NATIONAL ADMINISTRATIVE REGISTER · FEBRUARY 6, 2008

IMPLEMENTING GUIDELINES FOR THE PERMANENT RESIDENT VISA OF KOREANS IN THE PHILIPPINES

BI OFFICE MEMORANDUM ORDER NO. MCL-08-003, February 06, 2008

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Pursuant to Memorandum Order No. MCL-08-003 dated January 29, 2008 which was duly approved by the Secretary, Department of Justice and the letter dated January 21, 2008 from the Ambassador, Republic of Korea, the following guidelines are hereby prescribed to implement the permanent resident visa to Korean nationals which is being granted on the basis of reciprocity:

1. Coverage

A. Korean national who has investment in the Philippines shall be granted a quota or preference visa under Section 13 Commonwealth Act No. 613, as amended, subject to the numerical limitation of 50 nationals per calendar year, upon submission of the following:

1. General application form duly accomplished and notarized (BI Form No. MCL-07-01)
2. True copy of petitioner's passport showing the BI stamp of admission and validity of stay
3. Proof of investment in the Philippines of at least US$40,000 or possession of special qualification or skill
4. Medical Certificate from the Bureau of Quarantine stating that the alien is not afflicted with any dangerous, contagious or loathsome disease
5. BI and NICA clearances, and
6. Payment of the application and express lane fees

The legal spouse and the natural and legitimate child/ren who is/are under 21 years of age and unmarried of the petitioner may be applied for as his/her dependents upon Submission among other things, of proofs of relationship duly authenticated by the Philip foreign Service Post located in the petitioner's country of origin.

B. Korean national who is validly married to a lawful permanent resident alien in the Philippines. including their legitimate and natural children, shall be granted permanent resident visa under Memorandum Order No. MCL-07-021 upon submission of the following:

1. A verified letter request from the petitioning Filipino spouse
2. General Application Form duly accomplished and notarized (BI Form No. MCL-07-01)
3. Plain photocopy of passport of alien spouse showing dates of arrival and authorized stay
4. NSO-issued Marriage Certificate or if they were married outside of the Philippines, the Marriage Certificate must be authenticated by the Philippine Embassy/Consulate in the piace where the marriage was solemnized
5. NSO-issued Birth Certificate of the petitioning Filipino spouse
6. NSO-issued Birth Certificate/s of minor child/ren
7. BI Clearance, and
8. Payment of the application and express lane fees.

An applicant, however, who has been a holder of temporary resident visa (TRV) for at least one (1) year and is currently holding a valid and effective TRV at the time of application hereof, shall no longer undergo probationary period as he/she is deemed to have passed it.

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C. Korean national who is validly married to a lawful permanent resident alien in the Philippines, including their legitimate and natural children, shall be granted permanent resident visa under Memorandum Order No. MCL -08-003 for an initial period of one (1) year probationary period and after which, upon proper application, qualification and approval by the Board of Commissioners, shall be amended to permanent status, upon the submission of the following:

1. A verified letter request from the petitioning permanent resident
2. General Application Form duly accomplished and notarized (BI Form No. MCL-07-01)
3. True copies of the following:
1. Passport of the applicant with valid entry visa and admission into the country and updated stay;
2. Passport of the petitioner with the permanent resident visa stamped on it; and
3. ACR I-Card of the petitioner.

4. Clear photocopy of the Marriage Certificate of Birth Certificate or Family Register, as the case may be, duly authenticated by the Philippine Consulate/Embassy located in the applicant's country of origin or residence evidencing his/her relationship to the petitioner.
5. BI clearance and
6. Payment of the application and express lane fees.

An applicant, however, who has been a holder of temporary resident visa (TRV) for at least one (1) year and is currently holding a valid and effective TRV at the time of application hereof, shall no longer undergo probationary period as he/she is deemed to have passed it.

Lawful permanent alien resident shall refer to non-citizens, who acquired legal residence in the Philippines under any, but not limited to, the following:

1. Commonwealth Act No. 613, as amended
2. EO No. 324 (series of 1988) also known as the 'Alien Legalization Program of 1988' and
3. RA 7919 and RA 8274 also known as the 'Alien Social Integration Act of 1995'

2. The application shall be filed and processed in accordance with the provisions of the New Rules and Procedures for Visa Issuance Made Simple (VIMS).

Applications filed at the sub-ports shall be immediately forwarded to the Office of the Commissioner for appropriate evaluation.

3. At any time during the validity of the permanent resident visa under Section 13 of Commonwealth Act No. 613, as amended, and Memorandum Order No. MCL-07-021, the Board of Commissioners may revoke, upon proper notice and hearing, said visa granted to the application for any of the following causes:

a. The subsequent discovery that the document/s presented in support of the application was/were spurious
b. The subsequent discovery that the investment or relationship as represented in the application is false.
c. The subsequent discovery that the marriage is void
d. The commission by the applicant of any act which would constitute a ground for deportation under Section 37 of the PIA, as amended
e. The commission by the application of the offenses defined in Section 45 and 46 of the PIA, as amended, and
f. A determination by competent authority that the applicant is a threat to national security, public safety or public health.

4. For alien registration purposes, the Chief of the Alien Registration Division shall issue the corresponding ACR I-Card indicating the basis of issuance as follows, "Issued pursuant to Memorandum Order No. MCL-07-021 dated December 14, 2007 and BOC approval dated

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Adopted: 6 Feb 2008

(SGD.) MARCELINO C. LIBANAN
Commissioner

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