

LIFTING THE SUSPENSION OF CHINESE IMMIGRATION QUOTAS FROM 1949 UP TO THE PRESENT AND ALLOTING THESE FOR THE USE OF OVERSTAYED CHINESE NATIONALS

PRESIDENTIAL DECREE NO. 298, September 19, 1973

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WHEREAS, the continued presence of overstaying Chinese nationals in the Philippines has been for a period of over two decades, a standing source of irritation between the Government of the Republic of the Philippines and the Government of the Republic of China;

WHEREAS, various efforts of both the Government of the Republic of the Philippines and the Government of the Republic of China to come to an agreement for the purpose of resolving the problem has failed;

WHEREAS, it is the mutual desire of the two Governments to reach a satisfactory solution of this matter based on the principles of:

1. Full respect for Philippine laws;
2. Promotion of better Sino-Philippine relations and
3. Human considerations;

WHEREAS, the allotment of Chinese immigration quotas was suspended for reasons of public security because of the fall of the mainland to the Communists in late 1949, a suspension embracing a period of 24 years up to the present during which time these quotas were unused;

WHEREAS, the time that has since passed is now more than sufficient for the Philippine Government to determine whether said overstayed Chinese nationals are indeed security risks or otherwise.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby order and decree:

1. The lifting of the suspension of the Chinese immigration quotas from 1949 and the years thereafter;
2. That these annual quotas from 1949 and the succeeding years shall be allotted firstly to Chinese nationals who entered the Philippines legally from January 1, 1947 to December 31, 1953 as nonimmigrants under Section 9 of the Philippine Immigration Act of 1940, as amended, whose only violation of said Act is staying beyond the period of their authorized stay and to their children born in the Philippines who are likewise nonimmigrants in the Philippines.

The Commissioner of Immigration and Deportation is hereby authorized and empowered to determine who among the Chinese nationals referred to above, may be allotted quota numbers in appropriate cases, and who should be repatriated from the Philippines.

The Commissioner of Immigration and Deportation likewise is authorized and empowered to call directly on any and all government departments, bureaus, offices and agencies for support and assistance in the attainment of the

objectives set in this Decree.

This Decree shall take effect immediately.

Done in the City of Manila, this 19th day of September, in the year of our Lord nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

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