

**[ BUREAU OF IMMIGRATION, July 05, 2017 ]**

**OPERATIONS ORDER NO. JHM-2017-006**

**REMOVAL OF COPY OF PLANE TICKET AS REQUIREMENT FOR  
APPLICATION FOR GRACE PERIOD**

*Adopted: 05 July 2017  
Date Filed: 17 July 2017*

Whereas, the application for Grace Period of Visas requires, among others, the submission of copy of airline ticket, if applicable;

Whereas, such requirement is not indispensable to the granting of the application for Grace Period;

Whereas, the removal of the requirement shall be consistent with RA 6713 (Anti-Red Tape Act of 2007);

Now, therefore, the BI removes as a requirement for application for Grace Period the submission of a copy of a plane ticket.

This Operations Order shall take effect immediately.

Send copies of this Operations Order to the Office of the National Administrative Register, U.P. Law Center, Diliman, Quezon City.

5 July 2017.

(SGD) JAIME H. MORENTE  
*Commissioner*

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**Immigration Administrative Order No. JHM-2017-006**

**Strict Implementation of Visa Requirements for Passengers and Crew of  
Incoming Vessels**

*Adopted: 13 July 2017  
Date Filed: 17 July 2017*

**WHEREAS**, it is declared a policy of the State to protect life, liberty, and property from acts of terrorism, to condemn terrorism as inimical and dangerous to the national security of the country and to the welfare of the people, and to make

terrorism a crime against the Filipino people, against humanity, and against the law of nations:

**WHEREAS**, Section 53 of Republic Act No. 9372 or An Act to Secure the State and Protect our People from Terrorism defines the composition of the Anti-Terrorism Council, designating the Bureau of Immigration as one of its support agencies;

**WHEREAS**, said Act states that council members are tasked to formulate and adopt comprehensive, adequate, efficient, and effective anti-terrorism plans, programs and counter-measures to suppress and eradicate terrorism in the country and to protect the people from acts of terrorism;

**WHEREAS**, recent events reporting possible terrorist activities involving foreign nationals prompt for stricter immigration regulation;

**NOW, THEREFORE**, pursuant to Book IV, Chapter 6 Sections 29 and 36(2) of Executive Order No. 292, as amended, otherwise known as the "Administrative Code of 1987", in relation to Section 3 of Commonwealth Act No. 613, as amended, otherwise known as the "Philippine Immigration Act of 1940", the following are hereby ordered:

**Section 1. Duties of the Seaport Operations Section** – It is within the duties of the Seaport Operations Section to ensure that Immigration Officers will conduct boarding formalities and inspect all incoming vessels.

Immigration Officers assigned to board said vessels shall require the master of the ship or the vessel to provide the list of all crew members and passengers in the vessel, and shall ensure that they are with proper and valid immigration documents required by documentation.

Boarding formalities shall be conducted to confirm the purpose of entry, verify the length of the vessel in Philippine territorial waters, identify all Philippine ports, that the vessel intends to dock in, and monitor its scheduled departure from the country.

The Immigration Officers shall ensure that there are no stowaways on board, that proper clearance is duly granted to the crew or passengers who wishes to go off board, and that passengers are complete on departure, or that any passenger or crew left behind is properly reported, monitored, or guarded.

The Seaport Operations Section is likewise directed to coordinate and work closely with partner agencies (Customs and Quarantine) to ensure that all pertinent national policies on seaport border control are observed and implemented on board the vessel.

**Section 2. Port of Call** – the Notice of Arrival shall include the list of all Philippine ports the vessel intends to dock in, and each port will be subject to the approval of the Chief, IRD, as recommended by the Chief, SOS. Further, vessels with restricted nationals on board shall be prohibited from making calls in ports that are:

- a. Areas of Conflict;

- b. Areas of International Assembly;
- c. Places where the President and/or other key officials of Government are present; and
- d. Other areas that may be identified by the Commissioner or his authorized representatives.

**Section 3. Visa Requirements** – Vessels and its agents shall submit their Advance Notice of Arrival, along with a detailed visaed crew and passenger list, to the Chief of the Seaport Operations Section and to the Officer-in-Charge at least forty eight (48) hours before the actual arrival of the vessel.

2.1 High Risk and Restricted Passengers and Crew – Vessels and agents who are unable to comply with the visa requirement and carry on board high risk or restricted nationals, whether passenger or crew, will not be allowed to make port of calls in any port of the country unless with the express approval of the Chief, Immigration Regulation Division, as recommended by the Chief, Seaport Operations Section.

If crew members are not visaed, the Immigration Officer-in-Charge shall require the Captain or Master of the vessel to explain in writing why they were not able to secure a visaed crew list prior to their arrival in the country.

If the reasons are meritorious or among the exceptions provided by law, and the same has been approved by the Chief, SOS and Chief, IRD, the Officer shall require the payment of the crew list fee for non-restricted nationals.

2.2 Crew Exemptions – Vessels carrying high risk or restricted crew under the following categories shall not be allowed to make port of calls in any port in the country unless with the approval of the Chief, IRD, as recommended by the Chief, SOS:

- a. Vessels proceeding from a port or place where no Philippine Consular Officer is stationed and it is not possible for such vessel or aircraft to comply with the crew list requirements;
- b. Vessels owned entirely by the government;
- c. A member of the crew of a vessel who is in possession of a appropriate individual visa or re-entry permit;
- d. A member of the crew of the vessel or aircraft in whose individual case an emergency waiver of the crew list visa requirement has been granted by the Secretary of Foreign Affairs; and
- e. Vessels proceeding from one foreign place or another which is diverted from the course under emergency conditions and enters the port of the Philippines provided the crew list requirement is waived by the President.

**Section 4. Sanctions** – Failure to comply with the above mentioned requirements shall be grounds to deny the docking of the vessel in any port of the country.

Unauthorized arrivals and departures of passengers and crew, and unauthorized dockings shall be grounds for detention of the vessel's Captain, Master, crew, and passengers (if any), to be subjected to deportation proceedings.

Any violation shall merit an administrative fine per head to be charged against the vessel's local agent.

**Section 5. Supersession Clause** – All circulars, memoranda, orders, and other issuances inconsistent with this Order are hereby repealed, amended or modified accordingly.

**Section 6. Effectivity** – This Order shall take effect immediately upon approval

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

(SGD) JAIME H. MORENTE

*Commissioner*

Date Signed: 13 July 2017

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### **Operations Order No. JHM-2017-008**

#### **Procedures and Guidelines in the Implementation of Visa Upon Arrival To Peoples Republic of China (PROC) Nationals Under Department Circular 041 Dated 15 August 2017**

*Adopted: 05 September 2017*

*Date Filed: 13 September 2017*

**WHEREAS**, on 15 August 2017, the Department of Justice through the Secretary of Justice issued Department Circular (D.C.) 041 (Granting Visa upon Arrival to PROC nationals) pursuant to its authority under Administrative Code No. 142, s. 1994;

**WHEREAS**, there is a need to prescribe standard operational procedures in the disposition and implementation of D.C. 041 in ensuring that the policy are consistent, uniform, predictable and systematic;

**WHEREFORE**, pursuant to Section 3 of the Philippine Immigration Act of 1940, as amended, authorizing the Commissioner to issue such rules and regulations he deems necessary for the implementation of all immigration laws and all matters within the BI jurisdiction, the following guidelines are hereby promulgated and shall be strictly observed:

**Section 1. COVERAGE.** - The following rules on Visa upon Arrival (VUA) under CA 613 Sec 9(a), as amended, shall apply only to PROC nationals who are eligible and qualified under D.C. 041, Sec 1 and 2.

**Section 2. Issuing Authority.** - Temporary Visitors (TV)- Visa upon Arrival (VUA) [TV-VUA) shall be issued by the Immigration Commissioner upon recommendation by the Head-SOCU in all TV-VUA applications.