

HANDBOOK for FILIPINOS OVERSEAS
Seventh Edition

OFFICE OF THE PRESIDENT
COMMISSION ON FILIPINOS OVERSEAS
Manila, Philippines
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FOREWORD

The migration of our countrymen to other shores which started more than two and a half centuries ago, has given rise to a transnational community of Filipinos. We now have over seven and a half million Filipinos living or working in more than 160 of the world's countries. The Filipino Diaspora upholds our status as a truly global nation.

This Seventh Edition of the Handbook for Filipinos Overseas was thoughtfully and thoroughly prepared by the Commission to bridge the information gap experienced by most Filipinos who have been away for so long from our shores. This handbook provides overseas Filipinos with relevant information about Philippine laws and government programs and services which concern them, or are of interest to them. By keeping them informed and interested in their homeland, these global Filipinos are encouraged to be a potent force of change and development in our society. The manual contains, among others, information about rights, obligations and privileges of overseas Filipinos, and specific programs that they could invest in or support while earning abroad.

I thank the various government agencies which contributed to the preparation and completion of this important Handbook. I congratulate the Commission on Filipinos Overseas for this vital initiative.

GLORIA MACAPAGAL-ARROYO
President of the Philippines

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Acknowledgement

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

Short Name:	PHILIPPINES
Capital:	Manila
Land Area:	300,000 sq. km.
Population:	81.08 million (National Statistical Coordination Board as of 2003)
Official Languages:	Filipino and English
Religion:	Roman Catholic (83%), Protestant (9%) Muslim (5%), Buddhist and other religions (3%)
Simple Literacy Rate:	92.6%

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
National Statistical Coordination Board
The World Factbook 2005
UNDP Human Development Reports, 2004

FILIPINOS OVERSEAS AND THEIR CONTRIBUTION TO NATIONAL DEVELOPMENT

The Commission on Filipinos Overseas estimates that as of December 2004, there were 8.08 million Filipinos living or working abroad. The number is nearly 10% in relation to the country's population of 81.08 million.

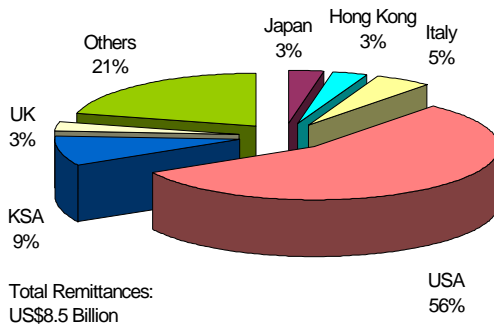
Of the 8.08 million overseas Filipinos, roughly 3.60 million are overseas Filipino workers, 3.19 million are permanent residents, and 1.30 million are classified as irregular. The top 5 countries of destination for overseas Filipino workers are the Kingdom of Saudi Arabia, Japan, Hong Kong, United Arab 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.

REMITTANCES

The remittances of overseas Filipinos have contributed significantly in keeping the current account deficit manageable and in stabilizing the

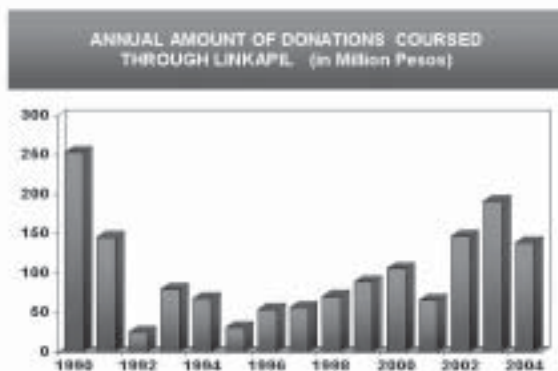
Remittances of Overseas Filipinos Year 2004



economy. The Bangko Sentral ng Pilipinas (BSP) reported that Filipinos overseas remitted US\$8.5 billion in 2004. 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 1990 to 2004, remittances of Filipinos overseas have reached a total of US\$75 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. Through the efforts of the Commission on Filipinos Overseas, an estimated P1.516 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 2004 for projects in 73 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 two hundred thirty-five (235) 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 and 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
<p>Shared Government Information System for Migration</p>	<p>DFA, CFO, DOLE, POEA, OWWA, DOT, DOJ, BI, NBI, and NSO</p>	<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> <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

Name of Program/Service	Agency Concerned	Main Features/Highlights
Emergency Repatriation Fund	OWWA	<ul style="list-style-type: none"> • 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 <p>The second phase involves linking of computer facilities to allow free-flow data exchanges among agencies.</p> <p>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</p>
Re-placement and Monitoring Center	DFA	<p>Repatriation of underaged migrant workers</p>
Re-placement and Monitoring Center	DOLE	<p>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</p>

Name of Program/Service	Agency Concerned	Main Features/Highlights
	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, TLRC	Provision of training to returning overseas workers, giving priority to returnees who had been employed as domestic helpers and entertainers
Legal Assistance for Migrant Workers	DFA Office of the Undersecretary for Migrant Workers Affairs	Creation of the Office of the Legal Assistant 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>

Name of Program/Service	Agency Concerned	Main Features/Highlights
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. Phase-out of the regulatory functions of the Philippine Overseas Employment Administration
5. Exemption of overseas Filipino workers from the payment of travel tax and airport fees
6. 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 for their use in 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	<ol style="list-style-type: none"> 1. Domestic corporations or partnerships which are non-Philippine nationals 2. Foreign corporations 	<p>In the case of a new domestic corporation or partnership:</p> <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

Agency	Type of Business	Requirements
		<p>For foreign corporation:</p> <ol style="list-style-type: none"><li data-bbox="613 366 831 395">1. Application form<li data-bbox="613 430 908 460">2. Name of verification slip<li data-bbox="613 494 1005 939">3. Certified copy of board resolution authorizing the establishment of an office in the Philippines and 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.<li data-bbox="613 973 1005 1164">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<li data-bbox="613 1199 1005 1321">5. Certified copies of the articles of incorporation/partnership with an English translation if in a foreign language<li data-bbox="613 1355 1005 1451">6. Proof of inward remittance such as bank certificate of inward remittance or credit advices<li data-bbox="613 1486 896 1515">7. Registration data sheet

Agency	Type of Business	Requirements
Bureau of Trade Regulations and Consumer Protection (BTRCP), DTI-NCR	<ul style="list-style-type: none"> • Single proprietorships • Applications for Metro Manila 	<p>8. Resident agent's acceptance of appointment</p> <p>For representative offices, the amount initially remitted should be at least US\$30,000.</p> <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 of 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

Agency	Type of Business	Requirements
Provincial Extension Offices of the SEC	Corporations/ partnerships	*same requirements
Provincial Offices of the DII	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:

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.ph

Investment Priorities Plan (IPP)

The IPP is a list of various areas of economic activities for investment eligible for government incentives as provided for in the Omnibus Investments Code of 1987, as amended. This is drawn up and revised every year in consultation with concerned government agencies and the private sector. Generally, the IPP seeks to attain the following goals:

1. To uplift the material well-being of the poor and the marginalized
2. To enhance global competitiveness of Philippine industries
3. To ensure sustainable development
4. To take advantage of global and international developments

An enterprise may still be entitled to incentives even if the activity is not listed in the IPP so long as:

1. at least 50% of production is for exports, if Filipino-owned enterprise; and
2. at least 70% of production is for exports, if majority foreign-owned enterprise (more than 40% foreign equity).

Incentives to Registered Firms

Incentives/privileges may be enjoyed only upon registration. In general, registered enterprises are entitled to the following incentives:

Tax Exemptions

1. Income tax holiday (ITH)

- a. 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. As a general rule, exemption is limited to incremental sales revenue/volume.
 - New or expansion projects in less developed areas for six (6) years, regardless of status
 - Modernization projects for three (3) years. As a general rule, exemption is limited to incremental sales revenue/volume.
- b. The income tax holiday is limited in the following cases:
- Export traders may be entitled to the ITH only on their income derived from the following:
 - Export of new products, i.e., those which have not been exported in excess of US\$100,000 in any of the two (2) years preceding the filing of application for registration, or
 - Export to new markets, i.e., to a country where there has been no recorded import of a specific export product in any of the two (2) years preceding the application for registration.
 - Mining Activities
 - Exploration and development of mineral resources are not entitled to ITH
 - Mining and/or quarrying without mineral processing are not entitled to ITH
 - Mining and processing of aggregates are not entitled to ITH
- c. Newly registered pioneer and non-pioneer enterprises and those located in less developed areas (LDAs) may avail themselves of a bonus year in each of the following cases:

- The average cost of indigenous raw materials used in the manufacture of the registered product must at least be fifty percent (50%) of the total cost of raw materials for the preceding years prior to the extension, unless the Board prescribes a higher percentage.
- The ratio of the total imported and domestic capital equipment to the number of workers for the project does not exceed US\$10,000 to one (1) worker.
- The net foreign exchange savings or earnings amount to at least US\$500,000 annually during the first three (3) years of operation to be determined by the BOI at the end of such three year period.

In no case shall the registered pioneer firm avail of this incentive for a period exceeding eight (8) years.

2. Exemption from taxes and duties on imported spare parts

A registered enterprise with a bonded manufacturing warehouse shall be exempt from customs duties and national internal revenue taxes on its importation of required supplies/spare parts for consigned equipment or those imported with incentives.

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

All enterprises registered under the IPP will be given a ten (10) year period from the date of registration to avail of the exemption from wharfage dues and any export tax, impost and fees on its non-traditional export products.

4. Tax exemption on breeding stocks and genetic materials

Registered enterprises will be exempted from the payment of all taxes and duties on their importation of breeding stocks and genetic materials reasonably needed in the registered operations within

ten (10) years from the date of registration or commercial operation.

Tax Credits

1. Tax credit on tax and duty portion of domestic breeding stocks and genetic materials

A tax credit equivalent to one hundred percent (100%) of the value of the tariff duties and taxes on local breeding stocks within ten (10) years from date of registration or commercial operation for agricultural producers.

2. Tax credit on raw materials and supplies

A tax credit equivalent to the national internal revenue taxes and duties paid on raw materials, supplies and semi-manufacture of export products and forming part thereof shall be granted to a registered enterprise.

Additional Deductions from Taxable Income

1. Additional deduction for labor expense (ADLE)

For the first five (5) years from registration, a registered enterprise shall be allowed an additional deduction from taxable income equivalent to fifty percent (50%) of wages of additional skilled and unskilled workers in the direct labor force. This incentive shall be granted only if the enterprise meets a prescribed capital to labor ratio and shall not be availed simultaneously with ITH.

This additional deduction shall be doubled if the activity is located in an LDA.

2. Additional deduction for necessary and major infrastructure works

Registered enterprises located in LDAs or in areas deficient in infrastructure, public utilities and other facilities may deduct from taxable income an amount equivalent to the expenses incurred in

the development of necessary and major infrastructure works it may have undertaken with the prior approval of the BOI in consultation with other government agencies concerned. This privilege, however, is not granted to mining and forestry-related projects as they would naturally be located in certain areas to be near their sources of raw materials.

Non-Fiscal Incentives

1. Employment of foreign nationals

A registered enterprise may be allowed to employ foreign nationals in supervisory, technical or advisory positions for five (5) years from date of registration. The positions of president, general manager, and treasurer of foreign-owned registered enterprises or their equivalent shall, however, not be subject to the foregoing limitations.

2. Simplification of customs procedures for the importation of equipment, spare parts, raw materials, and supplies and exports of processed products by registered enterprises in the operation of their bonded warehouses.
3. Importation of consigned equipment for a period of ten (10) years from date of registration, subject to posting of re-export bond.
4. The privilege to operate a bonded manufacturing/trading warehouse subject to Customs rules and regulations.

Entrepreneurial Development Services

In view of the multitude of OFWs, and foreign exchange that they continue to contribute to the economy, the Board of Investments (BOI) believes that OFWs are excellent sources of investment into the Philippines, hence, the inclusion of overseas Filipinos among BOI's target investors.

To make its investment promotions effort for this sector effective and gain more impact, the BOI has integrated its overseas promotions program with the Overseas Workers Welfare Administration's (OWWA)

Reintegration Preparedness Program. Among the activities and services of the BOI for OFWs are:

1. Conduct of business/investment counseling seminar
2. Conduct of entrepreneurial training workshop

Depending on the preference or need of a particular job site, the BOI may conduct either a general investment briefing or a more advanced seminar workshop dealing with entrepreneurship and business/investment counseling.

3. Assistance in the preparation of project report/project feasibility for BOI registration
4. Participation in investment fairs or exhibitions overseas as venue for BOI to promote awareness among OFWs or Filipinos overseas
5. Assistance in joint venture partnership
6. Referrals to financing programs for additional capital
7. Provision of guidance in setting up the business
 - Registering the business (documentary and procedural requirements of the Securities and Exchange Commission for partnership and corporation, and of the Department of Trade and Industry for sole proprietorship)
 - Securing mayor's permit

An investor who would like to engage in businesses and avail of incentives can simultaneously file his/her application for registration with the SEC/ BTRCP and application for incentives with the Board of Investments. The addresses and contact information are as follows:

Board of Investments
Department of Trade and Industry
Industry and Investments Bldg.
385 Sen. Gil Puyat Ave., Makati City

Tel. Nos. (632) 890-9332 / 897-6682 / 895-3640

Fax Nos. (632) 895-3512 / 890-3172

Bureau of Trade Regulation and Consumer Protection

Department of Trade and Industry

Trade and Industry Bldg., 361 Gil Puyat Ave., Makati City

Tel. Nos. (632) 890-5148 / 890-4901 / 890-4905 loc. 416

Fax No. (632) 890-4812

Securities and Exchange Commission

SEC Bldg., EDSA cor. Ortigas Ave., Greenhills, Mandaluyong City

Tel. Nos. (632) 726-0931 / 726-0939

Fax Nos. (632) 727-6895 / 725-0543

RETAIL TRADE LIBERALIZATION ACT

Republic Act 8762, also known as the Retail Trade Liberalization Act of 2000, was enacted to promote consumer welfare by attracting, promoting, and welcoming productive investments of foreign nationals and Filipinos overseas to stimulate economic growth, and enable Philippine goods and services to become globally competitive through the liberalization of the retail trade sector.

The law defines retail trade as any act, occupation or calling of habitually selling merchandise, commodities, or goods directly to the general public for consumption.

Exempted Trade Activities

The law shall not apply to the following:

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

3. Sales in 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 that are limited only to products manufactured, processed or assembled by a manufacturer through a single outlet, irrespective of capitalization

Foreign Equity Participation

Foreign-owned partnerships, associations, and corporations formed and organized under the laws of the Philippines may, upon registration with the SEC and/or DTI, or in the case of single proprietorship with DTI, engage or invest in the retail trade business, subject to the following categories:

1. Category A – Enterprise with paid-up capital equivalent in Philippine pesos of less than US\$2.5 million is reserved exclusively for Filipino citizens and corporations owned by Filipino citizens.
2. Category B – Enterprise with a minimum paid-up capital equivalent in Philippine pesos of US\$2.5 million but less than US\$7.5 million may be wholly owned by foreigners except for the first two (2) years after the effectivity of this Act wherein foreign participation shall be limited to not more than sixty percent (60%) of total equity.
3. Category C – Enterprise with a paid up capital equivalent in Philippine pesos of US\$7.5 million or more may be wholly owned by foreigners, provided, however, that in no case shall the investments for establishing a store in Categories B and C be less than the equivalent in Philippine pesos of eight hundred thirty thousand US Dollars (US\$830,000).
4. Category D – Enterprise specializing in high-end or luxury products with paid up capital equivalent in Philippine pesos of two hundred fifty thousand US Dollars (US\$250,000) per store may be wholly owned by foreigners.

Rights of Former Filipino Citizens

Under Sec. 4 of the law, natural-born citizens of the Philippines who have lost their Philippine citizenship but who reside in the Philippines, are granted the same rights as Filipino citizens in the retail trade business.

For more information on retail trade liberalization, please contact:

The Legal Department

Board of Investments (BOI)

Industry and Investments Bldg.

385 Sen. Gil Puyat Ave., Makati City

Tel. Nos. (632) 897-6682 loc. 314 or 302 / 897-3084 / 896-7895

Fax No. (632) 895-3978

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 thereat 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
Bureau of Internal Revenue
National Internal Revenue Building
Agham Road, Diliman, Quezon City
Tel. Nos. (632) 929-7676 / 927-2511

Fax No. (632) 926-3420

Tax Information and Education Division

Bureau of Internal Revenue

National Internal Revenue Building

Agham Road, Diliman, Quezon City

Tel. No. (632) 926-3866

Fax No. (632) 924-3264

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:

Eligible Citizens	Requirements	Reduced Rates	
		<i>First Class</i>	<i>Economy Class</i>
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 spouse 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 parent 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 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.com

For more information on travel tax rates or travel tax exemptions 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 Address: revenue@philtourism.com / trvltax@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 travelling 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 TLRC and other training institutions for possible livelihood training.

For more information, please contact the following:

Philippine Convention and Visitors Corporation

Department of Tourism
4/F Legaspi Towers 300, Roxas Blvd., Manila
Tel. Nos. (632) 525-9318 to 27
Fax Nos. (632) 521-6165 / 525-3314
E-mail Address: pcvnet@info.com.ph

Legal Service Office

Department of Tourism
Legaspi Towers 300, Roxas Blvd., Manila
Tel. No. (632) 524-1742
Fax No. (632) 525-6269
E-mail Address: ercajgal@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	Provisions under RA 7042 as amended by RA 8179
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, 	<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,

Particulars	Provision under BP 185	Provisions under RA 7042 as amended by RA 8179
	the total area acquired should not exceed the maximum allowed	the total area acquired should not exceed the maximum allowed
Additional Land Acquisition	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.	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.
Limits to Acquisition of Land	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 urban land or one (1) hectare for rural land for use as residence.	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 or three (3) hectares for rural land for business purposes.
	An individual who has already acquired urban land shall be disqualified from acquiring rural land and vice versa.	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.
		A transferee of residential land

Particulars	Provision under BP 185	Provisions under RA 7042 as amended by RA 8179
		<p>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 services including the lease of land, but excluding the buying and selling thereof”.</p>
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 	<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

Particulars	Provision under BP 185	Provisions under RA 7042 as amended by RA 8179
	<p>Philippines</p> <ul style="list-style-type: none"> • date he/she lost his/her Philippine citizenship and the country of which he/she is presently a citizen 	<p>where the property is situated that the the subject land for transfer is an urban or rural area</p> <ul style="list-style-type: none"> • 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
<p>Violations and Penalties</p>	<p>Violations through:</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> - liability to prosecution under the applicable provisions of the Revised Penal Code and subject to deportation in appropriate cases 	

Particulars	Provision under BP 185	Provisions under RA 7042 as amended by RA 8179
	<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:

Land Registration Authority, Law Division
LRA Building, East Avenue cor. NIA Road
Diliman, Quezon City
Tel. Nos. (632) 920-1026/36
Telefax No. (632) 921-1368

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. Nos. (632) 527-3261 / 527-3277
Fax No. (632) 338-4538

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.

Also, the unmarried child, whether legitimate, illegitimate or adopted, below eighteen (18) years of age, of those who re-acquire Philippine citizenship by virtue of this Act, shall be deemed citizens 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 proper authority 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**

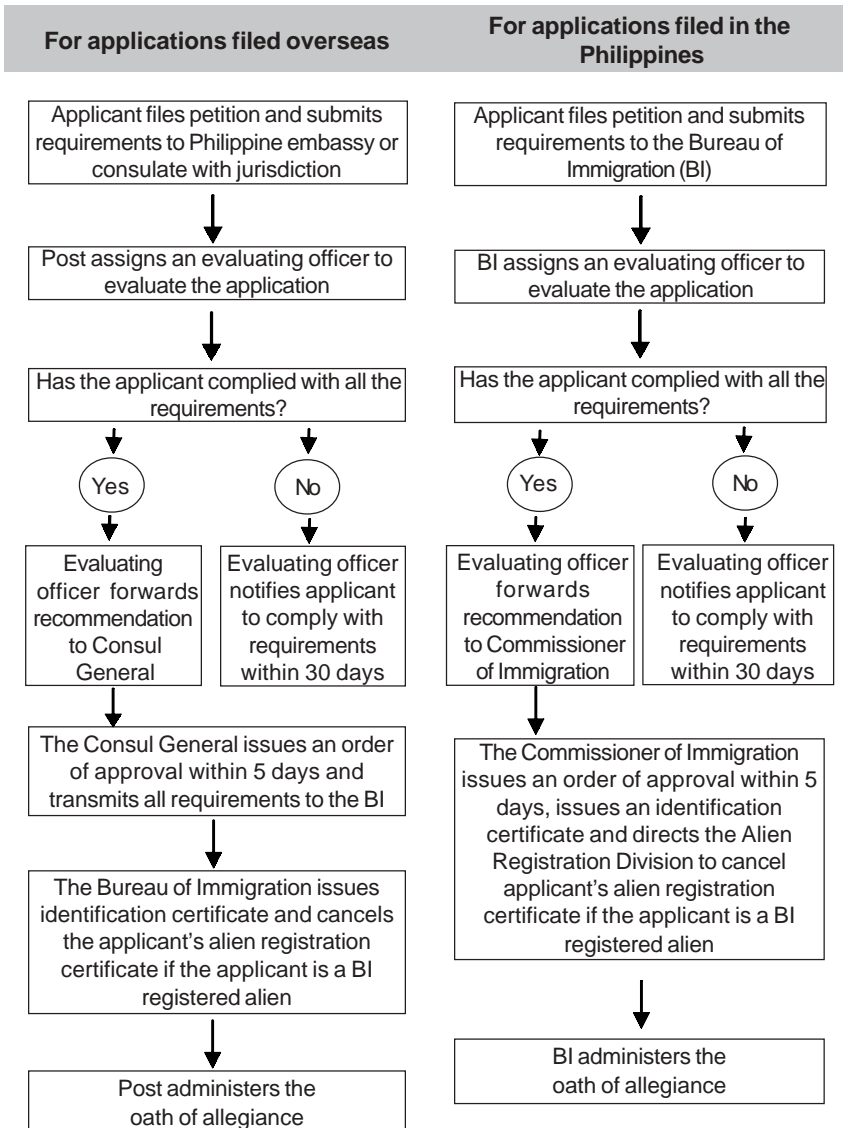
“I _____, solemnly swear (or affirm) that I will support and defend the Constitution of the Republic of the Philippines and obey the laws and legal orders promulgated by the duly constituted authorities of the Philippines; and I hereby declare that I recognize and accept the supreme authority of the 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:



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

Task Force on Citizenship Retention and Reacquisition
2/F Bureau of Immigration
Magallanes Drive, Intramuros, Manila
Tel. No. (632) 527-3277
Fax No. (632) 527-3279

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

1. Birth certificate (BC) on security paper (SECPA) issued by the National Statistics Office (NSO) or certified true copy (CTC) and photocopy of BC issued by the Local Civil Registrar duly authenticated by the NSO and other documents indicating full name, date and place of birth and citizenship of applicants (e.g. valid employment's ID, voter's affidavit, NBI clearance and driver's license).

In case of no birth record:

If born after 1950

- In case of birth certificates with delayed registration, submit authenticated BC and supporting documents indicating date, place of birth and citizenship.

If born in or before 1950

- Certificate of non-availability of birth record from the NSO
- Joint affidavit of birth signed and executed by two (2) disinterested persons

- Baptismal certificate or voter's affidavit or certified true copy of voter's affidavit from COMELEC or any public document indicating date and place of birth and citizenship
2. Three (3) copies of 4.5 cm x 3.5 cm new photo (colored with plain white background). Photo should show applicant in decent attire.
 3. Personal appearance except when the applicant is:
 - 8 years old and below;
 - 65 years old and above; or
 - mentally or physically incapacitated.
 4. Additional Requirements
 - 4.1. For married women who chose to adopt surname of husband
 - Marriage contract (MC) in security paper issued by the NSO or certified true copy issued by the Local Civil Registrar duly authenticated by NSO
 - For married women opting to use maiden name, submit MC and affidavit indicating that she has not use her married name
 - 4.2. For women who obtained an annulment or were divorced by foreign husband
 - Authenticated copy and photocopy of the first page and the dispositive portion of the judgment granting divorce or annulment
 - Certified true copy and photocopy of the first page and the dispositive portion of the judgment granting divorce or annulment, authenticated by the Philippine embassy/consulate under whose area of jurisdiction the divorce was obtained

- Annotated marriage contract (MC) in security paper (SECPA)

4.3. For spouses and other partners of foreign nationals

- Original and photocopy of Commission on Filipinos Overseas (CFO) guidance and counseling certificate of attendance

4.4. For minors (below 18 years old)

- Personal appearance of either parent
- Original and photocopy of DSWD clearance and affidavit of support and consent if minor is not travelling with either parent
- If both parents are abroad, said affidavit must be authenticated by the nearest Philippine embassy or consulate general.
- If both parents are abroad, person applying in behalf of the minor must submit a special power of attorney authenticated by the nearest Philippine embassy or consulate general.
- Passport and photocopy of the passport of person travelling with the minor

4.5. For adopted children

- Authenticated copy and photocopy of the dispositive portion of the court order on adoption
- Authenticated copy and photocopy of original and amended birth certificate
- DSWD travel clearance

4.6. For illegitimate children born after August 13, 1988

- Personal appearance and written consent of mother
- DSWD clearance if minor is travelling with father/other persons

4.7. For legitimated children due to subsequent marriage of parents

- Authenticated BC with annotation of the amended surname of the child and MC of parents

4.8. For Muslim applicants

For those whose births were registered, follow requirements for new applicants. For those whose births were not registered:

- Certified true copy of late registered birth certificate from the NSO
- Original and photocopy of voter's affidavit or NBI clearance or other supporting documents indicating date and place of birth and citizenship
- For muslim converts, submit certificate from the Office of Muslim Affairs and annotated BC in security paper (SECPA)
- Shari'ah court order

And such other documentary requirements as may be deemed necessary by the passport offices or consular posts abroad. Applicants with doubtful citizenship may be referred to the Citizenship Evaluation Committee (CEC) of the Passport Division of the DFA for interview and evaluation.

Requirements for Renewal of Passport

1. Personal appearance of the applicant shall not be required and the application may be filed by:
 - Any agency duly accredited with the DFA
 - A member of the immediate family of the applicant authorized in writing by the latter (applicant's spouse, brother/sister, parent/children, legal guardian/guardian having custody of the child)
2. Three (3) copies of 4.5 cm. x 3.5 cm. new photos (colored with plain white background). Photo should show applicants in decent attire.
3. If passport being renewed is brown or issued prior to 01 May 1995:
 - Old passport and photocopy of passport pages 1, 2 and 3 (amendment) and the pages showing latest Bureau of Immigration departure and arrival stamps (shall not be required if the applicant is applying in person)
 - Supporting documents with complete middle name
4. In case passport being renewed is green or issued after 01 May 1995:
 - Present old passport and photocopy of passport pages 1, 2 and 3 (amendment) and the pages showing latest Bureau of Immigration departure and arrival stamps (shall not be required if the applicant is applying in person)
5. For married women who chose to adopt surname of husband in new passport, marriage contract in security paper issued by the NSO or certified true copy and photocopy of MC issued by NSO.

6. For minors (below 18 years old)
 - Personal appearance of either parent
 - If minor is not travelling with either parent, submit an original and photocopy of DSWD clearance and affidavit of support and consent.
 - If both parents are abroad, such affidavit must be authenticated by the nearest Philippine embassy or consulate general.
 - If application is filed by person other than the minor's parents, submit a special power of attorney (SPA). If executed abroad, SPA must be authenticated by the nearest Philippine embassy or consulate general.
 - Passport and photocopy of the passport of person travelling with the minor

Requirements for Replacement of Lost Passport

1. If already expired, submit notarized affidavit of loss. No penalty fee shall be charged for replacement of lost expired passport.
2. If lost passport is still valid, submit police report and notarized affidavit of loss. There will be a 15-day clearing period prior to the processing of application for a new passport. Replacement of lost valid passport shall be charged with a penalty fee of P200.00.
3. Birth certificate (BC) in security paper and supporting documents
4. Three (3) copies of 4.5 cm x 3.5 cm new photos (colored with plain white background). Photos should show applicant in decent attire.
5. Personal appearance

A passport has to be re-issued if there are errors in scripting or discrepancy in personal data.

For more information, please contact:

Passport Division

Department of Foreign Affairs

DFA Building, 2330 Roxas Blvd., Pasay City 1300

Tel. No. (632) 834-3434

Fax No. (632) 832-1164

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.

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
3. Deed of voluntary commitment/ decree of abandonment/ death certificate of parents
4. Medical evaluation/history
5. Psychological evaluation by the social worker of the DSWD or accredited placement NGO
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

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
Fax No. (632) 727-2026

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.

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

Child Placement Center

Department of Social Welfare and Development

(National Capital Region)

389 San Rafael cor. Legarda Sts., Manila

Tel. No. (632) 734-8651

Fax Nos. (632) 734-8650 / 734-8640

TRAVEL CLEARANCE 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.

Objectives of the Travel Clearance

The travel clearance is intended to:

1. Protect the child from abuse and exploitation while abroad
2. Prevent child trafficking
3. Ensure that the traveling companion is duly authorized and able to look after the welfare of the minor

4. Ensure that the sponsor has the ability to support the minor's need while abroad

Who are covered by a Travel Clearance

Travel clearance is required only for minors/children traveling abroad who are in any of the following circumstances:

1. A minor who is traveling alone
2. A minor who is traveling with a person other than his/her parents or those exercising parental authority and custody of the child
3. A minor traveling for the purpose of adoption abroad (inter-country adoption)
4. A minor adopted in the Philippines
5. An illegitimate child traveling with his/her father
6. A minor traveling in group for sports competition, cultural presentation, pilgrimage or study tours

Parental Travel Permit

If the minor is traveling with either of his/her parents, a parental travel permit must be executed by the parent left behind. A parental travel permit is a duly notarized written permission given by anyone of the biological or adoptive parent, who will be left behind, or not in the company of the child, allowing the concerned minor to travel with the other spouse.

Who may File Applications

The application for travel clearance may be submitted/filed by any of the following persons:

1. A minor who is at least 13 years of age
2. The minor's parent/s or legal guardian
3. The minor's traveling companion
4. Authorized representative of the parent/legal guardian

Where to File Applications

The application for travel clearance is filed in any of the following:

1. Regional field office of the Department of Social Welfare and Development which has jurisdiction over the residence of the minor
2. DSWD sub-field office in the city or province which has jurisdiction over the residence of the minor and where the DSWD Senior Social Worker or Social Welfare Officer II is holding office

Application Procedures

The application form, with the requirements, will be submitted to the DSWD field office. Upon receipt of the application and the requirements, DSWD will undertake the following process:

1. Interview the applicant and/or parents/guardian
2. Gather collateral information
3. Conduct a home visit, if necessary
4. Assess and evaluate the application
5. Prepare recommendation/assessment for approval of the regional/field director or the authorized representative
6. DSWD field director or his/her authorized representative will issue the certificate of travel

Documentary Requirements

For minors unaccompanied by parent/s or person/s exercising parental authority:

1. Birth certificate of the minor on a security paper issued by the National Statistics Office
2. Marriage certificate of minor's parents, if appropriate
3. Notarized affidavit of consent from parents/guardians authorizing a particular person to accompany the child in his/her travel abroad
4. Notarized affidavit of support of sponsor indicating employment and salary, certified by the employer, if appropriate
5. Latest income tax return of sponsoring person and/or parents with official confirmation receipts
6. Two passport size pictures of minor
7. Photocopy of passport and visa of travelling companion

Additional Requirements

1. For minors traveling with one parent or persons exercising parental authority
 - Parental travel permission
 - Birth certificate of the minor on a security paper
 - Marriage contract of parents
 - Photocopy of passport and visa of accompanying parent
2. For immigrant minors
 - Visa petition approval
3. For minors going abroad for medical purpose
 - Medical certificate of child
4. For adopted minors
 - Certified copy of adoption decree
 - Clearance from the Office of the Solicitor-General if adoption has been promulgated less than 15 days before application for clearance to travel was made
5. For minors under guardianship
 - Certified copy of letter of guardianship/court order
 - Certification from the DSWD regional/field office that guardianship was processed according to law
6. For minors who are 13 years old and above traveling alone
 - Duly notarized affidavit stating that minors shall be fetched at the airport by the sponsor
 - Certification for unaccompanied minors from airlines
7. For minors studying abroad

- Acceptance from the school where child is to be enrolled
8. For minors attending conferences, study tours, etc.
 - Certification from sponsoring organization
 9. For subsequent travels, the following are required:
 - Certificate of travel previously issued
 - Notarized affidavit of consent from parents/guardians authorizing a particular person to accompany the child in his/her travel abroad
 - Photocopy of passport and visa of traveling companion

TRAVEL CLEARANCE FOR MINORS WHO ARE CHILDREN OF FILIPINO EMIGRANTS OR OVERSEAS FILIPINO WORKERS

By virtue of the Administrative Order No. 288 issued on 23 December 2002, the DSWD issued supplemental guidelines to reduce the requirements and to expedite the application of minors travelling abroad for purposes of reunion or maintenance of child-parent relationship as in the case of the children of Filipino emigrants or overseas Filipino workers.

Who are Covered under the Supplemental Guidelines

1. A Filipino minor who is residing abroad, as evidenced by the proof of residency abroad
2. A Filipino minor whose parents are in the foreign service or diplomatic corps
3. A Filipino minor whose parents are overseas Filipino workers or immigrants in a foreign country

Requirements under the Supplemental Guidelines

A minor covered by this guideline is exempted from submitting to the DSWD field office concerned all the required documents indicated in Administrative Order No. 149, Series of 2001. Instead, the applicant or

his/her representative shall present any of the following documentary evidence:

1. Pertinent entries in the passport on previous records of arrival/ departure of minor
2. Sworn affidavit of parent/s on the circumstances of the minor's travel
3. Visa petition approval of the minor
4. Other documents:
 - a. For minors studying abroad, study visa
 - b. For minors whose parent is in the foreign service, a certification from the Department of Foreign Affairs attesting to the parent's employment
 - c. For minor whose parents are overseas Filipino workers, a certification from the employer attesting to the parent's employment

One-Hour Application

The duly approved travel clearance shall be issued to the aforesaid applicant within one (1) hour of the same day of application, provided the supporting papers are in order.

Validity of the Travel Clearance

The travel clearance issued by the Department of Social Welfare and Development to the aforesaid minor shall be usable for multiple travel abroad within a period of one (1) year.

OVERSEAS ABSENTEE VOTING ACT OF 2003

Republic Act No. 9189 or "The Overseas Absentee Voting Act of 2003" allows qualified Filipinos abroad to exercise their right to participate in the election of President, Vice-President, Senators and Party-List Representatives.

Who Are Qualified to Vote

All citizens of the Philippines, who are not otherwise disqualified by law, at least eighteen (18) years of age on the day of the elections, and a registered overseas absentee voter with an approved application to vote *in absentia*, may vote under the overseas absentee voting law.

Who are Disqualified from Registering as Overseas Absentee Voters

The following individuals are disqualified from registering as overseas absentee voters:

1. Those who have lost their Filipino citizenship in accordance with Philippine laws
2. Those who have expressly renounced their Philippine citizenship
3. Those who are convicted by final judgment of an offense punishable by imprisonment of not less than one (1) year
4. Those who have been found guilty by final judgment of disloyalty as defined under Article 137 of the Revised Penal Code
5. A permanent resident who is recognized as such in the host country, unless he/she executes an affidavit declaring that:
 - a. He/She shall resume actual physical permanent residence in the Philippines not later than three (3) years from approval of his/her registration; and
 - b. He/She has not applied for citizenship in another country.
6. Any citizen of the Philippines abroad previously declared insane or incompetent by a competent authority in the Philippines or abroad, as verified by the Philippine embassy, consulate, or foreign service establishment concerned

Where to File the Application for Registration/Certification*

If the applicant is abroad during the period for the filing of application:

*As used in its Rules, registration as an overseas absentee voter applies if the absentee voter is not yet a registered voter under Republic Act No. 8189, otherwise known as "The Voters Registration Act of 1996" (the system of continuing registration); or certification as overseas absentee voter if he is already registered under the said Act.

1. Application for registration/certification may be filed 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 he/she temporarily resides;
2. In case of qualified seafarers, with the representative of the COMELEC at the Philippine embassy, consulate and other foreign service establishment having consular jurisdiction over the locality where his/her vessel is docked.

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:

1. An application may be filed with the Election Registration Board of the city/municipality/district where he/she is domiciled prior to his/her departure from the Philippines; or
2. With the Committee on Overseas Absentee Voting of the Commission on Elections, in case of qualified seafarers.

Procedure for Filing of Application for Registration/Certification

An applicant for registration/certification shall personally file his/her application for registration/certification and present the following documents: valid Philippine passport, accomplished application form with attached photocopy of his/her passport, and for seafarers, the photocopy of his Seaman's Book or any other document that will prove that he/she is a seafarer.

Requirements in Case of a Lost Passport

In case of loss of or the applicant's temporary inability to produce a valid passport, the applicant may instead, submit the following:

1. A duly notarized and authenticated affidavit sufficiently describing the lost or unavailable passport, and stating the circumstances of the loss or temporary inability to produce the passport
2. Photocopy of the relevant pages of the previous passport, if available

If an applicant cannot present a valid passport for reasons other than its loss or temporary unavailability, the applicant shall present substitute documents such as:

1. Expired passport
2. Duly authenticated birth certificate from the NSO
3. Documents that may sufficiently establish citizenship, identity and immigration status in the host country (residency card/employment permit, local identification card issued by the host country)

Application to Vote In Absentia

A registered overseas absentee voter must have an approved application to vote *in absentia* to be entitled to vote for President, Vice-President, Senators and Party-List Representatives. All qualified citizens of the Philippines abroad whose applications for registration or applications for certification as overseas absentee voters have been approved may file an application to vote *in absentia*.

Filing an Application to Vote in Absentia

An applicant to vote *in absentia* shall:

1. File his/her application to vote *in absentia* personally or by mail;
2. Accomplish the prescribed application form to vote *in absentia* in three (3) copies; and
3. Submit the accomplished application form with four (4) copies of his/her 1" x 1" photograph and (3) copies of his/her certificate of registration/certification.

Casting and Submission of Ballots

Land-based overseas absentee voters whose application to vote *in absentia* has been approved shall cast their ballots personally at any time within thirty (30) days before the day of the election. Seafarers whose

application to vote *in absentia* has been approved shall cast their votes at anytime within sixty (60) days before the day of election.

Qualified overseas absentee voters shall cast their votes only in the designated voting area within the premises of the Philippine embassy, consulate and other foreign service establishment that has jurisdiction over the country where they temporarily reside, or at any polling place designated and accredited by COMELEC.

Voting by Mail

The COMELEC shall authorize voting by mail in not more than three (3) countries and may be allowed only in countries that satisfy the following conditions:

1. Where the mailing system is fairly well-developed and secure to prevent occasion for fraud
2. Where there exists a technically established identification system that would preclude multiple or proxy voting

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) 527-5576
Telefax No. (632) 523-9924

Overseas Absentee Voting Secretariat
Department of Foreign Affairs
2/F DFA, Roxas Blvd., Manila
Tel. Nos. (632) 834-4261 / 833-0914 / 833-0686 / 832-8363
Telefax No. (632) 834-3275
E-mail Address: secretariat@oavs.dfa.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 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 Inter-Agency Council Against Trafficking may be reached through:

Office of the Secretary
Department of Justice
Padre Faura Street
Ermita, Manila
Tel. No. (632) 527-5576
Telefax No. (632) 523-9924

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.

Procedures in the Importation of Plants and Plant Products

1. Any person intending to import any of the following materials shall submit an application for permit to import (BPI Q Form No. 1) to the Director of Plant Industry of the Plant Quarantine Service:
 - a. Living plants
 - b. Nursery stocks
 - c. Seeds and nuts for planting
 - d. Fresh fruits, vegetables and other plant products which have been declared prohibited under special quarantine orders. Soft, fleshy fruits and vegetables from all countries where dangerous species of fruitflies are known to exist are

- prohibited, except if required commodity treatment can be made under specific bilateral agreement.
- e. Soil and plant material for isolation of organism
 - f. Other plant cultures
2. Upon approval of the permit and payment of regulatory fee, the permit to import (BPI Q Form No. 2) shall be issued in quadruplicate and the original shall be given to the permittee for presentation to the Plant Quarantine officer at the port of entry.
 3. The permittee shall submit to the Plant Quarantine Service at the port of entry the following documents:
 - a. Duly accomplished application for inspection (BPI Q Form No. 4) of plants, plant products or other related materials
 - b. Original copy of permit to import
 - c. Bill of lading
 - d. Original copy of phytosanitary certificate issued by the Plant Quarantine Service of the exporting country
 - e. Other documents that may be required by the Plant Quarantine Service
 4. After verification of the required documents, inspection shall be conducted by random sampling. All plants, plant products, and other materials found to be substantially free from plant pests and verified to be the same materials applied for shall be released to the importer or his authorized representatives, upon payment of the prescribed plant quarantine fees and charges.

Importations Not Requiring a Permit to Import

The following imports may be allowed to enter the country without securing a permit to import. However, they are subject to inspection and payment of regulatory fees/charges.

1. Plant products not governed by any plant quarantine restriction such as 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, sand and other prohibited materials.
3. Fresh flowers, bouquets and other floral arrangements when free from soil, sand and other prohibited materials.

Procedures in the Exportation of Plants and Plant Products

Exporters of plants, plant products and other materials for export shall submit a duly accomplished application for inspection (BPI Q Form No. 10) to any Plant Quarantine Service office or port of loading, together with a certified true copy of the official export declaration issued by the authorized agent bank and permit to import whenever required by the importing country.

Application should be filed at least 48 hours prior to the time of loading. However, if inspection will be conducted at the exporter's premise and treatment will be required, application must be filed 3 days to 1 week in advance.

The issuance of phytosanitary certificate will be denied for exports to countries in which the commodity is absolutely prohibited by their plant quarantine regulations.

Phytosanitary certificate is issued only after payment of regulatory fees and charges and all the necessary requirements are fully complied with.

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

Plant Quarantine Service
Bureau of Plant Industry Central Office
692 San Andres, Malate, Manila
Tel. Nos. (632) 523-9132 / 525-7909
Fax No. (632) 524-2812

ANIMAL QUARANTINE

Procedures in the Exportation of Animals

1. Present a valid vaccination certificate against rabies for dogs and cats; a Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) permit from the Protected Areas and Wildlife Bureau for exotic animals; or an authority to import gamefowls and livestock from the importing country, for gamefowls. Present the required certification at the Animal Health Division (AHD) of the Bureau of Animal Industry (BAI).
2. Bring the animal to AHD office for inspection.
3. Secure a veterinary health certificate from BAI.

For Animal Products and By-Products

1. Present the products to the AHD office for inspection.
2. Secure an export commodity clearance.

For Accessories of Animal Origin

1. Present the products to the AHD office for proper fumigation and inspection.
2. Secure an export commodity clearance.

Guidelines for the Importation of Animals and Animal Products

Dogs and Cats

1. Apply for an import permit at the AHD. The animal must be four (4) months of age or above.
2. Secure the import permit.
3. If the number of animals to be imported exceeds five (5), the animals have to be inspected at the quarantine site.
4. The permit is good for two (2) months. Extension for another month may be requested before the permit's expiry date, if the animals have not arrived yet.

5. A valid certification aside from the health certificate from the country of origin should be presented upon arrival. For countries declared to be rabies free, rabies vaccination is waived.

Exotic Animals

1. Arrange a schedule with the AHD for an inspection of the quarantine site (especially, if importing snakes and other large exotic animals).
2. Secure an import permit from AHD office.
3. A CITES certification coming from the country of origin should accompany the shipment.
4. The permit is good for two (2) months. Extension for another month may be requested before the permit's expiry date, if the animals have not arrived yet.

Gamefowls

1. Apply at the Livestock Development Division (LDD) for the necessary documents.
2. LDD shall endorse the application to the AHD.
3. Secure an import permit from the AHD.
4. Refer to LDD for endorsement to the Central Bank.
5. Have the permit signed by the Director.
6. Importation is limited to four (4) cocks and eight (8) hens with sixty (60) hatching eggs.

Meat and Meat Products

1. Secure a veterinary quarantine clearance to import meat and meat products from the National Meat Inspection Commission (NMIC).
2. After accomplishing the above, secure the initials from the AHD.
3. Have the permit signed by the Director.

For the importation and exportation of other animals, animal products and by-products you may contact:

Animal Health Division
Bureau of Animal Industry
Visayas Avenue, Diliman, Quezon City
Tel. Nos. (632) 928-1778 / 928-2743
Telefax No. (632) 928-1778

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 Citizens

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. The marriage is recognized under existing Philippine laws
2. There is no record of any derogatory information against him/her in any local or foreign law enforcement agency

3. He/She is not afflicted with any dangerous, contagious, or loathsome disease
4. He/She has sufficient financial capacity to support a family and will not become a public charge
5. He/She was allowed lawful entry into the Philippines by immigration authorities
6. He/She has not been institutionalized for any mental disability

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.

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

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).

Qualifications for Application

To be qualified for a student visa, an applicant must:

1. Be at least eighteen (18) years old at the time of enrollment
2. Have the means sufficient for his support and education
3. Be seeking temporary stay in the Philippines solely for the purpose of taking up a course higher than high school
4. Have no derogatory information existing against him
5. Have not been afflicted with any contagious, dangerous diseases
6. Have not been suffering from any mental alienation

7. Have been accepted by a university, seminary, college, academy, or school that have been duly accredited to accept foreign students by the Bureau of Immigration

Procedures in Applying for a Student Visa

1. The student desk shall subject the applicant to derogatory check
2. The student must submit all the documentary requirements enumerated in the checklist to the student desk of the BI thru the designated school's liaison officer who will hand carry them under a letter cover typewritten on the school official stationery signed by the school's registrar and stamped with the school's official dry seal
3. He must pay the filing fee of P2,010 and express lane fee of P500 at the cash section after securing order of payment slips (OPS) from the BI student desk
4. The BI student desk shall receive, evaluate, and draft an appropriate order for action by the Commissioner
5. In case of approval, the BI student desk shall stamp the visa on the student's passport after payment of all required fees at the cash section
6. Thereafter, the student must apply for registration at the Alien Registration Division to be issued the alien certificate of registration (ACR) and certificate of residence for temporary student (CRTS)

Exemption from Securing Student Visa

The principals, spouses and unmarried dependent children below 21 years old (who are also holders of a valid visa as a dependent of the principal) of the following categories of aliens shall not be required to secure student visa and special study permit:

1. A permanent foreign student
2. Aliens with valid working permits under Section 9(d), 9(g) and 47(a)(2) of the Philippine Immigration Act of 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
5. Holders of special investor's resident visa (SIRV) and special resident retiree's visa (SRRVisa)
6. Foreign students coming in the Philippines with 47(a)(2) visas issued pursuant to existing laws, e.g. P.D. 202

Duration of Visa and Application for Extension

A student visa shall be valid for an initial period of one (1) year from date of issuance, in case the same is secured from a Philippine Foreign Service Post, and, from the date of approval, in case of conversion by the BI. Renewal may be made by the BI student desk every semester and, for cause, may be approved for one year, upon proper application.

CHILDREN UNDER 15 TRAVELING ALONE

Under Section 29(12) of the Philippine Immigration Act, children under 15 years old traveling unaccompanied or not coming home to a parent may not be allowed to enter the country, unless admitted by the Commissioner of Immigration through a waiver of exclusion ground.

Requirements for Application of Waiver of Exclusion Ground

Based on the Bureau of Immigration's Office Memorandum Order No. LIV-95-031 dated 19 July 1995, the following documents are required for the application of the waiver of exclusion ground (WEG):

1. Notarized affidavit of consent from either or both parents for the minor to travel unaccompanied to the Philippines
2. Notarized affidavit of support executed by the child's relative with whom the child will reside in the Philippines
3. Photocopy of the data page of the minor's passport
4. Authenticated birth certificate of the child
5. Payment of the required fees at the Bureau of Immigration before the minor's arrival or immediately upon arrival at the port of entry

Applications for WEG should be filed with the Commissioner at least five (5) days before the arrival of the minor.

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. Nos. (632) 527-3261 / 527-3277
Fax No. (632) 338-4538

PRE-ARRANGED EMPLOYMENT VISA

Under Section 9(g) of the Philippine Immigration Act, aliens including former Filipino nationals overseas, may be admitted as non-immigrants if they are entering the Philippines to engage in any lawful occupation, whether for wages or for salary or for other forms of compensation where bonafide employer-employee relations exist.

Qualified for this type of visa are professors/teachers of educational institutions, doctors and nurses, scientists, professionals and other workers for banking, commercial, industrial, agricultural, and other business enterprises.

The pre-arranged employment visa is issued only upon authorization by the Bureau of Immigration. The authorization, which is in the form of an order by the Board of Commissioners to grant such visa to the applicant, includes a certification that no person can be found in the Philippines willing and competent to perform the labor or service for which the non-immigrant's admission will be beneficial to public interest.

As a general rule, pre-arranged employment visas are issued at the Philippine embassy or consulate in the applicant's country of origin or place of residence. However, under present laws and regulations, alien applicants for a pre-arranged employment visa need not depart temporarily to a foreign country to obtain their visas.

The Bureau of Immigration also allows for a change of admission category from one class of non-immigrant to pre-arranged employment, if negotiations for the alien employment have commenced and a petition for the issuance of a pre-arranged employment visa has been filed with the Commissioner of Immigration prior to the entry of the alien concerned to the Philippines.

While the application for non-immigrant status is on-going, the applicant may also be authorized to assume his/her duties and responsibilities if he/she secures a provisional permit to work or a special work permit from the Bureau of Immigration. However, the permit is not a valid substitute for an alien employment permit issued by the Department of Labor and Employment (DOLE).

Pre-arranged employment visas are granted for a period co-terminus with the alien employment permit from the DOLE.

Alien Employment Permit

Under DOLE Order No. 12 series of 2001, entitled "Omnibus Guidelines for the Issuance of Employment Permits to Foreign Nationals,"

unless the employment contract, consultancy service or term of office provides for a longer period, the validity of the employment permit shall be for a period of one (1) year.

In case of assignment in the company's subsidiaries, branch offices and those assigned in the headquarters with oversight function in any of the branch offices, operation or projects in the country, one (1) employment permit shall be required and valid for all the said assignments irrespective of their place/s.

Coverage

The following categories of foreign nationals are required to secure an alien employment permit (AEP) from the Department of Labor and Employment:

1. All foreign nationals seeking admission to the Philippines for the purpose of employment
2. Foreign professionals who are allowed to practice their profession in the Philippines under reciprocity and other international agreements and in consultancy services pursuant to Section 7(j) of the PRC Modernization Act of 2000
3. Holders of special investors resident visa (SIRV), special resident retiree's visa (SRRVisa), treaty traders visa (9d) or special non-immigrant visa [47(a)2], who occupy any executive, advisory, or technical position in any establishments
4. Missionaries or religious workers who intend to engage in gainful employment
5. Non-Indo Chinese refugees who are asylum seekers and given refugee status by the United Nations High Commissioner on Refugee (UNCHR) or the Department of Justice under DOJ Department Order No. 94, series of 1998

Exemption

The following categories of aliens are exempt from securing employment permit in order to work in the Philippines:

1. All members of the diplomatic services and foreign government officials accredited with the Philippine government
2. Members of international organizations and their legitimate spouses with which the Philippine government is a cooperating member, e.g. Asian Development Bank (ADB), International Rice Research Institute (IRRI), and specialized agencies of the United Nations
3. Foreign nationals elected as members of the Governing Board who do not occupy any other position, but have only voting rights in the corporation
4. Missionaries who are engaged in missionary work only
5. All aliens granted exemption by special laws and all other laws that may be promulgated by Congress and whose employment in the Philippines have been determined by the Secretary of Labor and Employment on a case-to-case basis to be beneficial to national interest
6. 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 solely for the purpose of interviewing Filipino applicants for employment abroad
7. Foreign nationals who come to the Philippines to teach, present and/or conduct research studies in universities or colleges as visiting, exchange or adjunct professors under formal agreements 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

8. Resident foreign nationals employed or seeking employment in the Philippines

Where to Apply

An application for AEP can be filed in any of the following offices:

1. Foreign nationals seeking admission to the Philippines shall apply for employment permit with the nearest Philippine embassy or consulate
2. Local employers intending to hire the services of a foreign national shall apply for an employment permit on behalf of said foreign national with the nearest regional office of the Department of Labor and Employment
3. Foreign nationals already in the Philippines shall apply through their prospective employers with the nearest regional office of the Department of Labor and Employment

Documentary Requirements

The following are the procedures and documentary requirements for obtaining an alien employment permit:

1. The employer on behalf of the applicant applies for an AEP at the DOLE, and submits the following documents, among others:
 - a. Curriculum vitae of alien
 - b. Contract of employment
 - c. SEC registration, articles of incorporation and by-laws of the employer
 - d. Photocopy of passport
2. The AEP will be issued based on the following:

- a. Compliance of the applicant and his/her employer with all documentary requirements
- b. Report of the DOLE regional director on the non-availability of any person in the Philippines who is competent, able, and willing to do the job for which the services of the applicant are desired
- c. Assessment of the DOLE regional director on whether or not the employment of the applicant will redound to national interest
- d. Recommendation of the Board of Investments or other appropriate government offices if the applicant will be employed in preferred areas of investments or in accordance with the imperatives of economic development
- e. Payment of appropriate fees

Requirements for Pre-arranged Employment Visa

The following are the procedures and requirements for acquiring pre-arranged employment visa:

1. The employer files a petition for authorization for issuance of a pre-arranged employment visa at the Bureau of Immigration by submitting the following documents:
 - a. Alien employment permit
 - b. Contract of agreement between the employer and the applicant
 - c. Petition containing the nature of labor or service to be rendered by the applicant, estimated length of time of engagement, wages and other compensation to be received, reasons why a Filipino citizen cannot be engaged to perform the labor or service, and reasons why admission of alien would be beneficial to public interest

The Board of Commissioners shall also require the following documentary proofs from the applicant:

- Qualifications of the applicant
- In proper cases, a provisional permit to work or a special work permit issued by the Bureau of Immigration

- In certain cases, the absence of derogatory information against the applicant from any local or international law enforcement agency
 - Financial capacity of the petitioning company to support and maintain the applicant during his/her employment in the Philippines
 - A written undertaking that the applicant shall not participate in any partisan political activity for the duration of his/her stay in the Philippines
 - A written undertaking that the applicant shall use the pre-arranged employment visa exclusively
 - Certified copies of the corporate registration papers at the Securities and Exchange Commission
 - Proof of payment of the income taxes of the alien and his/her employer
2. The Board of Special Inquiry (BSI) of the Bureau of Immigration conducts the preliminary screening and submits its recommendation to the Board of Commissioners. The applicant shall be asked to appear before the BSI during the screening process.
 3. The Board of Commissioners of the Bureau of Immigration renders its decision on the request.
 4. The BI issues an authorization for the issuance of pre-employment visa to the Department of Foreign Affairs for the alien applicant, if applicable.

Additional Requirements for Specific Professions

Aside from the requirements under this provision, the following types of professions or businesses require prior authorization from appropriate agencies before the alien can begin his/her employment:

1. Professions requiring authority from the Department of Justice
 - Technicians in nationalized activities, logging concessions, and plywood and woodworking plants

2. Professions requiring clearance from the Bureau of Mines
 - Technical consultants in mining firms
 - Technical personnel in drilling activities of a mining project of a local mining company
3. Professions requiring clearance from the Philippine Insurance Commission
 - Foreign insurance consultants

Pre-Arranged Employment Visas for Dependents

Dependents, which include the spouse and unmarried children under 21 years old, may join the alien or Filipino national during the period of work in the Philippines. Application for pre-arranged employment visa for dependents should be filed within six (6) months from the date of the alien's admission to the country as a non-immigrant.

For more information on pre-arranged employment visa processing, please contact:

Board of Special Inquiry
Rm. 419, Bureau of Immigration
Magallanes Drive, Intramuros, Manila
Telefax No. (632) 527-3276

For more information on the filing of the alien employment permit, please contact:

Employment Standards and Regulations Division
Bureau of Local Employment
2/F, VELCO Building, Roberto Oca St., Port Area
Manila
Tel. Nos. (632) 528-0083 / 528-0084
Fax No. (632) 527-2421

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.

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.

For more information on SIRV processing, please contact:

One-Stop SIRV Center
2/F, Board of Investments
385 Sen. Gil J. Puyat Ave., Makati City
Tel. No. (632) 897-6682 local 234
Fax No. (632) 896-8236

PROGRAMS AND SERVICES OF GOVERNMENT AGENCIES FOR OVERSEAS FILIPINOS

POST-ARRIVAL ORIENTATION SERVICES

The Commission on Filipinos 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 also 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
3. Exposure to Filipino traditions, arts and crafts
4. 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 \$800) 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. Nos. (632) 561-8321 loc. 605 / 561-8327
Fax No. (632) 561-8332
E-mail Address: cfodfa@info.com.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.

Inter-Agency Committee 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 37 Philippine schools overseas of which 28 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 Address: cfodfa@info.com.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

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

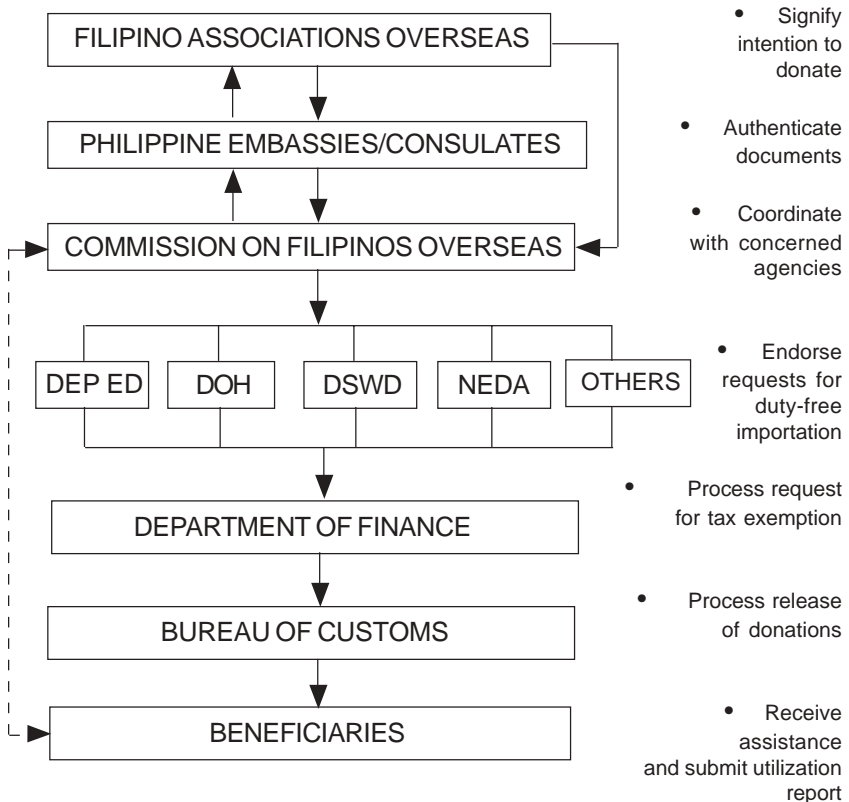
This program area seeks to facilitate the transfer of skills and knowledge to government agencies, local academe and communities through the volunteer services of overseas Filipino experts in science and technology, education, agriculture, and other fields crucial to development. Interested parties can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

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



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 the Department of Education in accordance with existing laws and regulations
- Educational, scientific, and cultural institutions or societies, and similar organizations duly approved by competent authorities such as the Department of Education 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 No. (632) 631-3734

The letter to DOF is addressed to:

The Secretary
Department of Finance
Attention: Revenue Operations Group
DOF Bldg., Roxas Blvd., Manila
Telefax No. (632) 526-2281

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 10% of the landed cost of the shipment.

For more information, please contact:

Commission on Filipinos Overseas
Citigold Center, 1345 Quirino Ave. cor. South Superhighway, Manila
Tel. Nos. (632) 561-8321 locals 605-608 / 561-8327
Fax No. (632) 561-8332

NO DOLLAR IMPORTATION OF USED MOTOR VEHICLE

Executive Order No. 248 on the Motor Vehicle Development Program (MVDP) dated 24 July Series of 1987, provides a program aimed at establishing a viable motor vehicle industry by providing a business environment that will encourage its growth. For this purpose, it is the policy of government not to deprive returning residents and other qualified individuals to import second-hand motor vehicles into the country for personal use under certain conditions.

Qualification of Importers

The following individuals who arrived in the Philippines within two years from date of arrival and within the effectivity of the guidelines are qualified to import motor vehicles under this scheme:

1. Returning residents who have resided abroad for at least one year. The residency requirement shall be accumulated within the three (3) year period of his stay abroad up to the date of filing of the application.
2. Immigrants holding 13g or 13a visa

Allowable Motor Vehicles

Only the following motor vehicles shall be authorized for importation:

1. Left-hand drive (LHD) passenger cars with certificate of emission compliance (CEC) from the country of origin duly authenticated by the Philippine embassy or consulate abroad
2. LHD recreational, utility and commercial vehicles such as vans, pick-ups, jeeps, coasters and other vehicles of similar body configurations, provided that the gross vehicle weight shall not exceed 3,000 kilograms
3. Motorcycles and scooters

Motor vehicles should have been registered under the name of the qualified individuals in the country of residence for at least six (6) months before the submission of the application.

Importation Procedures and Documentary Requirements

1. Prior authority to import from the DTI-Bureau of Import Services (BIS) is required before shipment of the motor vehicle, in order to prevent inconvenience of applicants in the importation of the same. A duly notarized application to import should be submitted or mailed to the DTI-BIS with the following documents:
 - Duly notarized affidavit of undertaking
 - Complete pages of old and new passport with valid 13g or 13a, as the case may be
 - Certificate of vehicle registration or certificate of title. In case the registration/certificate is in a language other than English, an English translation shall also be submitted
 - 2 x 2 ID picture with signature
 - Payment of the corresponding processing fee

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

2. The authority issued for this purpose shall be valid for a period of 180 days from date of issue.
3. Before or upon arrival of the motor vehicle, clearance for the release thereof shall be issued by the DTI-BIS only upon presentation of the following original documents and subsequent personal appearance at the DTI-BIS office:
 - Passport
 - Certificate of vehicle registration and/or certificate of title
 - Valid DTI-BIS authority to import
 - Alien certificate of registration (ACR) and immigrant certificate of residence (ICR), as the case may be
 - Shipping documents (e.g. bill of lading entry form with examiner's findings, etc.)
 - Official receipt of taxes and duties paid thereof

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.

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 these 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 Action Division

Bureau of Import Services

3rd Floor I Oppen Building

349 Sen. Gil J. Puyat Avenue

Makati City 1200, Philippines

Tel. Nos. (632) 890-5418 / 890-5333 locals 335/336

Fax No. (632) 895-7466

E-mail Address : iad_bis@yahoo.com or bis@dti.gov.ph

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 are

exempt from duties and taxes, subject, however, to the following conditions:

- a. The arrival of the said articles shall not exceed sixty (60) days after the owner's return to the Philippines
- b. The said articles are not in commercial quantities nor intended for barter, sale or hire
- c. The total dutiable value of said articles shall not exceed ten thousand pesos (P10,000)
- d. Fifty percent (50%) ad valorem duty across the board shall be levied and collected on said articles in excess of ten thousand pesos (P10,000)
- e. The said articles had been used by them for six (6) months while staying abroad

Personal and household effects including jewelry, precious stones and other articles of luxury which were formally declared and listed before departure and identified under oath before the collector of Customs when exported from the Philippines by such returning residents upon their departure therefrom or during their stay abroad.

- 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. The quantity is limited to one of each kind
 - b. The privilege has not been enjoyed previously during the calendar year which fact must be declared under oath by the owner
 - c. The owner's passport is presented at the port/airport of entry
 - d. Any amount in excess of P10,000 will be subject to taxes and duties

- 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.

Further inquiries should be addressed to:

Mabuhay Lane

Department of Finance

Executive Tower Building

BSP Complex, Roxas Boulevard, Manila

Tel. No. (632) 526-8470

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

Type of Participant	Particulars	Duration
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
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	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)	7 years

Type of Participant	Particulars	Duration
	<p>Non-Clinical Programs -- Foreign medical graduates seeking to observe, consult, teach or research in university or academic institutions</p>	7 years
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
Camp Counselors	Youth workers, students, teachers, at least 18 years old, seeking to serve at US	4 months maximum

Type of Participant	Particulars	Duration
	summer camps to engage in teaching, observing, and instructional activities	
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 Office
Commission on Filipinos Overseas
Citigold Center, 1345 Quirino Ave. cor. South Superhighway
Manila, Philippines
Tel. Nos. (632) 561-8321 locals 605-608 / 561-8327
Fax No. (632) 561-8332
E-mail Address: cfodfa@info.com.ph
Website: www.cfo.gov.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.

Balik Scientist

A *Balik Scientist* is a science or 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.

Types of Participants

The following are the types and qualifications of participants under the *Balik Scientist* program:

Type of Participant	Duration	Qualification/s
Short-Term Experts	at least (1) one month	<ol style="list-style-type: none">1. Must be in good health, physically and mentally.2. Must have a graduate degree and must have practiced his/her profession for not less than five (5) years after obtaining an MS or PhD degree, preferably in the private sector, a reputable R & D institution and/or in the academe.3. Must have made an outstanding contribution in his/her field of specialization.4. Must not be a recipient of any grant (scholarship or fellowship and other similar programs) that requires him/her to come back to the country. However, applicants from the USA who hold exchange visitor's visa (J-1) shall be allowed to participate in the program provided that their training in the USA was self-solicited and that they have no outstanding financial or service obligation with any public or private institution in the Philippines.
Long-Term Experts	at least two (2) years	*same as short-term experts

Type of Participant	Duration	Qualification/s
<p>New Graduates of Doctoral Degrees</p>	<p>not less than three (3) years</p>	<ol style="list-style-type: none"> 1. Must be in good health, physically and mentally. 2. Holder of PhD degree, no experience required. 3. Field of study must be consistent with the S & T priorities promulgated by DOST. 4. Must not be a recipient of any grant (scholarship or fellowship and other similar programs) that requires him/her to come back to the Philippines. However, applicants from the USA who hold exchange visitor's visa (J-1) shall be allowed to participate in the program provided that their training in the USA was self-solicited and that they have no outstanding financial or service obligation with any public or private institution in the Philippines.

Incentives

The following incentives shall be given to the awardees of the program:

1. Short-Term Experts
 - Reimbursement of the peso equivalent of the cost of round trip economy airfare originating from foreign country to the Philippines. Computation shall be based on the currency rate prevailing on the date when the airline ticket was purchased.

- Daily subsistence allowance (DSA) to be paid in Philippine currency based on the prevailing rates of consultant's fee of the United Nations Development Program (UNDP)
- Exemption from payment of the travel tax for grantee
- Health insurance coverage
- Accident insurance coverage
- Lodging subsidy
- Transportation allowance
- Availment of the privilege granted under Section 105(g) of the Tariff and Customs Code of the Philippines (TCCP) which provides for the conditionally free importation of wearing apparel, articles of personal adornment, toilet articles, portable tools and instruments, theatrical costumes and similar effects which are necessary and appropriate for the wear and use of such persons but not for barter, sale or hire
- Financial support for research and development projects approved by the DOST Secretary

2. Long-Term Experts and New Graduates

- For a grantee whose contract of award has been signed by the DOST Secretary and duly notarized, roundtrip economy air ticket shall be provided to the grantee; and whenever applicable, his/her spouse and two direct minor dependents
- Exemption from payment of travel tax for grantee, spouse and two direct minor dependents below 18 years of age
- Reimbursement of expenses for the surface shipment of a car and personal effects

- Assistance in securing a certificate of registration and professional license or a temporary/special permit from the Professional Regulatory Board and the Professional Regulation Commission to practice profession, expertise or skill in the Philippines
- Payment of the salary of a long-term expert/new graduate shall be the responsibility of the requesting institution. In the case of a DOST institution wishing to avail of the expertise of *balik* scientists but is unable to do so due to unavailability of an appropriate position, said DOST agency, in consultation with the *balik* scientist, may propose a project within the priorities of DOST where the salary of the *balik* scientist could be charged. The *balik* scientist working in a DOST-funded project shall receive a salary equivalent to salary grade 30. The performance of the *balik* scientist shall be evaluated annually by the DOST.
- Housing allowance of P120,000 per year in the absence of a provision for housing facility
- Health insurance coverage with premium not exceeding P120,000 per illness
- Accident insurance coverage not exceeding P1 million
- Tuition fee assistance per school year for two direct minor dependents not exceeding the following amounts:
 - P15,000 per child in high school
 - P5,000 per child in elementary
- Grants-in-aid for research projects approved by DOST
- Relocation allowance of forty thousand pesos (P40,000)

Application Procedures

Qualified applicants shall file the following requirements:

- Accomplished *Balik* Scientist Program Form No. 001, with 2 x 2 ID photo and detailed curriculum vitae
- Transcript of academic record, a photocopy of the diploma or certificate attesting fulfillment of the required academic degree
- Latest medical certificate from licensed medical practitioner in the country of present residence with six months validity prior to engagement as *balik* scientist
- Statement of release whether temporary or permanent from place of employment abroad
- Certificate of good moral character from last employer
- For short-term experts, schedule of activities and expected output
- For long-term experts and new graduates, a detailed statement of research and/or development plans with “conforme” of the receiving institution
- Copy of a valid certificate of registration and a valid professional license or a temporary special permit and/or any foreign license, etc., if applicable
- Copy of an alien employment permit from the Department of Labor and Employment, if applicable

Guidelines for Selection

The *Balik* Scientist Evaluation Committee, appointed by the DOST Secretary, shall evaluate the qualification of all applicants on the basis of information submitted. It shall elect from among qualified candidates those who shall be given priority using the following guidelines:

1. Those whose expertise are consistent with the S & T priorities promulgated by DOST
2. Those who are in the fields of basic sciences, engineering, and information and communications technology and are actually undertaking research and development (R & D) and proposing to take up R & D projects with the Philippine counterparts on priority programs/projects of the government and private sector and those whose research plans have passed the evaluation of the concerned S & T council of the DOST
3. Those who received a firm offer of acceptance from a locally-based private firm, academic institution or government agency engaged in priority R & D projects and S & T services
4. The activities of the identified receiving institution/cooperating agency(ies) are relevant to the expertise or field of specialization of the applicant

Further inquiries should be addressed to:

The Program Director, Balik-Scientist Program
Department of Science and Technology
Gen. Santos Avenue, Bicutan, Taguig, Metro Manila
Telefax No. (632) 837-2940
E-mail Address: bsp@dost.gov.ph

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 permanent residents abroad the opportunity to save for their future and avail of a housing loan of as much as P2 million.

Requirements

The program is open to all Filipino overseas workers and Filipino immigrants with valid working visas or employment contracts. To apply,

qualified Filipinos overseas must submit the following requirements:

1. Duly accomplished member's data form (MDF)
2. Membership contribution payment on a monthly, quarterly, semi-annual or annual basis depending on the choice of the member

Monthly Contribution Rate	Gross Monthly Income		Housing Loan Ceiling
	5 years	10 years	
US\$ 20.00	US\$1,100	US\$ 730	P1.0M
US\$ 40.00	US\$1,625	US\$1,065	P1.5M
US\$ 50.00	US\$2,150	US\$1,400	P2.0M

Benefits on Savings

Contributions under the Pag-IBIG program are guaranteed the following benefits:

1. Fixed dividend earnings of 3% per annum for dollar savings and 7.5% per annum for peso savings
2. Tax free interest earnings
3. Savings guaranteed by the Philippine government
4. Portability, since savings will remain under the same name even after a change of employer or country of domicile

The total savings under the program may be withdrawn at the end of 5 to 10 years depending on the option stated during the registration. Withdrawal of contributions shall be in Philippine peso or U.S. dollar on which currency the contributions were remitted.

Withdrawal of savings before maturity will be allowed in the following cases:

1. Death
2. Total disability

3. Insanity
4. Separation from service by reason of health as provided by law

Requirements for Housing Loan

To be able to avail of a housing loan, a member must:

1. Be an active member with at least 12 months membership contribution
2. Be insurable and not more than 65 years old at loan maturity
3. Have the legal capacity to acquire and encumber real property in the Philippines
4. Have no outstanding Pag-IBIG housing loan, either as a principal borrower or as a co-borrower
5. Have no outstanding Pag-IBIG multi-purpose loan in arrears at the time of loan application

Terms for Housing Loan

1. Interest rate

Loan Amount	Interest Rate	
	if paid on or before due date	if paid after due date
Up to P150,000	6%	8%
Over P150,000 – P225,000	9%	11%
Over P225,000 – P500,000	10%	12%
Over P500,000 to P2M	12%	14%

2. Loan Purposes
 - a. Construction or completion of a residential unit on a lot owned by the member
 - b. Purchase of a lot and construction of residential unit thereon
 - c. Purchase of a residential house and a lot, townhouse, or condominium unit

- d. Purchase of a fully developed residential lot not exceeding 1,000 sq. meters
- e. Major repairs, expansion or renovation of an existing residential building, townhouse, or condominium
- f. Refinancing of an existing mortgage loan with an institution acceptable to HDMF which is current and updated for the past 24 months

3. Loan Repayment Period

The loan term shall be based on the membership term chosen by the member at the time of enrollment (5 years or 10 years). In no instance, however, shall the loan term exceed the difference between the borrower's age and sixty-five (65).

Application forms may be forwarded to:

Pag-IBIG Fund Overseas Program

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 Address: info@pagibigoverseas.com

PHILIPPINE SEAFARERS' ONE-STOP CENTER (PSOC)

The Philippine Seafarers' One-Stop Processing Center (PSOC), established on January 24, 2003, through Administrative Order 56, is a facility where relevant government agencies engaged in the promotion of the interest and well-being of Filipinos seafarers shall be 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 PSOC

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

Agency	Services
Department of Foreign Affairs (DFA)	passport
Commission on Higher Education (CHED)	certification, authentication and verification of school credentials
Professional Regulation Commission (PRC)	issuance of marine deck and engineer officers' license and certificates of competency
National Telecommunications Commission (NTC)	general operator's certificates (GOC)
Philippine Overseas Employment Administration (POEA)	employment contracts and overseas employment certificates (OEC)
Overseas Workers Welfare Administration (OWWA)	membership information, registration, and other similar services
Technical Education and Skills Development Authority (TESDA)	issuance of artist record book (ARB), issuance of certificate of competency for ratings, issuance of application forms for assessment of ratings
Maritime Industry Authority (MARINA)	seafarers' identity and record book
National Bureau of Investigation (NBI)	NBI clearance
Social Security System (SSS)	membership information, registration, and other similar services
Philippine Health Insurance Corporation (PHILHEALTH)	membership information, registration for membership and other similar services
National Statistics Office (NSO)	birth certificate
Home Development Mutual Fund (PAG-IBIG)	membership information, registration, and other similar services
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

For further information, you may contact PSOC at:

Philippine Overseas Employment Administration (POEA)
G/F, POEA Building,
Corner EDSA and Ortigas Avenue, Mandaluyong City
Tel. No. (632) 726-8962
Telefax No. (632) 721-9493
E-mail Address: maritime_poea@hotmail.com

Maritime Training Council (MTC)
Tel. Nos. (632) 727-5716 / 725-1323
Telefax No. (632) 725-1266
E-mail Address: info@mtc.gov.ph
Website: www.mtc.gov.ph

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
 - 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
 - f. Children below 15 years of age, with parental consent

2. Employers
 - a. Employers, or any person who uses the services of another person in business, trade, industry or any undertaking
 - 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 who would like to continue paying contributions
2. Overseas workers in countries with bilateral agreements with the Philippines
3. A Filipino recruited by a foreign-based employer for employment abroad or one who legitimately entered a foreign country and is eventually employed
4. Persons legally married to currently employed and actively paying SSS members who devote their full time in the management of their household and family affairs, and provided further that they never have been members of SSS

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:

Foreign Branch Expansion and Monitoring Department

Social Security System

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

Tel. Nos. (632) 924-7814 / 924-7822 / 435-9878 / 435-9814

Fax No. (632) 435-9814

E-mail Address: member_relations@sss.gov.ph

Web address: www.sss.gov.ph

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

MEDICARE

By virtue of the Executive Order No.182 as amended, the Medicare Program formerly administered by the Overseas Workers Welfare Administration (OWWA) is now being implemented through the Overseas Workers Program of the Philippine Health Insurance Corporation (PhilHealth). The program provides for mandatory health care which includes medical assistance and hospitalization benefits for overseas workers and their dependents.

Beneficiaries

Aside from OFWs, the following legal dependents are also covered by the program:

1. Legitimate spouse who is not a PhilHealth member
2. Unmarried and unemployed, legitimate, legitimated, acknowledged children as appearing in the birth certificate, legally adopted or stepchildren below 21 years old
3. Children suffering from physical or mental congenital disability or any disability acquired before 21 years old that renders them totally dependent on the member for support
4. Parent/s who are 60 years old and above who are not enrolled members of PhilHealth whose monthly income is not more than P1,000 a month

Benefits

Members are entitled to the following benefits:

In-Patient

1. Maximum of 45 days of confinement in a given year for sickness or injury requiring hospitalization. An additional 45 days of hospitalization benefit is also available to be shared among the member's legal dependents within the year.
2. Part of the expenses for:
 - a. Hospital room and board
 - b. Medicines
 - c. X-ray and laboratory examinations
 - d. Operating room fees
 - e. Surgical family planning procedures
 - f. Professional fees (surgical, medical/dental, anesthesiologist)

Note: Effective January 01, 2000, medicare benefits for catastrophic cases have been increased by 200% based on actuarial study and evaluation made on the program.

Out-Patient

Medicare members and their dependents are entitled not only to free consultations but also to P500.00 worth of medicines and/or routine diagnostic procedure per family per year. This is undertaken through tie-ups with accredited clinics/hospitals in the regions. Free check-ups are also available to members on site where there are large concentration of OFWs.

Medicare members are also entitled to reimbursement for chemotherapy, radiotherapy, cataract extraction, hemodialysis and day surgeries. PhilHealth also has packages for severe acute respiratory syndrome (SARS), tuberculosis through the Directly Observed Treatment Short-Course (TB-DOTS), maternity care and renal care services.

Procedures for Registration

The procedures to be able to register or get an exemption for Medicare membership are as follows:

1. Before departure, the OFW must accomplish the Member Data Record for Individually Paying Members (M1b).
2. He/She should pay the premium of P900.00 for one (1) year coverage upon registration. PhilHealth will issue a PhilHealth certificate of eligibility (PCE) as proof of membership. The PCE must be presented to accredited hospitals upon availment of service.

For more information, you may visit the nearest PhilHealth regional/service office or contact:

PhilHealth Office of the Vice President for Membership and Contributions

18/F Citystate Centre, 709 Shaw Boulevard, Pasig City
Tel. Nos. (632) 637-2672 / 637-9999 locals 1823/1824

Overseas Workers Program (OWP) Office

Rm. 1104 Citystate Centre, 709 Shaw Boulevard, Pasig City
Tel. Nos. (632) 637-9999 locals 1122/1124

WELFARE SERVICES FOR OFWS

The Overseas Workers Welfare Administration (OWWA), an attached agency of the Department of Labor and Employment (DOLE), is the primary agency mandated to provide welfare assistance to registered migrant workers and their dependents, and at the same time, ensure the viability of the OWWA Fund.

OWWA offers a range of support services for OFWs that includes economic assistance through the provision of livelihood programs and loan packages; skills and career development program; insurance coverage for OFWs; repatriation services; legal assistance; and migrant workers evaluation and referral center.

LIVELIHOOD DEVELOPMENT PROGRAM FOR OFWs (OWWA-NLSF LDPO)

The OWWA-NLSF LDPO is a joint undertaking of OWWA and National Livelihood Support Fund (NLSF) which delivers the economic component of the Comprehensive OFW Reintegration Program. It provides entrepreneurial development services and credit facilities to OFWs, their families and organizations.

Who May Apply

Applicants who are under any of the following categories:

1. Member-OFWs, former member-OFWs or immediate family member
2. Immediate family member may be a spouse or a child who is at least 21 years old of a married OFW; or parents or brother/sister who is at least 21 years old of a single OFW

Possible Enterprises under the OWWA-NLSF LDPO

1. Trading (e.g. general merchandise, buy and sell, etc.)
2. Services (e.g. repair shops, restaurants, etc.)
3. Manufacturing (e.g. meat/fruit processing)
4. Agri-business (e.g. tilapia culture, piggery/poultry etc.)

Loan Package

1. Loan ceiling: P200,000 per individual borrower
P1,000,000 per group borrower (for a legally organized group of at least 5 members)
2. Interest rate: 9% p.a.
3. Debt-equity ratio: 85:15

4. Collateral requirement: 100% of loan amount
5. Loan usage: working capital, building construction/improvement and acquisition of assets (except land)

Collateral Documents

1. Real estate mortgage (REM) – unmortgaged transfer certificate of title (TCT) with no delinquent realty tax and with appraised value of not less than the loanable amount
2. Land title
 - a. Photocopy of TCT
 - b. Tax declaration
 - c. Current realty estate tax receipt
 - d. Location plan with vicinity map
3. Ancestral land
 - a. Tax declaration
 - b. Certificate of non-delinquency
4. Chattel mortgage (CM) – motor vehicles/machines/equipments/appliances
 - a. Certificate of registration of the motor vehicle
 - b. Insurance policy coverage
 - c. Official receipts

Basic Loan Requirements

1. Accomplished application form
2. Proof of OWWA contribution such as:
 - a. Passport with POEA stamp
 - b. OWWA identification card or E-card
 - c. POEA-attested employment contract
 - d. Information sheet from OWWA
 - e. Overseas employment certificate
3. Business plan

4. Financial statements in case of an existing business
5. Business permit (pre-release condition for start-up)
6. Collateral documents/ownership titles

For individual borrower:

- a. Marital consent (for married OFW)
- b. Authorization (for single OFW)
- c. Documents to establish applicant's relationship with OFW

For group loan:

- a. SEC registration for corporations and partnerships or CDA registration for cooperatives
- b. Basic constitutive documents (articles of incorporation/by-laws)
- c. Board/group resolution for the undertaking of the project/for contracting loan
- d. Audited financial statements for the last 3 years

For more information, you may visit the nearest OWWA regional office or contact:

Livelihood Operations Division

Overseas Workers Welfare Administration - NCR

Rm. 202, OWWA Center, F.B. Harrison St.,

Cor. 7th St., Pasay City

Tel. Nos. (632) 834-0719 / 551-6650 / 891-7601 local 5204

Fax No. (632) 833-0187

OFW GROCERIA PROJECT

The "OFW *Groceria* Project" was launched by the Department of Labor and Employment (DOLE), in coordination with the Overseas Workers Welfare Administration (OWWA) to provide livelihood and self-employment opportunities to Overseas Filipino Workers (OFWs) and their families through the establishment 1,000 grocery stores nationwide.

The project is an interest-free loan assistance package extended in the form of merchandise goods worth fifty thousand pesos (P50,000.00) per qualified OFW Family Circle (OFC) beneficiary nationwide.

A series of continuing skills training courses will be provided to enhance the entrepreneurial and technical skills of the family circles in running and managing their stores.

The Beneficiaries

The intended beneficiaries of the project are the following:

1. OFW Family Circles (OFCs) composed of OFW families organized by the OWWA community development officers and family welfare officers, NGOs, Philippine Comprehensive OFW Reintegration (PhilCORE) members, church-based organizations, OFW returnees and displaced OFWs; and
2. OFW federations, organizations, associations, and cooperatives.

Loan Details

Loan ceiling	:	P50,000.00 worth of goods per project per qualified OFC beneficiary
Interest rate	:	0% (interest free)
Loan usage	:	merchandise goods for retail or wholesale to the community
Equity	:	OFC counterpart in the form of lot or building, store construction or renovation costs, pre-operation expenses, i.e. registration fees, and other attendant costs in the processing of the loan application
Loan maturity	:	maximum of two (2) years

Payment : monthly (variable amount) to be computed on percentage basis from the net income, but not to exceed the loan maturity period

The loan ceiling of P50,000 will serve as the maximum credit line. The full amount may be availed of immediately in case of OFCs with business plans requiring the maximum amount. For those OFCs that will opt to start with a lower amount of inventory, availment of the credit line may be effected more than once, but not to exceed the loan ceiling, and payment of the total loans obtained will be within the loan maturity period of two (2) years.

Criteria for Availment

1. Project site
 - Must have a relatively big number of families/dependents of OFWs; and
 - Must have the presence of strong OFW organization and/or OFCs in the area.

2. OFW organizations/family circles
 - Must have legal personality (registered with SEC, CDA, DTI or DOLE);
 - Must have a minimum of fifteen (15) bona fide members;
 - Must have members who are permanent residents of the community;
 - Must have a good reputation and relationship with the community; and
 - Must be willing to undergo training in entrepreneurship, project management and leadership.

Documentary Requirements

1. Business plan (pro-forma, to be provided by OWWA)

2. Application form
3. Proof of OWWA contribution of OFW relative
4. Registration with the DOLE and/or with any of the following:
 - Securities and Exchange Commission (SEC)
 - Cooperative Development Authority (CDA)
 - Local government units/barangay micro-business enterprises
5. Any of the following organization/association documents:
 - Articles of incorporation and by-laws for corporation
 - Articles of cooperation and by-laws for cooperatives
 - Constitution and by-laws for organizations/associations
6. Certification from organization members authorizing officers to contract loan
7. Oath of undertaking

For inquiries, visit the nearest DOLE or OWWA regional office or contact:

Reintegration Unit

Overseas Workers Welfare Administration
Rm. 202, OWWA Center, F.B. Harrison St.,
cor. 7th St., Pasay City
Tel. No. (632) 834-0719
Fax No. (632) 804-0640

OWWA EDUCATION AND TRAINING PROGRAM

OWWA likewise provides educational assistance and skills development services for member-OFWs and their dependents subject to

a selection process, through the Skills-for-Employment Scholarship Program (SESP), Education for Development Scholarship Program (EDSP), and the Seafarers Upgrading Program (SUP).

These programs intend to assist in ensuring educational opportunities for deserving member-OFWs or their dependents; enhance beneficiaries' marketability and employability; and augment government efforts in maintaining a highly qualified manpower pool in the country.

Skills-for-Employment Scholarship Program (SESP)

The SESP consists of 6-month operator or 1-year technician programs under the technical/vocational education and training offered to landbased or seabased OFW-members or their beneficiaries/dependents, in coordination with TESDA. The scholars shall choose from the course offerings based on the critical skills priorities of the region as determined by TESDA, such as agriculture and fishery, tourism, maritime, land transport, etc.

Education for Development Scholarship Program (EDSP)

The EDSP is a scholarship grant offered to qualified beneficiaries/dependents of OWWA members who shall enroll in any 4-5 year baccalaureate course. Tuition fees shall be paid directly to the school while the remaining amount from the financial assistance shall be released to the scholar upon submission of the grades for the semester.

Seafarers Upgrading Program (SUP)

The SUP is intended for qualified OWWA-member seafarers. It seeks to provide job-related skills training in priority maritime courses identified by Maritime Training Council (MTC) designed to upgrade knowledge and skills, develop expertise and update skills in accordance with technological advancements and international maritime standard.

Eligibility Requirements

To be eligible to any of the programs, the applicant must:

1. Be a beneficiary/dependent of an OWWA member. Dependents as used herein shall be limited to spouses and children of married OFWs or siblings of unmarried OFWs. Dependents shall not be more than 25 years of age.
2. Be a Filipino citizen
3. Be a high school graduate with general average of at least 80%

Availment Requirements

To avail of any of the programs, all OWWA members (landbased or seabased) or their beneficiaries/dependents must:

1. Pass the qualifying examination required of the program
2. Have three (3) additional membership contributions for subsequent availments (for SESP and SUP only)
3. Submit for competency assessment and certification administered by TESDA or its accredited testing centers upon completion of the course

Procedural Policies

1. Availments are by voucher system and scholarship must be availed of on specific period indicated in the voucher
2. Availtees are subject to regular evaluation and assessment
3. Scholarship grant is non-transferable
4. Outstanding graduates shall be recognized and awarded accordingly

Documentary Requirements

1. Accomplished application form
2. Two (2) 1" x 1" ID pictures
3. Proof of relationship to OWWA member such as: copy of marriage contract and/or birth certificate of both member and applicant-dependent duly certified by the Local Civil Registrar (except for SUP applicants)
4. Proof of OWWA membership such as overseas employment certificate (OEC), official receipt of OWWA contribution,

seaman's identification and record book (SIRB), e-card, employment contract duly processed by the POEA or a certification from OWWA Membership Registry Division

Additional Documentary Requirements

For SESP and EDSP

- Form 137/ HS report card or transcript of records

For EDSP

- Accomplished forms 2 to 6 (attached at application form)

For SUP

- Pre-qualification and admission report issued by the training center
- Latest residence certificate

Selection Criteria

All qualified applicants shall be selected and ranked according to their performance in the qualifying examination for the scholarship.

The scholars shall be selected and recommended by the OWWA Scholarship Committee. The approval of the Administrator is final and unappealable.

Manpower Development Division

Overseas Workers Welfare Administration

OWWA Center, F.B. Harrison St. cor.

7th St., Pasay City

Tel. Nos. (632) 891-7601 to 24 / 832-1268

Fax No. (632) 833-0187

Website: www.owwa.gov.ph

WORKERS' REPATRIATION

The Workers' Repatriation program includes all processes and services to effect the return of the OFW to his/her home and rehabilitation if required. Repatriation may be directly provided by OWWA or in

coordination/cooperation with network government agencies or private organizations.

While the primary responsibility for the repatriation of workers lies with the recruitment agency or the principal, OWWA undertakes repatriation of workers in the following cases:

1. Emergency Repatriation

The OWWA, in coordination with DFA, and in appropriate situations, with international agencies, shall undertake 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 Underaged Migrant Workers

The responsible officer at the foreign service post shall immediately cause the repatriation of underaged Filipino migrant workers. The cost attendant to this activity shall be borne correspondingly by the agency and/or principal, or the OWWA as the case may be.

3. Other Cases of Repatriation

In all cases where the principal or agency of the worker cannot be identified, located or had ceased operations, and the worker is in need and without means, the OWWA personnel at jobsite, in coordination with the DFA, shall cause the repatriation. All costs attendant to 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 appropriate cases.

On site, repatriation activities include locating workers, negotiations with concerned parties for proper documentation, and coordination with the Migrant Workers and Other Overseas Filipino Resource Centers. Filipino communities are tapped for temporary shelter

and immediate medical services, counseling and to ensure that workers board their flight to the Philippines.

On the other hand, the home office, through its regional branches, undertakes similar processes to wit: securing plane tickets for the OFW on site, coordination with the families, airport assistance and their transport to the province, if necessary. Rehabilitation services are also provided in the form of counseling and medical follow-up for OFWs diagnosed with physical and mental illness.

LEGAL ASSISTANCE

The program includes the provision of counseling, documentation, conciliation on site which is identified as one of the services at the Migrant Workers and Other Overseas Filipinos Resource Centers. The same services are also accorded to OFW returnees.

The provision of local legal assistance includes services that are necessary in the dispensation of welfare services for the OFWs particularly those who have pending concerns with their agencies and/or employers, and other concerns which may involve the OFW's families that would necessitate legal action.

FAMILY WELFARE PROGRAMS

The program includes various assistance services for the OFWs and their families such as counseling on family related problems and referral to concerned unit of the agency for the specific requirement/need requested.

OWWA has initiated a tie-up with two church-based groups, the Episcopal Commission for the Pastoral Care for Migrant and Itinerant People-Catholic Bishops Conference of the Philippines (ECMI-CBCP) and the Religious of the Virgin Mary-Mother Ignacia National Social Apostolate Center (RVM-MINSAC) for the development and execution of family welfare programs and other related OWWA programs and services.

For more details on OWWA's programs and services you may contact:

Publication and Information Division
Overseas Workers Welfare Administration
OWWA Center, F.B. Harrison St. cor.
7th St., Pasay City
Tel. Nos. (632) 891-7601 to 24
Fax No. (632) 833-0187
Website: www.owwa.gov.ph

RETIREMENT PROGRAM

The Philippine Retirement Authority (PRA) offers a retirement program for former Filipinos and qualified foreigners who would like to spend their retirement years in the Philippines.

Who May Participate

The following are eligible to apply under the Retirement Program of the Philippine Retirement Authority (PRA):

1. Foreign nationals, except those classified as restricted by the Department of Foreign Affairs, who are physically healthy, with no derogatory record, and who are at least 35 years old
2. Filipinos who have acquired foreign citizenship and are holders of foreign passports

Application Process

The procedure and requirements for application are as follows:

1. The applicant or his/her representative gets an application form from PRA.
2. The applicant submits the required documents together with processing and servicing fee of:

- US\$1,500.00 for principal applicants
 - US\$300.00 for each dependent (spouse and children)
3. PRA evaluates the documents. If all documents are in order, the same are forwarded to the Bureau of Immigration (BI).
 4. BI reviews the application for special resident retiree's visa (SRRVisa).
 5. If the application is approved, the order is issued by the BI and the SRRVisa is stamped on the passport.
 6. PRA administers the oath of affirmation to the new member, and the latter signs the affirmation documents.

Deposit Requirements

All applicants must open a US dollar time deposit for a term of six (6) months at any PRA short-listed bank. The amount of required deposits are as follows:

Category of Citizen/s	Amount of Deposit
1. Former/ Overseas Filipinos	US\$ 1,500.00
2. Foreign nationals 50 years old and above	US\$50,000.00
3. Foreign nationals 35 - 49 years old	US\$75,000.00

Benefits

Members of the Program can enjoy the following benefits:

1. Permanent non-immigrant status with multiple-entry privileges through the SRRVisa
2. Exemption from customs duties and tax for the importation of personal effects, appliances and household furniture worth US\$7,000.00
3. Exemption from exit clearance and re-entry permits

4. Exemption from payment of travel tax, provided the retiree has not stayed in the Philippines for more than one (1) year from date of latest entry into the country
5. Conversion of the required time deposit to active investments, including the purchase of condominium units and proprietary golf membership shares
6. Conversion of foreign currency time deposit to Philippine Peso deposit after the issuance of the SRRVisa (interest subject to withholding tax)
7. Tax-free pension and annuities remitted to the Philippines
8. Guaranteed repatriation of requisite deposit, including invested profits, capital gains and dividends accrued from investments upon compliance with Bangko Sentral rules and regulations
9. Exemption from securing student's visa or special study permit for valid SRRVisa holders

Note: Effective January 1, 1998, interest income received by an individual tax payer (except non-resident individuals) on foreign currency deposit is subject to 7.5 % final withholding tax under R.A. 8424. Interest income on foreign currency deposit of PRA retirees are paid in Philippine pesos.

Special Resident Retiree's Visa (SRRVisa)

The special resident retiree's visa (SRRVisa) entitles the holder to, among other benefits, multiple-entry privileges with the right to permanent residence in the Philippines. The SRRVisa is issued by the Bureau of Immigration of the Republic of the Philippines upon recommendation of the PRA, in connection with the PRA's retirement program for foreigners and former Filipinos.

For more information, please contact:

Philippine Retirement Authority
29/F Citibank Tower
8741 Paseo de Roxas, Makati City
Tel. Nos. (632) 848-1419 / 848-1412/20
Fax No. (632) 848-1411

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 Philippines
Tel No. (632) 561-8321 locals 600-604
Fax No. (632) 561-8332
E-mail Address: cfodfa@info.com.ph

THE CFO

The Commission on Filipinos Overseas is a Philippine government agency under the Office of the President tasked to promote the interests of Filipino emigrants and permanent residents abroad, as well as strengthen ties with Filipino communities overseas. It was established in 1980 through Batas Pambansa Blg. 79.

Previously an attached agency to the Department of Foreign Affairs, the CFO was transferred to the Office of the President on 5 August 2004 by virtue of the Executive Order No. 343 to effectively oversee and supervise the government's effort to strengthen the rights and welfare of Filipinos overseas.

Organizational Structure

The CFO is headed by a Chairman with cabinet rank, and representatives of the following:

- Department of Foreign Affairs as Vice Chair
- 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 Commission is supported by a Secretariat headed by an Executive Director. The secretariat carries out the programs, projects and services

to address the needs and interests of Filipinos overseas and is composed of the following offices:

- Projects Management Office (PMO)
- Migrant Integration and Education Office (MIEO)
- Planning, Research and Policy Office (PRPO)
- Management Information System Office (MISO)
- Administrative and Finance Office (AFO)

The CFO, aside from its head office, is mandated to establish and maintain local extension offices and overseas representative offices.

Clientele

The distinct clientele of CFO includes the following:

- Filipinos who are immigrants or 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 functions of CFO have been translated into a framework consisting of four (4) programme areas. Within these program areas are specific CFO services and activities which are enumerated as follows:

1. Migrant Social and Economic Integration - Ensures that all Filipinos migrating to other countries are adequately prepared to meet the practical and psychological problems attendant to international migration. Some of the projects under this programme area include:
 - a. Pre-departure registration and orientation seminars for Filipino emigrants

- b. Peer counseling for Filipino youth migrants
 - c. Post-arrival services and assistance to Filipino nationals in distress
 - d. Public information and community education programs
 - e. Referrals on overseas inquiries
2. Filipino Education and Heritage - Promotes Filipino education programs overseas, as well as the continued exposure of younger generations of overseas Filipinos to Philippine history, culture, institutions and the Filipino language. Projects conducted in relation to this programme area are:
 - a. Philippine schools overseas
 - b. *Lakbay-Aral* and *Lakbayan sa Pilipinas* programs
 - c. Teaching of the Filipino language to children of Filipino migrants
 - d. Filipiniana libraries and resource centers
 - e. Increasing Filipino cultural visibility overseas
 - f. Internet-based courses on the Filipino language
3. Filipino Unity and National Development - Fosters better cohesion and unity of purpose within and among various overseas Filipino organizations for the promotion of their own interests and well-being within a more formidable all-Filipino community. Projects include the following:
 - a. *Lingkod sa Kapwa Pilipino* (LINKAPIL) or Link for Philippine Development Program
 - b. Publication and distribution of “Filipino Ties” and other information materials
 - c. Awards and recognition for overseas Filipinos
 - d. Exchange Visitor Program
4. Policy Development and Data Banking - Provides a continuing study and review of the economic, social, legal, and administrative environment which have bearing on the status of overseas Filipinos. Activities in relation to policy development and data banking are the following:

- a. Policy review and formulation
- b. Advocacy and lobby efforts for full equity rights for Filipino veterans, portability of U.S. Medicare benefits, establishment of NCLEX testing centers in the Philippines, and the return of the Balangiga Bells
- c. Studies 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
- d. Annual stock estimation of Filipinos overseas
- e. Conduct of conferences and symposia on migration
- f. Data banking and computerization programs

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Bureau of Immigration

Bureau of Internal Revenue

Bureau of Plant Industry

Department of Finance

Department of Labor and Employment

Department of Science and Technology

Department of Social Welfare and Development

Department of Tourism

Department of Trade and Industry

Land Registration Authority

Maritime Training Council

Office of the Solicitor General

Overseas Workers Welfare Administration

Pag-IBIG Fund Overseas Program

Philippine Health Insurance Corporation

Philippine Retirement Authority

Social Security System

