NATIONAL ADMINISTRATIVE REGISTER · [BI IMMIGRATION MEMORANDUM CIRCULAR NO. SBM-2014-001, MARCH 24, 2014] · FEBRUARY 6, 2014

REVOCATION OF MEMORANDUM ORDER NO. ADD-02-015 PROVIDING FOR FIVE (5)-YEAR TEMPORARY RESIDENT VISAS FOR FAMILY MEMBERS OF LAWFUL ALIEN RESIDENTS IN THE PHILIPPINES

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WHEREAS, Memorandum Order No. ADD-02-015 (ADD-02-015) authorizes the Bureau of Immigration (BI) to issue five (5)-year Temporary Resident Visas to family members of lawful alien residents in the Philippines subject to the conditions provided therein;

WHEREAS, the issuance of ADD-02-015 was based on Section 29(a)(9) and Section 29(b)(2) of Commonwealth Act No. 613, as amended, which allows the entry of illiterate family members of lawful alien residents in the Philippines and any alien applying for temporary admission into the Philippines, respectively;

WHEREAS, the definition of the term “family member”[1] in ADD-02-015 does not require the applicant’s dependency on his/her principal[2], despite the nature of the visa being for dependents only;

WHEREAS, temporary admission should not be considered as equivalent to temporary residency under any circumstances;

WHEREAS, the privilege of admitting foreign nationals for five (5)-year periods based solely on familial/blood relationships is contrary to the fundamental requirements necessary for the issuance of Temporary Resident Visa;

WHEREAS, to maintain consistency with existing laws, there is a need to repeal or revoke ADD-02-015;

WHEREAS, foreign nationals currently holding Temporary Resident Visas issued under ADD-02-015 shall be allowed to apply for another appropriate visa upon its expiry;

WHEREAS, in a Memorandum from the Secretary (LML-M-06B14-187) dated 06 February 2014, the Secretary of the Department of Justice (DOJ) approved the issuance of an appropriate Memorandum Order repealing the aforecited Memorandum Order No. ADD-02-105;

WHEREFORE, pursuant to Section 3 of Commonwealth Act No. 613 as amended, and in order to effectively manage the effects that the continued effectivity and implementation of ADD-02-015 may set as a precedent, the following are hereby ordered:

Section 1. Revocation of Memorandum Order No. ADD-02-015. - ADD- 02-015 entitled “Five (5)-Year Temporary Resident Visas for Family Members of Lawful Alien Residents in the Philippines” issued on 06 March 2002 is hereby repealed upon the effectivity of the Circular.

Section 2. Current Visa Holders. –

(a) Holders of ADD-02-015 shall no longer be allowed to renew their visa upon its expiration.

(b) Visas that have been issued prior to this Circular shall remain in effect until their respective expiry dates (five [5] years from the date of issue).

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Section 3. Application for Other Visa. - Current holders of ADD-02-015 visas are directed to apply and secure a different visa within ninety (90) days from the expiry of their respective ADD-02-015 visas appropriate to their qualifications and subject to compliance of existing regulations, otherwise they will be ordered to leave the Philippines.

Section 4. Repealing Clause. - All previous issuances inconsistent herewith are hereby repealed and/ or modified accordingly.

Section 5. Effectivity. - This Circular shall take effect after fifteen (15) days from publication in a newspaper of general circulation.

Furnish a copy of this Circular to the Office of the National Administrative Register (ONAR), U.P. Law Center, Diliman, Quezon City.

24 March 2014.

(SGD) SIEGFRED B. MISON
Commissioner

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[1] Family member shall refer to the grandfather, grandmother, father, mother, husband, wife or child of a lawful alien resident.

[2] ADD-02-015 allows an independent, fully functional and financially capable applicant to acquire a 5-year extendable Temporary Resident Visa.

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