceptance (NOA) containing a clear impression of the school's dry seal;
2. Original copy of the Certificate of Eligibility for Admission (CEA) issued by the Commission on Higher Education (CHED) for Medicine and Dentistry students;
3. Proof of adequate financial support to cover expenses for the student's accommodation and subsistence, as well as school dues and other incidental expenses;
4. Scholastic records duly authenticated by the Philippine Foreign Service Post located in the student's country of origin or legal residence;
5. Police Clearance Certificate issued by the National Police Authorities in the student's country of origin or residence duly authenticated by the Philippine Foreign Service Post having consular jurisdiction over the place for students who resided in the Philippines for **less than 59 days**;

Note: Students who have resided in the Philippines for longer than 59 days at the time of the application for the change/conversion of their admission status to that of a student, are also required to submit a National Bureau of Investigation (NBI) clearance.

6. Quarantine Medical Examination by the National Quarantine Office;
7. Copy of the student's Personal History Statement signed by the student with a 2 x 2 inch photograph recently taken;
8. Xerox copy of the photo, data and stamp of the latest arrival pages of the student's passport. The passport itself must be presented to the Bureau for verification.

Issuance of a Student Visa Abroad

There is also provision for issuing student visas outside the Philippines. The procedure is as follows:

1. The student communicates with the higher education institution (HEI) authorized to accept foreign enrollees and provides the following documents:
 - a. Five (5) copies of the Student's Personal History Statement (PHS) duly signed by him, both in English and in his national alphabet accompanied by his personal seal, if any, and containing, among others, his left and right thumb-prints and 2 x 2 inch photograph on plain white background taken not more than six months prior to submission;
 - b. Transcript of Records/Scholastic records duly authenticated by the Philippine Foreign Service Post located in the student applicant's country of origin or legal residence;
 - c. A notarized Affidavit of Support including bank statements or notarized notice of grant for institutional scholars to cover expenses for the student's accommodation and subsistence, as well as school dues and other incidental expenses; and
 - d. Photocopy of data page of the student's passport showing date and place of birth, and birth certificate or its equivalent duly authenticated by the Philippine Foreign Service Post.
2. Upon receipt of the required documents, the HEI issues a Notice of Acceptance (NOA).
3. For those wishing to enrol in Medicine and Dentistry, their documents must be submitted to the Office of Student Services

(OSS), CHED for evaluation. If found in order, a Certificate of Eligibility for Admission (CEA) is issued to the concerned foreign student.

4. HEI then submits the documents, including the certified true copy of the CEA of those enrolling in Medicine and Dentistry, to the Department of Foreign Affairs (DFA).

5. DFA endorses the documents to the Philippine Foreign Service Post (PFSP) in the student's country of origin or legal residence for the issuance of the corresponding visa.

6. PFSP notifies the student-applicant with instruction that he appear in person before the Consular Officer for interview and submission of the required documents, as follows:

- a. Original copy of the school's Notice of Acceptance (NOA) containing a clear impression of the school's dry seal;
- b. Original copy of the Certificate of Eligibility for Admission (CEA) issued by CHED if enrolling in Medicine and Dentistry;
- c. Police Clearance issued by the national police authorities of the student's country of origin or legal residence duly authenticated by the Philippine Foreign Service Post having consular jurisdiction over the place; and
- d. Medical Health Certificate issued by an authorized physician including but not limited to standard-size chest x-ray, HIV, or hepatitis B clearance.

Note: The Consular Office shall not assume the task of determining the student's scholastic fitness for the program applied for and shall issue the student visa as soon as all the requirements are completed.

7. Upon arrival in the Philippines, the foreign student reports to the BI Student Desk for registration and to the accepting HEI and shall enrol in the school which issued his NOA;

8. The accepting HEI assists the foreign student desk to obtain a Certificate of Residence for Temporary Students (CRTS) and ACR I-Card from the Bureau of Immigration (BI);
9. DFA sends notice to the accepting HEI on the issuance of the student visa to the applicant, with a copy to CHED, BI, NICA, and NBI; and
10. OSS keeps on file submitted data on foreign students.

Special Study Permits (SSP) **C3.4 Special Study Permits (SSP)**

The following are eligible to be issued Special Study Permits. The categories of eligible persons and the documentary evidence which they are required to provide are set out in the following table.

Characteristics of the applicant	Documentary requirements
1. Aliens 18 years old and above who wish to study in non-degree courses of less than one (1) year duration.	a.letter of request; b.certificate of acceptance from the school (the school must be accredited by the Bureau to accept foreign students); c.photocopy of passport reflecting applicant's valid stay; d.affidavit of support and the proof thereof; e.birth certificate of applicant.
2. Dependents of former Filipino citizens and foreigners below 18 years of age.	a.letter of request; b.certificate of acceptance from the school (the school must be accredited by the Bureau to accept foreign students); c.photocopy of passport reflecting applicant's valid stay; d.photocopy of parents' passports; e.affidavit of support and proof thereof; f.birth certificate of applicant.
3. Dependent/s of visa holders under PIA of 1940, as amended, except under Section 9(a) of the Act, after reaching the age of 18 years for purposes of completing the course.	a.letter of request; b.certificate of acceptance from the school and the same must be accredited by the Bureau to accept foreign students; c.photocopy of passport reflecting applicant's valid stay; d.birth certificate; e.photocopy of parent's passport reflecting stamped visa.
4. Minor dependents of a principal who has a pending application for a change of admission status. (If the parent's application is denied, any SSP granted to the minor dependent will be automatically cancelled).	a.letter of request; b.certificate of acceptance from the school (the school must be accredited by the Bureau to accept foreign students); c.photocopy of passport reflecting applicant's valid stay; d.affidavit of support and the proof thereof; e.birth certificate; f.proof of filing of the principal's application for change of status; g.photocopy of parent's passport reflecting valid stay.

<p>5. Minor under guardianship</p>	<p>a.letter of request; b.certificate of acceptance from the school (the school must be accredited by the Bureau to accept foreign students); c.photocopy of passport reflecting applicant's stay; d.affidavit of support and proof thereof; e.birth certificate; f.affidavit executed by parents appointing said guardian to take custody and care over the minor-applicant (if executed outside the Philippines, the same must be duly authenticated to be admitted as foreign document/s; if executed in the Philippines, parents' passport must be presented); g.photocopy of the guardian's passport reflecting authorized stay; if guardian is an alien, he must not be a mere 9(a) visa holder.</p>
<p>6. Aliens below 18 years old who are already at tertiary level</p>	<p>Same documentary requirements as for student visa conversion, namely, written endorsement from the school and the following supporting documents: a.Original copy of the Notice of Acceptance (NOA) containing a clear impression of the school's dry seal; b.Original copy of the Certificate of Eligibility for Admission (CEA) issued by the Commission on Higher Education (CHED) for Medicine and Dentistry students; c.Proof of adequate financial support to cover expenses for the student's accommodation and subsistence, as well as school dues and other incidental expenses; d.Scholastic records duly authenticated by the Philippine Foreign Service Post located in the student's country of origin or legal residence; e.Police Clearance Certificate issued by the National Police Authorities in the student's country of origin or residence duly authenticated by the Philippine Foreign Service Post having consular jurisdiction over the place for students who resided in the Philippines for less than 59 days; Note: Students who have resided in the Philippines for longer than 59 days at the time of the application are also required to submit a National Bureau of Investigation (NBI) clearance. a.Quarantine Medical Examination by the National Quarantine Office; b.Copy of the student's Personal History Statement signed by the student with a 2 x 2 inch photograph recently taken; c.Xerox copy of the photo, data and stamp of the latest arrival pages of the student's passport. The passport itself must be presented to the Bureau for verification.</p>
<p>7. 18 years and above who are still in high school</p>	<p>Same documentary requirements as group i. above – aliens 18 years old and above who wish to study in non-degree courses of less than one year., namely: a.letter of request; b.certificate of acceptance from the school (the school must be accredited by the Bureau to accept foreign students); c.photocopy of passport reflecting applicant's valid stay; d.affidavit of support and the proof thereof; e.birth certificate of applicant.</p>

Student Visa Extension C3.5 Student Visa Extension

Upon approval of the student visa conversion, foreign students are given an initial stay of one year. Foreign students who arrive with a Section 9(f) visa also receive an initial stay of one year upon arrival. Thereafter, they are required to apply for a visa extension.

When applying for a visa extension, a foreign student is required to submit the following documents:

1. Notarized application form duly completed by the foreign student;
2. Two (2) 2x2 inch photographs;
3. Xerox copy of the photo, data and latest valid extension including the latest arrival pages of the passport of the student or Certificate of Identity;
4. Transcript of Records or certified true copy of grades for the previous semester duly signed by the Registrar or Dean, with its school seal;
5. Xerox copy of the ACR I-Card and Certificate of Residence for Temporary Students (CRTS) (for students who have previously applied for extension);
6. Explanation by the student, and confirmed by the school Registrar or Dean, where the student took less than the required normal/regular full load per semester, as follows:
 - a) Undergraduates – at least 15 units
 - b) Graduate Students (M.A.) – at least 12 units

However, graduating students and those enrolled in the College of Medicine may have less than the aforesaid number of units.

7. Notice of Acceptance/registration card for the coming semester; and
8. In cases where a student wishes to transfer from one school to another, or from one course of study to another,

or to enrol in a Master's degree or Doctorate studies related to the student's bachelor degree, the approval of the admitting school is also required.

Notes:

1. Foreign students are not allowed to transfer within one year from conversion or from date of first arrival as a foreign student if the visa was issued abroad.
2. Transferees are required to present certified copy of honourable dismissal/authority to transfer by the school registrar where the foreign student was previously enrolled.

Exemptions from Student Visa requirement**C3.6 Exemptions from Student Visa requirement**

The following persons are **exempted** from the need to obtain a student visa or special study permit:

1. Permanent residents (immigrants);
2. Foreign nationals who have a valid working permit under Sections 9(d), 9(g) or 47(a)(2) of the Immigration Act 1940, as amended;
3. Personnel of foreign diplomatic and consular missions residing in the Philippines;
4. Personnel of duly accredited international organizations residing in the Philippines, such as the Asian Development Bank (ADB), International Rice Research Institute (IRRI), and specialized agencies of the United Nations;
5. Holders of Special Investor's Resident Visa (SIRV) and Special Retirees Resident Visa (SRRV); and
6. Foreign students coming in the Philippines with 47(a)(2) visas issued pursuant to existing laws, e.g. P.D. 20221Y.

Other important guidelines for foreign students

Foreign students are required to observe the following important guidelines while studying in the Philippines:

1. Non-immigrant students are required to take the full academic load of a particular course they are pursuing;
2. Non-immigrant students shall enrol in day classes, unless previous permission to study at night time has been granted;
3. No extension of stay shall be granted unless it can be shown that they have religiously pursued their studies. If it appears that a student has been in the country for a number of years but has not finished his/her chosen course of study within the period normally required for the course, it will be presumed that he/she has not endeavoured to pursue those studies and shall therefore be denied further extensions of stay;
4. Students are required to extend their visas on time (June 15 and December 15);
5. Students who have been denied an extension shall be required to leave the country within 15 days from the date of advice. If they fail to do so, a warrant for their arrest shall be immediately issued, leading to their deportation from the country;
6. No alien admitted as a student shall engage in employment for hire without first having applied for and secured the consent of the Commissioner of Immigration. In no instance will a student be permitted;
7. to accept employment of such nature as will interfere with the full course of studies;
8. Foreign students are prohibited from going out of the country during school days, except for valid reasons with the permission of the school registrars/school authorities and duly noted by the Bureau of Immigration;
9. A foreign student who wishes to pursue another degree program higher than the original course completed, shall submit all appropriate clearance/endorsement, including Personal

History Statement, notarized affidavit of support, official transcript of record, notice of admission from admitting school for approval and subsequent processing of student visa extension.

The eligibility criteria for student visas are:

1. the applicant must be at least 18 years old;
2. he/she must have sufficient means of support for education in the Philippines; and
3. the course of study must be higher than high school in a learning institution approved by the Commission on Higher Education.

The term “Foreign Students” also refers to foreign nationals who come to study in any educational institution recognized by the Government and includes researchers, trainees, grantees, scholars, and other similar categories, who wish to conduct research work in any other government/private or department or agency, or study in any special training institution or centre in the Philippines.

Note: Foreign students whose applications for student visas are approved must secure their visas from the Foreign Service Post in their country of origin or legal residence, regardless of where they are at the time of application.

Foreigners who do not qualify for a student visa under S.9(f) of the Act, can still apply to the Commissioner for a special study permit. These permits may be subject to prior clearance by the Department of Education in the case of elementary and high school courses, and by the Commission on Higher Education in the case of college or university level courses.

Student visas can be **extended** to enable the students to complete an approved course of study, subject to satisfactory progress in their studies.

A visa extension may be denied if the student:

1. fails two or more subjects of three units each;
2. drops two or more subjects of three units each;
3. enrolls in less than the full academic load of 18 units with no explanation from the school registrar; or
4. repeatedly fails in one subject with three units despite warnings.

Approval for a student visa is for study at a nominated institution. Transfers between schools or other educational institutions can only be effected with the consent of the Commissioner.

CHILDREN UNDER 15 TRAVELING ALONE

If a child under the age of 16 years is travelling to the Philippines alone or with one parent only, officers may request evidence that both the child's parents have consented to the child being removed from the child's country of residence.

RECOGNITION AS A FILIPINO CITIZEN

Under the Bureau of Immigration's Law Instruction No. RBR-99002, issued on 15 April 1999, any child born of a Filipino parent may be recognized as a Filipino citizen under existing laws. The following documents are to be submitted to the Commissioner of Immigration:

1. Petition, in the form of a letter-request, made under oath by the Filipino parent or legally appointed guardian. A person who is 18 years old must apply in his/her own capacity.

In default of parents or a judicially appointed guardian, the following persons shall exercise substitute parental authority over the child in the order indicated:

- the surviving grandparent as provided in Article 214 of the Family Code
- the oldest brother or sister over 21 years of age, unless unfit or disqualified

- the child's actual custodian, over 21 years of age, unless unfit or disqualified

In case the letter-request is made by a person on behalf of any of the parents, the legally appointed guardian, or persons exercising substitute parental authority, he or she must be duly authorized through a power of attorney to file such petition.

2. Authenticated birth certificate of the child
3. Birth certificate of the Filipino parent
4. Affidavit of citizenship executed by the applicant's Filipino parent attesting to his/her citizenship at the time of the birth of the child
5. Photocopy of the child's passport, if he/she has one
6. Photocopy of the Filipino parent's passport, if he/she has one
7. Proof of Filipino citizenship of a parent at the time of the birth of the child other than the parent's passport or the child's passport

All documents issued by foreign governments and those executed in a foreign country shall be duly authenticated by the authorized officer of the Philippine embassy or consulate that has jurisdiction over them.

Communications, statements, or documents executed in a language other than English or Filipino should be officially translated under the seal of the authorized officer of the appropriate foreign embassy.

Pursuant to Executive Order No. 292, the Bureau of Immigration, through its Records Section, will automatically furnish the Department of Justice an official copy of its order of recognition within 12 days from its date of approval. Identification certificates shall be issued only after confirmation by the Secretary of Justice.

For more information, please contact:

Office of the Commissioner**Bureau of Immigration**

Magallanes Drive, Intramuros, Manila

Tel. No. (632) 309-7753

Fax Nos. (632) 309-7751/52

Website: www.immigration.gov.ph**PRE-ARRANGED EMPLOYMENT VISA**

This is a working visa to enable an employer in the Philippines to employ a foreign national with skills, qualifications and experience which may not be available or in short supply in the Philippines.

Professors and teachers for educational institutions, doctors and nurses for hospitals, scientists, professionals and other skilled specialist workers for banking, commercial, industrial, agricultural and other business enterprises may qualify for this type of visa.

Prospective employers are required to show to the satisfaction of the Commissioner that two important conditions for this visa are met, namely that:

1. no person can be found in the Philippines willing and able to perform the particular work; and
2. the person's admission would be in the public interest.

The employer must address a petition to the Commissioner under oath and include the following information:

1. the nature of the labour or service for which the foreign employee is desired;
2. the probable length of time for which he/she is to engaged;
3. the wages or other compensation to be paid; the reasons why a person in the Philippines cannot be engaged to perform the labour or service;

4. the reasons that the prospective employee's admission to the Philippines would be in the public interest;
5. a certified copy of the agreement or contract of employment; and
6. any other information that the Commissioner deems appropriate in the circumstances of the particular case.

Because of this, Consular officers cannot issue a pre-arranged employment visa until they have received authorization from the Commissioner.

The spouse and unmarried minor children (under 21) of a successful applicant for a pre-arranged employment visa are also eligible for this visa, provided they are accompanying the principal applicant or will join him/her within six months from the date of admission of the principal applicant.

Alien Employment Permit

Coverage

Under DOLE Department Order No. 97, series of 2009, all foreign nationals who intend to engage in gainful employment in the Philippines shall apply for Alien Employment Permit (AEP).

Exemption

The following categories of foreign nationals are exempt from securing an employment permit:

1. All members of the diplomatic services and foreign government officials accredited by and with reciprocity arrangement with the Philippine government.

2. Officers and staff of international organizations of which the Philippine government is a member, and their legitimate spouses desiring to work in the Philippines.
3. Foreign nationals elected as members of the Governing Board who do not occupy any other position, but only have voting rights in the corporation.
4. All foreign nationals granted exemption by law.
5. Owners and representatives of foreign principals whose companies are accredited by the Philippine Overseas Employment Administration (POEA), who come to the Philippines for a limited period and solely for the purpose of interviewing Filipino applicants for employment abroad.
6. Foreign nationals who come to the Philippines to teach, present and/or conduct research studies in universities and colleges as visiting, exchange or adjunct professors under formal arrangements between the universities or colleges in the Philippines and foreign universities or colleges; or between the Philippine government and foreign government ; provided that the exemption is on a reciprocal basis.
7. Permanent resident foreign nationals, probationary or temporary resident visa holders.

Procedures in the Processing of Applications

- a. All applications for AEP shall be filed and processed at the DOLE Regional Office or Field Office having jurisdiction over the intended place of work.

Only applications with the following complete documentary requirements shall be received and acted upon by the Regional Office:

1. Fully accomplished application form
2. Photocopy of passport , with visa or certificate of

recognition for refugees

3. Contract of employment /appointment or board secretary's certificate of election
 4. Photocopy of mayor's permit to operate business or in case of locators in economic zones, certification from the PEZA or the Ecozone Authority that the company is located and operating within the ecozone
 5. Photocopy of current AEP (if for renewal)
- b. In the case of foreign nationals to be assigned in related companies, they may file their application with the regional office having jurisdiction over any of the applicant's intended places of work.
 - c. Additional position or a change in position of the foreign national in the same company or subsequent assignment in related companies during the validity or renewal of the AEP will be subject for publication requirement and payment of publication fee. However, a change of employer shall require an application for new AEP.

Processing period

Upon receipt of application the authorized representative of the regional office may conduct ocular inspection of within two (2) working days to verify legitimacy of the employment of the foreign national. All applications shall be processed and an AEP shall be issued within twenty-four (24) hours after publication and payment of required fees and fines, if there is any.

Verification inspection

The authorized representatives of the Regional Director may conduct verification inspection of establishments employing foreign nationals

within thirty (30) days after the issuance of the AEP to ensure that the foreign national is doing the job for which the AEP was issued.

Denial/cancellation/revocation of AEP

A foreign national whose AEP has been denied /cancelled/revoked shall not be allowed to reapply in any of the DOLE regional offices, unless said foreign national has provided proof that the ground for denial / cancellation/revocation has been corrected.

Renewal

An application for renewal of AEP shall be filed before its expiration. In case of corporate officers, whose election or appointment takes place before expiration of AEP , the application shall be filed not later than fifteen (15) working days after election or appointment or before expiration of the AEP. In case the election or appointment will take place after the expiration of the AEP, the application for renewal shall be filed before the expiration of the AEP, and shall be renewed for one year. In case the foreign national is not re-elected or re-appointed, the AEP shall be automatically revoked.

Within fifteen (15) working days after the date of election or appointment, the foreign national shall submit to the issuing regional office the board secretary's certificate of election or appointment.

Denial of Application

An application may be denied on any of the following grounds:

- a. Misrepresentation of facts in the application
- b. Submission of falsified documents
- c. The foreign national has a derogatory record
- d. Availability of a Filipino who is competent, able and willing

to do the job intended for the foreign national

Denial of application shall cause the forfeiture of the fees paid by the applicant.

Validity

The AEP shall be valid for the position and the company for which it was issued for a period of one year, unless the employment contract, consultancy services, or other modes of engagement provides otherwise, which in no case shall exceed five years.

For more information on the filing of the Alien Employment Permit, please contact:

Employment Standards and Regulations Division

Bureau of Local Employment

6th Flr., BF Condominium
cor. Solana & Soriano St., Intramuros
Manila 1002
Tel. Nos. (632) 528-0083 / 528-0084
Email: od@ble.dole.gov.ph
Website: www.ble.dole.gov.ph



BOARD OF SPECIAL INQUIRY

Regulations now limit the duties of the Board of Special Inquiry to the following:

1. Resolving pre-arranged employment visas for religious missionaries;
2. Resolving visa applications for treaty traders, Top 1000 Corporations, multinational regional headquarters;
3. Implements DOJ guidelines and procedures on recognition of Philippine citizenship;
4. Implementing DOJ guidelines and procedures for cancellation of alien registry by reason of (i) marriage of an alien female spouse to a Philippine citizen, (ii) naturalization via the regular courts or the Special Committee on Naturalization and (iii) Election of Philippine citizenship;
5. Providing assistance to the Inter-agency Committee on the Remaining Vietnamese in the Philippines;
6. Assisting the Commissioner of Immigration on official queries and inter-agency correspondences; and
7. Such other responsibilities as may be assigned by the Commissioner of Immigration.

For other queries, please contact:

**Board of Special Inquiry
Bureau of Immigration**
Telefax: (632) 527-3276



For commercial pre-arranged employment visa applications:

**Law and Investigation Division
Bureau of Immigration**
Telefax: (632) 527-3259



SPECIAL INVESTOR'S RESIDENT VISA

The Special Investor's Resident Visa (SIRV) is granted to aliens who wish to invest or participate in business activities in the Philippines. An SIRV may be issued to a foreign national, except those from countries that may be classified as restricted, who meets the following qualifications:

1. Has not been convicted of a crime involving moral turpitude
2. Is not afflicted with any loathsome, dangerous, or contagious disease
3. Has not been institutionalized for any mental disorder or disability
4. Willing and able to invest at least US\$75,000.00 in the Philippines

The SIRV holder is allowed to reside in the Philippines for as long as his/her investment exists. The special residence status will automatically expire once his/her investment is withdrawn from the Philippines or if the same is reduced below the value of US\$75,000.00.

Investment Areas

Investors holding this visa may engage in any business except those included in the list of investment areas reserved for Philippine nationals and those which may be excluded by the Inter-Agency Committee on Special Investors Resident Visa (IAC-SIRV).

The percentage of foreign investments shall be limited by the provision of applicable laws, rules, and regulations depending on the area of business.

For purposes of securing an SIRV, only investments/shares of stocks in existing, new or proposed corporations shall be allowed/accepted as eligible forms of investment:

- a) Publicly-listed companies;

- b) Companies engaged in areas listed in the Investments Priorities plan (IPP) of the Board of Investments (BOI). (The IPP is a list of priority areas of economic activities which the government promotes for investments); and
- c) Companies engaged in the manufacturing and service sectors.

Requirements for Special Investor's Resident Visa

The following documents shall be attached to every application for SIRV:

1. Application form duly filled-up and notarized, with recent photographs;
2. Clearance from the National Intelligence Coordinating Agency (NICA), together with either a clearance from the central government agency of the applicant's country or place of residence, duly authenticated by the Philippine Embassy, or the Interpol Division of the National Bureau of Investigation (NBI) indicating that the applicant has not been convicted by final judgment of a crime involving moral turpitude;
3. Medical certificate issued by any licensed and accredited hospital certifying that the applicant is physically and mentally fit;
4. Certification under oath from the duly authorized officer(s) of any BOI-accredited depository banks in the Philippines as to the amount of foreign exchange inwardly remitted by applicant;
5. Certified true copy of the certificate of peso time deposit;
6. Birth certificate/family registry/household registry duly authenticated by the Philippine Consulate/Embassy located in the applicant's home country or the applicant's embassy in the Philippines;
7. If applicable, marriage contract duly authenticated by the Philippine Consulate/Embassy located in the applicant's home country or the applicant's embassy in the Philippines.

Filing of Application

The applicant may apply at the Philippine Embassy or Consulate in his/her home country or place of residence. However, if the investor is already in the Philippines, the application may be filed at the One Stop SIRV Center of the Board of Investments.

Privileges

Aside from being able to reside in the Philippines, the following privileges are available to SIRV holders:

1. May import used household goods and personal effects, tax and duty free, as a foreign national coming to settle in the Philippines for the first time, as provided for in Section 105(h) of the Tariff and Customs Code of the Philippines.
2. The investor's spouse and unmarried children under 21 years of age, who are joining him in the Philippines, may also be issued SIRV.
3. Issuance of an SIRV ID card to the SIRV holder and his/her dependents which shall be the basis for seeking exemption from securing the Special Return Certificate (SRC) and Emigration Clearance Certificate (ECC) from the Bureau of Immigration (BI) for purposes of travel abroad and the updating of the Alien Certificate of Registration (ACR).

For more information on SIRV processing, please contact:

One-Stop SIRV Center**Board of Investments**

Industry and Investments Building
385 Sen. Gil J. Puyat Ave., Makati City
Tel. Nos. (632) 890-9335 (direct line)
(632) 897-6682 local 234, 280
Fax No. (632) 896-8236
Email: SIRV@boi.gov.ph
Website: www.boi.gov.ph



PROGRAMS AND SERVICES OF GOVERNMENT AGENCIES FOR OVERSEAS FILIPINOS



POST-ARRIVAL ORIENTATION SERVICES

The Commission on Filipino Overseas encourages Filipino and private organizations abroad to provide post-arrival services to newly-arrived Filipino immigrants. The program aims to complement CFO's pre-departure services by extending on-site information that will help new migrants adjust and cope with the demands of a new environment. Post-arrival services may include language courses, orientation programs, and networking/referral services to employment agencies, migrant resource centers, support groups, and other Filipino associations within their areas of settlement.

Proposals for post-arrival services may be initiated by CFO or overseas-based organizations/groups. A joint agreement is forged detailing basic services for Filipino migrants and responsibilities of agencies involved. These services are promoted during the orientation program conducted by CFO among pre-departing Filipino emigrants. Pre-registration for the post-arrival services is undertaken among interested emigrants upon registration at the CFO office in Manila.

LAKBAY-ARAL PROGRAM

Lakbay-Aral is a program of the Commission on Filipinos Overseas to enable descendants of Filipino immigrants overseas to trace their roots and rediscover their rich Filipino heritage. First implemented in 1983, it consists of a two-week travel study program to the Philippines for children and youth between 15 to 25 years old.

Features of the Program

The program has been designed to help Filipino youth overseas acquire a better appreciation of the socio-cultural, political and natural environment of the land of their forebears. Activities include:

1. Visits to historical sites and landmarks, and scenic areas with on-site lectures
2. Lectures on the land and peoples of the Philippines
1. Exposure to Filipino traditions, arts and crafts
2. Interaction with Filipino students, national and local government officials, and members of Filipino indigenous communities

Requirements

To confirm participation in the program, the following requirements should be forwarded to the Secretariat:

1. Completed application form
2. Non-refundable confirmation fee of US\$ 50.00 (The amount is deductible from the total program cost)

Fees

The program fee (of about \$1,000) may vary depending on the itinerary chosen by participants. The program fee will cover the following expenses:

1. All inland transportation

2. Food (breakfast, lunch, dinner)
3. Hotel accommodation
4. Learning materials
5. Accident and medical insurance for the duration of the program
6. Guided tours

Special *Lakbay-Aral* programs can be arranged for a group of at least 30 participants.

For everyone else who would like to visit the Philippines through especially-arranged travel but are not in the age group of the participants of the *Lakbay-Aral* Program, the Commission on Filipinos Overseas recently launched the *Lakbayan sa Pilipinas* – a special 12-day journey for overseas Filipinos, their families and friends who would like to visit and recall their pleasant memories about the Philippines, and together experience Filipino hospitality at its best. Participants are given the opportunity to gain new insights and perspectives about the country as they journey to various historical landmarks and places of interest, and interact with the peoples of the land.

Participants may choose to join any of the available *Lakbayan* modules or develop their own itinerary based on special interests in consultation with the *Lakbayan* Program Coordinator. A minimum of 30 participants would be required for each of the program modules.

Application forms may be requested through:

The Program Coordinator

**Lakbay Aral Program and Lakbayan sa Pilipinas Program
Commission on Filipinos Overseas**

Citigold Center, 1345 Quirino Ave. cor. South Superhighway
Manila, Philippines

Tel. No. (632) 561-8327

Fax No. (632) 561-8332

E-mail Address: info@cfo.gov.ph

Website: www.cfo.gov.ph



PHILIPPINE SCHOOLS OVERSEAS

The establishment of Philippine schools overseas is being encouraged in other countries where there are large concentrations of Filipino school children. These schools follow the prescribed Philippine curriculum and ensure that quality education in the elementary and high school levels is made available to children of Filipino migrants, so that these students can be readily integrated into the Philippine educational system on their return to the Philippines. These schools also provide a venue for learning about Filipino heritage and culture.

IAC on Philippine Schools Overseas

In May 2000, Executive Order No. 252 was issued to strengthen the Inter-Agency Committee on Philippine Schools Overseas which was created through a Memorandum of Agreement signed on 24 February 1995. The Committee is a policy-making body and a forum for discussion and resolution of issues concerning the establishment, operation, and management of Philippine schools overseas or such types of schools or educational programs abroad. It is chaired by the Department of Education and co-chaired by the Department of Foreign Affairs. Other members of the Committee are the Department of Labor and Employment, Overseas Workers Welfare Administration, and Commission on Filipinos Overseas, which also serves as the secretariat.

The Committee on Philippine Schools Overseas has the following functions:

1. Develop policies and guidelines in connection with the establishment, operation, management, accreditation and regulation of Philippine schools and educational programs overseas
2. Conduct studies on issues and problem areas affecting the operation of Philippine schools overseas

3. Provide inputs to the Department of Education in the development of standards and systems for monitoring and evaluating Philippine schools overseas
4. Hold meetings and consultations on a regular basis to ensure the effective and efficient implementation of policies and programs for Philippine schools overseas
5. Conduct site visits and ocular inspections of Philippine schools overseas
6. Serve as arbiter in matters regarding Philippine schools overseas which are brought to its attention

There are now 42 Philippine schools overseas of which 35 are already accredited by the Department of Education. These schools are located in Bahrain, China, Greece, Kuwait, Libya, Oman, Qatar, Kingdom of Saudi Arabia, and United Arab Emirates.

Individuals or organizations interested in setting up Philippine schools overseas may contact:

The Secretariat

Inter-Agency Committee on Philippine Schools Overseas

Citigold Center, 1345 Quirino Ave. cor. South Superhighway

Manila, Philippines

Tel. No. (632) 561-8327

Fax No. (632) 561-8332

E-mail: info@cfo.gov.ph

Website: www.cfo-psy.org.ph



LINGKOD SA KAPWA PILIPINO OR LINK FOR PHILIPPINE DEVELOPMENT (LINKAPIL)

The Lingkod sa Kapwa Pilipino (now also known as Link for Philippine Development) or LINKAPIL program was designed by the Commission on Filipinos Overseas to facilitate transfer of various forms of contributions, grants and assistance from Filipinos or other donors overseas to support projects in livelihood development, education, health and welfare, small-scale infrastructure, and technology and skills transfer.

Literally means “service to fellow Filipinos”, LINKAPIL seeks a broader and deeper partnership between Filipinos overseas and Filipinos in the home country based on a common desire to advance the collective good of the Filipino people and to contribute to the realization of national development.

Goals and Objectives

LINKAPIL provides a system for overseas Filipinos who desire to do their share in serving fellow Filipinos by supporting various activities and projects in the Philippines. It intends to facilitate the flow of assistance from overseas to specific beneficiaries in the Philippines.

The LINKAPIL Program aims to:

- Enhance participation among overseas Filipinos in the national development efforts
- Provide a mechanism for better coordination and feedback among overseas donors, government agencies and beneficiaries
- Promote awareness and understanding of existing procedures and guidelines for the processing of donations from abroad
- Promote confidence among overseas donors through an effective and responsive monitoring and feedback mechanism

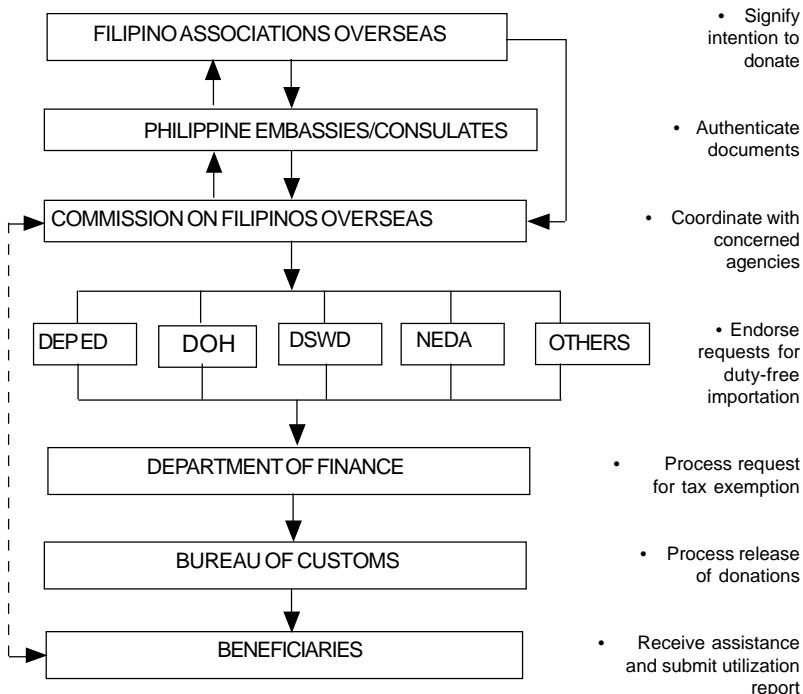
- Espouse genuine collaborative partnerships between overseas Filipinos and those in the Philippine homeland in accordance with national development objectives

Operational Framework

The LINKAPIL Program relies on cooperative linkages among Filipinos overseas, the national government, local government units, non-government organizations, and the private sector to enable the transfer of resources and skills from overseas to beneficiaries in the Philippines.

LINKAPIL COORDINATION PROCEDURES

Program Components



The LINKAPIL Program provides Filipinos and other donors overseas with opportunities to reach out and make a difference in the lives of those in need.

Education

Overseas donors may consider supporting the education of Filipino children and youth interested to go to school but are hindered by poverty. Assistance to education projects may be through the following:

1. Establishment of scholarship fund or grant under the LINKAPIL Program's "Adopt-A-Scholar" project. A mechanism is available for associations or individuals abroad to establish scholarship grants in identified public schools or colleges or to provide financial assistance to disadvantaged but scholastically qualified students.
2. Donation of books and other educational materials, such as computers and science laboratory equipment, to public schools.

Donations may be channeled to state colleges and universities in the Philippines or accredited and licensed non-government organizations. CFO will coordinate, on behalf of the overseas donor, with the identified school or non-government organization which will serve as the fund manager for the scholarship grant.

Micro Enterprises/ Livelihood

This program area seeks to assist in improving socio-economic conditions in the countryside by encouraging the establishment of small-scale or alternative income generating activities, and fostering the concept of self-help among members of the community. Assistance to livelihood projects may be through any of the following:

1. Grant of capital fund or capitalization to a specified beneficiary

2. Donation of equipment or resources needed to start or sustain livelihood projects or to improve productivity and income
3. Provision of low-interest bearing loans to registered cooperatives and organizations. Repayment schemes for the loans would be arranged in cooperation with a local bank.

Donations may be directed to local communities and barangays, non-government organizations, and cooperatives. A list of projects for funding is available upon request at the Commission on Filipinos Overseas through its Philippine Sectoral Development and Needs Profiling System.

Health and Welfare

This program area involves the promotion of health care among Filipinos especially in rural and economically disadvantaged areas. The program enables indigent groups, i.e., orphans, street children, elderly, disabled, to have greater access to health services and social benefits. Assistance may be in the following forms:

1. Conduct of medical or surgical missions to provide free services and medicines to patients
2. Donation of medical supplies and equipment to primary and secondary private and government hospitals, which are accredited by the Department of Health
3. Provision of relief assistance to calamity areas in the form of cash donations, food and other basic necessities in cooperation with humanitarian agencies and non-government organizations licensed and accredited by the Department of Social Welfare and Development

Small-Scale Infrastructure

Filipinos and other donors overseas may direct resources for the construction of facilities needed for the improvement of day to day life. Assistance to underserved areas may be in the following areas:

1. Provision of funds for the construction of water facilities (i.e., deepwells, manual or electric pumps, water tanks), health centers, latrines, classrooms, among others
2. Donation or purchase of materials for the construction of small-scale infrastructure projects

Beneficiaries may include schools, barangays and other institutional populations who have little or no access to funding from national or local sources.

Transfer of Technology

This program area seeks to facilitate the transfer of skills and knowledge to government agencies, local academe and communities through the volunteer services of overseas Filipino experts in science and technology, education, agriculture, and other fields crucial to development. Interested parties can inquire from the CFO about assistance in any of the following:

1. Conduct of training/seminar-workshops in various fields of expertise
2. Extension of volunteer service in government and non-government agencies, or rural communities

Overseas Donations: Procedures and Requirements

Conditions for Duty-Free Importations

Donations from abroad may qualify for duty exemption depending on the donee/consignee or recipient, and the nature of the item to be donated.

1. The specified donee/consignee or recipient must be qualified to receive donations on a tax or duty free basis.
2. The items to be donated may be recommended for duty-free entry provided they are:
 - a. Directly required or necessary in the religious, charity, medical or training activities of the donee/consignee, and should contribute to the promotion of rural or regional development, generation of employment, and strengthening of health services or moral values, and other socio-economic development
 - b. Essential machinery and equipment, including its spare parts and accessories, as defined under NEDA Rules and Regulations
 - c. Not contraband, prohibited, regulated or restricted under existing laws (i.e., motor vehicles, clothing, tires), except those necessary for the promotion of public health and safety
 - d. Not locally available and with no local substitutes as certified by the Board of Investments. However, in case of local availability, the importation may still be recommended for duty-free treatment if it satisfies the foregoing conditions, in addition to which the BOI should interpose no objection to granting of duty exemption.

Note: Certification for duty-free importation is made on a per shipment basis to ensure that each request satisfies the policy guidelines of NEDA.

Qualified Recipients

The following organizations and entities may qualify for duty free importation of donations:

- Non-profit, welfare, and charitable organizations which have been in operation for at least six (6) months and are licensed or accredited by DSWD
- Non-stock, non-profit educational and training institution duly registered under Philippine laws and operated exclusively for educational purpose, maintained and administered by private individuals or groups, offering formal education, and issued permit to operate by DEPED in accordance with existing laws and regulations
- Educational, scientific, and cultural institutions or societies, and similar organizations duly approved by competent authorities such as DEPED and the United Nations Educational, Scientific and Cultural Organization (UNESCO) National Commission of the Philippines
- Other non-profit religious and/or charitable institutions registered with the Securities and Exchange Commission, **except** private individuals and civic, service, cultural, and scientific organizations or foundations
- Government hospitals duly registered and licensed to operate by DOH as provided for in Republic Act 4226 or the Hospital Licensure Act
- Private primary and secondary hospitals duly registered and licensed to operate by DOH as provided for in Republic Act 4226;
- Government departments, offices, and agencies, including local government units, **except** government owned and controlled corporations
- Duly registered cooperatives certified by the implementing government agency concerned as deserving such incentive

- Other organizations covered by bilateral or international agreements to which the Philippines is a signatory, and by Presidential decrees and other special laws

Items Which May be Donated Free of Duty

The following items donated from overseas may be allowed duty free entry:

- Books, publications and documents
- Essential machinery and equipment, including its spare parts and accessories

Note: Only non-profit religious and charitable (except civic and service) institutions, government agencies and hospitals, and private primary and secondary hospitals may be allowed to receive donated essential machinery and equipment including spare parts and accessories on a duty free basis.

- Essential consumer goods not available locally in times of calamities or fortuitous events
- Food and food products, drugs and medicines and other pharmaceuticals having similar preparations registered with the Bureau of Food and Drugs (BFAD)

Note: No pharmaceutical product intended for donation will be accepted or distributed unless it is registered with BFAD, in accordance with the provisions of Republic Act 3720. All donated drugs issued clearance by BFAD are subject to strict monitoring by BFAD for intended usage.

- Medical equipment and devices

- Relief goods for free distribution to the needy or to be used in evacuation centers, provided these are not in commercial quantity
- Reagents for research purposes
- Scientific instruments or apparatus intended exclusively for educational purposes or pure scientific research; articles for the blind; and visual and auditory materials and works of art and collectors' pieces of education, scientific, and cultural character pursuant to the Florence Educational Scientific and Cultural Agreement adopted by the General Conference of UNESCO at Florence, Italy in 1950

Important: Consumer items such as gas stoves, television sets, air conditioning units, refrigerators, office or home furniture, bicycles, towels, drapes/curtains, sheets, blankets, toys, among others, are not considered priority items for economic development and therefore, do not qualify for duty exemption.

The importation of textile articles commonly known as "used clothing" from any country of origin is absolutely prohibited. (Republic Act 4653, Customs Memorandum Order No. 14, s. 1986, DSWD Department Order No. 28, s. 1999)

Required Documents

The following documents will be required in requesting for duty-free certification for incoming donations from overseas:

1. From the donor
 - Deed of donation duly authenticated by the Philippine Embassy or Consulate

- Itemized list of donation (also referred to as packing list or inventory of donated items)
- Proforma invoice or commercial invoice (not required for used items)
- Shipping documents (bill of lading or airway bill)

Important: The name listed as donee/consignee or recipient in the Deed of Donation must be the same as that appearing in the shipping documents.

2. From the donee/consignee or recipient

- Letter of request for duty-free certification addressed either to the Department of Finance (DOF) or the National Economic and Development Authority (NEDA)
- Deed of acceptance of the donation
- Distribution plan for the donation
- Copy of SEC registration and Articles of Incorporation and/or By-laws, in case of non-stock, non-profit charitable or religious institutions requesting exemption from payment of duties for the first time
- DSWD License to Operate and Certificate of Accreditation, if non-government organization
- Current and valid DOH License to Operate, if hospital

Filing of Application

The donee/consignee or recipient files a letter of request for duty free importation either with the NEDA or the DOF. The NEDA processes,

evaluates, and endorses requests for duty free importation for machinery and equipment. The DOF processes, evaluates, and endorses requests for duty free importation of relief goods (medicines, food, among others) intended for DSWD accredited and licensed non-government organizations, as well as books, publications, and education-related materials/equipment.

The letter to NEDA is addressed to:

The Director
Trade, Industry, and Utility Staff
National Economic and Development Authority
Amber Ave., Pasig City
Telefax Nos. (632) 631-3734/633-6013
Email: brmendoza@neda.gov.ph
aamenardo@neda.gov.ph
Website: www.neda.gov.ph



The letter to DOF is addressed to:

The Secretary
Department of Finance
Attention: Revenue Operations Group
6/F DOF Bldg., BSP Complex, Roxas Blvd.,
Manila, 1004
Tel. No. (632) 526-0531
Fax No. (632) 526-2288
Email: esales@dof.gov.ph/rgeotina@dof.gov.ph
Website: www.dof.gov.ph



Important: For books and publications, the letter to DOF must be addressed to the Secretary of Finance (Attention: Mabuhay Lane).

Release of Donation

Upon receipt of the endorsement by the agency concerned for the duty-free certification on the donation, the DOF issues the appropriate clearance and forwards the same to the Central Records Division, Bureau of Customs (BOC) by official messenger. A duplicate copy of the DOF clearance may be furnished to the donee/consignee or recipient upon request.

The Tax Exempt Division of the BOC endorses the release of donation and forwards this document to the Informal Entry Division of the District Office concerned (South Harbor, MICP, NAIA, etc.). The Informal Entry Division checks/verifies, appraises and examines the donated shipment.

After completing the documentation and the payment of processing fees and charges (i.e., terminal handling fee, stripping, arrastre/wharfage, among others), the Bureau of Customs releases the shipment to the donee/consignee or its authorized representative. Processing for the release of donation at the Bureau of Customs usually takes about two to three (2-3) working days if all requirements are complete.

Important: Donations, even if accorded duty free privilege, are still subject to value added tax (VAT), which is computed at 12% of the landed cost of the shipment.

For more information, please contact:

Projects Management Division

Commission on Filipinos Overseas

Citigold Center, 1345 Quirino Ave. cor. South Superhighway,
Manila

Tel. Nos. (632) 561-8321 locals 604-608

561-8327 Fax No. (632) 561-8332

E-mail: info@cfo.gov.ph

Website: www.cfo-linkapil.org.ph



NO DOLLAR IMPORTATION OF USED MOTOR VEHICLE

Qualification of Importers

The following individuals are qualified to import a motor vehicle under the no-dollar import (NDI) program pursuant to Executive Order (EO) No. 156:

1. Returning residents who have resided abroad for at least one year (accumulated within the three (3) year period of his/her stay abroad up to the date of filing of the application).
2. Immigrants holding 13G Visa under Sec. 13 Sub g (13g) of the Philippine Immigration Act (PIA) of 1940
3. A foreign national married to a Filipino and a holder of 13A visa under Sec.13, Sub a (13A0 of the PIA.
4. Dual citizens
5. Special Resident Retirees Visa (SRRV) holder under the Philippine Retirement Authority (PRA) program
6. 47A2 Visa holder under the Balik-Scientist Program

Allowable Motor Vehicles

1. Left-hand drive motor vehicles not exceeding a gross vehicle weight of 3,000 kgs
2. Motorcycles and scooters
3. Registered under the name of the qualified importer at least six (6) months prior to submission of his/her application to the Bureau of Import Services

Importation Procedures and Requirements

A. Prior authority to import from the DTI-Bureau of Import Services (BIS) is required before shipment of the motor vehicle. A duly notarized application to import should be submitted or mailed to the DTI- BIS with the following documentary requirements:

For Philippine passport Holders

1. Notarized or Authenticated Affidavit of Undertaking;
2. 1 copy of 2 x 2 picture with signature;
3. Original or authenticated copy of complete pages of old and new passports;
4. Original or authenticated copy of Car Title or Registration (in case in a language other than English, an English translation shall also be submitted);
5. Processing fee of One Thousand Five Hundred Pesos (P 1,500.00) for cars and Nine Hundred Pesos (P 900.00) for motorcycle.

For Foreign Passport Holders (13A or 13G visa holder or dual citizens)
For Foreigners under the Philippine Retirement Act (Holder of SRRVisa)
For Filipinos/Foreigners of Filipino descent under the Balik Scientist Program (47A2 Visa)

1. Notarized or Authenticated Affidavit of Undertaking;
2. 1 copy of 2 x 2 picture with signature;
3. Original or authenticated copy of complete pages of old and new passports stamped with valid 13A or 13G Visa or SRRVisa or 47A2 Visa , as the case may be;
4. Original or authenticated copy of Car Title or registration (in case in language other than English, an English translation shall also be submitted);
5. Identification Certificate or Oath of Allegiance issued by the Bureau of Immigration of Philippine Consulate/Embassy for Dual Citizen;
6. Processing fee of One Thousand Five Hundred Pesos (P 1,500.00) for cars and Nine Hundred Pesos (P 900.00) for motorcycle.

Note: Authentication by the Philippine Consulate/Embassy abroad is required when original documents cannot be presented.

Non-original documents shall be authenticated by the Philippine Consulate/Embassy abroad.

B. The authority issued for this purpose shall be valid for a period of 180 days from date of issue.

C. Upon arrival of the motor vehicle, the BIS shall issue the Release Certificate upon compliance with the following:

1. Personal appearance of importer at the BIS.
2. Submission of the Import Entry Declaration with date of arrival and Examiner's findings and Bill of Lading after the BIS inspector conducted an ocular inspection of the motor vehicle at the Bureau of Customs.

Taxes and Registration

1. Taxes and duties payable on the motor vehicle as estimated by the Bureau of Customs under existing laws shall be paid in full. Tax credits, duty drawback certificates and similar instruments shall not be authorized for acceptance as payments of the taxes and duties levied on the motor vehicle.

2. The motor vehicle shall be registered at the Central Office of the Land Transportation Office (LTO) at East Avenue, Quezon City, and, such other LTO agency office as may be designated by the DTI Inter-Agency Committee. No right-hand-drive (RHD) motor vehicle imported under this program shall be registered by the LTO.

3. Secure local Emission Certificates prior to LTO registration under CMO No. 34-2001 in accordance with Section 2, Rule XXXII of the Clean Air Act (RA 8749).

Other Provisions

1. Any individual qualified under these Guidelines shall be granted authority to import a vehicle only once.
2. Only one (1) vehicle per family shall be allowed. If a family is composed of the husband, the wife and their unemancipated minor children, the family shall be allowed to import only one motor vehicle within the effectivity of the NDI guidelines.
3. There shall be no resale of the motor vehicle for three years.
4. Motor Vehicles subject to seizure and penalties
 - Importation of right hand drive (RHD) motor vehicles in violation of Republic Act. No. 8506.
 - Any motor vehicle imported in violation of these Guidelines and/or has arrived without prior authority shall be subjected to penalties provided under pertinent provisions of the Tariff and Customs Code including seizure proceedings.

Further inquiries should be addressed to:

Import Administration Division**Bureau of Import-Services**

3rd Floor 389 TARA Building

Sen. Gil J. Puyat Avenue

Makati City 1200

Tel. No. (632) 896-4430

Fax No. (632) 896-4431

E-mail Address : bis_ird@yahoo.com

Website : www.dti.gov.ph/bis



CONDITIONALLY-FREE IMPORTATION

Section 105 of the Tariff and Customs Code of the Philippines as amended by Executive Order No. 206 provides duty and tax free privileges to the following individuals, the extent of which varies as follows:

1. **Returning Resident.** Personal and household effects belonging to residents of the Philippines returning from abroad including wearing apparel, articles of personal adornment (except luxury items), toilet articles, instruments related to one's profession, used home appliances and analogous personal or household effects, excluding vehicles, watercrafts, aircrafts, and animals, purchased in foreign countries by residents of the Philippines, may be allowed entry free of duty, provided the following conditions are complied with:

1.2 A declaration of the owner under oath stating:

- a That the articles were acquired by purchase and used during their stay abroad and were necessary and proper for their comfort and convenience during their stay thereat.
- b That the said articles have accompanied them upon their return or have arrived within 60 days after their return.
- c That the same articles had been used by them from more than six (6) months abroad.
- d That they are not in commercial quantities nor intended for sale, barter or hire.
- e That the total dutiable value thereof does not exceed Ten Thousand Pesos (P10,000.00).
- f That he/she has not previously received the benefit under this section within three hundred sixty five days prior to his/her arrival.

1.3 If the total household effects (except luxury items) exceeds Ten Thousand Pesos

(P10,000.00), the excess shall be subject to a fifty percent (50%) ad valorem duty, across the board.

1.4 Use abroad may be established other than the owner's declaration by means of the following:

- a. Sales invoice or Deed of Purchase; and
- b. Actual condition of the articles as determined upon examination.

1.5 Unless the delay be due to unforeseen circumstances, unaccompanied personal and household effects arriving more than sixty (60) days, after arrival of the owner in the Philippines, shall not be admitted free of duty and taxes under this subsection.

2. **Overseas Filipino Workers.** Returning overseas contract workers shall have the privilege to bring in, duty and tax free, used home appliances provided that:
 - a That used home appliances shall be limited to one of each kind.
 - b The privilege has not been enjoyed during the calendar year declared under oath by the owner.
 - c The articles must accompany them upon their return or must arrive within sixty (60) days after the owner's return.
 - d Presentations of the owner's passport at the port of entry.
 - e The personal effects and/or the used home appliances shall not exceed Ten Thousand Pesos (P10,000.00) in dutiable value and that any excess shall be subject to the corresponding duties and taxes provided in the Tariff and Customs Code, as amended.
3. **Tourists.** Wearing apparel, articles of personal adornment, toilet articles, portable tools and instruments, theatrical costumes and similar effects accompanying them or arriving within a reasonable time before or after their arrival in the

Philippines, which are necessary and appropriate for the wear and use of such persons according to the nature of the journey, their comfort and convenience.

- 4. Foreign Consultants and Experts.** Personal and household effects and vehicles belonging to foreign consultants and experts hired by, and/or rendering service to the government, and their staff or personnel and families, accompanying them or arriving within a reasonable time before or after their arrival in the Philippines, are exempted provided that:
- a. They are in quantities and of the kind necessary and suitable to the profession, rank or position of the person importing them
 - b. The goods extended duty and tax free privileges are not to be sold, bartered or traded
 - c. The Collector of Customs may in his discretion require either a written commitment or a bond in an amount equal to one and one-half times the ascertained duties, taxes and other charges thereon, conditioned for exportation thereof or payment of the corresponding duties, taxes and charges within six (6) months after the expiration of their term or contract.

Documentary requirements for Balikbayan, OFW and Filipinos who stayed abroad for at least six (6) months continuously:

- a. Letter request for duty and tax exemption
- b. Original passport
- c. Bill of Lading/Airway bill
- d. Packing list
- e. Affidavit of ownership
- f. Authority of Representative (in lieu of consignee)
- g. Declaration of value (for customs purposes only)
- h. Proof of residency/employment abroad for Filipino returning residents (if applicable)

Documentary requirements for tourists:

- a. Letter request for duty and tax exemption
- b. Original passport
- c. Bill of lading/airway bill
- d. Packing list
- e. Affidavit of ownership
- f. Authority of representative (in lieu of consignee)
- g. Letter application for visa with Department of Justice, Bureau of Immigration or Philippine Economic Zone Authority (for PEZA registered firms)
- h. Declaration of value (for customs purposes only)
- i. Contract of employment
- j. Employment certificate

Documentary requirements for foreign consultants/experts:

- a. Letter request for duty and tax exemption
- b. Favorable recommendation for conditionally-free release from the Head, Government Agency, in favor of the consignee
- c. Confirmation/Certification for the Head, Government agency that the consignee is a foreign consultant hired by and/or rendering services to the said government agency
- d. Original passport
- e. Bill of lading/airway bill
- f. Packing list/inventory list
- g. Contract/agreement (copy)
- h. Declaration of value (for customs purposes only)

Documentary requirements for dual citizens, holders of 13(a) and 13(g) visa and expatriates of different visa statuses)

- a. Letter request for duty and tax exemption
- b. Original passport (both foreign and Philippine passport)
- c. Bill of lading/airway bill
- d. Packing list
- e. Affidavit of ownership
- f. Authority of representative (in lieu of consignee)

- g. Declaration of value (for customs purposes only)
- h. Contract of employment (if applicable)
- i. Employment contract (certified true copy only) (if applicable)
- j. Tour of duty (certified true copy only) (if applicable)
- k. Birth certificate (copy) (if applicable)
- l. Marriage contract (if married to Filipino) (if applicable)

Further inquiries should be addressed to:

Mabuhay Lane

Department of Finance

Executive Tower Building

BSP Complex, Roxas Boulevard, Manila

Tel. Nos. (632) 526-8470/526-8458

Website: www.dof.gov.ph



EXCHANGE VISITOR PROGRAM

The Exchange Visitor Program (EVP) is a program of the government of the United States which seeks to facilitate educational and cultural exchanges between the peoples of the United States and that of other countries.

Through the interchange of knowledge skills and developments in the field of education, arts and sciences, the EVP seeks to provide foreign nationals an opportunity for professional and academic advancement and acquire for their home country the necessary skills and expertise for growth and development.

Philippine EVP Committee

Administrative Order 191 signed by Pres. Ramon Magsaysay established the Philippine EVP Committee tasked to coordinate Philippine participation in the program and properly channel the services of returned participants to the benefit of various government projects. Administrative Order 242 signed by Pres. Fidel V. Ramos redefined the function of the Committee and expanded its membership. EVP Committee

now consists of 11 agencies chaired by the Department of Foreign Affairs. Member agencies are:

1. Department of Health
2. Department of Education
3. Department of Labor and Employment
4. Office of the President
5. Department of Science and Technology
6. National Economic and Development Authority
7. Professional Regulation Commission
8. Commission on Higher Education
9. Technical Education and Skills Development Authority
10. Commission on Filipinos Overseas, which also serves as Secretariat

Types of Participants

The following are the specific categories of participants under the EVP:

Type of Participant	Particulars	Duration
Professors/Research Scholars	To participate in international collaborative teaching and research efforts	3 years; may be extended to 6 years under exceptional circumstances
Short-Term Scholars	To lecture, observe, and participate in seminars, workshops, conferences, study tours, professional meetings or similar types of educational and professional activities	6 months maximum
Trainees	To participate in a structured training program in a workplace setting in a particular occupational category	18 months maximum
College and University Students	To study at a post-secondary accredited educational institutions for specific degree or non-degree programs	Not to exceed 24 months for non-degree programs except for full-time course

Type of Participant	Particulars	Duration
Secondary School Students	Students, between 15 and 18 years old, seeking to study in the US while living with an American host family or residing at accredited US boarding school	1 year maximum
Teachers	To teach full time in primary and secondary accredited educational institutions	3 years maximum
Alien Physicians	<p>Clinical Programs -- Foreign medical graduates seeking to pursue graduate medical education or training in health institutions accredited by the Educational Commission for Foreign Medical Graduates (ECFMG)</p> <p>Non-Clinical Programs -- Foreign medical graduates seeking to observe, consult, teach or research in university or academic institutions</p>	<p>7 years</p> <p>7 years</p>
Specialists	Experts in a field of specialized knowledge or skills seeking to consult, observe, demonstrate special skills in the field of mass media communication, environmental science, youth leadership, labor law, public administration, museum exhibitions, library science, among others	1 year maximum
International Visitors	Foreign nationals recognized as "potential leaders", and selected by the US State Dept. to participate in observation tours, discussions, consultations, conferences, etc.	1 year maximum
Government Visitors	Foreign nationals recognized as "influential or distinguished persons" and selected by federal, state, or local governmental agencies to participate in observation tours, discussions, consultations, conferences, etc.	18 months maximum

Type of Participant	Particulars	Duration
Camp Counselors	Youth workers, students, teachers, at least 18 years old, seeking to serve at US summer camps to engage in teaching, observing, and instructional activities	4 months maximum
Summer Work Travel	Post-secondary students, during their summer vacations seeking to participate in the American daily life thru temporary employment opportunities	4 months maximum
Au Pairs	Secondary school graduates, between 18 and 26 years old, seeking opportunity to live with an American host family, provide limited child care in the home, and attend a US post-secondary schools	1 year maximum Note: The Philippines imposed a ban on the deployment of Filipino women under 'Au Pair' arrangements effective 5 November 1997

The J-1 Visa

The J-1 is the non-immigrant visa issued to EVP participants who are coming temporarily to the United States to participate in educational and cultural exchanges to teach, lecture, study, observe, conduct research, consult, demonstrate skills, or receive training.

Dependents, including the accompanying spouse and unmarried children under 21 years of age of exchange visitors are issued the J-2 Visa.

Two-Year Home Country Physical Presence Requirement

It is critical to the success of the Exchange Visitor Program that exchange visitors and their family members on J visas return to their home-country to share their experiences in the United States with fellow citizens. As such, the two-year home-country physical presence

requirement is imposed under the EVP Rules and Regulations specifically to the following EVP participants:

1. Those whose participation in the program was financed in whole or in part, directly or indirectly, by an agency of the US government or by the government of the country of his/her nationality or last legal permanent residence.
2. Those whose training in specific fields of profession is included in the Exchange Visitors Skills List (The Philippines' Skills List was last amended on 04 October 2002, and duly adopted on 28 February 2003)
3. Those intending to receive graduate medical education or training

Processing of EVP Applications

The EVP Committee undertakes the following:

1. EVP certifies that:
 - a certain professional field in the Philippines need qualified specialists (this refers to the Exchange Visitors Skills List, a directory of skills which indicate the skills that are short in supply, and therefore very much needed in participating countries of the EVP)
 - the applicant for this specialization has filed a written assurance with the Philippine Government that he will return to the Philippines upon completion of training in the United States
2. Certifies that the Philippine Government has “no objection” to the waiver of the two-year home residency requirement for EVP participants after training
3. Conducts regular and structured seminar for departing EVP participants to provide them with a background of the EVP, the rationale for Philippine participation to the program, conditions and requirements of the EVP, the two-year home residency requirement, as well as pre-departure and post-departure concerns.

The EVP Committee, through the Commission on Filipinos Overseas, conducts pre-departure services for Filipinos issued the J-1 visa by the US embassy starting June 2000.

For more information, please contact:

**Projects Management Division
Commission on Filipinos Overseas**

Citigold Center, 1345 Quirino Ave. cor. South Superhighway
Manila, Philippines

Tel. Nos. (632) 561-8321 locals 604-608/561-8327

Fax No. (632) 561-8332

E-mail Address: info@cfo.gov.ph

Website: www.evpcommittee.ph



BALIK SCIENTIST PROGRAM

The *Balik* Scientist Program is a program of the Department of Science and Technology (DOST) which allows foreign-based science and technology experts who are of Filipino descent to return or reside in the Philippines, and share their expertise in order to accelerate the scientific, agro-industrial and economic development of the country.

Objective

The *Balik* Scientist Program aims to strengthen the scientific and technological human resources of academic, public and private institutions in order to accelerate the flow of technologies and stimulate the development of new or strategically important technologies that are vital to national development and progress.

Coverage

The Program covers all Scientists and New Graduates who are actually residing abroad and have the intention of returning to the Philippines

for work. A Scientist/New Graduate, who arrives in the Philippines and already residing here for six (6) months or less prior to his/her filing of application with the Balik Scientist Program, may avail of the program.

However, the Balik Scientist Program may not cover Scientist who is considered as resident citizen of the Philippines and a New Graduate who resides here for a period exceeding six (6) months counting from the time of arrival in the Philippines up to the time of filing an application during the implementation of the aforesaid program.

Definitions

The following terms are defined as follows:

A ***Balik Scientist*** is a science and technology expert who is a Filipino citizen or a foreigner of Filipino descent, residing abroad and contracted by the Government to return and work in the Philippines along his/her field of expertise.

A ***Nonresident Citizen*** is an individual who leaves the Philippines to reside abroad, either as an immigrant or for employment on a permanent basis and whose employment thereat requires him/her to be physically present abroad most of the time.

A ***Resident Citizen*** is an individual who is physically/actually residing in the Philippines since birth or for a period exceeding six (6) months counting from the time of arrival in the Philippines.

A ***New Graduate*** is a Scientist who has obtained his/her doctorate degree for not more than two (2) years prior to filing of application to the Program, graduated from DOST-recognized science and technology foreign institutions and contracted to return and work in the Philippines along his/her field of specialization for a period of at least three (3) years.

Qualifications Of Balik Scientist Applicants

1. The qualifications of a Balik Scientist Applicant to the program are as follows:

- He/She must be in good health, physically and mentally.
- He/She must be a holder of a graduate degree and must have practised his/her profession for not less than three (3) years after obtaining his/her masteral or doctorate degree and preferably working with the private sector, a reputable R & D institution and/or in the academe.
- He/She must have made an outstanding contribution in his/her field of specialization.

2. Provided however that a Balik Scientist Applicant with a highly specialized skill without a graduate degree may be qualified on special cases as long as his/her field of expertise must be consistent with the science and technology (S&T) priorities promulgated by the Department of Science and Technology (DOST).

3. A Balik Scientist Applicant categorized as New Graduate shall have the following qualifications:

- He/She must be in good health, physically and mentally;
- He/She must be a holder of doctorate degree; no experience required; and
- His/Her field of study must be consistent with the S & T priorities promulgated by DOST.

4. As a rule, a Balik Scientist Applicant who is a recipient of any grant (scholarship or fellowship and other similar grants) that requires him/her to come back to the country may not qualify under the two (2) programs except when such applicant holds an exchange visitor's visa (i.e. J-1 of USA) and whose training was self-solicited with no financial or service obligation with any public or private institution in the Philippines.

Incentives

A Balik Scientist Awardee shall be given incentives under any of the following Program:

1. Long Term Program

- Provision of the peso equivalent of a one-way economy airfare for the Balik Scientist Awardee, spouse and only two direct minor dependents. For this purpose, minor dependents shall include children who are below 18 years old and those who are 18 years old and above but suffering from congenital disability, either physical or mental or any disability acquired before the age of 18 that renders them totally dependent on the Balik Scientist Awardee for support;
- Pre-paid return airfare for the Balik Scientist Awardee, spouse and only two direct minor dependents after satisfactorily serving his/her contract;
- Duty-free importation of professional instruments and implements, tools of trade, occupation or employment, wearing apparel, domestic animals, and personal and household effects in quantities and of the class suitable to the profession, rank or position of the persons importing them, for their own use and not for barter or sale, in accordance with Section 105 of the Tariff and Customs Code;
- No dollar importation of motor vehicle shall be allowed to Balik Scientist Awardee except in pursuance with the provision of the Board of Investments' Guidelines on No Dollar Importation of Second Hand Motor Vehicles of Returning Residents/Immigrants, and such other guidelines as may be issued by the Bureau of Importation Service and the Department of Trade and Industry.

- Exemption from payment of travel tax in accordance with Section 2 of Presidential Decree No. 1183. However, for those not falling under the exempted categories of Section 2 of Presidential Decree No. 1183 may be exempted under Section 3 of Republic Act No. 6768 approved on 3 November 1989, otherwise known as the Balikbayan Program;
- Housing may be arranged through pre-determined institutions;
- The family of the Balik Scientist Awardee/New Graduate shall be entitled for reimbursement of the freight expenses for 2 1/2 tones volume weight for surface shipment of a car and personal effect. In addition when traveling by air, the expert/new graduate is entitled to reimbursement for excess baggage not exceeding 20 kgs. per adult and 10 kgs. per minor dependent. Any excess shall be borne by the Balik Scientist Awardee/New Graduate;
- Grants-in-aid for research and development projects approved by the DOST Secretary;
- In line with the above, payment of the salary of the Balik Scientist Awardee under the long term program shall be the responsibility of the requesting institution. In the case of a DOST institution wishing to avail of the expertise of Balik Scientist Awardee but, is unable to do so due to unavailability of an appropriate position, said DOST agency, in consultation with the Balik Scientist Awardee, may propose a project within the priorities of DOST where the salary of the Balik Scientist Awardee could be charged. The Balik Scientist Awardee working in a DOST-funded project shall receive a salary rate commensurate to his/her qualifications. The performance of the Balik Scientist Awardee shall be evaluated annually by the DOST.
- Participants under the Program, including their dependents, as certified by the Department of Science and Technology, shall be granted by the Secretary of Justice special non-immigrant

visas under Section 47 (a) (2) of the Philippine Immigration Act of 1940, as amended, after compliance with the requirements therefor. Said participants including their dependents shall be exempted from the payment of visa, immigration and registration fees in accordance with existing laws and regulations.

- The length of the validity of said visas and their extension should be in accordance with the policy determined by the Secretary of Justice. The Secretary of Justice may refuse to grant a 47 (a) (2) visa to restricted aliens; and
- Assistance in securing a certificate of registration without examination or exemption from the licensure requirement of the Professional Regulation Commission to practice of profession, expertise or skill in the Philippines in accordance with Section 5 of Presidential Decree No. 223 dated 22 June 1973, as amended by Presidential Decree No. 657 dated 19 February 1975.

2. Short-Term Program

- Free roundtrip economy airfare originating from a foreign country to the Philippines by direct route. Computation shall be based on the currency rate prevailing on the date when the airline ticket was purchased; and
- Daily subsistence allowance of 150 US dollar per day or as may be recommended by DOST Executive Committee (DOST EXECOM) and approved by the Secretary; and
- The aforementioned incentives shall be granted upon mutual consent by both parties (DOST and the Balik Scientist Awardee);
- In some instances, the incentives stated above may be increased upon approval by the Secretary based on the recommendation of the DOST EXECOM.

In exceptional or meritorious cases where substantial benefits will accrue to the receiving institution and to the national government, the basic educational requirement for a Balik Scientist Applicant to the Program may be waived.

Procedure For Application

1. Qualified Balik Scientist Applicant/host institution shall submit the following requirements:

- 1.1. Accomplished Balik Scientist Program (BSP) Form, with 2"x 2" photo and detailed curriculum vitae of the Balik Scientist Applicant;
- 1.2. Photocopy of the Balik Scientist Applicant's diploma or transcript of academic record or a certification of academic achievements from a credible local or international public/private institution/association;
- 1.3. Endorsement/Invitation letter from a credible local public/private institution/association (if application is submitted directly by the Balik Scientist Applicant);
- 1.4. Copy of a valid certificate of registration, valid professional license or a temporary special permit or any foreign license, or any valid documents for identification;

2. When applicable, a Balik Scientist Applicant under the Long Term Program (including New Graduate), in addition to the aforesaid requirements, must submit a detailed Statement of Research and/or Activity Plan with "conformance" of the Host Institutions.

On the other hand, a Balik Scientist Applicant under the Short Term Program, in addition to the aforementioned requirement, must submit a specific Term of Reference/Work Plan and expected output indicating the concurrence of the Host Institutions.

All application and requirements, including further inquiries of the Balik Scientist Applicant shall be addressed to:

Balik Scientist Program
Office of the Assistant Secretary
Department of Science and Technology

Gen. Santos Avenue, Bicutan
Taguig City, Philippines
P.O. Box 3596 Manila, Philippines
Telefax No. (632) 837-2940
Email: balikscientist@yahoo.com
Website: www.bsp.dost.gov.ph



THE PAG-IBIG OVERSEAS PROGRAM

The Pag-IBIG Overseas Program (POP) is a voluntary savings program which aims to provide Filipino overseas contract workers, immigrants and naturalized citizens the opportunity to save for their future and the chance to avail of a housing loan of as much as P 2 million.

Contribution Rate:

The POP member shall contribute monthly an amount equivalent to US \$5. Should a POP member decide to apply for a housing loan and which to avail of a higher loanable amount, he would be required to upgrade his membership contribution as follows:

Pag-IBIG Membership Contributions		Loan Amount
POP	Pag-IBIG I & II	
US \$ 5	200	Up to P500,000
US \$ equivalent at point of availment	250	Over P500,000 – P600,000
	300	Over P600,000 – P700,000
	350	Over P700,000 – P800,000
	400	Over P800,000 – P900,000
	450	Over P900,000 – P1,000,000
	500	Over P1,000,000 – P1,100,000
	550	Over P1,100,000 – P1,200,000
	600	Over P1,200,000 – P1,300,000
	650	Over P1,300,000 – P1,400,000
	700	Over P1,400,000 – P1,500,000
	750	Over P1,500,000 – P1,600,000
	800	Over P1,600,000 – P1,700,000
	850	Over P1,700,000 – P1,800,000
	900	Over P1,800,000 – P1,900,000
950	Over P1,900,000 – P2,000,000	

The upgraded membership contribution shall be incorporated as part of the housing loan monthly amortization

Dividend Rate:

Variable dividends from surplus earnings of the Fund shall be distributed annually to all POP members, to be credited to their Total Accumulated Values (TAV).

Membership Term/Maturity:

The accumulated savings under the program may only be withdrawn at the end of five (5), ten (10), fifteen (15), or twenty (20) years at the option of the member upon membership registration. Withdrawal of

contributions shall be in Philippine peso. Contributions in foreign denomination shall be converted to Philippine peso based on the prevailing US dollar exchange rate as of payment date.

Loan Availment

POP members may avail themselves of the housing loan benefit, subject to the provisions of the existing Consolidated Guidelines of the Pag-IBIG Housing Loan Program, through their immediate family members with the execution of a Special Power of Attorney (SPA), duly certified by the Philippine embassy or consulate in the country of their workplace. They can also avail of the Multi-Purpose Loan (MPL), subject to the existing guidelines of the MPL Program

Documents Needed For Refund Of Savings

- Original copy of POP Passbook
- Application for Provident Benefit
- Special Power of Attorney (if applicable)

Processing Period

Three (3) working days

Payment Centers

Remittance of Contributions may be made through the following accredited collecting banks:

Europe

PNB London (Savings Acct. No. 0725-219601-401)
ABC UK (UKD 2000097)

Asia Pacific

PNB HK (Savings Acct. No. 0730-475270-501)

United States of America

Oceanic Bank (Savings Acct. No. 3700143)
PNB New York (Savings Acct. No 1713)
ABC Guam (Savings Acct. No. 5000-00355-4)

Middle East

BPI - Atrium (Savings Acct. No. 3124-0221-09) Speed cash
ABC Head Office (Savings Acct. No. 1002-071759)

Canada

Bank of Nova Scotia (Savings Acct. No. 2164-10)

Remittance may also be made to any of the following banks:

RCBC (Savings Acct. No. 8000-08787-5)

PNB Makati Ave. (Savings Acct. No. 265706641-1)

LBP (Savings Acct. No. 2204-008496)

PCIB (Savings Acct. 5463-00176-8)

Members can file their application for membership, withdrawal of savings, remit or pay their monthly savings and make additional inquiries at the following offices:

Pag-IBIG Overseas Program Office**PAG-IBIG**

6/F Atrium of Makati Building

Makati Avenue, Makati City

Tel. Nos. (632) 811-4401/27; 811-4347;

811- 4272/73; 811-4146

Fax No. (632) 848-8207

E-mail: info@pagibigoverseas.com

Website: www.pagibigfund.gov.ph

**POP Overseas Offices**

(see www.pagibigfund.gov.ph/pop/directory/dir_1.htm)

Accredited Overseas Marketing Representatives

Metro Manila and Provincial Offices

Accredited Collecting Banks/Remittance Companies

OFW (formerly PHILIPPINE SEAFARERS') ONE-STOP CENTER (OOSC)

The Philippine OFW One-Stop Processing Center (OOSC) is a facility where relevant government agencies engaged in the promotion of the interest and well-being of Filipinos seafarers and OFWs are physically represented to provide integrated and essential services to Filipinos overseas and efficiently respond to their needs.

It is envisioned to be a one-stop shop with appropriate mechanisms, facilities, equipment, information technology, and qualified and skilled personnel to enable and allow it to attend to the magnitude of Filipino seafarers' concerns and demands.

Agencies Represented in the Center

The following agencies are designated to form the OOSC and their respective functions include the processing and issuance of the following:

Agency	Services
Home Development Mutual Fund (PAG-IBIG)	membership information, registration, and other similar services
Department of Foreign Affairs (DFA)	passport
Maritime Training Council-National Assessment Center (MTC-NAC)	assessment of skills of new entrant seafarers and processing and issuance of certificates of proficiency under Chapters V and VI of the 1978 STCW Convention, as amended
National Bureau of Investigation (NBI)	NBI Clearance
Overseas Workers Welfare Administration (OWWA)	membership information, registration, and other similar services
Philippine Health Insurance Corporation (PHILHEALTH)	membership information, registration for membership and other similar services
Philippine Overseas Employment Administration (POEA)	employment contracts and Overseas Employment Certificates (OEC)
Professional Regulation Commission (PRC)	issuance marine deck and engineer officers' license and certificates of competency
Social Security System (SSS)	membership information, registration, and other similar services

For further information, you may contact OOSC at:

Maritime Training Council (MTC)

Tel. Nos. (632) 727-5716/ 725-1323

Telefax No. (632) 725-1266

E-mail: info@mtc.gov.ph

Website: www.mtc.gov.ph



Philippine Overseas Employment Administration (POEA)

G/F, POEA Building,

Corner EDSA and Ortigas Avenue, Mandaluyong

Tel. No. (632) 726-8962

Telefax No. (632) 721-9493

E-mail: maritime_poea@hotmail.com



SOCIAL SECURITY AGREEMENTS OF THE PHILIPPINES

The Social Security System

The Social Security System administers the provision of social security protection to workers and their beneficiaries in the private sector. It was created by virtue of Republic Act 1161, as amended, or the Social Security Act of 1954. R.A. 8282, which was signed into law on May 1, 1997, further strengthened SSS by providing better benefit packages, expansion of coverage, flexibility in investments, stiffer penalties for violation of law, condonation of penalties of delinquent employers and the establishment of a voluntary provident fund for members. The SSS vision is to develop and promote a viable, universal, and equitable social security protection scheme through world-class service.

Social Security Benefits

The SSS administers two programs namely:

1. The Social Security Program
2. The Employees Compensation (EC) Program

The Social Security Program provides replacement income for workers in times of disability, sickness, maternity and old age. It also provides assistance for death and funeral expenses. The EC program provides double compensation to the worker when the illness, death or accident occurs during work-related activities. EC benefits are granted only to members with employers other than themselves. Members may avail of assistance in the form of salary, housing, house repair and improvement, and calamity loans.

SSS Coverage

SSS coverage is either compulsory or voluntary. The following are subject to SSS compulsory coverage:

1. Employee

- a. Private employees, whether permanent, temporary or provisional, who are not over 60 years old
- b. Household helpers earning at least P1,000 a month
- c. Filipino seafarers upon signing of the standard contract of employment between the seafarer and the manning agency which, together with the foreign ship owner, act as employers
- d. Filipino employees of foreign governments, international organizations, or their wholly-owned instrumentality based in the Philippines, which entered into an administrative agreement with SSS
- e. Parent, spouse or child below 21 years of age, of the owner of a single proprietorship business

2. Employers

- a. Employers, or any person who uses the services of another person in business, trade, industry or any undertaking. A social, civic, professional, charitable and other non-profit organization which hire the services of employees are considered “employers.”

- b. Foreign governments, international organizations or their wholly owned instrumentalities such as embassies based in the Philippines.

3. Self-Employed

Self-employed persons regardless of trade, business occupation, with an income of at least P1,000 a month, and who are not over 60 years old. They include self-employed professionals; business partners, single proprietors and board directors; actors, directors, scriptwriters and news reporters who are not under any employer-employee relationship; professional athletes, coaches, trainers and jockeys; farmers and fisherfolks; and workers in the informal sector such as cigarette vendors, watch-your-car boys, and hospitality girls.

Voluntary Coverage

1. Members who are separated from employment or ceased to be self-employed or overseas Filipino workers or non-working spouse who would like to continue paying contributions
2. A Filipino recruited in the Philippines by a foreign-based employer for employment abroad or one who legitimately entered a foreign country (i.e. tourist, student) and is eventually employed.
3. A person legally married to a currently employed and actively paying SSS member who devotes full time in the management of household and family affairs may be covered on a voluntary basis provided there is the approval of the working spouse. The person should never have been a member of the SSS. The contributions will be based on 50 percent of the working spouse's last posted monthly salary credit but in no case shall it be lower than P1,000.

Registration and Contribution Procedures

An OFW may register for membership or continue his/her contribution by visiting the nearest SSS office prior to departure and filling out the Overseas Worker Record Form (OW-1). New members need to submit a photocopy of their birth certificate, baptismal certificate or passport.

SSS also offers OFWs and emigrants a voluntary provident fund known as the **SSS Flexi-fund**. Membership is open to the following Filipinos overseas:

1. Those who are recruited in the Philippines by a foreign-based employer for employment abroad
2. Those who have a source of income in a foreign country
3. Those who are residing permanently in a foreign country

Filipinos overseas may contact any of the foreign branches of SSS to file their application or submit applications via mail or e-mail addressed to the Foreign Branch Expansion and Monitoring Department with address below. An overseas Filipino can pay his contribution to the fund anytime, provided that, at the time of payment the maximum required monthly contribution is paid to the regular Social Security program. Any amount paid in excess of the required maximum monthly contribution to the regular Social Security program shall be applied to the fund. An overseas Filipino may continue paying the contribution under this fund even after the termination of his overseas employment, as long as he/she continues to pay the required maximum contribution to the regular Social Security program. Payments shall cease upon filing of a final claim under the regular SSS program. The SSS Flexi-Fund's benefits include retirement, death and disability benefits, and early withdrawal of funds. The program is tax-free and funds can be withdrawn as early as three years after commencement, including interest.

The monthly contributions of Filipinos overseas will be based on the monthly earnings declared at the time of registration computed in Philippine currency. The SSS has a schedule of contributions from which

the voluntary members may choose their declared earnings and monthly contributions. The contributions and loan amortization may be paid through any SSS accredited banks.

Effectivity of Coverage

Compulsory coverage for an employee takes effect on the first day of employment or as determined by the agreements between SSS and his/her foreign employer i.e. foreign governments, international organizations, embassies. For employers, compulsory coverage takes effect on the first day of hiring of employees while for self-employed persons, upon first payment of contribution.

In the case of voluntary coverage for an overseas Filipino, it takes effect upon first payment of contribution in case of initial coverage. For a non-working spouse, it takes effect upon payment of contribution, while for a separated member, on the month he/she resumed payment of contribution.

Social Security Agreements Signed by the Philippines with Other Countries

The Philippines has entered into international social security agreements that allow Filipinos overseas to maintain their social security rights. In general, these agreements provide for the totalization of periods of insurance, employment, or residence and of assimilated periods for the purpose of the acquisition, maintenance or recovery of rights and calculation of benefits. Thus, a person who did not complete the required payment years in the Philippines may still receive benefits if his/her total years of contribution in the Philippines and the contracting party will make him/her eligible to receive benefits. Calculations will be based largely on the agreement between the two parties. Fund transfers and mutual administrative assistance are also enclosed in these agreements. Fund transfers provide for the movement of benefits and cost in accordance with the conditions and procedures agreed upon by both parties. The contracting parties likewise provide administrative assistance in facilitating the application for social security and claims free of charge. To date, the Philippines has entered

into social security agreements with eight countries and one provincial territory: the United Kingdom, France, Austria, Spain, the Netherlands, Canada, Switzerland, Belgium, and Quebec.

For more information, please contact:

International Affairs and Branch Expansion Office

Social Security System

3/F, SSS Building, East Avenue, Diliman, Quezon City

Tel. Nos. (632) 924-7822 / 435-9878 / 435-9814

Fax No. (632) 435-9814

E-mail: member_relations@sss.gov.ph

Website: www.sss.gov.ph



or any SSS branch in the Philippines or the corresponding Social Security agency in your host country.

MEDICARE (PHILHEALTH)

In March 1, 2005, PhilHealth assumed the administration of the Medicare Program for Overseas Filipino Workers from the Overseas Workers Welfare Administration by virtue of Executive Order No. 182 as amended. The said transfer of program completed the consolidation of different Medicare programs separately administered by the Government Service Insurance System for public sector workers and the Social Security System for those in the private sector.

It also paved the way for the creation of the Overseas Workers Program or OWP as a regular membership category in PhilHealth. The OWP covers all land-based overseas Filipino workers whose jobs are covered by appropriate job contracts with overseas-based employers.

Qualified Dependents

Aside from OFWs, the following legal dependents enjoy PhilHealth coverage without additional premiums:

1. Legal spouse (non-member or membership is inactive)
2. Child/ren - legitimate, legitimated, acknowledged and illegitimate (as appearing in birth certificate) adopted or step below 21 years of age, unmarried and unemployed. Also covered are child/ren 21 years old or above but suffering from congenital disability, either physical or mental, or any disability acquired that renders them totally dependent on the member for support.
3. Parents (non-members or membership is inactive) who are 60 years old, including stepparents (biological parents already deceased) and adoptive parents (with adoption papers).

All of the qualified dependents are entitled to a separate coverage for up to 45 days per calendar year. However, their 45 days allowance will be shared among them.

Important:

All dependents need to be declared and/or updated with PhilHealth to include them in the Member Data Record or MDR, and the member's official membership profile with PhilHealth. The updated MDR will make benefit availments easier and convenient.

Benefits

Members are entitled to the following benefits:

1. In-patient coverage

Subsidy for room and board, drugs and medicines, laboratories, operating room and professional fees for confinements of not less than 24 hours. Please refer to the table of rate ceilings/maximum allowances for inpatient coverage at the Philhealth website.

2. Out-patient coverage:

Day surgeries, dialysis and cancer treatment procedures such as chemotherapy and radiotherapy in accredited hospitals and free-standing clinics.

3. Special benefit packages:

- * Enhanced Outpatient Benefit Package
- * Coverage for up to the fourth normal delivery
- * Newborn Care Package
- * TB treatment through DOTS
- * SARS and Avian Influenza Package
- * Influenza A (H1N1) Package

Availment conditions

The following must first be met to avail of the PhilHealth benefits:

* Availment must be within the validity period as stated in the Member data record or MDR or in the payment receipt.

* The 45 days allowance for room and board of the member and the separate 45 days allowance shared among the dependents have not been consumed yet.

Benefit availment procedures**For outright/automatic deduction of benefits:**

* Submit to the billing section the following prior to discharge from the hospital:

- o Duly accomplished PhilHealth Claim Form 1 (original)
- o Clear copy of MDR.

+ If MDR is not available, submit official receipt of applicable premium payment

+ If qualified dependent is not listed in the MDR - submit applicable proof of dependency

- * Agree with the attending physicians on how much is left to be paid for their services over the professional fee (PF) benefit.
- * Upon submission of all applicable documents, the billing section will compute and deduct the benefits from the total hospital bill.

For direct filing/reimbursement:

Submit the following to PhilHealth or through the hospital in addition to the documents mentioned earlier within 60 calendar days after discharge:

- * PhilHealth Claim Form 2 (to be filled up by the hospital and attending physicians)
- * Official receipts or hospital and doctor's waiver
- * Operative record for surgical procedures performed

For confinements abroad:

Submit the following within 180 days after discharge. Overseas confinements shall be paid based on Level 3 hospital benefit rates.

- * PhilHealth Claim Form 1
- * MDR or supporting documents
- * Proof of applicable premium payments
- * Original official receipt or detailed statement of account (written in English)
- * Medical certificate (written in English) indicating the final diagnosis, confinement period and services rendered.

Post availment reminders:

After the automatic deduction or reimbursement of the benefits, PhilHealth will send (to the address where the member have indicated in the claim form) a benefit payment notice or BPN. The BPN is a report

of actual payments made by PhilHealth relative to the confinement/availment. Should there be discrepancies or if there are other concerns pertaining to the benefit availments, one may contact PhilHealth or your health care providers and bring the BPN as reference document.

Continuing PHILHEALTH Coverage

The following are some of the options available if one wishes to continue his/her PhilHealth coverage. Use the M2 Form to update PhilHealth of changes in the membership status. Just be sure to have the form duly acknowledged by PhilHealth.

- If no longer an active OFW or is currently in the Philippines waiting for another overseas contract:
Register as an Individually Paying Member and continue paying the premiums for only P 300/quarter at any PhilHealth Offices or accredited payment centers. Payment can be made quarterly, semi-annually or annually.
- If gaining formal employment in the Philippines:
Provide the employer with one's PhilHealth Identification Number or PIN for their use in remitting the premiums as an Employed member.
- If already reached 60 years old and have contributed at least 120 monthly premiums and is not gainfully employed:
The member may register under as a Lifetime Member to enjoy lifetime coverage together with his/her qualified dependents.

For more information, you may visit the nearest PhilHealth regional/service office or contact:

Overseas Workers Program (OWP)

PHILHEALTH

11/F Citystate Centre, 709 Shaw Boulevard, Pasig City 1603,

Tel. Nos. (632) 637-3754, (632) 637-9999 loc. 1122 & 1124

Mobile No. 09189635396

Email: owp@philhealth.gov.ph

Website: www.philhealth.gov.ph

OWP Operations Center

POEA Ortigas Ave. cor. EDSA, Mandaluyong City
Tel. Nos. (632) 721-9414; (632) 7255178



OVERSEAS WORKERS WELFARE ADMINISTRATION

The Overseas Workers Welfare Administration (OWWA) is an attached agency of the Department of Labor and Employment (DOLE), and is the primary government agency mandated to protect and promote the welfare and well-being of Overseas Filipino Workers (OFWs) and their dependents. The Agency works to fulfill its two-fold mandate which are: the delivery of welfare services and benefits; and insuring capital build-up and viability of the Fund.

The membership of legally deployed OFWs to the Fund is mandated by law through the payment of prescribed contribution. All documented deployed workers are required to pay the designated fees by enrollment upon processing of contract at the Philippine Overseas Employment Administration (POEA). For those that are undocumented or illegal workers, they have the option to acquire membership to OWWA through the Voluntary Membership Program (VMP) at the different OWWA Welfare Offices abroad. Membership coverage is on a per contract basis up to a maximum of two (2) years.

Programs

1. Programs for Overseas Filipino Workers (OFWs), their Families and Dependents

A Insurance Program

OWWA offers the most inexpensive insurance program that provides the best coverage for OFWs in the market. With a membership fee of US\$ 25.00, an OFW member is provided with maximum benefits and services for the duration of the coverage.

1. Life/Accident Insurance

Life insurance coverage for the duration of his employment contract or for a maximum of two years with double indemnity and disability dismemberment benefits. Coverage includes P 100,000.00 for natural death (sickness, illness, disease) and P 200,000.00 for accidental death.

2. Disability and Dismemberment Benefits

Entitled to disability/dismemberment benefits ranging from P 2,000.00 to P 50,000.00.

3. Total Disability Benefits

A member shall be entitled to P 100,000.00, in case of total permanent disability.

4. Burial Benefit

A burial benefit of P 20,000.00 shall be provided in case of the member's death.

Basic Requirements for Life Insurance, Disability, Dismemberment and Burial Benefits:

1. Passport (for Land-based OFW) Seaman's Service Record Book (for sea-based OFW)
2. Certificate of Membership issued by the OWWA Membership Processing Center (MPC)
3. OFW/Seaman's undertaking executed by claimant (for death claim)

Documentary Requirements for Life Insurance Benefits:

1. Original Death Certificate issued by Local Civil Registrar (LCR) or Authenticated by National Statistic Office (NSO) or Foreign Death Certificate for OFW who died abroad and accident report for death due to accident
2. Burial Permit
3. Official receipt of funeral expenses
4. Picture of claimant (2 pieces)

5. Any of the following applicable documents certified by LCR *INSO*:

- Marriage certificate - if claimant is the spouse
- Birth certificate of OFW - if claimant is the mother or father
- Birth certificate of child and death certificate of deceased spouse- if claimant is the child
- Certificate of no marriage

* In the absence of birth/marriage certificate, the following must be submitted:

- a. Certificate from LCR that fact of marriage birth is not recorded in the civil registry
- b. Baptismal/marriage certificate certified by the Parish priest /office
- c. Affidavit of two (2) disinterested persons re facts of birth / marriage and claimant's relationship to the deceased

Documentary Requirements for Disability Benefit

1. Foreign medical certificate
2. Medical certificate issued by the local attending physician with medical examination procedure, e.g., X-ray, MRI, CT Scan
3. Accident report

Releasing Requirements

Please present any 2 (original and valid copy) of the following:

1. Passport
2. Office ID
3. Postal ID
4. Driver's license
5. Original NBI clearance
6. Senior Citizen ID

B. Education and Training Benefits

OWWA provides educational assistance and skills development benefits. An OWWA member may avail for themselves or their duly designated beneficiaries any of the following scholarship programs.

Some are subject to a selection process and accreditation of participating institutions.

The programs intend to assist in ensuring educational opportunities for member OFWs, dependents of deceased former OFWs, displaced and low-income OFWs. It is aimed to enhance the employment marketability and augment government efforts in maintaining highly qualified manpower pool in the country for local and overseas jobs.

1. Education for Development Scholarship Program (EDSP)

- Scholarship grant offered annually to 100 qualified beneficiaries/dependents of OWWA member-OFWs.
- Any 4 to 5-year baccalaureate course of their choice offered by a CHED accredited college or university.
- The applicant must belong to the top 100 examinees conducted annually through DOST.
- The awardees must maintain the grade requirement of the program for the continuance of the scholarship until the completion of the course.
- Financial assistance amounting to P 30,000.00 per semester. The OWWA pays the scholar's tuition directly to the school and releases the remaining amount upon the scholar's submission of his/her grades for a semester.

Scholarship Privileges

1. Financial assistance amounting to P 30,000.00 per semester
2. The scholar may choose his / her desired program/course offered by a CHED-accredited college or university
3. Scholarship shall continue until completion of the course (4-6 years), regardless of the status of OFW membership provided the Scholarship Agreement is complied with.

Eligibility Requirements

1. Must be a child of a married OWWA member or brother / sister of an unmarried OWWA member

2. Must be 21 years old or below
3. Must be a Filipino citizen
4. Be in good health and with good moral character
5. Must have an average grade of at least 80% and belong to the upper 20% of the graduating class

Documentary Requirements

1. Accomplished application forms (2 sets)
2. 1"x 1" ID pictures (2 copies)
3. Proof of relationship to Member (copy of Birth Certificate of applicant and of the Member if related as brother or sister duly certified by the Local Civil Registrar or NSO)
4. Form 137 or Transcript of Records with Principal's Certification on Scholastic Standing
5. Proof of OWWA membership (i.e. Official Receipt of OWWA Contribution/Certification from OWWA Membership Processing Center)
6. Health Certificate attesting to physical fitness of applicant (Form B)
7. Certificate of Good Moral Character issued by the School Principal/Guidance Counselor (Form C)
8. Certification that applicant belongs to upper 20% of graduating class issued by school principal (2 sets)
9. Statement of applicant that he/she has not earned units in any postsecondary / undergraduate course (Form E)
10. Sworn Statement that he/she has no pending application for resident immigrant status in any country and does not have dual citizenship signed by parent or legal guardians (Form F)

2. Skills-for-Employment Scholarship Program (SESP)

- Scholarship program that OWWA offers in coordination with the Technical Education and Skills Development Authority (TESDA).
- Applicant may avail of either a one-year technical or a vocational course.
- Financial assistance ranges from P 7,250.00 for a vocational course for up to P 14,500.00 for a technical course.

- Course offerings include: agriculture and fishery; processed food and beverages; tourism (hotel and restaurant); decorative crafts and ceramics; gifts, toys and housewares; jewelry; metals and engineering; furniture and fixtures; garments; construction; communication!electronics/information technology; maritime; land transport; health, social services; and other community, social and personal services.

Availment Requirements

1. Must be an active OWWA member (land-based or sea-based) or beneficiary/dependent of an active OWWA member
2. Must pass the TESDA qualifying examination or Multiple Aptitude Battery Test (MABT) on the program of choice
3. Have at least one (1) recorded membership contribution

Three (3) additional membership contributions are required for subsequent availment. After completing the course, must submit for competency assessment and certification administered by TESDA or its accredited testing center.

Qualified beneficiaries/dependents

1. Child not older than 21 years old or spouse of a married OFW
2. Brother/sister not older than 21 years old of an unmarried OFW

Documentary Requirements

1. Accomplished application forms (2 sets)
2. 1"x 1" ID pictures (2 copies)
3. Form 137/ HS Report Card or Transcript of Records/ official copy of grades
4. Proof of OWWA Membership: official receipt of OWWA contribution / OFW E-Card
5. If a Member's beneficiary: proof of relationship to OWWA member (e.g. copy of marriage contract and/or birth certificate of both OFW and applicant/dependent duly certified by the Local Civil Registrar)

3. Seafarer's Upgrading Program (SUP)

- Intended to provide seafarers who are OWWA-member with job-related training in priority maritime courses identified by the Maritime Training Council (MTC).
- Designed to upgrade the skills, and develop the expertise of Filipino seafarers in accordance with technological advancements and international maritime standards.
- Financial assistance for training costs, ranging from a minimum of P 1,200.00 to a maximum of P 7,500.00.

Course Offerings

The Seafarers' Upgrading Program is intended to provide OWWA-member seafarers job-related training in priority maritime courses identified by the Maritime Training Council. It is designed to upgrade the skills, and develop the expertise of Filipino seafarers in accordance with technological advancements and international maritime standards.

Availment and Documentary Requirements

All Filipino seafarers who are OWWA members are entitled to avail of the program once every three (3) contributions. Availment may be assured upon first (1st) payment. Documents required are:

1. Accomplished application form
2. Seamen's Identification and Record Book (SRIB)
3. Proof of OWWA Membership (or of contribution)
4. 1"x 1" photo (2 copies)
5. Latest residence certificate

4. DOLE-OWWA Tulay Microsoft Project

- Provides Information Technology (IT) training to OFWs and their families, and access to technology that will enable them to communicate through the internet.

- Gain IT skills that will enhance their work, thus increasing their employability.
- Help them become more competitive in pursuing a career in the country upon their return.
- OFWs and their families learn the basics of computer applications such as :
 - a. MS Word
 - b. Powerpoint
 - c. Excel
 - d. Internet and e-mail use

5. Tuloy-Aral Project (TAP)

- Assistance to the children of less fortunate former OFWs to continue their elementary and high school education.
- Identify OFWs who are successful, financially stable and in good standing to act as prospective foster parents.
- At US \$ 100.00 financial support per year, they will be able to send a childbeneficiary to school.
- The amount will help cover for expenses such as books, school supplies, materials for projects, transportation, authorized school contributions, and allowance for the whole school year.

6. Pre-Departure Orientation Seminar (PDOS) Program

- Mandatory training required to all departing workers.
- Designed to prepare them for their new life overseas.
- Aims to enable them to successfully adjust to their new working environment.
- As part of the drive to strengthen the PDOS Program, the OWWA has initiated the Language Training and Culture Familiarization Program.

C. Family Welfare and Assistance Program

I. Repatriation Program - provision of services to facilitate immediate repatriation of distressed OFWs, medically-ill OFWs, human remains, etc. like airport assistance, domestic transport, temporary shelter, etc.

It pertains to all processes and services needed to effect the return of the OFW to his/her home. Recovery and rehabilitation services are also provided when necessary. It also includes negotiations with employers, agents, and host country authorities; facilitation of the immediate repatriation of distressed OFWs, medically-ill OFWs, human remains, and mentally disturbed; airport assistance; domestic transport; temporary shelter; coordination with families.

While the direct cost for the repatriation of workers to the Philippines is the primary responsibility of the principal/employer and/or the recruiting agency, the OWWA undertakes repatriation of the workers in the following cases:

1. Emergency Repatriation

The OWWA, in coordination with DFA and POEA, and international agencies in urgent situations, undertakes the repatriation of workers in cases of war, epidemic, disasters or calamities, natural or man-made, and other similar events without prejudice to reimbursement by the responsible principal or agency within sixty (60) days from notice.

2. Mandatory Repatriation of Under-aged Migrant Workers

The responsible officer at the foreign service posts immediately cause the repatriation of under-aged Filipino migrant workers. The cost attendant to this activity shall be borne correspondingly by the agency and/or principal, or of the OWWA as the case may be.

3. Other Cases

In all cases where the principal or agency of the worker cannot be identified, located or had ceased operations, the worker is in need and

without means, the OWWA personnel at the jobsites, in coordination with the POEA or DFA, causes the repatriation. All costs attendant to the repatriation borne by the OWWA are chargeable to the Emergency Repatriation Fund without prejudice to the OWWA requiring the agency/ employer or the worker to reimburse the cost of repatriation, in meritorious cases.

2. Reintegration Program

The Program covers two (2) major components - economic and psycho-social components.

The psycho-social components includes community organizing or organizing of OFW family circles and services like social counseling, family counseling, stress debriefing, and training on capacity building, value formation, etc.

The economic component on the other hand, includes social preparation programs for livelihood projects or community-based income generating projects, business and skills training, credit facilitation and lending, and networking with support institutions.

At present, the economic component has two (2) loan programs: the OWWA-NLSF Livelihood Development Programs for OFWs (LDPO) and the OFW Groceria Project.

a. The OWWA-NLSF LDPO Project

- A joint undertaking of OWWA and the National Livelihood Support Fund (NLSF)
- Addresses the economic component of the OFW Reintegration Program
- Meant to further improve access to entrepreneurial development opportunities and credit facilities to OFWs, their families, and organizations

Acceptable Purposes of Loan

1. Working capital - for purchase of merchandise goods and/or raw materials
2. Business assets acquisition (except lot) - for purchase of machines/equipment
3. Business site construction or improvement

Eligible Borrowers

1. Member OFWs and former member OFWs
2. Their immediate family members (one family member per one OFW)
3. For married OFWs: spouses or children of legal age
4. For single OFWs: parents or siblings of legal age
5. OWWA LOPO beneficiaries with good repayment records
6. Legally organized groups of OFWs (partnerships/corporations, OFW organizations/associations/cooperatives & Federations)

Collateral Loan Window

1.a Individual Borrower

Loan Ceiling	P200,000.00 (maximum per qualified borrower)
Interest Rate	9 %p.a.
Debt:Equity Ratio	85: 15 ratio
Collateral Coverage	100 %

1.b Group Loan Borrower

Loan Ceiling	P 1,000,000.00 (maximum per group)
Interest Rate	9 %p.a.
Debt:Equity Ratio	85: 15 ratio
Collateral Coverage	100 %

* Partnerships with less than five (6) members are entitled to a maximum of PHP 200,000.00 each member

* Service Fee = Four percent (4%)

* Facilitation Fee = Three percent (3%)

* Total interest rate per annum plus fees not to exceed 16%

Interest Rate	Prevailing market rate
Collateral	Promissory notes
Loan utilization	Livelihood projects

Loan Requirements

For Individual Borrowers

1. Proof of OWWA Contribution (passport with POEA-LAC stamp, information sheet from OWWA, POEA-attested Employment Certificate, or E-card)
2. Business Plan / Project Feasibility Study
3. Financial Statement in case of existing business
4. Business permit / license (pre-release condition)
5. Collateral papers (REM or chattel mortgage)

Additional Requirements if availee is an immediate family member:

1. Marriage contract and consent (for married borrowers)
2. Birth certificate and authorization (for single OFWs)

For Group Borrowers

1. Proof of OWWA contribution at least among officers
2. Business plan
3. Financial statement in case of existing business
4. Collateral papers / Ownership Titles
5. Promissory Note for Non-collateral Loan Window

Additional Requirements for group loan borrowers:

1. Registration with Securities and Exchange Commission (SEC) for partnerships & corporations; Cooperative Development Authority (CDA)

for cooperatives; and Department of Labor and Employment (DOLE) for associations.

2. Basic organizational instruments:

- a. Articles of Incorporation for corporations
- b. Ratified group By-Laws or Mutually Agreed Term for partnerships
- c. Articles of Incorporation for cooperatives
- d. Constitution and By-laws for associations

3. Board resolution or group/partnership resolution specifying intent to undertake a group/partnership project or expand a group/partnership project using capital to be borrowed from the OWWA-NLSF-LDPO

Loan Application

Loan applications may be filed at all OWWA Regional Welfare Offices together with the following standard requirements:

- 1. Accomplished application form (with 2x2 picture)
- 2. Sketch and routes of residence and/or business site
- 3. Other requirements if applicable:
 - o Price quotation
 - o Bill of materials or building plan

Assets Acceptable as Collateral and Required Documents (For Collateral Loan Window)

1. Real Estate Property - unmortgaged with no delinquent realty tax and with appraised value of not less than the loanable amount.

a. Land title

- Transfer Certificate of Title (TCT)
- Tax Declaration
- Current Realty Tax Payment Receipt
- Location Plan with Vicinity Map

b. Ancestral Land

- Tax declaration
- Certificate of Non-Delinquency

2. Chattel/motor vehicles / machines / equipment (brand new up to 3 years)

a. Motor vehicle

- certificate of Registration
- Insurance Policy Coverage

b. Equipment/machine

- official receipts

D. Workers Assistance and On-Site Services

The OWWA provides and sustains assistance to all its members in all its regional and overseas offices. Services that members and their families and beneficiaries may avail on-site includes:

1. locating missing OFWs;
2. negotiation and conciliation services
3. providing information and guidance;
4. research and development of materials for the Pre-Departure Orientation Seminars
5. conducting psycho-social counseling
6. conciliation services
7. paralegal advise and assistance
8. outreach missions
9. training

On behalf of the OFW, the OWWA may provide appropriate representation with employers, agents and host authorities.

The OWWA established seventeen (17) Regional Offices nationwide to service the needs of the OFW member and their families locally. The

venue of the implementation of all OWWA Programs in the Philippines are the Regional Welfare Offices (RWOs).

For more details on OWWA's programs and services, you may contact:

OVERSEAS WORKERS WELFARE ADMINISTRATION

OWWA Center Bldg., 7th St. cor. F.B. Harrison

Pasay City

Tel. nos. (632) 891-7601 to 24

Fax nos. (632) 551-6651/833-0187

E-Mail: opcenter@owwa.gov.ph

Website: www.owwa.gov.ph



RETIREMENT PROGRAM

The **Philippine Retirement Authority (PRA)** is a government owned and controlled corporation created by virtue of Executive Order No. 1037. It offers a retirement program for qualified foreigners and former Filipinos who would like to spend their retirement years in the Philippines through the SRRV.

The **Special Resident Retiree's Visa (SRRV)** is a non-immigrant multiple-entry visa issued by the Bureau of Immigration of the Republic of the Philippines through the PRA to foreigners and former Filipino citizens.

Benefits

1. Option of permanent residency - may live, retire and invest in the Philippines indefinitely;
2. Multiple-entry privileges – may come in and go out of the Philippines, anytime;
3. Exempted from the Bureau of Immigration Exit Clearance and Re-Entry Permits;
4. Exempted from the Bureau of Immigration's Annual Registration requirement;
5. Exempted from the Bureau of Immigration's I-Card;
6. Exempted from the Custom's Duties and Taxes for the importation of personal effects and household goods up to

US\$7,000.00;

7. Exempted from Travel Tax, if stay in the Philippines is less than one year from the last entry date;
8. Exempted from Special Study Permit;
9. Assistance in securing/obtaining documents from other Government Agencies, such as:
 - *Department of Labor & Employment* - Alien Employment Permit
 - *National Bureau of Investigation* – Clearance
 - *Department of Finance* - Tax Exemption/Extension Certificate
 - *Bureau of Internal Revenue* - Tax Identification Number
 - *Land Transportation Office* - Driver's License
10. Tax-free remittance of Annuities and Pensions;
11. Repatriation of the requisite deposit still under the PRA account;
12. Greet and assist at the Ninoy Aquino International Airports 1 & 2.

Qualifications

1. Principal retiree
 - Applicant must be a foreign national or a former Filipino Citizen who is at least 35 years old when joining the program
2. Dependent/s –
 - spouse who is allegedly married to the Principal Retiree Applicant
 - child/children, legitimate or legally adopted by the Principal Retiree Applicant, who is/are unmarried and below 21 years old when joining the program

Documentary Requirements

1. Documentary Requirements for All SRRV Applicants

- Accomplished PRA application form
- Original Passport with Valid Entry
- Valid Medical Certificate*
- Valid Police Clearance* from abroad (for retiree-applicant whose stay in the Philippines is 30 days or less from the date of last entry)
- Valid National Bureau of Investigation (NBI) Clearance – (for retiree applicant whose stay in the Philippines is more than 30 days from the date of last entry)
 - o Except for dependent-children below 18 years of age
 - o Applicants from ADB and other International Organizations are only required to submit an NBI Clearance or local Police Clearance from the Philippines
- Twelve (12) pieces 2"x2" pictures

**All documents obtained abroad must be authenticated by the Philippine Embassy/Consular Office, and translated into English if necessary*

2. Additional Documentary Requirements and Fees for principal retiree-applicants
 - Certificate of Retiree's Deposit (to be issued by an accredited Bank)
 - o **Without Pension Option**

35 to 49 years old	US\$50,000.00
50 years old and above	US\$20,000.00
 - o **With Pension**

50 years old and above -	US\$10,000.00
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 - § *Minimum amount of monthly Pension must be:*

For single applicant	US\$ 800.00
For married couples	US\$1,000.00
 - § Enrollees applying under the With Pension Scheme, must

present a proof of monthly pension and other documents to be identified by the Authority

- Former Filipinos / Former Ambassadors of Foreign countries who served and retired in the Philippines, current and former staff members of international organizations including Asian Development Bank (ADB) – **US\$1,500.00**
 - One Time Processing Fee of **US\$1,400.00**
3. Additional Documentary Requirements and Fees for dependent applicants
- For spouse, Marriage Certificate (if contracted abroad, it must be authenticated by the Philippine Embassy / Consular Office, and must be translated in English if necessary)
 - For children, Birth Certificate (if obtained abroad, it must be authenticated by the Philippine Embassy / Consular Office, and must be translated in English, if necessary)
 - One Time Processing Fee of **US\$300.00** (per dependent)
 - Additional Dollar Deposit
For every additional dependent (in excess of two) an additional US\$15,000.00 deposit shall be required per head except for Former Filipino citizens
4. Additional Documentary Requirements for former Filipino Citizens
- Birth Certificate (NSO copy); or
 - Naturalization Documents; or
 - Philippine Passport

Areas of Investments Allowed Under the Program

1. Purchase, acquisition and ownership of a condominium unit
2. Long-term Lease of house and lot, condominium or townhouse
3. Purchase, acquisition and ownership of golf and country club share/s

Note: Former Filipinos can purchase a lot not exceeding 5,000 square meters in urban areas for business use or for other purposes.

For more information, please contact:

Philippine Retirement Authority

29/F Citibank Tower, 8741 Paseo de Roxas,

Makati City 1220

Tel. No. (632) 848-1412

Fax Nos. (632)848-7106 / 848-1418

E-mail: inquiry@pra.gov.ph

Website: www.pra.gov.ph



INVESTING IN THE PHILIPPINES

As an ideal investment place, the Philippines promotes a climate of free enterprise and liberal business laws, product competitiveness, highly-skilled manpower pool and highly-evolved business infrastructures that assures domestic and foreign companies a profitable return on investments.

Philippine business laws open more investment areas to 100% foreign equity, offer income tax holidays and capital equipment incentives. Its manpower pool is one of the best in the world, backed by highly-skilled technical personnel and dynamic managers who communicate proficiently and effectively in English. The country's infrastructure,

telecommunication systems, export-processing zones and world-class industrial estates offer investors with an attractive business habitat. All these coupled by a comfortable place to live in, high-quality education, modern hospitals and health care services, and world-class leisure facilities make the country an ideal investment place for domestic and foreign investors.

With the enactment of Republic Act 9225 or the Citizenship Retention and Reacquisition Act of 2003, the government has paved the way for greater participation among Filipinos overseas in the Philippine economy. Now equipped with a law that grants former Filipino citizens a chance to re-acquire their Filipino citizenship, overseas Filipinos can now enjoy the benefits of dual citizenship. They can own unlimited real properties, have the right to develop natural resources in the Philippines as well as invest in a wide array of businesses which are normally restricted to Filipino nationals such as the operation of rural banks, educational institutions and mass media, among others.

Investment and Business Guide for Overseas Filipinos

The Commission on Filipinos Overseas has developed a compendium called the Investment and Business Guide for Overseas Filipinos – a basic guidebook containing a broad spectrum of business and investment options in the Philippines to encourage overseas Filipinos, particularly those reacquiring Filipino citizenship who have accumulated considerable investible savings to seriously look into the prospect of investing in the country.

Each chapter of the compendium explores a different investment area. The Commission has identified major investment areas that are highly gaining ground in the Philippines such as the development of tourism and leisure facilities, investing in franchise, as well as the establishment of pre-schools and independent learning institutions. Also included are options in highly competitive industries such as export and agribusiness, oil industry, asset and property management, and the operation of banks and other lending institutions among others.

Information to help assess the competitiveness of Philippine cities in terms of their abilities in providing for an ideal business climate as well as the industry focus of various Philippine provinces and regions are also provided in the compendium to help businessmen and potential investors who would opt to invest in areas outside Metro Manila or highly urbanized cities.

Just as importantly, the compendium contains the fundamentals of doing business in the country such as the basic requirements and standard procedure for the establishment of a corporation, partnership or cooperative and guides prospective investors in the application for licenses, registration, and accreditation of specific business entities with appropriate agencies.

The compendium is published in a CD format.

For interested parties, please contact:

Commission on Filipinos Overseas

Citigold Center, 1345 Quirino Ave. cor. South Superhighway
Manila

Tel Nos. (632) 561-8321 locals 600-604

Fax No. (632) 561-8332

E-mail: info@cfo.gov.ph

Website: www.cfo.gov.ph



THE CFO

The **COMMISSION ON FILIPINOS OVERSEAS (CFO)** is an agency under the Office of the President which was established on 16 June 1980 through *Batas Pambansa* (Republic Act) 79, to strengthen ties with Filipinos overseas and promote their interests in the Philippines and abroad.

FUNCTIONS OF CFO

B.P. 79 mandates CFO to:

- Provide advice and assistance to the President and the Congress of the Philippines in the formulation of policies concerning or

- affecting Filipinos overseas;
- Develop and implement programs to promote the interests and well-being of Filipinos overseas;
- Serve as forum for preserving and enhancing the social, economic, and cultural ties of Filipinos overseas with the Philippine motherland; and
- Provide liaison services to Filipinos overseas with appropriate government and private agencies in the transaction of business and similar ventures in the Philippines.

CLIENTELE

The distinct clientele of CFO includes the following:

- Filipino emigrants and permanent residents abroad;
- Filipinos overseas who have become citizens of other countries;
- Filipino spouses and other partners of foreign nationals leaving the country;
- Descendants of Filipinos overseas as defined in B.P. 79;
- Filipino youth overseas; and
- Exchange Visitor Program participants.

CFO PROGRAMS

The work of CFO is conducted under a program framework of activities to serve Filipino communities overseas. This framework consists of the following four program areas:

I. Migrant Social & Economic Integration

Ensures that all Filipinos migrating to other countries are adequately prepared to meet the practical and psychological challenges attendant to international migration.

Programs include the following:

- Pre-departure registration and orientation seminars
- Post-arrival services and assistance to Filipino nationals in distress
- Public information and community education

- Referrals on overseas inquiries

II. Filipino Education & Heritage

Promotes education programs overseas, and provides younger generations of overseas Filipinos with opportunities to learn Philippine history, culture, language and institutions.

Programs include the following:

- Philippine schools overseas
- *Lakbay-Aral sa Pilipinas*
- Teaching of the Filipino language to children of Filipino migrants
- Internet-based courses on the Filipino language
- Filipiniana libraries and resource centers
- Increasing Filipino cultural visibility overseas

III. Filipino Unity & National Development

Fosters better cohesion and purpose among the various overseas Filipino organizations, for the promotion of their own interests within a broader community of Filipinos.

Programs include the following:

- Lingkod sa Kapwa Pilipino (LINKAPIL) or Link for Philippine Development
- Publication and distribution of Filipino Ties and other information materials
- Awards and recognition for overseas Filipinos
- Exchange Visitor Program

IV. Policy Development & Data Banking

Provides a continuing study and review of the economic, social, legal and administrative environment that have a bearing on the status of overseas Filipinos.

Programs include the following:

- Policy review and formulation
- Advocacy and lobby efforts for the establishment of NCLEX testing center in the Philippines, full equity rights for Filipino veterans, and portability of U.S. Medicare benefits
- Studies and researches on absentee voting, retention of citizenship, anti-trafficking in persons, recognition of skills and professional competencies, promotion of Filipino culture, and business and investment opportunities for overseas Filipinos
- Annual stock estimation of Filipinos overseas
- Conduct of conferences and symposia on migration
- Data banking and computerization program

V. Special Projects

A. Anti-Trafficking

As the lead agency of the Task Force Against Human Trafficking, it performs the following several functions:

- Provide adequate legal, psycho-social and other forms of assistance to trafficked persons;
- Consolidate various sources of data and statistics on trafficking, and establish a comprehensive databank for the effective monitoring, documentation and prosecution of trafficking incidents;
- Conduct a community education and information campaign program against trafficking in persons; and
- Cause or direct the immediate apprehension, investigation and speedy prosecution of persons involved in, or of cases involving the trafficking in persons, and monitor progress of such cases.

B. NCLEX

The CFO is the lead agency of the Presidential Task Force on NCLEX. As such, it undertakes the following functions:

- Prepare an overall program that would consolidate existing government mechanisms to ensure protection of intellectual property rights and security of physical facilities of NCLEX test centers in the Philippines.
- Evaluate current procedures in resolving cases involving Filipino nurses and foreign nursing regulatory entities, and recommend proper measures to enhance existing grievance mechanisms.
- Coordinate and liaise with the National Council of State Boards of Nursing in matters concerning the conduct of the NCLEX exams in the Philippines.
- Investigate and take specific action on reports of fraud or any related act that will compromise the integrity of the examinations, as referred by NCSBN.
- Conduct consultations and information campaigns among nursing associations and other stakeholders to assist in preserving the integrity of local as well as foreign nursing licensure examinations conducted in the Philippines.
- Perform other functions that will ensure the smooth and successful conduct of NCLEX in the Philippines.

ORGANIZATIONAL STRUCTURE

The CFO is headed by a Chairman with cabinet rank, and representatives of the following departments:

- Department of Foreign Affairs
- Department of Trade and Industry
- Department of Labor and Employment
- Department of Education
- Department of Justice
- Department of Tourism
- Office of the Press Secretary
- CFO Executive Director

The CFO is supported by a Secretariat headed by an Executive Director. It consists of five (5) offices:

- Migrant Integration and Education Division (MIED)
- Projects Management Division (PMD)
- Policy, Planning and Research Division (PPRD)
- Management Information System Division (MISD)
- Administrative and Finance Division (AFD)

Commission on Filipinos Overseas

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Bureau of Plant Industry

Plant Quarantine Service

Department of Finance

Bureau of Internal Revenue

International Tax Affairs Division

Tax Information and Education Division

Bureau of Customs

Mabuhay Lane

Department of Foreign Affairs

Office of Consular Affairs

Overseas Absentee Voting Secretariat

Passport Division

Department of Justice

Bureau of Immigration

Board of Special Inquiry

Law and Investigation Division

Office of the Commissioner

One Stop Shop Center

Task Force on Citizenship Retention and

Reacquisition

Land Registration Authority

Law Division

Department of Science and Technology

Balik Scientist Program

Department of Social Welfare and Development

Adoption Resource and Referral Unit
Inter-Country Adoption Board
Travel Clearance Unit

Department of Tourism***Philippine Tourism Authority***

Legal Office
Revenue Department

Department of Trade and Industry***Bureau of Import Services***

Import Administration Division

Board of Investments

Investments Promotion Group
Investments Servicing Group
Legal Services Department
National Economic Research and Business Advisory
Center
One Stop Action Center
One-Stop SIRV Center

Department of Transportation and Communications***Land Transportation Office***

License Section

National Statistics Office

Civil Registration Department

Professional Regulation Commission**GRAPHICS/PHOTO CREDITS**

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