

****Title:**** Shiu Shun Man v. Commissioner of Immigration

****Facts:****

Shiu Shun Man, also known as Loo Bon, a Chinese citizen, arrived in the Philippines on July 23, 1955, as a temporary visitor with a P10,000 cash bond posted by his father, Loo Tek. Loo Bon's temporary visitor visa was later converted to a pre-arranged employee category, authorizing his stay until April 30, 1957. On April 4, 1957, the Commissioner of Immigration ordered the deportation of Loo Bon and his father, Loo Tek, under section 37 (a) (9) of the Philippine Immigration Act of 1940, as amended, due to Loo Bon's false statements regarding his marital status during the immigration process. This decision became final and executory, leading to the issuance of a deportation warrant on July 1, 1957. Although the deportation charge against Loo Tek was eventually dismissed upon re-hearing, the Commissioner ordered Loo Bon to leave the country by July 11, 1957, failing which the cash bond would be confiscated. The bond was eventually forfeited to the Government.

Loo Bon initiated proceedings in the Court of First Instance of Manila, seeking to enjoin his deportation and the confiscation of the bond. The case was submitted for decision based on documents and records from the Bureau of Immigration. On November 27, 1959, the trial court annulled the deportation warrant and the confiscation order. The Commissioner of Immigration appealed.

****Issues:****

1. Whether Loo Bon's false representation of his marital status to immigration authorities constituted a valid ground for deportation under the Philippine Immigration Act of 1940, as amended.
2. Whether the confiscation of the cash bond filed by Loo Tek on behalf of Loo Bon was lawful and in accordance with the conditions of the bond.

****Court's Decision:****

The Supreme Court found the appeal meritorious, reversing the decision of the trial court. It held that Loo Bon's deliberate false statements about his marital status were valid grounds for deportation under Section 45 (f) of Commonwealth Act No. 613, as amended. His belief that his marriage in China was not recognized in the Philippines did not excuse his misrepresentations. The Court also held that the confiscation of the bond was appropriate

since Loo Bon had overstayed his welcome in violation of the bond's conditions, regardless of his status change from a temporary visitor to a pre-arranged employee.

****Doctrine:****

This case reiterates the principle that any individual who knowingly makes false statements or representations in any immigration matter, under oath, is subject to penalties, including fines, imprisonment, and deportation if an alien. It also underscores the importance of adhering to the conditions of admission bonds which are put in place to regulate the admission and departure of aliens granted temporary entry into the Philippines.

****Class Notes:****

- False Representations in Immigration Matters: Knowingly making false statements under oath in immigration processes constitutes an offense punishable by fines, imprisonment, and deportation (as per Section 45 (f) of Commonwealth Act No. 613, as amended).
- Condition of Admission Bonds: Violation of the conditions of an admission bond justifies its confiscation. The nature of the stay as temporary remains regardless of a change in the category of visa, requiring adherence to the stipulated period of stay.
- Legal Consequences of Overstaying: Aliens overstaying beyond their authorized period without proper justification are subject to deportation and confiscation of admission bonds posted on their behalf.

****Historical Background:****

This case illustrates the strict enforcement of immigration laws in the Philippines during the mid-20th century, particularly against those who misrepresented their personal information to gain entry or extend their stay. It reflects the broader context of regulatory efforts aimed at controlling the influx and presence of foreign nationals to address population and economic concerns, including the impacts on local employment and foreign exchange controls.