WAIVER OF EXCLUSION GROUND UNDER SECTION 29, PARAGRAPH A, SUBPARAGRAPH 12 OF THE PHILIPPINE IMMIGRATION ACT, AS AMENDED

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Children under fifteen (15) years of age, unaccompanied by or coming to a parent shall not be admitted into the country except upon the exercise by the Commissioner of his discretion, which he shall do so only after submission to him of the original or certified true copy of the following requirements:

1. Letter request made under oath by either parent or legally appointed guardian for the issuance of the Waiver of Exclusion Ground in favor of the child;

2. Birth certificate of the child;

3.. Affidavit of Consent and Guaranty by either parent or legally appointed guardian of the child naming therein the person who will be accompanying the child to the Philippines and with whom the child will reside or stay while in the Philippines;

4. Affidavit of support executed by the child's relative or person with whom the child shall be staying with while in the Philippines;

5. Clear photocopy of the data page of the child's passport; facsimile or photocopies which do not show clearly the facial features of the child shall be inadmissible;

6. Child's latest colored photograph (2 x 2).

In case consent is given by the legally appointed guardian, the court order appointing the guardian shall be furnished the Bureau.

All documents is issued by foreign governments and those executed in a foreign country shall be duly authenticated by the authorized Officer of the Philippine Consulate of the embassy which has jurisdiction over them.

Facsimile copies originating from within or outside the Philippines from private or personal sources shall not be accepted by the Bureau as sufficient compliance, except when faxed from Philippine foreign post, in which case, the same shall be accepted by the Bureau and the waiver shall be granted subject to the presentation of the original copies of the documents upon the child's arrival to the immigration officer conducting the primary inspection.

Any communication/statement/document in a language other than English or Filipino should officially translated under seal of the authorized officer of the appropriate foreign embassy.

This Law Instruction shall take effect (15) days after its publication and filing with the U.P. Law Center.

Adopted: 15 April 1999

(SGD.) RUFUS B. RODRIGUEZ
Commissioner

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