AMENDING SECTIONS 6 AND 15 OF OPERATIONS ORDER NO. SBM-2014-046 (MANUAL OF OPERATION FOR PROCESSING ARRESTED/INTERCEPTED FOREIGNERS)

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Adopted: 11 November 2014
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WHEREAS, Operations Order No. SBM-2014-046 was issued on 25 September 2014 providing for the Manual of Operation for Processing Arrested/Intercepted Foreigners;

WHEREAS, there is a need to amend certain provisions of the same Operations Order to include certain duties of the Intelligence Division and Legal Division;

NOW, THEREFORE, pursuant to the rule-making authority of the Commissioner of Immigration under Commonwealth Act No. 613, as amended, the following amendments are hereby prescribed:

> Section 1. Amendment of Section 6 of Operations Order No. SBM-2014-046. – Section 6 of Operations Order No. SBM-2014-046 is hereby amended to read as follows:
>
> "Section 6. Duties of the Arresting Officers, Intelligence Division. Post Mission Report. – The arresting officers shall, within twelve (12) hours from the time of arrest forward the case records to the Legal Division which shall include:
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> - Post Mission Report: (i) with an Affidavit of Arrest (of the arresting officers) specifically and clearly stating the ground, date, time, place and manner of arrest; or (ii) with Service of Mission Order;
>
> - Mission Order and the Intelligence Report which became the Basis for the issuance of such Mission Order;
>
> - Statement under oath of the complete inventory of properties, things and papers, including immigration documents, provisionally taken from the foreigners, if any;
>
> - Other relevant documentary, object and testimonial evidence."

Section 2. Amendment of Section 15 of Operations Order No. SBM-2014-046. - Section 15 of Operations Order No. SBM-2014-046 is hereby amended to read as follows:

> "Section 15. Duties of the Legal Division. – The Chief, Legal Division shall immediately assign the case record to the PLAS. The Special Prosecutor shall conduct an investigation and shall have thirty (36) hours from the time of interception to recommend the foreigners' release or to direct the foreigners to leave the Philippines within twenty four (24) hours. The recommended order shall be subject to the approval of the Commissioner.
>
> The Order to Leave shall direct the foreigners to each pay within 24 hours (i) Immigration Arrears Release Certificate [IARC] of Ten Thousand Pesos (Php 10,000.00); and (ii) Express Lane Fees of Five Thousand Pesos (Php 5,000.00) to be receipted to the Trust Fund.
>
> Likewise, the Order to Leave shall provide that such foreigners' name in the Blacklist and shall provide that

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such foreigners shall be ineligible for readmission except upon prior payment by each of them of (i) updating fees as computed by the Visa Extension Section; (ii) Waiver of Exclusion Ground (WEG) Fee of Fifty Thousand Pesos (Php 50,000.00); and (iii) Express Lane Fee of Five Thousand Pesos (Php 5,000.00) to be receipted to the Trust Fund.

The foreigners or their counsel shall be provided with the copy of the Release Order or the Order to Leave with Blacklist."

Section 3. Effectivity. – This Operations Order shall take effect immediately.

Furnished a copy of this Order to the Office of the National Administrative Register (ONAR), U.P. Law Center, University of the Philippines, Diliman, Quezon City.

11 November 2014

(SGD) SIEGFRED B. MISON
Commissioner

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