AURORA PACIFIC ECONOMIC ZONE AND FREEPORT AUTHORITY

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Pursuant to the rule making powers of APECO under Section 12 of Republic Act 9490, as amended by Section 6 (u) and (v) of RA 10083, in relation to the visa-related provisions of RA 9490, as amended by RA 10083, the following rules and regulations governing the processing and implementation of APECO visas are hereby promulgated to accomplish and implement the purposes, objectives and policies provided in APECO's charter.

RULE I
POLICY GUIDELINES

Section 1. Applicability. - These rules and regulations shall be applicable to visas and Certificates of Exemption from Alien Employment Permits and Working Visas to be issued by the "Aurora Pacific Economic Zone and Freeport Authority" (APECO) to foreign consultants and/ or foreign investors/employees of APECO and/or APECO registered enterprises, and qualified permanent residents of Aurora Ecozone.

Section 2. Bureau of Immigration's (BI's) duty to coordinate and cooperate with APECO. - Pursuant to Section 3 (j) of RA 10083 which provides that "The national government shall actively cooperate and coordinate with the Aurora Ecozone and the LGUs to ensure its speedy development as the vital gateway to the Pacific", the Bureau of Immigration is mandated to coordinate and cooperate with APECO in the latter's exercise of its power to issue visas and Certificates of Exemption as provided under RA 9490, as amended by RA 10083 and pursuant to these promulgated rules and regulations.

RULE II
DEFINITION OF TERMS

Section 1. Definition of Terms. - The following terms shall mean as follows:

1. "APECO" shall refer to Aurora Pacific Economic Zone and Freeport Authority, which is the operating arm of the Aurora Pacific Economic Zone and Freeport (APEZF);

2. "BI" shall refer to the Bureau of Immigration;

3. APECO Special Investor's Visa ("ASIV"), pursuant to Section 6 of RA 9490, shall refer to a special non-immigrant visa issued by APECO to foreign investors in APEZF with a minimum investment of ONE HUNDRED FIFTY THOUSAND US dollars (US$150,000.00), either in cash and/ or equipment, in a registered enterprise, provided, That:

(a) He is at least eighteen (18) years of age;
(b) He has not been convicted of a crime involving moral turpitude;
(c) He is not afflicted with any loathsome, dangerous or contagious disease;
and
(d) He has not been institutionalized for any mental disorder or disability.

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4. APECO Permanent Resident Visa ("APRV") shall refer to a visa issued by APECO with an indefinite validity and with multiple entry and exit privileges in favor of qualified aliens who established or in the process of establishing a residence within the Aurora Pacific Economic Zone and Freeport, whether through acquisition or lease of residential unit for at least five (5) years, provided that the alien must maintain ownership of his/her residential unit;

5. APECO Working Visa ("AWV") shall refer to the visa with a validity of not more than three (3) years issued by APECO to aliens who are consultants of or gainfully employed in APECO or in any of APECO registered enterprises whether located within the Aurora Ecozone or in any APECO/PEZA accredited/registered Information Technology (IT) Buildings, Parks or Centers;

6. APECO Dependent's Visa ("ADV") shall refer to the visa issued by APECO to the legal spouse and dependent children of holders of a valid APECO Working Visa (AWV), APECO Special Investor's Visa (ASIV), and APECO Permanent Resident Visa (APRV). For this purpose, "dependent children" shall mean unmarried children below 21 years of age, or unmarried children more than 21 years of age but are dependent for support due to mental or physical disability; and

7. APECO Alien Identity Card ("AAIC") shall refer to the identity card which may be issued by APECO to aliens with APECO issued visas and/ or Certificates of Exemptions from Alien Employment Permits and Working Visas.

RULE III
STATUTORY AUTHORITY OF APECO

Section 1. Statutory Authority of APECO - APECO is authorized under its charter to prescribe the necessary supporting documents, receive applications, set and collect fees, process, approve/disapprove applications and implement the following:

Section 1.1 APECO Working Visas ("AWV") - Pursuant to Section 6(p) of RA
10083, APECO is authorized to issue working visas renewable every three (3) years to foreign executives and foreign technicians with highly specialized skills which no Filipinos possesses, as certified by the Department of Labor and Employment (DOLE).

Section 1.1.2 APECO Dependent's Visas ("ADV") - Pursuant to Section 5(N) of RA 9490, foreign nationals with valid APECO Working Visas, their spouses and unmarried children under twenty-one (21) years of age, who are not excluded by Section 29 of Commonwealth Act No. 613, as amended, shall be permitted to enter and reside in the Philippines during the period of employment of such foreign nationals.

They shall be entitled to a multiple entry visa, valid for a period of three years, and shall be allowed to enter and leave the Philippines without further documentary requirements other than valid passports or other travel documents in the nature of passports. The validity of the multiple entry visa shall be extendible yearly.

Section 1.1.3 Exemptions - The said foreign nationals with valid APECO Working Visas under Section 5(N) of RA 9490 in relation to Section 6(p) of RA 10083, as well as their respective spouses and dependents shall be exempt from:

(a) obtaining Alien Certificates of Registration (ACR) and Immigration/ Emmigration Clearance Certificates;
(b) securing the Alien Employment Permit (AEP);and
(c) all types of clearances, permits, licenses or their equivalents required by any government department or agency.

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Section 1.2 APECO Special Investor's Visas ("ASIV") - Pursuant to Section 6 of RA 9490, APECO may issue a Special Investor's Visa to any foreign national who invests in an APECO registered enterprise with an amount of US$150,000.00, either in cash and/or equipment, shall be entitled to an investor's visa: Provided, That:

(1) He is at least eighteen (18) years of age;
(2) He has not been convicted of a crime involving moral turpitude;
(3) He is not afflicted with any loathsome, dangerous or contagious disease; and
(4) He has not been institutionalized for any mental disorder or disability:

Provided, further, That in securing the investor's visa, the alien-applicant shall be entitled to a multiple entry visa, and shall be allowed to enter and leave the Philippines without further documentary requirements other than valid passports or other travel documents in the nature of passports. The validity of the multiple entry visa shall be extendible yearly.

As a holder of investor's visa, an alien shall be entitled to reside in the Philippines while his investment subsists. For this purpose, he should submit an annual report, in the form duly prescribed for the purpose, to prove that he has maintained his investment in the country. Should said alien withdraw his investments from the Philippines, then the investor's visa issued to him shall automatically expire.

Section 1.2.1 APECO Dependent's Visas ("ADV") - Pursuant to Section 6 of RA 9490, foreign nationals with valid APECO Special Investor's Visas ("ASIV"), their spouses and unmarried children under twenty-one (21) years of age, who are not excluded by Section 29 of Commonwealth Act No. 613, as amended, shall be permitted to enter and reside in the Philippines during the period of employment of such foreign nationals.

They shall be entitled to a multiple entry visa, valid for a period of three years, and shall be allowed to enter and leave the Philippines without further documentary requirements other than valid passports or other travel documents in the nature of passports. The validity of the multiple entry visa shall be extendible yearly.

Section 1.2.2 Exemptions - The said foreign nationals with valid APECO Special Investor's Visas ("ASIV") under Section 5(N) of RA 9490 in relation to Section 6(p) of RA 10083, as well as their respective spouses and dependents shall be exempt from:

(a) obtaining Alien Certificates of Registration (ACR) and Immigration/ Emmigration Clearance Certificates;
(b) securing the Alien Employment Permit (AEP);and
(c) all types of clearances, permits, licenses or their equivalents required by any government department or agency.

Section 1.3 APECO Certificate of Exemption from Alien Employment Permit and Working Visa ("ACE") - Pursuant to Section 6(r) of RA 10083, APECO may issue exemptions from the requirements of alien employment permits (AEP) and/or working visas for aliens employed with, or consultants of, APECO- registered enterprises who will stay and perform work in the Philippines for less than six (6) months.

Section 1.4 APECO Permanent Resident Visas ("APRV") - Pursuant to Section 6(q) of RA 10083 in relation to APECO's rule making powers under Section 6 (u) and (v) of RA 10083, APECO may issue Permanent Resident Visas to aliens.

Section 2. Coordination and Cooperation with Bureau of Immigration ("BI")
– Pursuant to Section 6(q) of RA 10083, APECO shall report to the Bureau of Immigration the names of the foreigners who have been granted permanent resident status and working visas within thirty (30) days after issuance of such grant.

Section 3. Validity of APECO Visas and Certificates of Exemption. - APECO Special Investor's Visas ("ASIV") and APECO Permanent Resident Visas ("APRV") shall be valid in the Philippines and shall be recognized in all ports of entry and exit in the Philippines.

Pursuant to Section 6(r) in relation to Section 6(p) of RA 10083, Certificates of Exemption from Alien Employment Permits ("ACE") and APECO Working Visas ("AWV") may be issued to aliens employed with, or consultants of, APECO Registered Enterprises, who will stay and perform work in the Philippines. However, they shall only be allowed to engage in gainful occupation in any APECO registered enterprise either located within the Aurora Ecozone or within any APECO or Philippine Economic Zone Authority (PEZA) accredited/registered Information Technology (IT) Buildings, Parks or Center located in the Philippines.

Section 4. Interpretation. - Pursuant to Section 23 of RA 9490, in case of doubt in the interpretation of any provision of APECO's charter, the powers, authorities and functions that are vested in APECO are intended to decentralize governmental functions and authority and promote an efficient and effective working relationship between the Aurora Ecozone, the national government, and the local government units.

Section 5. Conversion. - Subject to submission of requirements, APECO may convert a valid Temporary Visitor's Visa (TVV) or a valid authorized stay of an alien admitted under EO 408 to APECO Special Investor's Visa (ASIV), APECO Working Visa (AWV), APECO Permanent Resident Visa (APRV), and/or APECO Dependent Visa (ADV), without need to exit the country.

RULE IV
CHECKLIST OF DOCUMENTARY REQUIREMENTS

Section 1. APECO Working Visa ("AWV") - Applications for "AWV" shall be subject to the following documentary requirements:

(a) Notarized Letter Request signed by the duly authorized representative of the employer;
(b) Duly accomplished Application form;
(c) Photo copy of Passport Bio page and latest immigration stamp;
(d) Certified True Copy of a valid Alien Employment Permit (AEP),if applicable; (e) Employment Contract if exempted from Alien Employment Permit (AEP);
(f) Copy of the employer's Income Tax Return of the preceding year duly received by BIR; and
(g) Bureau of Immigration Clearance Certificate

Section 2. APECO Special Investor's Resident Visa ("ASIV") - Applications for "ASIV" shall be subject to the following documentary requirements:

(a) Notarized letter request signed by the Corporate Secretary with a sworn declaration that the applicant's investment in an APECO registered enterprise amounts to at least US$150,000 or its peso equivalent;
(b) Duly accomplished Application Form;
(c) Proof of investment of US$150,000 in any APECO registered enterprise (the investment can be in the form of cash, bonds, stocks, capital investment, money market, bank deposit or equipment);
(d) Photo copy of Passport Bio page and latest immigration stamp; (e) NBI Clearance; and
(f) Bureau of Immigration Clearance Certificate

Section 3. APECO Permanent Resident Visa ("APRV") - Applications for "APRV" shall be subject to the following documentary requirements:

(a) Notarized letter request signed by the applicant;
(b) Duly accomplished APECO General Application Form;
(c) Copy of any document showing proof that applicant has established or is in the process of establishing a

residence within the APEFZ;
(d) Photo copy of Passport Bio page and latest immigration stamp; (e) NBI Clearance; and
(f) Bureau of Immigration Clearance Certificate

Section 4. APECO Dependent's Visa ("ADV") - Applications for "ADV" shall be subject to the following documentary requirements:

(a) Notarized letter request;
(b) Duly accomplished APECO General Application Form;
(c) Certified True Copy of the appropriate document showing proof of relationship between the petitioner and his/her dependent/s;
(d) Photo copy of Dependent's Passport Bio page and latest immigration stamp; (e) Photo copy of the Petitioner's Passport Bio page and latest APECO visa
stamp;
(f) NBI Clearance;
(g) Bureau of Immigration Clearance Certificate; and
(h) NICA clearance for restricted foreign nationals or those who, prior to their admission into the Philippines, are required to secure Philippine visa from the Philippine embassy/consulate located in their country of origin.

Section 5. APECO Exemption from Alien Employment Permits and Working Visa ("ACE") - Applications for "ACE" shall be subject to the following documentary requirements:

(a) Notarized Letter Request from employer's duly authorized representative with a declaration that the alien applicant shall be employed in the Philippines for a period not exceeding six (6) months;
(b) Duly accomplished Application form; (c) Biodata of the alien applicant;
(d) Photo copy of Passport Bio page and latest immigration stamp;
(e) Copy of the employer's Income Tax Return of the preceding year duly received by BIR; and
(f) Bureau of Immigration Clearance Certificate

RULE V
ADMISSION STATUS

Section 1. APECO Visa Holders. - APECO visa holders shall be allowed entry with multiple entry and exit privileges and shall be admitted into the country under the provisions of APECO charter with the same terms and conditions as when they left.

Holders of APECO Working Visas ("AWV") and their dependents with APECO Dependent Visa ("ADV") and APECO Special Investor's Visa ("ASIV") and their dependents with valid APECO Dependent Visa ("ADV") shall be allowed entry to and exit from the Philippines without the necessity of obtaining an Alien Certificate of Registration Identity Card (ACRI-Card), Re-Entry Permit, Special Return Certificate (SRC), Emigration Clearance Certificate (ECC) and all other types of clearances required by any government department, bureau or agency.

RULE VI
APECO ALIEN IDENTITY CARD

Section 1. Issuance of APECO Alien Identity Card ("AAIC"). - All APECO visa holders shall secure APECO Alien Identity Card ("AAIC") under an identification card system developed, implemented and enforced by APECO containing such information as the APECO may deem necessary, including but not limiting to, the personal information, biometric data and record of APECO and immigration- related transactions of the alien.

Section 2. Validity of APECO Alien Identity Card - The validity of the APECO Card shall be co-terminus with

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the validity of the APECO-issued visa or five (5) years whichever is shorter.

Section 3. Recognition by BI. - The APECO Alien Identity Card shall be recognized and accepted by BI as among the immigration and travel documents required for the entry to, stay in, and exit from the country. For coordination purposes, the APECO may establish a network connectivity that shall allow BI real-time electronic view-only access of the data and information stored in the APECO Alien Identity Card to verify the authenticity and validity of the APECO Cardholder's immigration status. Pending the completion of the implementation of the BI real-time electronic view-only access of the data and information in APECO Card, BI shall recognize the manual APECO visa stamp duly signed by the President and CEO of APECO.

BI shall coordinate and cooperate with APECO to ensure that airlines and immigration authorities in other countries shall be properly informed of the

APECO Alien Identity Card and the APECO visa, as among the immigration and travel documents required from APECO visa holders to enter and exit the Philippines.

Section 4. APECO Card Processing Guidelines of Departing and Arriving APECO Visa Holders at International Ports of Entry and Exit. - Departing and arriving APECO visa holders shall present their APECO Alien Identity Card and APECO Visa Stamp to the Immigration Officer during primary inspection.

An APECO visa holder who fails to present a valid and active APECO Card and APECO visa stamp during immigration departure formalities shall be denied exit and shall be required to secure a clearance from APECO. Unless there are other grounds to defer his/her departure, he/ she shall be allowed exit upon submission of the APECO clearance.

Section 5. Procedural Requirements. The following are the procedural requirements in the processing of applications and the issuance of APECO visas and Certificates of Exemption from Alien Employment Permits and Working Visas:

5.1 Receiving and initial evaluation of Applications. The APECO Immigration Unit shall receive all applications with the documentary requirements for initial evaluation as to the completeness of the documents required. For this purpose, the documentary requirements, application forms and applicable fees shall be those posted in APECO's official website.
5.2 Payment of applicable fees. - No application or request filed under the preceding section shall be acted upon and processed by the APECO unless the assessed visa fees prescribed in Annex "A", hereof and other applicable fees and charges, including fines and penalties, if any, are fully paid as evidenced by duly issued APECO Official Receipt. The applicable fees may be changed from time to time upon recommendation of the President and CEO and approved by the Board of Directors of APECO.
5.3 Encoding of personal information. - Upon payment of the appropriate fees, the applicant shall present his/her original passport and the APECO Immigration Unit (AIU) encoder shall cause the encoding of the personal information of the applicant and other relevant information necessary in considering the application. A printed copy of the encoded personal information of the applicant and other relevant information must be attached to the application folder to be assigned to a reviewer.
5.4 Review/evaluation of the Application. - The application must be reviewed and evaluated by a competent APECO personnel taking into consideration the documents submitted by the applicant and other information gathered during the applicant's personal interview to be scheduled by the applicant and the reviewer. The applicant's personal interview may cover areas that might help the reviewer in determining whether the applicant poses a risk to national security, public order, public safety or public health.

5.5 Recommendation to the APECO President and CEO. - Upon review and evaluation of the application, the reviewing officer shall submit his/her recommendation to the President, who may approve/ disapprove the application, citing the reason therefor.
5.6 Approval and implementation of Visa and Issuance of APECO Alien Identity Card. An approved visa or a computer-generated print stick-on visa with corresponding reference number, signature of the President/CEO of APECO and APECO's dry seal shall be implemented by APECO on the passport of the applicant.
5.7 Releasing of passport with APECO implemented visa and APECO Alien Identity Card. Upon surrender of the claim stub, the passport with the implemented visa and APECO Alien Identity Card shall be released to the applicant.

RULE VII
MISCELLANEOUS PROVISIONS

Section 1. Inspection and Monitoring. - Duly authorized representatives of APECO shall conduct random visits and inspections of APECO registered enterprises and their foreign executives, consultants and employees to ensure proper compliance and implementation of these rules and regulations. Refusal of the APECO Registered Enterprise to allow random inspection of APECO shall be a ground for denial/ cancellation of the visa or Certificate of Exemption from Alien Employment Permit and Working Visa issued by APECO.

Section 2. Reportorial Requirements. - The APECO shall report to the Bureau of Immigration the names, dates of birth and nationalities of foreign nationals who are granted APECO visas or whose visas are cancelled or revoked, within thirty (30) days after its issuance, cancellation or revocation.

Section 3. Separability Clause. - If any provision of these rules and regulations is declared illegal, invalid or unconstitutional by a competent court or authority, the remaining provisions hereof shall remain valid and effective.

Section 4. Repealing Clause. Any provision of laws, rules and regulations inconsistent herewith are hereby modified, amended, and/ or repealed accordingly.

Section 5. Effectivity. - These rules and regulations shall take effect immediately.

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

Approved by the APECO Board of Directors on April 12, 2018.

By the Authority of the APECO Board of Directors:

(SGD) ISRAEL F. MADUCDOC
President/CEO

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