

Handbook for Filipinos Overseas

6th Edition

Commission on Filipinos Overseas

Manila, Philippines

April 2002

FOREWORD

Based on the latest estimate of the Philippine government, there are now about 7.38 million Filipinos living and working in more than 150 countries in practically all continents worldwide. Cognizant of the increasing number of Filipinos overseas vis-à-vis their invaluable contribution to Philippine development, Her Excellency President Gloria Macapagal-Arroyo, in her first foreign policy statement in January 2001, reaffirmed the critical role that Filipinos overseas will continue to play in the country's economic and social stability. She further vowed that the promotion of their well-being will remain paramount in Philippine foreign policy.

The 6th edition of the Handbook for Filipinos Overseas was prepared by the Commission on Filipinos Overseas to provide Filipinos overseas with updated information on immigration, migrant protection, investment, tax reform, inter-country adoption, as well as programs and services being provided by our partners in government to address their various needs and concerns. The publication also provides information on a number of programs through which Filipinos overseas can actively participate in the realization of the Philippine development agenda.

As Chairman of the Commission on Filipinos Overseas, I wish to express my most sincere appreciation to the various government agencies concerned for their invaluable contributions to this Handbook.

TEOFISTO T. GUINGONA, JR.

Vice-President and Secretary of Foreign Affairs,
and Chairman, CFO Board of Commissioners

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THE REPUBLIC OF THE PHILIPPINES IN BRIEF

“The Philippines is your country, and the only country God has given you; that you must keep it for yourselves, for your children and for your children’s children until the world is no more . You must live for it and die for it if necessary.”

- *Manuel L .Quezon*
First President, Philippine Commonwealth
1935-1944

Short Name:	PHILIPPINES
Capital:	Manila
Land Area:	300,000 sq. km.
Population:	76.5 million (May 2000 Census)
Official Languages:	Filipino and English
Religion:	Roman Catholic (82%), Iglesia ni Kristo and other Christian denominations (9%), Muslims (5%), and other religions (4%)
Simple Literacy Rate:	94%

The Philippines, also known as the Pearl of the Orient and the Island of Smiles, is the world’s second largest archipelago.

Located in the heart of Southeast Asia, the Philippines is bounded by the Pacific Ocean on the east, Celebes Sea on the south, and South China Sea on the west and north. It is composed of 7,107 islands and islets, which are clustered into three geographical groups — Luzon, Visayas, and Mindanao. The Philippines has mountainous terrain, interior valleys and plains, and narrow but long coastlines. There are no temperature extremes, with seasons either dry or wet. Despite the frequent typhoons experienced by the country half of the year, a wide variety of flora and fauna continue to thrive in its rainforests. It boasts of 500 species of birds, 800 species of orchids, and 8,500 species of flowering plants.

The country's natural beauty is surpassed by the warmth and rich culture of its people. While the present generation of Filipinos is largely of Malay descent (approximately 91.5%), the norms and practices observed are a unique combination of the East and West. The Filipino culture is a product of centuries of colonization and immigration of Indonesians, Spaniards, Americans, Japanese, and Chinese.

Economic growth is propelled by services, industry, agriculture, forestry, and fishing. Major exports include garments, semiconductors, and electronic microcircuits, coconut products, tropical fruits, and sugar. But more than these, it is the people's hard work, resiliency, and patriotism that have helped the nation triumph over the domestic and global, political, and economic challenges it continues to face.

*Sources: US Library of Congress, Country Study Philippines, 1991
National Statistics Office
National Statistical Coordination Board*

THE PHILIPPINE RESPONSE TO EMERGING CHALLENGES

In her inaugural speech at the historic EDSA Shrine on 20 January 2001, President Gloria Macapagal-Arroyo outlined her program of governance summarized in four core beliefs. These core beliefs are the elimination of poverty within a decade, improvement of moral standards in government and society, replacement of politics of personality and patronage with politics of party programs and process of dialogue with the people, and promotion of leadership by example.

In her pronouncements on her program of governance before the throng of Filipinos in EDSA and in meetings with economists and thinkers of the Philippine Economic Society and business leaders of the Philippine Chamber of Commerce and Industry, Mrs. Arroyo emphasized the importance of these core beliefs in shaping the country's direction and elaborated how these core beliefs will work in her government.

Elimination of Poverty within a Decade

The adoption of an economic philosophy of transparency and free enterprise is essential for this creates the entrepreneurial spirit to be globally competitive. Creation of a modernized and socially equitable agricultural

sector which will result to food security as well as a balanced economic development in the form of structural reforms, safety nets for globalization, and safeguards for our environment will be pursued. Under this agendum, reviewing and fast-tracking the passage of laws to effect structural reforms would be ensured to boost investor confidence by strengthening the banking sector, enhancing the investment climate, and improving competition in industries.

Public finances have to be effectively managed by reducing the budget deficit in 2001 from the expected P225 billion to P145 billion which will ultimately result to a balanced financial position by the year 2004, through improvement in tax collection and adoption of prudence in public spending. To achieve this objective, lower interest rates and limiting the volatility in exchange rate levels must be promoted and macro-economic fundamentals must be strengthened. This goal also calls for a fight against money laundering.

Efforts under this goal are aimed at generating more employment opportunities and lowering poverty rates through investment in education and training. Said investment will focus on science and mathematics and technological development. Parallel effort will seek to equalize access and expand the opportunities of the poor to acquire the kind of education they want.

Improvement of Moral Standards in Government and Society

Another bedrock of the Arroyo administration is the improvement of moral standards in government and society by creating fertile ground for good governance based on a sound moral foundation, a philosophy of transparency, and ethic of effective implementation to ensure that the country's gains are not dissipated through corruption. The legal, judicial, and administrative system will be strengthened to minimize corruption and ensure contractual performance. It also means the delivery of speedy and fair administration of justice by prosecuting those who violate the laws and giving justice to those whose rights have been crumpled upon. The President also prohibits government agencies from dealing with her relatives and her husband's relatives on matters pertaining to supplies, contracts, and appointments.

Replacement of Politics of Personality and Patronage with Politics of Party Programs and Process of Dialogue with the People

The Arroyo government seeks to develop a world-class political system that is attuned to the 21st century, and veers away from the politics of patronage and personality. It seeks to institutionalize series of consultations with the armed forces and troops of military services, the labor sector, farmer groups, the urban poor, the business community, local and foreign investors, legislators, government workers, and other sectors to institutionalize the consultative process as a means of encouraging participation from the full spectrum of society.

A full flowering of decentralization and devolution have been committed as local governments are, in most instances, well positioned to respond to the diverse needs of their constituents. A new and stronger partnership with local governments will be forged, and the support of civil society will be pursued in monitoring the implementation of government projects.

Promotion of Leadership by Example

All government officials have signed a pledge to the Filipino people to exemplify the ethical standards of trustworthiness, results orientation, poverty focus, citizen empowerment and participation, continuous improvement, respect for others, and simple lifestyle as expressed in their oath of office. The fight against dictatorship and immorality in the government will be carried on.

*Sources: Inaugural Speech of President Gloria Macapagal-Arroyo
20 January 2001, EDSA Shrine, Ortigas Avenue, Pasig City*

*Speech of President Gloria Macapagal-Arroyo at the
General Membership Meeting of the Philippine Chamber of
Commerce and Industry
Grand Ballroom, Westin Philippine Plaza, Manila*

*Speech of President Gloria Macapagal-Arroyo at the
Annual Meeting of the Philippine Economic Society
26 March 2001, Dusit Hotel Nikko, Makati City*

FILIPINOS OVERSEAS AND THEIR CONTRIBUTION TO NATIONAL DEVELOPMENT

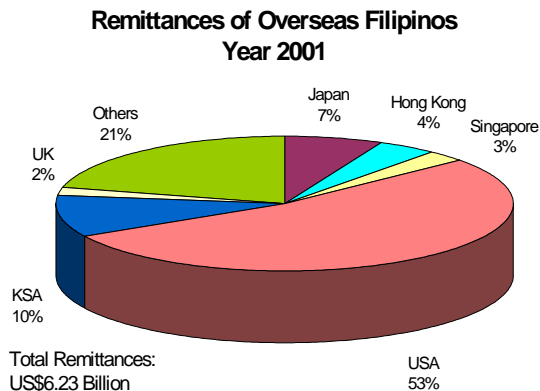
The Commission on Filipinos Overseas estimated that as of December 2001, there were 7.41 million Filipinos living or working abroad. The number is nearly 10% in relation to the country's population of 76.5 million (as of 1 May 2000).

Of the 7.41 million overseas Filipinos, roughly 3.05 million are overseas Filipino workers, 2.74 million are permanent residents, and 1.62 million are classified as irregular. The top 5 countries of destination for overseas Filipino workers are the Kingdom of Saudi Arabia, Hong Kong, Japan, Taiwan, and United Arab Emirates. For the emigrants or permanent residents (including fiancées/spouses of foreign nationals), the United States of America, Canada, Australia, Japan, Germany, and the United Kingdom are the major destination countries.

Filipinos living and working abroad have been a major source of contributions and assistance. They have provided donations to various communities in the Philippines and have infused capital to the country through remittances, investments, and other forms of contributions.

Remittances

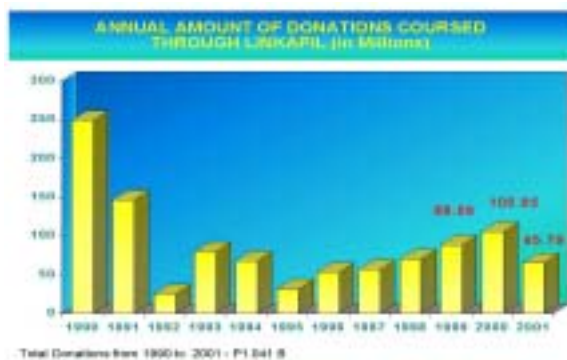
The remittances of overseas Filipinos have contributed significantly in



keeping the current account deficit manageable and in stabilizing the economy. The Bangko Sentral ng Pilipinas (BSP) reported that Filipinos overseas remitted US\$6.23 billion in 2001. Major sources of remittance are the United States of America, Kingdom of Saudi Arabia, Japan, Hong Kong, Singapore, United Kingdom, Italy, Germany, Kuwait, and Australia.

For the eleven-year period, from 1990 to 2001, total remittances of Filipinos overseas reached US\$48.09 billion.

Donations and Other Forms of Assistance



Overseas Filipinos also send financial and material assistance to the country through government agencies and NGOs for less privileged groups and individuals, as well as underserved communities. The donations fund

and support activities for relief and rehabilitation, education and scholarships, health equipment/ facilities and medical missions, water and sanitation facilities, and livelihood assistance. Through the efforts of the Commission on Filipinos Overseas, an estimated P1.041 billion in donations have been sent by overseas Filipino groups through the *Lingkod sa Kapwa Pilipino* (service to fellow Filipinos) or LINKAPIL program from 1990 to 2001 for projects in 71 provinces.

Major sources of these donations include Filipinos in the United States, Germany, Canada, Australia, and Japan.

Please refer to the section on LINKAPIL for more information on the program.

Transfer of Technology

The support of overseas Filipinos is not limited to material/financial assistance. They also facilitate the transfer of information and technology to the country. Various opportunities are available for Filipinos overseas to visit the Philippines and share expertise with local counterparts through lectures, workshops, and other volunteer work. These avenues include the Balik-Scientist Program of the Department of Science and Technology, Volunteers to the Philippines Program of the Commission on Filipinos Overseas, and exchange programs conducted by Filipino associations overseas in the Philippines. Aside from these activities, partnerships for research or special projects are being encouraged between Filipinos overseas and local counterparts to pass on new knowledge or develop indigenous technology.

RECOGNITION OF OVERSEAS FILIPINOS

Month of Overseas Filipinos

In 1988, then President Corazon C. Aquino signed Proclamation No. 276 declaring December of every year as “Month of Overseas Filipinos”. Special activities to give recognition to Filipinos abroad and to encourage their participation in development activities in the country are being undertaken every December in observance of this occasion.

Presidential Awards for Filipino Individuals and Private Organizations Overseas

The Presidential Award gives recognition to individuals and organizations overseas for invaluable contribution in the service of Filipinos here and overseas, and for demonstrating exceptional achievements in their work or profession.

The awards system was institutionalized in 1991, with the issuance of Executive Order No. 498 by then President Corazon C. Aquino. The awards have so far been given to one hundred fifty-six (156) individuals and organizations in 35 countries.

Awards Categories

There are five (5) categories under this awards system:

1. *Lingkod sa Kapwa Pilipino Award* is given to Filipino associations or individuals for exceptional contributions to progress and development in the Philippines.
2. *Kaakabay ng Bayan Award* is conferred on Filipino communities, federations or groups of Filipinos overseas who have united for the common objective of assisting and supporting Philippine development and progress.
3. *Kaanib ng Bayan Award* is given to foreign private organizations for exceptional contributions to Philippine development and progress.
4. *Banaag Award* is accorded to Filipino and foreign individuals or associations for advancing the cause of Filipino communities overseas or for supporting specific sectors/communities in the Philippines.
5. *Pamana ng Pilipino Award* is bestowed on overseas Filipinos for excellence and distinction in their work or profession.

All nominations must be endorsed by the Philippine Embassy and Consulate.

PHILIPPINE LAWS AND REGULATIONS AFFECTING FILIPINOS OVERSEAS

MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995

Republic Act No. 8042 was enacted in June 1995 to concretize government's commitment to protect the rights and promote the welfare of migrant workers, their families, and other overseas Filipinos in distress. It also provides the framework for concerted government action in dealing with difficulties faced by Filipinos abroad.

The law seeks to protect the rights and interests of Filipino workers and other Filipinos abroad through specific policies and services.

Policy Guidelines

The programs and services provided for in R.A. 8042 are anchored on the following policies:

1. The dignity of citizens, whether in the country or overseas, and Filipino migrant workers, in particular, shall be upheld.

2. Filipino migrant workers shall be provided with adequate and timely social, economic, and legal services.
3. Overseas employment shall not be promoted as a means to sustain economic growth and achieve national development. The existence of the overseas employment program rests solely on the assurance that the dignity and fundamental human rights and freedoms of the Filipino citizen shall not, at any time, be compromised or violated.
4. Women and men shall be equal before the law; women shall have significant role in nation building.
5. An effective mechanism shall be instituted to ensure that the rights and interests of distressed overseas Filipinos, in general, and Filipino migrant workers, in particular, are adequately protected and safeguarded.
6. Filipino migrant workers and all overseas Filipinos shall have the right to participate in the democratic decision-making processes of the State and to be represented in institutions relevant to overseas employment.
7. The ultimate protection of all migrant workers shall lie in the possession of skills.
8. Non-governmental organizations shall be recognized as partners in the protection of Filipino migrant workers and in the promotion of their welfare.

Programs and Services

The following programs and services for overseas Filipinos are provided for by R.A. 8042:

Name of Program/Service	Agency Concerned	Main Features/Highlights
Travel Advisory/Information Dissemination	Philippine Embassies and Consulates POEA	Issuance of travel advisories or dissemination of information on labor and employment conditions and migration realities and other facts to adequately prepare individuals into making informed and intelligent decisions about overseas employment
Migrant Workers Loan Guarantee Fund	OWWA in coordination with GFIs	<p>Institutionalization of financing schemes to expand grant of pre-departure loan and family assistance loan to Filipino migrant workers and their families</p> <p>A revolving amount of P100 million from the OWWA was set aside as a guarantee fund in favor of participating government financial institutions (GFIs).</p>
Migrant Workers and Other Overseas Filipino Resource Centers	Philippine Embassies/ Consulates with other government agencies	<p>Establishment of a 24-hour information and assistance center in countries where there are large concentrations of Filipino migrant workers. Among the services of the center are:</p> <ul style="list-style-type: none"> • counseling and legal services • welfare assistance, including procurement of medical and hospitalization services • information programs to promote social integration, settlement, and community networking • training and skills upgrading

Name of Program/ Service	Agency Concerned	Main Features/Highlights
		<ul style="list-style-type: none"> • gender sensitive activities to address specific needs of women migrant workers <p>A counterpart 24-hour information and assistance center is also established at the DFA.</p>
<p>Shared Government Information System for Migration</p>	<p>DFA, CFO, DOLE, POEA, OWWA, DOT, DOJ, BI, NBI, and NSO</p>	<p>Sharing of existing database among agencies concerned. The database initially include:</p> <ul style="list-style-type: none"> • masterlist of Filipino migrant workers with pertinent demographic information • inventory of pending legal cases of Filipino migrant workers • masterlists of departing/ arriving Filipinos • statistical profile on Filipino migrant workers/ overseas Filipinos/tourists • blacklisted foreigners/ undesirable aliens • basic data on legal systems, immigration policies, marriage laws, and civil and criminal codes in receiving countries particularly those with large numbers of Filipinos • list of labor and other human rights instruments where receiving countries are signatories

Name of Program/ Service	Agency Concerned	Main Features/Highlights
<p>Emergency Repatriation Fund</p>	<p>OWWA</p>	<ul style="list-style-type: none"> • a tracking system of past and present gender disaggregated cases involving male and female migrant workers • listing of overseas posts which may render assistance to overseas Filipinos in general, and migrant workers in particular <p>The second phase involves linking of computer facilities to allow free-flow data exchanges among agencies.</p>
<p>Re-placement and Monitoring Center</p>	<p>DFA</p>	<p>Administration, control, and supervision of a fund consisting of P100 million taken from existing OWWA funds and additional funds appropriated from the General Appropriations Act for the repatriation of workers in cases of war, epidemic, disaster, or natural or man-made calamities, similar events, and in cases of repatriation of workers where the principal or recruitment agency cannot be identified</p>
	<p>DFA</p>	<p>Repatriation of underaged migrant workers</p>
	<p>DOLE</p>	<p>Establishment of a mechanism that will facilitate re-integration of returning Filipino migrant workers into Philippine society, serve as a promotion house for their local employment, and tap their skills and potentials for national development</p>

Name of Program/Service	Agency Concerned	Main Features/Highlights
	DOLE, OWWA, POEA	Formulation of a program that will motivate migrant workers to plan for productive options such as entry into highly technical jobs, livelihood, and entrepreneurial development, better wage employment, and investment of savings
	TESDA, TLRC	Provision of training to returning overseas workers, giving priority to returnees who had been employed as domestic helpers and entertainers
Legal Assistance for Migrant Workers	DFA Office of the Undersecretary for Migrant Workers Affairs	Creation of the Office of the Legal Assistant for Migrant Workers Affairs which will be responsible for the provision and overall coordination of all legal assistance services to Filipino migrant workers, as well as overseas Filipinos in distress
Legal Assistance Fund	DFA Office of the Undersecretary for Migrant Workers Affairs	<p>Creation of a fund to be used to pay for legal services of migrant workers and overseas Filipinos in distress, especially for:</p> <ul style="list-style-type: none"> • fees for foreign lawyers • bail bonds • court fees and charges and other litigation expenses <p>The fund in the amount of P100 million was sourced from the President's Contingency and Social Funds and the Welfare Fund for Overseas Workers.</p>

Name of Program/Service	Agency Concerned	Main Features/Highlights
Congressional Migrant Workers Scholarship Fund	DOLE, DOST	Establishment of scholarship fund to benefit deserving migrant workers and/or their immediate descendants below 21 years old who intend to pursue courses or training in the field of science and technology. Its implementation is subject to the availability of funds.

In January 2000, Executive Order No. 203 was issued establishing the Inter-Agency Committee on the Shared Government Information System for Migration. This inter-agency body is envisioned to put in place a mechanism to harness data and information exchanges among the 17 member and support agencies of the Philippine government to better serve the interests and well being of Filipinos overseas.

Other Provisions

The other provisions of the law include the following:

1. Selective deployment of Filipino migrant workers to countries where their rights are protected
2. Definition of illegal recruitment activities, and provision of appropriate penalties thereof
3. Provision of incentives to professionals and highly-skilled Filipinos abroad especially in the field of science and technology to enable them to participate in and contribute to national development
4. Phase-out of the regulatory functions of the Philippine Overseas Employment Administration
5. Exemption of overseas Filipino workers from the payment of travel tax and airport fees

6. Designation of June 7 as Migrant Workers' Day

FOREIGN INVESTMENTS ACT OF 1991

Republic Act 7042, also known as the Foreign Investments Act of 1991, was enacted to spell out the procedures and conditions under which non-Philippine nationals, including former Filipino citizens, may invest and do business in the Philippines with a required paid-in capital of at least US\$200,000. The law was amended by Republic Act 8179 to further liberalize the entry of foreign investments into the country.

Foreign investments refer to equity investments made by a non-Philippine nation in the form of foreign exchange and other assets actually transferred to the Philippines and duly registered with the Central Bank which shall assess and appraise the value of such assets other than foreign exchange. These non-cash assets may be in the form of capital goods and patents, formulae, or other technological rights or processes.

Specific Areas of Equal Investment Rights for Former Filipino Nationals

While most areas of business have limits for foreign investors, Section 9 of the amended Foreign Investments Act of 1991 lists the following types of businesses where former natural-born Filipinos can enjoy the same investment rights as Philippine citizens:

1. Cooperatives
2. Rural banks
3. Thrift banks and private development banks
4. Financing companies

Former natural-born Filipinos can also engage in activities under List B of the Foreign Investments Negative List. This means that their investments shall be treated as Filipino or will be considered as forming part of Filipino investments in activities closed or limited to foreign participation.

The equal investment rights of former Filipino nationals do not extend to

to activities reserved by the Constitution for Filipino citizens, including the following:

1. Exercise of profession
2. Defense-related activities
3. Security agency
4. Small-scale mining
5. Rice and corn industry
6. Cockpit operation and management

Former natural-born Filipinos have been given the right to be transferees of private land up to a maximum of 5,000 square meters in the case of urban land or three (3) hectares in the case of rural land to be used by him for business or other purposes. Please refer to the section on land ownership for details.

General List of Businesses Exclusive to Filipino Nationals

Section 8 of the Amended Foreign Investments Act (FIA) enumerates the investment areas reserved for Filipino nationals. The Foreign Investments Negative Lists (FINL) are classified as follows:

1. List A - consists of areas of activities reserved for Philippine nationals where foreign equity participation in any domestic or export enterprise engaged in any activity listed therein shall be limited to a maximum of forty percent (40%) as prescribed by the Constitution and other specific laws.
2. List B - consists of areas of activities where foreign ownership is limited pursuant to law such as defense or law enforcement-related activities, or which have negative implications on public health and morals, and small and medium-sized domestic market enterprises with paid-in equity capital of less than US\$200,000.

The revised Foreign Investments Act also deleted List C of the Foreign Investments Negative List. List C contains investment areas already adequately served by existing enterprises and in which foreign investments need not be encouraged further. Deletion of this list is expected to open further the market to foreign investments and keep existing firms efficient

and responsive to the needs of consumers. Consumers will also benefit through wider choices of products in terms of quality and prices.

Application for Registration of Business of Non-Philippine Nationals

The following are the requirements for application for registration and the agencies responsible for processing such applications:

Agency	Type of Business	Requirements
Securities and Exchange Commission	1. Domestic corporations or partnerships which are non-Philippine nationals	In the case of a new domestic corporation or partnership: <ol style="list-style-type: none"> 1. Articles of incorporation or of partnership 2. Name verification slip 3. Bank certificate of deposit 4. ACR, (Alien Certificate of Registration), ICR (Immigrant Certificate of Registration), SIRV (Special Investors Resident Visa) 5. Proof of inward remittance (for non-resident aliens)
	2. Foreign Corporations	For foreign corporation <ol style="list-style-type: none"> 1. Name of verification slip 2. Certified Copy of Board Resolution authorizing the establishment of an office in the Philippines and designating the resident agent to whom summons and other legal processes may be served on behalf of the foreign corporation; and stipulating that in the absence of such agent or upon cessation of its business in the Philippines, the SEC shall receive any summons or legal process as if the same is made upon the corporation at its home office.

Agency	Type of Business	Requirements
Bureau of Trade Regulations and Consumer Protection (BTRCP), DTI-NCR	<ul style="list-style-type: none"> • Single Proprietorships • Applications for Metro Manila <p>For enterprises engaged in defense-related activities</p> <p>Small and medium-sized domestic market enterprises with paid-in equity capital less than US\$100,000</p> <p>Enterprise with at least 50 direct employees</p>	<ol style="list-style-type: none"> 3. Financial statements for the immediately preceding year at the time of filing of the application, certified by an independent Certified Public Accountant of the home country 4. Certified copies of the Articles of Incorporation/Partnership with an English translation if in a foreign language 5. Proof of inward remittance such as bank certificate of inward remittance or credit advices <p>For representative offices, the amount initially remitted should be at least US\$ 30,000.</p> <ol style="list-style-type: none"> 1. Duly accomplished BTRCP Form No. 17 and accompanying documents 2. Additional Requirements: <ul style="list-style-type: none"> • Clearance from the DND or PNP • Certificate from the DOST that the investment involves advanced technology
Provincial Extension Offices of the SEC	Corporations/ partnerships	<ul style="list-style-type: none"> • Certification from the appropriate Department of Labor and Employment (DOLE) Regional Office
Provincial Offices of the DTI	Sole proprietorships	<ul style="list-style-type: none"> * same requirements

All documents executed abroad must be authenticated by the Philippine Embassy/Consulate.

Pre-Processing of Documents

All applications are considered officially accepted only upon submission of complete documents to appropriate government agency.

Additional Requirements

Former natural-born Filipinos who wish to do business in the Philippines must also submit a copy of birth certificate, certified by the local civil registrar or the National Statistics Office. For those born abroad, a certificate of birth from the appropriate government agency of the country where the birth is recorded will be required. It must show the father or mother to be a Filipino at the time of birth or if the citizenship of the parents is not indicated, additional proof that the parent is a Filipino citizen or has not lost his/her Filipino citizenship at the time of the applicant investor's birth.

Those born before January 17, 1973 of Filipino mothers must also submit all of the following:

1. Certified true copies of his/her sworn statement of election of Filipino citizenship
2. Oath of allegiance from civil registrar where documents were filed and/or forwarded
3. Identification certificate issued by the Bureau of Immigration

In case of loss and/or destruction of record of birth or non-registration of birth, the following must be submitted:

1. Certificate of non-availability of birth certificate on account of loss and/or destruction of birth record from the local civil registrar and/or appropriate government agency if birth was registered abroad
2. Copy of birth certificate of mother or father certified by the local civil registrar or the NSO

3. Affidavit of two (2) disinterested persons attesting to their personal knowledge that at the time of the applicant's birth, he/she was born of a Filipino mother or father

Documents executed or issued abroad must be authenticated by the Philippine Embassy or Consulate having jurisdiction over the place of execution or issuance of document.

Approval

Decision or approval of the application should be made within fifteen (15) working days from official acceptance of said document/s. Otherwise, the application shall be considered as automatically approved if not acted upon within the said period for a cause not attributable to the applicant.

One-Stop Action Center (OSAC)

The One-Stop Action Center for Investment or OSAC expedites the setting up of business in the Philippines by providing frontline services and assistance to walk-in investors. Competent personnel from several government agencies are available to answer business queries, arrange meetings and factory visits, promote joint ventures, and facilitate the acquisition of permits, licenses and registration. OSAC also processes certain incentives for BOI registered companies and Regional Headquarters (RHQs).

The OSAC is located at the:

G/F Board of Investments
Industry and Investments Building
385 Sen. Gil Puyat Avenue, Makati City
Telefax: 895-8322

Investment Priorities Plan (IPP)

The IPP is a list of various areas of economic activities for investment eligible for government incentives as provided for in the Omnibus Investments Code of 1987, as amended. This is drawn up and revised every year in consultation with concerned government agencies and the

private sector. Generally, the IPP seeks to attain the following goals:

1. To uplift the material well-being of the poor and the marginalized
2. To enhance global competitiveness of Philippine industries
3. To ensure sustainable development
4. To take advantage of global and international developments

Incentives to Registered Firms

Incentives/privileges may be enjoyed only upon registration. In general, registered enterprises are entitled to the following incentives:

Tax Exemptions

1. Income Tax Holiday (ITH)
 - a. BOI registered enterprises shall be exempt from the payment of income taxes reckoned from the scheduled start of commercial operations as follows:
 - New projects with a pioneer status for six (6) years
 - New projects with a non-pioneer status for four (4) years
 - Expansion projects for three (3) years. As a general rule, exemption is limited to incremental sales revenue/volume.
 - New or expansion projects in less developed areas for six (6) years, regardless of status
 - Modernization projects for three (3) years. As a general rule, exemption is limited to incremental sales revenue/volume.
 - b. The income tax holiday is limited in the following cases:
 - Export traders may be entitled to the ITH only on their income derived from the following:
 - Export of new products, i.e., those which have not been exported in excess of US\$100,000 in any of the two (2) years preceding the filing of application for registration, or

-
- Export to new markets, i.e., to a country where there has been no recorded import of a specific export product in any of the two (2) years preceding the application for registration.
 - Mining Activities
 - Exploration and development of mineral resources are not entitled to ITH
 - Mining and/or quarrying without mineral processing are not entitled to ITH
 - Mining and processing of aggregates are not entitled to ITH
- c. Newly registered pioneer and non-pioneer enterprises and those located in the Less Developed Areas (LDAs) may avail themselves of a bonus year in each of the following cases:
- The indigenous raw materials used in the manufacture of the registered product must at least be fifty percent (50%) of the total cost of raw materials for the preceding years prior to the extension, unless the Board prescribes a higher percentage.
 - The ratio of the total imported and domestic capital equipment to the number of workers for the project does not exceed US\$10,000 to one (1) worker.
 - The net foreign exchange savings or earnings amount to at least US\$500,000 annually during the first three (3) years of operation.

In no case shall the registered pioneer firm avail of this incentive for a period exceeding eight (8) years.

2. Exemption from taxes and duties on imported spare parts

A registered enterprise with a bonded manufacturing warehouse shall be exempt from customs duties and national internal revenue

taxes on its importation of required supplies/spare parts for consigned equipment or those imported with incentives.

3. Exemption from wharfage dues and export tax, duty, impost and fees

All enterprises registered under the 1999 IPP will be given a ten (10) – year period from date of registration to avail of the exemption from wharfage dues and any export tax, impost and fees on its non-traditional export products.

4. Tax exemption on breeding stocks and genetic materials

Agricultural producers will be exempted from the payment of all taxes and duties on their importation of breeding stocks and genetic materials within ten (10) years from the date of registration or commercial operation.

Tax Credits

1. Tax credit on tax and duty portion of domestic breeding stocks and genetic materials

A tax credit equivalent to one hundred percent (100%) of the value of national internal revenue taxes and customs duties on local breeding stocks within ten (10) years from date of registration or commercial operation for agricultural producers.

2. Tax credit on raw materials and supplies

A tax credit equivalent to the national internal revenue taxes and duties paid on raw materials, supplies and semi-manufacture of export products and forming part thereof shall be granted to a registered enterprise.

Additional Deductions from Taxable Income

1. Additional Deduction for Labor Expense (ADLE)

For the first five (5) years from registration, a registered enterprise shall be allowed an additional deduction from taxable income equivalent to fifty percent (50%) of wages of additional skilled and unskilled workers in the direct labor force. This incentive shall be granted only if the enterprise meets a prescribed capital to labor ratio and shall not be availed simultaneously with ITH.

This additional deduction shall be doubled if the activity is located in an LDA.

2. Additional deduction for necessary and major infrastructure works

Registered enterprises located in LDAs or in areas deficient in infrastructure, public utilities and other facilities may deduct from taxable income an amount equivalent to the expenses incurred in the development of necessary and major infrastructure works.

This privilege, however, is not granted to mining and forestry-related projects as they would naturally be located in certain areas to be near their sources of raw materials.

Non-Fiscal Incentives

1. Employment of foreign nationals

A registered enterprise may be allowed to employ foreign nationals in supervisory, technical or advisory positions for five (5) years from date of registration. The positions of president, general manager, and treasurer of foreign-owned registered enterprises or their equivalent shall, however, not be subject to the foregoing limitations.

2. Simplification of customs procedures for the importation of equipment, spare parts, raw materials, and supplies and exports of processed products.
3. Importation of consigned equipment for a period of ten (10) years from date of registration, subject to posting of a re-export bond.

4. The privilege to operate a bonded manufacturing/ trading warehouse subject to Customs rules and regulations.

Entrepreneurial Development Services

Considering the multitude of OFWs, and the magnitude of foreign exchange that they continue to contribute to the economy, the Bureau of Investments (BOI) believes that OFWs are excellent sources of investment into the Philippines, hence, the inclusion of overseas Filipinos among BOI's target investors.

To make its investment promotions effort for this sector effective and gain more impact, the BOI has integrated its overseas promotions program with the Overseas Workers Welfare Administration's (OWWA) Reintegration Preparedness Program. Among the activities and services of the BOI for OFWs are:

1. Conduct of Business/Investment Counseling Seminar
2. Conduct of Entrepreneurial Training Workshop

Depending on the preference or need of a particular job site, the BOI may conduct either a general investment briefing or a more advanced seminar workshop dealing with entrepreneurship and business/investment counseling.

3. Assistance in the preparation of project report/project feasibility for BOI registration
4. Participation in investment fairs or exhibitions overseas as venue for BOI to promote awareness among OFWs or Filipinos overseas
5. Assistance in joint venture partnership
6. Referrals to financing programs for additional capital
7. Provision of guidance in setting up the business

- Registering the business (documentary and procedural requirements of the Securities and Exchange Commission for partnership and corporation, and of the Department of Trade and Industry for sole proprietorship)
- Securing Mayor's permit

An investor who would like to engage in businesses and avail of incentives can simultaneously file his/her application for registration with the SEC/ BTRCP and application for incentives with the Board of Investments. The addresses and telephone and fax numbers are as follows:

Board of Investments

Department of Trade and Industry
Industry and Investments Bldg.
385 Sen. Gil Puyat Ave., Makati City
Tel. Nos. 890-1332 / 897-6682 / 895-3640

Securities and Exchange Commission

SEC Bldg., EDSA cor. Ortigas Ave., Greenhills, Mandaluyong
Tel. Nos. 726-0931 / 726-0939
Fax No. 727-6895 / 725-0543

Bureau of Trade Regulation and Consumer Protection

Department of Trade and Industry
Trade and Industry Bldg.
361 Gil Puyat Ave., Makati City
Tel. Nos. 890-5148 / 890-4901/05 Loc. 416
Fax No. 890-4812

RETAIL TRADE LIBERALIZATION ACT

Republic Act 8762, also known as the Retail Trade Liberalization Act of 2000, was enacted to promote consumer welfare by attracting, promoting, and welcoming productive investments of foreign nationals and Filipinos overseas to stimulate economic growth, and enable Philippine goods and services to become globally competitive through the liberalization of the retail trade sector.

The law defines retail trade as any act, occupation or calling of habitually selling merchandise, commodities, or goods directly to the general public for consumption.

Exempted Trade Activities

The law shall not apply to the following:

1. Sales by a manufacturer, processor, laborer or worker, to the general public of products manufactured, processed or produced by him if his capital does not exceed One Hundred Thousand Pesos (P100,000)
2. Sales by a farmer or agriculturist selling the products of his farm
3. Sales in restaurant operations by a hotel owner or inn-keeper irrespective of the amount of capital, provided that, the restaurant is incidental to the hotel business
4. Sales that are limited only to products manufactured, processed or assembled by a manufacturer through a single outlet, irrespective of capitalization

Foreign Equity Participation

Foreign-owned partnerships, associations, and corporations formed and organized under the laws of the Philippines may, upon registration with the SEC and/or DTI, or in the case of single proprietorship with DTI, engage or invest in the retail trade business, subject to the following categories:

1. Category A – Enterprise with paid-up capital equivalent in Philippine Pesos of less than US\$2.5 Million is reserved exclusively for Filipino citizens and corporations owned by Filipino citizens.
2. Category B – Enterprise with a minimum paid-up capital equivalent in Philippine Pesos of US\$2.5 Million but less than US\$7.5 million may be wholly owned by foreigners except for the first two (2) years after the effectivity of this Act wherein foreign participation

shall be limited to not more than sixty percent (60%) of total equity.

3. Category C – Enterprise with a paid up capital equivalent in Philippine Pesos of US\$7.5 million or more may be wholly owned by foreigners, provided, however, that in no case shall the investments for establishing a store in Categories B and C be less than the equivalent in Philippine Pesos of Eight Hundred Thirty Thousand US Dollars (US\$830,000).
4. Category D – Enterprise specializing in high-end or luxury products with paid up capital equivalent in Philippine Pesos of Two Hundred Fifty Thousand US Dollars (US\$250,000) per store may be wholly owned by foreigners.

Rights of Former Filipino Citizens

Under Sec. 4 of the law, natural-born citizens of the Philippines who have lost their Philippine citizenship but who reside in the Philippines, are granted the same rights as Filipino citizens in the retail trade business.

For more information on Retail Trade Liberalization, please contact:

The Legal Department

Board of Investments (BOI)

Industry and Investments Bldg.

385 Sen. Gil Puyat Ave., Makati City

Tel. Nos. 897-6682 loc. 314; 302 / 897-3084 / 896-7895

Fax No. 895-3978

INTER-COUNTRY ADOPTION ACT OF 1995

Republic Act 8043 also known as the Inter-Country Adoption Act of 1995 was enacted to allow aliens to adopt Filipino children if such children cannot be adopted by qualified Filipino citizens.

Who May Be Adopted

Only a child who is below 15 years of age and is voluntarily or

involuntarily committed to the DSWD may be adopted under the inter-country adoption law.

For such a child to be considered for placement, the following documents must be submitted to the Inter-Country Adoption Board:

1. Child Study to be prepared by the social worker of the DSWD or the accredited placement NGO
2. Birth Certificate/ Foundling Certificate
3. Deed of voluntary commitment/ decree of abandonment/ death certificate of parents
4. Medical evaluation/history
5. Psychological evaluation by the social worker of the DSWD or accredited placement NGO
6. Recent photo of the child

Who May Adopt

The following qualifications are required of an alien or Filipino citizen permanently residing abroad to be eligible to adopt a Filipino child under the inter-country adoption law:

1. At least 27 years of age and at least 16 years older than the child to be adopted at the time of application unless the adoptor is the natural parent of the child to be adopted or the spouse of such parent
2. If married, his/ her spouse must jointly file for the adoption
3. Is capable of acting and assuming all rights and responsibilities of parental authority under his/her national law and has undergone the appropriate counseling from an accredited counselor in his/ her country
4. Has not been convicted of a crime involving moral turpitude
5. Is eligible to adopt under his/her national law
6. Able to provide for the proper care and support and to inculcate

the necessary moral values and example to his/her children, including the child to be adopted

7. Agrees to uphold the basic rights of the child as embodied under Philippine laws, the UN Convention on the Rights of the Child, and to abide by the rules and regulations issued to implement the provisions of this Act
8. Comes from a country with whom the Philippines has diplomatic relations and whose government maintains a similarly authorized and accredited agency and adoption is allowed under his/ her national laws
9. Possesses all the qualifications and none of the disqualifications provided by applicable Philippine laws

Inter-Country Adoption Board

Under the law, a seven-member Inter-Country Adoption Board was created to act as the central authority in matters relating to inter-country adoption. It serves as a policy-making body in consultation and coordination with the DSWD, various child-care placement agencies, adoptive agencies, and non-government organizations engaged in child care and placement activities.

Where to File Applications

Application for inter-country adoption may be filed in the country of the prospective adoptive parents by coordinating with Philippine-accredited foreign adoption agencies.

Form Application

- An application shall be in the form prescribed by the Board which shall include an undertaking under oath, signed by the applicant to uphold the rights of the child under Philippine laws and the applicant's national laws, the United Nations Convention on the Rights of the Child and to abide by the provisions of the Act and all rules and regulations issued pursuant thereto.

- The application shall include an undertaking that should the adoption not be approved, or if for any reason the adoption does not take place, the applicant shall pay for the cost of travel back to the Philippines of the child and his/her companion, if any.

Documentary Requirements

The application to adopt must be submitted together with the following documents:

1. Birth Certificate of applicant(s)
2. Marriage contract, if married, and divorce decree, if applicable
3. Written consent from their biological or adopted children above ten (10) years of age, in the form of sworn statement
4. Physical, medical, and psychological evaluation by a duly licensed physician and psychologist
5. Income tax returns or any document showing the financial capability of the applicant(s)
6. Police clearance of applicant(s)
7. Character reference from the local church/ minister, the applicant's employer and a member of the immediate community who have known the applicant(s) for at least five (5) years
8. Recent postcard-size pictures of the applicant(s) and his/her immediate family

Pre-adoptive Placement Costs

The applicant shall bear the following costs incidental to the placement of the child:

1. The cost of bringing the child from the Philippines to the residence of the applicant(s) abroad including all travel expenses within the

Philippines and abroad

2. The cost of passport, visa, medical examination and psychological evaluation required, and other related expenses

For details regarding requirements and procedures, please contact:

The Inter-Country Adoption Board

Department of Social Welfare and Development

2 Chicago Street cor. Ermin Garcia Street,

Brgy. Pinagkaisahan, Cubao, Quezon City

Tel. No. 721-9781/721-9782

Fax No. 727-2026

DOMESTIC ADOPTION ACT OF 1998

Republic Act 8552, also known as the Domestic Adoption Act of 1998 encourages domestic adoption to preserve the child's identity and culture and only when this is not available shall inter-country adoption be considered as a last resort.

Who May Be Adopted

The following may be adopted :

1. Any person below eighteen (18) years of age who has been administratively or judicially declared available for adoption
2. The legitimate son or daughter of one spouse by the other spouse
3. An illegitimate son or daughter by a qualified adoptor to improve his/her status to that of legitimacy
4. A person of legal age if, prior to the adoption, said person has been consistently considered and treated by the adoptor(s) as his/her own child since minority
5. A child whose adoption has been previously rescinded

6. A child whose biological or adoptive parent(s) has/have died, provided that no proceedings shall be initiated within six (6) months from the time of death of said parent(s)

Who May Adopt

In addition to Filipinos, Section 7(b) of the law also allows a non-Filipino national to adopt under the domestic adoption law provided that he/she meets the following requirements:

1. Of legal age and at least 16 years older than the adoptee (except when the adopter is the biological parent of the adoptee or is the spouse of the adoptee's parent)
2. Possesses full civil capacity and legal rights
3. Of good moral character and has not been convicted of any crime involving moral turpitude
4. Emotionally and psychologically capable of caring for children
5. In a position to support and care for his/her children in keeping with the means of the family
6. His/her country has diplomatic relations with the Philippines
7. Has been certified by the diplomatic or consular office or any appropriate government agency that he/she has the legal capacity to adopt in his/her country and that his/her government allows the adoptee to enter his/her country as an adopted child
8. Has been living continuously in the Philippines for at least three (3) years prior to the filing of the application for adoption and maintains such residence until the adoption decree is entered

Section 7(c) also provides that the guardian, with respect to the ward after the termination of the guardianship and clearance of his/her financial accountability, is also qualified to adopt under the law.

Waiver of Residency Requirement

The requirements on residency and certification of the alien's qualification to adopt in his/her country may be waived for the following cases:

1. The applicant is a former Filipino citizen seeking to adopt a relative within the fourth (4th) degree of consanguinity or affinity
2. The applicant is seeking to adopt the legitimate son or daughter of his/her Filipino spouse
3. The applicant is married to a Filipino citizen, and seeks to adopt jointly with his/her spouse a relative within the fourth (4th) degree of consanguinity or affinity of the Filipino spouse.

Adoption by Husband and Wife

Husband and wife shall jointly adopt, except in the following cases:

- If one spouse seeks to adopt the legitimate son/daughter of the other
- If one spouse seeks to adopt his/her own illegitimate son or daughter, provided, however, that the other spouse has signified his/her consent
- If the spouses are legally separated from each other

In case the husband and wife jointly adopt, or one spouse adopts the illegitimate son or daughter of the other, joint parental authority shall be exercised by the spouses.

Supervised Trial Custody

No petition for adoption shall be finally granted until the adopter has been given by the court a supervised trial custody period for at least six (6) months within which the parties are expected to adjust psychologically

and emotionally to each other and establish a bonding relationship. During the said period, temporary parental authority shall be vested on the adopter.

An alien adopter must complete the six (6) month trial custody except in the following cases:

- Former Filipino citizens adopting a relative within the fourth (4th) degree of consanguinity or affinity
- One who is adopting the legitimate son or daughter of his/her Filipino spouse
- One who is married to a Filipino citizen and seeks to adopt jointly with his/her spouse a relative within the fourth (4th) degree of consanguinity or affinity of the Filipino spouse

For more information on domestic adoption, please contact any of the following:

The DSWD Regional Office which has jurisdiction over the residence of the minor, or

The Child Placement Center

Department of Social Welfare and Development

(National Capital Region)

389 San Rafael cor. Legarda Sts., Manila

Tel. No. 734-8651

Fax No. 734-8650/40

TRAVEL CLEARANCE FOR MINORS TRAVELLING ABROAD

Republic Act 7610, also known as Special Protection of Children Against Child Abuse, Exploitation, and Discrimination Act, requires children below 18 years of age, who are travelling outside the Philippines unaccompanied by their biological/adoptive parents or legal guardians, to secure a travel clearance. A Travel Clearance is a document issued by DSWD certifying that the child is authorized to travel abroad for valid

reasons based on the assessment of the social worker. It seeks to provide protection to minors against exploitation, improper influences, abuse, hazards and other conditions prejudicial to their physical, mental, emotional, social and moral development.

Objectives of the Travel Clearance

The travel clearance is intended to:

1. Protect the child from abuse and exploitation while abroad
2. Prevent child trafficking
3. Ensure that the travelling companion is duly authorized and able to look after the welfare of the minor
4. Ensure that the sponsor has the ability to support the minor's need while abroad

Who are covered by a Travel Clearance

Travel Clearance is required only for minors/children travelling abroad who are in any of the following circumstances:

1. A minor who is traveling alone
2. A minor who is travelling with a person other than his/her parents or those exercising parental authority and custody of the child
3. A minor traveling for the purpose of adoption abroad (inter-country adoption)
4. A minor adopted in the Philippines
5. An illegitimate child traveling with his/her father
6. A minor travelling in group for sports competition, cultural presentation, pilgrimage or study tours

Parental Travel Permit

If the minor is travelling with either of his/her parents, a Parental Travel Permit must be executed by the parent left behind. A Parental Travel Permit is a duly notarized written permission given by anyone of the biological or adoptive parent, who will be left behind, or not in the company of the child, allowing the concerned minor to travel with the other spouse.

Who may File Applications

The application for travel clearance may be submitted/filed by any of the following persons:

1. A minor who is at least 13 years of age
2. The minor's parent/s or legal guardian
3. The minor's travelling companion
4. Authorized representative of the parent/legal guardian

Where to File Applications

The application for travel clearance is filed in any of the following:

1. Regional Field Office of the Department of Social Welfare and Development which has jurisdiction over the residence of the minor
2. DSWD Sub-Field Office in the city or province which has jurisdiction over the residence of the minor and where the DSWD Senior Social Worker or Social Welfare Officer II is holding office

Application Procedures

The application form, with the requirements, will be submitted to the DSWD Field Office. Upon receipt of the application and the requirements, DSWD will undertake the following process:

1. Interview the applicant and/or parents/guardian
2. Gather collateral information
3. Conduct a home visit, if necessary
4. Assess and evaluate the application
5. Prepare recommendation/assessment for approval of the Regional/Field Director or the authorized representative
6. DSWD Field Director or his/her authorized representative will issue the Certificate of Travel

Documentary Requirements

For minors unaccompanied by parent/s or person/s exercising parental

authority

1. Birth Certificate of the minor on a security paper issued by the National Statistics Office
2. Marriage certificate of minor's parents, if appropriate
3. Notarized Affidavit of Consent from parents/guardians authorizing a particular person to accompany the child in his/her travel abroad
4. Notarized Affidavit of Support of sponsor indicating employment and salary, certified by the employer, if appropriate
5. Latest Income Tax Return of sponsoring person and/or parents with official confirmation receipts
6. Two passport size pictures of minor
7. Photocopy of passport and visa of travelling companion

Additional Requirements

1. For minors travelling with one parent or persons exercising parental authority
 - Parental Travel Permit
 - Birth Certificate of the minor on a security paper
 - Marriage Contract of parents
 - Photocopy of passport and visa of accompanying parent
2. For immigrant minors
 - Visa petition approval
3. For minors going abroad for medical purpose
 - Medical certificate of child
4. For adopted minors
 - Certified copy of adoption decree
 - Clearance from the Office of the Solicitor-General if adoption was promulgated less than 15 days when application for clearance to travel was made

5. For minors under guardianship
 - Certified copy of Letter of Guardianship/ Court Order
 - Certification from the DSWD Regional/Field Office that guardianship was processed according to law
6. For minors who are 13 years old and above travelling alone
 - Duly notarized Affidavit stating that minors shall be fetched at the airport by the sponsor
 - Certification for unaccompanied minors from airlines
7. For minors studying abroad
 - Acceptance from the school where child is to be enrolled
8. For minors attending conferences, study tours, etc.
 - Certification from sponsoring organization
9. For subsequent travels, the following are required:
 - Certificate of travel previously issued
 - Notarized Affidavit of Consent from parents/guardians authorizing a particular person to accompany the child in his/her travel abroad
 - Photocopy of passport and visa of travelling companion

For more information on DSWD's programs and services, please contact the DSWD Regional Offices.

TAX REFORM ACT OF 1997

The enactment of Republic Act 8424 or the Tax Reform Act of 1997, provides wide-ranging tax break to different groups of individuals including overseas Filipinos. According to Section 23 of the law, a non-resident citizen will be taxed only on income derived from sources within the Philippines.

Non-resident Citizen

A non-resident citizen is defined under the law as any of the following:

1. A Citizen of the Philippines who establishes to the satisfaction of the Commissioner of the Bureau of Internal Revenue the fact of his physical presence abroad with a definite intention to reside therein
2. A Citizen of the Philippines who leaves the Philippines during the taxable year to reside abroad, either as an immigrant or for employment on a permanent basis
3. A Citizen of the Philippines who works and derives income from abroad and whose employment thereat requires him to be physically present most of the time during the taxable year
4. A Citizen who has been previously considered as non-resident citizen and who arrives in the Philippines at any time during the taxable year to reside permanently in the Philippines shall likewise be treated as a non-resident citizen for the taxable year in which he arrives in the Philippines with respect to his income derived from sources abroad until the date of his arrival in the Philippines

Tax Exemption

Filipinos overseas are exempted from paying taxes on their earnings from foreign sources.

Filing of Information Returns

Under Revenue Regulation No. 9-99 (Bureau of Internal Revenue 19 April 1999) non-resident citizens, overseas Filipino workers, and seamen should file information returns by accomplishing BIR Form 1701C, or the new BIR Form 1703.

The accomplished BIR Form 1701C or new BIR Form 1703, together with relevant supporting documents such as the Employer's Declaration of Income Earned and Financial Statement should be filed not later than

15 April following the taxable year at the Foreign Post (Philippine Embassy/Consulate) or the Revenue District Office which has jurisdiction over the place of residence of the taxpayer.

Exemption from Tax on Interest Income from Foreign Currency Deposits

Revenue Regulation 10-98 (Bureau of Internal Revenue, 25 August 1998) contains provisions that exempt nonresidents and overseas Filipino workers from payment of taxes on income derived from foreign currency deposits.

Under said regulation, interest income which is actually or constructively received by a resident citizen of the Philippines on interest income from a foreign currency deposit shall be subject to a final withholding tax of seven and one-half percent (7.5%). However, nonresident citizens who have foreign currency deposit accounts are exempt from payment of taxes on interest income derived from said deposits.

On the other hand, for a bank account that is jointly in the name of a nonresident citizen such as an overseas Filipino worker or a Filipino seaman, and his spouse or dependent who is a resident in the Philippines, fifty percent (50%) of the interest income from such bank deposit shall be treated as exempt while the other fifty percent (50%) shall be subject to a final withholding tax of seven and one-half percent (7.5%).

To be entitled to this exemption, the foreign currency bank account should be in the name of the nonresident individual. He/She should also present any of the following documentary evidences:

1. Immigration visa issued by the foreign government in the country where he/she is a resident
2. Certificate of residency which is issued by the Philippine Embassy or Consulate in the foreign country of his/her residence
3. Certificate of the contract of employment of an overseas Filipino worker which is duly registered with the Philippine Overseas Employment Administration (POEA); or a Seaman's Certificate,

in the case of a Filipino seaman

In addition, the nonresident citizen or OFW should also execute a written permission allowing the depository bank to inform the Commissioner of Internal Revenue that as a nonresident, he/she is exempt from the tax on income from foreign currency deposit. A depositor who fails to comply with this requirement shall not be entitled to the exemption privilege.

For more information on the Tax Reform Act, please contact:

International Tax Affairs, Bureau of Internal Revenue
National Internal Revenue Building
Agham Road, Diliman, Quezon City
Tel. Nos. 929-7676 / 927-2511
Fax No. 926-3420

TRAVEL TAX

Under Presidential Decree (PD) No. 1183, as amended by PD 1205, Batas Pambansa 38, and Executive Order 283, Filipinos and other nationals traveling to other countries are required to pay travel tax before departure from the Philippines, irrespective of the place where the air ticket is issued and the form or place of payment.

Coverage

The following individuals are required to pay travel tax:

1. Filipino nationals
2. Permanent resident aliens
3. Non-resident aliens who have stayed in the Philippines for more than one (1) year

Exemption

The following Filipino citizens are exempted from the payment of travel tax pursuant to Sec. 2 of PD 1183, as amended:

1. Overseas Filipino workers
2. Filipino permanent residents abroad whose stay in the Philippines is less than one year
3. Infants (2 years and below)

Requirements for Exemption

The following are the list of documents that must be submitted for travel tax exemption purposes (original documents need to be presented):

1. Overseas Filipino Workers
 - a. Valid passport
 - b. Employment Certificate
 - Valid Overseas Employment Certificate (OEC) from POEA if hired through this agency. The OEC serves as the travel tax exemption certificate; workers do not need to go to PTA for exemption.
 - Certificate of Work or Employment issued by the Philippine Embassy/ Consulate in the place of hire or employment contract authenticated by the Philippine Embassy/Consulate, for those directly hired abroad
2. Filipino Permanent Residents Abroad
 - a. Copies of ID pages of passport and stamp of last arrival in Philippines
 - b. Proof of permanent residence in foreign country which may, among others, be the official document issued by the foreign government concerned showing the grant of permanent resident status to the Filipino citizen
 - c. Philippine Income Tax Return (ITR) for the previous year or Certificate of Unemployment from the Philippine Embassy or Consulate for those between 18 to 60 years old

3. Infants

- a. Photocopy of passport
- b. Certified true copy of birth certificate

Reduced Travel Rates

The following citizens are eligible for reduced rates of travel taxes upon submission of documentary requirements:

Eligible Citizens	Requirements	Reduced Rates	
		<i>First Class</i>	<i>Economy Class</i>
Minors from 2-12 years old	copy of birth certificate or ID pages of passport	P1,350.00	P 810.00
Legitimate spouse of overseas Filipino worker	<ul style="list-style-type: none"> • passport • authenticated copy and valid Overseas Employment Certificate of spouse from POEA or information sheet of OFW from POEA • original marriage contract 	P 400.00	P 300.00
Legitimate unmarried children of OFWs below 21 years old	<ul style="list-style-type: none"> • passport • authenticated copy and valid Overseas Employment Certificate of parent from POEA • original birth certificate 	P 400.00	P 300.00

Other Individuals Exempted from Travel Tax

1. Foreign diplomatic representatives
2. Employees of the United Nations (UN) organization or its agencies
3. US military personnel
4. International carrier crew
5. Philippine Foreign Service personnel assigned abroad and their dependents
6. Philippine government employees on official travel (excluding government-owned and controlled corporations)
7. Grantees of foreign government funded trips
8. Students with approved scholarships by appropriate government agency
9. Personnel of Philippine offices of multinational companies not engaged in business in the Philippines and their dependents

Travel tax primer may also be accessed at PTA's website:
www.philtourism.com

For more information on travel tax rates or travel tax exemptions please contact:

Revenue Department

Philippine Tourism Authority

Rm. 117, DOT Bldg. T.M. Kalaw, Rizal Park, Manila

Tel. Nos. 525-3029 / 524-7734; 524-7141 loc. 100/ 103/ 109

Fax No. 521-8113

E-mail: revenue@philtourism.com / trvltax@philtourism.com

BALIKBAYAN LAW

Republic Act No. 6768 was enacted in November 1989 to attract and encourage overseas Filipinos to visit the Philippines as a "Balikbayan".

Who is a Balikbayan

A “balikbayan” refers to:

1. Former Filipino citizens holding foreign passports, including spouses and children travelling with them
2. Filipinos who have been continuously out of the Philippines for at least one (1) year
3. Overseas Filipino workers

Benefits

A “balikbayan” is entitled to the following benefits:

1. Travel tax exemption as provided under Presidential Decree 1183, Executive Order No. 283, and other allied laws
2. Visa-free entry to the Philippines for a period of one (1) year for foreign passport holders
3. Duty-free shopping privilege of up to US\$2,000.00 (US \$ 1,000.00 as arriving Balikbayan and US\$1,000.00 as arriving passenger), with the following limitations:
 - a. Shopping must be done within two (2) days upon arrival
 - b. Duty-free shopping privilege can be availed of only once a year
 - c. Purchases must be made personally by the balikbayan

For more information, please contact:

Philippine Convention and Visitors Corporation

Department of Tourism

4/F Legaspi Towers 300, Roxas Blvd., Manila

Tel. Nos. 525-9318 to 27

Fax Nos. 521-6165 / 525-3314

E-mail: pcvcnet@info.com.ph

LAND OWNERSHIP BY FILIPINOS OVERSEAS

Article XII Section 8 of the Philippine Constitution provides that a natural-born citizen of the Philippines who has lost his/her Philippine citizenship may be a transferee of private lands subject to limitations provided by law.

The laws on land ownership by Filipinos overseas are contained in Batas Pambansa Blg. 185 which was enacted in March 1982 and Republic Act 8179, which amended the Foreign Investment Act of 1991. Batas Pambansa No. 185 stipulates guidelines on land ownership by former Filipinos for purposes of establishment of residence, while Section 10 of RA 8179 specifies entitlements and conditions for land acquisition for investment purposes.

Transferee

The acquisition or transfer of private land refers to either voluntary or involuntary sale, devise or donation. Involuntary sale includes sales on tax delinquency, foreclosures, and executions of judgment.

Qualifications of Former Filipinos

Both laws define former Filipinos as citizens of the Philippines from birth without having to perform any act to acquire or perfect their Philippine citizenship, who lost said Philippine citizenship, and who have the legal capacity to enter into a contract under Philippine laws.

Provisions on Land Ownership

The following are the provisions of BP 185 and RA 7042, as amended, pertinent to land ownership by Filipinos overseas:

Particulars	Provision under BP 185	Provisions under RA 7042 as amended by RA 8179
Size/Area of Coverage	<ul style="list-style-type: none"> • maximum of 1,000 sq. meters for urban land • maximum of one (1) hectare for rural land 	<ul style="list-style-type: none"> • maximum of 5,000 sq. meters for urban land • maximum of three (3) hectares for rural land
Land Acquisition for Both Spouses	<ul style="list-style-type: none"> • either of the spouses may avail of the privilege • in case both spouses wish to acquire lands for this purpose, the total area acquired should not exceed the maximum allowed 	<ul style="list-style-type: none"> • either of the spouses may avail of the privilege • in case both spouses wish to acquire lands for this purpose, the total area should not exceed the maximum allowed
Additional Land Acquisition	<p>In case he/she already owns urban or rural lands for residential purposes, he/she may acquire additional urban or rural lands, which when added to those he/she presently owns shall not exceed the authorized maximum area.</p>	<p>In case he/she already owns urban or rural lands for business purposes, he/she may acquire additional urban or rural lands, which when added to those he/she presently owns shall not exceed the authorized maximum area.</p>
Limits to Acquisition of Land	<p>A person may acquire not more than two (2) lots which should be situated in different municipalities or cities anywhere in the Philippines, provided that the total area of these lots do not exceed 1,000 sq. meters for urban land or one (1) hectare for rural land for use as residence.</p>	<p>A person may acquire not more than two (2) lots which should be situated in different municipalities or cities anywhere in the Philippines, provided that the total area of these lots do not exceed 5,000 sq. meters for urban land or three (3) hectares for rural land for business purposes.</p>

Particulars	Provision under BP 185	Provisions under RA 7042 as amended by RA 8179
	<p>An individual who has already acquired urban land shall be disqualified from acquiring rural land and vice versa.</p>	<p>Under Section 4 of Rule XII of the Implementing Rules and Regulations of RA 7042 as amended by RA 8179, a transferee who has already acquired urban land shall be disqualified from acquiring rural land and vice versa. However, if the transferee has disposed of his/her urban land, he/she may still acquire rural land and vice versa, provided that this will be used for business.</p> <p>A transferee of residential land acquired under Batas Pambansa Blg. 185 may still avail of the privilege granted under this law.</p>
Use of Land	<p>The acquired land should not be used for any purpose other than for residence.</p>	<p>Section 5 of Rule XII specifically states that “the land should be primarily, directly, and actually used in the performance or conduct of the owner’s business or commercial activities in the broad areas of agriculture, industry and services including the lease of land, but excluding the buying and selling thereof”.</p>
Special Requirements	<p>In addition to the requirements provided for in other laws for the registration of titles to lands, the transferee should submit to</p>	<p>In addition to the usual registration requirements pertinent to the conveyance of real estate, the transfer contemplated shall not be</p>

Particulars	Provision under BP 185	Provisions under RA 7042 as amended by RA 8179
	<p>the Register of Deeds of the province or city where the property is located a sworn statement stating the following:</p> <ul style="list-style-type: none"> • date and place of birth • names and addresses of his/her parents, spouse, and children, if any • area, location, and mode of acquisition of landholdings in the Philippines, if any • his/her intention to reside permanently in the Philippines • date he/she lost his/her Philippine citizenship and the country of which he/she is presently a citizen 	<p>recorded unless the transferee submits to the Registry of Deeds of the province or city where the land is situated, the following:</p> <ul style="list-style-type: none"> • certification of business registration issued by the Bureau of Trade Regulation and Consumer Protection of the DTI • sworn statement stating information required under Batas Pambansa 185 • certification from assessor of municipality or province where the property is situated that the the subject land for transfer is an urban or rural area • if an agricultural land is acquired, a certification from the Department of Agrarian Reform that the land is a retained area of the transferor and an affidavit of the transferee attesting that his/her total landholding inclusive of the land to be acquired does not exceed the 5-hectare limit provided under R.A. 6657, is required
<p>Violations and Penalties</p>	<p>Violations through:</p> <ul style="list-style-type: none"> • misrepresentation in the sworn statement • acquisition of land through fraudulent means 	

Particulars	Provision under BP 185	Provisions under RA 7042 as amended by RA 8179
	<ul style="list-style-type: none">• failure to reside permanently in the land acquired within two (2) years from its acquisition, except when such failure is caused by force majeure shall be penalized by the following:<ul style="list-style-type: none">- liability to prosecution under the applicable provisions of the Revised Penal Code and subject to deportation in appropriate cases- forfeiture of such lands and their improvements to the National Government through escheat proceedings by the representative of the Solicitor General- permanent disqualification from availment of the privilege under this Act	

Requirements for Land Registration or Original Certificate of Title (Judicial Titling)

The application for land registration should be filed in triplicate with the Clerk of the Regional Trial Court of the province/city where the property is located. The following documents should be attached to the application:

1. Original plan on tracing cloth duly approved by the Director of

Lands or Regional Land Director, or in lieu thereof, a true copy of the same on a tracing cloth properly attested and certified by said Office or the official authorized to make such certification, together with two (2) print copies thereof

2. Technical description, three (3) copies
3. Surveyor's certificate, three (3) copies
4. Certificate of the assessed value of the property issued by the provincial treasurer, in quadruplicate

Requirements for Land Transfer or Transfer Certificate of Title

The following documents are required for the filing of land transfer:

1. Copies of the Deed of Absolute Sale
2. Latest real estate tax payments
3. Latest tax declaration of the property
4. Certificate from the Bureau of Internal Revenue that the capital gains tax and documentary stamps have been paid
5. Transfer tax
6. Receipt of payment of the transfer and registration fees

For more information on land ownership by Filipinos overseas, please contact:

Land Registration Authority, Law Division
LRA Building, East Avenue cor. NIA Road
Diliman, Quezon City
Tel. Nos. 920-1026/36
TeleFax No. 921-1368

RE-ACQUISITION OF PHILIPPINE CITIZENSHIP

Republic Act 8171 was enacted to allow the repatriation of Filipino women who lost their citizenship by marriage to aliens and natural-born

Filipinos who lost their citizenship on account of political or economic necessity.

Procedures in Re-acquisition of Citizenship

The following are the procedures for the re-acquisition of Philippine citizenship:

1. An applicant files a petition for repatriation to reacquire Philippine citizenship with the Special Committee on Naturalization at the Office of the Solicitor-General (OSG). The petition must be in 5 copies. The applicant must attach duplicate originals of the following documents to each copy of the petition:
 - a. Alien Certificate of Registration and his/her Native-born Certificate of Residence and Arrival or Re-entry Permit into the Philippines
 - b. Immigration Certificate of Residence
 - c. Medical Certificate
 - d. NBI Clearance
 - e. Birth Certificate, the Alien Certificate of Registration, and the Immigrant's Certificate of Residence or Native-born Certificate of Residence (if any) of petitioner's minor children whenever applicable
 - f. Marriage Contract/ Death Certificate of Spouse/ Divorce or Annulment Decree
 - g. Birth certificate or other evidence of his/her former Filipino citizenship
 - h. Signed passport size photograph
2. Upon submission of the application and documents, the applicant must pay a docketing fee of P20,000.00.
3. The Committee on Naturalization may call the applicant for interview. The Committee is composed of the Solicitor-General, as chairman, and the Undersecretary of the Department of Foreign Affairs and the Director-General of the National Intelligence Coordinating Agency, as members.

4. Within ninety (90) days after being notified of the approval of his/her petition, the applicant will take his/her oath of allegiance before the Committee or any of its duly designated representatives. An oath-taking fee of P50,000.00 will be collected. If the petitioner fails to take the oath within the prescribed time, the approval of the petition is deemed withdrawn.
5. After taking the oath, the Committee issues a Certificate of Repatriation and a copy of the oath. Copies of said documents will also be forwarded to the proper Local Civil Registrar for registration and to the Bureau of Immigration (BI). Upon receipt of these documents, BI will cancel the Alien Certificate of Registration of the repatriated citizen.

Overseas Application

If the petitioner is a natural-born Filipino and is presently residing outside of the Philippines, he/she may file his/her application and pay the corresponding docketing fee at the Philippine Embassy or Consulate having jurisdiction over his/her place of residence. On request of the Special Committee on Naturalization, an official of the Embassy or Consulate will interview the petitioner. The application, docketing fee, and report of interview will be forwarded to the Committee, which will determine whether or not the petitioner is qualified for repatriation. If the petitioner is found to be qualified, he/she then takes the oath of allegiance before designated officials of the Philippine Embassy or Consulate of his/her place of residence, after which said oath will be forwarded to the Special Committee on Naturalization.

For more information, please contact:

Committee on Naturalization
Office of the Solicitor General
134 Amorsolo St., Legaspi Village, Makati City
Tel. No. 8186301 to 09 loc. 255
Fax No. 813-4585

PHILIPPINE PASSPORT ACT OF 1996

R.A. 8239 or the Philippine Passport Act of 1996 was enacted to prescribe the minimum requirements for the application and issuance of passports and other travel documents.

Requirements for First Time Applicants

1. Birth Certificate (BC) in Security Paper (SECPA) issued by the National Statistics Office (NSO) or Certified True Copy and photocopy of BC issued by the Local Civil Registrar duly authenticated by the NSO.

In case of no birth record:

If born after 1950

- A primary document which can either be a birth certificate, or
- In case of birth certificates with delayed registration, copies of the birth certificate, and documents such as:
 - Baptismal Certificate
 - Voter's Affidavit
 - School Records (official Transcript/Form 137).

If born in or before 1950

- Certificate of Non-availability of Birth Record from the NSO
 - Joint Birth Affidavit signed and executed by two (2) disinterested persons
 - Baptismal Certificate or Voter's Affidavit or Certified True Copy of Voter's Affidavit from COMELEC or any public document indicating date and place of birth and citizenship
2. Three (3) copies of 4.5cm x 3.5 cm new photo (colored with plain white background). Photo should show applicant in decent attire.
 3. Personal appearance except when the applicant is:
 - not more than 8 years old; or
 - at least 65 years old; or
 - mentally or physically incapacitated

4. Additional Requirements

4.1 For married women who chose to adopt surname of husband

- Certified True Copy (CTC) and photocopy of Marriage Contract (MC) issued by the National Statistics Office (NSO) or CTC and photocopy of MC issued by the Local Civil Registrar duly authenticated by NSO

4.2 For women who obtained an annulment or were divorced by foreign husband

- Authenticated copy and photocopy of the first page and the dispositive portion of the judgment granting divorce or annulment
- Certified True Copy and photocopy of the first page and the dispositive portion of the judgment granting divorce or annulment, authenticated by the Philippine Embassy/ Consulate under whose area of jurisdiction the divorce was obtained

4.3 For fiancées and spouses of foreign nationals who were married for at least six months and below prior to their application for a passport

- Original and photocopy of Commission on Filipinos Overseas (CFO) Guidance and Counseling Certificate of Attendance

4.4. For minors (below 18 years old)

- Personal appearance of either parent
- Original and photocopy of DSWD Clearance and Affidavit of Support and Consent if minor is not travelling with either parent

- If both parents are abroad, said affidavit must be authenticated by the nearest Philippine Embassy or Consulate General.
- Special Power of Attorney (SPA) if application is filed by person other than the minor's parents. If executed abroad, SPA must be authenticated by the nearest Philippine Embassy or Consulate General.
- Passport and photocopy of the passport of person travelling with the minor

4.5 For adopted children

- Authenticated copy and photocopy of the dispositive portion of the Court Order on adoption
- Authenticated copy and photocopy of original and amended Birth Certificate

4.6 For illegitimate children born after August 13, 1988

- Annotated Birth Certificate if father's surname is used (Legitimated by virtue of subsequent marriage of parents)
- Consent of mother if minor is 8 years and below

4.7 For Muslim applicants

For those whose births were registered, follow requirements for new applicants.

For those whose births were not registered:

- Certified True Copy of Late Registered Birth Certificate from the National Statistics Office
- Original and photocopy of Voter's Affidavit or NBI Clearance or other supporting documents indicating date and place of birth and citizenship

- Certificate from the Office on Muslim Affairs, Office of the President

4.8 For Muslim converts

- Court Order to change name
- Shari'ah Court Order

And such other documentary requirements as may be deemed necessary by the passport offices or consular posts abroad. Applicants with doubtful citizenship may be referred to the Citizenship Evaluation Committee (CEC) of the Passport Division of the DFA for interview and evaluation.

Requirements for Renewal of Passport

1. Personal appearance of the applicant shall not be required and the application may be filed by:
 - Any agency duly accredited with the Department
 - A member of the immediate family of the applicant authorized in writing by the latter stating the relation to the applicant. However, personal appearance may be required as may be warranted by circumstances.
2. Three (3) copies of 4.5 cm. x 3.5 cm. new photos (colored with plain white background). Photo should show applicants in decent attire.
3. If passport being renewed is brown or issued prior to 01 May 1995:
 - Old passport and photocopy of passport pages 1,2,3 (amendment) and the pages showing latest Bureau of Immigration departure and arrival stamps
 - Any document with complete middle name (Birth Certificate,

Baptismal Certificate, driver's license, company ID, Voter's ID, etc.)

4. In case passport being renewed is green or issued after 01 May 1995:

Present old passport and photocopy of passport pages 1,2, and 3 (amendment) and the pages showing latest Bureau of Immigration departure and arrival stamps.

5. For married women who chose to adopt surname of husband in new passport, Certified True Copy and photocopy of Marriage Certificate and Photocopy of Marriage Contract issued by the National Statistics Office.
6. For minors (below 18 years old)
 - Personal appearance of either parent
 - If minor is not travelling with either parent, submit an original and photocopy of DSWD Clearance and Affidavit of Support and Consent.
 - If both parents are abroad, such an affidavit must be authenticated by the nearest Philippine Embassy or Consulate General.
 - If application is filed by person other than the minor's parents, submit Special Power of Attorney (SPA). If executed abroad, SPA must be authenticated by the nearest Philippine Embassy or Consulate General.
 - Passport and photocopy of the passport of person travelling with the minor

Requirements for Replacement of Lost Passport

1. If already expired, submit notarized Affidavit of Loss. No penalty fee shall be charged for replacement of lost expired passport.

2. If lost passport is still valid, submit Police Report and notarized Affidavit of Loss. There will be a 15-day clearing period prior to the processing of application for a new passport. Replacement of lost valid passport shall be charged with a penalty fee of P200.00.
3. Certified True Copy (CTC) and photocopy of Birth Certificate (BC) issued by the National Statistics Office (NSO) and CTC and photocopy of BC issued by the Local Civil Registrar duly authenticated by the NSO.
4. Three (3) copies of 4.5 cm x 3.5 cm new photos (colored with plain white background). Photos should show applicant in decent attire.
5. Personal appearance

A passport has to be re-issued if there are errors in scripting or discrepancy in personal data.

For more information, please contact:

Passport Division

Department of Foreign Affairs

DFA Building, 2330 Roxas Blvd., Pasay City 1300

Tel. No. 834-4000

Fax No. 832-1164

IMMIGRATION POLICIES ON VISITING AND RETURNING OVERSEAS FILIPINOS

TEMPORARY VISITOR

Under RA 6768, a former Filipino citizen and his/her spouse and children traveling with him/her are entitled to visa-free entry to the Philippines for a period of one (1) year. Extensions may be requested at the Bureau of Immigration (BI). BI has established an “Express Lane” service to allow its clientele to obtain certain documents within the same date of filing.

PERMANENT RESIDENT (Non-quota Immigrant)

Aliens Married to Philippine Citizens

A non-quota immigrant visa under Section 13(a) may be issued to alien spouses who are married to Philippine citizens, upon presentation of proof that the parties contracted a valid marriage. In addition, the alien should also present appropriate documents to prove the following:

1. The marriage is recognized under existing Philippine laws
2. There is no record of any derogatory information against him/her in any local or foreign law enforcement agency

3. He/she is not afflicted with any dangerous, contagious, or loathsome disease
4. He/she has sufficient financial capacity to support a family and will not become a public charge
5. He/she was allowed lawful entry into the Philippines by immigration authorities
6. He/she has not been institutionalized for any mental disability

In the case of an alien married to a Philippine citizen, the Philippine citizenship should be maintained by the latter for the non-quota immigrant visa to remain valid under Sec. 13(a) of the Philippine Immigration Act (PIA). The moment the Philippine spouse loses his/her citizenship, the 13(a) visa of his/her alien spouse and their children is automatically revoked or cancelled.

In the event that the Filipino loses his/her citizenship, he/she can apply for the downgrading of his/her dependents' 13(a) visa to temporary visitor's visa under Section 9(a) and, thereafter, apply for a non-quota immigrant visa under Section 13(g) for himself/herself, his/her spouse, and their unmarried minor children below 18 years old.

Natural-Born Filipinos Who Have Become Naturalized Citizens Of Another Country

Under Republic Act 4376, a law amending the Philippine Immigration Act of 1940, a natural-born Filipino who has become a naturalized citizen of another country and is returning to the Philippines for permanent residence, including his/her spouse and minor unmarried children, shall be considered non-quota immigrants for purposes of entering the Philippines.

To apply for a non-quota immigrant visa, the applicant must submit documents to establish that he/she:

1. Was previously a natural-born citizen of the Philippines
2. Was naturalized in a foreign country
3. Is not afflicted with any dangerous, contagious, or loathsome disease

4. Has no derogatory information against him/her from any local or international law enforcement agency
5. Is financially capable of supporting himself/herself so that he/she will not become a public charge while residing permanently in the Philippines
6. Has not been institutionalized for any mental disability
7. Was allowed lawful entry by immigration authorities with a valid admission status
8. Has not violated the terms and conditions of his/her admission status
9. Intends to reside permanently in the Philippines

Women Who Lost Philippine Citizenship by Virtue of Marriage

Under Section 13(d) of the Philippine Immigration Act of 1940, a woman who lost her Philippine citizenship because of marriage to an alien or because of the loss of Philippine citizenship of her husband, may, together with her unmarried child who is 21 years old, be issued a non-quota immigrant visa.

To qualify for this visa, she must present duly authenticated copies of the following documents:

1. Birth certificate
2. Marriage contract
3. Documentary proof of her present foreign citizenship

In addition, the applicant may also be asked to submit documents to prove that she:

1. Has not been institutionalized for any mental disability
2. Will not become a public charge
3. Is not afflicted with any dangerous, contagious, or loathsome disease
4. Has no derogatory information from any local or foreign law enforcement agency

STUDENT VISA (Non-Immigrant)

Section 9(f) of the Philippine Immigration Act of 1940 states that aliens, including former Filipino nationals, at least 18 years old and with sufficient means for their support and education, who intend to enter the Philippines to take up a course of study higher than high school level may be admitted as a student non-immigrant. Executive Order 423 signed in June 1997 provides amendments in the guidelines for the entry and stay of foreign students in the Philippines.

Foreign students whose applications for non-immigrant student visas have been approved are required to secure their visas from the Philippine Embassy or Consulate in the country of origin or legal residence, irrespective of where they are at the time of their application.

Requirements for Application for Student Visa

The student will submit the required documents to the school registrar. The Liaison Officer of the school will bring to the Department of Foreign Affairs the documents together with a Notice of Acceptance signed by the school registrar and stamped with the school's dry seal.

The documents required for student visa are as follows:

1. Original copy of the Notice of Acceptance with dry seal
2. Original copy of the Certificate of Eligibility for Admission issued by the Commission on Higher Education (CHED) for medicine and dentistry students
3. Proof of adequate financial support consisting of notarized affidavit of support and bank statement
4. Scholastic records duly authenticated by the Philippine Foreign Service Post in the country of origin
5. Police Clearance Certificate issued by the national police authorities of the student's country of origin or residence
6. AIDS Test Clearance issued by an accredited hospital
7. Quarantine Medical Examination by the National Quarantine Office
8. Five (5) copies of signed Personal History Statement with recent 2" x 2" photograph

9. Photocopy of the picture, data, and stamp of the latest arrival pages of the passport

Duration of Visa and Application for Extension

The student visa is valid for one (1) year, but extensions may be granted by the Bureau of Immigration. Application for extension should be made prior to the expiration of the present visa. The student must present his/her scholastic records for the immediate past school year and a recommendation from the school when filing for extension of the visa.

Special Study Permit

As a general rule, only foreign students who have been issued foreign student visa under Section 9(f) of the PIA and E.O. 423 can study in the Philippines. As an exception to this rule, foreign elementary and high school students may be allowed to study in the Philippines provided they apply for and are issued special study permit. The Bureau of Immigration provides the guidelines on the issuance of special study permit.

CHILDREN UNDER 15 TRAVELLING ALONE

Under Section 29(12) of the Philippine Immigration Act, children under 15 years old travelling unaccompanied or not coming home to a parent may not be allowed to enter the country, unless admitted by the Commissioner of Immigration through a Waiver of Exclusion Ground.

Requirements for Application of Waiver of Exclusion Ground

Based on the Bureau of Immigration's Office Memorandum Order No. LIV-95-031 dated 19 July 1995, the following documents are required for the application of the Waiver of Exclusion Ground (WEG):

1. Letter of consent from either or both parents for the minor to travel unaccompanied to the Philippines
2. Photocopy of the data page of the minor's passport
3. Payment of the required fees at the Bureau of Immigration before the minor's arrival or immediately upon arrival at the port of entry

Applications for WEG should be filed with the Commissioner at least five (5) days before the arrival of the minor.

RECOGNITION AS A FILIPINO CITIZEN

Under the Bureau of Immigration's Law Instruction No. RBR-99002, issued on 15 April 1999, any child born of a Filipino parent may be recognized as a Filipino citizen under existing laws. The following documents are to be submitted to the Commissioner of Immigration:

1. Petition, in the form of a letter-request, made under oath by the Filipino parent or legally appointed guardian. A person who is 18 years old must apply in his/her own capacity.

In default of parents or a judicially appointed guardian, the following persons shall exercise substitute parental authority over the child in the order indicated:

- the surviving grandparent as provided in Article 214 of the Family Code;
- the oldest brother or sister over 21 years of age, unless unfit or disqualified; and
- the child's actual custodian, over 21 years of age, unless unfit or disqualified;

In case the letter-request is made by a person on behalf of any of the parents, the legally appointed guardian, or persons exercising substitute parental authority, he or she must be duly authorized through a power of attorney to file such petition.

2. Authenticated birth certificate of the child
3. Birth certificate of the Filipino parent
4. Affidavit of Citizenship executed by the applicant's Filipino parent attesting to his/her citizenship at the time of the birth of the child
5. Photocopy of the child's passport, if he/she has one
6. Photocopy of the Filipino parent's passport, if he/she has one
7. Proof of Filipino citizenship of a parent at the time of the birth of the child other than the parent's passport or the child's passport

All documents issued by foreign governments and those executed in a foreign country shall be duly authenticated by the authorized officer of the Philippine Embassy or Consulate that has jurisdiction over them.

Communications, statements, or documents executed in a language other than English or Filipino should be officially translated under the seal of the authorized officer of the appropriate foreign embassy.

Pursuant to Executive Order No. 292, the Bureau of Immigration, through its Records Section, will automatically furnish the Department of Justice an official copy of its Order of Recognition within 12 days from its date of approval. Identification Certificates shall be issued only after confirmation by the Secretary of Justice.

For more information, please contact:

Office of the Commissioner
Bureau of Immigration
Magallanes Drive, Intramuros, Manila
Tel. No. 527-3261; 527-3277
Fax No. 338-4538

PRE-ARRANGED EMPLOYMENT VISA

Under Section 9(g) of the Philippine Immigration Act, aliens including former Filipino nationals overseas, may be admitted as non-immigrants if they are entering the Philippines to engage in any lawful occupation, whether for wages or for salary or for other forms of compensation where bonafide employer-employee relations exist.

Qualified for this type of visa are professors/teachers of educational institutions, doctors and nurses, scientists, professionals and other workers for banking, commercial, industrial, agricultural, and other business enterprises.

The Pre-Arranged Employment Visa is issued only upon authorization by the Bureau of Immigration. The authorization, which is in the form of an order by the Board of Commissioners to grant such visa to the applicant,

includes a certification that no person can be found in the Philippines willing and competent to perform the labor or service for which the non-immigrant's admission will be beneficial to public interest.

As a general rule, pre-arranged employment visas are issued at the Philippine Embassy or Consulate in the applicant's country of origin or place of residence. However, under present laws and regulations, alien applicants for a pre-arranged employment visa need not depart temporarily to a foreign country to obtain their visas.

The Bureau of Immigration also allows for a change of admission category from one class of non-immigrant to pre-arranged employment, if negotiations for the alien employment have commenced and a petition for the issuance of a pre-arranged employment visa has been filed with the Commissioner of Immigration prior to the entry of the alien concerned to the Philippines.

While the application for non-immigrant status is on-going, the applicant may also be authorized to assume his/her duties and responsibilities if he/she secures a provisional permit to work or a special work permit from the Bureau of Immigration. However, the permit is not a valid substitute for an Alien Employment Permit issued by the Department of Labor and Employment (DOLE).

Pre-arranged employment visas are granted for a period co-terminus with the alien employment permit from the DOLE.

Alien Employment Permit

Under DOLE Order No. 1 series of 1999, unless the employment contract, consultancy service or term of office provides for a shorter duration, the following are the periods of validity of the employment permit/certificate:

1. For Elective Officers, General Managers, Presidents, Treasurers, resident foreign nationals and qualified consultants in government projects, Employment Permits/Certificates shall be co-terminus with the employment contract, consultancy services or term of office, whichever is applicable but in no case shall exceed five (5) years.

2. For foreign nationals in BOI registered enterprises:
 - For technical positions - validity shall be two (2) years renewable every year but not to exceed five (5) years
 - For advisory and supervisory positions - validity shall be three (3) years renewable every year but not to exceed five (5) years
3. For other foreign nationals in technical, advisory, and supervisory positions
 - Technical positions - validity shall be two (2) years renewable for one (1) year
 - Advisory and supervisory positions – validity shall be for three (3) years renewable for one (1) year

Coverage

The following categories of foreign nationals are required to secure an Alien Employment Permit (AEP) from the Department of Labor and Employment:

1. All foreign nationals seeking admission to the Philippines for the purpose of employment
2. All non-resident foreign nationals already working in the Philippines
3. Non-resident foreign nationals admitted to the Philippines on non-working visas and who wish to seek employment
4. Missionaries or religious workers who intend to engage in gainful employment

Exemption

The following categories of aliens are exempt from securing employment permit in order to work in the Philippines:

1. All members of the diplomatic services and foreign government officials accredited with the Philippine government

2. Members of international organizations and their legitimate spouses with which the Philippine government is a cooperating member, e.g. Asian Development Bank (ADB), International Rice Research Institute (IRRI), and specialized agencies of the United Nations
3. Missionaries who are engaged in missionary work only
4. All aliens granted exemption by special laws and all other laws that may be promulgated by Congress and whose employment in the Philippines have been determined by the Secretary of Labor and Employment on a case-to-case basis to be beneficial to national interest

Where to Apply

An application for AEP can be filed in any of the following offices:

1. Foreign nationals seeking admission to the Philippines shall apply for employment permit with the nearest Philippine Embassy or Consulate
2. Local employers intending to hire the services of a foreign national shall apply for an employment permit on behalf of said foreign national with the nearest Regional Office of the Department of Labor and Employment
3. Foreign nationals already in the Philippines shall apply through their prospective employers with the nearest Regional Office of the Department of Labor and Employment

Documentary Requirements

The following are the procedures and documentary requirements for obtaining an Alien Employment Permit:

1. The employer on behalf of the applicant applies for an AEP at the DOLE, and submits the following documents, among others:

- a. Curriculum vitae of alien
 - b. Contract of employment
 - c. SEC registration, articles of incorporation and by-laws of the employer
 - d. Photocopy of passport
 - e. For those covered by the understudy training program:
 - Understudy training design detailing learning components and schedules
 - Certification of designation of two Filipino understudies
2. The AEP will be issued based on the following:
- a. Compliance of the applicant and his/her employer with all documentary requirements
 - b. Report of the DOLE regional director on the non-availability of any person in the Philippines who is competent, able, and willing to do the job for which the services of the applicant are desired
 - c. Assessment of the DOLE regional director on whether or not the employment of the applicant will redound to national interest
 - d. Recommendation of the Board of Investments or other appropriate government offices if the applicant will be employed in preferred areas of investments or in accordance with the imperatives of economic development
 - e. Payment of appropriate fees

Requirements for Pre-arranged Employment Visa

The following are the procedures and requirements for acquiring pre-arranged employment visa:

1. The employer files a petition for Authorization for Issuance of a pre-arranged employment visa at the Bureau of Immigration by submitting the following documents:

- a. Alien Employment Permit
- b. Contract of agreement between the employer and the applicant
- c. Petition containing the nature of labor or service to be rendered by the applicant, estimated length of time of engagement, wages and other compensation to be received, reasons why a Filipino citizen cannot be engaged to perform the labor or service, and reasons why admission of alien would be beneficial to public interest

The Board of Commissioners shall also require the following documentary proofs from the applicant:

- Qualifications of the applicant
 - In proper cases, a provisional permit to work or a special work permit issued by the Bureau of Immigration
 - In certain cases, the absence of derogatory information against the applicant from any local or international law enforcement agency
 - Financial capacity of the petitioning company to support and maintain the applicant during his/her employment in the Philippines
 - A written undertaking that the applicant shall not participate in any partisan political activity for the duration of his/her stay in the Philippines
 - A written undertaking that the applicant shall use the pre-arranged employment visa exclusively
 - Certified copies of the corporate registration papers at the Securities and Exchange Commission
 - Proof of payment of the income taxes of the alien and his/her employer
2. The Board of Special Inquiry (BSI) of the Bureau of Immigration conducts the preliminary screening and submits its recommendation to the Board of Commissioners. The applicant shall be asked to appear before the BSI during the screening process.
 3. The Board of Commissioners of the Bureau of Immigration renders its decision on the request.

4. The BI issues an authorization for the issuance of Pre-Employment Visa to the Department of Foreign Affairs for the alien applicant, if applicable.

Additional Requirements for Specific Professions

Aside from the requirements under this provision, the following types of professions or businesses require prior authorization from appropriate agencies before the alien can begin his/her employment:

1. Professions Requiring Authority from the Department of Justice
 - Technicians in nationalized activities, logging concessions, and plywood and woodworking plants
2. Professions Requiring Clearance from the Bureau of Mines
 - Technical consultants in mining firms
 - Technical personnel in drilling activities of a mining project of a local mining company
3. Professions Requiring Clearance from the Philippine Insurance Commission
 - Foreign insurance consultants

Pre-Arranged Employment Visas for Dependents

Dependents, which include the spouse and unmarried children under 21 years old, may join the alien or Filipino national during the period of work in the Philippines. Application for pre-arranged employment visa for dependents should be filed within six (6) months from the date of the alien's admission to the country as a non-immigrant.

Alien Employment Registration Certificate

The AERC is the certificate issued by the Director of the Regional Office of the Department of Labor and Employment authorizing a resident alien to work in the Philippines.

The following individuals are required to secure an AERC:

1. All foreign nationals admitted to the Philippines as immigrants who wish to seek employment
2. All resident aliens already working in the Philippines

The AERC is valid only for the position and employer for whom it was issued, unless otherwise cancelled or revoked for cause.

The application for AERC must be submitted with the following documents:

1. Letter request
2. Duly accomplished application form
3. Notarized Contract of Employment or Letter of Appointment
4. Original and Photocopy of Alien Certificate of Registration (ACR) and Immigrant Certificate of Residence (ICR)
5. Two (2) ID pictures, 1" x 1", one pasted on the application, the other attached to the letter
6. Securities and Exchange Commission (SEC) Certificate of Registration, Articles of Incorporation, and By-Laws if employer is a corporation, or Application and Registration Certificate from Bureau of Domestic Trade if single proprietorship
7. Board Resolution or Secretary's Certificate on election of alien, if the position proposed for the alien is elective
8. Signed bio-data of alien
9. Accreditation of the Department of Tourism (DOT), for establishments in the tourism service sectors

For more information, please contact:

Bureau of Local Employment

Department of Labor and Employment
2/F, DOLE Building, Intramuros, Manila
Philippines
Tel. Nos. 527-2543 / 528-0108 / 528-0087 / 528-0108
Fax No. 527-2421

SPECIAL INVESTOR'S RESIDENT VISA

The Special Investor's Resident Visa (SIRV) is granted to aliens who wish to invest or participate in business activities in the Philippines. An SIRV may be issued to a foreign national, except those from countries that may be classified as restricted, who meets the following qualifications:

1. Has not been convicted of a crime involving moral turpitude
2. Is not afflicted with any loathsome, dangerous, or contagious disease
3. Has not been institutionalized for any mental disorder or disability
4. Willing and able to invest at least US\$75,000.00 in the Philippines

The SIRV holder is allowed to reside in the Philippines for as long as his/her investment exists. The special residence status will automatically expire once his/her investment is withdrawn from the Philippines or if the same is reduced below the value of US\$75,000.00.

Investment Areas

Investors holding this visa may engage in any business except those included in the list of investment areas reserved for Philippine nationals and those which may be excluded by the Inter-Agency Committee on Special Investors Resident Visa (IAC-SIRV).

The percentage of foreign investments shall be limited by the provision of applicable laws, rules, and regulations depending on the area of business.

Filing of Application

The applicant may apply at the Philippine Embassy or Consulate in his/her home country or place of residence. However, if the investor is already in the Philippines, the application may be filed at the Registration Division of the Board of Investments.

Privileges

Aside from being able to reside in the Philippines, the following privileges are available to SIRV holders:

-
1. May import used household goods and personal effects, tax and duty free, as a foreign national coming to settle in the Philippines for the first time, as provided for in Section 105(h) of the Tariff and Customs Code of the Philippines.
 2. The investor's spouse and unmarried children under 21 years of age, who are joining him in the Philippines, may also be issued SIRV.

For more information on SIRV processing, please contact:

Registration Division
Ground Floor, Board of Investments
385 Sen. Gil J. Puyat Ave., Makati City
Tel. No. 890 3051

Sources:

Philippine Immigration Act, Comments and Cases (1993), R.P. Ledesma
An Outline of Philippine Immigration and Citizenship Laws (1999), R.P. Ledesma
Law Instruction No. RBR-99002, 15 April 1999, Bureau of Immigration
A Primer on Special Investor's Resident Visa, Board of Investments, Bureau of Local
Employment, Department of Labor and Employment
Guidelines for the Issuance of Alien Employment Registration Certificate
Revised Guidelines for the Issuance of Alien Employment Permit, Department Order
No. 1 series of 1999

PROGRAMS AND SERVICES OF GOVERNMENT AGENCIES FOR OVERSEAS FILIPINOS

POST-ARRIVAL ORIENTATION SERVICES

The Commission on Filipinos Overseas encourages Filipino and private organizations abroad to provide post-arrival services to newly-arrived Filipino immigrants. The program aims to complement CFO's pre-departure services by extending on-site information that will help new migrants adjust and cope with the demands of a new environment. Post-arrival services may include language courses, orientation programs, and networking/referral services to employment agencies, migrant resource centers, support groups, and other Filipino associations within their areas of settlement.

Proposals for post-arrival services may be initiated by CFO or overseas-based organizations/groups. A joint agreement is forged detailing basic services for Filipino migrants and responsibilities of agencies involved. These services are promoted during the orientation program conducted by CFO among pre-departing Filipino emigrants. Pre-registration for the post-arrival services is also undertaken among interested emigrants upon registration at the CFO office in Manila.

LAKBAY-ARAL PROGRAM

Lakbay-Aral is a program of the Commission on Filipinos Overseas to enable children of Filipino immigrants to trace their roots and rediscover their rich Filipino heritage. First implemented in 1983, it consists of a two-week travel study program to the Philippines for children of Filipino immigrants between 15 to 25 years old.

Features of the Program

The program has been designed to help Filipino youth overseas acquire a better appreciation of the socio-cultural, political and natural environment of the land of their forebears. Activities include:

1. Field tours to historical landmarks and scenic spots with on-site lectures
2. Exposure to Filipino traditions, arts and crafts
3. Interaction with Filipino students, key government officials, and members of Filipino communities

Requirements

To confirm participation to the program, the following requirements should be forwarded to the Secretariat:

1. Completed application form
2. Non-refundable confirmation fee of US\$ 50.00 (The amount is deductible from the total program cost)

Fees

Program fee may vary depending on the itinerary chosen by participants. The program fee will cover the following expenses:

1. All inland transportation
2. Food (breakfast, lunch, dinner)
3. Hotel accommodation
4. Learning materials
5. Accident and medical insurance for the duration of the program
6. Guided tours

Special Lakbay-Aral programs can be arranged for a group of at least 15 participants.

Application forms may be requested through:

The Secretariat

Lakbay Aral Program

Commission on Filipinos Overseas

Citigold Center, 1345 Quirino Ave. cor. South Superhighway

Manila, Philippines

Tel. Nos: (632) 562-3852 or 561-8328

Fax No: 561-8332 / 562-3853

E-mail address: cfodfa@info.com.ph

PHILIPPINE SCHOOLS OVERSEAS

The establishment of Philippine schools overseas is being encouraged in other countries where there are large concentrations of Filipino school children. These schools follow the prescribed Philippine curriculum and ensure that quality education in the elementary and high school levels is made available to children of Filipino migrants, so that these students can be readily integrated into the Philippine educational system on their return to the Philippines. These schools also provide a venue for learning about Filipino heritage and culture.

IAC on Philippine Schools Overseas

In May 2000, Executive Order No. 252 was issued to strengthen the Inter-Agency Committee on Philippine Schools Overseas which was created through a Memorandum of Agreement signed on 24 February 1995. The Committee is a policy-making body and a forum for discussion and resolution of issues concerning the establishment, operation, and management of Philippine schools overseas or such types of schools or educational programs abroad. It is chaired by the Department of Education, Culture, and Sports and co-chaired by the Department of Foreign Affairs. Other members of the Committee are the Department of Labor and Employment, the Overseas Workers Welfare Administration, and the Commission on Filipinos Overseas, which also serves as the secretariat.

The Committee on Philippine Schools Overseas has the following functions:

1. Develops policies and guidelines in connection with the establishment, operation, management, accreditation and regulation of Philippine schools and educational programs overseas
2. Conducts studies on issues and problem areas affecting the operation of Philippine schools overseas
3. Provides inputs to the Department of Education, Culture and Sports in the development of standards and systems for monitoring and evaluating Philippine schools overseas
4. Holds meetings and consultations on a regular basis to ensure the effective and efficient implementation of policies and programs for Philippine schools overseas
5. Conducts site visits and ocular inspections of Philippine schools overseas
6. Serves as arbiter in matters regarding Philippine schools overseas which are brought to its attention

There are now 25 DECS-accredited Philippine schools overseas. These schools are located in Bahrain, China, Greece, Kuwait, Libya, Oman, Qatar, Kingdom of Saudi Arabia, and United Arab Emirates.

Individuals or organizations interested in setting up Philippine schools overseas may contact:

The Secretariat

Inter-Agency Committee on Philippine Schools Overseas
Citigold Center, 1345 Quirino Ave.cor. South Superhighway
Manila, Philippines
Tel. Nos: (632) 562-3852 or 561-8328
Fax No: 561-8332 / 562-3853
E-mail: cfodfa@info.com.ph

LINGKOD SA KAPWA PILIPINO (LINKAPIL)

Lingkod sa Kapwa Pilipino or LINKAPIL is a program designed by the Commission on Filipinos Overseas in 1988 to tap the potentials of overseas Filipinos as partners in nation building. The program provides a mechanism for the transfer of assistance from overseas Filipinos to beneficiaries in the Philippines.

Assistance to Donors and Beneficiaries

Under this program, CFO extends the following support and assistance to donor institutions and recipient communities or organizations:

1. For Donors

- Short list prospective beneficiary institutions/individuals
- Provide advice and information on existing procedures and guidelines governing duty-free importation of donations
- Monitor donations
- Prepare monitoring and evaluation reports to donors
- Coordinate assistance with beneficiaries

2. For Beneficiaries

- Coordinate assistance with donor associations
- Provide advice on procedures for duty-free importation of donations
- Promote or market projects among prospective donors
- Assist in report preparation
- Coordinate with agencies involved in the donation process

CFO primarily serves as a conduit between donor Filipino associations and their project beneficiaries in the Philippines. Material and financial assistance may be channeled directly by the donor associations to their beneficiaries.

Types of Assistance under LINKAPIL

The types of activities where Filipinos overseas can provide support

are in the following areas:

1. Livelihood

To enhance the socio-economic status and foster the concept of self-help among community members, assistance may be given for the establishment of small-scale alternative income-generating activities. This may be done through any of the following means:

- Provision of cash capitalization
- Donation of equipment for livelihood-related project
- Extension of low-interest loan

2. Education

Generally directed toward providing educational and professional development opportunities for Filipino youth, Filipinos overseas may:

- Provide scholarship grants to underprivileged but deserving youth, under the Adopt-A-Scholar Program, to fund college degrees and/or technical/ vocational courses. Assistance may be given to schools in the form of an endowment fund or regular yearly allocation for the entire term of schooling of the scholar.
- Donation of books and teaching materials to schools and learning institutions in the country

Under this program area, memoranda of understanding are forged between donor Filipino associations or individuals and the implementing educational institution.

3. Health and Welfare

Filipino medical associations abroad can help promote the health and welfare of medically underserved areas in the country through various activities, namely:

- Conduct of medical missions, which include the provision of health services in rural areas
- Donation of medicines and medical equipment
- Provision of relief assistance to calamity-stricken areas and to charitable institutions through donation of funds, food, and other basic necessities

4. Infrastructure

Filipinos overseas can augment government's efforts in building community infrastructures by allocating funds for construction of water systems in less-developed areas through the *Tubig ay Yaman* Project. Filipinos overseas may also provide funds for the construction of social centers, libraries, health centers, classrooms, housing units, and sanitary facilities. As a counterpart, the beneficiary-community provides the labor requirement for the project.

Who may Donate

Any individual, group, or organization abroad can send donations to the Philippines.

Who are Qualified to Receive Donations

The following are among the agencies or entities in the Philippines that may receive material donations on a duty-free basis:

1. Non-profit, welfare, religious, and charitable organizations registered with the Securities and Exchange Commission (SEC) and duly licensed/accredited by the Department of Social Welfare and Development (DSWD)
2. Educational institutions accredited by the Department of Education, Culture and Sports (DECS) that are enjoying tax incentives as authorized by the Department of Finance (DOF)
3. Educational, scientific, and cultural institutions or societies, and similar organizations duly approved and accredited by DECS and

the United Nations Educational, Scientific, and Cultural Organization (UNESCO) National Commission of the Philippines

4. Other non-profit, religious, charitable institutions (except civic, service, cultural, and scientific organizations), and duly registered primary and secondary hospitals upon prior recommendation by the National Economic and Development Authority (NEDA)
5. Other organizations covered by bilateral or international agreements to which the Philippines is a signatory and by Presidential decrees and other special laws

Note: To avail of duty-free entry of donations, there are certain conditions and requirements that have to be complied with under existing rules and regulations governing the importation of donations. Not all material donations may be allowed duty-free entry. There are qualifications which organizations have to meet before they can be authorized to receive donations that are duty-free. The duty-free entry of donations, regardless of the status of the intended recipient, is subject to pre-screening by authorities concerned prior to the issuance of clearance.

All importation of donated articles are subject to the payment of the Value Added Tax (VAT) unless expressly exempt from such imposition under Title IV, Chapter I, Section I of the VAT law. The VAT is equivalent to about 10% of the landed cost of the shipment.

Donated Items Eligible for Duty-Free Entry

Goods or items, which are allowed duty-free entry by the Philippine Government include:

- Food items and non-food commodities for relief dispensing organizations
- Medicines and medical supplies/equipment
- Books and other educational, scientific, or cultural materials
- Essential machinery and equipment, including their spare parts and accessories

- Essential consumer goods not available locally in times of calamities and/or fortuitous events

Procedures for Processing Donations

Before Shipment

1. Donor
 - a. Prepares and submits the following documents to the Philippine Embassy/Consulate for authentication:
 - Deed of Donation
 - Pro-forma/Commercial Invoice and Packing List/ Inventory of Donated Items (including technical description of instruments or equipment)
 - b. Provides shipping documents (bill of lading or airway bill) to beneficiaries/consignees through the Philippine Embassy/Consulate

Reminders:

- Donors must ensure that all information about the consignee (name, address, etc.) are accurately and consistently reflected in the Deed of Donation and shipping documents.
 - Donors must also ensure that the shipment contains only the items indicated in the Packing List.
2. Philippine Embassy/Consulate (DFA)
 - a. Refers prospective donations to CFO for checking and coordination with concerned agencies
 - b. Advises donor on the eligibility of donee/consignee to accept donations free from duties and taxes, as well as donation that may be exempted from duties/customs
 - c. Decides whether or not to authenticate deed of donation

- d. If donation is authenticated, sends advance copies of documents to CFO for onward transmittal to beneficiaries/ consignees
3. Commission on Filipinos Overseas
 - a. Coordinates with appropriate government agencies, beneficiaries, and Philippine Embassy/Consulate concerned to
 - b. Checks if intended donations are eligible for duty-free entry
 - c. Verifies if beneficiary is accredited or allowed to accept donations free from duties and taxes
 - d. Gives feedback to Philippine Embassy/Consulate concerning verification and local coordination

During Shipment

1. Donor
 - a. Sends or ships donation to the Philippines
 - b. Sends original copies of documents authenticated by the Philippine Embassy/Consulate to the donee/consignee at least 3 weeks before expected arrival of shipment for processing of application for duty-free entry of donation
2. CFO
 - a. Guides donee/consignee or beneficiaries on the procedures/process for obtaining duty-free certification
 - b. Links beneficiaries to agencies concerned in the donation process
3. Donee/Consignee
 - a. Upon receipt of advance copies of required documents from the donor, recipient should submit letter of request and seek favorable endorsement for the duty-free importation of donation to the approving agencies which are as follows:

- Department of Social Welfare and Development (DSWD), for food and non-food relief goods

Note: DSWD-accredited NGOs should also submit and seek endorsement for the: (a) Notarized Deed of Acceptance and (b) Distribution Plan in the DSWD Regional Office where the NGO is based.

- Department of Health (DOH), for food, medical supplies, and equipment duly registered with the Bureau of Food and Drug (BFAD)
- Department of Education Culture and Sports (DECS), for books and educational materials
- National Economic and Development Authority (NEDA), for machinery, equipment and accessories
- United Nations Educational, Scientific, and Cultural Organization (UNESCO) National Commission of the Philippines, for books, publications not published for advertising purposes, visual and auditory materials, and scientific instruments/apparatus

- b. Monitors arrival of shipment by coordinating with the shipping agency.

4. DSWD/ DOH/ DECS/ NEDA/ UNESCO

Recommends/endorsees to the Department of Finance (DOF) to either approve exemption from customs duties, if meritorious, or deny request for exemption from duties and taxes, if donation does not satisfy guidelines.

5. Department of Finance (DOF)

- a. Issues clearance
- b. Forwards clearance to Central Records Division of the Bureau of Customs

Note: Consignee or donee should obtain a duplicate copy of the DOF clearance.

6. Bureau of Customs (BOC)

The Tax Exempt Division of this office will:

- a. Endorse the release of donation
- b. Forward endorsement to the Informal Entry Division of the BOC district office concerned (South Harbor, MICP, NAIA, etc.)

Release and Monitoring of Donation

1. BOC - Informal Entry Division

Checks/verifies, appraises, and examines the donated shipment upon arrival.

2. Consignee/ Donee

Pays the following fees and charges:

- Arrastre and wharfage charges
- Storage fees kept at the storage area if the cargo is not withdrawn within seven (7) working days
- Demurrage fees (charged by shipping lines) for use of containers/ vans, if not withdrawn within 7- 10 days upon arrival
- Trucking fees to transport cargo from the container yard to the recipient/consignee's warehouse
- Customs brokerage fees, if the services of a customs broker/brokerage firm is availed of
- Shipment cost from port of origin to port of entry

Note: The donor and donee should discuss arrangements for payment of fees if the donee is not financially capable of paying for the aforementioned charges.

3. Bureau of Customs

Releases the shipment to the consignee in the presence of representatives from the DSWD and the Economic Intelligence Bureau who will escort the donation to the designated warehouse of the consignee.

4. Consignee/Donee

- a. Conducts an inventory of the donated shipment
- b. Submits an inventory and distribution report to the concerned government agencies and to the donor. If requested by donor, CFO may be present during the inventory.

5. CFO

Upon request of the Philippine Embassy/Consulate or the donor, CFO prepares a monitoring report on the donation and provides a feedback to the donor on the utilization of the goods/equipment.

Note: It is important that donations be shipped only after obtaining all the necessary clearances from government agencies to avoid unnecessary delays in the release of donations from the Bureau of Customs.

NO-DOLLAR IMPORTATION OF MOTOR VEHICLES

Executive Order No. 248 on the Vehicle Development Program, Series of 1987, provides for a program aimed at establishing a viable motor vehicle industry by providing a business environment that will encourage its growth. For this purpose, it is the policy of the government to regulate the importation of second-hand motor vehicles without depriving returning residents and other qualified individuals of the privilege to bring motor vehicles in the country for personal use under certain conditions. Returning residents/immigrants may avail of the privilege of no-dollar importation for a limited period of one (1) year.

Qualifications of Importers

The following individuals are qualified to import motor vehicles:

1. Returning residents who have resided abroad for at least one (1) year and who arrived in the Philippines within the effectivity of the Guidelines for No-Dollar Importation
2. Immigrants to the Philippines who arrive in the Philippines within the effectivity of the Guidelines for No-Dollar Importation

Allowable Motor Vehicles

Only the following motor vehicles are authorized for importation:

1. Left-hand drive passenger cars
2. Left-hand drive commercial vehicles such as vans, pick-ups, jeeps, and coasters provided that the gross vehicle weight shall not exceed 3,000 kgs.
3. Motorcycles and scooters

Motor vehicles should have been registered under the name of the qualified individuals in the country of residence for at least six (6) months before the submission of the application.

Importation Procedures and Documentary Requirements

1. Foreign exchange reserves of the country shall not be utilized in the importation of motor vehicles under this scheme.
2. Prior authority of the Department of Trade and Industry (DTI) is required before shipment of the motor vehicle, in order to prevent inconvenience of applicants in the importation. Application to import should be submitted or mailed to the Bureau of Import Services-DTI with the following documents duly notarized by a notary public and authenticated by the nearest Philippine Consular office abroad:

- Copy of the existing vehicle registration accompanied by stencils of the vehicle, I.D. number, chassis and engine numbers. In case the registration is in a language other than English, an English translation shall be submitted.
3. The authority issued for this purpose shall be valid for a period of 180 days from date of issue and shall indicate the taxes and duties payable on the motor vehicle for importation as estimated by the Bureau of Customs which shall be final without prejudice to foreign exchange fluctuations and/or legislative change(s) in the schedule of taxes and duties. In the assessment of taxes and duties, the value shall be based on the brand new value of the vehicle taken from the U.S. Blue Book, Japan Red Book or the World Car Year Book, depending upon the country of origin and the model of the vehicle, less applicable depreciation of ten percent (10%) per year but not to exceed fifty (50%) percent as per Customs Memorandum Order No. 10-98.

Taxes, Registration, and Other Conditions

1. Taxes and duties under existing laws shall be paid in full. Tax credits, duty drawback certificates and similar instruments shall not be authorized for acceptance of payments of the taxes and duties levied on the motor vehicle.
2. The motor vehicle shall be registered at the Central Office of the Land Transportation Office (LTO) at East Avenue, Quezon City, and such other LTO offices as may be designated by the DTI Inter-Agency Committee. No right-hand motor vehicle imported under the Guidelines shall be registered by the LTO unless said motor vehicle has been converted to a left-hand drive motor vehicle. Where the vehicle is donated, registration shall be in the name of the donee.
3. Any individual qualified under the law shall be granted authority to import a vehicle only once. Only one (1) vehicle shall be allowed per family.

Further inquiries should be addressed to:

Bureau of Import Services

Department of Trade and Industry

3/F Oppen Building, 349 Sen. Gil Puyat Avenue, Makati City

Tel Nos. 895-7466 or 890-5333 loc. 335 or 336

Fax No. 890-5491

E-mail Address: bis@dti.dti.gov.ph

VOLUNTEERS TO THE PHILIPPINES

As part of its effort to help promote technology transfer and community service to the Philippines, the Commission on Filipinos Overseas is implementing the Volunteers to the Philippines Program. The program encourages overseas-based Filipino professionals/skilled workers or foreign nationals of Filipino descent to return on a short-term visit to the Philippines to render volunteer work. The volunteer effort can be in terms of sharing new developments and technological updates in various fields of professions with their counterparts in public and private agencies, or by rendering community service for underserved localities or special needs groups in the country.

To facilitate the conduct of the program, CFO actively searches for professionals or skilled workers among Filipinos overseas and foreign nationals of Filipino descent, and matches them with host agencies in the Philippines which require such technical expertise. CFO has also prepared a database of local agencies needing volunteer service.

For more information, please contact:

Commission on Filipinos Overseas

Citigold Center, 1345 Quirino Ave. cor South Superhighway

Manila, Philippines

Tel. Nos: (632) 562-3852 or 561-8328

Fax No: 561-8332 / 562-3853

E-mail: cfodfa@info.com.ph

BALIK SCIENTIST PROGRAM

The Balik-Scientist is a program of the Department of Science and Technology which allows a foreign-based scientist, professional, technician, or any person with special skill or expertise who is Filipino or foreigner of Filipino origin or descent to return or reside in the Philippines and share his/her expertise in order to accelerate the scientific, agro-industrial and economic development of the country.

Objectives

The program seeks to:

1. Utilize the expertise of expatriate Filipino and foreign scientists and technologists as a vital component of the government's industrialization efforts.
2. Encourage Filipino and foreign science and technology experts from abroad to return to the Philippines and share their expertise for the purpose of accelerating the industrial development of the country.
3. Strengthen the scientific and technological manpower of the academe and public and private institutions in order to promote information exchange and accelerate the flow of new technology into the country.

Balik Scientist

A Balik-Scientist is a science or technology expert, who is a Filipino citizen or a foreigner of Filipino descent, residing abroad and contracted by the National Government to return and work in the Philippines along his/her field of expertise for a short term duration of at least one (1) month or long term period of at least two (2) years or for not less than three (3) years in the case of new graduates of doctoral degrees.

Types of Participants

The following are the types and qualifications of participants under the Balik-Scientist program:

Type of Participant	Duration	Qualification/s
Short-Term Experts	at least (1) one month but not more than three (3) months	<ol style="list-style-type: none"> <li data-bbox="613 493 984 591">1. Must be in good health, physically, emotionally, and mentally. <li data-bbox="613 621 984 874">2. Must have a graduate degree and must have practiced his/her profession for not less than five (5) years after obtaining an MS or PhD degree, preferably in the private sector, such as a manufacturing firm or a reputable R & D institution. An applicant with highly specialized skills without a graduate degree qualification may be qualified under special cases. In both instances, the field of expertise must be consistent with the priorities of the Science and Technology Master Plan (STMP) and Science and Technology Agenda for National Development (STAND) Philippines 2000. <li data-bbox="613 1298 984 1397">3. Must have made an outstanding contribution in his/her field of specialization. <li data-bbox="613 1426 984 1579">4. Must not be a recipient of any grant (scholarship or fellowship and other similar programs) that requires him/her to come back to the Philippines.

Type of Participant	Duration	Qualification/s
Long Term Experts	at least two (2) years	*same as short term experts
New Graduates of Doctoral Degrees	not less than three (3) years	<ol style="list-style-type: none"> 1. Must be in good health, physically, emotionally, and mentally. 2. Holder of PhD degree, no experience required. 3. Field of study must be consistent with STMP and STAND Philippines. 4. Must not be a recipient of any grant (scholarship or fellowship and other similar programs) that requires him/her to come back to the Philippines.

Incentives

Scientists, professionals, and technicians participating in the program may avail of the following incentives through the Department of Science and Technology:

1. Short-Term Program
 - a. Free round-trip economy airfare originating from a foreign country to the Philippines
 - b. Grants-in-Aid for research and development projects approved by the Department of Science and Technology
 - c. Daily subsistence allowance based on UNDP rate
2. Long-Term and New Graduates Program
 - a. Free round-trip economy airfare, including airfare for spouse and two (2) direct minor dependents

- b. Duty-free importation of professional instruments and implements and personal and household effects in accordance with Section 105 of the Tariff and Customs Code
- c. Exemption from travel tax payments
- d. Reimbursement of freight expenses for car shipment or other personal effects
- e. Housing may be arranged through predetermined institutions
- f. Grants-in-Aid for research and development projects approved by DOST
- g. Relocation allowance of P10,000.00

These incentives shall be financed through the DOST assistance program for scientific research and development activities with local and foreign institutions. The salary of the long-term Balik Scientist will be paid by the host agency/institution. For the short-term Balik Scientist, an allowance will be given by the DOST.

Application Procedures

1. Qualified applicants must prepare and submit the following requirements:
 - a. Accomplished Balik Scientist Program (BSP) Form No. 001 with 2x2 ID photo
 - b. Transcript of academic record, a photocopy of the diploma or certificate attesting completion of the required academic degree
 - c. Detailed curriculum vitae
 - d. Latest medical certificate from a licensed medical practitioner in the country of present residence with six months validity prior to engagement as Balik-Scientist
 - e. Statement of release, whether temporary or permanent, from latest employer abroad
 - f. Certificate of good moral character from last employer
 - g. Schedule of activities for the duration of stay in the Philippines, including the expected outputs for short-term experts and a detailed statement of research and/or development plans with conforme of the host institution

2. The application documents must be submitted to the Balik-Scientist Evaluation Committee (BSEC) for evaluation and processing.
3. The applicant will be given notice of approval by the DOST Secretary. He/she must wait for the notice of approval before departing for the Philippines.

Guidelines for Selection

The BSEC, appointed by the Secretary of the Department of Science and Technology, evaluates the qualification of all applicants on the basis of information submitted. It shall select among qualified candidates those who will be given priority using the following guidelines:

1. Those whose expertise are consistent with the leading edges and export winners identified in the Science and Technology Master Plan (STMP) promulgated by DOST.
2. Those who are in the field of basic sciences and engineering actually undertaking research and development (R&D) and proposing to take up R&D projects with Philippine counterparts on priority programs/projects of the government and private sector.
3. Those who have received a firm offer of acceptance from a locally-based private firm, academic institution or government agency engaged in priority R& D projects and S&T services.

For updates on the program, please visit the DOST homepage at <http://www.dost.gov.ph/DOST/Projects/BSP/BSP.html>

Further inquiries should be addressed to:

The Program Director, Balik-Scientist Program
Department of Science and Technology
Gen. Santos Avenue, Bicutan, Taguig, Metro Manila
Telefax No. (632) 837-2941
Tel. No. (632) 837-2071 to 82 loc. 2025
E-mail: bsp@sun1.dost.gov.ph

BALIK-BAYANI PROGRAM

The “Overseas Filipinos: Mga Balikbayani” program was developed by the Department of Tourism as a strategy in support of its international promotional campaign. The 5-year program seeks to motivate Filipinos overseas to promote tourism to the Philippines by offering incentives to participating groups and individuals, including the municipality in the Philippines where they come from.

Objectives

The program seeks to:

1. Strengthen the self-image and self confidence of Filipinos overseas.
2. Improve the perception of foreigners about the Philippines.
3. Engender among Filipinos overseas a deep-seated pride in their home country.
4. Generate involvement of various Filipino groups overseas in marketing the Philippines as a tourism destination.
5. Increase tourism arrivals by 10% in the first year of the program’s implementation, 15% in the second year, and 20% in the third year.

Eligibility of Balik-Bayani Participants

The program is open to Filipinos or those of Filipino lineage, at least 16 years of age, residing or working abroad. Employees of the Department of Tourism and staff of participating airlines, travel agents and tour operators, and convention organizers cannot participate.

Incentives

1. Incentives for participants will come in two forms:
 - a. For top producers or participants with the highest number of visitors whom they have convinced to visit the Philippines - airline tickets, vacation packages, house and lot, appliances, and cash prizes among others.

- b. For all participants – a chance to win airline tickets based on a points system developed for the program.

Eligibility will be based on the number of passengers regardless of the respective points of origin.

2. Community Enhancement

The municipality or city that has the most number of guests annually is eligible to win P500,000.00 worth of improvements, such as lighting of town plaza, renovation of the community parish, among others.

Mechanics of the Program

Interested participants may enroll and get their Balik Bayani kit from any of the overseas offices of the Department of Tourism, accredited airlines, and travel agents and tour operators.

As proof of eligibility, either one of the following may be presented:

- Passport
- Working Visa
- Resident Card
- Certification from the Philippine Consulate or some form of documentation showing Filipino lineage

For more information, please contact:

Philippine Convention and Visitors Corporation

Department of Tourism

4/F Legaspi Towers 300, Roxas Blvd., Manila

Tel. Nos. 525-9318 to 27

Fax Nos. 521-6165 / 525-3314

E-mail: pevcnet@info.com.ph

MAMAMAYAN MUNA, HINDI MAMAYA NA OVERSEAS PROGRAM

The Mamamayan Muna, Hindi Mamaya Na Overseas Program was launched by the Civil Service Commission (CSC) in 1994 through the issuance of its Memorandum Circular No. 3. It is a client satisfaction program which seeks to instill courteous and efficient behavior among public servants. It addresses the need for continuous review and improvement of programs, procedures and systems of government agencies to ensure an efficient bureaucracy.

Inspired by the number and stories of clients served, the implementation of the program is being extended to cover overseas personnel of the government and their clients, the overseas Filipino nationals.

Coverage

The program covers all personnel assigned in diplomatic missions and government financial institutions with representative offices/units abroad.

Objectives

The program aims to:

1. Institutionalize courteous, prompt, and efficient service to the public as standard norms of behavior among government personnel assigned in overseas offices.
2. Confer recognition on employees for acts of courtesy, prompt, and efficient service.
3. Encourage Filipino nationals overseas to offer suggestions on further improving the government's program implementation and delivery of services.
4. Provide Filipinos abroad with a mechanism for reporting against discourteous employees and red tape and inefficiencies in government offices abroad.

Program Mechanics

Clients, based on their experiences in transacting business with overseas government personnel, may send feedback under the program. Feedback may include the following:

1. Commendation on prompt, courteous, and efficient service rendered by government personnel
2. Request for assistance on transactions or documents pending action or not being acted upon in government offices
3. Complaint against discourtesy, inefficiencies, and other irregularities committed by government personnel
4. Comments and suggestions for the improvement of government programs, services, systems and operations for Filipino nationals

Procedures

Clients can send their feedback to the following offices or officials:

1. Philippine Embassies, Philippine Consulates and Honorary Consulates, especially if these are comments, suggestions, and complaints against staff of said offices
2. The heads of agencies in the Philippines who have jurisdiction over their foreign-based personnel
3. The Philippine Civil Service Commission, either its Central Office in Constitution Hills, Diliman, Quezon City or any of its Regional, Field or Provincial Offices

Feedback may also be made through letter, phone call, e-mail, fax, actual visit to the concerned offices or to the CSC, or through the Mamamayan Muna Drop boxes. Friends and relatives of overseas Filipino nationals can also send reports to the concerned government agencies in the Philippines.

Treatment of Feedback

Commendations for personnel shall be acted upon by the heads of missions, heads of agencies, and the CSC. Requests for assistance shall be handled by either the heads of diplomatic missions or their mother offices in the Philippines or both. Complaints against staff of diplomatic missions shall be handled and acted upon by the head of concerned government offices. Complaints against the heads of offices abroad shall be handled by respective agency heads in the Philippines. Comments and suggestions shall be subject to the judicious consideration of the heads of missions and agencies concerned.

For more information on the program, please contact:

Civil Service Commission
Mamamayan Muna Operations Unit
Batasan Pambansa Complex, Diliman, Quezon City
Tel Nos. 931-7939 / 931-7935 / 931-6850/51
Hotline: 932-0111
Fax No. 931-7993
E-mail: MMOU@CSC.gov.ph

PAG-IBIG OVERSEAS PROGRAM

The Pag-ibig Overseas Program of the Home Development Mutual Fund seeks to give overseas Filipinos the opportunity to save and, at the same time, avail of a housing loan.

Requirements

The program is open to all Filipino overseas workers and Filipino immigrants with valid working visas or employment contracts. To apply, qualified Filipinos overseas must submit the following requirements:

1. Duly accomplished Member's Data Form (MDF)
2. Photocopy of passport or valid employment contract
3. Membership contribution payment on a monthly, quarterly, semi-annual or annual basis depending on the choice of the member

Schedule of Contributions

Monthly Income	Monthly Contributions
US\$1,000.00 and below	US\$20.00
Over US\$1,000.00	US\$40.00
For Filipino migrants to Canada:	
C\$1,000.00 and below	C\$30.00
Over C\$1,000.00	C\$60.00

Members may opt to pay higher amounts.

Benefits on Savings

Contributions under the Pag-ibig program are guaranteed the following benefits:

1. Fixed dividend earnings of 3% per annum for dollar savings and 7.5% per annum for peso savings;
2. Savings guaranteed by the Philippine Government; and
3. Portability, since savings will remain under the same name even after a change of employer or country of domicile

The total savings under the program may be withdrawn at the end of 5 to 10 years depending on the option stated during the registration. For Filipino immigrants in the US and Canada or Filipinos who have become Canadian or American citizens, contributions may be withdrawn at the end of 5, 10, 15, or 20 years. Withdrawal of contributions shall be in Philippine Peso, US Dollar or Canadian Dollar depending on which currency the contributions were remitted.

Withdrawal of savings before maturity will be allowed in the following cases:

1. Death

2. Total disability
3. Insanity
4. Separation from service by reason of health as provided by law

Requirements for Housing Loan

To be able to avail of a housing loan, a member must:

1. Have paid at least 12 months contribution
2. Be an active contributing member upon loan application
3. Be not over 65 years old at the date of loan maturity
4. Have the legal capacity to enter into a contract and purchase real property under Philippine laws
5. Have no outstanding loan with Pag-ibig Fund except for lot purchase

Terms for Housing Loan

The maximum loanable amount is P500,000.00 with interest rates at 9% to 17% per annum depending on the loan package.

Loans can be availed of for properties in the Philippines only for any of the following purposes:

1. Construction of a house on a lot owned by the borrower
2. Purchase of a lot and construction of a house thereon
3. Purchase of house and lot
4. Home improvement
5. Lot purchase not exceeding P150,000.00
6. Refinancing of an existing residential loan

Application forms may be forwarded to:

Pag-IBIG Fund Overseas Program

6/F Atrium of Makati Building

Makati Avenue, Makati City

Tel. No. (trunklines) 811-4401/27 / (direct lines) 811- 4272/73

Telefax (632) 811-4146

MEDICARE

Mandated under Executive Order No. 195 on August 13, 1994, the Medicare Program is being implemented by the Overseas Workers Welfare Administration in coordination with the Philippine Overseas Employment Administration, Department of Foreign Affairs, and the Philippine Health Insurance Corporation to provide a compulsory medical care for overseas Filipino workers. The program includes medical assistance and hospitalization benefits for overseas workers and their dependents.

Coverage

The nature and scope of coverage under the medical care program for OFWs is compulsory, except those with existing coverage through the Philippine Health Insurance Corporation (PHIC) voluntary membership program.

Beneficiaries

Aside from OFWs, the following legal dependents are also covered by the program:

1. Legitimate spouse who is not a Medicare member
2. Unmarried and unemployed, legitimate, legitimated, acknowledged children as appearing in the birth certificate, legally adopted or stepchildren below 21 years old
3. Children suffering from physical or mental congenital disability or any disability acquired before 21 years old that renders them totally dependent on the member for support
4. Parents over 60 years old whose income is less than P1, 000.00 a month

Benefits

Members are entitled to the following benefits:

In-Patient

1. Maximum of 45 days of confinement in a given year for sickness or injury requiring hospitalization. An additional 45 days of hospitalization benefit is also available to be shared among the member's legal dependents within the year.
2. Part of the expenses for:
 - a. Hospital room and board
 - b. Medicines
 - c. X-ray and laboratory examinations
 - d. Operating room fees
 - e. Surgical family planning procedures
 - f. Professional fees (surgical, medical/dental, anesthesiologist)

Out-Patient

Medicare members and their dependents are entitled not only to free consultations but also to P500.00 worth of medicines and/or routine diagnostic procedure per family per year. This is undertaken through tie-ups with accredited clinics/hospitals in the regions. Free check-ups are also available to members on site where there are large concentrations of OFWs.

Procedures for Registration/ Exemption

The procedures to be able to register or get an exemption for Medicare membership are as follows:

1. Before departure, the OFW must accomplish the Medicare Information Sheet (MIS)

Workers exempted from the mandatory coverage must attach either of these documents to their MIS:

- Official receipt of PhilHealth premium payment
- Certificate of active membership in PhilHealth

- Copy of Medicare Eligibility Certificate (MEC) provided it contains at least two months of unexpired portion
2. He/She should pay the premium of P900.00 for one (1) year coverage upon registration. OWWA will issue an MEC as proof of membership. The MEC must be presented to accredited hospitals upon availment of service.

RETIREMENT PROGRAM

The Philippine Retirement Authority (PRA) offers a retirement program for former Filipinos and qualified foreigners who would like to spend their retirement years in the Philippines.

Who May Participate

The following are eligible to apply under the Retirement Program of the Philippine Retirement Authority (PRA):

1. Foreign nationals, except those classified as restricted by the Department of Foreign Affairs, who are physically healthy, with no derogatory record, and who are at least 35 years old
2. Former Filipinos who have acquired foreign citizenship and are holders of foreign passports

Application Process

The procedure and requirements for application are as follows:

1. The applicant or his/her representative gets an application form from PRA.
2. The applicant submits the required documents together with the following:
 - a. Service fee of:
 - US\$200.00 for principal applicants

- US\$100.00 for each dependent (spouse and children) effective 01 April 2001
- b. Processing fee of:
- US\$1,300.00 for applicants who are 50 years old and above, including former Filipinos
 - US\$1,800.00 for applicants between 35-49 years old
- c. Conversion fee of:
- P9,600 - Spouse and dependents who are 16 years old and above
 - P7,350 - Dependents who are 14 years old and above
 - P6,850 - Dependents who are 13 years old and below
 - P500 (per person) - Express lane fee payable to the Bureau of Immigration
3. PRA evaluates the documents. If all documents are in order, the same are forwarded to the Bureau of Immigration.
 4. BI reviews the application for special resident retiree's visa (SRRV).
 5. If the application is approved, the Order is issued by the Bureau of Immigration and the SRRV is stamped on the passport.
 6. PRA administers the Oath of Affirmation to the new member, and the latter signs the Affirmation documents.

Deposit Requirements

All applicants must open a US dollar time deposit for a term of six (6) months at any PRA short-listed bank. The amounts of required deposits are as follows:

Category of Citizen/s	Amount of Deposit
1. Former/ Overseas Filipinos	US\$ 1,500.00
2. Foreign nationals 50 years old and above	US\$50,000.00
3. Foreign nationals 35 - 49 years old	US\$75,000.00

Benefits

Members of the Program can enjoy the following benefits:

1. Permanent non-immigrant status with multiple-entry privileges through the special resident retiree's visa
2. Exemption from customs duties and tax for the importation of personal effects, appliances and household furniture worth US\$ 7,000.00
3. Exemption from exit clearance and re-entry permits
4. Exemption from payment of travel tax, provided the retiree has not stayed in the Philippines for more than one (1) year from date of latest entry into the country
5. Conversion of the required time deposit to active investments, including the purchase of condominium units and proprietary golf membership shares
6. Conversion of foreign currency time deposit to Philippine Peso deposit after the issuance of SRRVV (interest subject to withholding tax)
7. Tax-free pension and annuities remitted to the Philippines
8. Automatic membership in the PRAMA Foundation
9. Guaranteed repatriation of requisite deposit, including invested profits, capital gains and dividends accrued from investments upon compliance with Bangko Sentral rules and regulations
10. Exemption from securing student's visa or special study permit for valid SRRV holders

Note: Effective January 1, 1998, interest income received by an individual tax payer (except non-resident individuals) on foreign currency deposit is subject to 7.5 % final withholding tax under

R.A. 8424. Interest income on foreign currency deposit of PRA retirees are paid in Philippine pesos.

Special Resident Retiree's Visa (SRRV)

The special resident retiree's visa (SRRV) entitles the holder to, among other benefits, multiple-entry privileges with the right to permanent residence in the Philippines. The SRRV is issued by the Bureau of Immigration of the Republic of the Philippines upon recommendation of the Philippine Retirement Authority in connection with the Philippine Retirement Authority's retirement program for foreigners and former Filipinos.

For more information, please contact:

Philippine Retirement Authority
29/F Citibank Tower
8741 Paseo de Roxas, Makati City
Tel. No. (632) 848-1419 / 848-1412/20
Fax No. (632) 848-1411

ACKNOWLEDGEMENT

The Commission on Filipinos Overseas would like to thank the following agencies and individuals for their invaluable contributions in the preparation of the 6th edition of the Handbook for Filipinos Overseas:

Bangko Sentral ng Pilipinas

Bureau of Immigration

Bureau of Internal Revenue

Civil Service Commission

Department of Labor and Employment - Bureau of Local Employment

Department of Science and Technology

Department of Social Welfare and Development

Department of Tourism - Philippine Convention and Visitors Corporation

Department of Trade and Industry - Board of Investments

Department of Trade and Industry - Bureau of Import Services

Home Development Mutual Fund

Land Registration Authority

Office of the Solicitor-General

Overseas Workers Welfare Administration

Philippine Retirement Authority

Philippine Tourism Authority