

[BOI Operations Order No. SBM-2015-022, July 13, 2015]

PROCEDURES AND GUIDELINES IN THE IMPLEMENTATION OF EXCLUSION ORDERS AT INTERNATIONAL PORTS OF ENTRY

*Adopted: 13 July 2015
Date Filed: 15 July 2015*

WHEREAS, an excludable foreign national who fails to prove his admissibility under immigration laws, rules and regulations shall be denied entry into the Philippines (Section 29 and 30, Commonwealth Act No. 613, as amended);

WHEREAS, the Commissioner may, in the exercise of sound discretion and for good cause, permit the entry of an excludable foreign national properly documented but who is: (a) a lawful resident in the Philippines returning from a temporary visit abroad; or (b) applying for temporary admission (Section 29 (b) 2, *ibid.*);

WHEREAS, an excluded foreign national must be returned to his port of origin or to his country of nationality onboard the same vessel bringing him into the Philippines, another vessel owned by the same interest, or a different vessel (Section 36, *ibid.*);

WHEREAS, the vessel owner bears the expense of returning an excluded foreign national to his port of origin or to his country of nationality (*ibid.*);

NOW, THEREFORE, pursuant to the rule-making power of the Commissioner under Section 3 of Commonwealth Act No. 613, as amended, the following are hereby ordered:

Section 1. Authority to Exclude. – A foreign national found to be excludable by the Immigration Officer during primary inspection or by the Travel Control and Enforcement Unit (TCEU) Officer or On-duty Immigration Supervisor during secondary inspection shall be excluded pursuant to existing immigration laws, rules and procedures.

The excluded foreign national shall be boarded in the next available flight or voyage unless otherwise directed by the Commissioner or his duly authorized representative. Any directive, instruction, or order from any person not authorized by the Commissioner shall be disregarded and immediately reported to the Commissioner.

Section 2. Contents of the Exclusion Order. – The Exclusion Order^[1] must clearly state the: