SPECIAL INDUSTRIAL TRAINING PERMIT

Read online (full-text search, related cases, audio case brief): https://batas.org/library/b2db0f255e77/

Section 9, paragraph a of the Philippine Immigration Act of 1940 (CA No. 613), as amended, states:

> "Section 9. Aliens departing from any place outside the Philippines, who are otherwise admissible and who qualify within one of the following categories may be admitted as non-immigrants;
>
> a) A temporary visitor coming for business, or for pleasure or for reasons of health; " (underscoring supplied)

The above provision of the law has been made clearer by Section 185 of the Foreign Service Code which is hereunder quoted:

> "Section 185. Visitors Coming for Business — The business of a temporary visitor may be commercial, industrial or professional character of any other legitimate activity of temporary nature. Examples of such temporary visitors are aliens entering for the purpose of attending scientific, educational or business meetings, convocations, or conventions, traveling salesman, factory or agricultural experts, consulting engineers, newspaper correspondents, writers, artist, lecturers, and theatrical performers . . . ."

An alien is said to be on a temporary visit for business if the latter passes the administrative test as discussed in pp. 2-45, Vol. I, Immigration Law and Procedure, Gordon and Rosenfield. The elements of business of temporary character are as follows:

1. A clear intent to retain foreign residence and domicile;

2. The principal place of business, and the place where the profit accrues, remains in the foreign country; and

3. While the business activity need not be temporary, and indeed may be continued, the various entries into the Philippines must individually and separately be of a plainly temporary character.

The Philippine Immigration Act of 1940 having been patterned from the US Immigration Laws, its jurisprudence is given consideration in the application of the former. Hence, the Bureau of Immigration adopts the published Visa Official Bulletin of the State Department of the United States dated 28 September 1964 on examples of aliens who may properly be classified as visitors for business among which are those coming primarily to undertake non-competitive training and therefore may be classified as Industrial trainees except that they do not receive salary or other remuneration from a US source other than subsistence allowance or reimbursement for the expenses incidental to their temporary stay.

In view of the foregoing, aliens who are coming into the Philippines to undertake non competitive industrial training may be issued. Special Industrial Training Permit (SITP) provided the following requirements are complied with:

2. The industrial technology being sought to be acquired in the Philippines is new in the home country of the industrial trainees and the same has already been fully utilized locally;

3. The training will be for a short period of time reasonable and necessary only to afford those trainees to acquire their basic technological know-how;

4. All the expenses to be incurred by these industrial trainees will have to be borne by the sending foreign firm;

5. There shall be a Memorandum of Agreement/Understanding between the host firm and the sending foreign, firm which shall embody the terms and conditions of the training program;

6. Approval of the application for SITP must first be secured by the host firm prior to the entry into the country of the industrial trainees;

7. The host firm shall post cash bond to guarantee the immediate repatriation of holders of SITP to the country of the sending foreign firm within seven (7) days from the termination/cancellation of their training;

8. Conversion of the entry visa of holders of SITP to any type of visa is prohibited;

9. SITP shall be initially issued valid for a maximum of three (3) months which may be extended on justified grounds;

10. In support of the application for SITP the following shall be submitted:

a. Letter of request of trainor/firm
b. Memorandum of Agreement
c. Training Program
d. Affidavit of Guaranty of the host firm
e. Biodata of trainees
f. Their passports
g. Their authenticated Contract of Employment with the foreign firm
h. Business Registration of Foreign Firm authenticated by the Philippine Embassy/Consulate abroad

11. Host company shall be blacklisted from transacting with the Bureau of Immigration in case of violation of any of the conditions in this Office Memorandum; and

12. A fee for SITP in the amount of P 800.00 for each trainee shall be assessed against the host firm. The same amount must be paid for its extension.

This Order shall take effect immediately.

Adopted: 19 Feb. 1997

(SGD.) EDGAR L. MENDOZA
Commissioner

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

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.