

SPECIAL STUDY PERMIT

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Under Sec. 9 (f) of the Philippine Immigration Act of 1940, as amended, a non-immigrant, having means sufficient for his education and support in the Philippines, who is at least eighteen years of age, and who seeks to enter the country temporarily and solely for the purpose of taking up a course of study higher than high school at a university, seminary, academy, college or school approved for such alien students by the Commissioner of Immigration, may be issued a student visa.

In view of his peculiar situation, however, and considering that everyone should have access to education and self-improvement, a foreign national who might not otherwise qualify as a student may nonetheless be granted a special study permit (SSP) by the Commissioner of Immigration, as an exception to the provisions of Sec. 9 (f) of the Immigration Act, pursuant and subject to the guidelines herein set forth:

1. The following foreign nationals may, upon proper application, be granted an SSP:

a. The dependent spouse and/or unmarried children under twenty-one (21) years of a foreign national who has been granted a non-immigrant visa under Secs. 9 [d], 9 [e], 9 [f], and 9 [g], or a special non-immigrant visa under Secs. 47 [a] [2] and 47 [b] of the Immigration Act; or a temporary resident visa (TRV) under Law Instructions No. 33 dated June 8, 1988, and No. 48 dated December 14, 1988; or any appropriate visa under special laws; or recognized as a refugee or person of concern by the United Nations High Commissioner for Refugees (UNHCR), regardless of the level of education sought to be pursued: Provided however, that dependent of qualified diplomats, members of the United Nations and its specialized agencies, the Asian Development Bank, and personnel of international and regional organizations recognized by the Philippine Government as certified by the Department of Foreign Affairs, shall be exempted from this requirement; Provided also, that the SSP shall be automatically cancelled upon the expiry or cancellation of their visas or upon a dependent child's reaching the age of twenty-one (21) years or marriage; Provided further, that in the latter cases, the Commissioner may allow them to finish the semester or school year they were enrolled in.

b. A foreign national and his dependent spouse and/or unmarried children under twenty-one (21) years of age, if any, during the pendency of their applications for a visa under Secs. 9[d], 9[e], 9[f], 9[g], 13 (including its sub-paragraphs), 47[a][2], and 47[b] of the Immigration Act; Law Instructions Nos. 33 and 48; and special laws. The SSP granted pursuant to this paragraph shall be valid only during the pendency of the application. In case of approval of the application, those covered by Sec. 1 (a) hereof shall be required to secure new SSPs. In case of denial, the SSP shall be deemed automatically cancelled.

c. A temporary visitor taking up short-time courses whose enrollment does not require approval by the Department of Education, Culture and Sports, like language and computer courses.

2. The application for an SSP shall be filed with the Law and Investigation Division, which shall assign to each application a control number.

a. In cases falling under Sec. 1(a) hereof, an applicant for an SSP shall submit the following documents:

i) Sworn application stating his personal circumstances;

- ii) Photocopy of his passport indicating the date of his last arrival and extension, if any;
- iii) Photocopies of his Alien Certificate of Registration (ACR) and Certificate of Residence (CR);
- iv) Photocopies of the passport, ACR, and CR of the spouse or parent;
- v) Affidavit of support and proof there-of; and
- vi) Four (4) 2x2 copies of his latest photograph.

b) In cases falling under Sec. 1(b) hereof, an applicant for an SSP shall submit the following documents;

- i) Sworn application stating his personal circumstances;
- ii) Photocopy of his passport indicating the date of his last arrival and extensions, if any;
- iii) Proof of identity, paternity, filiation, and/or relationship, as the case may be;
- iv) Certification from the school that applicant has been or will be admitted subject to submission of the SSP;
- v) Photocopy of the passport of the spouse or parent;
- vi) Affidavit of support and proof thereof;
- vii) Proof of the former and/or Philippine citizenship of the spouse or parent, as the case may be;
- viii) Proof of filing of application for visa under the Immigration Act or special bonus; and
- ix) Four (4) 2x2 copies of his latest photograph.

c. In cases falling under Sec. 1 (c) hereof, an applicant need submit only the following:

- i) Sworn application stating his personal circumstances;
- ii) Photocopy of his passport and visa;
- iii) Affidavit of support and proof thereof; and
- iv) Four (4) 2x2 copies of his latest photograph.

3. The Legal Officer or Special Investigator to whom an application for an SSP has been assigned shall determine whether an applicant is qualified or not and submit his findings and recommendation, duly noted by the Chief, LID, to the Commissioner who shall then approve or deny the same. The Office of the Commissioner shall number each approved SSP consecutively.

4. An SSP shall be valid for one semester or for one school year, or for periods determined by the Commissioner. It may be renewed/extended as long as the applicant's visa/status remains valid. Any application for renewal/extension shall be accompanied by such documents as would establish that the basis for the initial grant still exist. In addition, an official transcript of grades of the grantee for the immediately preceding semester/school year signed by the school register and bearing the school seal shall be attached.

5. An applicant for an SSP or a renewal/extension thereof shall pay an express fee of P250.00. Upon approval of his application, he shall be assessed a fee of P820.00 for the original application, P720.00 for each extension, in addition to the usual fees for the extension of his visa.

6. A bona fide holder of an immigrant visa under Sec. 13, and its sub-paragraphs, of the Immigration Act or special laws, while not required to secure an SSP as a condition for enrollment in any school in the Philippines, shall be required to secure an SSP for the first semester and/or school year of his enrollment, if only to prevent

holders of spurious immigrant visas from gaining admission into Philippine schools.

7. A foreign national, not a student under Sec. 9[f] of the Immigration Act, who studies, or enrolls in a short course without an SSP, shall be considered to have violated the conditions and limitations of his admission and stay as a non-immigrant, thereby making him subject to administrative sanctions including deportation.

8. All previous instructions, orders, and guidelines issued by the Bureau inconsistent with this Order are hereby revoked and/or modified accordingly.

This Memorandum Order shall take effect immediately.

Adopted: 17 May 1994

(SGD.) ZAFIRO L. RESPICIO
Commissioner

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