

**[BI MEMORANDUM ORDER NO. RADJR-11-004,
June 22, 2011]**

**GUIDELINES IN THE PROCESSING OF APPLICATIONS FOR
QUOTA IMMIGRANT VISAS UNDER SECTION 13 OF
COMMONWEALTH ACT NO. 613, AS AMENDED, ALSO KNOWN AS
THE PHILIPPINE IMMIGRATION ACT (PIA) OF 1940, AS
AMENDED**

<DIV ALIGN=JUSTIFY>Pursuant to Sec. 3 of the PIA of 1940, as amended, the Commissioner issues the following guidelines for quota immigrant visa applications under Sec. 13, PIA are hereby issued:

I. GENERAL CONSIDERATIONS.-

1. An immigrant is a foreign national departing from abroad to reside permanently in the Philippines. An immigrant may either be quota or non-quota.
2. Sec. 13 of the PIA provides for the admission into the Philippines of quota Immigrants not exceeding fifty (50) of any nationality for each year. Stateless persons are also entitled to the annual quota of fifty (50).
3. Under the principle of reciprocity, quota immigrant visas shall not be issued to foreign nationals of countries with which the Philippines has no diplomatic relations or which do not grant the same immigration privileges to Filipino citizens.
4. Quotas terminate at the end of each calendar year and unused quota numbers cannot be utilized for the following year. Consequently, a quota number and the immigration visa must be issued during the same calendar or quota year.

II. CLASSIFICATIONS

1. In allotting quota numbers, the Commissioner of Immigration shall accord preference status to applicants in the following order of priority:

<BLOCKQUOTE>(i) Those possessed of qualifications, skills, or scientific, educational or technical knowledge which will advance and be beneficial to the national interest of the Philippines; and
(ii) Those possessed of sufficient capital for a viable and sustainable investment in the Philippines.</BLOCKQUOTE>

III. QUALIFICATIONS

1. To qualify for a quota immigrant visa, the applicant must establish that:

<BLOCKQUOTE>(i) He is in possession of a valid passport (or equivalent document)

and visa at the time he files his application;

(ii) He does not belong to any class of excludible or deportable foreign nationals enumerated under Secs. 29 and 37 of the PIA, respectively.

(iii) There is a reciprocity arrangement between his country and the Philippines based on but not limited to Department of Foreign Affairs circulars and issuances; provided, that this requirement shall be waived in case of stateless persons;

(iv) He is among the preferred classes of foreign nationals as specified in Item II hereof

2. The allocation of a quota number to a non-preferred immigrant applicant shall be on a first come-first served basis and only after allocation of numbers to preferred quota applicants.

IV. DOCUMENTARY REQUIREMENTS

1. All applicants shall complete the documentary requirements enumerated in the accompanying CHECKLIST OF DOCUMENTARY REQUIREMENTS FOR APPLICATIONS FOR CONVERSION TO QUOTA IMMIGRANT that is made an integral part of this memorandum Circular as "Annex A" ^{*} hereof

V. SCREENING COMMITTEE – A Screening Committee under the Office of the Commissioner is hereby created to facilitate the processing of applications for quota immigrant visas under Section 13 of C.A. No. 613, as amended, the composition of which is to be determined by the Commissioner through an appropriate Personnel Order.

VI. PROCEDURE – All applications for change of admission status and issuance of visa to quota immigrants shall be placed under the Visa Issuance Made Simple (VIMS) program, and the procedure thereof shall be as follows:

1. All application fees for quota immigrant visas shall be assessed and paid in full before being accepted for filing.

2. Immediately upon payment of fees, the application shall be forwarded to the Screening Committee under the Office of the Commissioner for raffling to designated hearing officers.

3. Upon receipt of the application, the hearing officer shall have fifteen (15) days to resolve the same. Within the same period, he shall transmit the application and his recommendation (approving or denying the application) to the Chairman of the Screening Committee under the Office of the Commissioner.

4. The Chairman of the Screening Committee shall prepare a list of qualified applicants by nationality and in the order of preference specified in item II hereof, and transmit the same to the Commissioner of Immigration for final action.

5. The Commissioner shall grant quota immigrant visas and implement (by himself