

SC CIRCULAR NO. 3-99, January 12, 1999

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TO:

All Judges of the Regional Trial Courts

SUBJECT

Inclusion of Complete Information in Hold-Departure Orders

The Commissioner of Immigration has apprised this Office, through a letter dated 5 January 1999, of problems encountered by immigration officers in the implementation of Hold-Departure Orders issued by the Regional Trial Courts. Such problems related to the identification of the person whose departure from the country has been enjoined owing to incomplete or incorrect information, with particular reference to instances wherein two or more persons bear the same first and last names.

In the issuance of (1) orders directing the inclusion of the name of any person in the hold-departure list of the Bureau of Immigration; or (2) Hold-Departure Orders, all judges shall comply strictly with the provisions of Section 3 of Circular No. 39-97 dated 19 June 1997. This section provides that the order involved shall contain the following information:

- "a. The complete name (including the middle name), the date and place of the birth and the place of last residence of the person against whom a Hold-Departure Order has been issued or whose departure from the country has been enjoined;
- b. The complete title and the docket number of the case in which the Hold-Departure Order was issued;
- c. The specific nature of the case; and
- d. The date of the Hold-Departure Order."

Should information on the alias/aliases and the number of the passport of the person subject of the Hold-Departure Order be available, the same should be included in the order involved. The completion of all required information in the court order will obviate problems of identification and will facilitate the effective implementation thereof by the immigration agents of the Bureau of Immigration.

For strict compliance.

12 January 1999, Manila.

(SGD.) ALFREDO L. BENEPAYO

Court Administrator

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