NATIONAL ADMINISTRATIVE REGISTER · JULY 31, 2009

AMENDING MEMORANDUM CIRCULAR NO. MCL-09-005, DATED 08 JULY 2009, PROVIDING FOR THE "IMPLEMENTING GUIDELINES OF THE BUREAU OF IMMIGRATION (BI) REGIONALIZATION PROGRAM"

BI MEMORANDUM CIRCULAR NO. MCL-09-007, July 31, 2009

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SECTION 1. Rule V, Section 11, paragraph [c] of Memorandum Circular No. MCL-09-005 is hereby amended to read as follows:

> "[c] Except for Mission Orders for the conduct of verification of immigration status of fugitives from justice, INTERPOL cases, and special cases, as determined by the Commissioner, the Executive Director, upon favor able recommendation by the IAD, may issue a Mission Order against a foreigner for other violation/s of immigration laws subject to terms and conditions imposed under existing applicable laws, rules and regulations.
>
> THE MISSION ORDER MUST CONTAIN THE FOLLOWING DETAILS AND INFORMATION:
>
> 1. NAME/S OF THE MEMBERS OF THE ENFORCEMENT TEAM;
>
> 2. NAME/S OF THE SUBJECT/S OF THE MISSION ORDER, HIS/HER/THEIR ALIAS/ES, IF ANY, AND NATIONALITIES;
>
> 3. LAST KNOWN ADDRESS/ES AND/OR LOCATION OF THE SUBJECT/S;
>
> 4. NUMBER AND DATE OF ISSUE OF THE MISSION ORDER;
>
> 5. DUTIES OF THE ENFORCEMENT TEAM; AND
>
> 6. VALIDITY OF THE MISSION ORDER OF SEVEN (7) DAYS FROM DATE OF ISSUE."

SECTION 2. Rule V, Section 11, paragraph [g] of the same Circular is likewise amended as follows:

> "No foreigner subject of a Mission Order shall be committed for detention or deported unless supported by a Commitment Order or Warrant of Deportation, respectively, issued by the Commissioner OR HIS DULY AUTHORIZED REPRESENTATIVE."

SECTION 3. Paragraph [h] is hereby added to Section 11 of Rule V of the same Circular as follows:

> "[h] A COMMITMENT ORDER OR WARRANT OF DEPORTATION, OTHER THAN FOR THE PURPOSE OF RESPECTIVELY DETAINING OR DEPORTING, FUGITIVES FROM JUSTICE, INTERPOL CASES AND SPECIAL CASES AS DETERMINED BY THE COMMISSIONER, SHALL BE SIGNED AND ISSUED BY THE IMMIGRATION AREA DIRECTOR WITHIN HIS/HER AREA OF RESPONSIBILITY (AOR) IN IMMIGRATION AREA OFFICES III AND IV (NATIONAL CAPITAL REGION-NORTH AND NATIONAL CAPITAL REGION-SOUTH), THE EXECUTIVE DIRECT OR SHALL SIGN AND ISSUE THE COMMITMENT ORDER OR WARRANT OF DEPORTATION, AS THE CASE MAYBE, UPON THE RECOMMENDATION OF THE IADS OF THE SAID AREAS."

SECTION 4. Section 12-A under Rule V of Memorandum Circular No. MCL-09-005 is likewise hereby added as

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follows:

> "SECTION 12-A. VERIFICATION OF IMMIGRATION STATUS - IN CASES WHEN THE NATIONALITY AND/OR IMMIGRATION STATUS OF A FOREIGNER CANNOT BE DULY ASCERTAINED FROM THE AVAILABLE D AT ABASE IN THE BUREAU OF IMMIGRATION, THE EXECUTIVE DIRECTOR MAY ISSUE AN INVITATION REQUIRING THE SAID FOREIGNER TO APPEAR ON A SPECIFIC TIME AND D ATE BEFORE THE IAD HAVING JURISDICTION OF HIS RESIDENCE, ADDRESS OR LOCATION, FOR THE PURPOSE OF POSITIVE AND ACCURATE DETERMINATION OF HIS NATIONALITY AND/OR IMMIGRATION STATUS, AND TO INFORM HIM OF THE ADEQUATE IMMIGRATION REQUIREMENTS, PROCEDURES AND REMEDIES NECESSARY AND APPLICABLE UNDER THE CIRCUMSTANCES."

SECTION 5. Rule VII, Section 16 [a] of the same Circular is amended as follows: "Section 16. Airport Operations, Bay Service and Border Crossing Activities - [a] The Bureau 's international airport and seaport operations, bay service and border crossing activities shall continue to exercise its mandated functions, duties and responsibilities and shall be under the control and supervision of the IMMIGRATION REGULATION DIVISION (IRD).

SECTION 6. Effectivity - This Memorandum Circular takes effect immediately upon approval and posting in the official BI Website.

Let copies of this Order be filed with the Office of the National Administrative Register (ONAR), U. P. Law Center, U. P. Diliman, Quezon City, Philippines.

Adopted: 31 July 2009

(SGD.) MARCELINO C. LIBANAN
Commissioner

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