NATIONAL ADMINISTRATIVE REGISTER · JULY 26, 2007

CONSTITUTING A LAW ENFORCEMENT DIVISION (LED) IN THE BUREAU OF IMMIGRATION AND FOR OTHER PURPOSES

BI MEMORANDUM ORDER NO. 9, July 26, 2007

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WHEREAS, the Bureau of Immigration is "principal responsible for the administration and enforcement of immigration, citizenship and alien admission and registration laws in accordance with the provisions of the Philippine Immigration Act of 1940, as amended,"

WHEREAS, with the Philippines assent to UN Conventions and Protocols on global peace and security, as well as the passage of various legislations, notable the Anti-Human Trafficking Act, the Migrant Workers Act, and the Human Security Act, the Bureau of Immigration is mandated to assume various functions that require intelligence-based enforcement operations;

WHEREAS, the existing organization structure of the BI is no longer responsible to the expanding role of the agency;

WHEREAS, the Immigration Commissioner exercises "overall authority in matters within the jurisdiction of the BI, including those relating to its operations, and enforce all laws and regulations pertaining to it" (Section 29, Chapter 6, Book IV, EO 292);

WHEREAS, the Secretary of Justice exercises "supervision and control" over the Bureau of Immigration (Section 39, Chapter 8, Book IV, EO 292);

WHEREAS, pursuant to the provisions of Book IV, Chapter 4, Section 20 (3) of Executive Order No. 292, otherwise known as the Administrative Code of 1987, in relation to Section 3 of C.A. 613, otherwise known as the Philippine Immigration Act of 1940), as amended, the following are hereby ordered promulgated:

> SECTION 1. Creation - There is hereby created and constituted in the Bureau of Immigration, a LAW ENFORCEMENT DIVISION (LED) directly under the Office of the Commissioner.
>
> SECTION 2. Purpose and Objective - The LED aims to provide the Commissioner with a unit of qualified and competent personnel and operatives to perform security and immigration law enforcement functions in relation to its mandate under the Philippine Immigration Act of 1940, as amended.
>
> It also seeks to enhance the Bureau's capability in the investigation, arrest/neutralization of, and counter intelligence operations against suspected international terrorists, drug traffickers, human traffickers, criminals, and other foreigners whose presence are deemed threats to global peace and security or inimical to national interest, as well as those who have violated the terms and conditions of their stay in the country.
>
> SECTION 3. Composition and Functions - The following are the component units, their powers and functions, to wit:
>
> A. Operation Unit (OU) - The OU shall serve as the implementer of lawful orders such as mission orders, commitment orders, and warrants of deportation and similar writs and processes against foreigners including but not limited to fugitive who are wanted in their countries of origin;

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B. Security Unit (SU) - The SU shall (1) be responsible for the counterintelligence activities in airport/seaports/sub-ports; (2) have control and supervision over the operation, administration and management of the BI-Bicutan Detention Center; and (3) other counterintelligence activities to protect facilities from sabotage, documents from subversion and/or complicity with undesirable aliens and other security threats; and

C. Administrative Unit (AU) - The AU shall be responsible for the administrative and other logistical support services.

The foregoing units shall perform such other tasks and functions as may be assigned by the Commissioner from time to time.

SECTION 4. Administrative Provisions - The manpower complement for the LED shall be filled-up from existing personnel of the various divisions/sections/units of the Bureau through appropriate Personnel Orders issued by the Commissioner. Resources and other logistical requirements shall be sourced out from existing government accounting rules and regulations.

SECTION 5. Supercession Clause - All department orders, circulars, issuances or memoranda that are inconsistent with this Order are hereby amended or modified accordingly.

SECTION 6. Effectivity Clause - This Order shall take effect immediately.

Let copies of this Order be filed with the Office of the National Administrative Register (ONAR), UP Law Center, UP Diliman, Quezon City, Philippines.

Adopted: 26 July 2007

(SGD.) RAUL M. GONZALES
Secretary

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