

DOLE'S ISSUANCE OF ALIEN EMPLOYMENT PERMITS (AEPs) TO NON-RESIDENT FOREIGN NATIONALS OCCUPYING ELECTIVE POSITIONS IN PEZA-REGISTERED ECONOMIC ZONE ENTERPRISES

PEZA MEMORANDUM CIRCULAR NO. 2005-030, September 09, 2005

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/7b1a61e22416/>

The Department of Labor and Employment (DOLE) requires non-resident foreign nationals occupying elective positions in companies operating in the country to apply for Alien Employment Permits (AEPs) within 5 days of election into their positions.

DOLE National Capital Region Director Ricardo S. Martinez, in a letter dated 12 August 2005, indicated that in response to PEZA's recommendation, DOLE is willing to accept AEP applications of non-resident foreign nationals occupying elective positions (e.g., Members of the Governing Board, Presidents, Vice-Presidents, General Managers and Treasurers) in PEZA-registered economic zone enterprises, even if they are in possession only of Tourist or 9(a) Visas. Director Martinez further indicated in his letter that DOLE will issue the AEPs to non-resident foreign nationals occupying elective positions (e.g., Members of the Governing Board, Presidents, Vice Presidents, General Managers and Treasurers) in economic zone enterprises upon presentation of the applicants of DOJ-approved Special Non-Immigrant [i.e., 47 (a) 2] Visas.

Prior to Director Martinez's kind consideration of PEZA's recommendation, many non-resident foreign nationals occupying elective positions in economic zone locator enterprises experienced difficulty in complying with the DOLE requirement for them to submit their AEP applications within 5 days of their election into positions in their economic zone enterprises, because they only had valid Tourist and 9(a) Visas and not the DOJ-approved Special Non-Immigrant [i.e., 47 (a) 2] Visas, in view of the fact that it takes about 15 days to secure Special Non-Immigrant [ie, 47(a) 2] Visas. As a result, many had to pay penalties for late AEP application.

We also wish to take this opportunity to remind all concerned of the following important points:

1. Foreign nationals occupying elective positions in companies operating in the country who fail to apply for AEPs within 5 days of their election to their company positions shall be required to pay the following fines:

- P 2,000.00 for those who submit AEP applications within 2 months after their election;

- P5,000.00 for those who submit AEP applications beyond 2 months but within 6 months of their election;

and

- P10,000.00 for those who submit AEP applications beyond 6 months of their election.

2. Foreign nationals occupying non-elective positions in companies operating in the country should submit to the

DOLE their AEP applications, together with their DOJ-approved 47 (a) 2] Visas prior to the effectivity or commencement dates of their employment contracts to avoid being fined.

For the information and guidance all concerned.

Adopted: 09 Sept. 2005

(SGD.) LILIA B. DE LIMA

Director General

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.