

**[BI MEMORANDUM CIRCULAR NO. RADJR-13-001,
March 11, 2013]**

**PROVIDING FOR THE ASSESSMENT AND ISSUANCE OF A
CERTIFICATE OF NON- RESIDENCE FOR TEMPORARY VISITOR
(CNRTV) FOR CERTAIN CATEGORIES OF FOREIGN NATIONALS,
AMENDING FOR THIS PURPOSE MEMORANDUM ORDER NO. MCL-
09-024, AS AMENDED**

WHEREAS, the Bureau of Immigration is mandated to administer and enforce all immigration, citizenship, and alien admission and registration laws in accordance with the provisions of Commonwealth Act (C.A.) No. 613, as amended, otherwise known as the Philippine Immigration Act of 1940, as amended;

WHEREAS, there is a compelling State interest to identify, document and monitor foreign nationals whose authorized stay in the Philippines exceeds fifty-nine (59) days in view of their implicit exclusion from the coverage of Republic Act (R.A.) No. 562, as amended, otherwise known as the Alien Registration Act of 1950 and its Implementing Rules and Regulations;

WHEREAS, Memorandum Order No. MCL-09-024 as amended by Memorandum Order No. MCL-10-004 mandating the inclusion of non-restricted foreign nationals who seek to extend their authorized stay beyond fifty nine (59) days under Section 9(a) of C.A. No. 613, as amended and temporary visitors who are granted a Special Study Permit (SSP) or a Special Work Permit (SWP) within the coverage of the ACR I-Card Project was issued precisely to address this grey area of the law;

WHEREAS, it has been observed that the inclusion of said foreign nationals within the coverage of the ACR I-Card Project is administratively impractical, technically burdensome, and financially expensive especially considering the short duration of their stay in the Philippines;

WHEREAS, the ACR I-Cards of said foreign nationals are frequently left unclaimed from the Bureau because of their issuance a few days before the expiration of his/her authorized stay or even beyond as stated in their passports;

WHEREAS, there is a need to refine and harmonize the existing rules and regulations with the basic tenets of law to eliminate the procedural and substantive flaws associated with applications for the extension of a temporary visitor's visa (TVV), or applications for an SSP or SWP;

NOW, THEREFORE, pursuant to the provisions of Section 3 of Commonwealth Act (C.A.) No. 613, or the Philippine Immigration Act of 1940, as amended, and Sections 29 and 36, Chapter 6, Book IV, Title III, Executive Order (E.O.) No. 292 or the Revised Administrative Code of 1987, this Memorandum Circular is hereby issued:

Section 1. Short Title. - This Memorandum Circular shall be known as the "Monitoring Guidelines for Non-Resident Foreign Nationals with Short-Term Stay in the Philippines."

Section 2. Declaration of Policy. - It is the policy of the Bureau to identify, document and monitor all foreign nationals who sojourn in the Philippines without imposing unreasonable, cumbersome and impractical conditions for the approval of their visas/ permits. Towards this end, these Guidelines shall be applied and administered to balance the regulatory duties and functions of the Bureau with speedy, efficient and cost effective public service.

Section 3. Coverage. - The following categories of foreign nationals are hereby included within the coverage of these Guidelines:

3.1 Non-restricted foreign nationals previously granted a total authorized stay of fifty-nine (59) days and who wish to extend his/her authorized stay as temporary visitors under Section 9(a) of C.A. No. 613, as amended:

3.2 Temporary visitors who apply for and are granted Special Study Permits (SSP); and

3.3 Temporary visitors who apply for and are granted Special Work Permits (SWP); Provided, that foreign athletes and/ or performing artists whose stay in the country pursuant to an SWP does not exceed fifty-nine (59) days shall not be covered by these Guidelines.

Section 4. Removal from the ACR I-Card Project of Covered Foreign Nationals. - Upon the effectivity of this Circular, all foreign nationals mentioned in the preceding Section shall be removed from the coverage of the ACR I-Card Project; Provided, that such foreign nationals whose stay as temporary visitor will exceed one hundred eighty (180) days shall be subject to all the formalities required for registration as provided under paragraph 2, Article I of the Regulations Governing the Registration of Aliens in Accordance with the Alien Registration Act of 1950.

Section 5. Certificate of Non-Residence for Temporary Visitor (CNRTV). - In addition to the payment of the appropriate immigration fees, all foreign nationals covered by Section 3 of these Guidelines who wish to extend their authorized stay beyond fifty-nine (59) days but not to exceed one hundred eighty (180) days shall pay the amount of Seven Hundred Pesos (Php700.00) representing the Certificate of Non-Residence for Temporary Visitor (CNRTV) fee and Five Hundred Pesos (Php500.00) for the corresponding express lane fee.

The said fees shall be assessed and collected by the proper Bureau collecting officer upon the filing of the application for extension of the Temporary Visitor's Visa (TVV) beyond fifty-nine (59) days or the application for a Special Study Permit (SSP) or a Special Work Permit (SWP).

An application for TVV extension beyond fifty-nine (59) days or an application for an SSP or SWP shall not be processed or approved without proof of payment of all immigration fees and related charges, including the CNRTV fee and the corresponding express lane fee mentioned in the first paragraph of this Section.

Section 6. Validity of the CNRTV. - The Certificate of Non-Residence for Temporary Visitor (CNRTV) granted in accordance with these Guidelines shall be co-terminus with the validity of the approved TVV, SSP or SWP but shall not exceed one