

RULES FOR RETURNED PASSENGERS

BOI Immigration Memorandum Circular No. SBM-2015-008, September 01, 2015

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Adopted: 01 September 2015

Date Filed: 02 September 2015

WHEREAS, certain passengers are returned to the country (i) after being denied admission at the port of entry; (ii) due to repatriation or deportation; or (iii) without passport or are only using travel or identity documents;

WHEREAS, there is a need to establish rules to govern the treatment of returned passengers;

NOW, THEREFORE, pursuant to Book IV, Chapter 6, Sections 29 and 36(2) of Executive Order No. 292, as amended, otherwise known as the “Administrative Code of 1987”, in relation to Section 3 of Commonwealth Act No. 613, as amended, otherwise known as the “Philippine Immigration Act of 1940”, the following are hereby promulgated:

Section 1. Coverage. – The term “returned passenger” shall include, but not be limited to:

- Philippine citizens who are –
- Denied entry to or admission at a port of entry, also referred to as “airport to airport” or “A to A” passengers;
- Voluntarily or involuntarily repatriated;
- Returned to the Philippines without a passport or used only travel or identity documents; or
- Deported to the Philippines; and
- Foreign nationals denied entry to or admission at a port of entry.

Section 2. Notice of Arrival of Returned Passenger; Duty of Airline Agent. – Within one (1) hour before actual arrival, the airline company representative shall submit to the Arrival Area’s Duty Immigration Supervisor (AADIS) a certified Report of Returned Passengers (PRR) containing, among others:

- Passenger Name;
- Flight Number;
- Date of Return to the Philippines;
- Port of Origin; and
- Reason for Return.

Section 3. Duty of the Airline Company Representative. – Upon arrival of the returned passenger, the airline company representative shall, without delay, turn-over the custody of the returned passenger to the AADIS.

Section 4. Duties of AADIS. – After compliance with Sections 2 and 3, the AADIS shall:

- Personally interview and require the returned passenger to fill-out a Passenger Assessment Form (PAF) [Annex

“A”];

- Prepare and submit a PAF Summary of Findings with attachments to the Terminal Head Supervisor containing, among others:

- Violation of laws, rules and regulations, if any;
- Relevant facts and circumstances pertaining to the returned passenger’s denial of entry and/or admission;
- A recommendation to further turn-over of the returned passenger’s custody to other law-enforcement agencies; and
- Transfer of custody of the returned passenger to the BMSU, if necessary.

Section 5. Duties of Immigration Primary Inspector. – Upon compliance with Section 4, the Immigration Primary Inspector shall:

- Admit the returned passenger;
- Encode the admission and relevant details in the BCIS’ Notes; and
- Remand custody of the returned passenger to the AADIS.

Section 6. Duties of Terminal Head Supervisor. – The Terminal Head Supervisor shall:

- Compile the PAF with attachments, for endorsement to the POD Chief, Legal/Special Concerns;
- Submit weekly accomplishment reports on returned passenger to the POD Chief through the AOS Chief; and
- Through the AOS, create an MISD-managed Returned Passengers Database.

Section 7. Duties of POD and AOS Chiefs. – The POD and AOS Chiefs shall without delay submit a Consolidated Report of Findings to the Board of Discipline (BOD) and/or Office of the Commissioner when the PAF disclose violations of laws, rules and/or regulations.

Section 8. Administrative Fine. – For non-compliance with this Circular, airline companies shall be assessed for the payment of an administrative fine under Commonwealth Act No. 613, Section 32 in relation to Section 44(a)(1).

Section 9. Repealing Clause. – All circulars, orders, memoranda and other issuances inconsistent herewith are hereby repealed and/or modified accordingly.

Section 10. Effectivity. – This Order shall take effect after publication in a newspaper of general circulation.

Let a copy of this Circular be furnished to the Office of the National Administrative Register (ONAR), U.P. Law Center, University of the Philippines, Diliman, Quezon City.

City of Manila, Philippines.

01 September 2015

(SGD) SIEGFRED B. MISON
Commissioner

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