PROVIDING FOR THE CREATION OF THE VERIFICATION AND COMPLIANCE DIVISION (VCD) AND PRESCRIBING THE ORGANIZATION AND FUNCTIONS THEREOF

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Adopted: 27 March 2012
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WHEREAS, Section 3, Commonwealth Act No. 613, otherwise known as "The Philippine Immigration Act of 1940," as amended, in relation to Section 36 of executive Order No. 292, otherwise known as the "Administrative Code of 1987," provides that "The head of a bureau or office shall issue circulars or orders to secure harmonious and efficient administration of his bureau or office and to carry into full effect the laws relating to matters within his jurisdiction."

WHEREAS, the Bureau shall implement a procedure for the expedited processing of all transactions;

WHEREAS, there is a need to implement a system of post audit and verification of all visa and alien registration applications ("Applications");

WHEREFORE, pursuant to the provisions of Book IV, Chapter 4, Section 20 (3) of Executive Order No. 292, otherwise known as the Revised Administrative Code of 1987, in relation to Section 3 of Commonwealth Act No. 613, otherwise known as the Philippine Immigration Act of 1940, as amended, the following are hereby ordered promulgated:

> Section 1. Creation – A Verification and Compliance Division (hereinafter referred to as VCD) is hereby created that shall act as the central clearance, verification, and compliance-monitoring Division of the Bureau.
>
> Section 2. Functions – The VCD shall have the following functions:
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> - Issuance of all immigration clearances;
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> - Recording and retrieval of all derogatory records;
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> - examination and certification of authenticity of official documents and other forms of fraud;
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> - Verification and post-audit of all documents submitted before the Bureau in support of any Application;
>
> - Recommend to the BOC for the cancellation of any Application found to be fraudulent or irregular;
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> - Perform other functions as the Commissioner may direct.

Section 3. Pre-Approval Audit – Prior to approval, hearing officers, reviewing officers or approving officers may refer any Application to the VCD for an independent verification of the Application together with the documentary requirements submitted. Any pre-approval verification under this Section shall not delay the application process within the timelines prescribed by the Commissioner.

Section 4. Post-Approval Audit – The VCD shall also conduct a post-approval audit of all Applications. Any defect, irregularity, fraud and/or error in any documents submitted in support of any Application that may be

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discovered by the VCD after approval shall be acted upon by the VCD for possible cancellation. The post-approval audit shall only entail review and compliance of submission of documents submitted and other information gathered by the Bureau pertaining to the said Application.

Section 5. Cancellation of Approved Applications – Upon the recommendation of the VCD or any other responsible officers in the hearing, reviewing and approval process, the Board of Commissioners (BOC) may order the cancellation of the approved Application if found materially defective, irregularly or erroneously executed upon due notice to the applicant.

Section 6. Prescription Period – No post-approval audit shall exceed six (6) months from the date of approval of the Application. After the lapse of the said period, an inquiry to the Application may be instituted by the VCD only upon written approval of the Commissioner citing compelling reasons.

Section 7. Transfer of Supervision – The Verification and Certification Unit (VCU) and derogatory Section under the Administrative division are hereby transferred under the Verification and Compliance division (VCD).

Section 8. Downgrading of the Anti-Fraud Division – The Anti-Fraud division is hereby downgraded and renamed as Anti-Fraud Section placed under the Verification and Compliance division (VCD). Personnel, equipment, records and office of the Anti-Fraud division are hereby transferred to the VCD.

Section 9. Administrative Provisions – All personnel, records and equipment of affected offices shall be subjected to inventory and placed under the name and custody of the VCD.

Section 10. Reportorial Requirement – Within thirty (30) days after the effectivity of this Order, the Chief of the Verification and Compliance division (VCD), Administrative division, Property Section and Section Chiefs of affected units shall render a report to the Commissioner as regards compliance to this Order.

Section 11. Supercession Clause – All bureau orders, circulars, issuances, memoranda that are inconsistent with this Order are hereby amended or modified accordingly.

Section 12. Effectivity Clause – This Order shall take effect immediately.

Let copies of this Order be deposited at the Office of the National Administrative Register (ONAR), University of the Philippines Law Center.

(SGD.) RICARDO A. DAVID, JR.
Commissioner

Approved:

(SGD.) LEILA M. DE LIMA
Secretary, Department of Justice

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