

[MEMORANDUM ORDER NO. 179, November 06, 1993]

CREATING A SPECIAL COMMITTEE FOR THE CONVERSION OF NON-IMMIGRANT VISAS (INDEFINITE) UNDER SECTION 47 (A) (2) OF THE IMMIGRATION ACT AND DEFINING ITS FUNCTIONS

WHEREAS, pursuant to the Opinion of the Secretary of Justice issued on February 12, 1993, foreign nationals who were granted 47 (a) (2) — indefinite visas and extensions of stay pursuant to the then Commission on Immigration and Deportation (CID) Order No. 118 dated March 2, 1973 and who, following the revocation of such extensions of stay under CID Office Order No. 163 dated January 8, 1979, continued to remain in the country after January 30, 1979, are considered overstaying aliens subject to arrest and deportation under the provisions of the Immigration Law.

WHEREAS, consonant with the need for consistency in the policy on foreign investments, *bona fide* investments previously made by legitimate foreign investors, who were issued 47 (a) (2) — indefinite visas, should continue to be recognized by the Government by allowing the appropriate conversion of the immigration status of the foreign nationals who were issued such visas on the basis of such investments;

WHEREAS, consistent also with the Government's policy of encouraging the integration of foreign nationals who have resided in the country for an appreciable number of years, other foreign nationals who were issued 47 (a) (2) indefinite visas pursuant to CID Office Order No. 118 dated March 2, 1973, and who have continued to remain in the Philippines, should be given the opportunity to acquire another admission status under existing laws;

WHEREAS, since the applications for conversion of the 47 (a) (2) indefinite visas in question will involve proof of foreign investments made or to be made by the applicants, it is advisable, in order to facilitate the processing of applications that may be filed as herein authorized, to create a committee which will include representatives from the different government departments and agencies through which such investments are coursed.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order that:

SECTION 1. Composition of Special Committee; Secretariat — A Special Committee is hereby created, with an Undersecretary designated by the Secretary of Justice as Chairman, and with representatives designated by the Bureau of Immigration (BI), Board of Investments, Department of Tourism, the Philippine Retirement Authority, and the National Intelligence Coordinating Agency, as members.

The Secretariat of the Special Committee shall be provided by the BI from its personnel.

SECTION 2. Place and Time for Filing Applications for Conversion of 47 (a) (2) — Indefinite Visa Status — (a) Foreign nationals holding 47 (a) (2) — indefinite visas issued pursuant to CID Office Order 118 dated March 2, 1973, may file with the Special Committee an application for the conversion of such status to another status for which they may qualify under existing laws.

- (b) Without prejudice to their securing appropriate student permits and visas under existing law, emancipated children of the aforesaid foreign nationals may also file applications under this Order for conversion of their status to another for which they are qualified.
- (c) All applications under this Order must be filed not later than January 15, 1994; Provided, That applications pending with the BI, pursuant to its Memorandum Orders 047-93 and 047A-93, shall be forwarded to, and considered automatically filed with, the Special Committee upon the issuance of this Order; Provided, Further, That changes of status already approved, and visas issued, by the BI on the date of the issuance hereof pursuant to its aforesaid Memorandum Orders, shall continue to be valid.

SECTION 3. Effect of Filing Application — Upon the filing of his application with the Special Committee, the applicant, his wife and dependent children shall be issued by the BI a temporary visitor's Visa with an authorized stay until March 31, 1994, and, up to such date, they shall be entitled to the issuance of a Special Travel Certificates allowing them to leave and to return to the country.

SECTION 4. Change of 47 (a) (2) — Indefinite Visa Status — (a) Applicants who were granted 47 (a) (2) — indefinite visas under CID Office Order No. 118 on the basis of *bona fide* investments, shall, through authenticated and certified copies of documents to be specified in the rules and regulations to be enacted by the Special Committee, prove not only that the foreign investments, on the basis of which their 47 (a) (2) — indefinite visas were issued, were received in the Philippines but also that such investments were not withdrawn but continued to be invested in the Philippines on the date of the application.

- (b) All other applications involving new investments shall specify the visas applied for (whether Special Investor's Resident Visa [SIRV], Special Retirees Resident Visa [SRRV]), and shall be accompanied by all documents needed for the processing and approval, by the Board of Investment, Department of Tourism, Philippine Retirement Authority, and/or the BI, of the foreign investment required of the applicants, who shall, after such approval, submit proof of the entry and receipt in the Philippines of the required investment.
- (c) Applicants for adjustment of immigration status under applicable clauses of Sections 9 and 13 of the Immigration Act or under applicable special laws, shall submit the requirements therefor under such laws and pertinent regulations.
- (d) Upon submission of the proof required under the preceding paragraphs of this Section 4, the Committee shall authorize the issuance of the