

PROCEDURES IN THE ISSUANCE OF CERTIFICATE THAT THE ENTITY, FIRM, PARTNERSHIP OR CORPORATION WHERE THE APPLICANT FOREIGNER HAS CONTROLLING INTEREST EMPLOYS AT LEAST TEN (10) FULL...

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SECTION 1. Title – These rules shall serve as the “Procedures in the Issuance of Certificate of Employment as a Requirement for Special Visa for Employment Generation (SVEG)”.

SECTION 2. Coverage – All foreign nationals with controlling interests in an entity, firm, partnership or corporation that establishes, expands or rehabilitates a business activity, investment, enterprise or industry who are applying for Special Visa for Employment Generation (SVEG) and employ at least ten (10) fulltime/regular Filipino workers on a long-term basis in the Philippines are covered by this Memorandum Circular.

SECTION 3. Filing of request and issuance of Certificate of Employment – All foreign nationals who are applying for SVEG with the Bureau of Immigration shall file with the nearest DOLE Regional Office, a request for the issuance of a Certificate of Employment.

The request shall be supported by a true photocopy of payroll indicating the name, position, duration of employment, nature of appointment of the Filipino workers, or a notarized affidavit, attesting that the entity, firm, partnership or corporation where the applicant foreign national has controlling interest employs at least ten (10) full-time/ regular Filipino workers on a long-term basis in the Philippines.

Within twenty four (24) hours after receipt of request with the supporting document and if the request is found in order, the Regional Office shall issue the Certificate of Employment (Annex A[*]) or inform the applicant in writing if there is any discrepancy in the documents submitted. (Refer to the attached standard procedure for issuance of Certificate of Employment – Annex B[*])

The Certificate of Employment shall attest that the entity, firm, partnership or corporation where the applicant foreign national has controlling interest employs at least ten (10) fulltime/regular Filipino workers on a long-terms basis in the Philippines as defined in Articles 4, 5, 6, and 7 of BI Memorandum Circular No. MCL-09-001, for purposes of the issuance of SVEG.

The entity, firm, partnership or corporation shall be subject to inspection by the DOLE Field Office when deemed necessary.

SECTION 4. These rules shall take effect immediately and supersedes any previous instructions on the issuance of Certificate of Employment for purposes of application for SVEG

Adopted: 22 April 2009

(SGD) MARIANITO D. ROQUE
Secretary

[*]Not Filed with ONAR.

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