RULES AND REGULATIONS IMPLEMENTING THE MEMORANDUM OF AGREEMENT BETWEEN THE BUREAU OF IMMIGRATION (BI)AND CAGAYAN ECONOMIC ZONE AUTHORITY (CEZA)

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Adopted: 19 October 2014
Date Filed: 17 November 2014

Pursuant to the MEMORANDUM OF AGREEMENT entered into by and between the Bureau of Immigration (BI) and Cagayan Economic Zone Authority (CEZA) dated 10 September 2014, the following rules and regulations governing the implementation of the provisions thereof are hereby promulgated and adopted:

RULE I
POLICY GUIDELINES

Section 1. Applicability. - This implementing rules and regulations shall be applicable in the Cagayan Special Economic Zone and Freeport (the "Zone").

Section 2. Authority of CEZA to Grant Visas. - The BI hereby recognizes the authority of CEZA to receive and process applications and prescribed the supporting documents necessary for the grant of CEZA Investor's Resident Visa (CIRV), CEZA Working Visa (CWV) and CEZA Dependent Visa (CDV) in accordance with Republic Act No. 7922, otherwise known as the "Cagayan Special Economic Zone Act of 1995" and the Rules Implementing the Cagayan Special Economic Zone Act of 1995.

Section 3. Validity of Visas. – All visas issued by CEZA shall be valid within and outside the Zone, provided that the foreign national shall not engage in any kind of gainful employment or business activity other than that approved by or registered with CEZA.

Section 4. Non-diminution of BI Authority. - Nothing in this Order shall be construed as a diminution of BI's authority to enforce immigration laws, rules and regulations within the Zone.

RULE II
VISA UPON ARRIVAL

Section 1. Issuance. - Upon proper application filed with the Office of the Commissioner, BI Main Office, at least forty-eight (48) hours before the scheduled date of arrival, the BI shall grant a single-entry Visa Upon Arrival (VUA) with an initial authorized stay of seven (7) days to CEZA Preferential Visitors who, in the discretion of the Commissioner, may be entitled thereto. Section 2. Documentary Requirements. - Applications for the VUA shall be subject to the submission of the following documentary requirements:

a) Letter request addressed to the Commissioner from the CEZA-licensed locator containing the following details of the applicant:

- Name as it appears in the valid passport;

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- Place and date of birth and nationality;

- Passport number, place and date of issue, and validity;

- Residential address abroad and local address in the Philippines; and

- Nature and purpose of visit;

b) Endorsement letter from CEZA;

c) Sworn Guarantee and Undertaking by the CEZA-licensed locator;

d) Photocopy of applicant's valid passport bio-page;

e) Applicant's arrival flight information details; and

f) BI Clearance Certificate (BICC).

Section 3. Extension. - Upon endorsement by CEZA and proper application filed by the CEZA-licensed locator, the seven (7) days initial authorized stay granted to a VUA holder may be extended for not more than thirty (30) days authorized stay in each extension up to a maximum of two (2) extensions only.

RULE III
CONVERSION OF IMMIGRATION STATUS

Section 1. Conversion. - Subject to submission of BI Clearance Certificate, the CEZA may convert a valid VUA or Temporary Visitor's Visa (TVV) to CIRV, CWV or CDV in accordance with its prescribed rules and regulations and without need to exit the country.

Section 2. Non-CEZA Visa Holders. - Existing employees of CEZA- licensed locators who are current holders of non-CEZA working visas shall apply for and secure appropriate CEZA working visas and CEZA Card not later than 31 December 2014, subject to the requisite downgrading of their current visa by the BI without need to exit the country.

Failure to comply with this requirement shall result in the cancellation and downgrading of their current non-CEZA visa by the BI upon endorsement by CEZA and to exit the country.

RULE IV
ADMISSION STATUS

Section 1. VUA Holders. - Subject to compliance of existing immigration laws, rules and regulations on the admission of foreign nationals, CEZA Preferential Visitors granted with a VUA shall be allowed entry into the Philippines and admitted as temporary visitors under Section 9(a) of Commonwealth Act No. 613, as amended, with the following notation: "CEZA VUA".

Section 2. CEZA Visa Holders. - CEZA visa holders shall be allowed multiple entry and exit privileges and shall be admitted into the country under the same terms and conditions as when they left without the necessity of obtaining appropriate Alien Certificate of Registration Identity Card (ACR I-Card), Re-Entry Permit, Special Return Certificate (SRC), Emigration Clearance Certificate (ECC) and all other types of clearances required by BI.

RULE V
DOWNGRADING

Section 1. When and Where Filed. - Within five (5) days from cancellation thereof, requests for downgrading of

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CEZA-issued visa shall be filed at and processed by the Immigration Regulation Division (IRD), BI Main Office, for final appropriate action by the Commissioner or his duly authorized representative.

Section 2. Documentary Requirements. - Requests for downgrading shall be subject to the submission of the following documentary requirements:

a) Letter request addressed to the Commissioner from the CEZA-licensed locator stating the reason(s) for downgrading, i.e., resignation, termination, late filing of extension of visa or dissolution of the company, etc.;

i) If the letter request is filed by the applicant, it must indicate the applicant's complete address and contact numbers in the Philippines;

b) Endorsement letter from CEZA, together with the Visa Cancellation Order;

c) Photocopy of passport bio-page, visa implementation page and page bearing the latest admission and valid authorized stay;

d) Photocopy of CEZA Card (front and back portions) with proof of its cancellation; and

e) Derogatory record verification (No Derogatory Stamp).

Section 3. Order to Leave. - A foreign national with downgraded CEZA-issued visa must exit the country within the period prescribed in the Order. Failure to comply with the Order to Leave shall commence the deportation proceedings against the foreign national.

RULE VI
CEZA CARD

Section 1. Issuance of CEZA Card. - Pursuant to Section 36 of the Rules Implementing Republic Act No. 7922, all CEZA visa holders shall secure CEZA Cards under an identification card system developed, implemented and enforced by CEZA containing such information as the CEZA may deem necessary, including but not limiting to, the personal information, biometric data and record of CEZA and immigration-related transactions of the CEZA Cardholders.

Section 2. CEZA Card Validity. - The validity of the CEZA Card shall be co- terminus with the validity of the CEZA-issued visa.

Section 3. Recognition by BI. - The CEZA Card shall be recognized and accepted by BI as among the immigration and travel documents required for the entry to, stay in, and exit from the country. For this purpose, the CEZA shall immediately establish a network connectivity that shall allow BI real-time electronic view-only access of the data and information stored in the CEZA Card to verify its authenticity and validity of the CEZA Cardholder's immigration status.

Upon endorsement by BI, CEZA shall ensure that immigration authorities in all countries shall be properly informed of the CEZA Card as among the immigration and travel documents required of CEZA visa holders to enter and exit the Philippines.

Section 4. Assistance by CEZA. - Within fifteen (15) days from execution hereof, the CEZA, on its own account, shall provide the BI with adequate information technology (IT hardware, equipment and other facilities that shall afford BI the capability and capacity such real-time access.

To ensure reliable data and connectivity security and protection of the BI- CEZA network connectivity, CEZA shall develop, install and implement, within a period of six (6) months from execution hereof, a network security

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system to prevent persistent and targeted cyber intrusions with the following minimum capabilities:

i) Automated dynamic analysis of email and web content run in a virtual environment to detect suspicious behavior;

ii) Use of network-based anti-malware tools to identify executables in all network traffic and use techniques other than signature-based detection to identify and filter out malicious content before it arrives at the endpoint; and

iii) Detonation chambers or dynamic execution environments that allow opening of email attachments, execute untrusted applications, and/or execute Universal Resource Locator (URL) requests in the safety of a controlled and isolated environment.

Section 5. CEZA Card Processing Guidelines of Departing and Arriving CEZA Visa Holders at International Ports of Entry and Exit. - Departing and arriving CEZA visa holders shall present their CEZA Card to the Immigration Officer during primary inspection.

a) A CEZA visa holder who fails to present a valid and active CEZA Card during immigration departure formalities shall be denied exit and shall be required to secure a clearance from CEZA. Unless there are other grounds to defer his/her departure, he/she shall be allowed exit upon submission of the CEZA clearance; Provided, that such CEZA visa holder may be included in the BI's Blacklist on recommendation by CEZA and may be allowed to re-enter the country only upon CEZA's endorsement.

b) A CEZA visa holder who fails to present a valid and active CEZA Card upon immigration arrival formalities shall be denied entry but his/her name shall not be included in the BI's Blacklist. However, he/she may secure an endorsement from CEZA for the possible recall of the Exclusion Order prior to the implementation thereof and allowed to enter, unless there are other grounds for his/her exclusion.

RULE VII
ASSESSMENTS AND FEES

Section 1. Assessment. - An Order of Payment Slip (OPS) shall be issued by the BI upon the filing of the any application or request showing the assessed fees and other charges due thereon.

Section 2. Payment. - No application or request filed under these rules and regulations shall be acted upon and processed unless the assessed basic fees prescribed in Annex "A" hereof' and other applicable fees and charges, including fines and penalties, are fully paid as evidenced by duly issued BI Official Receipt/s.

The said fees may be revised or modified by the BI as may be necessary without need of notice to or consent by CEZA.

Section 3. Other Transactions. - For transactions or requests not specifically covered by these rules and regulations, the prevailing fees and charges therefore shall be assessed and paid for by the applicant or requesting party.

RULE VIII
MISCELLANEOUS PROVISIONS

Section 1. Inspection and Monitoring. Duly authorized representatives of BI and CEZA shall jointly conduct periodic and routine visits and inspections of locators and their foreign executives, employees and guests within the Zone to ensure proper compliance of immigration laws, rules and regulations and effective implementation these rules and regulations.

In exceptional or urgent cases, BI may conduct individual visits and inspections upon prior coordination with

CEZA authorities.

Section 2. Immigration Courtesy Lane. - CEZA visa holders and CEZA Preferential Visitors shall be allowed to use the "Immigration Courtesy Lane" in all international ports of entry and exit.

Section 3. Accreditation of CEZA Liaison Officers. - Upon proper application and compliance with the documentary requirements, the Bl shall accredit not more than (2) CEZA Liaison Officers authorized to process transactions with the BI. Only BI-accredited CEZA Liaison Officers shall be allowed to transact with the BI in behalf of CEZA and CEZA-licensed locators, its foreign executives, employees and guests.

Section 4. Reportorial. Requirements. -

a) The CEZA shall report to BI the following:

> i) Names, dates of birth and nationalities of foreign nationals who are granted CEZA visas or whose visas are cancelled or revoked within thirty (30) days after its issuance, cancellation or revocation; and
>
> ii) All CEZA Preferential Visitors who actually entered the country through a VUA within the first five (5) days of each and every month.

b) The BI shall submit to CEZA a monthly report of CEZA visa holders who are charged, removed, deported, and denied entry to or exit from the country.

Section 5. Recommendation for Inclusion in and Lifting from the BI Derogatory Record. - Upon recommendation by CEZA, the BI may include the name of CEZA visa holders and CEZA Preferential Visitors in the appropriate BI derogatory record due to violation of Republic Act No. 7922, its implementing rules and other CEZA regulations and such derogatory record may be lifted only upon favorable endorsement by CEZA.

Section 6. Review and Amendment. - The Parties shall review the provisions of the Memorandum of Agreement and these implementing rules and regulations after two (2) years from effectivity hereof and every two (2) years thereafter unless an earlier period is deemed necessary upon the request of either Party.

Section 7. Exclusionary Clause. - If any provision of this Circular is rendered inapplicable to any person or circumstance by the consent of all the parties, by court order or by legislative enactment, the remaining provisions hereof and the application of such provisions to other persons or circumstances shall not be affected.

Section 8. Amendments. - Upon recommendation of either party hereof, the Memorandum of Agreement and these implementing rules and regulations may be amended or modified accordingly.

No amendment or modification shall be effective and enforceable unless made in writing and signed by both Parties.

Section 9. Effectivity. - These implementing rules and regulations shall take effect fifteen (15) days after publication in a newspaper of general circulation.

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

Signed this 19th day of October 2014 in the City of Manila, Philippines.

> (SGD) SIEGFRID B. MISON
> Commissioner
> Bureau of Immigration

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(SGD) JOSE MARI B. PONCE
Administrator/CEO
Cagayan Economic Zone Authority

Annex "A"
Schedule of Basic Fees

A. VISA UPON ARRIVAL (VUA)

Particulars

Amount

Visa Application Fee

*U.S. $ 100.00

Certificate Fee

Php 500.00

Legal Research Fee

20.00

Express Lane Fee (App.)

500.00

Express Lane Fee (Cert.)

500.00

*or its Philippine peso equivalent based on current exchange rate

B. VUA EXTENSION

Particulars

First Extension
(not more than 30 days)

Second Extension
(not more than 30 days)

Application Fee

Php 300.00

Php 300.00

Extension Fee

500.00

500.00

Certificate Fee

500.00

500.00

TVV Sticker Fee

100.00

100.00

ACR Fee

-

1,000.00

Head Tax

-

20.00

ECC Fee

-

700.00

Legal Research Fee

30.00

70.00

Express Lane Fee (App.)

500.00

500.00

Express Lane Fee (Ext.)

500.00

500.00

Express Lane Fee (I-Card)

-

500.00

Total

Php 2,430.00

Php 4,920.00

ACRI-Card

-

+ *U.S.$ 50.00

C. DOWNGRADING

Particulars

Amount

With Valid Visa

With Expired Visa (within 59 days)

With Expired Visa (after 59 days)

Application Fee

PhP2,000.00

PhP2000.00

PhP2000.00

Update Fee

-

1,000.00

1,000.00

Motion for Reconsideration Fee

-

-

500.00

Legal Research Fee

20.00

20.00

20.00

Certificate Fee

500.00

500.00

500.00

Express Lane Fee (App.)

500.00

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500.00

500.00

Express Lane Fee (Cert).

500.00

500.00

500.00

Total

Php3,520.00

Php4,520.00

Php5,020.00

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