

**[BI MEMORANDUM CIRCULAR NO. MCL-07-005,
December 26, 2007]**

**PRESCRIBING THE RULES AND PROCEDURES IN THE
PROCESSING OF APPLICATIONS FOR, AND ISSUANCE OF VISA,
CHANGE OF IMMIGRATION STATUS, VISA EXTENSION AND
OTHER SPECIAL PERMITS BEFORE THE BUREAU OF
IMMIGRATION**

PURSUANT TO SECTION 3, of Commonwealth Act No. 613, otherwise known as the "Philippine Immigration Act of 1940", as amended, in relation to Sections 29 and 36 Chapter 6, Book IV, Title III, of Executive Order No. 292, otherwise known as the Administrative Code of 1987, the following rules and procedures are hereby ordered promulgated, thus:

**PART I
GENERAL PROVISIONS**

SECTION 1. Short Title. - These procedures shall be known and cited as the "New Rules and Procedures for VIMS (VISA ISSUANCE MADE SIMPLE)" of the Bureau of Immigration.

SECTION 2. Scope - These procedures shall govern the processing of applications for, and the issuance of visa, change of immigration status, visa extension, as well as similar proceedings for cancellation of alien registry, recognition as Filipino citizen, and for other special permits, before the Office of the Commissioner, the Board of the Commissioners, and other administrative and operating units of the Bureau of Immigration.

SECTION 3. Construction - These procedures shall be construed liberally in favor of speedy and inexpensive determination of the merit of every application; Provided, that, in no case shall the requirements of national sovereignty, internal security, national economy and family solidarity be compromised; Provided, furthermore, that, nothing in this Rules shall prevent the Commissioner of Immigration or the Board of Commissioners from suspending the application of these rules and instead adopt such fair and reasonable procedures, whenever any particular matter demands such extraordinary application, without however dispensing with the requirements of due process.

**PART II
DOCUMENTARY REQUIREMENTS**

SECTION 4. Documentary Requirements - All applications shall comply with and observe the documentary and procedural requirements enumerated in the accompanying CHECKLIST OF DOCUMENTARY REQUIREMENTS IN THE FILING, PROCESSING, AND EVALUATION OF VISA APPLICATIONS, PETITIONS FOR CHANGE

OF IMMIGRATION STATUS, VISA EXTENSIONS AND OTHER SPECIAL PERMITS (ANNEX A) that is made as integral part of this Memorandum Circular.

PART III

PROCEDURE IN THE PROCESSING OF APPLICATIONS FOR CHANGE OF IMMIGRATION STATUS

SECTION 5. Common Procedures in the Processing of Applications for Change of Immigration Status and Issuance of Visa - Except for applications for change of immigration status from temporary visitor to Student Visa (Section 9f) and Pre-Arranged Employee Missionary Visa (Section 9g), the following are the common procedures to be observed and compiled with in the processing of applications for change of immigration status:

- 1 Filing of the General Application Form (BI Form No. MCL-07-01), together with all the documentary requirements enumerated in Annex A as cited in Section 4 hereof, with the Central Receiving Section at Ground Floor, BI Main Building, Intramuros, Manila City, by the applicant, either personally or through his authorized representative chosen from among those accredited by the Bureau.
2. At the Central Receiving Section, the Processor shall conduct a quick review of the completeness of the documentary requirements in the presence of the filer. Should his submissions be found deficient, the Processor shall outrightly return the same to the filer advising the latter of the deficiency. If, on the other hand, the submissions are complete, the processor shall forthwith cause the conduct of a verification check on the applicant's travel and derogatory records;
3. In case a derogatory record exists during the conduct of the verification check, the Processor shall advise the filer on the specifics of the said record, as well as the possible courses of action that the filer may take. Should the verification check yield no derogatory record, the Processor shall advise the filer to wait in queue until he releases the systems generated Order of Payment Slip (OPS) that contains the particulars of fees and other assessments;
4. Immediately upon the release of the OPS, the filer shall, within 24 hours from receipt of said OPS, effect payment or cause the payment of the fees and other assessments reflected thereat, with the authorized collecting Officer designated for this purpose;
5. At the Cashier or duly designated collecting officer, the filer shall ensure that he is issued a systems-generated Official Receipt (OR) evidencing payment of the fees. Said systems-generated OR shall, aside from indicating the particulars of payment, also contain the Notice of Hearing that indicates the particular dates, time, venue and the name of the Hearing Officer;
6. On the appointed dates of hearing, the applicant shall be required to enrol himself in the Biometric Kiosk designed for the purpose;

7. Within prescribed period after the last scheduled hearing, the Hearing Officer shall evaluate the merits of the application and forthwith prepare his recommendation for the appreciation and deliberation before the Board of Commissioners;

8. Depending on the result of the BOC deliberations, the following systems-triggered actions shall follow: (a) updating of records; (b) preparation of Notice of BOC Action; (c) systems-generation of OPS for visa implementation fees and other

9. Transmittal of the systems-generated Notice of BOC Action, together with the OPS for visa implementation fees and other assessments if the application acted favorably, to the applicant through BI-accredited courier;

10. Payment to the Cashier or BI-authorized agent banks (AAB) of the visa implementation fees and other assessments, and issuance by the Cashier of Official Receipt (OR) or in case of payments made through the BI-AAB, the machine validated deposit slip;

11. Presentation of the Official Receipt or machine-validated deposit slip and submission of passport before the Executive Director or duly designated Implementing Officer for the implementation of the BOC decision as well as the Issuance of the appropriate visa or special permit; and

12. At the option of the applicant, he may transmit to the Office of the Executive Director of the Bureau his passport and the machine-validated deposit slip through the BI-accredited courier.

SECTION 6. Procedures in the Processing of Applications for Change of Immigration status from Temporary Visitor and issuance of Student Visa under Section 9(f) - All Applications for change of immigration status from temporary visitor to that of student visa shall observe the following procedures, to wit:

1. Filing of the application duly supported by the documentary requirements enumerated above and a quick review of their completeness;

2. Verification of travel and derogatory records, assessment of filing and other fees as well as the systems-generation of the Order of Payment Slip (OPS);

3. Releasing of the OPS;

4. Payment to collecting officer and issuance of the Official Receipt (OR) evidencing payment of the required fees;

5. Enrolment of the applicant in the BI-designated biometric kiosk;

6. Preparation of the recommendation by the Student Desk Officer and the recommending approval by the IRD Chief;

7. Approval of the Visa conversion by the Commissioner;

8. Updating of records, implementation of visa and systems-generation of the Endorsement for Registration;

9. Releasing of passport and the Endorsement for Registration; and,

10. Archiving of the Documents

SECTION 7. Procedures in the Processing of Applications for Change of Immigration Status from Temporary Visitor and Issuance of Prearranged Employee-Missionary Visa under Section 9(g) - All applications for change of immigration status from temporary visitor to that of a Pre-Arranged Employee-Missionary visa shall observe the following procedures, to wit:

1. Filing of the application duly supported by the documentary requirements enumerated above and a quick review of their completeness;
2. ICT-aided verification of travel and derogatory records, assessment of filing and other fees as well as the generation of the Order of Payment Slip (OPS), assignment/raffle of application to hearing officer, generation of Notice of Hearing indicating the tentative dates of BOC deliberation over the application;
3. Releasing of the OPS and Notice of Hearing to the applicant;
4. Payment to collecting officer and issuance of the Official Receipt (OR) evidencing payment of the required fees;
5. Evaluation and preparation of the Hearing Officer recommendation;
6. BOC Deliberation;
7. Updating of records, preparation of Notice of BOC Action, and generation of assessment for implementation and other fees;
8. Transmittal of Notice and Assessment;
9. Payment to collecting officer and the issuance of the Official Receipt evidencing payment thereof;
10. Receiving of Passport for purposes of Visa Implementation and the releasing thereof; and
11. Documents archiving.

PART IV

PROCEDURES IN THE PROCESSING OF APPLICATIONS FOR VISA EXTENSION

SECTION 8. Common Procedures in the Processing of Applications for Visa Extension under Sections 13a in relation to LOI#33, Section 9d, Section 9g (Commercial) and Section 9g (Missionary) - Applications for extension of visa under Section 13a, 9d, and 9g (Commercial and Missionary) shall observe the following procedures, to wit:

1. Receiving of application with complete documentary requirements;
2. Verification of travel and derogatory records, assessment of filing, implementation and other fees and generation of Order of Payment Slip;
3. Releasing of OPS to applicant;
4. Payment to collecting officer and issuance of Official receipt;
5. Generation of Order of extension and approval of the Commissioner;
6. Updating of records;
7. Visa implementation and release; and
8. Document archiving.

SECTION 9. Procedures in the Processing of Applications for Extension of Visitor's Visa Under Section 9a. - Applications for visitor's visa under Section 9a shall observe the following procedures, to wit:

1. Receiving of application with complete documentary requirements
2. Verification of travel and derogatory records, assessment of filing, implementation and other fees and generation of Order of Payment Slip;
3. Releasing of OPS to applicant;
4. Payment to collecting officer and issuance of Official receipt;
5. Approval of Extension;
6. Updating of records, visa implementation and document archiving; and
7. Release of Passport.

SECTION 10. Procedures in the Processing of Applications for Extension of Student Visa Under Section 9f. - Applications for student visa under Section 9f shall observe the following procedures, to wit:

1. Receiving of application with documentary requirements;
2. Verification of travel and derogatory records, assessment of filing and other fees and generation of Order of Payment slip
3. Releasing of OPS;
4. Payment to collecting officer and issuance of Official Receipt;
5. Updating of records, implementation of visa and generation of Notice to the Registrar on the action taken;
6. Approval of Visa Extension;
7. Releasing of Passport; and
8. Document Archiving.

PART V **PROCEDURES IN THE PROCESSING OF OTHER APPLICATIONS** **AND SPECIAL PERMITS**

SECTION 11. Procedures in the Processing of Applications for Cancellation of Alien Registry. - Applications for cancellation of alien registry shall observe the following procedures, to wit:

1. Receiving of application together with documentary requirements;
2. Verification of travel and derogatory records, assessment of filing and other fees and generation of Order of Payment Slip, assignment/raffle of application to hearing officer, generation of Notice of Hearing
3. Releasing of OPS and Notice of Hearing to applicant
4. Payment to collecting officer and issuance of Official Receipt;
5. Conduct of hearing, evaluation and preparation of Order of Cancellation and Transmittal Letter to DOJ by hearing officer;
6. Approval by the Commissioner;
7. Transmittal of Order for affirmation by DOJ;
8. Receiving of Affirmation Order from DOJ;
9. Assessment of immigration fees and generation of Order of Payment Slip;
10. Payment to collecting officer and issuance of Official receipt;
11. Assignment to registration officer updating of records and preparation of Filipino Identification Certificate;
12. Issuance of Filipino Identification Certificate, picture and fingerprint impression taking;
13. Signing by the Commissioner of the Identification Certificate;