

**[ BOI Immigration Memorandum Circular No.  
SBM-2015-007, May 19, 2015 ]**

**PRESCRIBING THE COMPREHENSIVE RULES AND GUIDELINES  
ON STUDENT VISA UNDER SECTION 9(F) OF COMMONWEALTH  
ACT NO. 613, AS AMENDED, IN RELATION TO EXECUTIVE ORDER  
NO. 285, SERIES OF 2000**

*Adopted: 19 May 2015  
Date Filed: 21 May 2015*

**WHEREAS**, Section 9 of Commonwealth Act No. 613 (Philippine Immigration Act of 1940), as amended, provides that foreign nationals departing from any place outside the Philippines who are otherwise admissible and who qualify as students under Paragraph (f) thereof, may be admitted as non-immigrants;

**WHEREAS**, Executive Order No. 285, series of 2000, prescribes the amended guidelines governing the entry and stay of foreign students in the Philippines and the establishment of an inter-agency committee on foreign students for the purpose;

**WHEREAS**, the same Executive Order restored the authority for conversion from tourist visa category to that of a Student Visa or issuance of Special Study Permit (SSP) and authorized the Bureau of Immigration to process and act on all applications of foreign nationals for conversion from any valid category admission to Student Visa or for the issuance of SSP, including applications for extension thereof;

**WHEREAS**, there is a need to rationalize, harmonize and liberalize all rules, procedures and guidelines in the entry and stay of foreign students in support of the government's policy to attract more foreign students to come to the country by providing an efficient and effective system in the processing and approval of Student Visa and SSP but without compromising national security;

**NOW, THEREFORE**, pursuant to Book IV, Chapter 6, Sections 29 and 36(2) of Executive Order No. 292, as amended, otherwise known as the "*Administrative Code of 1987*", in relation to Section 3 of Commonwealth Act No. 613, as amended, otherwise known as the "*Philippine Immigration Act of 1940*", and Executive Order No. 285, Series of 2000, the following are hereby promulgated:

**ARTICLE I  
STUDENT VISA SECTION AND ITS DUTIES AND FUNCTIONS**

**Section 1. Student Visa Section (SVS).** – The existing BI Student Desk is hereby renamed as Student Visa Section (SVS) headed by a Section Chief and supported by an Assistant Section Chief and other administrative and technical staff and personnel in such number as may be necessary to adequately and efficiently

perform its duties and functions. They shall be designated by the Commissioner from existing personnel of the various Divisions, Sections, Units and Offices of BI through appropriate Personnel Orders/Letter Directives.

The SVS shall be under the direct operational control and administrative supervision of the Immigration Regulation Division (IRD) or any other Division that the Commissioner may hereafter designate.

**Section 2. Duties and Functions.** – The SVS shall have the following duties and functions:

1. Handle and screen all applications of foreign nationals for conversion from Temporary Visitor's Visa (TVV) to Student Visa or for the issuance of Special Study Permit (SSP) and recommend appropriate course of action to the Commissioner or his duly designated authorized representative;
2. Process and act applications for extension of Student Visa and SSP, and to approve the same if qualified;
3. Accredit Higher Education Institutions (HEIs) to accept foreign students in coordination with the Commission on Higher Education (CHED);
4. Implement approved Student Visa conversions and extensions;
5. Process and approve regular downgrading of Student Visa to TVV;
6. Process and act on applications for issuance, renewal and cancellation of Alien Certificate of Registration Identity Card (ACR I-Card) of Student Visa and SSP holders;
7. Update authorized stay as temporary visitor as a result of Student Visa downgrading or issuance/renewal of SSP;
8. Process Annual Report of Student Visa and SSP holders;
9. Issue Emigration Clearance Certificate (ECC) to Student Visa and SSP holders;
10. Re-stamp Student Visa imprint to a new passport or other travel document;
11. Amend the admission of Student Visa holders;
12. Issue BI Clearance Certificate to Student Visa and SSP applicants;
13. Monitor the activities of foreign students;
14. Submit monthly report to the Commissioner, or as often as required, of its activities; and
15. Process other transactions allied to and related with Student Visa and SSP and perform such other duties and functions as may be assigned by the Commissioner.

**Section 3. Establishment of SVS in Sub-Port Offices.** – Subject to the standards determined by the Commissioner as to the number of accredited HEIs authorized to accept foreign students, number of foreign students studying their respective area of responsibility and such other relevant parameters, an SVS with authority to perform the duties and functions in Section 2 hereof may be established in certain BI Sub-Port Offices.

## **ARTICLE II STUDENT VISA**

**Section 1. Student Visa Conversion; Qualifications.** – To qualify for conversion from Temporary Visitor's Visa to Student Visa, the foreign national must establish

that:

1. He/She is at least eighteen (18) years of age;
2. He/She has the means sufficient for his/her education and support in the Philippines;
3. He/She seeks to enter the country temporarily and solely for the purpose of taking up a course of study higher than high school at a university, seminary, academy, college or school accredited to accept foreign students by the BI;
4. He/She does not belong to any class of excludable and deportable foreign nationals under Sections 29 and 37 of Commonwealth Act No. 613, as amended; and
5. He/She and the admitting school have submitted and complied with all the documentary requirements prescribed in the *Checklist of Documentary Requirements for Conversion to Student Visa*<sup>[1]</sup>.

**Section 2. Student Visa Issued by Philippine Foreign Service Post (PFSP); Registration.** – Foreign nationals whose application for Student Visa was approved and issued at the Philippine Foreign Service Post of their country of origin or legal residence, shall, within seven (7) days from date of arrival in the Philippines, report to the BI for registration and processing of ACR I-Card application upon submission and compliance with all the documentary requirements prescribed in the *Checklist of Documentary Requirements for Registration of Foreign Students with Consulate-Issued Student Visa*<sup>[2]</sup>.

**Section 3. Student Visa Extension; Qualifications.** – To qualify for Student Visa extension, the admitting school and foreign student shall submit and comply with all the applicable documentary requirements prescribed in the *Checklist of Documentary Requirements for Extension of Student Visa*<sup>[3]</sup>.

**Section 4. Validity of Student Visa.** – The foreign student's authorized period of stay shall be consistent with the length of the course of study to which he/she has been admitted by an accredited school. Upon conversion, the initial validity of the Student Visa is one (1) year from the date of issuance without change of school, extendible by the SVS every one (1) year thereafter until such time that the foreign student completes his/her studies consistent with the length of the course.

**Section 5. Pursuit of Another Degree, Shifting of Course and Change of School.** – A foreign student who wishes to pursue another degree program higher than the original course contemplated shall submit a Commission on Higher Education (CHED) Clearance/ Indorsement, National Bureau of Investigation (NBI) Clearance and Notice of Admission from his/her admitting school to the SVS for approval and subsequent processing of Student Visa extension.

Shifting of course or change of school shall require prior CHED Clearance/Indorsement.

**Section 6. Downgrading of Student Visa.** – Upon petition/application by the admitting school or the foreign student and subject to the submission of all supporting documents prescribed in the *Checklist of Documentary Requirements for Downgrading of Student Visa*<sup>[4]</sup>, the foreign student's Student Visa shall be

downgraded to TVV upon confirmation that he/she:

1. Graduated or finished the course of study in the school for which he/she was admitted;
2. Failed to satisfy the grading/scholastic requirements of the admitting school;
3. Failed to timely extend his/her Student Visa; or
4. Has an expired Student Visa.

Provided that, the SVS shall only process and approve applications for downgrading of foreign students who shall not overstay in the country at the end of the granted period of authorized stay as temporary visitors, otherwise, such applications shall be endorsed by the SVS to the Legal Division for appropriate action and recommendation pursuant to existing policies, rules and regulations.

**Section 7. Forfeiture of Student Visa.** – A Student Visa not implemented within a period of two (2) months from receipt by the admitting school and/or foreign student of the notice of approval shall be forfeited. No motion for reconsideration shall be allowed.

### **ARTICLE III SPECIAL STUDY PERMIT**

**Section 1. Special Study Permit (SSP); Qualifications.** – Upon submission and compliance with all the documentary requirements prescribed in the Checklist of Documentary Requirements for Special Study Permit (SSP)<sup>[5]</sup>, the SVS may issue an SSP to a foreign national, in conjunction with his/her TVV, who is:

1. Below eighteen (18) years of age;
2. Enrolled and admitted in a non-degree course;
3. Enrolled and admitted in a short course of less than one (1) year;
4. A trainee/intern for purposes of completing a degree course<sup>[6]</sup>; and
5. Enrolled in aviation or flying schools for the purpose of completing the required number of flying hours.

An SSP may likewise be issued by the Alien Control Officers (ACOs) for application filed by accredited admitting schools within their respective area of responsibility.

**Section 2. Validity.** – The SSP shall be co-terminus with the length of the course of study; Provided, that it shall not be more than six (6) months; Provided further, that for courses exceeding six (6) months, the SSP may be extended co- terminus with the remaining period of the course.

Foreign students enrolled in secondary and elementary courses or those below eighteen (18) years of age enrolled in bachelor degree courses shall be issued SSP on a yearly basis.

**Section 3. Effect of Departure from the Philippines.** – An SSP issued shall remain valid for its duration regardless of the number of times the holder thereof departs from and re-enters the country; Provided, that the holder maintains an