

GUIDELINES ON THE CANCELLATION AND DOWNGRADING OF VISAS AND PROCESSING OF APPLICATIONS FOR GRACE PERIOD

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/4029b7c2c62e/>

Date Filed: 07 March 2012

Whereas, Commonwealth Act (C.A.) No. 613, otherwise known as the Philippine Immigration Act of 1940, as amended, Section 3 provides for the rule-making authority of the Commissioner;

Whereas, it is expedient for the Bureau of Immigration to make its services accessible and available to the transacting public and to ensure uniformity, consistency and predictability in the implementation of immigration rules and regulations;

Wherefore, the following rules and regulations are hereby promulgated to govern all applications and orders for cancellation and downgrading of visas and grace period.

RULE I. Rules on Cancellation and Downgrading

Section 1. Nature of Procedure: Cancellation and/or downgrading of visa is the procedure that authorizes the adjustment or reversion of a foreign national's immigration status granted under the Philippine Immigration Act (PIA), special law or regulation to temporary visitor/tourist under Section 9(a) of the PIA. If the foreign national applies for it while in the country, the procedure is called Cancellation and/or downgrading. If the foreign national is abroad, the procedure shall simply be called cancellation.

Section 2. Date of Filing of Applications:

a)

Effect if filed before expiration of visa. A formal request for downgrading shall be filed, on or before the expiration of the visa granted under the PIA, special law or regulation. If granted, the applicant shall be allowed to remain in the country as a temporary visitor/tourist for a period of fifty nine (59) days which shall commence from the date of the approval of the downgrading. This will allow him to wind up his business affairs without having to secure further work authorization. He may apply for extension of this 59-day period, but subject to all restrictions imposed on ordinary tourist visa holders.

b)

Effect if filed within fifty nine (59) days after expiration of visa. If the formal request for downgrading is filed after expiration of the visa granted under the PIA, special law or regulation, the foreign national will be considered as an overstaying alien. Nonetheless, he remains entitled to the 59-day allowance which shall commence from the date of the expiration of the visa. If the initial fifty-nine days allowance is not enough to cover the period of overstay, the applicant may apply for additional monthly extension to update his stay; Provided, that if the period of update exceeds six (6) months, the approval of the Commissioner or his authorized representative(s) shall be secured;

Provided also, that he shall be charged an additional update fee of one thousand pesos (P1,000.00) for the 59-day allowance if the request was filed within that period.

c)

Effect if filed after fifty-nine (59) days from expiration of visa. If the formal request for downgrading is filed after fifty-nine (59) days from the date of expiration of the visa granted under the PIA, special law or regulation, the foreign national shall, in addition to the motion for reconsideration fee of five hundred pesos (P500.00), be subject to the usual fees, penalties, and charges depending on the length of overstay, without prejudice to whatever sanctions the Commissioner or his authorized representative(s) may impose.

Section 3. No automatic cancellation and downgrading: Pursuant to the tenor of Section 22-A of the PIA, there shall be no automatic cancellation and downgrading of visas.

Automatic cancellation shall occur only when the foreign national dies or his visa expires while he is abroad.

Section 4. Visas under special law: If the visa to be cancelled/downgraded was granted pursuant to a special law, a clearance or endorsement from the government agency administering the law shall be required; Provided, that in case of special non-immigrant visas under Section 47(a)(2) that have not yet expired, proof of notice to the department of Justice shall be required.

Section 5. Contents of Order. An order for Cancellation/downgrading of visa shall indicate the period when the downgrading commences, any extensions subsequently sought, the fees paid and a directive ordering the Records Section to furnish such Orders to government agencies administering a special visa. Orders imposing a sanction shall be furnished to the Alien registration and Intelligence divisions, and this Office.

RULE II. Rules on Grace Period

Section 1. Grace Period: A grace period (GP) is an interim visa granted to holders of non-immigrant visas (except for temporary visitor's visa under Section 9(a) of the PIA), special non-immigrant, or probationary visa under Section 13(a) of the PIA, while the application for extension or amendment of visa is still pending.

The application for extension or amendment of visa must be filed before the expiration of the visa as a condition sine qua non for the grant and extension of grace period.

Section 2. Date of Filing of Application. When it takes effect: A formal request for grace period may be filed any time before the visa is renewed or implemented. The grace period takes effect from the date of expiration of the visa sought to be extended or amended or from the date an earlier grace period expires.

Section 3. Validity of the grace period: A grace period may be granted for a period of one (1) month to six (6) months, depending on the request and/or for valid reason(s); Provided, that the subsequent requests for Grace Period extension(s) shall indicate the reason(s) why the principal application has not yet been acted upon.

Section 4. Purpose: The grace period authorizes the grantee thereof to continue exercising the privileges under the visa without being deemed in violation of the conditions of his stay. It also prevents the automatic cancellation of the visa when the holder is abroad and the visa expires.

Section 5. Contents of the Order: An order granting a grace period shall include information on when the request for renewal or amendment of visa was filed, when said visa expired or will expire, the duration of the grace period, and the fees paid.

Section 6. Grace Period for holders of 9(f) student visas: The grace period (GP) for a holder of 9(f) student visa, is

an exit visa that allows the student to wind up his affairs in the country prior to his departure.

An application for extension of 9(f) student visa is not required for the grace period. The grace period for 9(f) student visa shall be for a period of one (1) month to six (6) months.

RULE III. Requirements and Fees

The requirements and fees for the above transactions are contained in the Schedule attached as Annex “A” and made an integral part of these Guidelines. The fees are however subject to change upon notice.

Section 7. Supersession Clause: all Bureau orders, circulars, issuances, memoranda that are inconsistent with this Order are hereby amended or modified accordingly.

Section 8. Effectivity Clause: This Order shall take effect immediately.

Let a copy of this memorandum Order be furnished the national register, UP Law Center, diliman, Quezon City.

Date Filed: 07 March 2012

(SGD.) RICARDO A. DAVID, JR.

Commissioner

Approved by:

(SGD.) LEILA M. DE LIMA

Secretary

Annex “A”

Requirements and Schedule of Fees for Cancellation, Downgrading,
and Grace Period of Visas

Section 1. Requirements: The following are the mandatory requirements for cancellation/downgrading of visa:

- Photocopy of the applicant’s valid passport, particularly the bio-data page and all pages with Philippine visa stamps;
- Letter-request signed by the applicant or authorized representative of the petitioner and with “no derogatory record” stamp.

Section 2. Applicable fees for cancellation and downgrading: The following fees shall be assessed for applications for cancellation and downgrading filed on or before the date of expiration of visa:

a. Application Fee

Php 1,000.00

b. Legal Research Fee

10.00

c. Certification Fee

500.00

d. BI Clearance

1,000.00

e. Double Express Lane Fee

1,000.00

TOTAL

Php 3,600.00

If the application for downgrading is filed within fifty-nine (59) days after expiration of the visa, an additional Update fee shall assessed:

a. Update Fee

Php 1,000.00

TOTAL

Php 4,600.00

If the application for downgrading is filed beyond the fifty-nine (59) days after expiration of the visa, additional fee for Update fee, motion for reconsideration Fee, and Monthly extension fees, penalties, and charges depending on the length of overstay shall be assessed:

a. Update Fee

Php 1,000.00

b. Motion for Reconsideration Fee

Php 500.00

c. Monthly extension fees, penalties, and charges depending on the length of overstay

Section 3. Grace Period Requirements: The following are the mandatory requirements for grace period:

- duly notarized letter request from the petitioner, applicant or authorized representative;
- Official receipt as proof of payment of applicable fees;
- Photocopy of letter request for extension or amendment of visa stamped with date received;
- Photocopy of filled-up General Application Form for extension or amendment of visa duly stamped "received" and correspondingly dated;
- Photocopy of Official receipt as proof of payment of applicable fees for the application for extension or amendment of visa; and
- Photocopy of airline ticket, if applicable.

Section 4. Fees for grace period: The following are the applicable fees:

a. Application fee (per month)

Php 150.00

b. express Lane fee (per month)

Php 500.00

c. Legal Research Fee

Php 10.00

No Certification fee shall be assessed.

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.