

LETTER OF INSTRUCTIONS NO. 1093, December 05, 1980

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TO:

The Minister of Foreign Affairs
The Minister of Justice
The Commissioner of Immigration and Deportation
The Director-General of the National Intelligence

and Security Authority

The Commander of the Philippine Coast Guard

WHEREAS, the Republic of the Philippines and the People's Republic of China have established diplomatic relations;

WHEREAS, the Government of the Republic of the Philippines and the Government of the People's Republic of China have recently concluded an air agreement, designed to facilitate the friendly contacts between the peoples of both countries, with the effect of affording them opportunities to travel to each other's country;

WHEREAS, recent developments have made it imperative to formulate a definite policy on the entry and temporary stay of Chinese nationals from the People's Republic of China including those from Hongkong, Macau, and Taiwan;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby direct you to implement the following:

- The Ministry of Foreign Affairs together with the National Intelligence and Security Authority (NISA) and the Commission on Immigration and Deportation (CID) will henceforth process and authorize the entry and temporary stay of PSC passport-holders other than those who can show proof of permanent residence in Western non-communist countries, in accordance with the following guidelines:
- Holders of valid PRC passports who are travelling individually or in tour groups, their accompanying spouses and minor Children whose names and pictures are included in a collective passport, may be issued a temporary visitors visa under Section 9(a) of the Immigration Act of 1940, as amended, for an initial stay of 7 days. This initial period of stay may be extended by the Minister of Justice on valid grounds for another period of not more than 7 days without further extension.
- Holders of valid PRC passports, who wish to gain entry into the Philippines for the purpose of visiting their immediate relatives, may be issued a temporary visitor's visa under Section 9(a) of the Immigration Act of 1940,

as amended, for an initial stay of three months subject to the conditions and requirements of the Cabinet Policy of 1954, as amended, and provided that the following requirements are complied with by the sponsoring relatives in the Philippines:

1)

filing of a cash bond of P20,000.00 with the Commission of Immigration and Deportation (CID) for each adult or child accompanying his parents to guarantee their departure from the Philippines at the expiration of their entry permit; and

2)

execution of an Affidavit of Guarantee, duly notarized, vouching for the prompt departure of every member of each PRC family at the expiration of their allowable period of stay.

3)

only upon submission or presentation of a valid CID official receipt evidencing payment of the corresponding cash bond and the Affidavit of Guarantee to the MFA Consular Affairs Office will the Ministry of Foreign Affairs authorize the consulates concerned to issue visas.

This initial period of stay of three months may be extended by the Minister of Justice on valid grounds, but total length, of stay shall not exceed one (1) year from date of entry.

Maximum number of visas to such immediate relatives from the PRC (including those from Hongkong, Macau and Taiwan) shall not exceed 300 a year, This numerical limitation, however, shall not apply to visitors who are immediate relatives of Filipino citizens.

- Visas to PRO passport-holders referred to in this Letter of Instructions may be issued only upon authorization by the Ministry of Foreign Affairs and after appropriate screening by duly commissioned Career Philippine Consular Officers.

- No change of status from what is authorized for their entry to the Philippines shall be processed or allowed for any holders of PRC passports referred to herein.

- The Commission on Immigration and Deportation, in close coordination with, the Ministry of Foreign Affairs and the National Intelligence and Security Authority, is hereby directed to adopt a system of monitoring and recording the arrival and departure of PRC passport-holders. The CID must furnish the MFA and NISA a monthly report, listing any and all such persons who overstay in violation of the conditions and period authorized for their entry and temporary stay in the Philippines under this LOI.

- At the same time, the Commissioner of Immigration and Deportation and the Commander of the Philippine Coast Guard are hereby directed to instruct their agents at the different Philippine ports of entry, through a proper Office Order, to be ever vigilant over these ports and to conduct effective patrol of Philippine territorial waters, in the light of reports that the Chinese sometimes enter the Philippines illegally by using junks, or other forms of watercraft.

- The Minister of Justice is hereby directed to oversee compliance by the Commission on Immigration and Deportation of the provisions of this Letter of Instructions falling within the purview of the Commission,

particularly in monitoring and enforcing compliance with the Affidavit of Guarantee executed by the sponsoring immediate relatives in the Philippines.

- All Cabinet Policies, Laws, Offices Orders, rules or regulations or parts thereof which are inconsistent with this letter of Instructions are hereby repealed and/or modified accordingly.

For strict compliance and enforcement.

Done in the City of Manila, this 5th day of December, in the year of Our Lord, nineteen hundred and eighty.

(Sgd.) FERDINAND E. MARCOS

President of the Philippines

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