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RULES AND PROCEDURES FOR THE ISSUANCE OF VISA UPON ARRIVAL (VUA) TO FOREIGN TOUR GROUPS AND INDIVIDUAL TRAVELERS FROM THE PEOPLE'S REPUBLIC OF CHINA (PROC) AND ITS SPECIAL ADMIN...

BI IMMIGRATION MEMORANDUM CIRCULAR NO. SBM-2014-006, July 23, 2014

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Adopted: 23 July 2014
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WHEREAS, the Bureau of Immigration (BI) is principally responsible for the administration and enforcement of immigration, citizenship and alien admission and registration laws in accordance with the provisions of Commonwealth Act No. 613, otherwise known as the Philippine immigration Act of 1940, as amended;

WHEREAS, the Department of Tourism (DOT), Department of Foreign Affairs (DFA) and BI entered into a Memorandum of Agreement (MOA) on 16 June 2000 prescribing the procedures for the accreditation of Philippine tour operators handling tour groups and individual travelers from the PROC and the issuance of visa and visa upon arrival (VUA) to tour group members and individual travelers handled by such tour operators;

WHEREAS, in relation to the said MOA and in order to better facilitate the expeditious entry and admission of PROC tour group members and individual travelers handled by accredited Philippine tour operators into the country through the VUA facility, there is a need to enhance the existing BI procedures on the matter;

WHEREFORE, pursuant to Section 3 of Commonwealth Act No. 613, as amended, the following rules and procedures are hereby prescribed:

Section 1. Scope and Coverage. – This Circular covers and governs the issuance of Visa Upon Arrival (VUA) to foreign tour groups and individual travelers from the People's Republic of China (PROC) and its Special Administrative Regions (SARs) handled by accredited Philippine tour operators.

Section 2. Eligibility. – Nationals from PROC and its SARs coming into the country as temporary visitors may apply for Section 9(a) visa upon arrival at any Philippine international port of entry for an authorized stay of fourteen (14) days provided that:

- They are members of tour groups or individual travelers handled by a DOTaccredited Philippine tour operator;

- They are holders of a valid passport/travel document and return ticket;

- They are not in the BI's Blacklist or are excludable under Section 29 of Commonwealth Act No. 613, as amended;

- They shall pay the following prescribed fees to the BI authorized collecting officer at the international port of entry upon arrival.

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Nature of Fees

Amount

Individual Travelers VUA Fee
Legal Research Fee US$ 25.00 each
Php 10.00 each

Tour Group consisting of 3 to 19 members VUA Fee
Legal Research Fee US$ 25.00 each
Php 10.00 each

Tour Group consisting of 20 and more members VUA Fee
Legal Research Fee US$ 15.00 each
Php 10.00 each

Section 3. Procedures. –

- Two (2) working days before the arrival of the PROC tour group or individual traveler, the DOT-accredited Philippine tour operator shall submit to the Office of the Commissioner the request for issuance of Section 9(a) VUA containing the full name, date of birth, photocopy of valid passport biographical page and flight details of each tour group member or individual traveler, including the Affidavit of Undertaking. The Affidavit of Undertaking is a sworn statement executed by the President or General Manager of the DOT-accredited Philippine tour operator stating that the said tour operator shall assume all liabilities for administrative fines and such other sanctions as may be imposed by the BI for violation of any immigration law, rule and regulation, including costs for the repatriation of any tour group member or individual traveler who fails to leave the country as scheduled or within the 14-day authorized stay.

- The BI shall forthwith appropriately act on the application and issue an Order therefor signed by the Immigration Commissioner or his duly authorized representative containing the names and personal details of the tour group members and/or individual traveler granted with Section 9(a) VUA and their flight details. Such Order must be received by the tour operator and the port of entry in the Philippines at least eight (8) hours prior to the scheduled departure from the foreign port of origin.

- Upon arrival at the port of entry in the Philippines, the tour operator and/or the tour group members/individual traveler shall present a copy of the Order to the Immigration Officer and pay the prescribed fees.

Section 4. Prohibitions. –

a. No tour operator shall be allowed to bring into the Philippines any national from PROC or its SARs unless such tour operator is duly accredited by the DOT.

b. Section 9(a) VUAs issued to tour group members and individual travelers pursuant to this Circular are not eligible for extension or conversion to other immigration status.

c. Except in cases of medical emergency, all members of a tour group must arrive to and depart from the Philippines in the same flight as scheduled.

Section 5. Sanctions. - The BI may:

- Cause the exclusion or deportation of any group tour member or individual traveler who fails to comply with entry requirements or the terms and conditions of their stay in the Philippines without prejudice to the imposition of other applicable penalties under Philippine laws;

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- Recommend to the DOT appropriate sanctions against Philippine tour operators who commit any violations of immigration laws, rules and regulations or any provision of this Circular; and

- Impose administrative penalties against Philippine tour operators who fail or refuse to comply with the terms and conditions of their Affidavit of Undertaking.

Section 6. Reportorial Requirements. –

- The Philippine tour operator shall render a report to BI, DOT and DFA should any tour group member disappear or be absent from the tour's itinerary or otherwise failed to leave the Philippines with the group within twenty four (24) hours thereof.

- The BI shall inform the DFA and DOT of any exclusion or deportation of any tour group member or individual traveler within forty eight (48) hours thereof.

- The Bi shall submit a monthly report to the DFA and DOT of the VUA pursuant to this Circular.

Section 7. Suppletory Rules. – The rules prescribed in the Primer on the Issuance of Visa and Visa Upon Arrival to Tour Groups or Individuals from the People's Republic of China (Annex "A") shall apply in suppletory character insofar as the same are not inconsistent hereof.

Section 8. Repealing Clause. – This Circular repeals Memorandum Order No. RADJR-2012-002, Memorandum Order No. RPL-2010-010 and Memorandum Order No. ADD-02-024. All other previous inconsistent herewith are hereby likewise repealed and/or modified accordingly.

Section 9. Effectivity. – This Memorandum Circular shall take effect immediately upon signing hereof.

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

23 July 2014

SGD) SIEGFRED B. MISON
Commissioner

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