

[CID LAW INSTRUCTIONS NO. 32, June 07, 1988]

NON-RETROACTIVITY OF MAXIMUM PERIOD FOR PRE-ARRANGED EMPLOYEE VISA

1. This supplements Law Instructions No. 15
2. Before the effectivity of Law Instructions No. 15 on 4 March 1988, pre-arranged employment visas were extendible for more than three (3) years beyond the initial period of validity of two (2) years. In order not to unduly prejudice those who applied for pre-arranged employment visas before the effectivity of Law Instructions No. 15 on 4 March 1988 the provision therein limiting the maximum period for the validity of a pre-arranged employment visa to five (5) years, except in very exceptional cases, shall not be given retroactive effect.

Hence, pre-arranged employees who applied with the Philippine consulate abroad for the issuance of a pre-arranged employment visa or with the Commission on Immigration and Deportation for a change of status to pre-arranged employee before the effectivity of Law Instructions No. 15 on 4 March 1988, shall be granted extensions beyond the limits set in Law Instructions No. 15, as follows:

- a. For pre-arranged employees whose total stay as of 4 March 1988 was more than five (5) years but less than seven (7) years, such additional extensions as will result in a total period of stay of seven (7) years;
 - b. For pre-arranged employees whose total stay as of 4 March 1988 was more than seven (7) years, a final extension of one (1) year.
3. The provision in Law Instructions No. 15 granting additional yearly extensions not to exceed five (5) years in exceptional cases, shall be applied to the cases referred to in (a) and (b) above, to allow a maximum period of stay of only ten (10) years.

Hence, to illustrate, in the cases referred to in (a) above, where the resulting total period of stay will be seven (7) years, notwithstanding that the pre-arranged employee qualifies as an exceptional case, he shall be granted a maximum additional extension of three (3) years or a total period of stay of ten (10) years.

In the cases referred to in (b) above, where the resulting total period of stay will be eight (8) or nine (9) years, notwithstanding that the pre-arranged employee qualified as an exceptional case, he shall be granted a maximum additional extension of two (2) years and one (1) year, respectively, or a total period of stay of ten (10) years.