OFFICIAL GAZETTE · NOVEMBER 4, 2011

PROVIDING ADDITIONAL GUIDELINES ON DECIDING APPLICATIONS FOR NO OBJECTION STATEMENT THROUGH REFERENDA AND MEETINGS

CFO RESOLUTION NO. 02-2011, November 04, 2011

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WHEREAS, the Exchange Visitor Program (EVP) Committee of the Philippines is mandated to promulgate policies, rules and regulations to implement Philippine participation in the EVP.

WHEREAS, Section 9(b) of the "Guidelines and Procedures on the Waiver of the Two-Year Home-Country Residency Requirement for Exchange Visitors", which was promulgated by the Committee on 16 November 2001 provides that applications for No Objection Statement (NOS) may be decided by the Committee through referendum or during regular meetings;

WHEREAS, the Committee has noted that actual Committee deliberations have enabled a more thorough, exhaustive and judicious consideration of applications for NOS;

WHEREAS, the Committee agreed during its meeting on 23 June 2011 to provide additional procedural guidelines in deciding on applications for NOS during regular meetings;

RESOLVED THEREFORE, that applications for NOS shall be decided by the Committee through referendum only in cases that require urgent and expeditious disposition as determined by the Secretariat, such as when the applicant is considered to be at risk due to loss of visa or legal status, and in such other cases as the Secretariat may deem appropriate;

RESOLVED FURTHER, that when a referendum is conducted and a (qualified) majority of the Committee members choose to withhold their decision on a particular application until a meeting of the Committee is held, said application shall be included in the agenda of the next regular meeting of the Committee where it shall be deliberated and decided upon by the Committee as a whole;

RESOLVED FINALLY, that the decision of the Committee as a whole during regular meetings shall take precedence over decisions made through referenda, in accordance with the following guidelines:

- The presence of at least six (6) member-agencies shall constitute a quorum to do business during a regular meeting. Each agency is entitled to one vote to decide on matters~as needed during the course of the meeting. Member-agencies who are not present shall be considered to have waived their right to cast their votes.

- Officers or other personnel of member-agencies duly authorized by his/her head of office to attend the EVP Committee meetings are deemed the official representative of the agency. The votes he/she will cast during meetings are considered valid and binding.

- The decision of a qualified majority of the member-agencies present during the meeting shall be final and executory.

- In case a referendum is indispensably necessary and after proper notice to the members, a majority vote of the

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member-agencies in that referendum shall be the final position of the Committee. A failure of a member-agency to cast his/her vote shall constitute a waiver.

- In case of tie, the Chair shall decide on the final position of the Committee.

ADOPTED this 4th day of November 2011 during the 100th regular EVP meeting in Manila, Philippines.

(Sgd.) PATRICIA ANN V. PAEZ
Assistant Secretary
Department of Foreign Affairs

(Sgd.) MAYLENE M. BELTRAN, MPA, CESO III
Director IV
Department of Health

(Sgd.) MA. CELESTE M. VALDERRAMA
Director
Department'of Labor and Employment

(Sgd.) ERLINDA M. CAPONES, CESO III
Director IV
National Economic and Development Authority

(Sgd.) PILAR G. DE LEON, CESO III
Director IV
Technical Education and Skills Development
Authority

(Sgd.) MARIO P. BRAVO
Assistant Secretary
Department Science and Technology

(Sgd.) JULITO D. VITRIOLO, CESO III
Executive Director
Commission on Higher Education

(Sgd.) YOLANDA S. QUIJANO, Ed.D.
Undersecretary
Department of Education

(Sgd.) TERESITA R. MANZALA
Chairperson
Professional Regulation Commission

(Sgd.) IMELDA M. NICOLAS
Chairperson
Commission on Filipinos Overseas

(Sgd.) ENGR. CHERRIE ROSE TENA
Director IV
Office of the President

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