

GUIDELINES FOR THE PROCESSING OF APPLICATIONS FOR PERMANENT RESIDENT STATUS OF CERTAIN VIETNAMESE AND RECOGNITION OF THE PHILIPPINE CITIZENSHIP OF THEIR DESCENDANTS PURSUANT TO ...

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/3b1956a65483/>

Pursuant to the provisions of Executive Order No. 249, dated 29 May 1995, as amended by Executive Order No. 249-A (1998) and Executive Order No. 240 (2000), the following Guidelines are hereby promulgated for the processing of applications for permanent status of certain Vietnamese citizens and other persons similarly situated, and for the recognition of the Philippine citizenship of Filipino-Vietnamese children:

I

General Provisions

SECTION 1. Policy Guidelines — These Rules shall be interpreted so as to give substance to the constitutional policies recognizing the importance of the family as the foundation of the nation (Section 1, Article XV), recognizing the sanctity of family life (Section 12, Article II), and defending the rights of children (Section 3 (2), Article XV).

SECTION 2. Definition of Terms — As used in these Rules, unless the context requires otherwise:

- a. “EO 249” refers to Executive Order No. 249 dated 29 May 1995, as amended, entitled “Granting Permanent Resident Status to Certain Vietnamese Citizens and Filipino- Vietnamese Children Pursuant to Section 47 of the Immigration Act of 1940”.
- b. “Application” refers to an application filed under these Rules for the grant of permanent residency status or for recognition of Philippine citizenship;
- c. “Department” refers to the Department of Justice;
- d. “Bureau” refers to the Bureau of Immigration;
- e. “Secretary” refers to the Secretary of Justice;
- f. “Commissioner” refers to the Commissioner of Immigration; and
- g. “Act” refers to Commonwealth Act No. 613, “The Philippine Immigration Act of 1940, as amended;

SECTION 3. Form of Application — An application shall be in the form prescribed by the Bureau and shall be accomplished in quadruplicate. The application, as well as the pages of its annexes and supporting documents, shall be signed by the applicant in addition to the signatures thereon of the persons executing the same.

SECTION 4. Where to get and file Application — An application form may be secured from and filed with the Bureau of Immigration, Intramuros, Manila.

SECTION 5. Period for filing Application — An application shall be filed with the Bureau not later than November 15, 2000.

SECTION 6. Photographs of Applicant — Eight (8) passport-size color photographs taken within thirty (30) days of the date of application, with plain background, without a hat or glasses, shall be attached to the application. The applicant shall sign his name at the front of each photograph.

SECTION 7. Receipt of Application — If the application is found to be complete in form and is accomplished by all the supporting documents and upon payment of a processing fee of P1,000.00 and a legal research fee of P10.00, the same shall be given a docket number and stamped as having been received, indicating therein the date of filing. All such applications shall be entered in a record book and numbered in chronological order.

SECTION 8. Designation of Immigration Officer — Upon receipt of an application for permanent resident or for recognition of Philippine citizenship, the Commissioner shall assign the same to an official of the Bureau for processing.

SECTION 9. Interview — The applicant may be summoned by the Immigration Officer for interview and to confirm under oath the contents of his/her application and the supporting documents or to introduce additional documentary evidence or present witnesses. The applicant may be assisted by counsel during the hearing. The interview shall be terminated not later than three (3) days from the date of its commencement.

II

Permanent Resident Status

SECTION 10. Who may File Application — An application for the grant of permanent residence status/visa under these Rules may be filed by the following:

- a. Vietnamese citizens who are listed under the second paragraph of EO 249 who legally arrived in the Philippines prior to or during the Vietnam War but not later than 31 December 1978, if not otherwise qualified for Philippine citizenship as children of Filipino citizens under the 1935, 1973 and present Constitutions;
- b. Vietnamese citizens similarly situated as those in paragraph a. above but who are not listed under the aforesaid paragraph of EO 249, and
- c. Children and direct descendants of the Vietnamese listed in paragraphs a. and b. of this Section.

SECTION 11. Contents of Application — The application for the grant of permanent residence status shall contain, among others, the following information about the applicant:

- a. name and aliases, if any;
- b. date and place of birth;
- c. date of arrival in the Philippines, means of arrival, admission status, and by whom accompanied at the time of entry and their relationship;
- d. name, residence and citizenship of parents;
- e. civil status;
- f. occupation;
- g. if married, name, address and occupation of spouse;
- h. all addresses and places of residence since arrival in the Philippines and inclusive periods of residence.

SECTION 12. Supporting Documents — An application for permanent residence status shall be accompanied by the following documents:

- a. passport or other travel document of the applicant, if any, or similar documents to establish her identity and date of arrival in the Philippine, together with the marriage document or similar document, if the applicant is legally married to the Filipino spouse, and the birth certificate, baptismal certificate or other evidence of birth, if the applicant is the child or direct descendant of the Vietnamese mentioned in paragraphs a. and b. of Section 3 of these Rules;
- b. affidavits of two (2) Philippine citizens of good reputation in the place of residence of the applicant attesting to the latter's good moral character;
- c. clearance from the National Bureau of Investigation, the National Intelligence Coordinating Agency, Prosecutor's Office, and Police Clearance, Municipal Trial Court (MTC) and the regional trial court (RTC) where the applicant resides;
- d. medical certificate stating that the applicant is physically and mentally fit and is not suffering from a loathsome or contagious disease issued by a public medical or health facility. If a medical certificate is issued by private facility accredited by the Department of Health the same should be notarized.
- e. income tax returns for the immediately preceding taxable year, bank statements or other evidence or assets, or the affidavit of support completed by a responsible person or entity in the Philippines or abroad, or other evidence to establish that the applicant is not likely to become a public charge.

SECTION 13. Issuance of Alien Certificate of Registration — Upon recommendation of the Processing Officer, the Commissioner shall issue an Alien Certificate of Registration (ACR) to the qualified applicant after regular processing under existing immigration rules and procedures.

SECTION 14. Action on the Application — The Immigration Officer shall submit his report and recommendation to the Commissioner within five (5) days after the interview of the applicant is finally terminated. The Commissioner shall immediately inform the Secretary of the Bureau's action on all applications not later than 30 November 2000.

SECTION 15. Issuance of Permanent Resident Status/Visa — Upon favorable recommendation of the Immigration Office, the Commissioner shall issue a permanent resident status/visa to the qualified applicant.

SECTION 16. Cancellation of Alien Certificate of Registration — An ACR issued under these Rules shall be cancelled in the following instances:

- a. if it is found that the applicant is guilty of perjury;
- b. if he belongs to any class of alien who may be excluded from entry into the Philippines pursuant to Section 29 of the Act; or
- c. if he is found guilty of any act which is a ground for deportation under Section 37 of the Act.

III

Recognition of Philippine Citizenship

SECTION 17. Who May File Application — An application for recognition as a Filipino may be filed by the following:

- a. a legitimate or illegitimate child, whose father is a Filipino citizen and whose mother is a Vietnamese citizen, who legally arrived in the Philippines prior to or during the Vietnam War but not later than 31 December 1978, whether or not born in the Philippines; and
- b. the direct descendants of said child of Filipino-Vietnamese parentage desiring to be recognized as a Filipino citizen.

SECTION 18. Contents of Application — An application for recognition as a Filipino citizen shall contain, among others, the following information about the application:

- a. name and aliases, if any;
- b. date and place of birth;
- c. if applicable, the exact date of arrival in the Philippines, means of arrival, admission status, and by whom accompanied at the time of entry and their relationship;
- d. occupation;
- e. civil status;
- i. If married, the date and place of the marriage and the name, date, nationality, place of birth and occupation of the spouse;
- ii. If the marriage has been annulled or if the applicant was divorced, the date of the decree of annulment or divorce and the court which issued the same;
- iii. If widowed, the date and place of death of the deceased spouse.
- f. alien certificate of registration, if any;
- g. address/es and place/s of residence since birth and arrival in the Philippines;
- h. name, date and place of birth of mother and father;
- i. citizenship of father and mother and their present address/es;
- j. names of brothers and sisters, whether of the full-blood or not, their ages, civil status and addresses;
- k. names of children of applicant, if any, and his/her brothers and sisters, their ages, civil status and addresses.

SECTION 19. Supporting Documents — The following documents shall accompany an application for recognition as a Philippine citizen:

- a. record of birth of applicant's father or if a naturalized Filipino, the records leading to the grant of Philippine citizenship; or if by election, duly affirmed by the Department of Justice, the Identification Certificate as a Filipino citizen issued by the Bureau of Immigration;
- b. record of birth of applicant appearing in the civil register or a final judgment;
- c. marriage contract of applicant's parents, if legally married;
- d. public document, or one which has been duly acknowledged before a notary public or similar functionary, with proper formalities to become a public and admissible document, such as an affidavit executed by the Filipino father admitting his filiation to the applicant;
- e. affidavit of filiation executed by the Vietnamese mother and a joint affidavit of two disinterested persons attesting to the applicant's date and place of birth, legitimacy or illegitimacy, citizenship and names of parents, applicant's relationship with the affiants, and how they acquired the foregoing information; and
- f. evidence of open, public continuous and uninterrupted possession by applicant of the status of being the child of the Filipino father.

SECTION 20. Action on Application — The Immigration Officer shall submit his report and recommendation to the Commissioner within ten (10) days after the interview of the applicant is finally terminated. The

Commissioner shall immediately forward the application together with his action thereon to the Secretary for affirmance.

SECTION 21. Issuance of Filipino Identification Certificate — In case the application of recognition as a Philippine citizen is approved by the Secretary, the applicant shall be issued, after compliance with immigration rules and procedures, an identification certificate recognizing him as a Filipino.

IV

Effectivity

SECTION 22. Effectivity — These Rules shall take effect upon publication in a newspaper of general circulation.

Adopted: 20 July 2000

(SGD.) ARTEMIO G. TUQUERO

Secretary

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.