

PROCEDURE IN THE ISSUANCE AND IMPLEMENTATION OF ORDERS TO LEAVE

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/415581ef9cbf/>

Pursuant to Section 3 of Commonwealth Act No. 613 (Philippine Immigration Act of 1940), as amended, and in order to standardize the procedure in the issuance and implementation of Orders to Leave, the following are hereby ordered:

SECTION 1. Procedures in the Issuance and Implementation of Orders to Leave. –

I.

Orders To Leave Issued Pursuant to
Immigration Memorandum Circular No. SBM-2013-003[1]

A.

Foreigners Who Have Overstayed for Twelve (12) Months or Less But Stayed in the Country Beyond the Maximum Allowable Period

1.

DUTY OF THE VISA EXTENSION SECTION (VES):

a)

Within six (06) working hours from receipt thereof, process and evaluate the application for updating and extension of authorized stay as temporary visitor;

b)

Upon proof of full payment of immigration fees, fines, and other charges due and payable, prepare the appropriate Order to Leave[2] therefor; and

c)

Transmit the Order, together with the entire records thereof, to the Office of the Commissioner for appropriate action.

2.

DUTY OF THE OFFICE OF THE COMMISSIONER:

a)

Appropriately act thereon within four (4) working hours from receipt thereof. If the same is approved, return the Order and the entire record thereof to the VES for implementation of the updating and extension of authorized stay, otherwise, refer to concerned office for further processing; and

b)

If the Order also directs the inclusion of the applicant's name in the Bureau's Blacklist, implement such directive and furnish the ICTS a copy of the Order.

3.

DUTY OF THE INFORMATION AND COMMUNICATION TECHNOLOGY SECTION (ICTS):

Immediately upon receipt of the Order, encode the implemented Blacklist Order in the Bureau's derogatory database.

4.

DUTY OF THE VISA EXTENSION SECTION (VES):

a)

Within six (06) working hours from receipt of the approved Order, implement in the applicant's passport the updating and extension of his/her authorized stay and transmit the entire records thereof to the Alien Registration Division (ARD).

b)

Furnish the applicant with a copy of the Order, personally or through his/her authorized representative, with proper acknowledgment of receipt thereof.

5.

DUTY OF THE ALIEN REGISTRATION DIVISION (ARD):

Within twenty-four (24) working hours from receipt of the entire records, process and issue the applicant's Emigration Clearance Certificate (ECC) if cleared and thereafter transmit the same records, together with the original of the ECC, to the Intelligence Division (ID).

6.

DUTY OF THE INTELLIGENCE DIVISION (ID):

Not later than the period prescribed in the Order to Leave or on the date of departure of applicant as indicated in his/her airline passage ticket, whichever comes earlier, implement the Order to Leave by physically escorting applicant to the boarding gate of the international port of exit.

B.

Foreigners Who Have Overstayed for More Than Twelve (12) Months Regardless of Length of Stay

1.

DUTY OF THE VISA EXTENSION SECTION (VES):

Within six (06) working hours from receipt of an application, assess the amount of immigration fees, fines, and other charges due and payable and transmit the application, together with the original valid passport and the assessment, to the LD.

2.

DUTY OF THE LEGAL DIVISION (LD):

Within twenty-four (24) working hours from receipt of the application and assessment, evaluate the application and prepare the Order to Leave^[3] in accordance with existing laws, rules and regulations and transmit the same, together with the entire record thereof, to the Office of the Commissioner.

3.

DUTY OF THE OFFICE OF THE COMMISSIONER:

a)

Appropriately act thereon within four (4) working hours from receipt thereof. If the same is approved, return the Order and the entire record thereof to the VES for implementation of the updating and extension of authorized stay, otherwise, refer to concerned office for further processing; and

b)

If the Order also directs the inclusion of the applicant's name in the Bureau's Blacklist, implement such directive and furnish the ICTS a copy of the Order.

4.

DUTY OF THE INFORMATION AND COMMUNICATION TECHNOLOGY SECTION (ICTS):

Immediately upon receipt of the Order, encode the implemented Blacklist Order in the Bureau's derogatory database.

5.

DUTY OF THE VISA EXTENSION SECTION (VES):

a)

Within six (06) working hours from receipt of the approved Order, implement in the applicant's passport the updating and extension of his/her authorized stay upon proof of full payment of all assessed immigration fees, fines and other charges and transmit the entire records thereof to the Alien Registration Division (ARD).

b)

Furnish the applicant with a copy of the Order, personally or through his/her authorized representative, with proper acknowledgment of receipt thereof.

6.

DUTY OF THE ALIEN REGISTRATION DIVISION (ARD):

Within twenty-four (24) working hours from receipt of the entire records, process and issue the applicant's Emigration Clearance Certificate (ECC) if cleared and thereafter transmit the same records, together with the original of the ECC, to the ID.

7.

DUTY OF THE INTELLIGENCE DIVISION (ID):

Not later than the period prescribed in the Order to Leave or on the date of departure of applicant as indicated in his/her airline passage ticket, whichever comes earlier, implement the Order to Leave by personally escorting applicant to the boarding gate of the international port of exit.

II.

Orders To Leave Issued Pursuant to
Immigration Administrative Order No. SBM -2013-013[4]

1.

DUTY OF THE PROCESSING OFFICE:

a)

Within six (06) working hours from receipt thereof, process and evaluate the application for downgrading with the appropriate Order to Leave; and

b)

Transmit the Order, together with the entire records thereof, to the Approving Authority for appropriate action.

2.

DUTY OF THE APPROVING AUTHORITY:

a)

Appropriately act thereon within four (4) working hours from receipt thereof. If the application is approved, return the Order and the entire record thereof to the Processing Office for implementation of the downgrading, otherwise, refer to concerned office for further processing; and

b)

If the Order also directs the inclusion of the applicant's name in the Bureau's derogatory database, transmit the Order to the Office of the Commissioner for the implementation of such directive and furnish the ICTS a copy of the Order.

3.

DUTY OF THE INFORMATION AND COMMUNICATION TECHNOLOGY SECTION (ICTS):

Immediately upon receipt of the Order, encode the implemented derogatory order in the Bureau's derogatory database.

4.

DUTY OF THE PROCESSING OFFICE:

a)

Within six (06) working hours from receipt of the approved Order, implement in the applicant's passport the downgrading upon proof of full payment of all assessed immigration fees, fines and other charges.

b)

If an ECC is required, transmit the entire records thereof to the ARD, otherwise, transmit the same to the ID.

c)

Furnish the applicant with a copy of the Order, personally or through his/her authorized representative, with proper acknowledgment of receipt thereof.

5.

DUTY OF THE ALIEN REGISTRATION DIVISION (ARD):

Within twenty-four (24) working hours from receipt of the entire records, process and issue the applicant's Emigration Clearance Certificate (ECC) if cleared and thereafter transmit the same records, together with the original of the ECC, to the ID.

6.

DUTY OF THE INTELLIGENCE DIVISION (ID):

a)

Not later than the period prescribed in the Order to Leave or on the date of departure of applicant as indicated in his/her airline passage ticket, whichever comes earlier, implement the Order to Leave by physically escorting applicant to the boarding gate of the international port of exit.

III.

Orders To Leave Pursuant to a Deportation Complaint

1.

DUTY OF THE LEGAL DIVISION (LD):

a)

Upon findings after preliminary investigation of the deportation complaint that an Order to Leave against the respondent is appropriate under the facts and circumstances, prepare the Order and transmit the same, together with the entire records of the complaint, to the Office of the Commissioner.

b)

The Order shall include a directive for the respondent to report to the ID within three (3) working days from receipt thereof and his/her failure to comply with such directive shall result in the initiation of deportation proceedings against him.

2.

DUTY OF THE OFFICE OF THE COMMISSIONER:

a)

Appropriately act thereon within four (4) working hours from receipt thereof If the Order is approved, transmit the Order and the entire records thereof to the ID for implementation, otherwise, return the same to the LD for further proceedings; and

b)

If the Order also directs the inclusion of the applicant's name in the Bureau's Blacklist, implement such directive and furnish the ICTS a copy of the Order.

3.

DUTY OF THE INFORMATION AND COMMUNICATION TECHNOLOGY SECTION (ICTS):

Immediately upon receipt of the Order, encode the implemented Blacklist Order in the Bureau's derogatory database.

4.

DUTY OF THE INTELLIGENCE DIVISION (ID):

a)

Upon reporting of the respondent in compliance with the Order, require him/her to submit his/her original valid passport or travel document for evaluation and determination if he/she has other obligation/s with the Bureau, particularly updating of authorized stay, ECC, etc.

b)

If there is a need to update respondent's authorized stay and secure an ECC, transmit the entire records to the VES and ARD, respectively, otherwise, implement the Order to Leave not later than the period prescribed in the Order or on the date of departure of applicant as indicated in his/her airline passage ticket, whichever comes earlier, implement the Order to Leave by physically escorting applicant to the boarding gate of the international port of exit.

5.

DUTY OF THE VISA EXTENSION SECTION (VES):

a)

Within six (06) working hours from receipt thereof, process, assess, and implement the updating authorized stay of respondent upon proof of full payment of immigration fees, fines, and other charges due and payable; and

b)

If an ECC is required, transmit the entire records thereof to the ARD, otherwise, transmit the same to the ID for implementation in accordance with Section 1 (III)(4)(b) hereof.

6.

DUTY OF THE ALIEN REGISTRATION DIVISION (ARD):

Within twelve (12) working hours from receipt of the entire records, process and issue the applicant's Emigration Clearance Certificate (ECC) if cleared and thereafter transmit the same records, together with the original of the ECC, to the ID for implementation in accordance with Section 1(III)(4)(b) hereof.

SECTION 2. Reportorial Requirements and Other Responsibilities. –

A. INTELLIGENCE DIVISION:

1. Submit an Implementation Report to the Office of the Commissioner for every Order to Leave implemented within twenty-four (24) hours from such implementation and transmit the entire records thereof to the Records Section for safekeeping.
2. Submit a weekly report to the Office of the Commissioner, copy furnished the LID, of implemented and unimplemented Orders to Leave.

B. INFORMATION AND COMMUNICATION TECHNOLOGY SECTION (ICTS):

1. At the end of each working day, transmit to the Office of the Commissioner a list of names encoded in the Blacklist by virtue of this Operations Order.
2. Within thirty (30) working days from approval of this Order, develop an IT program to be managed and operated by the Office of the Commissioner designed to effectively and efficiently monitor the implementation of Orders to Leave.

SECTION 3. Repealing Clause. - All previous issuances inconsistent herewith are hereby repealed and/or modified accordingly.

SECTION 4. Effectivity. - This Order shall take effect immediately upon approval.

Furnish a copy of this Circular to the Office of the National Administrative Register (ONAR), U.P. Law Center, Diliman, Quezon City.

03 February 2014.

(SGD) SIEGFRED B. MISON
Commissioner

[1] Policies and Guidelines on the Extension and Updating of Temporary Visitor's Visa (TVV) issued on 23 December 2013.

[2] See Template (Annex A)

[3] See Template (Annex B)

[4] Subject: Order to Leave in Downgrading Applications dated 18 October 2013.

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.