

**[BI OPERATIONS ORDER NO. SBM-2014-006,
February 03, 2014]**

**PROCEDURE IN THE ISSUANCE AND IMPLEMENTATION OF
ORDERS TO LEAVE**

Pursuant to Section 3 of Commonwealth Act No. 613 (Philippine Immigration Act of 1940), as amended, and in order to standardize the procedure in the issuance and implementation of Orders to Leave, the following are hereby ordered:

SECTION 1. Procedures in the Issuance and Implementation of Orders to Leave. –

I.

**Orders To Leave Issued Pursuant to
Immigration Memorandum Circular No. SBM-2013-003^[1]**

**A. Foreigners Who Have Overstayed for Twelve (12) Months or Less
But Stayed in the Country Beyond the Maximum Allowable
Period**

1. DUTY OF THE VISA EXTENSION SECTION (VES):

- a) Within six (06) working hours from receipt thereof, process and evaluate the application for updating and extension of authorized stay as temporary visitor;
- b) Upon proof of full payment of immigration fees, fines, and other charges due and payable, prepare the appropriate Order to Leave^[2] therefor; and
- c) Transmit the Order, together with the entire records thereof, to the Office of the Commissioner for appropriate action.

2. DUTY OF THE OFFICE OF THE COMMISSIONER:

- a) Appropriately act thereon within four (4) working hours from receipt thereof. If the same is approved, return the Order and the entire record thereof to the VES for implementation of the updating and extension of authorized stay, otherwise, refer to concerned office for further processing; and
- b) If the Order also directs the inclusion of the applicant's name in the Bureau's Blacklist, implement such directive and furnish the ICTS a copy of the Order.

**3. DUTY OF THE INFORMATION AND COMMUNICATION TECHNOLOGY
SECTION (ICTS):**

Immediately upon receipt of the Order, encode the implemented Blacklist Order in the Bureau's derogatory database.

4. DUTY OF THE VISA EXTENSION SECTION (VES):

- a) Within six (06) working hours from receipt of the approved Order, implement in the applicant's passport the updating and extension of his/her authorized stay and transmit the entire records thereof to the Alien Registration Division (ARD).
- b) Furnish the applicant with a copy of the Order, personally or through his/her authorized representative, with proper acknowledgment of receipt thereof.

5. DUTY OF THE ALIEN REGISTRATION DIVISION (ARD):

Within twenty-four (24) working hours from receipt of the entire records, process and issue the applicant's Emigration Clearance Certificate (ECC) if cleared and thereafter transmit the same records, together with the original of the ECC, to the Intelligence Division (ID).

6. DUTY OF THE INTELLIGENCE DIVISION (ID):

Not later than the period prescribed in the Order to Leave or on the date of departure of applicant as indicated in his/her airline passage ticket, whichever comes earlier, implement the Order to Leave by physically escorting applicant to the boarding gate of the international port of exit.

B. Foreigners Who Have Overstayed for More Than Twelve (12) Months Regardless of Length of Stay

1. DUTY OF THE VISA EXTENSION SECTION (VES):

Within six (06) working hours from receipt of an application, assess the amount of immigration fees, fines, and other charges due and payable and transmit the application, together with the original valid passport and the assessment, to the LD.

2. DUTY OF THE LEGAL DIVISION (LD):

Within twenty-four (24) working hours from receipt of the application and assessment, evaluate the application and prepare the Order to Leave^[3] in accordance with existing laws, rules and regulations and transmit the same, together with the entire record thereof, to the Office of the Commissioner.

3. DUTY OF THE OFFICE OF THE COMMISSIONER:

- a) Appropriately act thereon within four (4) working hours from receipt thereof. If the same is approved, return the Order and the entire

record thereof to the VES for implementation of the updating and extension of authorized stay, otherwise, refer to concerned office for further processing; and

- b) If the Order also directs the inclusion of the applicant's name in the Bureau's Blacklist, implement such directive and furnish the ICTS a copy of the Order.

4. DUTY OF THE INFORMATION AND COMMUNICATION TECHNOLOGY SECTION (ICTS):

Immediately upon receipt of the Order, encode the implemented Blacklist Order in the Bureau's derogatory database.

5. DUTY OF THE VISA EXTENSION SECTION (VES):

- a) Within six (06) working hours from receipt of the approved Order, implement in the applicant's passport the updating and extension of his/her authorized stay upon proof of full payment of all assessed immigration fees, fines and other charges and transmit the entire records thereof to the Alien Registration Division (ARD).
- b) Furnish the applicant with a copy of the Order, personally or through his/her authorized representative, with proper acknowledgment of receipt thereof.

6. DUTY OF THE ALIEN REGISTRATION DIVISION (ARD):

Within twenty-four (24) working hours from receipt of the entire records, process and issue the applicant's Emigration Clearance Certificate (ECC) if cleared and thereafter transmit the same records, together with the original of the ECC, to the ID.

7. DUTY OF THE INTELLIGENCE DIVISION (ID):

Not later than the period prescribed in the Order to Leave or on the date of departure of applicant as indicated in his/her airline passage ticket, whichever comes earlier, implement the Order to Leave by personally escorting applicant to the boarding gate of the international port of exit.

II.

Orders To Leave Issued Pursuant to

Immigration Administrative Order No. SBM -2013-013^[4]

1. DUTY OF THE PROCESSING OFFICE:

- a) Within six (06) working hours from receipt thereof, process and evaluate the application for downgrading with the appropriate Order to Leave; and
- b) Transmit the Order, together with the entire records thereof, to the Approving Authority for appropriate action.

2. DUTY OF THE APPROVING AUTHORITY: