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PROVIDING PERMANENT RESIDENT VISA TO KOREANS IN THE PHILIPPINES

BI MEMORANDUM ORDER NO. MCL-08-003, January 29, 2008

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In an official communication by His Excellency Hong Jong-Ki, Ambassador Embassy of the Republic of Korea, to the Bureau of Immigration dated January 21, 2008, concerning the laws and regulations of the Republic of Korean on the issuance of permanent resident visas to Filipino nationals, it stated, among others, that:

1. Article 12 of the Presidential Ordinance enforcing the Korean Immigration Law states that all foreigners who are legally married to korean nationals may first apply for marriage visa and that after two (2) years from the date of their entries to Korea, they may file for permanent resident visa for which they would be issued permanent resident card and accorded due privileges.

2. Furthermore, under the Naturalization Law of Korea, foreigners can even acquire Korean Citizenship by application in certain categories enumerated below:

> 1) A foreigner who is legally married to a Korean national and has lived in korea for at least two (2) years; and
>
> 2) A foreigner with valid visa status and has lived in Korea for more than 5 years without any record of violation of any law existing in Korea.

3. As a matter of fact, as of year 2007, 4,197Filipino nationals (Male: 111, Female: 4,086) have been granted Korean citizenship, whereas 64 Filipinos are holding permanent resident cards retaining their nationality.

I hope the above information will help you in crafting new policies and guidelines in considering to extend permanent resident visa privileges to Korean nationals based on reciprocity.

In the interest of reciprocity, therefore, a Korean national who is married to a Filipino citizen or to a permanent resident alien or who is the son or daughter of a permanent resident alien or who is the son or daughter of a permanent resident alien parent shall, henceforth, be granted permanent resident visa under Section 13 of Commonwealth Act No. 613, as amended, subject to the terms and conditions as set forth therein and upon proper application, qualification and payment of immigration fees.

Likewise, a Korean national who has investment in the Philippines shall, be granted permanent resident visa upon proper application, qualification and payment of immigration fees.

Associate Commissioner Roy M. Almoro shall have within 30 calendar days from the date of approval by the Honorable Secretary, Department of Justice, to prepare implementing guidelines for this Memorandum Order.

This Memorandum Order shall be effective immediately upon approval by the Honorable Secretary of Justice.

Adopted: 29 Jan. 2008

(SGD.) MARCELINO C. LIBANAN
Commissioner

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Approved by:

(SGD.) HON. RAUL M. GONZALEZ
Secretary Department of Justice

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