

AMENDING AND CLARIFYING CERTAIN PROCEDURES FOR PROCESSING APPLICATION FOR PRE-ARRANGED EMPLOYMENT AND IMMIGRATION VISAS

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/f1df115119e4/>

1. This amends Law Instructions No. 15, Secs. 3, 4 and 8, and Law Instructions No. 13, Sec.3. This also clarifies Law Instructions No. 15, Sec. 4, para. 2 and Law Instructions No. 13, Sec. 4, para . 2.

2. Effective immediately, the certification that the documentary requirements are complete issued by the Law and Investigation Division in connection with petitions for pre-arranged employment visas under the Immigration Act, Sec. 9 (g), and for immigrant visas under the Immigration Act, Secs. 13 and 13(a) to 13(g), and other matters that fall within the competence of the Board of Special Inquiry (BSI) shall no longer be necessary. Instead, applications shall be filed directly with the BSI receiving clerk.

3. The BSI receiving clerk shall examine the petition and shall determine whether all the documents enumerated in the appropriate checklist have been submitted. If the petition is incomplete, the BSI receiving clerk shall return the application and provide the applicant with a checklist of the additional documents to be submitted. If the application is complete, the BSI receiving clerk shall certify on the face of the petition that the documents are complete. This certification merely provides a basis for accepting the application and is neither an admission as to the genuineness and authenticity of the documents nor as to their sufficiency as proof of the matters for which they are submitted.

4. The BSI receiving clerk shall then raffle the petition among the three (3) BSI and shall calendar it for hearing in open court at the earliest available date and time. He shall give the petitioner at least three (3) days notice of the scheduled hearing and shall inform the petitioner to bring the original documents for verification at the hearing. No postponement shall be granted. The BSI shall hear a petition continuously within a period not exceeding two (2) days, except that in exceptional cases and for good and meritorious grounds, the BSI may, upon the request of the petitioner and in the exercise of its discretion, set one final hearing date. The setting of the final hearing shall be in addition to and shall not prejudice the previously calendared petitions which shall be heard as scheduled.

5. The petitioner shall have the option to be represented by counsel of his own choice who shall propound questions to the witnesses in the presence of the member of the CID Law and Investigation Division assigned to the case. The CID lawyer may propound additional questions to the witnesses to ensure compliance with the requirements of the law and implementing instructions.

However, if the petitioner opts not to be so represented, the CID lawyer assigned to the case shall intervene on behalf of the Commission and propound such questions to the petitioner and his witnesses to show whether or not he has complied with the requirements of the law and implementing rules. In no case shall a CID lawyer act as counsel for an applicant. Further, in no case (except deportation cases) shall two CID lawyers appear as adversaries — one as counsel for the applicant and the other as representative of the Commission.

6. Immediately before the hearing, the petitioner and his counsel shall present the original documents to the CID lawyer for verification and comparison with the photocopies submitted. The CID lawyer shall prepare his

objection, if any, to the documentary evidence to be presented by the petitioner.

It shall be incumbent upon the petitioner and his counsel to prove that, based on the evidence, both documentary and testimonial, the application should be granted. The documentary requirements for each admission category are listed in the relevant law instructions and in the Immigration Manual.

7. The petitioner shall present not more than two (2) witnesses in support of his petition. Any third party may file an opposition to the petition which likewise shall be heard in open court. To expedite the proceedings, the testimonies of the petitioner and his witnesses may be presented in affidavit form, subject to affirmation before the BSI, and cross-examination by the CID lawyer assigned to the case. The BSI shall submit its recommendations to the Board of Commissioners not later than three days following the termination of the hearing in open court.

Adopted: 18 May 1988

(SGD.) REGINA PADILLA GERALDEZ

Associate Commissioner

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.