

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is made and executed, by and between:

PHILIPPINE ECONOMIC ZONE AUTHORITY, a government instrumentality created and operating under Republic Act No. 7916, as amended, with principal office address at the 10th Floor, DoubleDragon Center West Building, DD Meridian Park, Macapagal Avenue, Pasay City, herein represented by its Director General, **BGEN. CHARITO B. PLAZA MNSA, PhD**, hereinafter referred to as "**PEZA**";

- and -

BUREAU OF IMMIGRATION, a government agency existing under the laws of the Republic of the Philippines, with office address at Magallanes Drive, Intramuros, Manila, and herein represented by its Commissioner, **JAIME H. MORENTE**, hereinafter referred to as the "**BI**";

WITNESSETH:

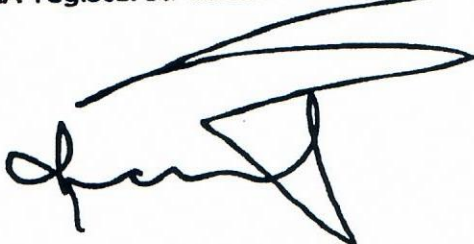
WHEREAS, Republic Act No. 7916, as amended by Republic Act No. 8748, otherwise known as "*The Special Economic Zone Act of 1995*", mandates PEZA to promote the flow of investments, both foreign and local, into Special Economic Zones or Ecozones and to administer incentives to qualified business establishments operating within the ecozones in accordance with the implementing rules and regulations of RA No. 7916, as amended;

WHEREAS, as provided under Chapter 10 of Executive Order (E.O.) No. 292, otherwise known as the Administrative Code of 1987, the BI is principally responsible for the administration and enforcement of immigration, citizenship and alien admission and registration laws in accordance with the provisions of the Philippine Immigration Act of 1940, as amended, and the Alien Registration Act of 1950, including other pertinent laws, relative thereto;

WHEREAS, under Sections 10 and 40 of R.A. No. 7916, as amended, PEZA-registered ecozone enterprises may employ foreign nationals in executive, supervisory, technical, advisory positions who shall be granted PEZA working visas;

WHEREAS, in line with the declared policy under R.A. No. 7916, as amended, to establish measures that will attract legitimate and productive foreign investments into the PEZA-registered ecozones, there is a need to implement the provisions of the aforesaid law with specific systems and procedures governing the grant of special working visa incentives to foreign nationals investing and working in the PEZA-registered ecozones, and to their qualified dependents;

WHEREAS, PEZA and BI (hereinafter collectively referred to as the "*Parties*") have agreed to enter into a Memorandum of Agreement ("MOA") in order to implement and exercise the authority of PEZA under R.A. No. 7916, as amended, to issue working visas to foreign investors and non-resident alien employees of PEZA-registered ecozone enterprises;



NOW, THEREFORE, for and in consideration of the foregoing premises, the Parties, through their representatives, hereby agreed on the following:

1. The Parties shall cooperate and successfully adopt simplified and harmonized rules and procedures on the issuance and implementation of the PEZA Visa (PV), for foreign nationals working and employed inside PEZA-registered ecozones and their qualified dependents.
2. The Parties shall jointly craft the detailed Implementing Rules and Regulations (IRR) and necessary issuances to implement the provisions of this Agreement. The said IRR shall outline the administrative and operational provisions for the processing, approval and implementation of the PV.
3. The Parties shall efficiently utilize their respective personnel, financial, information technology (IT) and communications resources in order to effectively collaborate in implementing the rules and procedures governing the issuance of the PV.
4. A One-Stop-Shop shall be established by the Parties at the PEZA Head Office and they shall provide sufficient number of personnel to expedite the processing, approval and issuance of the PVs.
5. The Parties shall meet quarterly, or as often as necessary, to discuss, update and pursue efforts in harmonizing and streamlining the rules and procedures on the approval and issuance of the PV, in accordance with Republic Act No. 11032 or the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018".
6. This Agreement may be amended upon mutual agreement of both parties, provided that all amendments shall be covered by supplemental provisions signed by both Parties which shall be incorporated as integral parts of this Agreement.
7. This Agreement shall take effect fifteen (15) days following publication once in a newspaper of general circulation and shall be binding upon the parties, their assigns and successors-in-interest.

IN WITNESS WHEREOF, the parties hereto have signed these presents this _____ at Pasay City, Philippines.

**PHILIPPINE ECONOMIC
ZONE AUTHORITY
(PEZA)**

By:


BGEN CHARITO B. PLAZA MNSA, PhD
Director General

**BUREAU OF
IMMIGRATION
(BI)**

By:


JAIME H. MORENTE
Commissioner

SIGNED IN THE PRESENCE OF:


TERESO O. PANGA
Deputy Director General
for Policy and Planning



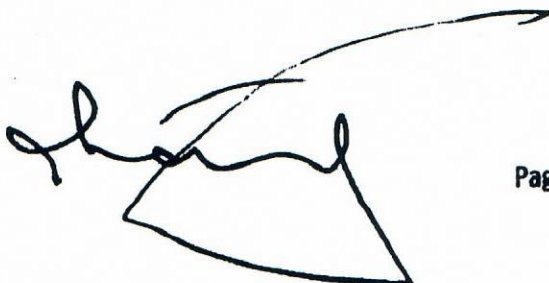
ACKNOWLEDGMENT

Republic of the Philippines)
_____ City) S.S.

BEFORE ME, this _____, personally appeared **BGEN CHARITO B. PLAZA**, with _____, issued on _____ at _____, and **JAIME H. MORENTE**, with _____, issued on _____ at _____, both known to me and to me known to be the same persons who executed the foregoing instrument and acknowledged to me that the same is their free and voluntary act and deed as well as that of the entities represented.

Said instrument refers to a Memorandum of Agreement consisting of four (4) pages, including this page, signed by the parties and their witnesses on each and every page thereof and sealed with my notarial seal.

Doc. No. ____;
Page No. ____;
Book No. ____;
Series of 2021.





**IMPLEMENTING RULES AND REGULATIONS OF THE MEMORANDUM OF
AGREEMENT (MOA) BETWEEN THE PHILIPPINE ECONOMIC ZONE
AUTHORITY (PEZA) AND THE BUREAU OF IMMIGRATION (BI) FOR THE
ISSUANCE OF THE PEZA VISA (PV) TO FOREIGN NATIONALS WORKING
AND/OR EMPLOYED BY PEZA-REGISTERED ENTERPRISES**

Pursuant to the provisions of the MOA entered into between the **PHILIPPINE ECONOMIC ZONE AUTHORITY (PEZA)** and the **BUREAU OF IMMIGRATION (BI)**, the rules and regulations herein prescribed shall be adopted for the issuance and/or implementation of the PEZA Visas (PV) to foreign nationals working and/or employed by PEZA-registered ecozone-locator enterprises, and to their qualified dependents.

**Rule I
General Objectives**

1.1 To facilitate the conduct of business in PEZA-registered ecozones by providing efficient, simplified and harmonized rules and procedures on the issuance and/or implementation of PVs; and

1.2 To provide a more secure and reliable system for monitoring employment of foreign nationals inside PEZA-registered ecozones.

**Rule II
Policy Guidelines**

2.1 This Agreement shall be exclusively applicable to all foreign nationals employed by PEZA-registered enterprises, and their respective dependents.

2.2 Pursuant to Sections 10 and 40 of R.A. No. 7916, as amended, PEZA is hereby authorized to issue working visas to foreign nationals in executive positions (*i.e., Presidents, Vice-Presidents, Treasurers, General Managers, or their equivalents*) and to non-resident aliens employed in supervisory, technical and advisory positions by PEZA-registered enterprises, provided that the total number of such foreign national employees does not exceed five percent (5%) of the enterprises' total workforce.

2.3 The PV shall be valid within and outside the PEZA-registered ecozones, provided that the foreign national executive or employee shall not engage in any kind of employment or business activity outside the ecozones.

2.4 The PV issued to qualified foreign nationals of PEZA-registered enterprises have a maximum period of validity for two (2) years, subject to renewal for the same period, upon the request of the PEZA-registered enterprises on behalf of their respective foreign national-applicants, provided that no violations will be committed by the foreign nationals during the period covered.

2.5 The PV issued to the qualified dependent/s of qualified foreign national employees of PEZA-registered enterprises shall be co-terminus with the validity of the PV of the principal foreign national executives or employees, and shall be renewable every two (2) years upon request, provided that such PV shall be limited to the duration of the employment of the principal.



Rule III Definition of Terms

3.1 As used in this IRR, the following terms shall mean as follows:

- a. **Alien Employment Permit (AEP)** shall refer to the document issued by the Department of Labor and Employment (DOLE) through its DOLE Regional Office or Field Office having jurisdiction over the PEZA-registered enterprise where it is situated. It is a pre-requisite for the issuance of the PV.
- b. **BI** shall refer to the Bureau of Immigration.
- c. **Certificate of Registration (COR)** shall mean the certificate issued by PEZA to an ecozone enterprise upon its registration.
- d. **Ecozones or Special Economic Zones** shall refer to selected areas with highly developed or which have the potential to be developed into agro-industrial, industrial, tourist, recreational, commercial, banking, investment and financial centers whose metes and bounds are fixed or delimited by Presidential Proclamations. An ecozone may contain any or all of the following: industrial estates (IEs), export processing zones (EPZs), free trade zones and tourist/recreational centers. Information Technology (IT) Parks and Centers are included in the definition of ecozones.
- e. **Foreign National Unit (FNU)** refers to the unit in PEZA evaluating and processing the visa applications of foreign nationals employed in PEZA-registered ecozones.
- f. **Foreign Nationals** refer to individuals, neither citizens nor residents of the Philippines, who are working and employed by PEZA-registered enterprises inside PEZA-registered ecozones in positions as stated under Sections 10 and 40 of the PEZA Law, as amended.
- g. **PEZA** shall refer to the Philippine Economic Zone Authority.
- h. **PEZA-registered enterprise** shall refer to an individual, association, partnership, corporation or other duly registered with PEZA and issued a Certificate of Registration.
- i. **PEZA Visa (PV)** shall refer to the visa issued by PEZA pursuant to Sec. 10 of RA No. 7916, as amended, to foreign nationals and/or non-resident aliens who are gainfully employed by ecozone enterprises inside PEZA-registered ecozones, and their qualified dependents.
- j. **Qualified Dependents** shall refer to the legal spouse in accordance with Philippine Laws and the unmarried child/children below twenty-one (21) years of age of the foreign national.

Rule IV

Issuance of PEZA Visas and Work Permits

4.1 **Scope and Coverage.** This Rule and the succeeding provisions hereunder shall be applicable to PEZA and shall cover the processing of applications for the issuance of the PV to foreign nationals working and/or employed by PEZA-registered ecozone-locator enterprises, and to their qualified dependents.

4.2 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.

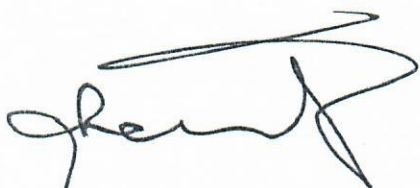
Rule V

Documentary Requirements

5.1 **PEZA Visa (PV).** Applications for PV shall be subject to the following documentary requirements:

5.1.1 For the foreign national employed by a PEZA-registered enterprise:

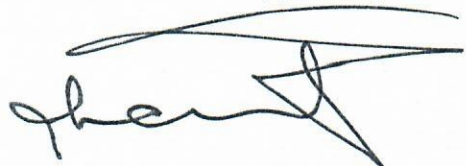
- a. Notarized Application Form;
- b. Notarized Company's letter-request addressed to the PEZA Director General signed by its President or Chief Executive Officer, certifying and committing to the following that:
 - (1) The employment of the foreign national is required in the operations of the company;
 - (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.

5.1.2 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.

5.1.3 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.

Rule VI
Procedural Requirements

The following are the procedural requirements in the processing of applications and issuance of visas.

6.1 **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 herein, 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.

6.2 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.

6.3 **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, is less than 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 may 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.

6.3.1 The PEZA ZA/ZM/ZONCR shall thereafter endorse the application to the PEZA Director General thru the PEZA-FNU.

6.4 **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.

6.5 **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.

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

6.7 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.

6.7.1 BI Clearance – The following shall be observed:

If applicant has no derogatory hit, a Certificate of No Derogatory Record shall be issued to the applicant.

If applicant has a derogatory hit, he/she will be advised to proceed to the BI Certification and Clearance Section for processing of appropriate derogatory clearance.

Applicants whose names are included in the Bureau's Derogatory List shall be disallowed to process their visa implementation until appropriate derogatory clearance is presented.

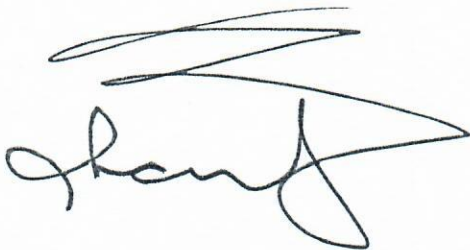
6.7.2 Assessment and Payment of Fees – An Order of Payment Slip (OPS) shall be issued provided that the documentary requirements are in order and that the derogatory check yielded negative results.

The applicant or his/her duly authorized representative shall pay the corresponding fees to the Immigration Cashier who shall issue an official receipt for the amount paid.

6.8 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.

The PV shall be issued pursuant to Sec. 10 of R.A. No. 7916, as amended, and shall entitle the holder the freedom of ingress and egress to and from the ecozone without any need of special authorization from BI as long as his employment, visas and investments are still valid and existing.

The PV shall be issued with the following annotations: PEZA Visa under R.A. No. 7916, as amended (Principal or Dependent, as the case may be) and shall appear as follows:



PEZA Visa (PV) No. _____	
(issued under R.A. No. 7916, as amended)	
Republic of the Philippines Philippine Economic Zone Authority Pasay City	
Surname :	Approval Date: _____
Given Name :	Expiration Date: _____
Middle Name :	
Date of Birth :	BI-PEZA _____
Nationality :	
Employer Address :	OR. No. _____
Position :	Amount : _____ Date : _____
WITH MULTIPLE ENTRY PRIVILEGES	

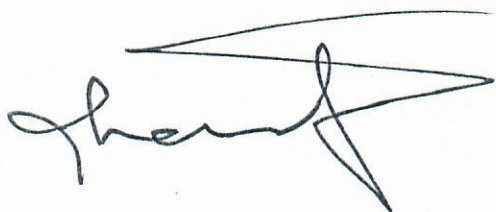
6.9 **Releasing of Approved PV** – Upon presentation of original copy of Official Receipts, BI shall release the approved PV to the applicant or his/her authorized representative, together with the passport.

6.10 **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.

Rule VII Denial of Application for PEZA Visa

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

- Foreign national or alien whose employer/ecozone locator has pending administrative/criminal cases with the regular courts, quasi-judicial bodies or PEZA;
- Foreign national or alien has a derogatory record;
- Character or certain public interest grounds;
- Misrepresentation of facts in the application;
- 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.

7.2 **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 or 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.

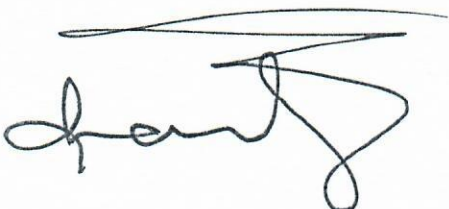
The denial of the application shall cause the forfeiture of the fees paid by the applicant foreign national.

Rule VIII

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.

Rule IX 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.

Rule X 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.

Rule XI 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.

Rule XII

Miscellaneous Provisions

12.1 Assignment of Personnel. PEZA and BI shall assign permanent personnel at the One Stop Shop office located at the PEZA Head Office. The assigned personnel shall report during regular working days and within the official working hours.

12.2 Automation Procedure. Procedures for the processing, issuance and recording of work permits and visas shall be automated. For this purpose, PEZA and BI shall provide the necessary resources and equipment for effective implementation of this rules and regulations.

12.3 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.

12.3.1 PEZA shall provide monthly the following data to the BI:

- a. list of applicants who were issued a PV, including their qualified dependents;
- b. list of denied PV applications; and
- c. list of PEZA-endorsed PVs for cancellation, suspension and revocation.



12.3.2 BI shall provide monthly the following data to the PEZA:

- a. list of applicants with approved and implemented PVs including their qualified dependents;
- b. list of denied PV applications; and
- c. list of cancelled, suspended or revoked PV.

Rule XIII **Transitory Provisions**

In order to accommodate the transition of implementing the PEZA Visa, the following shall be observed:

13.1 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.

13.2 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.

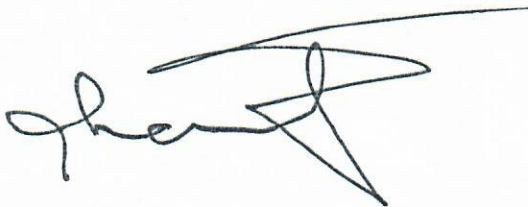
The application for conversion shall be filed before the expiration of the 47(a)(2) visa. Failure to convert within the said periods shall require the foreign national to downgrade his/her visa to TVV in accordance with existing rules on downgrading of 47(a)(2) visa.

13.3 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.

Rule XIV **Final Provisions**

14.1 Periodic Review. These implementing rules and regulations shall be subject to annual review, or as often as may be necessary.

14.2 Amendments. The terms and conditions of these IRR may be amended upon mutual agreement of the parties written in an instrument duly signed by both parties.



14.3 **Effectivity.** These implementing rules and regulations shall take effect fifteen (15) days following publication once in a newspaper of general circulation and shall be binding upon the parties, their assigns and successors-in-interest.

IN WITNESS WHEREOF, the parties hereto have signed these presents this

_____ at Pasay City, Philippines.

**PHILIPPINE ECONOMIC
ZONE AUTHORITY
(PEZA)**

By:


BGen CHARITO B. PLAZA MNSA, PhD
Director General

**BUREAU OF
IMMIGRATION
(BI)**

By:


JAIME H. MORENTE
Commissioner

SIGNED IN THE PRESENCE OF:


TERESO O. PANGA
Deputy Director General
for Policy and Planning


ROGELIO D. GEVERO, JR.
Chief, Immigration Regulation Division