

## **[ CID LAW INSTRUCTIONS NO. 38, June 17, 1988 ]**

### **MEMBERS OF RELIGIOUS CONGREGATIONS**

The religious are a special category of pre-arranged employees. The basic aim of the hearing officer is to ensure that this category is not unlawfully used as a subterfuge by disqualified aliens.

Hence, as long as the application includes the authenticated written indorsement of the religious congregation, approval shall be ministerial, i.e., any doubt shall be resolved in favor of the applicant. Further, the hearing shall be conducted with the least; inconvenience to the applicant.

As long as the application includes the authenticated indorsement of the congregation, presentation of the contract of employment may be waived, if the congregation issued no such contract. Further, presentation of the SEC certificate of registration may also be waved, if the congregation belongs to the corporation sole of the church or diocese.

The hearing officers shall carefully check the existing files, to ensure that personal appearance and fingerprinting of the applicant is required only once. If his record is missing, but he produces xerox copies of documents showing prior personal appearance and fingerprinting, these requirements may be waived.

The Immigration Act, Section 42, par.(a) provides: "All aliens admitted to pre-arranged employment under Section 9 of the Act, but engaged exclusively in religious or educational work, shall be exempted from the payment of the monthly fee of P100 for every month of extension of stay." Pursuant to this provision the hearing officers may grant the exemption, particularly if the applicant claims to be indigent, i.e., he receives no salary from the congregation, and any money he receives is sufficient only for his support.

As an exemption to Law Instructions No. 32, the religious shall be granted pre-arranged employment visa, with an initial period of five (5) years extendible to a total of ten (10) years; provided, the Board of Commissioner may grant special extension, on proof that it is necessitated by the religious mission.

The term "religious" shall include individuals affiliated with religious congregations, and intending to pursue studies in theology.

Adopted: 17 June 1988

(SGD.) MIRIAM DEFENSOR SANTIAGO  
*Commissioner*

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