



Philippine Economic Zone Authority

MEMORANDUM CIRCULAR NO. 2015-011

TO : All PEZA-Registered Enterprises
All Zone Administration/Managers Officers-in-Charge

FROM : DIRECTOR GENERAL LILIA B. DE LIMA *L.B. De Lima*

DATE : 23 March 2015

SUBJECT : Bureau of Immigration (BI) Operations Order No. SBM-2015-007,
Restoring the Exemption of Holders of PEZA-endorsed 47 (a) 2
Visas from Payment of Exit and Re-entry Fees

We are very pleased to inform you that the BI issued on 20 March 2015, Operations Order No. SBM-2015-007 entitled "*Revised Guidelines in the Implementation of Visas Under Section 47(a)(2), Commonwealth Act No. 613, As Amended,*" restoring the exemption of PEZA-registered enterprises as well as their respective spouse and dependents holding PEZA-endorsed 47(a)(2) visas "from obtaining alien certificates and all types of BI clearances including the payment of Emigration Clearance Certificate (ECC) and Special Return Certificate (SRC) fees" (copy attached). The Order takes effect immediately.

Based on the BI's latest Order, holders of PEZA-endorsed 47(a)(2) visas whose passports have been previously stamped with "Subject to Payment of ECC and SRC Fees" do not need to have their visas re-stamped with "Exempt from ECC and SRC Fees" by the Bureau of Immigration. They may just present a copy of the attached BI Operations Order, and this Memorandum Circular in case asked by the BI officer at the airport.

BI Operations Order No. SBM-2015-007 repeals BI Operations Order No. SBM-2014-055, dated 04 November 2014, which required all holders of 47(a)(2) visas to pay all regular immigration fees, unless specifically exempted therefrom as specified in the Indorsement issued by the Department of Justice.

Please be advised further, for clarity, that Sections 2 and 3 of BI Operations Order No. SBM-2015-007 are not applicable to PEZA-endorsed 47(a)(2) visas.

For your information and guidance.

hoa/cac



OPERATIONS ORDER NO. SBM-2015- 007

**REVISED GUIDELINES IN THE IMPLEMENTATION OF VISAS
UNDER SECTION 47(a)(2), COMMONWEALTH ACT NO. 613,
AS AMENDED**

WHEREAS, Commonwealth Act (C.A.) No. 613, as amended, Section 47(a)(2) authorizes the President, when the public interest so warrants, *"(t)o admit as non-immigrants, aliens not otherwise provided for by this Act, who are coming for a temporary period only, under such conditions as he may prescribe"*;

WHEREAS, the President has authorized the Department of Justice (DOJ) to issue such visas under Section 47(a)(2) which may or may not be subject to payment of applicable immigration fees;

WHEREAS, in view of the confusion on the requirements and obligations of Section 47(a)(2) visa holders at the point of departure in terms of compliance with immigration clearances and the corresponding payment of fees therefor, Operations Order No. SBM-2014-055 was issued on 04 November 2014 prescribing the implementation guidelines of visas under C.A. No. 613, as amended, Section 47(a)(2);

WHEREAS, on 29 January 2014, Philippine Economic Zone Authority (PEZA) Director General Lilia B. De Lima, requested for the Bureau of Immigration (BI)'s endorsement to the DOJ for an exemption from the coverage of Operations Order No. SBM-2014-055, citing Presidential Decree No. 66, as amended, and Article 76, Book VI of Executive Order No. 226 (1987 Omnibus Investment Code) provides: *"x x x Foreign nationals who have been issued multiple entry special visas under this provision, as well as their respective spouses and dependents, shall be exempt from obtaining alien certificates and all types of clearances required by any government department or agency. x x x"*;

NOW, THEREFORE, pursuant to the rule-making authority of the Commissioner of Immigration under Commonwealth Act No. 613, as amended, the following revised guidelines are hereby prescribed:

Section 1. PEZA-endorsed Section 47(a)(2) Visas. – Holders of PEZA-endorsed Special Non-immigrant Visas under Section 47(a)(2), C.A. No. 613, as amended, as well as their respective spouses and dependents, shall be exempt from obtaining alien certificates and all types of BI clearances including the payment of Emigration Clearance Certificate (ECC) and Special Return Certificate (SRC) fees.

Section 2. Other Section 47(a)(2) Visas. – All other visas issued under Section 47(a)(2), C.A. No. 613, as amended, shall not be exempt from securing alien certificate and other BI clearance as well as from payment of immigration fees unless specifically indicated in the Indorsement issued by the DOJ, i.e., ***“free from payment of visa and immigration fees”***.

Such fee-exempt visas shall clearly indicate the word ***“EXEMPT”*** in the implementation thereof.

Section 3. Fee-Required Section 47(a)(2) Visas. – Visas issued under Section 47(a)(2), C.A. No. 613, as amended, shall be subject to payment of regular immigration fees and clearance requirements absent any contrary indication specified in the Indorsement issued by the DOJ.

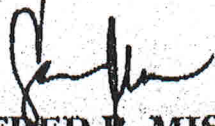
Such fee-required visas shall clearly indicate the directive ***“To secure ECC/SRC upon departure”*** in the implementation thereof.

Section 4. Supersession Clause. – Operations Order No. SBM-2014-055 is hereby repealed and all other issuances inconsistent herewith are amended or modified accordingly.

Section 5. Effectivity. – This Operations Order shall take effect immediately.

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

20 MAR 2015


SIEGFRED B. MISON
Commissioner 