

**[ BOI Operations Order No. SBM-2015-013, May 20, 2015 ]**

**FOREIGNERS WITH EXPIRED ENTRY VISAS, TVVS AND EXTENSION STAMPS WHICH ARE FOUND TO BE FRAUDULENT**

*Adopted: 20 May 2015  
Date Filed: 28 May 2015*

**WHEREAS**, the Bureau of Immigration (BI) has observed foreign passport with previously issued and/or expired entry visas, Temporary Visitors Visas (TVVs) or TVV extensions which are found to be fraudulent or counterfeit;

**WHEREAS**, foreigners with such visas are now holders of valid immigrant, special non-immigrant or non-immigrant visas;

**WHEREAS**, these foreigners have entered and departed the Philippines numerous times using such valid immigrant, special nonimmigrant or non-immigrant visas;

**WHEREAS**, there is a need to balance the interest of the State in punishing foreigners with such visas<sup>[1]</sup> with the principle that "Every entry is a new entry";

**WHEREAS**, the law and jurisprudence consistently held that the grant to the foreign of the privilege of staying in the Philippines is discretionary on the part of the State;

**WHEREAS**, in case of immigration violations, the law and jurisprudence grants the BI the authority to impose penalties to address the violations;

**NOW THEREFORE**, pursuant to the Commissioner's rule-making authority under Commonwealth Act No. 613, Section 3, the following shall be observed:

**Section 1. Payment of Fines and Penalties** – A. (i) Foreigners with previously issued and/or expired CA 613, Sec. 9(a) entry visas which are found to be fraudulent but (ii) have subsequently converted to other valid immigrant, special non-immigrant or non-immigrant visas and (iii) have subsequently departed from the Philippines with such valid visas shall pay the following the following fines and penalties:

- (a) Immigration Arrears Release Certificate [IARC] amounting to Fifty Thousand Pesos (P50,000); and
- (b) Express Lane Fee of P10,000

B. (i) Foreigners with previously issued and/or expired TVVs or TVV extensions which are found to be fraudulent but (ii) have subsequently converted to other valid