IMPLEMENTING GUIDELINES FOR THE TEMPORARY RESIDENCE VISAS (TRV) FOR FAMILY MEMBERS OF LAWFUL ALIEN RESIDENTS IN THE PHILIPPINES

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Pursuant to Memorandum Order No. ADD 02-015 dated March 6, 2002, the following Guidelines are hereby prescribed to implement the temporary residence visas (TRV) of family members of lawful alien residents in the Philippines.

1. The natural and legitimate grandfather, grandmother, father, mother, husband, wife and child of an alien legally and validly admitted as resident in the country shall be eligible to apply for temporary residence visa (TRV) upon submission of the following:

a. A verified letter request from the petitioner (alien resident);

b. A notarized General Application Form (duly accomplished and signed by both the petitioner and applicant;

c. 2 x 2 picture of the applicant to be attached in the General Application Form

d. True copies of the following:

1. Passport of the applicant with valid entry and admission into the country and updated stay;

2. Passport of the petitioner with the resident visa stamped on it; and

3. Alien Certificate of Registration (ACR) and Certificate of Residence of the petitioner.

e. Clear photocopy of the Marriage Certificate, Birth Certificate or Family Register duly authenticated by the Philippine Foreign Service Post located in the applicant's country of origin or residence evidencing his/her relationship to the petitioner;

f. Joint Affidavit of the petitioner and applicant stating, inter alia, that

1. They are legally related to each other stating thereto their relationship;

2. The applicant shall not violate any of the local laws and should he/she violate, petitioner shall be made responsible thereto; and

3. That petitioner shall financially support the applicant or applicant is financially capable.

g. Police Clearance Certificate issued by the National Police Authorities in the applicant's country of origin or residence duly authenticated by the Philippine Foreign Service Post;

h. BI-NICA and NBI 1`No Derogatory' Clearances;

i. AIDS Clearance issued by the Bureau's accredited hospitals;

j. Medical Certificate from the Bureau of Quarantine that the applicant is not afflicted with any contagious,

dangerous and loathesome disease;

k. Official Receipt for the application; and

l. Such other documents that may be required of the petitioner and applicant to submit in support of their application.

2. The application and their attachments shall be filed at the Receiving Section (Window 1) at the ground floor of the Main Building, Magallanes Drive, Intramuros, Manila.

Applications filed at sub-ports shall be immediately forwarded to the Office of the Commissioner for appropriate evaluation.

3. Each application shall be evaluated by the Office of the Commissioner or to whoever it may authorize in its behalf. Should a hearing be necessary, a notice of hearing shall be sent by registered mail to the given address of the petitioner and applicant; otherwise, the application shall be recommended to the Board of Commissioners for action. In the event that a hearing shall be conducted to determine the qualifications of the applicant, the failure to attend the scheduled hearing date, despite notice or without sufficient justification, shall cause for the summary dismissal of the petition. Likewise, the failure to complete all the documents as stated in No. 1 hereof shall be a reason for the summary dismissal of the application.

4. The reviewing/evaluating officer shall submit the recommendation to the BOC for action within ten (10) working days from receipt of the complete application or from the conclusion of hearing. A copy of the BOC action shall be immediately sent by registered mail to the petitioner and applicant concerned.

5. Upon approval, the petitioner and applicant shall proceed to the Office of the Executive Director for visa implementation upon payment of the immigration fees that may be assessed them.

Should the decision of the Board of Commissioners is adverse, a motion for reconsideration may be filed within five (5) calendar days from receipt of the Order of denial. Motions for reconsideration filed out of time shall not be entertained. No second motion for reconsideration shall be entertained.

6. The TRV under Memorandum Order No. ADD-02-015 shall be effective unless it is cancelled or revoked for cause.

Applications for renewal of TRV shall be filed one (1) month before its expiration date. An application for renewal filed after its expiry date shall be summarily denied.

7. At any time during the validity of the TRV or any extensions thereof, the Board of Commissioners may revoke the TRV granted to the applicant for any of the following causes:

a. The subsequent discovery that the document/s presented in support of the application was/were spurious;

b. The subsequent discovery that the relationship as represented in the application is false;

c. The commission by the applicant of any act which would constitute a ground for deportation under Section 37 of the PIA, as amended;

d. The commission by the applicant of the offenses defined in Sections 45 and 46 of the PIA, as amended; and

e. A determination by competent authority that the applicant is a threat to national security, public safety or public health.

8. For alien registration purposes, the Chief of the Alien Registration Division shall issue the corresponding Alien

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Certificate of Registration and Immigrant Certificate of Residence indicating the basis of issuance as follows, `Issued under OMO No. ADD-02-015 dated March 6, 2002 and BOC approval dated (date of BOC meeting).'

Adopted: 14 May 2002

(SGD.) ANDREA D. DOMINGO
Commissioner

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