

[REPUBLIC ACT NO. 144, June 14, 1947]

AN ACT TO AMEND SECTIONS SIX, THIRTY-SEVEN, FORTY-TWO, FORTY-FOUR, FORTY-FIVE AND FORTY-SIX OF COMMONWEALTH ACT NUMBERED SIX HUNDRED AND THIRTEEN, ENTITLED "AN ACT TO CONTROL AND REGULATE THE IMMIGRATION OF ALIENS INTO THE PHILIPPINES" AND TO INSERT A NEW SECTION IN SAID ACT TO BE KNOWN AS SECTION TWENTY-TWO—A.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section six of Commonwealth Act Numbered Six hundred and thirteen is hereby amended to read as follows:

"SEC. 6. The examination of aliens concerning their right to enter or remain in the Philippines shall be performed by Immigrant Inspectors, with the advice of medical authorities in appropriate cases. Immigrant inspectors are authorized to exclude any alien not properly documented as required by this Act, admit any alien complying with the applicable provisions of the immigration laws and to enforce the immigration laws and regulations prescribed thereunder.

"Immigrant Inspectors are also empowered to administer oaths, to take and consider evidence concerning the rights of any alien to enter or reside in the Philippines, and to go abroad and search for aliens on any vessel of other conveyance in which they believe aliens are being brought into the Philippines. Immigrant Inspectors shall have the power to arrest, without warrant, any alien who in their presence or view is entering or is still in the course of entering the Philippines in violation of immigration laws or regulations prescribed thereunder."

SEC. 2. Commonwealth Act Numbered Six hundred and thirteen is amended by inserting between sections twenty-two and twenty-three thereof a new section with the title "Emigration Clearance Certificate" to be known as section twenty-two—A, which shall read as follows:

"EMIGRATION CLEARANCE CERTIFICATE

"SEC. 22—A. Any alien about to depart from the Philippines temporarily or for permanent residence abroad shall, before leaving the country, apply to the Commissioner of Immigration for a clearance certificate. If the Commissioner finds that the applicant has no pending obligation with the Government, its instrumentalities, agencies and subdivisions, and that there is no pending criminal, civil or administrative action which, by law requires his presence, in the Philippines, the Commissioner shall issue the certificate upon surrender of the alien or all other certificates

previously issued to him by the Bureau of Immigration showing his admission and/or residence in the Philippines."

SEC. 3. Section thirty-seven of the same Act is hereby amended by changing the period at the end of subparagraph (8) of paragraph (a) thereof to a semicolon, and by adding a new subparagraph after the said subparagraph (8) of paragraph (a) to be known as subparagraph (9), which shall read as follows:

"(9) Any alien who commits any of the acts described in sections forty-five and forty-six of this Act, independent of criminal action which may be brought against him: *Provided*, That in the case of an alien who, for any reason, is convicted and sentenced to suffer both imprisonment and deportation, said alien shall first serve the entire period of his imprisonment before he is actually deported: *Provided however*, That the imprisonment may be waived by the Commissioner of Immigration with the consent of the Department Head, and upon payment by the alien concerned of such amount as the Commissioner may fix and approved by the Department Head."

SEC. 4. Section forty-two of the same Act is amended by adding after paragraph (b) thereof a new paragraph to be known as paragraph (c), which shall read as follows:

"(c) A fee of twenty pesos shall be charged for the issuance of an emigration clearance certificate to an alien in the Philippines who departs for temporary or permanent residence abroad."

SEC. 5. Section forty-four of the same Act is hereby amended to read as follows:

"SEC 44. (a) If any vessel or aircraft arriving at a port of the Philippines from a place outside thereof—

"(1) Fails to submit to the immigration officials at the port of arrival the crew lists and passenger manifests and other information required by regulations issued under section thirty-two of this Act; or

"(2) Fails to produce or satisfactorily account for every seaman or passenger whose name appears in such crew list or passenger manifest—the pilot, master, agent, owner, or consignee of the vessel or aircraft shall be subject to a fine of fifty pesos in the case of each person concerning whom there is such failure.

"(b) If any vessel or aircraft arriving at a port in the Philippines from a place outside thereof and having an alien on board—

"(1) Fails to prevent the landing of such alien in the Philippines at any time or place other than as designated the immigration officers; or

"(2) Refuses or fails to pay the cost of maintenance other costs, as required by section thirty-five of this Act, of such alien when temporarily removed from the vessels or aircraft for examination by order of the immigration officers; or

"(3) Refuses to receive such alien on board for removal from the Philippines, if he is excluded, or to pay the cost of his removal, if by another vessel or aircraft, as required by section thirty-six of this Act; or

"(4) Makes any charge against such alien for the cost referred to in clause (2) above, or for the cost of the removal of the alien from the Philippines if he is excluded or takes any security from the alien for the