

**[BOI Immigration Memorandum Circular No.
SBM-2015-005, April 07, 2015]**

**GRANTING IMMIGRANT VISA UNDER SECTION 13 OF
COMMONWEALTH ACT NO. 613, AS AMENDED, TO KOREAN
NATIONALS IN THE PHILIPPINES**

Adopted: 07 April 2015

Date Filed: 14 April 2015

WHEREAS, Section 13 of Commonwealth Act No. 613, as amended, grants Permanent Resident Visa (PRV) to foreign nationals who have *familial ties* to Philippine citizens, have *viable business investments* in the country, and/or possess the *qualifications, skill, scientific, education or technical knowledge* benefiting the national interest of the Philippines;

WHEREAS, Section 13 admits of no more than fifty (50) immigrants of any one nationality for any one calendar year into the country, identified as "*quota immigrants*";

WHEREAS, based on the official communication by the Korean Ambassador to the Philippines on 21 January 2007 concerning the laws and regulations of the Republic of Korea on the issuance of permanent resident visas to Filipino citizens, the BI issued a Memorandum Order No. MCL-08-003 on 29 January 2008 providing Permanent Resident Visa (PRV) under Section 13 of Commonwealth Act No. 613, as amended, to Korean nationals in the Philippines who (a) has investment in the Philippines; (b) is married to a Filipino citizen; (c) is married to a permanent resident alien; or (d) is the son or daughter of a permanent resident alien parent;

WHEREAS, pursuant thereto, Memorandum Circular No. MCL-08-003 was issued prescribing the implementing guidelines in the grant of PRV for Korean nationals and was thereafter amended by Memorandum Order No. MCL-08-013;

WHEREAS, in order for the Bureau of Immigration (BI) to lawfully grant an immigrant visa or PRV to a foreign national, there must be an existing reciprocity agreement between the Republic of the Philippines and the respective foreign country or a law in such foreign country granting the same privilege to the Philippine citizens duly confirmed by the Department of Foreign Affairs (DFA);

WHEREAS, in a letter dated 01 September 2014, the DFA officially confirmed, per report submitted by the Philippine Embassy in Seoul, South Korea, that the Korean Government grants permanent residence status to Filipino nationals;

WHEREAS, the same letter states the "*(A)part from having familial ties with Korean citizens (either as spouse, children or descendant), Filipinos may apply for **long-term residency visa (F-2)** or **permanent residency (F-5)** on the grounds of*