

## EXPIRATION OF AMNESTY UNDER IMMIGRATION REGULATIONS INSTRUCTIONS NO. 22

*CID LAW INSTRUCTIONS NO. 34/IMMIGRATION REGULATION INSTRUCTIONS NO. 49, June 20, 1988*

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By express provision, the Amnesty Program under Immigration Regulation Instructions No. 22 and under Law Instructions No. 24 and Immigration Regulation Instructions No. 30 expired on 15 June 1988. The consequences of the expiration are as follows:

### A

#### Temporary Visitors

1. General Rule — Except for those governed by specific laws, aliens entering the country as temporary visitors may stay in the country for a period not exceeding one (1) year and 59 days. For temporary visitors who obtained their visa from a Philippine consulate abroad, the initial admission is usually for 59 days; thereafter, he may be granted three extensions of not more than four (4) months each, but not to exceed a total extensions of one (1) year.

For temporary visitors who entered without a visa, as authorized under Executive Order No. 408, the initial admission is normally for 21 days; thereafter, he may be granted an extension of 38 days, commonly referred to as a visa waiver, which adds up to an authorized stay of 59 days. Subsequently, he may be granted three additional extensions of not more than four (4) months each but not to exceed a total extension of one (1) year.

The maximum period of one (1) year and 59 days may be further extended by the Commissioner or Associate Commissioner in exceptional cases.

An application for extension must be filed before the expiration of the alien's last authorized stay.

An extension fee of P110.00 shall be assessed for every extension of one (1) month or segment thereof.

2. Late Filing of Application for Extension; Beyond One Year and 59 Days — As a deterrent to the late filing of applications for extension, an alien who files an application for extension after his authorized stay has expired, shall first be required to update his stay by paying double the monthly extension fee for the period during which he has overstayed. If his application for extension still falls within the maximum period of one (1) year and 59 days, he may be granted the period of extension requested or four (4) months, whichever is less. He shall pay the ordinary monthly extension fee for the period extended.

If his application for extension will exceed, either in full or in part, the maximum period of one (1) year and 59 days, he shall present documentary proof that his case qualifies as exceptional case to justify any extension beyond the maximum authorized period. Examples of exceptional cases are:

- a. the filing of a complete application for immigrant or non-immigrant resident status or for temporary resident visa, and the pendency of the said application with the CID;
- b. the issuance of a special work permit or a special study permit;
- c. physical impossibility to travel due to serious illness or force majeure; and

d. other analogous cases.

If the alien can justify the exceptional nature of his case, he may be granted additional extensions of not more than four (4) months at one time.

If the alien cannot justify the exceptional nature of his case, he shall be granted a 15-day grace period within which to leave.

## B

### Permanent Residency Privilege

The Privilege granted to overstaying aliens to legalize their stay by applying for permanent residence under Executive Order No. 226 or the Omnibus Investment Code; Executive Order No. 63 or the Tourist-Related Incentives Law; and Executive Order No. 1037 or the Special Investors Resident Visa is terminated.

## C

### Student Permit

The privilege granted to aliens with fake or unauthorized student, immigrant or other kinds of visas to complete the degree/course in which they are presently enrolled by applying for a special study permit is terminated.

## D

### Immunity From Arrest and Investigation

The immunity of the alien from arrest and investigation as long as he is not engaged in a crime is likewise terminated, unless he files a Notice of Intent to avail of the legalization granted under Executive Order No. 324.

Adopted: 20 June 1988

(SGD.) REGINA PADILIA GERALDEZ

Associate Commissioner

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