PHILIPPINE ECONOMIC ZONE AUTHORITY

MEMORANDUM CIRCULAR NO. 2021-069

FOR: ECONOMIC ZONE DEVELOPERS/ENTERPRISES
     ECONOMIC ZONE ADMINISTRATORS/MANAGERS/OIGs

FROM: BGen CHARITO B. PLAZA MNSA, PhD
       Director General

DATE: 22 November 2021

SUBJECT: PEZA VISA ISSUANCE

Pursuant to Sections 10 and 40 of R.A. No. 7916, as amended, the PEZA and the Bureau of Immigration (BI) signed on 10 November 2021 the Memorandum of Agreement (MOA) and its Implementing Rules and Regulations prescribing the rules for the issuance and/or implementation of PEZA visas (PV) to foreign nationals (FNs) working and/or employed by PEZA-registered ecozone-locator enterprises, and to their qualified dependents.

The MOA and its IRR takes effect on 27 November 2021, i.e., fifteen (15) days following their publication in the Philippine Star on 12 November 2021.

The full text of the IRR on the Issuance of the PEZA Visa is available under the Issuances section of the PEZA Official website (www.peza.gov.ph).

Below are the Salient Features of the IRR on the issuance of the PV:

Scope and Coverage. The IRR shall be applicable to PEZA and shall cover the processing of applications for the issuance of the PV to FNs working and/or employed by PEZA-registered ecozone-locator enterprises, and to their qualified dependents.

Validity of the PV.

a. The PV shall be valid for two (2) years, and shall be subject to renewal depending upon the need of the PEZA-registered enterprise as determined by PEZA. The PV shall also be issued to the qualified dependents of the foreign national, and shall be subject to renewal.

b. Holders of PV, as well as their respective qualified dependents, shall be exempt from registration requirements of BI and have multiple entry privileges including exemption from BI permits/clearances:
   i. Exit Clearance Certificate (ECC-B);
   ii. Re-entry Permits; and
   iii. Special Return Certificate.
Documentary Requirements

Applications for PV shall be subject to the following documentary requirements:

- For the foreign national employed by a PEZA-registered enterprise:
  
  a. Notarized Application Form;
  
  b. Notarized Company’s letter-request addressed to the PEZA Director General signed by its President or Chief Executive Officer, certifying and committing to the following that:

  (1) The employment of the foreign national is required in the operations of the company;
  
  (2) The foreign national employed has no derogatory record nor pending case against him in his domicile (i.e., country of citizenship), in the Philippines or any other country where the said foreign national has resided for the past five (5) years;
  
  (3) The enterprise shall undertake an Understudy Program for training Filipino workers to effect transfer of appropriate technology on aspects of its operations for which the foreign national is being proposed for employment;
  
  (4) Upon termination or cessation of employment for whatever cause, the enterprise, within five (5) working days thereof, shall notify PEZA and BI-PEZA of such termination or cessation of employment, and when applicable, shall within the same period surrender the work permit/ACR I-card to the BI PEZA; and
  
  (5) The enterprise shall assume full responsibility for ensuring that the foreign national complies with visa downgrading procedures and conditions in the Downgrading Order to be issued by BI-PEZA.

If the company’s letter-request is not signed by the President/CEO, attach:
  
  (a) an authorization letter signed by the President/CEO; or (b) Corporate Secretary’s Certificate, as proof/attestation to the company’s authorized signatory/ies for visa applications.

  c. Checklist of application for PV Extension or for Change of Admission;
  
  d. Certified True Copy of PEZA Certificate of Registration;
  
  e. Photocopy of passport of the applicant (Biopage, Pages containing date of latest arrival and the valid/ expiring/updated visa) with validity of not less than six (6) months from time of application;
  
  f. Notarized Certificate of Employment or Contract of Employment, indicating the period of employment;

  g. Notarized Certification signed by the President or Chief Executive Officer or duly authorized official stating (1) the number of foreign nationals employed vis-à-vis Filipino employees; and (2) the current percentage of employed foreign nationals over the total work force;
h. Certified True Copy of the foreign national’s Alien Employment Permit (AEP), or proof of application of AEP duly received by DOLE Office and the corresponding Official Receipt bearing the name of the foreign national and the enterprise or Certificate of Exclusion issued by DOLE;

i. For applications submitted through consultants, travel agencies, law firms or any other representatives, the following documents shall be attached: (1) authorization letter duly signed by the President or an authorized official of the enterprise; (2) authorization letter of the designated consultant, travel agency, law firm or other representatives to its respective processor; and (3) photocopy of the processor’s photo ID;

j. Comprehensive Bio-data/Resume/Curriculum Vitae duly signed by the applicant;

k. Understudy with Undertaking for technical and supervisory positions;

l. Organizational chart of the enterprise;

m. Copy of PEZA Official Receipt issued for payment of the Processing Fee duly certified as true copy by the PEZA Cashier or the assigned Special Collecting Officer of PEZA in the ecozone, and indicating therein the name of the foreign national and his/her qualified dependents, if applicable; and

n. PEZA Zone Administrator/Zone Manager Endorsement Letter to the Director General.

• For the dependents of the foreign national:

  a. Notarized Application Form;
  b. Photocopy of the Passport of the dependent/s (name, pages containing date of latest arrival, and valid for at least twenty [20] days);
  c. Birth certificate (children)/marriage certificate (spouse) with English translation and Philippine embassy/consulate authentication from Applicant’s country of origin OR with Apostille OR PSA-issued marriage/birth certificate; and
  d. Notarized Affidavit of Support/Guarantee, executed by the PEZA-registered company’s President/Vice-President.

A PEZA-registered enterprise which intends to extend/renew the PV of its foreign national employee shall submit the same documentary requirements above-stated, as applicable, together with its expiring visa.

Procedural Requirements

Applications. A PEZA-registered enterprise shall submit applications for PV for foreign nationals it employs/intends to employ, together with the complete documentary requirements as stated under Rule V of the IRR of the PEZA-BI MOA on the issuance of the PV, to the PEZA Zone Administrator or Manager (ZA/ZM) of the ecozone where the enterprise is located.
For IT companies located within Metro Manila and ecozone tourism and medical tourism enterprises, the applications shall be submitted to the Manager of the Zone Office NCR (ZONCR) located in the PEZA Head Office.

The applicant or his/her duly authorized representative shall pay the corresponding PEZA visa processing fees to the PEZA Cashier or the assigned Special Collecting Officer of PEZA in the zone who shall issue an Official Receipt for the amount paid.

**PEZA Visa Processing Fees**

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<th>Principal Applicant:</th>
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<tr>
<td>New (2 years / 1 year)</td>
<td>- PhP 5,000.00</td>
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<tr>
<td>Renewal (2 years / 1 year)</td>
<td>- PhP 5,000.00</td>
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<th>Dependent:</th>
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<tr>
<td>New (2 years / 1 year)</td>
</tr>
<tr>
<td>Renewal (2 years / 1 year)</td>
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</table>

**Complete Documentary Requirements.** The PEZA ZA/ZM/ZONCR shall accept only visa applications with complete sets of documents and verify/validate the following:

a. Information provided in the application and the attached documents are complete and accurate;

b. The locator enterprises' letter-request is authentic and duly-signed by its President and Chief Executive Officer;

c. The number of non-resident alien employees of the PEZA-registered enterprise, including the applicant, shall not exceed 5% of the enterprises' total workforce.

If the number of the non-resident alien employees exceeds 5% of the enterprise's total workforce, the PEZA-registered enterprise must request for clearance to employ additional non-resident aliens from DOLE, indicating the specific reasons for additional non-resident alien employees.

d. The PEZA-registered enterprise is in good standing with PEZA i.e., the PEZA-registered enterprise has no derogatory record or pending cases of violation of PEZA rules and regulations.

The PEZA ZA/ZM/ZONCR shall thereafter endorse the application to the PEZA Director General thru the PEZA-FNU.
Receiving and Evaluation of Application by PEZA Head Office-FNU. The PEZA-registered enterprise will submit all its documentary requirements to the PEZA Head Office-FNU before end of office hours. PEZA-FNU shall evaluate the completeness, veracity and compliance of all the submitted documentary requirements.

The PEZA-registered enterprise shall apply to the PEZA Head Office-FNU for renewal of the PV not less than thirty (30) days before the scheduled expiration date of the PV.

**Issuance of Approval/Denial Order of PV.** Within five (5) working days from receipt of complete requirements, the PEZA-FNU shall issue an Order either approving or denying the application for a PV.

The Approval Order of the PV shall state among others the nature (change of admission status / renewal) and validity of the PV based on the conducted review and evaluation of submitted requirements.

In case of denial of the application, a Denial Order will be issued citing the reasons for denial under Rule VII hereof.

The denial of the application shall cause the forfeiture of the fees paid by the applicant.

**Endorsement of Applications.** The PEZA-FNU shall, thereafter, endorse approved applications to BI-PEZA.

**Conduct of Immigration Verification.** Upon receipt of the PEZA Endorsement and applicant’s documentary requirements, BI shall conduct a verification of the applicant’s derogatory records, travel information and visa status.

**Approval and Implementation of PV.** Upon endorsement of PEZA-FNU, the BI shall have five (5) working days within which to issue an Order granting the conversion of applicant’s visa from Temporary Visitor’s Visa to PV. The approved visa shall be implemented on the passport of the applicant.

**Releasing of Approved PV** – Upon presentation of original copy of Official Receipts, BI shall release the approved PV to the applicant or his/her authorized representative, together with the passport.

**Information Capturing -** PEZA shall issue a PV Card to PV holders renewable every year upon payment of corresponding fees. The PV holder has the option to voluntarily apply for ACR I-Card.

**Denial of Application for PEZA Visa**

**Denial by PEZA:** Application for visa may be denied by PEZA based on the following grounds:

Page 5 of 9
a. Foreign national or alien whose employer/ecozone locator has pending administrative/criminal cases with the regular courts, quasi-judicial bodies or PEZA;

b. Foreign national or alien has a derogatory record;

c. Character or certain public interest grounds;

d. Misrepresentation of facts in the application;

e. Submission of falsified or tampered documents;

f. With deportation record and/or pending deportation case;

g. Non-compliance with the rules and regulations of the PEZA Law, implementing rules and regulations, and relevant circulars in relation to visa application and processing; or

h. Other circumstances analogous or similar to the foregoing.

Denial by BI: The BI may deny the implementation of an approved PV based on the following grounds:

a. Foreign national or alien has a derogatory record;

b. Misrepresentation of facts in the application;

c. Lack of legal grounds for admission in the country;

d. Submission of tampered, falsified, counterfeit or forged documents;

e. Submission of fraudulent of fraudulently acquired documents;

f. With deportation and/or pending deportation case;

g. Violation of conditions of stay;

h. Revoked or cancelled Certificate of Registration and other business permits issued by PEZA; and

i. Grounds that may be determined to be threat to the national security.

In case of denial of application, the BI shall forward the application and supporting documents to the PEZA FNU, citing the reason/s for the denial.

The denial of the application shall cause the forfeiture of the fees paid by the applicant foreign national.

Suspension, Cancellation and Revocation of PV

The PV may be suspended, cancelled and revoked by BI upon endorsement of PEZA based on any of the following grounds:

a. The continued stay of the foreign national may result in damage to the interest of the industry or the country;

b. The employment of the foreign national is suspended by the employer or by order of the Court;

c. Non-compliance with any of the requirements or conditions for which the work permit or visa was issued;

d. Misrepresentation of facts in the application;

e. Submission of falsified or tampered documents;

f. Foreign national has a derogatory record;

g. Character or certain public interest grounds;
h. Employer terminated the employment of the foreign national;
i. The application for another visa category at the option of the visa holder;
j. Non-compliance with the rules and regulations of the PEZA Law, implementing rules and regulations, and relevant circulars in relation to visa application and processing; or
k. Other circumstances analogous or similar to the foregoing.

The PEZA-FNU shall prepare an Order of Cancellation and endorse the same to BI within five (5) working days from its issuance for appropriate action.

BI shall have the authority to suspend, cancel and revoke PVs motu proprio even without the endorsement of PEZA on the ground of violation of conditions of stay and other immigration laws.

The BI shall immediately inform PEZA in writing of the suspended, cancelled or revoked work permits and visas.

**Remedies in Case of Suspension, Cancellation or Revocation**

Any aggrieved party may file a Motion for Reconsideration (MR) and/or Appeal with BI. Only PEZA endorsed MRs and/or Appeal shall be given due course. BI and PEZA shall establish and formulate the set of rules and regulations in determining the merit of the MR and or appeal.

**Responsibility of the PEZA-Registered Enterprise/Employer**

Within five (5) working days from termination or cessation of employment for whatever cause, the PEZA-registered enterprise shall inform PEZA in writing of such termination or cessation of employment and when applicable, within the same period, shall surrender the work permit and/or ACR I-Card. Failure to perform such obligation will be a valid ground for denial of future work permit applications of prospective employees of the PEZA-registered enterprise.

**Downgrading of PEZA Visa**

A letter requesting the downgrading of PV must be addressed to the Commissioner stating the reason(s) for downgrading. Reasons may be resignation of PV holder, termination of employment, late filing of extension PV, non-renewal of PV or dissolution of the company.

The downgrading application shall be accompanied by an Order of Cancellation duly issued by PEZA and shall be filed at BI PEZA. It will be processed at Immigration Regulation Division (IRD), BI Main Office for final appropriate action by the Commissioner.
Once the downgrading application has been approved, the applicant’s visa status will now be reverted to a Temporary Visitors’ Visa (TVV). He or she is allowed to stay in the Philippines as a tourist for a period of fifty-nine (59) days which shall commence from the date of the expiration of visa or cessation of employment. This will allow the applicant to wind up his business affairs without having a need to secure further work authorization.

A foreign national with downgraded PV must exit the country within the period prescribed in the Downgrading Order. Failure to comply with the Order to Leave shall commence the deportation proceedings against the foreign national.

Under meritorious cases, the foreign national shall be allowed to extend his or her 59-day TVV but subject to all restrictions imposed on ordinary TVV holders.

**Joint Inspection and Monitoring.** Representatives of PEZA and BI may conduct periodic and routine inspections of the premises of the PEZA-registered enterprises to ensure proper and effective implementation of these rules and regulations.

**Transitory Provisions**

**Disposition of pending 47(A)(2) Visa Applications.** All applications pending before the Department of Justice on the date of effectivity of this MOA and its IRR shall be transferred to and processed by the PEZA FNU.

**Adjustment of Immigration Status.** All valid and existing 47(a)(2) visas upon the effectivity of the MOA and its IRR shall remain valid. Provided, that holders of valid 47(A)(2) visa who wish to maintain their special non-immigrant status must convert their 47(A)(2) visa to PV without the need for downgrading.

The application for conversion shall be filed before the expiration of the 47(a)(2) visa. Failure to convert within the said periods shall require the foreign national to downgrade his/her visa to TVV in accordance with existing rules on downgrading of 47(a)(2) visa.

**Expiring 47(a)(2) Visa.** All 47(a)(2) visas which expired upon the effectivity of this MOA and its IRR shall be downgraded to TVV, but without need for order to leave (OTL). Provided, the applicant undertakes to secure a PV. Provided, further, that the holder of said 47 (a)(2) visa shall maintain his/her employment with the petitioning PEZA company.

**Effectivity.** These implementing rules and regulations shall take effect fifteen (15) days following publication once in a newspaper of general circulation, i.e., effective on 27 November 2021.
Forms and Attachments:

1) PEZA Visa (PV) Process Flow Chart (Annex “A”)
2) List of Documentary Requirements for Issuance of the PV (Annex “B”)
3) Notarized Application Form (Annex “C”)
4) Notarized Company Letter-request (Annex “D”)
5) Checklist for Issuance of PV (Annex “E”)

For any concerns relative to the issuance of the PV, please contact our Foreign Nationals Unit (FNU) at Telephone Numbers: (02) 8 551-3427/ (02) 8 551-3451 loc. 111, 112 and 117 or email us at fnu@peza.gov.ph.

For your information and compliance.
PHILIPPINE ECONOMIC ZONE AUTHORITY
Foreign Nationals Unit – Head Office
DoubleDragon Center West Building
DD Meridian Park, Macapagal Avenue, Pasay City
Phone Nos. +632 551-3451 Ext. 111, 112 and +632 551-3427

List of Documentary Requirements
for PEZA Visa (PV) Application

A. To be provided by PEZA Zone Administrator or Manager (ZA/ZM)

1. PEZA ZA/ZM Endorsement to the Director General
2. Copy of PEZA Official Receipt issued for payment of the Processing Fee duly certified as true copy by the PEZA Cashier or the assigned Special Collecting Officer of PEZA in the ecozone, and indicating therein the name of the foreign national and his/her qualified dependents, if applicable

B. To be provided by economic zone foreign national applicants/ authorized representative

1. Checklist of application for PV Extension or for Change of Admission
2. Notarized Application Form
3. Notarized Company’s letter-request addressed to the PEZA Director General signed by its President or Chief Executive Officer. If the company’s letter-request is not signed by the President/CEO, attach: (a) an authorization letter signed by the President/CEO; or (b) Corporate Secretary’s Certificate, as proof/attestation to the company’s authorized signatory/ies for visa applications
4. Certified True Copy of PEZA Certificate of Registration
5. Photocopy of passport of the applicant (Bio page, Pages containing date of latest arrival and the valid/expiring/updated visa) with validity of not less than six (6) months from time of application
6. Notarized Certificate of Employment or Contract of Employment, indicating the period of employment
7. Notarized Certification signed by the President or Chief Executive Officer or duly authorized official stating (1) the number of foreign nationals employed vis-à-vis Filipino employees; and (2) the current percentage of employed foreign nationals over the total workforce
8. Certified True Copy of the foreign national’s Alien Employment Permit (AEP), or proof of application of AEP duly received by DOLE Office and the corresponding Official Receipt bearing the name of the foreign national and the enterprise or Certificate of Exclusion issued by DOLE
9. Comprehensive Bio-data/Resume/Curriculum Vitae duly signed by the applicant
10. Understudy with Undertaking for technical and supervisory positions
11. Organizational chart of the enterprise
12. For applications submitted through consultants, travel agencies, law firms or any other representatives, the following documents shall be attached: (1) authorization letter duly signed by the President or an authorized official of the enterprise; (2) authorization letter of the designated consultant, travel agency, law firm or other representatives to its respective processor; and (3) photocopy of the processor’s photo ID

C. Additional Requirements for Qualified Dependents (if any)

1. Notarized Application Form
2. Photocopy of the Passport of the dependent/s (name, pages containing date of latest arrival, and visa valid for at least twenty [20] days)
3. Birth certificate (children)/marriage certificate (spouse) with English translation and Philippine embassy/consulate authentication from Applicant’s country of origin OR with Apostille OR PSA-issued marriage/birth certificate
4. Notarized Affidavit of Support/Guarantee, executed by the PEZA-registered company’s President/Vice-President.
Republic of the Philippines
PHILIPPINE ECONOMIC ZONE AUTHORITY
DoubleDragon Center West Building
DD Meridian Park, Macapagal Avenue, Pasay City
Trunk Line No.: (632) 8551-3451 Loc. 111/112/117 | Direct Line No.: (632) 8551-3427 | E-mail Add: fnu@peza.gov.ph

APPLICATION FOR PEZA VISA (PV)

The undersigned hereby requests for issuance of a PEZA Visa (PV) with special multiple entry privileges and with exemptions from exit clearances certificates, re-entry permits and special return certificates, pursuant to Memorandum of Agreement between Philippine Economic Zone Authority (PEZA) and Bureau of Immigration (BI), and in support thereof submits the following information and representation.

<table>
<thead>
<tr>
<th>FIRST NAME</th>
<th>MIDDLE NAME</th>
<th>LAST NAME</th>
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Age: __________ Sex: ______ Date of Birth: __________ Place of Birth: __________________________

Nationality: __________________________ Civil Status (Single, Married, Divorced, etc.): __________________________

Passport No.: __________________________ Issued at: __________________________

Issued on: __________________________ Valid until: __________________________

Philippine Residential Address: __________________________ Telephone: __________________________

Employing PEZA-registered enterprise:

______________________________

Enterprise Address:

______________________________

Position: __________________________ Tel No.: __________________________ E-mail Address: __________________________

Date of Arrival and Length of Stay (for new application):

______________________________

Educational Background, Training and Experience:

______________________________
DEPENDENTS ACCOMPANYING THE PRINCIPAL IN THE PHILIPPINES

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<thead>
<tr>
<th>Name</th>
<th>Age</th>
<th>Sex</th>
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<tr>
<td>Spouse</td>
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<td>Children</td>
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UNDERTAKING OF PEZA REGISTERED ENTERPRISE:

a) Within five (5) working days from termination or cessation of employment for whatever cause, the PEZA-registered enterprise shall inform PEZA in writing of such termination or cessation of employment and when applicable, within the same period, shall surrender the work permit and/or ACR I-Card.

b) PEZA-registered enterprise shall likewise assume responsibility for the voluntary departure and cancellation of PEZA visa of said Foreign National upon termination of employment/training.

DOCUMENTARY REQUIREMENTS:

- PEZA ZA/ZM Endorsement to the Director General
- Copy of PEZA Official Receipt issued for payment of the Processing Fee duly certified as true copy by the PEZA Cashier or the assigned Special Collecting Officer of PEZA in the ecozone, and indicating therein the name of the foreign national and his/her qualified dependents, if applicable
- Checklist of application for PV Extension or for Change of Admission.
- Certified True Copy of PEZA Certificate of Registration.
- Photocopy of passport of the foreign national (Bio page, Pages containing date of latest arrival and the valid/expiring/updated visa) with validity of not less than six (6) months from time of application.
- Notarized Certificate of Employment or Contract of Employment, indicating the period of employment.
- Notarized Certification signed by the President or Chief Executive Officer or duly authorized official stating (1) the number of foreign nationals employed vis-à-vis Filipino employees; and (2) the current percentage of employed foreign nationals over the total work force.
- Certified True Copy of the foreign national's Alien Employment Permit (AEP), or proof of application of AEP duly received by DOLE Office and the corresponding Official Receipt bearing the name of the foreign national and the enterprise or Certificate of Exclusion issued by DOLE.
- Comprehensive Bio-data/Resume/Curriculum Vitae duly signed by the applicant.
- Understudy with Undertaking for technical and supervisory positions.
- Organizational chart of the enterprise.
Birth certificate (children)/marriage certificate (spouse) with English translation and Philippine embassy/consulate authentication from Applicant's country of origin OR with Apostille OR PSA-issued marriage/birth certificate.

- Notarized Affidavit of Support/Guarantee, executed by the PEZA-registered company's President/Vice-President.

Done in the City/Province of ___________________ Philippines, this __________ Day of
________________, 2021.

(Signature)

REPUBLIC OF THE PHILIPPINES
CITY/PROVINCE OF ________________ S.S.

SUBSCRIBED AND SWORN to me before me this __________ day of
________________, 2021, in the City/Province of ________________ affiant exhibited to me his/her
ACR or Passport No. __________ issued at ________________ on
________________, 2021.

Doc. No. __________;
Page No. __________;
Book No. __________;
Series of 2021 __________;
Date: __________________________

BGen Charito B. Plaza, MNSA, PhD.
Director General
Philippine Economic Zone Authority
DoubleDragon Center West Building
DD Meridian Park, Macapagal Avenue, Pasay City

Dear Director General Plaza:

Our company respectfully requests the issuance of PEZA Visa (PV) to the foreign national/s and/or the qualified dependent/s named below:

Name of Applicant:
Title/Position:

In this connection, I hereby certify and commit to undertake the following:

1. The employment of the foreign national is required in the operations of the company;

2. The foreign national employed has no derogatory record nor pending case against him in his domicile (i.e., country of citizenship), in the Philippines or any other country where the said foreign national has resided for the past five (5) years;

3. The enterprise shall undertake an Understudy Program for training Filipino workers to effect transfer of appropriate technology on aspects of its operations for which the foreign national is being proposed for employment;

4. Upon termination or cessation of employment for whatever cause, the enterprise, within five (5) working days thereof, shall notify PEZA and BI-PEZA of such termination or cessation of employment, and when applicable, shall within the same period surrender the work permit/ACR-l card to the BI PEZA; and

5. The enterprise shall assume full responsibility for ensuring that the foreign national complies with visa downgrading procedures and conditions in the Downgrading Order to be issued by BI-PEZA.

Done in the City/Province of ___________________________ Philippines, this ______________ Day of ______________________, 2021.

President/ CEO/ Authorized Signatory

REPUBLIC OF THE PHILIPPINES)
CITY/PROVINCE OF ___________________________ )S.S.
SUBSCRIBED AND SWORN to before me this ____ day of _________ 2021 in the City/Province.
_________________, affiant exhibited to me his/her ACR or Passport No. _________ issued at
________________ on ___________ 2021.

NOTARY PUBLIC