

GUIDELINES IN THE PROCESSING OF APPLICATIONS FOR QUOTA IMMIGRANT VISAS UNDER SECTION 13 OF COMMONWEALTH ACT NO. 613, AS AMENDED, ALSO KNOWN AS THE PHILIPPINE IMMIGRATION ACT (PI...

BI MEMORANDUM CIRCULAR NO. RPL-11-003, February 03, 2011

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Pursuant to Sec.3 of the PIA of 1940,as amended, the Officer-in-Charge issues the following guidelines for quota immigrant visa applications under Sec.13, PIA are hereby issued:

I. GENERAL CONSIDERATIONS

1. An immigrant is a foreign national departing from abroad to reside permanently in the Philippines. An immigrant may either be quota or non-quota.
2. Sec.13 of the PIA provides for the admission into the Philippines of quota immigrants not exceeding fifty (50) of any nationality for each year. Stateless persons are also entitled to the annual quota of fifty (50).
3. Under the principle of reciprocity, quota immigrant visas shall not be issued to foreign nationals of countries with which the Philippines has no diplomatic relations or which do not grant the same immigrant privileges to Filipino citizens.
4. Quotas terminate at the end of each calendar year and unused quota numbers cannot be utilized for the following year. Consequently, a quota number and the immigration visa must be issued during the same calendar or quota year.

II. CLASSIFICATIONS.-

1. In allotting quota numbers, the Commissioner of Immigration shall accord preference status to applicants in the following order of priority:
 - (i) Those possessed of qualifications, skill, or scientific, educational or technical knowledge which will advance and be beneficial to the national interest of the Philippines; and
 - (ii) Those possessed of sufficient capital for a viable and sustainable investment in the Philippines.

III. QUALIFICATIONS -

1. To qualify for a quota immigrant visa, the applicant must establish that:
 - (i) He is in possession of a valid passport (or equivalent document) and visa at the time he files his application;
 - (ii) He does not belong to any class of excludible or deportable foreign nationals enumerated under Secs.29 and 37 of the PIA, respectively;
 - (iii) There is a reciprocity arrangement between his country and the Philippines based on but not limited to Department of Foreign Affairs circulars and issuances; provided, that this requirement shall be waived in case

of stateless persons;

(iv) He is among the preferred classes of foreign nationals as specified in Item II hereof.

2. The allocation of a quota number to a non-preferred immigrant applicant shall be on first come-first served basis and only after allocation of numbers to preferred quota applicants.

IV. DOCUMENTARY REQUIREMENTS.

1. All applicants shall complete the documentary requirements enumerated in the accompanying CHECKLIST OF DOCUMENTARY REQUIREMENTS FOR APPLICATIONS FOR CONVERSION TO QUOTA IMMIGRANT that is made an integral part of this Memorandum Circular as "Annex A"[*] hereof.

V. PROCEDURE.-

1. All application for change of admission status and issuance of visa to quota immigrants shall be placed under the Visa Issuance Made Simple (VIMS) program, and the procedures thereof shall be followed.

2. All applications fees for quota immigrant visas shall be assessed and paid in full before being accepted for filling.

3. Immediately upon payment of fees, the application shall be forwarded to the Chief, Law and Investigation Division, for raffling to designated hearing officers.

4. Upon receipt of the application, the hearing officer shall have 15 days to resolve the same. Within the same period, he shall transmit the application and his recommendation (approving or denying the application) to the Chief, LID.

5. The Chief, LID shall prepare a list of qualified applicants by nationality and in the order of preference specified in Item II hereof, and transmit the same to the Commissioner of Immigration for final action

6. The Commissioner shall grant quota immigrant visas and implement (by himself or through his designated representative) the same. The grant shall be stated in an Order signed him, indicating the nationality, Official Receipt No., Quota Allotment Number , and date of issuance.

7. All qualified applicants shall be notified by registered mail

8. The list of approved Quota Immigrant Visas shall be posted at the Bureau of Immigration Main Office, in places accessible to the public; and in the Bureau of Immigration official website.

VI. REGISTRATION

1. A certified true copy of the Orders granting the quota immigrant visa shall be transmitted to the Chief, Alien Registration Division.

2. It shall be mandatory upon the Chief, ARD, to cause the registration of, and issuance of ACR-I Cards to, all approved Quota Immigrant applicants. No other documents shall be required for purposes of registration except the following:

- (i) True copy of the Order of approval;
- (ii) True copy of the implementation stamp appearing on the applicant's passport; and
- (iii) Original or True copy of the Official Receipts evidencing payments of the I-Card fees.

3. The I-Card shall be released within 24 hours from the time the I-Card applications is filed.

VII. FINAL PROVISIONS-

1. All previous circulars, orders, and/or instructions inconsistent herewith are deemed repealed, amended, and/or modified accordingly.
2. This Memorandum shall take effect immediately.

Let copies of this Memorandum Circular be filed with the Office of the National Administrative Register (ONAR) at the UP Law Center, UP Complex,(Diliman, Quezon City.

Adopted: 03 February 2011

(SGD.) RONALDO P. LEDESMA
Officer in Charge

[*] Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City.

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