PROCEDURES AND TIMELINES IN THE PROCESSING OF APPLICATIONS FOR VISA CONVERSION/EXTENSION AND ACR I-CARD ISSUANCE/RENEWAL

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WHEREAS, the Bureau of Immigration (BI) is responsible for the administration and enforcement of immigration and citizenship laws and the admission of foreigners in the Philippines[1], including the enforcement of alien registration laws, exclusion, deportation and repatriation of foreigners, and supervision of their immigration into and emigration from the Philippines[2];

WHEREAS, in line with the State policy declared in Republic Act No. 9485[3], there is a need to enhance the existing procedures and guidelines in the processing of applications for visa conversion/ extension and the issuance/ renewal of the corresponding Alien Certificate of Registration Identity Card (ACR I-Card) to eliminate bureaucratic red tape, avert graft and corrupt practices and improve the efficiency of delivery of such frontline services;

WHEREAS, consistent with the BI's "Good Guys In, Bad Guys Out" program, foreigners applying or with bona fide intention to apply for appropriate visa are presumed to be "good guys" which should be extended tourist- and/or investment-friendly immigration services;

WHEREFORE, pursuant to Section 3 of Commonwealth Act No. 613, as amended, otherwise known as the "Philippine Immigration Act of 1940", the following are hereby ordered:

SECTION 1. Purpose. - This Operations Order aims to improve the procedures and establish timelines in the processing of applications for visa conversion/extension and ACR I-Card issuance/renewal designed to expedite and facilitate the processing of said applications.

SECTION 2. Obligations of Each Concerned BI Office. –

A. CENTRAL RECEIVING UNIT (CRU) [Same Day Transmittal]:

Upon determination that all the supporting documents for the application are complete and in order in accordance with the prescribed checklist of requirements, transmit all application folders received from all offices to the concerned office before the end of office hours of the same day when they were received:

a)

For visa conversion/extension - to the Legal Division (LD)/Board of Special Inquiry (BSI) Hearing Officer; and

b)

For ACR I-Card issuance/renewal - to the ARD.

If the application for visa conversion does not require the personal appearance by the applicant in a hearing, advise him/her to directly proceed to the ARD for biometric capturing on the date indicated in the notice.

B. LD/BSI HEARING OFFICER:

On the date indicated in the Notice of Hearing:

a)

conduct the hearing on the application;

b)

direct the applicant to immediately proceed to the ARD for biometrics capturing;

c)

Within five (5) working days after the actual hearing or submission of additional documents, if warranted, prepare and transmit the recommended Order, together with the application folder, to the respective Chief of the LD and BSI for appropriate action.

All Orders must contain: (1) “Recommending APPROVAL/DISAPPROVAL” as the desired action of the Hearing Officer and Head of concerned office; (2) “APPROVED/DISAPPROVED” as the final action by the Board of Commissioners (BOC); and (3) date when the signature of the concerned signatory was affixed.

C. [1] ALIEN REGISTRATION DIVISION (ARD):

Upon appearance by the applicant for biometric capturing:

a)

retrieve the application and confirm personally with the applicant the correctness of the information provided therein;

b)

capture the applicant's biometrics data;

c)

submit the applicant’s biometric data and application form for preparation of the applicant’s ACR I-Card template ready for printing upon notice of the BOC’s approval of the application.

[2] LD/BSI CHIEF [Same Day Transmittal]:

Within three (3) working days from receipt of the Order from the Hearing Officer, review, evaluate and indicate the desired action “APPROVAL” or “DISAPPROVAL”.

All Orders reviewed and evaluated within a particular working day must be transmitted, together with the application folder, to the Office of the Executive Director (OED) before the end of office hours of that day.

D. OED:

Within the next working day from receipt thereof, all Orders and its corresponding application folders shall be transmitted to the designated reviewing Associate Commissioner.

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E. OFFICE OF THE ASSOCIATE COMMISSIONER:

Within three (3) working days from receipt of the Order and its application folder, complete the review thereof and return the same to the OED. Any deficiency observed during the review process must be noted in a separate sheet of paper with recommended action addressed to the BOC.

Any and all Orders and its application folders received shall be returned to the OED not later than the above period regardless of the result of the review and recommended action.

F. OED:

Prepare and include in the BOC Agenda for the BOC Meeting scheduled for the week all Orders received from the designated reviewing Associate Commissioners not later than 3:00 o'clock in the afternoon of the day prior to the scheduled BOC Meeting. The Orders shall be sorted as to "without deficiencies observed" and "with deficiencies observed".

All Orders received after the aforesaid time and day shall be included in the succeeding week BOC Meeting Agenda without exception.

G. BOC:

Deliberate and act on the Orders included in the agenda.

H. OED:

Within two (2) working after the BOC Meeting, simultaneously:

a)

Transmit to ARD the agenda indicating the applications approved by the BOC and the period of validity of the visa granted; and

b)

Post or cause the posting in the BI website the action taken by the BOC (approved or disapproved) on the applications included in the Agenda which shall serve as due notice to the applicants.

I. ARD:

Within three (3) working days from receipt of the Agenda, complete the printing of all the ACR I-Cards of applicants whose applications were approved and transmit the same to the OED.

J. OED [Same Day Implementation and Release of ACR I-Card]:

a)

Implement the approved visa in the applicant's passport upon presentment thereof and simultaneously release his/her ACR I-Card;

b)

Within three (3) working days after the implementation, transmit the entire records of the application to the Verification and Compliance Division (VCD) for post-audit;

c)

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Initiate the forfeiture/cancellation of approved visas and ACR I-Cards that are not implemented within thirty (30) working days from posting of the action taken thereof in the BI website.

K. VCD:

Conduct and complete the post-audit of all approved applications within three (3) months from transmittal.

SECTION 2. Repealing Clause. - All previous issuances inconsistent herewith are hereby repealed and/ or modified accordingly.

SECTION 3. 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.

12 February 2014.

(SGD) SIEGFRED B. MISON
Commissioner

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[1] Executive Order No. 292, Book IV, Title III, Chapter X, Section 31.

[2] Letter of Implementation No. 20 (31 December 1972), Section 14.

[3] Anti-Red Tape Act of 2007.

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