

PRE-ARRANGED EMPLOYMENT VISA AND TREATY TRADER'S/INVESTOR VISA

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To sustain the current momentum in economic growth and development, liberalization of policies in trade and investment which includes easing of visa requirements and procedures, we hereby adopt the hereunder guidelines on treaty trader's/investor's visa under Section 9, paragraph d and Pre-arranged employment visa under Section 9, paragraph g in relation to Section 20, respectively, both of the Philippine Immigration Act (PIA), as amended:

The members of the Board of Special Inquiry and the Law and Investigation Division shall continue to conduct hearings on applications for Sections 9g and 9d visas. However, hearings, for extensions of the said visas are dispensed with, and in lieu thereof, sworn statements setting forth the matters normally raised at the hearing will be required together with all pertinent and credible documents in support of all allegations therein averred. Hearing Officers of the BSI and LID may order the submission of additional supporting documents concerning issues or matters which need clarification.

Members of the Board of Special Inquiry (BSI) are required to conduct hearings on applications for Section 9g visa even without an Alien Employment Permit from the Department of Labor and Employment provided the petitioner submits the application for AEP duly received by the same Department. It is mandatory, however, that draft decisions to be forwarded to the Board of Commissioners for approval shall already include the valid AEP of the applicant. The validity of the 9g visa must always be coterminous with the AEPs' or the expiration date of the employment or election, whichever comes first.

Draft orders granting Section 9g and 9d visas must explicitly state the position of the applicant upon which the grant of visa is based and respective PR's in cases of extensions should be attached thereto to enable the signing officers to properly evaluate applications.

Members of the BSI as a Division are directed to immediately forward to the BOC all terminated applications for pre-arranged employment visa within the required forty five (45) days. The Secretary of the BOC, in turn, shall include them in the agenda for the deliberation by its members.

Applications for extension of 9g and 9d visas may be filed sixty (60) days prior to its expiration.

All Hearing Officers are required to submit a monthly status report of the petitions or applications received and/or being processed, particularly for the aging of said petitions or applications to the Office of the Commissioner for proper monitoring.

The Chief of the LID and the BSI are mandated to make sure that this Office Order is strictly being followed.

This Order supersedes all other orders inconsistent therewith and shall take effect immediately.

Adopted: 14 Jan. 1997

(SGD.) EDGAR L. MENDOZA
Commissioner

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