

## Migration Policies in Philippines 2017-2019

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# IMISEM

EVERY IMMIGRANT IS AN EMIGRANT  
How Migration Policies Shape  
the Paths to Integration

IMISEM CASE REPORT  
Migration Policies in  
**Philippines**


2017-2019

Coordinated by:


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Pau Palop-García  
So Young Chang

January 2022

# G I G A

German  Institute for Global and Area Studies  
Leibniz-Institut für Globale und Regionale Studien

## Imprint

The IMISEM CASE REPORTS are Open Access publications licensed under the CC BY 4.0  available for download free of charge at our Project Website: [www.imisem.info](http://www.imisem.info) as well as in the Social Science Open Access Repository, which will also host the IMISEM Dataset.

“Every Immigrant is an Emigrant” (IMISEM) is a 4-year project that was funded by the Leibniz-Gemeinschaft and developed at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. The IMISEM project was led by Dr. Luicy Pedroza.

The case reports were authored by a multinational team of researchers coordinated by Luicy Pedroza, Pau Palop-García and So Young Chang. The team of authors (i.e., data collectors) comprised 18 persons (3 core researchers plus 15 student assistants and interns), in alphabetical order: Daniel Braga Nascimento, So Young Chang, Natalia Chudoba, Jenny García Ruales, Belén Goyeneche, Paula Koller, Elena Korshenko, Zihao Lin, Charlotte Metzger, Eduardo Pagés, Pau Palop-García, Luicy Pedroza, Barbara Pilz, Neslihan Önder, Mayya Solonina, Béla Soltész, Arnaz Tejakusuma, and Girindra Wiratni Puspa. For their commitment in the final editing phase, we acknowledge the valuable contributions of Great Uchechukwu Udochi and Micaela Lincango. We are also grateful for the institutional support of the GIGA, especially Peter Peetz, Petra Brandt, Sabine Barth, Jan Lüth, Bert Hoffmann and Verena Schweiger. We also thank Sonia Octavio and Bertram Richter for their support in the cover design and Andrew Crawford for his work in programming the website for the publication of these reports in addition to all the visualizations linked to the IMISEM dataset. Authors alone are responsible for the content of the reports. GIGA and the editors cannot be held liable for any errors and omissions, or for any consequences arising from the use of the information provided.

The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. For maximal transparency, this report follows the structure of the original questionnaire which the team used to collect the information. That tool -an empty questionnaire- is also available in our Project Website for anyone who would like to work further, either to update the cases in the IMISEM sample, or to collect information for cases which were not included in the IMISEM sample. The IMISEM Team encourages both kinds of extensions, which would be very valuable contributions to the scholarly community working on comparative migration policies.

This report you are about to open has been automatically created based on the information contained in the IMISEM dataset, with an R script (version 2.0) coded by Pau Palop-García. Editors of the IMISEM Case Reports: Dr. Luicy Pedroza & Dr. Pau Palop-García.

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## **About IMISEM**

“Every Immigrant is an Emigrant (IMISEM)” is a 4-year project that was funded by the Leibniz-Gemeinschaft and hosted at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. Its main distinctive feature is that it adopts a comprehensive view of migration policy. This includes not only the policies that regulate the stages of entry, immigrant residence and integration to citizenship access, but also encompasses the stages of emigration, emigrant rights abroad, and retention of citizenship. Thus, this project bridges for the first time the two sides of migration policy which both the policy and research communities have assumed to exist, but which so far have not been systematically analyzed in their connections. By collecting information on a vast array of information for policies across these six areas (three “stages” \* two “sides”) for 32 cases from three world regions, we hope to offer the scholarly and policy communities the resources to discover connections between the different areas of migration policy within and across cases as well as noteworthy migration policy innovations in so far little-known cases in the world. The IMISEM project was led by Dr. Luicy Pedroza. The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. This report has been created based on the information contained in the IMISEM dataset.

## **The IMISEM case sample**

The sample of 32 cases across Asia, Europe, and Latin America were selected based on heterogeneity in the level of economic development, levels of both flows and stocks of emigrants as well as immigrants, and then finally chosen upon taking into consideration the linguistic abilities and other pragmatic concerns that were decisive for the research team’s ability to explore and understand legal sources and policy regulations of the polities. The cases included in the sample are Argentina, Austria, Bolivia, Brazil, Chile, People’s Republic of China, Colombia, Costa Rica, Dominican Republic, East Timor, Ecuador, El Salvador, France, Germany, Guatemala, Hong Kong, Hungary, Indonesia, Ireland, Japan, Macau, Malaysia, Mexico, Peru, Philippines, Portugal, Singapore, South Korea, Spain, Taiwan, Trinidad and Tobago, and Uruguay.

We use the terms “country” and “state” in all the reports for purposes of consistency, but we are aware that some of the *politie*s that we have included in the sample would require a different treatment because of situations of subordination to a higher-level political community (as in the cases of Hong Kong and Macau as Special Administrative Regions) or contested sovereignty issues (as in the case of Taiwan). We kindly ask our readers to bear in mind these important characteristics for any interpretation of the data presented.

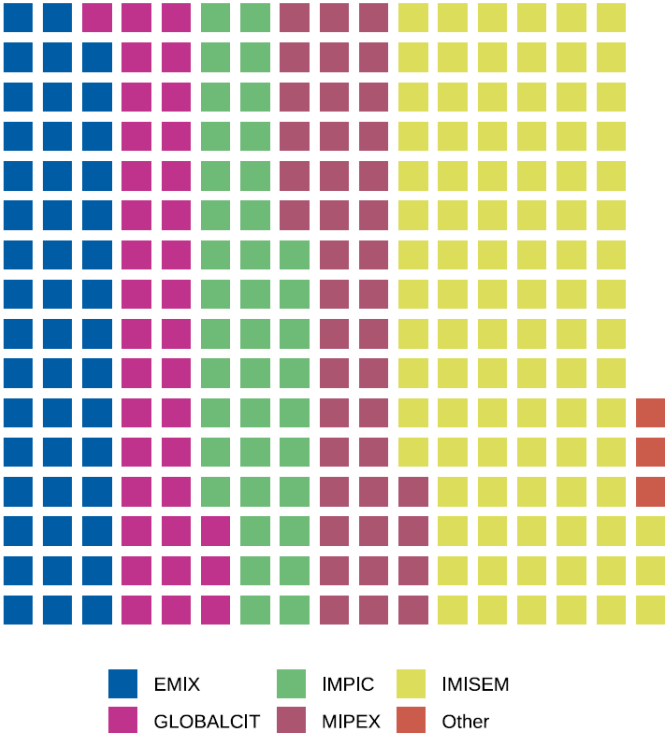
## **About the IMISEM Questionnaire**

For maximal transparency, this report follows the same structure of the IMISEM Data Collection Tool (a questionnaire) which the team used to gather the information. This questionnaire was not distributed to experts to be filled in, but rather served as a systematic tool with which the data collectors/authors were able to collect information in an orderly, systematic, and comparable manner across cases. A template of the IMISEM Data Collection Tool is available for download on our website. It is important for us, the IMISEM Team, to acknowledge how the IMISEM Data Collection Tool builds on previous efforts in

data collection on migration policies. The strategy behind the selection of questions was the following: first, based on a wide survey of the literature, we decided which dimensions and sub-dimensions of policies were relevant for our research goals and noted down the questions that we deemed necessary to gather the information for each of the IMISEM dimensions. Second, we did a thorough review of all the questionnaires produced by previous projects and selected from them those that covered the policy dimensions identified in our initial literature review. As a final step, we came up with new questions that covered those areas that had not been addressed by previous projects and yet seemed crucial to understand migration policies comprehensively and across the three regions that we cover.

The final version includes 288 main questions (and over 800 sub-questions), 90 of which (31.3 %) are original formulations of the IMISEM project and 198 are based on questions developed previously by projects such as [IMPIC](#), [EMIX](#), [GLOBALCIT](#) and [MIPEX](#). The first draft of our Data Collection Tool was piloted on a case from each region and thereafter went through several revisions to refine and modify the wording of questions. As none of the existing tools we drew on had included Asian cases in their original sample, it was important that our tool itself reflected policies that we might encounter in the broader sample pool with their apparent priorities and specificities. An example of this is the addition of questions on broker agencies that assist potential migrants with emigration and immigration, which are highly visible actors in several Asian cases. Adapting questions coming from projects that had originally focused on European cases only also meant discarding items that captured regulations applicable only for European migrants/citizens (i. e. for the European cases in our sample we collect information that applies to “third-country nationals”). The iterative process of piloting and refining questions led to the final version of the IMISEM Data Collection Tool. Figure 1 shows the origin of the questions that are included in our questionnaire.

Figure 1: Origin of the questions included in the IMISEM Data Collection Tool



Each square represents a main question of the IMISEM Questionnaire/Data Collection Tool.

Source: Own elaboration.



## Format of the answers contained in this report

The format of the answers that we present in this report follows the needs of the team to have comparable answers, so that we could more easily assign a numerical code later and therefore produce a dataset which lends itself to different analyses. Yet, we also wanted to include an explanation of the answer in some detail so that our readers can understand how we interpreted the sources and why we assigned a certain code. The importance of including an explanation for each answer cannot be understated. The explanations allow us to add nuance to the instances where there is room for debate and contestation over the interpretation of regulations. By explaining our answers, we hope to increase the transparency of the steps between data collection and data coding, and to invite other researchers to draw their own interpretations and conclusions, which may differ from our own.

Each of the answers in this report is composed of four fields:

**Answer:** this field contains the qualitative answer to the given question (for instance, “yes” or “no”).

**Code:** this field contains the quantitative answer to the given question. This reflects how we translated the qualitative answer into a number or code (for instance, “yes” can be coded as 0, and “no” as 1). The codes allow us to create composite indicators and compare across cases. The transformation of the qualitative answers into codes have been carried out following the IMISEM Codebook, the free access to which is also available on our website.

**Explanation:** this field contains the interpretation for the answer. It is meant to help the reader understand the logic behind the qualitative answer given by the coder. It often refers to the regulations -or lack thereof- and explains how we understood it.

**Sources:** this field contains a description of the sources consulted by the collector/author to come up with the answer and the explanation. Usually, primary sources (such as laws, all kinds of regulations and official government websites) are provided first, followed by consultations with official authorities (if the team considered necessary to corroborate information or decide for an interpretation), and secondary sources.

## Format of the sources

We used a shortened version of the Chicago style for the citation of the different sources to reduce the length of the reports. The sources include the name of the web page, publication, report or legal document in the original language, followed by the translation in English within “[ ]”. Given the complexity of the questions, answering many of them required using more than one source. Therefore, in a single question, several references appear in the same paragraph. They are separated by the following sign: “/”.

For example, the following format was used for legal documents, the most used type of source:

Name of regulation in original language [Name of regulation in English]. Year of enactment (Year of the version). Art. X.

Example: Constitución Española [Spanish Constitution]. 1978 (1992). Art. 78.

## **Varieties of Standard English**

In accordance with the diversity of nationalities and backgrounds in our team, we decided against homogenizing the use of English, which means that readers will find different spelling norms being applied across reports. We followed the use that is customary in the case we collected information for or that which our collectors felt at ease with. The same principle applies to other languages, such as Spanish or German.

## **Contact**

We sincerely hope that our dataset proves useful for your purposes. Please let us know if you have any feedback at: [lpedroza@colmex.mx](mailto:lpedroza@colmex.mx) or find us through our ORCID numbers:

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# 1. Emigration policies

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## 1.1. General

**EMIGRATION\_1: The attempt to leave the country is punishable by law.**

Answer: No

Code: 1

Explanation: No. No provision found in the relevant exit regulations.

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

**EMIGRATION\_2: Exit fees.**

**Prospective emigrants need to pay a fee before emigrating.**

Answer: No

Code: 1

Explanation: Not applicable

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

**Amount of the fee in country of origin currency:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Amount of the fee in US Dollars:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Prospective emigrants need to make a deposit before emigrating:**

Answer: No

Code: 1

Explanation: Not applicable

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

**Amount of the deposit in the currency of the country of origin:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Amount of the deposit in US Dollars:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_3: Citizens can only stay abroad for a given maximum of days.**

**Citizens can only stay abroad for a given maximum of days**

Answer: No

Code: 1

Explanation: No. No provision found in the relevant exit regulations.

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

**Maximum number of days that citizens can stay abroad:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 1.2. Documentation

### 1.2.1. Passport

#### **EMIGRATION\_4: Cost of ordinary passport.**

**Cost of ordinary passport in country currency (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):**

Answer: 950

Code: 950

Explanation: Not applicable

Sources: Republic of the Philippines Department of Foreign Affairs. "Passport Appointment System". Accessed August 8, 2018. <https://www.passport.gov.ph/>.

**Cost of ordinary passport in US Dollars (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):**

Answer: 18.52

Code: 18.52

Explanation: exchange rate of 29.07.2019

Sources: Not applicable

#### **EMIGRATION\_5: Maximum length of procedure to process passport.**

**Maximum length of procedure to process passport is specified in the regulations or information on the average length is provided by official sources (if there are different lengths, use the minimum):**

Answer: Yes

Code: 1

Explanation: Between 15 and 20 days. The length depends on the location where applications are made—15 days within Metro Manila and 20 days outside the capital. "For applications made at Consular Offices in Metro Manila, processing and releasing of passports take 15 working days for regular processing and 7 working days for expedited processing. For areas outside Metro Manila, processing and releasing of passports take 20 working days for regular processing and 10 working days for expedited processing. For all Philippine Foreign Service Posts, processing and releasing of passports take around 4-6 weeks. The above timetables do not include courier delivery".

Sources: Republic of the Philippines Department of Foreign Affairs. "Passport Appointment System". Accessed August 8, 2018. <https://www.passport.gov.ph/>.

**Maximum length of procedure to process passport (in days):**

Answer: 20

Code: 20

Explanation: The length depends on the location where applications are made—15 days within Metro Manila and 20 days outside the capital. "For applications made at Consular Offices in Metro Manila, processing and releasing of passports take 15 working days for regular processing and 7 working days for expedited processing. For areas outside Metro Manila, processing and releasing of passports take 20 working days for regular processing and 10 working days for expedited processing. For all Philippine Foreign Service Posts, processing and releasing of passports take around 4-6 weeks. The above timetables do not include courier delivery".

Sources: Republic of the Philippines Department of Foreign Affairs. "Passport Appointment System". Accessed August 8, 2018. <https://www.passport.gov.ph/>.

**Maximum length of procedure to process passport (by categories):**

Answer: From 0 to 2 months

Code: 1

Explanation: The length depends on the location where applications are made—15 days within Metro Manila and 20 days outside the capital. "For applications made at Consular Offices in Metro Manila, processing and releasing of passports take 15 working days for regular processing and 7 working days for expedited processing. For areas outside Metro Manila, processing and releasing of passports take 20 working days for regular processing and 10 working days for expedited processing. For all Philippine Foreign Service Posts, processing and releasing of passports take around 4-6 weeks. The above timetables do not include courier delivery".

Sources: Republic of the Philippines Department of Foreign Affairs. "Passport Appointment System". Accessed August 8, 2018. <https://www.passport.gov.ph/>.

**EMIGRATION\_6. Renewal of passport from abroad is possible:**

Answer: Yes

Code: 1

Explanation: "Philippine citizens can choose to apply for passports in the Philippines from any of our regional consular offices, satellite offices located in selected malls, and at the Office of Consular Affairs in Parañaque City. Depending on their place of legal residence abroad, Filipinos can approach the nearest Philippine Embassy or Consulate to file a passport application".

Sources: Republic of the Philippines Department of Foreign Affairs. "Passport Appointment System". Accessed August 8, 2018. <https://www.passport.gov.ph/>.



## 1.2.2. Other requirements

### **EMIGRATION\_7. Local police certificate is necessary to emigrate:**

Answer: No

Code: 1

Explanation: No. No provision found in the relevant exit regulations.

Sources: Republic of the Philippines Department of Foreign Affairs. "Passport Appointment System". Accessed August 8, 2018. <https://www.passport.gov.ph/>.

### **EMIGRATION\_8. Superior/employer's permission is necessary to emigrate:**

Answer: No

Code: 1

Explanation: No. No provision found in the relevant exit regulations.

Sources: Republic of the Philippines Department of Foreign Affairs. "Passport Appointment System". Accessed August 8, 2018. <https://www.passport.gov.ph/>.

### **EMIGRATION\_9. Proof of income is necessary to emigrate:**

Answer: No

Code: 1

Explanation: No. No provision found in the relevant exit regulations.

Sources: Republic of the Philippines Department of Foreign Affairs. "Passport Appointment System". Accessed August 8, 2018. <https://www.passport.gov.ph/>.

### **EMIGRATION\_10. Registration abroad is mandatory.**

Answer: Generally no, but required for certain groups

Code: 0.75

Explanation: In general, no. But for Filipinos wishing to emigrate permanently as the spouse/partner of a foreign national or former Filipino citizen, participants of exchange visitor programmes (e.g. J1 visa in the US), and au pairs must register with the Commission on Filipinos Overseas (CFO). There are pre-departure orientation seminars and counseling programs that are designed for each group.

Sources: Office of the President of the Philippines. "Commission on Filipinos Overseas". Accessed November 19, 2018. <https://www.cfo.gov.ph/>.

### 1.3. Quotas and restrictions

#### EMIGRATION\_11. Quotas to emigrate based on ethnicity.

**Quotas to emigrate based on ethnicity exist in the country:**

Answer: No

Code: 1

Explanation: No. No provision found in the relevant exit regulations.

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

**Quota to emigrate for 2017:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### EMIGRATION\_12. Quotas to emigrate based on income.

**Quotas to emigrate based on income exist in the country:**

Answer: No

Code: 1

Explanation: No. No provision found in the relevant exit regulations.

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

**Quota to emigrate for 2017:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### EMIGRATION\_13. Those who are liable for military conscription are allowed to emigrate:

Answer: Not applicable (no military conscription in country of study)

Code: Not applicable

Explanation: There is no conscription in the Philippines. "17-23 years of age (officers 20-24) for voluntary military service; no conscription; applicants must be single male or female Philippine citizens with either 72 college credit hours (enlisted) or a baccalaureate degree (officers) (2013)"

Sources: Central Intelligence Agency the World Factbook. "Philippines". Accessed May 3, 2018. <https://www.cia.gov/library/publications/the-world-factbook/geos/rp.html>.

#### **EMIGRATION\_14: Banned countries for emigration.**

**There are countries that are banned as destination for emigrants:**

Answer: Yes

Code: 0

Explanation: Yes. As of 2017, overseas Filipino workers are banned from working in 24 countries listed in an advisory from the POEA. The ban can be applicable for the entire country or partially and also differentiated by skill level. Unstable peace and order: Afghanistan, Somalia, South Sudan, Sudan, Rwanda, Burundi, Iraq, Libya, Syria, Yemen, Chechnya, Republic Ukraine. Due to economic situation and working conditions: Palau. Countries not certified compliant by the Department of Foreign Affairs: Chad, Cuba, DPRK, Haiti, Mali, Mauritania, Niger, Palestine, Zimbabwe.

Sources: Philippine Overseas Employment Administration. "Advisory No. 21 List of Restricted Markets". Access date not available. <http://www.poea.gov.ph/advisories/2017/Advisory-21-2017.pdf>.

#### **List of countries banned for citizens in 2017:**

Answer: Not applicable

Code: Not applicable

Explanation: As of 2017, overseas Filipino workers are banned from working in 24 countries listed in an advisory from the POEA. The ban can be applicable for the entire country or partially and also differentiated by skill level. Unstable peace and order: Afghanistan, Somalia, South Sudan, Sudan, Rwanda, Burundi, Iraq, Libya, Syria, Yemen, Chechnya, Republic Ukraine. Due to economic situation and working conditions: Palau. Countries not certified compliant by the Department of Foreign Affairs: Chad, Cuba, DPRK, Haiti, Mali, Mauritania, Niger, Palestine, Zimbabwe.

Sources: Philippine Overseas Employment Administration. "Advisory No. 21 List of Restricted Markets". Access date not available. <http://www.poea.gov.ph/advisories/2017/Advisory-21-2017.pdf>.

#### **Number of countries banned for citizens in 2017:**

Answer: 24

Code: 24

Explanation: Not applicable

Sources: Philippine Overseas Employment Administration. "Advisory No. 21 List of Restricted Markets". Access date not available. <http://www.poea.gov.ph/advisories/2017/Advisory-21-2017.pdf>.

**EMIGRATION\_15. Higher education graduates must pay an education tax (or compensation) to be able to emigrate:**

Answer: No

Code: 1

Explanation: No. No provision found in relevant exit regulations.

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

**EMIGRATION\_16. Recipients of state scholarship are banned from emigrating:**

Answer: No

Code: 1

Explanation: No. Nothing mentioned in the guidelines for student financial assistance programs from the Commission on Higher Education.

Sources: Revised Guidelines for the Implementation of Student Financial Assistance Programs (StuFAPs), CHED Memorandum of Order No. 13. 2013.

**EMIGRATION\_17: Ban for specific civil professional groups.**

**There is an emigration ban for specific professional group(s):**

Answer: No

Code: 1

Explanation: No. No provision found in relevant exit regulations.

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

**There is a ban for medical doctors:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**There is a ban for other professions:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_18. The ban can be overcome by a letter signed by a supervisor:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_19. The ban can be overcome by a letter signed by an official authority.**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## **1.4. Policy incentives**

**EMIGRATION\_20. Existence during 2017 of campaigns to encourage emigration:**

Answer: No

Code: 0

Explanation: None found. While there are many services available for overseas Filipino workers, there is no evidence of information campaigns from the government to recruit workers. In fact, much of this is the work of recruitment agencies which need to be licensed by the Philippine Overseas Employment Administration (POEA). In fact, while emigration was encouraged as part of a government strategy for development between 2004-2010, the subsequent administration of Benigno Aquino III (2010-16) reversed this trend and shifted the focus more to protecting workers' welfare abroad.

Sources: Asis, Maruja M. B. "The Philippines: Beyond Labor Migration, Toward Development and (Possibly) Return". Access date not available. <https://www.migrationpolicy.org/article/philippines-beyond-labor-migration-toward-development-and-possibly-return>.

**EMIGRATION\_21. Existence during 2017 of campaigns to discourage emigration:**

Answer: No

Code: 0

Explanation: None found. The POEA works to warn prospective OFWs about scams, but there are no information campaigns to discourage emigration per se.

Sources: Philippines Overseas Employment Administration (POEA). "Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016 (2016)". Access date not available.

[http://www.poea.gov.ph/agency/files/Licensing\\_2016\\_POEA%20Rules\\_Landbased.htm](http://www.poea.gov.ph/agency/files/Licensing_2016_POEA%20Rules_Landbased.htm).

**EMIGRATION\_22. Existence of license system to recognize and authorize emigration brokers (i.e. persons or companies dedicated to facilitating the immigration process to emigrants):**

Answer: Yes

Code: 1

Explanation: Yes. The POEA deals with licensing for recruitment agents. The requirements to qualify are as listed below: SECTION 4. Pre-Qualification Requirements: Any person applying for a license to operate a recruitment agency shall file a written application with the Administration, together with the following requirements: a. Business Name Certificate issued by the Department of Trade and Industry (DTI) in the case of a single proprietorship, or a certified copy of the Articles of Partnership or Articles of Incorporation duly registered with the SEC in the case of a partnership or corporation; b. Proof of financial capacity: i. Bank certificate showing a deposit of at least Five Million Pesos (PhP5,000,000.00), with authority to examine the bank account; ii. Duly filed Income Tax Returns (ITR) for the last two (2) years of the proprietor, partners, members of the Board of Directors and major stockholders of a corporation and official receipts showing payment of income tax; and iii. Proof of sources of investment. c. Proof of existence of new market: i. POLO verified and/or consulate authenticated Recruitment/Service Agreement (RA/SA) duly concluded by the applicant and the new principal/employer. For this purpose, a new principal/employer refers to a principal/employer which has never been accredited/registered with any licensed recruitment agency or with the Administration and has been existing for at least a year; Provided, that in the case of a foreign placement agency, its client employer/s must be identified and must not have been accredited with any licensed recruitment agency or with the Administration. ii. Employer's profile to include: a. Valid business license or commercial registration of the principal/employer, with English translation; b. Information on business activities; c. Number of years in operation; and d. Number of workers.

Sources: Philippines Overseas Employment Administration (POEA). "Revised POEA Rules and Regulations Governing the Recruitment and Employment of Landbased Overseas Filipino Workers of 2016 (2016)". Access date not available.

[http://www.poea.gov.ph/agency/files/Licensing\\_2016\\_POEA%20Rules\\_Landbased.htm](http://www.poea.gov.ph/agency/files/Licensing_2016_POEA%20Rules_Landbased.htm)

**EMIGRATION\_23: Emigration lump sum.**

**State of origin pays a lump sum incentive to citizens willing to emigrate:**

Answer: No

Code: 0

Explanation: No. No provision found in relevant regulations.

Sources: Office of the President of the Philippines. "Commission on Filipinos Overseas". Accessed November 19, 2018. <https://www.cfo.gov.ph/>.

**Register the amount of the sum in country currency:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Register the amount of the sum in US Dollars:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_24. State of origin allows citizens willing to emigrate the withdrawal of accumulated social benefits (e.g. unemployment benefits) in a single transfer.**

Answer: No

Code: 0

Explanation: No, citizens who are members of the state-run Social Security System cannot withdraw from the SSS or "cash out" benefits and contributions. "When a person has secured an SS number, does it mean that he/she is already a covered SSS member and therefore, has the right to social security benefits? Issuance of SS number does not immediately qualify you for coverage or benefits. You must first be employed in an occupation subject to and reported for SSS coverage. However, once you become a covered SSS member, you become a member for life. The contributions that you remit become savings for the future that will serve as basis for the granting of social security benefits in times of contingencies. Membership cannot be withdrawn and contributions paid cannot refunded".

Sources: Republic of the Philippines Social Security System. "FAQs". Accessed November 19, 2018. <https://www.sss.gov.ph/sss/appmanager/pages.jsp?page=faqsmembership>.

## **1.5. Penalties**

**EMIGRATION\_25: Loss of private property.**

**Risk of losing real state in case of emigration:**



Answer: No

Code: 1

Explanation: No. No such risk is mentioned in passport requirements.

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

#### **Risk of losing bank accounts in case of emigration:**

Answer: No

Code: 1

Explanation: no such provision in relevant sources

Sources Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

#### **EMIGRATION\_26: Re-entry ban.**

##### **Existence of a re-entry ban after residence abroad for nationals by naturalization:**

Answer: No

Code: 1

Explanation: No such provision found.

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

##### **Re-entry ban applies after how many months of residence abroad?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Existence of a re-entry ban after residence abroad for nationals by birth:**

Answer: No

Code: 1

Explanation: No such provision found.

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

**Re-entry ban after residence abroad for nationals by birth after how many months of residence abroad?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Existence of a re-entry ban after residence abroad for nationals with dual or multiple nationality:**

Answer: No

Code: 1

Explanation: no such found.

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

**Re-entry ban after residence abroad for nationals with dual or multiple nationality after how many months of residence abroad?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_27. Existence of sanctions (other than a re-entry ban) for overstaying abroad:**

Answer: No

Code: 1

Explanation: none found.

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

## 1.6. Administration

**EMIGRATION\_28. Existence of institution/agency with competencies for exit and/or emigration:**

**Existence of institution/agency with competencies for exit and/or emigration:**

Answer: Yes

Code: 1

Explanation: The Department of Foreign Affairs issues passports and thereby manages emigration. Departments are at the highest level in the executive branch.

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

**Name of the institution with competencies for exit and/or emigration in original language:**

Answer: Department of Foreign Affairs

**Name of the institution with competencies for exit and/or emigration in English:**

Answer: Department of Foreign Affairs

**Place in the administrative hierarchy:**

Answer: 1st Rank in the public administration in the country (e.g. Ministry)

Code: 1

Explanation: The Department of Foreign Affairs issues passports and thereby manages emigration. Departments are at the highest level in the executive branch.

Sources: Republic of the Philippines Office of Consular Affairs. "Passport Division". Accessed November 19, 2018. <http://consular.dfa.gov.ph/passport>.

## 2. Emigrant policies

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### 2.1. Policies of representation

#### 2.1.1. Electoral rights

##### **EMIGRANT\_1. Voting is mandatory for citizens residing abroad:**

Answer: No

Code: 0

Explanation: No. It is possible, but not mandatory. Sec. 4. Coverage: All citizens of the Philippines abroad, who are not otherwise disqualified by law, at least eighteen (18) years of age on the day of elections, may vote for president, vice-president, senators and party-list representatives.

Sources: An Act Providing for a System of Overseas Absentee Voting by Qualified Citizens of the Philippines Abroad, Appropriating Funds Therefor, and for Other Purposes. 2003.

##### **Does the country have presidential elections?**

Answer: Yes

Code: 1

##### **Does the country have a bicameral system (e.g. composed of a lower house and an upper house, or an originating chamber and a reviewer chamber)?**

Answer: Yes

Code: 1

#### *Presidential elections*

##### **EMIGRANT\_2. Can non-resident citizens vote in national presidential elections from abroad?**

Answer: Generally enfranchised

Code: 1

Explanation: Sec. 4. Coverage: All citizens of the Philippines abroad, who are not otherwise disqualified by law, at least eighteen (18) years of age on the day of elections, may vote for president, vice-president, senators and party-list representatives.

Sources: An Act Providing for a System of Overseas Absentee Voting by Qualified Citizens of the Philippines Abroad, Appropriating Funds Therefor, and for Other Purposes. 2003.

**EMIGRANT\_3. Can non-resident citizens stand as candidates in national presidential elections from abroad?**

Answer: Generally disenfranchised

Code: 0

Explanation: The additional condition is having to be a natural-born citizen of the Philippines. Sec. 63. Qualifications for President and Vice-President of the Philippines. No person may be elected President unless he is a natural-born citizen of the Philippines, a registered voter, able to read and write, at least forty years of age on the day of election, and a resident of the Philippines for at least ten years immediately preceding such election.

Sources: Omnibus Election Code. 1985. Art. X.

*Legislative elections*

**Lower house (National Elections)**

**EMIGRANT\_4. Can non-resident citizens vote in national legislative elections (lower house) from abroad?**

Answer: Generally enfranchised

Code: 1

Explanation: "SEC. 4. Coverage: All citizens of the Philippines abroad, who are not otherwise disqualified by law, at least eighteen (18) years of age on the day of elections, may vote for President, Vice-President, Senators and Party-List Representatives, as well as in all national referenda and plebiscites".

Sources: The Overseas Voting Act of 2013. 2012.

**EMIGRANT\_5. Can non-resident citizens stand as candidates in national legislative elections (lower house) from abroad?**

Answer: Generally disenfranchised

Code: 0

Explanation: Section 6. No person shall be a Member of the House of Representatives unless he is a natural-born citizen of the Philippines and, on the day of the election, is at least twenty five years of age, able to read and write, and, except the party-list representatives, a registered voter in the district in which he shall be elected, and a resident thereof for a period of not less than one year immediately preceding the day of the election.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987. Art. VI.

**Upper house (National Elections)**

**EMIGRANT\_6. Can non-resident citizens vote in national legislative elections (upper house) from abroad?**

Answer: Generally enfranchised

Code: 1

Explanation: "SEC. 4. Coverage: All citizens of the Philippines abroad, who are not otherwise disqualified by law, at least eighteen (18) years of age on the day of elections, may vote for President, Vice-President, Senators and Party-List Representatives, as well as in all national referenda and plebiscites".

Sources: The Overseas Voting Act of 2013. 2012.

### **EMIGRANT\_7. Can non-resident citizens stand as candidates in national legislative elections (upper house) from abroad?**

Answer: Generally disenfranchised

Code: 0

Explanation: Section 3. No person shall be a Senator unless he is a natural-born citizen of the Philippines and, on the day of the election, is at least thirty-five years of age, able to read and write, a registered voter, and a resident of the Philippines for not less than two years immediately preceding the day of the election.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987. Art. VI.

## *Registration*

### **EMIGRANT\_8. Registration in the electoral roll for non-resident citizens:**

Answer: Active registration, once-off

Code: 0.67

Explanation: Sec. 9. National Registry of Overseas Absentee Voters: The Commission shall maintain a National Registry of Overseas Absentee Voters. Approved applications of overseas absentee registrants shall also be included in the permanent list of voters of the city or municipality where the registrant is domiciled, with the corresponding annotation that such person has been registered or will be voting as an overseas absentee voter. The registry shall also include those registered under Republic Act No. 8189 and who have been issued certifications as overseas absentee voters. The entries in the National Registry of Overseas Absentee Voters and the annotations as overseas absentee voters in the Certified Voters' List shall be permanent, and cannot be cancelled or amended except in any of the following cases: 9.1. When the overseas absentee voter files a letter under oath addressed to the Commission that he/she wishes to be removed from the Registry of Overseas Absentee Voters, or that his/her name be transferred to the regular registry of voters; or, 9.2. When an overseas absentee voter's name was ordered removed by the Commission from the Registry of Overseas Absentee Voters for his/her failure to exercise his/her right to vote under this Act for two (2) consecutive national elections.

Sources: An Act Providing for a System of Overseas Absentee Voting by Qualified Citizens of the Philippines Abroad, Appropriating Funds Therefor, and for Other Purposes. 2003.

## *Remote voting*

### **EMIGRANT\_9. Voting methods from abroad:**

#### **Voting methods available to cast votes from abroad - Electronic voting:**

Answer: No

Code: 0

Explanation: Sec. 16. Casting and Submission of Ballots: 16.1. Upon receipt by the designated officer of the embassy, consulate and other foreign service establishments of the ballots for overseas absentee voters, voting instructions, election forms and other paraphernalia, he/she shall make them available on the premises to the qualified overseas absentee voters in their respective jurisdictions during the thirty (30) days before the day of elections when overseas absentee voters may cast their vote. Immediately upon receiving it, the overseas absentee voter must fill-out his/her ballot personally, in secret, without leaving the premises of the embassies, consulates and other foreign service establishments concerned. 16.2. The overseas absentee voter shall personally accomplish his/her ballot at the embassy, consulate or other foreign service establishment that has jurisdiction over the country where he/she temporarily resides or at any polling place designated and accredited by the Commission. Sec. 17. Voting by Mail. – 17.1. For the May, 2004 elections, the Commission shall authorize voting by mail in not more than three (3) countries, subject to the approval of the Congressional Oversight Committee. Voting by mail may be allowed in countries that satisfy the following conditions: a. Where the mailing system is fairly well-developed and secure to prevent the occasion of fraud; b. Where there exists a technically established identification system that would preclude multiple or proxy voting; and, c. Where the system of reception and custody of mailed ballots in the embassies, consulates and other foreign service establishments concerned are adequate and well-secured.

Sources: An Act Providing for a System of Overseas Absentee Voting by Qualified Citizens of the Philippines Abroad, Appropriating Funds Therefor, and for Other Purposes. 2003.

#### **Voting methods available to cast votes from abroad - Proxy voting:**

Answer: No

Code: 0

Explanation: Sec. 16. Casting and Submission of Ballots. – 16.1. Upon receipt by the designated officer of the embassy, consulate and other foreign service establishments of the ballots for overseas absentee voters, voting instructions, election forms and other paraphernalia, he/she shall make them available on the premises to the qualified overseas absentee voters in their respective jurisdictions during the thirty (30) days before the day of elections when overseas absentee voters may cast their vote. Immediately upon receiving it, the overseas absentee voter must fill-out his/her ballot personally, in secret, without leaving the premises of the embassies, consulates and other foreign service establishments concerned. 16.2. The overseas absentee voter shall personally accomplish his/her ballot at the embassy, consulate or other foreign service establishment that has jurisdiction over the country where he/she temporarily resides or at any polling place designated and accredited by the Commission. Sec. 17. Voting by Mail. – 17.1. For the May, 2004 elections, the Commission shall authorize voting by mail in not more than three (3) countries, subject to the approval of the Congressional Oversight Committee. Voting by mail may be allowed in countries that satisfy the following conditions: a. Where the mailing system is fairly well-developed and secure to prevent the occasion of fraud; b. Where there exists a technically established identification system that would preclude multiple or proxy voting; and, c. Where the system of reception and custody of mailed ballots in the embassies, consulates and other foreign service establishments concerned are adequate and well-secured.



Sources: An Act Providing for a System of Overseas Absentee Voting by Qualified Citizens of the Philippines Abroad, Appropriating Funds Therefor, and for Other Purposes. 2003.

**Voting methods available to cast votes from abroad - Postal voting:**

Answer: Yes

Code: 1

Explanation: Sec. 16. Casting and Submission of Ballots. – 16.1. Upon receipt by the designated officer of the embassy, consulate and other foreign service establishments of the ballots for overseas absentee voters, voting instructions, election forms and other paraphernalia, he/she shall make them available on the premises to the qualified overseas absentee voters in their respective jurisdictions during the thirty (30) days before the day of elections when overseas absentee voters may cast their vote. Immediately upon receiving it, the overseas absentee voter must fill-out his/her ballot personally, in secret, without leaving the premises of the embassies, consulates and other foreign service establishments concerned. 16.2. The overseas absentee voter shall personally accomplish his/her ballot at the embassy, consulate or other foreign service establishment that has jurisdiction over the country where he/she temporarily resides or at any polling place designated and accredited by the Commission. Sec. 17. Voting by Mail. – 17.1. For the May, 2004 elections, the Commission shall authorize voting by mail in not more than three (3) countries, subject to the approval of the Congressional Oversight Committee. Voting by mail may be allowed in countries that satisfy the following conditions: a. Where the mailing system is fairly well-developed and secure to prevent the occasion of fraud; b. Where there exists a technically established identification system that would preclude multiple or proxy voting; and, c. Where the system of reception and custody of mailed ballots in the embassies, consulates and other foreign service establishments concerned are adequate and well-secured.

Sources: An Act Providing for a System of Overseas Absentee Voting by Qualified Citizens of the Philippines Abroad, Appropriating Funds Therefor, and for Other Purposes. 2003.

**Voting methods available to cast votes from abroad - Personal voting in consulates or embassies:**

Answer: Yes

Code: 1

Explanation: Sec. 16. Casting and Submission of Ballots. – 16.1. Upon receipt by the designated officer of the embassy, consulate and other foreign service establishments of the ballots for overseas absentee voters, voting instructions, election forms and other paraphernalia, he/she shall make them available on the premises to the qualified overseas absentee voters in their respective jurisdictions during the thirty (30) days before the day of elections when overseas absentee voters may cast their vote. Immediately upon receiving it, the overseas absentee voter must fill-out his/her ballot personally, in secret, without leaving the premises of the embassies, consulates and other foreign service establishments concerned. 16.2. The overseas absentee voter shall personally accomplish his/her ballot at the embassy, consulate or other foreign service establishment that has jurisdiction over the country where he/she temporarily resides or at any polling place designated and accredited by the Commission. Sec. 17. Voting by Mail. – 17.1. For the May, 2004 elections, the Commission shall authorize voting by mail in not more than three (3) countries, subject to the approval of the Congressional Oversight Committee. Voting by mail may be allowed in countries that satisfy the following conditions: a. Where the mailing system is fairly well-developed and secure to prevent the occasion of fraud; b. Where there exists a technically established identification system that would preclude multiple or proxy voting; and, c. Where the system of reception and custody of mailed ballots

in the embassies, consulates and other foreign service establishments concerned are adequate and well-secured.

Sources: An Act Providing for a System of Overseas Absentee Voting by Qualified Citizens of the Philippines Abroad, Appropriating Funds Therefor, and for Other Purposes. 2003.

#### **Voting methods available to cast votes from abroad - Ad hoc polling stations:**

Answer: Yes

Code: 1

Explanation: Sec. 16. Casting and Submission of Ballots. – 16.1. Upon receipt by the designated officer of the embassy, consulate and other foreign service establishments of the ballots for overseas absentee voters, voting instructions, election forms and other paraphernalia, he/she shall make them available on the premises to the qualified overseas absentee voters in their respective jurisdictions during the thirty (30) days before the day of elections when overseas absentee voters may cast their vote. Immediately upon receiving it, the overseas absentee voter must fill-out his/her ballot personally, in secret, without leaving the premises of the embassies, consulates and other foreign service establishments concerned. 16.2. The overseas absentee voter shall personally accomplish his/her ballot at the embassy, consulate or other foreign service establishment that has jurisdiction over the country where he/she temporarily resides or at any polling place designated and accredited by the Commission. Sec. 17. Voting by Mail. – 17.1. For the May, 2004 elections, the Commission shall authorize voting by mail in not more than three (3) countries, subject to the approval of the Congressional Oversight Committee. Voting by mail may be allowed in countries that satisfy the following conditions: a. Where the mailing system is fairly well-developed and secure to prevent the occasion of fraud; b. Where there exists a technically established identification system that would preclude multiple or proxy voting; and, c. Where the system of reception and custody of mailed ballots in the embassies, consulates and other foreign service establishments concerned are adequate and well-secured.

Sources: An Act Providing for a System of Overseas Absentee Voting by Qualified Citizens of the Philippines Abroad, Appropriating Funds Therefor, and for Other Purposes. 2003.

### *Special representation*

#### **EMIGRANT\_10: Emigrant special representation.**

**Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's lower house?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Number of special seats reserved for non-resident candidates in the lower house:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of special emigrant districts in the lower house:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's upper house?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of special seats reserved for non-resident candidates in the upper house:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of special emigrant districts in the upper house:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### *Remote voting implementation*

**EMIGRANT\_11. External voting has been implemented (non-resident citizens have been able to vote from abroad in the past elections):**

Answer: yes

Code:

Explanation: The 2019 midterm election results showed record turnouts in overseas voting.

Sources: Nucum, Jun. "Filipino Overseas Voting Reaches New Height despite Glitches". Access date not available. <https://usa.inquirer.net/30627/filipino-overseas-voting-reaches-new-height-despite-glitches>.

**EMIGRANT\_12. In case external voting has not been implemented after its adoption, what are the main reasons?**

Answer: N/A

Code: N/A

Explanation: Not applicable

Sources: Not applicable

## **2.1.2. Regulation of political competition abroad**

### *Party offices in the state of reception*

**EMIGRANT\_13. Offices of political parties are legally allowed abroad:**

Answer: No specific regulation of offices abroad

Code: 0.5

Explanation: There is no legislation regarding external offices of political parties, but the law does provide for the registration as a political party of overseas workers. Section 5. Registration. - Any organized group of persons may register as a party, organization or coalition for purposes of the party-list system by filing with the COMELEC not later than ninety (90) days before the election a petition verified by its president or secretary stating its desire to participate in the party-list system as a national, regional or sectoral party or organization or a coalition of such parties or organizations, attaching thereto its constitution, by-laws, platform or program of government, list of officers, coalition agreement and other relevant information as the COMELEC may require: provided, that the sectors shall include labor, peasant, fisherfolk, urban poor, indigenous cultural communities, elderly, handicapped, women, youth, veterans, overseas workers, and professionals.

Sources: Party-List System Act. 1995.

**EMIGRANT\_14. Actual existence of permanent offices of home country parties abroad which target emigrants in order to capture funding for campaigns or political support:**

Answer: No

Code: 0

Explanation: No permanent offices of home country parties were found abroad for the major parties (PDP-Laban, Liberal Party, United Nationalist Alliance).

Sources: Liberal Party of the Philippines. "Home Page". Accessed June 11, 2019. <https://liberal.ph/>.

**EMIGRANT\_15. Register the list of countries (in English) in which the three biggest political parties of the state of origin have offices abroad (consider parties or political movements with the highest number of votes in the last national legislative election).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_16. Could external party offices receive public funding from state of origin?**

Answer: Not applicable

Code: Not applicable

Explanation: There are no offices abroad found for major parties.

Sources: Liberal Party of the Philippines. "Home Page". Accessed June 11, 2019. <https://liberal.ph/>.

*Political campaigns*

**EMIGRANT\_17. Electoral campaigns abroad for home elections are legally regulated:**

Answer: Yes, explicitly regulated in electoral regulations and specific restrictions as compared with campaigns in national territory

Code: 0.75

Explanation: SEC. 22. Regulation on Campaigning Abroad: Personal campaigning, the use of campaign materials, as well as the limits on campaign spending shall be governed by the laws and regulations applicable in the Philippines(...) all forms of campaigning abroad within the thirty (30)-day overseas voting period shall be prohibited.

Sources: The Overseas Voting Act of 2013. 2012.

**EMIGRANT\_18. Actual existence of campaigns abroad for home elections:**

Answer: No

Code: 0

Explanation: There is no evidence of party-run campaigns abroad, although there is evidence of grassroots volunteer-run campaigns. In terms of the legality, campaigns abroad are not expressly prohibited and are said to be regulated by the same laws and regulations that apply within the Philippines, provided that it does not take place during the 30-day overseas voting period.

On grassroots campaigns: During the election campaign that eventually put Duterte in power, overseas Filipino workers (OFWs) were actively involved in campaigning for him through 162 chapters worldwide. They wore IDs stating “Rody Duterte Global Supporters”.

Regulation on campaigning abroad SEC. 22: Personal campaigning, the use of campaign materials, as well as the limits on campaign spending shall be governed by the laws and regulations applicable in the Philippines and all forms of campaigning abroad within the thirty (30)-day overseas voting period shall be prohibited.

Sources: Ranada, Pia. “Over 600,000 OFWs Mobilizing for Duterte Campaign”. Access date not available. <https://www.rappler.com/nation/politics/elections/2016/120572-overseas-filipino-workers-support-rodrigo-duterte>. / The Overseas Voting Act of 2013. 2012.

**EMIGRANT\_19. Existence of public funding for electoral campaigns in state of residence:**

Answer: Yes, same regulation as in-country campaigns applies

Code: 1

Explanation: There is no evidence of public funding for political campaigning at all (whether in the Philippines or abroad), and the rules on elections only show limits on spending. In fact, the omnibus rules on elections shows that public institutions may not contribute to campaigns.

Sources: Omnibus Election Code 1985. Art. X.

*Membership in political parties*

**EMIGRANT\_20. Emigrant membership to home country political parties:**

Answer: Not regulated

Code: 0.25

Explanation: While there is no specific regulation regarding this matter, there is evidence of emigrant membership for specific parties. For the Liberal Party (Partido Liberal) which is a majority party in the Philippines, membership did not depend on residence in the Philippines. “Yes, anyone can join Partido Liberal as long as they comply with the following qualifications: Filipino citizens at least 15 years of age who commits to the party vision, mission, and platform of government, support the constitution of the party and follow basic party decisions and party discipline, and pays the annual membership fee of P250”.

Sources: Liberal Party of the Philippines. “Frequently Asked Questions on Joining Partido Liberal”. Accessed December 14, 2018. <https://liberal.ph/frequently-asked-questions-joining-partido-liberal/>.

### 2.1.3. Consultative bodies

### 2.1.4. Consultative bodies at the national level

#### **EMIGRANT\_21. Existence of a consultative body on emigrant issues:**

Answer: Yes

Code: 1

Explanation: Yes. It is called the Overseas Landbased Tripartite Consultative Council (OLTCC) and it engages overseas Filipino workers (OFWs) in particular.

Sources: Overseas Landbased Tripartite Consultative Council (OLTCC). "Memorandum of Agreement". Access date not available.  
[https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed\\_facebook](https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed_facebook).

#### **EMIGRANT\_22. The consultation is structural or ad hoc:**

Answer: Structural

Code: 1

Explanation: Working procedure for the Overseas Landbased Tripartite Consultative Council and its Committees I. Authority to Call and Preside over Council Meetings "The Chairperson shall have the authority to call and preside over all meetings of the OLTCC. Regular Council meetings shall be on the third week of the last month of every quarter, unless otherwise agreed".

Sources: Overseas Landbased Tripartite Consultative Council (OLTCC). "Memorandum of Agreement". Access date not available.  
[https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed\\_facebook](https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed_facebook).

#### **EMIGRANT\_23. Composition of the consultative body:**

Answer: 0.75

Code: 0.75

Explanation: As a tripartite system, it has multiple organizations and their representatives from three sectors: government, management, and labor. The management sector consists of recruitment agencies and the labor sector is of civil society and emigrant organizations.

Sources: Overseas Landbased Tripartite Consultative Council (OLTCC). "Memorandum of Agreement". Access date not available.  
[https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed\\_facebook](https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed_facebook).

#### **EMIGRANT\_24. Who chairs the consultative body?**



Answer: Member of the government

Code: 0.25

Explanation: The Council Chairperson is the Secretary of Labor and Employment.

Sources: Overseas Landbased Tripartite Consultative Council (OLTCC). "Memorandum of Agreement". Access date not available.  
[https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed\\_facebook](https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed_facebook).

**EMIGRANT\_25. The body has the right of initiative to make its own reports or recommendations, even when not consulted:**

Answer: Yes

Code: 1

Explanation: Section 3. Functions: The OLTCC shall have the following functions: a) consult with the concerned stakeholders on issues and concerns involving OFWS; b) address priority issues and concerns and recommend solutions or measures on labor and employment concerns in the landbased overseas employment sector through social dialogue and other initiatives; c) review existing laws and regulations and propose measures and policy actions related to the landbased overseas employment sector; and d) monitor and evaluate the implementation of international, regional and national programs, plans and projects in the landbased overseas employment sector.

Sources: Overseas Landbased Tripartite Consultative Council (OLTCC). "Memorandum of Agreement". Access date not available.  
[https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed\\_facebook](https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed_facebook).

**EMIGRANT\_26. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:**

Answer: No

Code: 0

Explanation: There is no provision for getting a response from national authorities.

Sources: Overseas Landbased Tripartite Consultative Council (OLTCC). "Memorandum of Agreement". Access date not available.  
[https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed\\_facebook](https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed_facebook).

**EMIGRANT\_27. Selection criteria to ensure representativeness**

**Existence of selection criteria to ensure a gender-balanced consultative body:**

Answer: No

Code: 0

Explanation: None. However, even in the absence of formal criteria, the list of representatives for the management and labor sectors is long, geographically diverse, and appears quite comprehensive and inclusive.

Sources: Overseas Landbased Tripartite Consultative Council (OLTCC). "Memorandum of Agreement". Access date not available.  
[https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed\\_facebook](https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed_facebook).

**Existence of selection criteria to ensure a geographically-balanced consultative body:**

Answer: 0

Code: 0

Explanation: None. However, even in the absence of formal criteria, the list of representatives for the management and labor sectors is long, geographically diverse, and appears quite comprehensive and inclusive.

Sources: Overseas Landbased Tripartite Consultative Council (OLTCC). "Memorandum of Agreement". Access date not available.  
[https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed\\_facebook](https://docs.google.com/file/d/0BwCfoJni7fhHWE9obk45czM3bUE/view?usp=embed_facebook).

*Consultative bodies at the consular level*

**EMIGRANT\_28. Existence of a consultative body of emigrants at the consular level.**

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_29. The consultation is structural or ad hoc:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_30. Composition of the consultative body:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_31. Who chairs the consultative body?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_32. The body has the right of initiative to make its own reports or recommendations, even when not consulted:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_33. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_34. Selection criteria to ensure representativeness**

**Existence of selection criteria to ensure a gender-balanced consultative body:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Existence of selection criteria to ensure a geographically-balanced consultative body:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 2.1.5. Funding of emigrant associations

### **EMIGRANT\_35. Existence of consular support (in kind or financial) to independent emigrant associations**

Answer: No

Code: 0

Explanation: No. The Commission on Filipinos Overseas has several programs designed to attract donations and remittances from emigrants, but emigrant associations are not referred to. Also embassies and consulates do not appear to provide funding for emigrant associations.

Sources: Office of the President of the Philippines. "Commission on Filipinos Overseas". Accessed November 19, 2018. <https://www.cfo.gov.ph/>.

## 2.2. Economic Policies

### 2.2.1. Remittances

#### **EMIGRANT\_36. Government program/strategy to attract remittances from emigrants.**

##### **Existence of a government program to attract remittances from emigrants:**

Answer: Yes

Code: 1

Explanation: Yes, the Commission of Filipinos Overseas has several programs to attract remittances, the LINKAPIL being one example.

Sources: Not applicable

##### **Measures to improve banking channels for remittances:**

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

**Existence of fee controls for remittances:**

Answer: No

Code: 0

Explanation: There is also control of fees and taxes for remittances, as copied from the question Taxes below: The remittances of all OFWs, upon showing of the OEC or valid OWWA Membership Certificate by the OFW beneficiary or recipient, shall be exempt from the payment of documentary stamp tax (DST) as imposed under Section 181 of the National Internal Revenue Code, as amended. In addition to the original copy, a duplicate copy or a certified true copy of the valid proof of entitlement referred to above shall be secured by the OFW from the POEA or OWWA, which shall be held and used by his/her beneficiary in the availment of the DST exemption. In case of OFWs whose remittances are sent through the banking system, credited to beneficiaries or recipient's account in the Philippines and withdrawn through an automatic teller machine (ATM), it shall be the responsibility of the OFW to show the valid proof of entitlement when making arrangement that for his/her remittance transfers. A proof of entitlement that is no longer valid shall not entitle an OFW to DST payment exemption.

Sources: Migrant Workers and Overseas Filipinos Act of 1995. 1995.

**Remittances used for a co-development scheme (if remittances are used by the state of origin to fund development policies):**

Answer: Yes

Code: 1

Explanation: "Inspired by the promise of this vision, the CFO designed the Lingkod sa Kapwa Pilipino or LINKAPIL Program in 1989, which has resulted in the forging of broader and deeper partnerships among Filipinos beyond borders. The LINKAPIL provides a mechanism for the transfer of various forms of resources from Filipinos overseas to support small-scale, high-impact projects that address the country's social and economic development needs". [(LP: I found this, too, which looks like a co-development scheme even if the state does not provide funds, it acts as principal and offers tax free certifications for money donated by Filipinos overseas for cooperative linkages): The LINKAPIL Program was designed to facilitate the transfer of various forms of assistance from Filipinos or other donors overseas to support projects in livelihood development, education, health related activities, and small-scale infrastructure. Through the LINKAPIL Program, the CFO will act as the principal, conduit between overseas Filipinos and the local beneficiaries. The mechanism which the program offers will guarantee the provision of a coordinative support network by the CFO among government agencies involved in the processing of donations from abroad. This will also involve the establishment of close linkages with non-government agencies and identified beneficiaries at the local level for a more viable implementation and maintenance of projects].

Sources: Commission on Filipinos Overseas (CFO). "About Us – LINKAPIL". Accessed July 30, 2019. <https://cfo-linkapil.org.ph/index.php/about-us/>

### 2.2.2. Investment

**EMIGRANT\_37. Existence of a government program to attract investments from emigrants (i.e. investment in housing, local enterprises, etc.):**

Answer: Yes

Code: 1

Explanation: Yes. The Overseas Investment Fund Act (Republic Act 7111 of 1991) created the Overseas' Workers' Investment Fund Board to encourage remittances from overseas Filipino workers and route them toward savings in the government's debt reduction efforts. Programs such as scholarship grants, housing program, credit assistance and other programs were also provided.

Sources: Republic Act No. 7111. 1991.

### 2.2.3. Brain circulation networks

**EMIGRANT\_38. Are there formally constituted networks aiming to build connections between emigrants and the state of origin to share knowledge?**

Answer: No

Code: 0

Explanation: Nationally, no. There are no brain circulation networks promoted and run by the Filipino government, but at the ASEAN level, there are mutual recognition agreements (MRAs) for several high-skilled professions that were designed to encourage the mobility of human capital and prevent brain drain at a regional level. The MRAs, in theory, allow for seven types of professionals – engineering, nursing, architecture, medicine and dentistry, tourism, and accounting – to move freely within the region and pursue employment.

Sources: Association of Southeast Asian Nations (ASEAN) Business News. "Labor Mobility in ASEAN: Current Commitments and Future Limitations". Access date not available.  
<https://www.aseanbriefing.com/news/2016/05/13/asean-labor-mobility.html>.

### 2.2.4. Return policies

**EMIGRANT\_39. Recognition of academic and professional qualifications acquired in the state of residence:**

**Recognition in state of origin of academic and professional qualifications emigrants acquired in the state of residence:**

Answer: Yes

Code: 1

Explanation: The Office of Student Development and Services in the Commission on Higher Education (CHED) is in charge of certifying, authenticating, and verifying educational credentials obtained in the

Philippines for overseas Filipino workers, and seeing as the mandate of the CHED is the delivery of such activities, it would also be the authority for recognition of qualifications obtained abroad. However, there is no information about how long the process would take. "Information on Foreign Credential Assessment and Recognition" is listed in the contents of the CHED website: <https://ched.gov.ph/contents/>.

Sources: Office of the President of the Philippines. "The Official Website of Commission on Higher Education (CHED)". Accessed November 19, 2018. <https://ched.gov.ph/>.

**Timeframe for the recognition of academic/professional qualifications obtained abroad. If there are several processes (i.e. automatic, for higher education, for primary education.), register the one with the lengthier timeframe:**

Answer: Not stated

Code: 0.25

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_40. Communication campaigns aiming to convince emigrants to return to home country:**

Answer: No

Code: 0

Explanation: No. While there are numerous diaspora engagement initiatives, for both temporary overseas workers and permanently settled emigrants, there do not seem to be communication campaigns advocating for return. It seems as though a lot of return and reintegration initiatives are developed out of need (since most overseas Filipinos have to return after their contract terminates) rather than a concerted effort for attracting return. A case in point is the National Reintegration Center for OFWs which mainly has programs to assist returning migrants in building a sustainable livelihood once back home.

Sources: Office of the President of the Philippines. "Commission on Filipinos Overseas". Accessed November 19, 2018. <https://www.cfo.gov.ph/>.

**EMIGRANT\_41. Existence of brain gain programs developed by the government targeting highly qualified emigrants:**

Answer: Yes

Code: 1

Explanation: Yes, there are two brain gain policies. Balik Scientist Program (BSP) from the Department of Science and Technology (DOST) "seeks to encourage highly-trained overseas Filipino scientists and technologists, experts, and professionals to return to the Philippines and share their expertise for the acceleration of the scientific, agro-industrial and economic development of the country". [Balik Scientist Program] BaLinkBayan is an online platform launched by the Commission on Filipinos Overseas that "links OFs to development-oriented diaspora initiatives in the Philippines and provides options to avail of business and investment opportunities at the national level and in their

respective hometowns, to automated transaction processes at the LGU level". It has a special track dedicated to entrepreneurial initiatives, but does not necessarily target overseas Filipinos based on skill level. [BaLinkBayan].

Sources: Department of Science and Technology. "Balik Scientist Program". Accessed November 19, 2018. <http://bsp.dost.gov.ph/>. / Commission on Filipinos Overseas. "BaLinkBayan". Accessed November 19, 2018. <https://www.cfo.gov.ph/other-programs-initiatives/balinkbayan.html>.

**EMIGRANT\_42. Existence of welfare provisions or benefits that aim at facilitating the reintegration of emigrants in the home society:**

Answer: Yes

Code: 1

Explanation: While it is tricky to register it as a policy incentive, the Department of Labor and Employment (DOLE) has a division called National Reintegration Center for OFWs (NRCO) that deals with needs of returning Filipinos by providing employment seminars, financial training, etc. While abroad, the welfare needs of overseas Filipino workers are met by the Overseas Workers Welfare Administration (OWWA). It provides a range of services as laid out in the law, including social assistance, education and training, cultural services, financial management, and entrepreneurial development services. Reintegration is also a core part of this scheme, but it is hard to see this as a policy of encouraging return since most OFWs are already temporary migrants as per their contract. SEC. 34. Guiding Principles. – Pursuant to its mandate, the OWWA shall provide gender-responsive reintegration programs, repatriation assistance, loan and credit assistance, on-site workers assistance, death and disability benefits, health care benefits, education and skills training, social services, family welfare assistance, programs and services for women migrant workers and other appropriate programs that provide timely social and economic services. Nothing in this Act shall be construed as a limitation or denial of the right of an OFW to avail of any benefit plan which may be adopted in the employment contract, or offered voluntarily by employers, or by the laws of the receiving country, over and above those provided under this Act.

Sources: Republic Act No. 10801. 2016.

## **2.3. Social Policies**

### **2.3.1. Retirement benefits**

**EMIGRANT\_43. Retirement benefits after emigration (i.e. pensions):**

Answer: Yes

Code: 1

Explanation: No restrictions stated. At least, there is no constraint as long as one continues contributing financially into the fund. Overseas Filipino Workers can opt into and contribute to a national pension plan through the government-run Social Security System and there is a specific coverage track that provides pensions benefits under the standard SSS program. As well, "A member who is separated from employment or ceased to be a self-employed/overseas Filipino worker/non-working spouse may opt to become a Voluntary Member and continue paying SSS contributions on his/her own account".



Sources: Government of the Republic of the Philippines. "Republic of the Philippines Social Security System". Accessed November 19, 2018.  
<https://www.sss.gov.ph/sss/appmanager/pages.jsp?page=separatedcoverage>.

### 2.3.2. Health care benefits

#### EMIGRANT\_44. Health care benefits.

**Health coverage can be extended abroad (access to health services covered by the healthcare system in country of origin):**

Answer: Yes

Code: 1

Explanation: Membership in PhilHealth allows for health care benefits if Overseas Filipinos pay a premium contribution fee (dependents can also claim the same benefits).

Sources: PhilHealth. "Overseas Filipino Workers". Access date not available.  
<https://www.philhealth.gov.ph/members/overseas/>.

**Emigrants can keep their health insurance in the state of origin and access health care services when they visit the state of origin:**

Answer: Yes

Code: 1

Explanation: Membership in PhilHealth allows for health care benefits if Overseas Filipinos pay a premium contribution fee (dependents can also claim the same benefits).

Sources: PhilHealth. "Overseas Filipino Workers". Access date not available.  
<https://www.philhealth.gov.ph/members/overseas/>.

**Emigrants can pay for their families' contributions to the public health care scheme of the state of origin:**

Answer: Yes

Code: 1

Explanation: Membership in PhilHealth allows for health care benefits if Overseas Filipinos pay a premium contribution fee (dependents can also claim the same benefits).

Sources: PhilHealth. "Overseas Filipino Workers". Access date not available.  
<https://www.philhealth.gov.ph/members/overseas/>.

### 2.3.3. Education

#### EMIGRANT\_45. Education programs for emigrants.

**Emigrants can access scholarships awarded by the state of origin in the same conditions as resident citizens:**

Answer: Yes

Code: 1

Explanation: Yes. The Overseas Investment Fund Act (Republic Act 7111 of 1991) created the Overseas' Workers' Investment Fund Board to encourage remittances from overseas Filipino workers and route them toward savings in the government's debt reduction efforts. Programs such as scholarship grants, housing program, credit assistance and other programs were also provided. Also, the Migrant Workers and Overseas Filipinos Act of 1995 mandated that agencies involved in training and livelihood development shall prioritize returning migrants. As well, the government established Philippine schools overseas (PSOs) which are officially registered schools that follow the education curriculum of the Department of Education.

Sources: Republic Act No. 7111. 1991.

**State of origin has created schools abroad where emigrants can access education provided by the state of origin (i.e. follow the same curricula as schools in country of origin):**

Answer: Yes

Code: 1

Explanation: Section 10 "For this purpose, the Technical Education and Skills Development Authority (TESDA), the Technology Livelihood Resource Center (TLRC), and other government agencies involved in training and livelihood development shall give priority to returnees who had been employed as domestic helpers and entertainers". [Migrant Workers and Overseas Filipinos Act of 1995] PSOs: "Philippine Schools Overseas (PSOs) are duly-registered educational institutions operating outside the Philippines and implementing the basic education curriculum of the Department of Education (DepEd). PSOs are established to address the educational needs of children of Filipinos overseas, and eventually facilitate their reintegration into the Philippine educational system. The schools also provide a venue for the teaching and propagation of the Filipino culture and heritage among Filipino youth overseas, and serve as a locus for Filipino community activity".

Sources: Republic Act No. 10022. 1995. / Commission on Filipinos Overseas. "Philippine Schools Overseas". Accessed November 19, 2018. <https://www.cfo.gov.ph/program-and-services/philippine-schools-overseas.html>.

**State of origin offers language courses to emigrants to learn the language of the state of reception:**

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

## 2.4. Cultural policies

### 2.4.1. Visits to country of origin

**EMIGRANT\_46. State of origin organizes visits to the origin country for emigrants on a regular basis:**

Answer: Yes

Code: 1

Explanation: Yes. Lakbay-Aral sa Pilipinas is a two-week cultural immersion program in the Philippines designed for Filipino youth overseas to connect with their heritage. “The enhanced Lakbay-Aral is a two-week cultural immersion program in the Philippines. Developed and implemented since 1983, the program enables Filipino youth overseas to rediscover their Filipino roots and appreciate the richness and diversity of their heritage thru lectures on Philippine history and language and guided tours to scenic and historical landmarks, interaction with Filipino students, public officials and members of indigenous communities and participation in local festivities. The program has enabled 180 participants from France, Spain, Switzerland, and the US to get back to and appreciate their motherland more. The four new modules of the Lakbay-Aral include Tracing the Philippine Roots, Eco-Tourism, Arts and Culture, and Rest and Recreation for Wellness“. [Lakbay-Aral sa Pilipinas] In addition, the Global Summit of Filipinos in the Diaspora is a biennial event from the Commission on Filipinos Overseas that “serves as one of the largest convergence of community leaders of Philippine associations worldwide”. Representative from regional diaspora networks may participate as well as second and third generation overseas Filipinos. [Global Summit of Filipinos in the Diaspora].

Sources: Commission on Filipinos Overseas. “Lakbay-Aral Sa Pilipinas”. Accessed November 19, 2018. <https://www.cfo.gov.ph/program-and-services/lakbay-aral-sa-pilipinas.html>. / Commission on Filipinos Overseas. “Global Summit of Filipinos in the Diaspora”. Accessed November 19, 2018. <https://www.cfo.gov.ph/other-programs-initiatives/global-summit-of-filipinos-in-the-diaspora.html>.

### 2.4.2. Language courses for emigrants

**EMIGRANT\_47. State of origin finances cultural courses for learning the culture and traditions of the country of origin (this could include language courses to learn the language of origin):**

Answer: Yes

Code: 1

Explanation: Yes. While not language schools per se, the government establishes officially registered educational institutions that follow the formal curriculum set by the Department of Education. There are courses delivered through Philippine Schools Overseas (PSO). “Philippine Schools Overseas (PSOs) are duly-registered educational institutions operating outside the Philippines and implementing the basic education curriculum of the Department of Education (DepEd). PSOs are established to address the educational needs of children of Filipinos overseas, and eventually facilitate their reintegration into the Philippine educational system. The schools also provide a venue for the teaching

and propagation of the Filipino culture and heritage among Filipino youth overseas, and serve as a locus for Filipino community activity“.

Sources: Commission on Filipinos Overseas. “Philippine Schools Overseas”. Accessed November 19, 2018. <https://www.cfo.gov.ph/program-and-services/philippine-schools-overseas.html>.

## **2.5. Obligations**

### **2.5.1. Military service**

**EMIGRANT\_48. Emigrants have the obligation to comply with military service:**

Answer: No existence of military service

Code: Not applicable

Explanation: There is no compulsory military service in the Philippines.

Sources: Central Intelligence Agency the World Factbook. “Philippines”. Accessed May 3, 2018. <https://www.cia.gov/library/publications/the-world-factbook/geos/rp.html>.

### **2.5.2. Social service**

**EMIGRANT\_49. Emigrants have the obligation to comply with social service:**

Answer: No existence of social service

Code: Not applicable

Explanation: There is no compulsory social service in the Philippines.

Sources: Central Intelligence Agency the World Factbook. “Philippines”. Accessed May 3, 2018. <https://www.cia.gov/library/publications/the-world-factbook/geos/rp.html>.

### **2.5.3. Taxes**

**EMIGRANT\_50. Obligation to pay taxes in state of origin**

**Emigrant must pay income taxes in state of origin:**

Answer: No

Code: 0

Explanation: No. Section 4. Government Fees, Administrative Costs and Taxes. All fees for services being charged by any government agency on migrant workers prevailing at the time of the effectivity of this Rule shall not be increased. All other services rendered by the DOLE and other government agencies in connection with the recruitment and placement of and assistance to migrant workers shall be rendered free. The administrative cost thereof shall not be borne by the worker. The migrant worker shall be exempt from the payment of travel tax and airport fee upon proper showing of the Overseas Employment Certificate (OEA) issued by the POEA. The remittances of all OFWs, upon showing of the OEC or valid OWWA Membership Certificate by the OFW beneficiary or recipient, shall be exempt from the payment of documentary stamp tax (DST) as imposed under Section 181 of the National Internal Revenue Code, as amended. In addition to the original copy, a duplicate copy or a certified true copy of the valid proof of entitlement referred to above shall be secured by the OFW from the POEA or OWWA, which shall be held and used by his/her beneficiary in the availment of the DST exemption. In case of OFWs whose remittances are sent through the banking system, credited to beneficiaries or recipient's account in the Philippines and withdrawn through an automatic teller machine (ATM), it shall be the responsibility of the OFW to show the valid proof of entitlement when making arrangement that for his/her remittance transfers. A proof of entitlement that is no longer valid shall not entitle an OFW to DST payment exemption.

Sources: Migrant Workers and Overseas Filipinos Act of 1995. 1995.

### **There are special taxes for emigrants:**

Answer: No

Code: 0

Explanation: No. Section 4. Government Fees, Administrative Costs and Taxes. All fees for services being charged by any government agency on migrant workers prevailing at the time of the effectivity of this Rule shall not be increased. All other services rendered by the DOLE and other government agencies in connection with the recruitment and placement of and assistance to migrant workers shall be rendered free. The administrative cost thereof shall not be borne by the worker. The migrant worker shall be exempt from the payment of travel tax and airport fee upon proper showing of the Overseas Employment Certificate (OEA) issued by the POEA. The remittances of all OFWs, upon showing of the OEC or valid OWWA Membership Certificate by the OFW beneficiary or recipient, shall be exempt from the payment of documentary stamp tax (DST) as imposed under Section 181 of the National Internal Revenue Code, as amended. In addition to the original copy, a duplicate copy or a certified true copy of the valid proof of entitlement referred to above shall be secured by the OFW from the POEA or OWWA, which shall be held and used by his/her beneficiary in the availment of the DST exemption. In case of OFWs whose remittances are sent through the banking system, credited to beneficiaries or recipient's account in the Philippines and withdrawn through an automatic teller machine (ATM), it shall be the responsibility of the OFW to show the valid proof of entitlement when making arrangement that for his/her remittance transfers. A proof of entitlement that is no longer valid shall not entitle an OFW to DST payment exemption.

Sources: Migrant Workers and Overseas Filipinos Act of 1995. 1995.

## **2.6. Administration**

### **2.6.1. Home country administration**

**EMIGRANT\_51. Existence of a home country administration agency/body for emigrants in state of origin.**

**Existence of institution/agency with competencies for emigrant policies:**

Answer: Yes

Code: 1

Explanation: Yes. The Commission on Filipinos Overseas is a government agency that “envisions a community of well-respected and proudly competitive Filipinos overseas who contribute significantly to the productivity and well-being of the countries where they reside or work while maintaining strong political, economic and cultural ties with the Philippines“. For overseas workers specifically, the Philippine Overseas Employment Administration (POEA) is a government body that works to facilitate Filipino labor migration abroad. Their main functions are industry regulation (issuing licenses, setting labor standards, etc.), employment facilitation (assisting workers at ports of exit, registering workers, conducting marketing missions, etc.), worker’s protection (information campaigns, repatriation assistance, etc.) and general administration and support services. The POEA designs policy, implements them, and oversees implementation.

Sources: Office of the President of the Philippines. “Commission on Filipinos Overseas”. Accessed November 19, 2018. <https://www.cfo.gov.ph/>.

**Name of the institution with competencies for emigrant policies in original language:**

Answer: Commission on Filipinos Overseas

**Name of the institution with competencies for emigrant policies in English:**

Answer: Commission on Filipinos Overseas

**EMIGRANT\_52. Place in the administrative hierarchy:**

Answer: 2nd Rank in the public administration

Code: 0.75

Explanation: The Commission on Filipinos Overseas falls under the Office of the President of the Philippines. It is in the executive branch and is the 2nd rank.

Sources: Office of the President of the Philippines. “Commission on Filipinos Overseas”. Accessed November 19, 2018. <https://www.cfo.gov.ph/>.

## **2.6.2. Consular network**

**EMIGRANT\_53: Number of consulates.**

**Number of consular missions deployed by the state of origin (including consular sections in embassies but excluding honorary consulates):**

Answer: 111

Code: 111

Explanation: The Philippines has: 88 embassies with consular sections and 23 consulate generals in 88 countries worldwide.

Sources: Commission on Filipinos Overseas. "Philippine Embassies and Consulates Abroad". Accessed June 11, 2019. <https://www.cfo.gov.ph/links/philippine-embassies-and-consulates-abroad.html>.

**Number of countries in which the state of origin has a consular mission (including consular sections in embassies but excluding honorary consulates):**

Answer: 88

Code: 88

Explanation: The Philippines has: 88 embassies with consular sections and 23 consulate generals in 88 countries worldwide.

Sources: Commission on Filipinos Overseas. "Philippine Embassies and Consulates Abroad". Accessed June 11, 2019. <https://www.cfo.gov.ph/links/philippine-embassies-and-consulates-abroad.html>.

### 2.6.3. New consular functions

**EMIGRANT\_54: Extensions to the consular network services.**

**Existence of mobile consulates:**

Answer: Yes

Code: 1

Explanation: The Filipino embassy in Germany shows presence of mobile consulates.

Sources: Embassy of the Philippines Berlin. "Outreach Missions". Accessed June 3, 2019. <http://philippine-embassy.de/outreach-missions/>.

**Consulates open on weekends on a regular basis (e.g. once monthly):**

Answer: Yes

Code: 1

Explanation: While this is not a general rule for consulates, embassies in countries that have a high concentration of Filipino migrant workers have Migrant Workers and other Overseas Filipinos Resource Centers, which are ordained to stay open 24/7, 365/year. SEC. 19. ESTABLISHMENT OF A MIGRANT WORKERS AND OTHER OVERSEAS FILIPINOS RESOURCE CENTER. The establishment and operations of the Center shall be a joint undertaking of the various government agencies. The Center shall be open for twenty-four (24) hours daily, including Saturdays, Sundays and holidays, and shall be staffed by Foreign Service personnel, service attaches or officers who represent other organizations from the host countries. In countries categorized as highly problematic by the

Department of Foreign Affairs and the Department of Labor and Employment and where there is a concentration of Filipino migrant workers, the government must provide a lawyer and a social worker for the Center. The Labor Attache shall coordinate the operation of the Center and shall keep the Chief of Mission informed and updated on all matters affecting it. [Migrant Workers Act of 1995]

Sources: Republic Act No. 8042. 1995.

**Consulates offer some services online:**

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_55: Adoption of new consular functions.**

**Consulates offer financial consultancy:**

Answer: Yes

Code: 1

Explanation: Migrant Workers and other Overseas Filipinos Resource Centers (MWOFRFC) are embedded in embassies in countries where there are large concentrations of Filipino workers. As per the law, these centers provide several services:  
“SEC. 19. ESTABLISHMENT OF A MIGRANT WORKERS AND OTHER OVERSEAS FILIPINOS RESOURCE CENTER. - Within the premises and under the administrative jurisdiction of the Philippine Embassy in countries where there are large concentrations of Filipino migrant workers, there shall be establish a Migrant Workers and Other Overseas Filipinos Resource Center with the following services: (a) Counseling and legal services; (b) Welfare assistance including the procurement of medical and hospitalization services; (c) Information, advisory and programs to promote social integration such as post-arrival orientation, settlement and community networking services for social integration; (d) Institute a scheme of registration of undocumented workers to bring them within the purview of this Act. For this purpose, the Center is enjoined to compel existing undocumented workers to register with it within six (6) months from the effectivity of this Act, under pain of having his/her passport cancelled; (e) Human resource development, such as training and skills upgrading; (f) Gender sensitive programs and activities to assist particular needs of women migrant workers; (g) Orientation program for returning workers and other migrants; and (h) Monitoring of daily situations, circumstances and activities affecting migrant workers and other overseas Filipinos”.

Sources: Republic Act No. 8042. 1995.

**Consulates offer psychological consultancy:**

Answer: Yes

Code: 1

Explanation: Migrant Workers and other Overseas Filipinos Resource Centers (MWOFRFC) are embedded in embassies in countries where there are large concentrations of Filipino workers. As per the law, these centers provide several services. SEC. 19. ESTABLISHMENT OF A MIGRANT



**WORKERS AND OTHER OVERSEAS FILIPINOS RESOURCE CENTER.** - Within the premises and under the administrative jurisdiction of the Philippine Embassy in countries where there are large concentrations of Filipino migrant workers, there shall be establish a Migrant Workers and Other Overseas Filipinos Resource Center with the following services: (a) Counseling and legal services; (b) Welfare assistance including the procurement of medical and hospitalization services; (c) Information, advisory and programs to promote social integration such as post-arrival orientation, settlement and community networking services for social integration; (d) Institute a scheme of registration of undocumented workers to bring them within the purview of this Act. For this purpose, the Center is enjoined to compel existing undocumented workers to register with it within six (6) months from the effectivity of this Act, under pain of having his/her passport cancelled; (e) Human resource development, such as training and skills upgrading; (f) Gender sensitive programs and activities to assist particular needs of women migrant workers; (g) Orientation program for returning workers and other migrants; and (h) Monitoring of daily situations, circumstances and activities affecting migrant workers and other overseas Filipinos.

Sources: Republic Act No. 8042. 1995.

#### **Consulates offer health services:**

Answer: Yes

Code: 1

Explanation: Migrant Workers and other Overseas Filipinos Resource Centers (MWOFRFC) are embedded in embassies in countries where there are large concentrations of Filipino workers. As per the law, these centers provide several services. **SEC. 19. ESTABLISHMENT OF A MIGRANT WORKERS AND OTHER OVERSEAS FILIPINOS RESOURCE CENTER.** - Within the premises and under the administrative jurisdiction of the Philippine Embassy in countries where there are large concentrations of Filipino migrant workers, there shall be establish a Migrant Workers and Other Overseas Filipinos Resource Center with the following services: (a) Counseling and legal services; (b) Welfare assistance including the procurement of medical and hospitalization services; (c) Information, advisory and programs to promote social integration such as post-arrival orientation, settlement and community networking services for social integration; (d) Institute a scheme of registration of undocumented workers to bring them within the purview of this Act. For this purpose, the Center is enjoined to compel existing undocumented workers to register with it within six (6) months from the effectivity of this Act, under pain of having his/her passport cancelled; (e) Human resource development, such as training and skills upgrading; (f) Gender sensitive programs and activities to assist particular needs of women migrant workers; (g) Orientation program for returning workers and other migrants; and (h) Monitoring of daily situations, circumstances and activities affecting migrant workers and other overseas Filipinos.

Sources: Republic Act No. 8042. 1995.

### **2.6.4. Special offices**

**EMIGRANT\_56. Existence of special migrant offices in state of reception created by state of origin (e.g. offices for migrant workers):**

Answer: Yes

Code: 1

Explanation: Yes. The Department of Labor and Employment hosts Philippine Overseas Labor Offices (POLO) in select countries with a large Filipino population, including Abu Dhabi, Australia, Cyprus, etc.

The heads of these offices are labor attaches. As well, there are Migrant Workers and other Overseas Filipinos Resource Centers (MWOFRFC) nested within embassies in countries where there are large concentrations of Filipino migrant workers.

Sources: Republic of the Philippines Department of Labor and Employment. "Directory - Philippine Overseas Labor Offices". Accessed August 6, 2018. <https://www.dole.gov.ph/pages/view/24>.

### 3. Emigrant citizenship and nationality policies

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**CITNAT: Does the country make a distinction between citizenship and nationality?**

Answer: No, it uses the terms 'nationality' and 'citizenship' indistinctly

Code: 0

Explanation: No. No evidence for such distinction is found in the Constitution.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

#### 3.1. Emigrant nationality

##### 3.1.1. Dual nationality for emigrants

**EMINAT\_1. Deprivation of nationality for having acquired a foreign nationality.**

**Loss of nationality for acquisition of foreign citizenship (nationals by birth):**

Answer: Procedure for loss is withdrawal

Code: 0.25

Explanation: Yes. In several ways as enumerated in the section excerpt below, the country reserves the right to revoke the citizenship of citizens. Section 1. How citizenship may be lost: A Filipino citizen may lose his citizenship in any of the following ways and/or events: (1) By naturalization in a foreign country; (2) By express renunciation of citizenship; (3) By subscribing to an oath of allegiance to support the constitution or laws of a foreign country upon attaining twenty-one years of age or more: Provided, however, That a Filipino may not divest himself of Philippine citizenship in any manner while the Republic of the Philippines is at war with any country; (4) By rendering services to, or accepting commission in, the armed forces of a foreign country: Provided, That the rendering of service to, or the acceptance of such commission in, the armed forces of a foreign country, and the taking of an oath of allegiance incident thereto, with the consent of the Republic of the Philippines, shall not divest a Filipino of his Philippine citizenship if either of the following circumstances is present: (a) The Republic of the Philippines has a defensive and/or offensive pact of alliance with the said foreign country; or (b) The said foreign country maintains armed forces on Philippine territory with the consent of the Republic of the Philippines: Provided, That the Filipino citizen concerned, at the time of rendering said service, or acceptance of said commission, and taking the oath of allegiance incident thereto, states that he does so only in connection with his service to said foreign country: And provided, finally, That any Filipino citizen who is rendering service to, or is commissioned in, the armed forces of a foreign country under any of the circumstances mentioned in paragraph (a) or (b), shall not be permitted to participate nor vote in any election of the Republic of the Philippines during the period of his service to, or commission in, the armed forces of said foreign country. Upon his discharge from the service of the said foreign country, he shall be automatically entitled to the full enjoyment of his civil and political rights as a Filipino citizen; (5) By cancellation of the of the certificates of naturalization; (6) By having been declared by competent authority, a deserter of the Philippine armed forces in time of war, unless subsequently, a plenary pardon or amnesty has been granted; and (7) In the case of a woman, upon her marriage to a foreigner if, by virtue of the laws in force in her husband's country, she acquires his nationality.<sup>1</sup>

Sources: An Act Providing for the Ways in Which Philippine Citizenship May Be Lost or Reacquired. 1936.

**Nationality can be withdrawn only if person resides abroad:**

Answer: 0

Code: 0

Explanation: In several ways as enumerated in the section excerpt below, the country reserves the right to revoke the citizenship of citizens. Section 1. How citizenship may be lost: A Filipino citizen may lose his citizenship in any of the following ways and/or events: (1) By naturalization in a foreign country; (2) By express renunciation of citizenship; (3) By subscribing to an oath of allegiance to support the constitution or laws of a foreign country upon attaining twenty-one years of age or more: Provided, however, That a Filipino may not divest himself of Philippine citizenship in any manner while the Republic of the Philippines is at war with any country; (4) By rendering services to, or accepting commission in, the armed forces of a foreign country: Provided, That the rendering of service to, or the acceptance of such commission in, the armed forces of a foreign country, and the taking of an oath of allegiance incident thereto, with the consent of the Republic of the Philippines, shall not divest a Filipino of his Philippine citizenship if either of the following circumstances is present: (a) The Republic of the Philippines has a defensive and/or offensive pact of alliance with the said foreign country; or (b) The said foreign country maintains armed forces on Philippine territory with the consent of the Republic of the Philippines: Provided, That the Filipino citizen concerned, at the time of rendering said service, or acceptance of said commission, and taking the oath of allegiance incident thereto, states that he does so only in connection with his service to said foreign country: And provided, finally, That any Filipino citizen who is rendering service to, or is commissioned in, the armed forces of a foreign country under any of the circumstances mentioned in paragraph (a) or (b), shall not be permitted to participate nor vote in any election of the Republic of the Philippines during the period of his service to, or commission in, the armed forces of said foreign country. Upon his discharge from the service of the said foreign country, he shall be automatically entitled to the full enjoyment of his civil and political rights as a Filipino citizen; (5) By cancellation of the of the certificates of naturalization; (6) By having been declared by competent authority, a deserter of the Philippine armed forces in time of war, unless subsequently, a plenary pardon or amnesty has been granted; and (7) In the case of a woman, upon her marriage to a foreigner if, by virtue of the laws in force in her husband's country, she acquires his nationality.<sup>1</sup>

Sources: An Act Providing for the Ways in Which Philippine Citizenship May Be Lost or Reacquired. 1936.

**Nationality can be withdrawn only if person was born abroad:**

Answer: No

Code: 0

Explanation: In several ways as enumerated in the section excerpt below, the country reserves the right to revoke the citizenship of citizens. Section 1. How citizenship may be lost: A Filipino citizen may lose his citizenship in any of the following ways and/or events: (1) By naturalization in a foreign country; (2) By express renunciation of citizenship; (3) By subscribing to an oath of allegiance to support the constitution or laws of a foreign country upon attaining twenty-one years of age or more: Provided, however, That a Filipino may not divest himself of Philippine citizenship in any manner while the Republic of the Philippines is at war with any country; (4) By rendering services to, or accepting commission in, the armed forces of a foreign country: Provided, That the rendering of service to, or the acceptance of such commission in, the armed forces of a foreign country, and the taking of an oath of allegiance incident thereto, with the consent of the Republic of the Philippines, shall not divest a Filipino of his Philippine citizenship if either of the following circumstances is present: (a) The Republic

of the Philippines has a defensive and/or offensive pact of alliance with the said foreign country; or (b) The said foreign country maintains armed forces on Philippine territory with the consent of the Republic of the Philippines: Provided, That the Filipino citizen concerned, at the time of rendering said service, or acceptance of said commission, and taking the oath of allegiance incident thereto, states that he does so only in connection with his service to said foreign country: And provided, finally, That any Filipino citizen who is rendering service to, or is commissioned in, the armed forces of a foreign country under any of the circumstances mentioned in paragraph (a) or (b), shall not be permitted to participate nor vote in any election of the Republic of the Philippines during the period of his service to, or commission in, the armed forces of said foreign country. Upon his discharge from the service of the said foreign country, he shall be automatically entitled to the full enjoyment of his civil and political rights as a Filipino citizen; (5) By cancellation of the of the certificates of naturalization; (6) By having been declared by competent authority, a deserter of the Philippine armed forces in time of war, unless subsequently, a plenary pardon or amnesty has been granted; and (7) In the case of a woman, upon her marriage to a foreigner if, by virtue of the laws in force in her husband's country, she acquires his nationality.<sup>1</sup>

Sources: An Act Providing for the Ways in Which Philippine Citizenship May Be Lost or Reacquired. 1936.

### **Nationality can be withdrawn only if person acquires citizenship of other country voluntarily:**

Answer: 0

Code: 0

Explanation: It will be withdraws if person acquires another nationality voluntarily, but there are clearly other reasons why nationality can also be withdrawn. In several ways as enumerated in the section excerpt below, the country reserves the right to revoke the citizenship of citizens. Section 1. How citizenship may be lost. – A Filipino citizen may lose his citizenship in any of the following ways and/or events: (1) By naturalization in a foreign country; (2) By express renunciation of citizenship; (3) By subscribing to an oath of allegiance to support the constitution or laws of a foreign country upon attaining twenty-one years of age or more: Provided, however, That a Filipino may not divest himself of Philippine citizenship in any manner while the Republic of the Philippines is at war with any country; (4) By rendering services to, or accepting commission in, the armed forces of a foreign country: Provided, That the rendering of service to, or the acceptance of such commission in, the armed forces of a foreign country, and the taking of an oath of allegiance incident thereto, with the consent of the Republic of the Philippines, shall not divest a Filipino of his Philippine citizenship if either of the following circumstances is present: (a) The Republic of the Philippines has a defensive and/or offensive pact of alliance with the said foreign country; or (b) The said foreign country maintains armed forces on Philippine territory with the consent of the Republic of the Philippines: Provided, That the Filipino citizen concerned, at the time of rendering said service, or acceptance of said commission, and taking the oath of allegiance incident thereto, states that he does so only in connection with his service to said foreign country: And provided, finally, That any Filipino citizen who is rendering service to, or is commissioned in, the armed forces of a foreign country under any of the circumstances mentioned in paragraph (a) or (b), shall not be permitted to participate nor vote in any election of the Republic of the Philippines during the period of his service to, or commission in, the armed forces of said foreign country. Upon his discharge from the service of the said foreign country, he shall be automatically entitled to the full enjoyment of his civil and political rights as a Filipino citizen; (5) By cancellation of the of the certificates of naturalization; (6) By having been declared by competent authority, a deserter of the Philippine armed forces in time of war, unless subsequently, a plenary pardon or amnesty has been granted; and (7) In the case of a woman, upon her marriage to a foreigner if, by virtue of the laws in force in her husband's country, she acquires his nationality.<sup>1</sup>

Sources: An Act Providing for the Ways in Which Philippine Citizenship May Be Lost or Reacquired. 1936.

### **Loss of nationality can be prevented:**

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

### 3.1.2. Dual nationality only for some countries of residence

**EMINAT\_2. Dual nationality only tolerable if citizen by birth naturalizes in certain countries.**

**Dual nationality is only tolerable if citizen by birth naturalizes in certain countries with which state of origin has signed treaties:**

Answer: Yes

Code: 0

Explanation: Yes. "The provisions of this section notwithstanding, the acquisition of citizenship by a natural born Filipino citizen from one of the Iberian and any friendly democratic Ibero-American countries or from the United Kingdom shall not produce loss or forfeiture of his Philippine citizenship if the law of that country grants the same privilege to its citizens and such had been agreed upon by treaty between the Philippines and the foreign country from which citizenship is acquired". [An Act Providing for the Ways in Which Philippine Citizenship May Be Lost or Reacquired]  
According to the same Act also, former Filipino nationals who have naturalized to a foreign country may reclaim Filipino nationality upon some administrative procedures (oath of allegiance, etc.), but this right is not dependent on the country, but general.

Sources: An Act Providing for the Ways in Which Philippine Citizenship May Be Lost or Reacquired. 1936. / An Act Making the Citizenship of Philippine Citizens Who Acquire Foreign Citizenship Permanent. 2003.

**Which countries:**

Answer: AR, BR, CL, CO, CR, CU, DO, EC, SV, GT, HN, MX, NI, PA, PY, PE, PT, ES, UY, VE

Code: AR, BR, CL, CO, CR, CU, DO, EC, SV, GT, HN, MX, NI, PA, PY, PE, PT, ES, UY, VE

Explanation: Yes. "The provisions of this section notwithstanding, the acquisition of citizenship by a natural born Filipino citizen from one of the Iberian and any friendly democratic Ibero-American countries or from the United Kingdom shall not produce loss or forfeiture of his Philippine citizenship if the law of that country grants the same privilege to its citizens and such had been agreed upon by treaty between the Philippines and the foreign country from which citizenship is acquired".

Sources: An Act Making the Citizenship of Philippine Citizens Who Acquire Foreign Citizenship Permanent. 2003.

### 3.1.3. Loss of nationality after residence abroad

#### **EMINAT\_3: Loss of nationality after residence abroad.**

**Country of origin deprives their national citizens by birth who emigrated of that nationality because of residence abroad:**

Answer: No provision

Code: 1

Explanation: No. This may only happen if the person were a deserter of the Philippine armed forces in time of war unless pardon or amnesty had been granted.

Sources: An Act Making the Citizenship of Philippine Citizens Who Acquire Foreign Citizenship Permanent. 2003.

#### **Nationality can be withdrawn only if person resides abroad for 20 years or more:**

Answer: Not applicable

Code: Not applicable

Explanation: No. This may only happen if the person were a deserter of the Philippine armed forces in time of war unless pardon or amnesty had been granted.

Sources: An Act Making the Citizenship of Philippine Citizens Who Acquire Foreign Citizenship Permanent. 2003.

#### **Nationality can be withdrawn only if person has another citizenship:**

Answer: Not applicable

Code: Not applicable

Explanation: No. This may only happen if the person were a deserter of the Philippine armed forces in time of war unless pardon or amnesty had been granted.

Sources: An Act Making the Citizenship of Philippine Citizens Who Acquire Foreign Citizenship Permanent. 2003.

**Country of origin deprives their national citizens by naturalization who emigrated of that nationality because of residence abroad:**

Answer: No provision = 1

Code: 1

Explanation: No, residence abroad is not listed in the conditions leading to loss of citizenship

Sources: An Act Providing for the Ways in Which Philippine Citizenship May Be Lost or Reacquired. 1936. Sec. 1.

### 3.1.4. Jus sanguinis for emigrants

**EMINAT\_4: Transfer of nationality to children born abroad.**

**Country of origin permit parents to confer their nationality on their children who are born abroad:**

Answer: Yes

Code: 1

Explanation: Yes. As long as a mother or father is a Filipino citizen, the children can claim nationality. ARTICLE IV Citizenship SECTION 1. The following are citizens of the Philippines: (1) Those who are citizens of the Philippines at the time of the adoption of this Constitution; (2) Those whose fathers or mothers are citizens of the Philippines; (3) Those born before January 17, 1973, of Filipino mothers, who elect Philippine citizenship upon reaching the age of majority; and (4) Those who are naturalized in accordance with law.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Transfer of nationality is applicable to:**

Answer: No limit

Code: 0

Explanation: ARTICLE IV Citizenship SECTION 1. The following are citizens of the Philippines: (1) Those who are citizens of the Philippines at the time of the adoption of this Constitution; (2) Those whose fathers or mothers are citizens of the Philippines; (3) Those born before January 17, 1973, of Filipino mothers, who elect Philippine citizenship upon reaching the age of majority; and (4) Those who are naturalized in accordance with law.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987. Art. IV.

### 3.1.5. Jus sanguinis across generations

**EMINAT\_5: Transfer of nationality to children born abroad from former citizens.**

**Country of origin permits children who are born abroad to adopt the nationality of parents who are former citizens**

Answer: No

Code: 0

Explanation: The only evidence is of minor children of those who reacquire Filipino citizenship. Section 4. Derivative Citizenship - The unmarried child, whether legitimate, illegitimate or adopted, below



eighteen (18) years of age, of those who re-acquire Philippine citizenship upon effectivity of this Act shall be deemed citizenship of the Philippines.

Sources: An Act Providing for the Ways in Which Philippine Citizenship May Be Lost or Reacquired. 1936.

**Transfer of nationality is applicable to:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **3.1.6. Renunciation of nationality is possible**

**EMINAT\_6: Voluntary renunciation of nationality abroad is possible.**

**Country of origin provides for a national citizen that resides abroad to voluntarily renounce his/her nationality:**

Answer: Renunciation is possible

Code: 1

Explanation: Yes. Clause 2 of Section 1 in Commonwealth Act 63 allows for express renunciation of citizenship. The statute does not provide for conditions, but the Embassy of the Philippines in Singapore lists the following requirements for renunciation: Personal appearance of the applicant, when submitting and collecting documents; Duly accomplished application form; Original and one (1) photocopy of the Notice of Approval from the Singapore Immigration and Checkpoints Authority (ICA); Two (2) identical passport size photographs (4.5 cm x 3.5 cm) in color, recently taken, showing clear front view of the applicant's face; Applicant's current Philippine passport with two (2) photocopies of the identification page; If the applicant's Philippine passport has been lost, the applicant must submit a PSA-issued birth certificate and a duly accomplished Affidavit of Loss of Philippine Passport (<https://bit.ly/2C37ufT>) An additional notarization fee of S\$ 42.50 will be charged for notarization of the Affidavit; Processing Fee of S\$85.00, to be paid in cash. (An additional S\$ 42.50 will be charged for Affidavit of Loss, if applicable); Two (2) Oath of Renunciation forms will be provided by the Embassy processor upon application.

Sources: An Act Providing for the Ways in Which Philippine Citizenship May Be Lost or Reacquired. 1936. / Embassy of the Philippines in Singapore. "Renunciation of Philippine Citizenship". Accessed July 17, 2019. <https://www.philippine-embassy.org.sg/consular/citizenship/renunciation-of-philippine-citizenship/>.

**Renunciation abroad is only possible if person has another nationality:**

Answer: No, person renouncing does not have to show proof of another nationality.

Code: 0

Explanation: Not applicable

Sources: An Act Providing for the Ways in Which Philippine Citizenship May Be Lost or Reacquired. 1936. / Embassy of the Philippines in Singapore. "Renunciation of Philippine Citizenship". Accessed July 17, 2019. <https://www.philippine-embassy.org.sg/consular/citizenship/renunciation-of-philippine-citizenship/>.

**Renunciation abroad is only possible if person was born outside of the country or acquired citizenship of the country by naturalization:**

Answer: No

Code: 0

Explanation: Not applicable

Sources: An Act Providing for the Ways in Which Philippine Citizenship May Be Lost or Reacquired. 1936. / Embassy of the Philippines in Singapore. "Renunciation of Philippine Citizenship". Accessed July 17, 2019. <https://www.philippine-embassy.org.sg/consular/citizenship/renunciation-of-philippine-citizenship/>.

### **3.1.7. Reacquisition of nationality**

**EMINAT\_7. Country of origin provides for reacquisition of nationality for former nationals:**

Answer: Yes

Code: 1

Explanation: Section. 2. How citizenship may be reacquired: Citizenship may be reacquired: (1) By naturalization: Provided that the applicant possess none of the disqualification's prescribed in section two of Act Numbered Twenty-nine hundred and twenty-seven,<sup>3</sup> (2) By repatriation of deserters of the Army, Navy or Air Corp: Provided, that a woman who lost her citizenship by reason of her marriage to an alien may be repatriated in accordance with the provisions of this Act after the termination of the marital status;<sup>4</sup> and (3) By direct act of the National Assembly.

Sources: An Act Providing for the Ways in Which Philippine Citizenship May Be Lost or Reacquired. 1936.

## **3.2. Emigrant citizenship**

### **3.2.1. Citizenship restrictions for dual nationals**

**EMICIT\_1. Conditions or restrictions for the exercise of citizen rights if individual has dual or multiple nationalities (nationals by naturalization):**

Answer: No restrictions

Code: 1

Explanation: There are no provisions on citizenship restrictions found in the Constitution.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

### 3.2.2. Different citizenship for emigrants

**EMICIT\_2. Is there a special status for nationals who are located temporarily or permanently outside the national territory such that they fall in an official category that is different to resident nationals/citizens and which carries legal consequences (e.g. Overseas Indians)?**

Answer: Yes

Code: 1

Explanation: Yes, Overseas Filipinos. The Migrant Workers and Overseas Filipinos Act defines the scope as migrant workers, other Filipino nationals and their dependents abroad.

Sources: Omnibus Rules and Regulations Implementing the Migrant Workers and Overseas Filipinos Act of 1995, As Amended by Republic Act No. 10022. 2010. Sec. 1.

### 3.2.3. Loss or suspension of citizen rights after residence abroad

**EMICIT\_3: Country deprives their national citizens by birth who emigrated of their citizen rights.**

**Does the country deprive their national citizens by birth who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?**

Answer: No

Code: 0

Explanation: No. The law provides for “the right of Filipino migrant workers and all overseas Filipinos to participate in the democratic decision-making processes of the State and to be represented in institutions relevant to overseas employment is recognized and guaranteed”.

Sources: Omnibus Rules and Regulations Implementing the Migrant Workers and Overseas Filipinos Act of 1995, As Amended by Republic Act No. 10022. 2010. Sec. 2.

**Conditions for the exercise of citizen rights if individual resides abroad (nationals by birth) \*If it is not specified in the regulation, it is coded as restrictions not conditional to return:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 4. Immigration policies

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### 4.1. General

#### 4.1.1. Number of entry tracks

##### **IMMIGRATION\_1. How many visa types does the country have?**

Answer: 17

Code: 17

Explanation: Broadly, the Philippines immigration law differentiates between nonimmigrant visas (temporary stay) and immigrant visas (for settlement purposes) as per the Philippine Immigration Act of 1940. There are also special visa tracks that are only listed on the website. There are in total 17 visas listed on the Bureau of Immigration website.

Immigrant visas: 1. Child Born Abroad of Immigrant Mother, 2. Child Born Subsequent to the Issuance of Immigrant Visa of the Accompanying Parent (13C), 3. Immigrant Visa by Marriage (13A), 4. Permanent Resident Visa (PRV), 5. Returning Former Natural-Born Filipino Citizen (13G), 6. Returning Resident (13E), 7. Quota Visa (13).

Non-immigrant visas: 8. Temporary Resident Visa (TRV), 9. Temporary Visitor Visa (9A), 10. Treaty Trader or Treaty Investor (9D), 11. Accredited Official of Foreign Government (9E), 12. Student Visa (9F), 13. Pre-arranged Employment Visa (9G).

Special visas: 14. Visa Upon Arrival (SEVUA), 15. Special Visa for Employment Generation, 16. Special Employment Visa for Offshore Banking Unit, 17. Special Visa under E.O. 226, as amended by R.A. 8756.

Sources: Government of the Republic of the Philippines. "Bureau of Immigration". Accessed June 3, 2019. <http://immigration.gov.ph/>.

##### **IMMIGRATION\_2: Categorical organization of visas**

###### **Are the visas organized by overarching categories?**

Answer: Yes

Code: 1

Explanation: Yes. The visas are categorized into immigrant, non-immigrant, and special visas.

Sources: Government of the Republic of the Philippines. "Bureau of Immigration". Accessed June 3, 2019. <http://immigration.gov.ph/>.

###### **How many categories?**

Answer: 3

Code: 3

Explanation: Not applicable

Sources: Government of the Republic of the Philippines. "Bureau of Immigration". Accessed June 3, 2019. <http://immigration.gov.ph/>.

#### 4.1.2. Biometric information

##### **IMMIGRATION\_3: Collection of biometric information.**

**Does the state collect biometric information from all citizens for example for passports?**

Answer: Yes

Code: 1

Explanation: Face recognition and fingerprints

Sources: Jose, Ashley. "New Immigration Biometrics System in Place to Stop Entry of Undesirable Aliens in PH". Access date not available. <https://www.manilatimes.net/new-immigration-biometrics-system-place-stop-entry-undesirable-aliens-ph/369364/>.

**Does the state collect biometric information from immigrants for example for passports?**

Answer: Yes

Code: 1

Explanation: Face recognition and fingerprints. The newly implemented biometrics system at the airports means every passenger entering and leaving the country must go through cameras and finger scanner devices.

Sources: Jose, Ashley. "New Immigration Biometrics System in Place to Stop Entry of Undesirable Aliens in PH". Access date not available. <https://www.manilatimes.net/new-immigration-biometrics-system-place-stop-entry-undesirable-aliens-ph/369364/>.

#### 4.1.3. Visa waivers

**IMMIGRATION\_4. Is there in the immigration law a specific provision by which the state can determine that certain countries or individuals under specific circumstances can be exempted from the regular visa procedures that apply to residence and work visas (excluding tourists, and regional migrants) (e.g. entry of Spaetaussiedler or Jewish immigrants in Germany)?**

Answer: No

Code: 0

Explanation: No. No such provision found in the immigration regulations.

Sources: Government of the Republic of the Philippines. "Bureau of Immigration". Accessed June 3, 2019. <http://immigration.gov.ph/>.

## 4.2. Documentation

**IMMIGRATION\_5: Issue of legal compulsory identification documents.**

**Are all immigrants issued legal compulsory identification documents (e.g. residence permit, IDs)?**

Answer: Yes

Code: 1

Explanation: As of August 2018, the Philippines has a national ID system that covers all citizens and resident aliens, signed into force through Republic Act No. 11055. However, there is no provision that requires cardholders to carry them at all times.

Sources: Philippine Identification System Act. 2017.

**Are they required to carry them at all times?**

Answer: No

Code: 0

Explanation: As of August 2018, the Philippines has a national ID system that covers all citizens and resident aliens, signed into force through Republic Act No. 11055. However, there is no provision that requires cardholders to carry them at all times.

Sources: Philippine Identification System Act. 2017.

## 4.3. Quotas and restrictions

### 4.3.1. General quota

**IMMIGRATION\_6: General quota for immigration.**

**Is there a general quota (numerical limit) for immigration?**

Answer: No

Code: 1

Explanation: While there is no general quota that covers all immigration, there is a particular immigrant visa track called Quota Immigrant Visa (13) that restricts the number of immigrants to 50 per nationality, given that there is a principle of reciprocity with the country of origin.

Sources: Republic of the Philippines Bureau of Immigration. "Quota Visa". Accessed May 2, 2018. <http://www.immigration.gov.ph/visa-requirements/immigrant-visa/quota-visa>.

**Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### 4.3.2. Specific quotas

**IMMIGRATION\_7: Quota for high-skilled migrants.**

**Is there a quota (numerical limit) on the number of high-skilled migrants that were allowed to enter the country?**

Answer: No

Code: 1

Explanation: Other than the Quota Visa, there is no evidence of any quota for any other visa category.

Sources: Government of the Republic of the Philippines. "Bureau of Immigration". Accessed June 3, 2019. <http://immigration.gov.ph/>.

**Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_8: Quota for low-skilled migrants.**

**Is there a quota (numerical limit) on the number of low-skilled migrants that are allowed to enter the country?**

Answer: No

Code: 1



Explanation: Other than the Quota Visa, there is no evidence of any quota for any other visa category.

Sources: Government of the Republic of the Philippines. "Bureau of Immigration". Accessed June 3, 2019. <http://immigration.gov.ph/>.

**Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_9: Quota for refugees.**

**Is there a quota (numerical limit) on the number of refugees?**

Answer: No

Code: 1

Explanation: No. There is no evidence of a quota on refugees.

Sources: Department of Justice [Philippines]. "Department Circular No. 058 - Establishing the Refugees and Stateless Status Determination Procedure". Access date not available. <http://www.refworld.org/docid/5086932e2.html>.

**Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_10: Quota for co-ethnics.**

**Is there a quota (numerical limit) on the number of co-ethnics that are allowed to enter the country?**

Answer: Not applicable (no co-ethnic proxy)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **4.3.3. List of excluded persons**

#### **IMMIGRATION\_11: Categories of excluded persons.**

##### **Are there categories of excluded persons from immigration?**

Answer: Yes

Code: 0

Explanation: Yes according to the Sec. 29 of the Philippine Immigration Act of 1940.

Sources: The Philippine Immigration Act of 1940. 1940.

##### **List of categories of excluded persons:**

Answer: Sec. 29 reads: "(a) The following classes of aliens shall be excluded from entry into the Philippines: 1. Idiots or insane persons and persons who have been insane; 2. Persons afflicted with a loathsome or dangerous contagious disease, or epilepsy; 3. Persons who have been convicted of a crime involving moral turpitude; 4. Prostitutes, or procurers, or persons coming for any immoral purposes; 5. Persons likely to become, public charge; 6. Paupers, vagrants, and beggars; 7. Persons who practice polygamy or who believe in or advocate the practice of polygamy; 8. Persons who believe in or advocate the overthrow by force and violence of the Government of the Philippines, or of constituted lawful authority, or who disbelieve in or are opposed to organized government, or who advocate the assault or assassination of public officials because of their office, or who advocate or teach principles, theories, or ideas contrary to the Constitution of the Philippines or advocate or teach the unlawful destruction of property, or who are members of or affiliated with any organization entertaining or teaching such doctrines; 9. Persons over fifteen years of age, physically capable of reading, who cannot read printed matter in ordinary use in any language selected by the alien, but this provision shall not apply to the grandfather, grandmother, father, mother, wife, husband or child of a Philippine citizen or of an alien lawfully resident in the Philippines; 10. Persons who are members of a family accompanying an excluded alien, unless in the opinion of the Commissioner of Immigration no hardship would result from their admission; 11. Persons accompanying an excluded person who is helpless from mental or physical disability or infancy, when the protection or guardianship of such accompanying person or persons is required by the excluded person, as shall be determined by the Commissioner of Immigration; 12. Children under fifteen years of age, unaccompanied by or not coming to a parent, except that any such children may be admitted in the discretion of the Commissioner of Immigration, if otherwise admissible; 13. Stowaways, except that any stowaway may be admitted in the discretion of the Commissioner of Immigration, if otherwise admissible; 14. Persons coming to

perform unskilled manual labor in pursuance of a promise or offer of employment, express or implied, but this provision shall not apply to persons bearing passport visas authorized by Section Twenty of this Act; 15. Persons who have been excluded or deported from the Philippines, but this provision may be waived in the discretion of the Commissioner of Immigration: Provided, however, That the Commissioner of Immigration shall not exercise his discretion in favor of aliens excluded or deported on the ground of conviction for any crime involving moral turpitude or for any crime penalized under Sections Forty-Five and Forty-Six of this Act or on the ground of having engaged in hoarding, black-marketing or profiteering unless such aliens have previously resided in the Philippines immediately before his exclusion or deportation for a period of ten years or more or are married to native Filipino women; 16. Persons who have been removed from the Philippines at the expense of the Government of the Philippines, as indigent aliens, under the provisions of section forty-three of this Act, and who have not obtained the consent of the Board of Commissioners to apply for readmission; and 17. Persons not properly documented for admission as may be required under the provisions of this Act. (b) Notwithstanding the provisions of this Section, the Commissioner of Immigration, in his discretion, may permit to enter any alien properly documented, who is subject to exclusion under this section, but who is: 1. An alien lawfully resident in the Philippines who is returning from a temporary visit abroad; 2. An alien applying for temporary admission”.

Code:

Explanation: Not applicable

Sources: The Philippine Immigration Act of 1940. 1940.

#### **4.3.4. List of excluded countries**

**IMMIGRATION\_12: Countries excluded.**

**Is there a list of countries whose nationals are banned for immigration in this country?**

Answer: No

Code: 1

Explanation: No

Sources: Government of the Republic of the Philippines. “Bureau of Immigration”. Accessed June 3, 2019. <http://immigration.gov.ph/>.

**List of countries excluded:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 4.4. Policy incentives

### 4.4.1. Recognized brokers

**IMMIGRATION\_13. State has a license system to recognize and authorize immigration brokers (i.e. persons or companies dedicated to facilitate the immigration process for immigrants):**

Answer: Yes

Code: 1

Explanation: Yes. There is a list of accredited entities (including consultancies, corporations, government organization, law offices, missionary & NPO, other entities, schools, and travel agencies) available on the Bureau of Immigration website.

Sources: Bureau of Immigration. "Accredited Entities". Accessed November 19, 2018. <http://www.immigration.gov.ph/information/list-of-accredited-entities>.

**IMMIGRATION\_14. State offers pecuniary incentives to citizens willing to immigrate:**

Answer: No

Code: 0

Explanation: None found in the immigration regulations.

Sources: Government of the Republic of the Philippines. "Bureau of Immigration". Accessed June 3, 2019. <http://immigration.gov.ph/>.

## 4.5. Immigration control and penalties

### 4.5.1. Irregular residence

**IMMIGRATION\_15: Illegal residence.**

**Is illegal residence in the country considered a criminal offense?**

Answer: Yes

Code: 0

Explanation: There are penal provisions according to Sec. 45 of the Philippine Immigration Act for any person who, "being an alien, enters the Philippines without inspection and admission by the immigration officials".

Sources: The Philippine Immigration Act of 1940. 1940.

**Is illegal residence considered an administrative offense?**

Answer: No

Code: 1

Explanation: There are penal provisions according to Sec. 45, c, of the Philippine Immigration Act for any person who, "being an alien, enters the Philippines without inspection and admission by the immigration officials".

Sources: The Philippine Immigration Act of 1940. 1940.

#### **4.5.2. Forged documents**

**IMMIGRATION\_16: Penalties for immigrants with forged documents.**

**Are there penalties for immigrants for forged documents?**

Answer: Yes

Code: 0

Explanation: Sec. 45. Any individual who: (a) When applying for an immigration document, impersonates another individual, or falsely appears in the name of deceased individual, or evades the immigration laws by appearing under an assumed or fictitious name; or (b) Issues or otherwise disposes of an immigration document to any person not authorized by law to receive such document; or (c) Obtains, accepts or uses any immigration document, knowing it to be false; or (d) Being an alien, enters the Philippines without inspection and admission by the immigration officials, or obtains entry into the Philippines by willful, false, or misleading representation or willful concealment of a material; (e) Being an alien shall, for any fraudulent purpose, represent himself to be a Philippine citizen in order to evade any requirement of the immigration laws: or (f) In any immigration matter, shall knowingly make under oath any false statement or representations; or (g) Being an alien shall depart from the Philippines without first securing an emigration clearance certificates required by Section Twenty-Two-A of the Act; or (h) Attempts or conspires with another to commit any of the foregoing acts, shall be guilty of an offense, and upon conviction thereof, shall be fined not more than one thousand pesos, and imprisoned for not more than two years, and deported if he is an alien.

Sources: The Philippine Immigration Act of 1940. 1940.

**Penalty is expulsion:**

Answer: Yes

Code: 2

Explanation: Any individual who: (a) When applying for an immigration document, impersonates another individual, or falsely appears in the name of deceased individual, or evades the immigration laws by appearing under an assumed or fictitious name; or (b) Issues or otherwise disposes of an immigration document to any person not authorized by law to receive such document; or (c) Obtains, accepts or uses any immigration document, knowing it to be false; or (d) Being an alien, enters the Philippines without inspection and admission by the immigration officials, or obtains entry into the Philippines by willful, false, or misleading representation or willful concealment of a material; (e) Being an alien shall, for any fraudulent purpose, represent himself to be a Philippine

citizen in order to evade any requirement of the immigration laws: or (f) In any immigration matter, shall knowingly make under oath any false statement or representations; or (g) Being an alien shall depart from the Philippines without first securing an emigration clearance certificates required by Section Twenty-Two-A of the Act; or (h) Attempts or conspires with another to commit any of the foregoing acts, shall be guilty of an offense, and upon conviction thereof, shall be fined not more than one thousand pesos, and imprisoned for not more than two years, and deported if he is an alien.

Sources: The Philippine Immigration Act of 1940. 1940.

**Penalty is a fine:**

Answer: Yes

Code: 2

Explanation: Any individual who: (a) When applying for an immigration document, impersonates another individual, or falsely appears in the name of deceased individual, or evades the immigration laws by appearing under an assumed or fictitious name; or (b) Issues or otherwise disposes of an immigration document to any person not authorized by law to receive such document; or (c) Obtains, accepts or uses any immigration document, knowing it to be false; or (d) Being an alien, enters the Philippines without inspection and admission by the immigration officials, or obtains entry into the Philippines by willful, false, or misleading representation or willful concealment of a material; (e) Being an alien shall, for any fraudulent purpose, represent himself to be a Philippine citizen in order to evade any requirement of the immigration laws: or (f) In any immigration matter, shall knowingly make under oath any false statement or representations; or (g) Being an alien shall depart from the Philippines without first securing an emigration clearance certificates required by Section Twenty-Two-A of the Act; or (h) Attempts or conspires with another to commit any of the foregoing acts, shall be guilty of an offense, and upon conviction thereof, shall be fined not more than one thousand pesos, and imprisoned for not more than two years, and deported if he is an alien.

Sources: The Philippine Immigration Act of 1940. 1940.

**Penalty is detention:**

Answer: No

Code: 1

Explanation: Not applicable

Sources: The Philippine Immigration Act of 1940. 1940.

**Penalty is imprisonment:**

Answer: Yes

Code: 2

Explanation: Sec. 45. Any individual who: (a) When applying for an immigration document, impersonates another individual, or falsely appears in the name of deceased individual, or evades the immigration laws by appearing under an assumed or fictitious name; or (b) Issues or otherwise disposes of an immigration document to any person not authorized by law to receive such document;

or (c) Obtains, accepts or uses any immigration document, knowing it to be false; or (d) Being an alien, enters the Philippines without inspection and admission by the immigration officials, or obtains entry into the Philippines by willful, false, or misleading representation or willful concealment of a material; (e) Being an alien shall, for any fraudulent purpose, represent himself to be a Philippine citizen in order to evade any requirement of the immigration laws: or (f) In any immigration matter, shall knowingly make under oath any false statement or representations; or (g) Being an alien shall depart from the Philippines without first securing an emigration clearance certificates required by Section Twenty-Two-A of the Act; or (h) Attempts or conspires with another to commit any of the foregoing acts, shall be guilty of an offense, and upon conviction thereof, shall be fined not more than one thousand pesos, and imprisoned for not more than two years, and deported if he is an alien.

Sources: The Philippine Immigration Act of 1940. 1940.

#### **IMMIGRATION\_17: Penalties for immigrants with expired documents.**

##### **Are there penalties for immigrants with expired documents?**

Answer: No

Code: 1

Explanation: No penalties stated for expired documents in 'Penal Provisions Section 45" of the Philippine Immigration Act of 1940.

Sources: The Philippine Immigration Act of 1940. 1940.

##### **Penalty is expulsion:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Penalty is a fine:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Penalty is detention:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Penalty is imprisonment:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **4.5.3. Aiding undocumented migrants**

#### **IMMIGRATION\_18: Penalties for aiding undocumented migrants.**

**Are there penalties for aiding undocumented migrants?**

Answer: Yes

Code: 0

Explanation: Yes. It is punishable by both a fine and imprisonment for nationals, and deportation in the case of foreigners.

Sources: The Philippine Immigration Act of 1940. 1940.

**Penalty is a fine:**

Answer: Yes

Code: 2

Explanation: Sec. 46. Any individual who shall bring into or land in the Philippines or conceal, harbor, employ, or give comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside within the Philippines under the terms of the immigration laws, or attempts, conspires with, or aids another to commit any such act, and any alien who enters the Philippines without inspection and admission by the immigration officials, or obtains entry into the Philippines by willful, false, or misleading representation or willful concealment of a material fact, shall be guilty of an offense, and upon conviction thereof, shall be fined not less than five thousand pesos but not more than ten thousand pesos, imprisoned for not less than five years but not more than ten years, and deported if he is an alien. Dismissal by the employer before or after apprehension does not relieve the employer of the offense. If the individual who brings into or lands in the Philippines or conceals, harbors, employs or gives comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside herein, or who attempts, conspires with or aids another to commit any such act, is the pilot, master, agent, owner, consignee, or any person in charge of the vessel or aircraft which brought the alien into the Philippines from any place outside thereof, the fine imposed under the first paragraph



hereof shall constitute alien against the vessel or aircraft and may be enforced in the same manner as fines are collected and enforced against vessels under the customs laws: Provided, however, That if the court shall, in its discretion, consider forfeiture be justified by the circumstances of the case, it shall order, in lieu of the fine imposed, the forfeiture of the vessel or aircraft in favor of the Government without prejudice to the imposition of the penalty of imprisonment provided in the preceding paragraph.

Sources: The Philippine Immigration Act of 1940. 1940.

#### **Penalty is imprisonment:**

Answer: Yes

Code: 2

Explanation: Sec. 46. Any individual who shall bring into or land in the Philippines or conceal, harbor, employ, or give comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside within the Philippines under the terms of the immigration laws, or attempts, conspires with, or aids another to commit any such act, and any alien who enters the Philippines without inspection and admission by the immigration officials, or obtains entry into the Philippines by willful, false, or misleading representation or willful concealment of a material fact, shall be guilty of an offense, and upon conviction thereof, shall be fined not less than five thousand pesos but not more than ten thousand pesos, imprisoned for not less than five years but not more than ten years, and deported if he is an alien. Dismissal by the employer before or after apprehension does not relieve the employer of the offense. If the individual who brings into or lands in the Philippines or conceals, harbors, employs or gives comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside herein, or who attempts, conspires with or aids another to commit any such act, is the pilot, master, agent, owner, consignee, or any person in charge of the vessel or aircraft which brought the alien into the Philippines from any place outside thereof, the fine imposed under the first paragraph hereof shall constitute alien against the vessel or aircraft and may be enforced in the same manner as fines are collected and enforced against vessels under the customs laws: Provided, however, That if the court shall, in its discretion, consider forfeiture be justified by the circumstances of the case, it shall order, in lieu of the fine imposed, the forfeiture of the vessel or aircraft in favor of the Government without prejudice to the imposition of the penalty of imprisonment provided in the preceding paragraph.

Sources: The Philippine Immigration Act of 1940. 1940.

#### **4.5.4. Employment obligations**

**IMMIGRATION\_19: Penalties for employers who hire migrant workers without a legal work permit.**

**Are there sanctions for employers hiring migrant workers without a legal work permit?**

Answer: Yes

Code: 0

Explanation: Yes. The penalties are listed regarding the employment of irregular migrants, but not specifically for migrant workers (whose stay may be legal) without a legal work permit. Sec. 46: "Any individual who shall bring into or land in the Philippines or conceal, harbor, employ, or give

comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside within the Philippines under the terms of the immigration laws, or attempts, conspires with, or aids another to commit any such act, and any alien who enters the Philippines without inspection and admission by the immigration officials, or obtains entry into the Philippines by willful, false, or misleading representation or willful concealment of a material fact, shall be guilty of an offense, and upon conviction thereof, shall be fined not less than five thousand pesos but not more than ten thousand pesos, imprisoned for not less than five years but not more than ten years, and deported if he is an alien. Dismissal by the employer before or after apprehension does not relieve the employer of the offense“.

Sources: The Philippine Immigration Act of 1940. 1940.

**Sanction is a fine:**

Answer: Yes

Code: 2

Explanation: Sec. 46: “Any individual who shall bring into or land in the Philippines or conceal, harbor, employ, or give comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside within the Philippines under the terms of the immigration laws, or attempts, conspires with, or aids another to commit any such act, and any alien who enters the Philippines without inspection and admission by the immigration officials, or obtains entry into the Philippines by willful, false, or misleading representation or willful concealment of a material fact, shall be guilty of an offense, and upon conviction thereof, shall be fined not less than five thousand pesos but not more than ten thousand pesos, imprisoned for not less than five years but not more than ten years, and deported if he is an alien. Dismissal by the employer before or after apprehension does not relieve the employer of the offense“.

Sources: The Philippine Immigration Act of 1940. 1940.

**Penalty is imprisonment:**

Answer: Yes

Code: 2

Explanation: Sec. 46: “Any individual who shall bring into or land in the Philippines or conceal, harbor, employ, or give comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside within the Philippines under the terms of the immigration laws, or attempts, conspires with, or aids another to commit any such act, and any alien who enters the Philippines without inspection and admission by the immigration officials, or obtains entry into the Philippines by willful, false, or misleading representation or willful concealment of a material fact, shall be guilty of an offense, and upon conviction thereof, shall be fined not less than five thousand pesos but not more than ten thousand pesos, imprisoned for not less than five years but not more than ten years, and deported if he is an alien. Dismissal by the employer before or after apprehension does not relieve the employer of the offense“.

Sources: The Philippine Immigration Act of 1940. 1940. Sec. 46.

**4.5.5. Landlord obligations**

**IMMIGRATION\_20: Penalties for landlords who rent shelter to migrants without a regular migrant status.**

**Are there penalties for landlords who rent shelter to migrants without a regular migrant status?**

Answer: Yes

Code: 0

Explanation: Sec. 46: "Any individual who shall bring into or land in the Philippines or conceal, harbor, employ, or give comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside within the Philippines under the terms of the immigration laws, or attempts, conspires with, or aids another to commit any such act, and any alien who enters the Philippines without inspection and admission by the immigration officials, or obtains entry into the Philippines by willful, false, or misleading representation or willful concealment of a material fact, shall be guilty of an offense, and upon conviction thereof, shall be fined not less than five thousand pesos but not more than ten thousand pesos, imprisoned for not less than five years but not more than ten years, and deported if he is an alien. Dismissal by the employer before or after apprehension does not relieve the employer of the offense".

Sources: The Philippine Immigration Act of 1940. 1940. Sec. 46.

**Penalty is a fine:**

Answer: Yes

Code: 2

Explanation: Sec. 46: "Any individual who shall bring into or land in the Philippines or conceal, harbor, employ, or give comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside within the Philippines under the terms of the immigration laws, or attempts, conspires with, or aids another to commit any such act, and any alien who enters the Philippines without inspection and admission by the immigration officials, or obtains entry into the Philippines by willful, false, or misleading representation or willful concealment of a material fact, shall be guilty of an offense, and upon conviction thereof, shall be fined not less than five thousand pesos but not more than ten thousand pesos, imprisoned for not less than five years but not more than ten years, and deported if he is an alien. Dismissal by the employer before or after apprehension does not relieve the employer of the offense".

Sources: The Philippine Immigration Act of 1940. 1940.

**Penalty is imprisonment:**

Answer: Yes

Code: 2

Explanation: Sec. 46: "Any individual who shall bring into or land in the Philippines or conceal, harbor, employ, or give comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside within the Philippines under the terms of the immigration laws, or attempts, conspires with, or aids another to commit any such act, and any alien who enters the Philippines without inspection and admission by the immigration officials, or obtains entry into the Philippines by willful, false, or misleading representation or willful concealment of a material fact, shall be guilty of an offense, and upon conviction thereof, shall be fined not less than five thousand pesos but not more than ten thousand pesos, imprisoned for not less than five

years but not more than ten years, and deported if he is an alien. Dismissal by the employer before or after apprehension does not relieve the employer of the offense“.

Sources: The Philippine Immigration Act of 1940. 1940. Sec. 46.

#### 4.5.6. Airline penalties

**IMMIGRATION\_21: Penalties for airlines carrying immigrants without documentation.**

**Are airlines or other carriers subject to penalties (fines, imprisonment and/or other penalties) for letting travel passengers lacking relevant documentation (such as entry permits or passports)?**

Answer: Yes

Code: 0

Explanation: Section 46: “If the individual who brings into or lands in the Philippines or conceals, harbors, employs or gives comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside herein, or who attempts, conspires with or aids another to commit any such act, is the pilot, master, agent, owner, consignee, or any person in charge of the vessel or aircraft which brought the alien into the Philippines from any place outside thereof, the fine imposed under the first paragraph hereof shall constitute alien against the vessel or aircraft and may be enforced in the same manner as fines are collected and enforced against vessels under the customs laws: Provided, however, That if the court shall, in its discretion, consider forfeiture be justified by the circumstances of the case, it shall order, in lieu of the fine imposed, the forfeiture of the vessel or aircraft in favor of the Government without prejudice to the imposition of the penalty of imprisonment provided in the preceding paragraph“.

Sources: The Philippine Immigration Act of 1940. 1940. Sec. 46.

**Sanction is a fine:**

Answer: Yes

Code: 2

Explanation: Yes. It is punishable by both a fine and imprisonment for nationals, and deportation in the case of foreigners. This may be waived in case of the vessel or aircraft being forfeited. Sec. 46 states: “Any individual who shall bring into or land in the Philippines or conceal, harbor, employ, or give comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside within the Philippines under the terms of the immigration laws, or attempts, conspires with, or aids another to commit any such act, and any alien who enters the Philippines without inspection and admission by the immigration officials, or obtains entry into the Philippines by willful, false, or misleading representation or willful concealment of a material fact, shall be guilty of an offense, and upon conviction thereof, shall be fined not less than five thousand pesos but not more than ten thousand pesos, imprisoned for not less than five years but not more than ten years, and deported if he is an alien. Dismissal by the employer before or after apprehension does not relieve the employer of the offense. If the individual who brings into or lands in the Philippines or conceals, harbors, employs or gives comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside herein, or who attempts, conspires with or aids another to commit any such act, is the pilot, master, agent, owner, consignee, or any person in charge of the vessel or aircraft which brought the alien into the Philippines

from any place outside thereof, the fine imposed under the first paragraph hereof shall constitute alien against the vessel or aircraft and may be enforced in the same manner as fines are collected and enforced against vessels under the customs laws: Provided, however, That if the court shall, in its discretion, consider forfeiture be justified by the circumstances of the case, it shall order, in lieu of the fine imposed, the forfeiture of the vessel or aircraft in favor of the Government without prejudice to the imposition of the penalty of imprisonment provided in the preceding paragraph“.

Sources: The Philippine Immigration Act of 1940. 1940. Sec. 46.

#### **Penalty is more than a fine:**

Answer: Yes

Code: 2

Explanation: Yes. It is punishable by both a fine and imprisonment for nationals, and deportation in the case of foreigners. This may be waived in case of the vessel or aircraft being forfeited. Sec. 46 states: “Any individual who shall bring into or land in the Philippines or conceal, harbor, employ, or give comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside within the Philippines under the terms of the immigration laws, or attempts, conspires with, or aids another to commit any such act, and any alien who enters the Philippines without inspection and admission by the immigration officials, or obtains entry into the Philippines by willful, false, or misleading representation or willful concealment of a material fact, shall be guilty of an offense, and upon conviction thereof, shall be fined not less than five thousand pesos but not more than ten thousand pesos, imprisoned for not less than five years but not more than ten years, and deported if he is an alien. Dismissal by the employer before or after apprehension does not relieve the employer of the offense. If the individual who brings into or lands in the Philippines or conceals, harbors, employs or gives comfort to any alien not duly admitted by any immigration officer or not lawfully entitled to enter or reside herein, or who attempts, conspires with or aids another to commit any such act, is the pilot, master, agent, owner, consignee, or any person in charge of the vessel or aircraft which brought the alien into the Philippines from any place outside thereof, the fine imposed under the first paragraph hereof shall constitute alien against the vessel or aircraft and may be enforced in the same manner as fines are collected and enforced against vessels under the customs laws: Provided, however, That if the court shall, in its discretion, consider forfeiture be justified by the circumstances of the case, it shall order, in lieu of the fine imposed, the forfeiture of the vessel or aircraft in favor of the Government without prejudice to the imposition of the penalty of imprisonment provided in the preceding paragraph“.

Sources: The Philippine Immigration Act of 1940. 1940. Sec. 46.

## **4.6. Amnesty programs**

**IMMIGRATION\_22: Existence of amnesty program.**

**In the past decade, did any amnesty program for irregular immigrants or any permanent regularization mechanism exist?**

Answer: No

Code: 0

Explanation: Not applicable

Sources: Government of the Republic of the Philippines. "Bureau of Immigration". Accessed June 3, 2019. <http://immigration.gov.ph/>.

**The amnesty program is/was:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Being employed is/was a condition to qualify for the amnesty program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**A given duration of stay is/was a condition to qualify for the amnesty program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Having a certain nationality is/was a condition to qualify for the amnesty program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Does a case by case regularization for irregular immigrants existed?**

Answer: No

Code: 0

Explanation: Not applicable

Sources: Government of the Republic of the Philippines. "Bureau of Immigration". Accessed June 3, 2019. <http://immigration.gov.ph/>.

**Being employed is a condition to qualify for the case by case regularization program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**A given duration of stay is a condition to qualify for the case by case regularization program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Having a certain nationality is a condition to qualify for the case by case regularization program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is regularization through marriage possible:**

Answer: No

Code: 0

Explanation: Not applicable

Sources: Government of the Republic of the Philippines. "Bureau of Immigration". Accessed June 3, 2019. <http://immigration.gov.ph/>.

**IMMIGRATION\_23. The amnesty defines the types of irregular migrants as:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## **4.7. Administration**

**IMMIGRATION\_24\_1: Administration in charge of immigration regulation.**

**Which institution is in charge of immigration regulation (in original language)?**

Answer: Bureau of Immigration

Code: Bureau of Immigration

Explanation: Bureau of Immigration, under the supervision and control of the Department of Labor.

Sources: The Philippine Immigration Act of 1940. 1940.

**Which institution is in charge of immigration regulation (in English language)?**

Answer: Bureau of Immigration

**IMMIGRATION\_24\_2: Administration in charge of implementing immigration policies.**

**Which institution is in charge of the implementation of immigration policies (in original language)?**

Answer: Bureau of Immigration

Code: Bureau of Immigration

Explanation: Bureau of Immigration, under the supervision and control of the Department of Labor.

Sources: The Philippine Immigration Act of 1940. 1940.

**Which institution is in charge of immigration regulation (in English language)?**

Answer: Bureau of Immigration

**IMMIGRATION\_24\_3: Administration in charge of border control.**

**Which institution is in charge of border control (in original language)?**



Answer: Bureau of Immigration at a Philippine port of entry

Code: Bureau of Immigration at a Philippine port of entry

Explanation: Not applicable

Sources: The Philippine Immigration Act of 1940. 1940.

**Which institution is in charge of border control (in English language)?**

Answer: Bureau of Immigration at a Philippine port of entry

**IMMIGRATION\_24\_4: Administration in charge of detentions.**

**Which institution is in charge of detentions (in original language)?**

Answer: Bureau of Immigration

Code: Bureau of Immigration

Explanation: Immigrant Inspectors shall have the power to arrest, without warrant, any alien who in their presence or view is entering or is still in the course of entering the Philippines in violation of immigration laws or regulations prescribed thereunder.

Sources: The Philippine Immigration Act of 1940. 1940.

**Which institution is in charge of detentions (in English language)?**

Answer: Bureau of Immigration

#### **4.8. Proxy: Labor migration (high- and low-skilled)**

**IMMIGRATION\_25: Visas applied to labor migration.**

**Is there a labor migration scheme that allows immigrants to enter the country to work in any capacity?**

Answer: Yes

Code: 1

**Is the same visa applied to (1) domestic worker proxy, (2) agricultural worker proxy, and (3) medical doctor proxy?**

Answer: Yes

Code: 1

#### 4.8.1. Domestic workers

##### Is there a visa scheme (entry track) for domestic workers?

Answer: Yes

Code: 1

Explanation: Pre-Arranged Employee Visa – Commercial (9G) All non-immigrant foreigners who are seeking residency and employment rights in the Philippines go through the 9G visa track. The requirement to apply for this visa is a concrete job offer from a Philippine-based company that applies for the visa as the applicant's petitioner. The petitioner can be either corporations and partnerships or single proprietorships. The applicants should have already obtained an Alien Employment Permit from the Department of Labor and Employment, which already requires an employment contract. There are neither specifications nor restrictions on industry or skill level.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

##### **IMMIGRATION\_26. Do migrants trying to enter the country under this entry track, need to be sponsored by an individual or group?**

Answer: No

Code: 1

Explanation: Their visas need to be requested by potential employer, but this is not the same that we code as sponsorship. "What are the qualifications for me to be able to get a pre-arranged employee commercial visa? A foreign national applying for a pre-arranged employee visa has to make sure that he/she has been hired by a Philippine-based company, who will be applying for his/her pre-arranged employee visa as his/her petitioner".

Sources: Republic of the Philippines Bureau of Immigration. "Pre-Arranged Employee Visa". Accessed June 11, 2019. <http://immigration.gov.ph/faqs/visa-inquiry/pre-arranged-employee-visa>.

##### **IMMIGRATION\_27. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating?**

Answer: Yes, required

Code: 0.25

Explanation: Required. "What are the qualifications for me to be able to get a pre-arranged employee commercial visa? A foreign national applying for a pre-arranged employee visa has to make sure that he/she has been hired by a Philippine-based company, who will be applying for his/her pre-arranged employee visa as his/her petitioner".

Sources: Republic of the Philippines Bureau of Immigration. "Pre-Arranged Employee Visa". Accessed June 11, 2019. <http://immigration.gov.ph/faqs/visa-inquiry/pre-arranged-employee-visa>.

**IMMIGRATION\_28. Does the country use a national labor market test for covering posts under the domestic worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?**

Answer: Yes

Code: 0.5

Explanation: Yes. Employers need to submit a petition that establishes "that no person can be found in the Philippines willing and competent to perform the labor or service for which the nonimmigrant is desired and that the nonimmigrant's admission would be beneficial to the public interest". However, there is no evidence of a national labor market test conducted by the government or a required procedure as such from the employer for this point. It seems to be based on self-reporting.

Sources: The Philippine Immigration Act of 1940. 1940. Sec. 20.

**IMMIGRATION\_29. Is the domestic worker entry track restricted to certain nationalities? (specify the nationalities in explanation).**

Answer: No

Code: 1

Explanation: No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_30: Restrictions based on age.**

**Are there age limits for migrant domestic workers in order to be admitted to the country?**

Answer: No

Code: 1

Explanation: No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**Which minimum age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_31. Is having a certain gender a requisite to be admitted to the country under the domestic worker entry track?**

Answer: No

Code: 1

Explanation: No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_32. Is having a certain marital status a requisite to be admitted to the country under the domestic worker track entry track?**

Answer: No

Code: 1

Explanation: No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_33. Do migrant domestic workers need to prove the ability to support themselves?**

Answer: No

Code: 1

Explanation: No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_34. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a domestic worker?**

Answer: Neither beneficial, nor required

Code: 1

Explanation: Neither beneficial nor required. There is no provision regarding language ability.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_35. Does the application under the domestic worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.**

Answer: 195

Code: 195

Explanation: Yes. The fees are different according to the visa validity length and whether the petitioning employer is a top 1,000 corporation or not. The fees are paid by the employer. Here, the amount is provided for a 1 year visa fee, for a non top 1000 corporation, approximately in USD. Non-Top 1,000 Corporations 1 Year validity: Php 10,130.00; 2 Years: Php 17,170.00; 3 Years: Php 24,210.00.

For Top 1,000 Corporations 1 Year validity: Php 10,630.00; 2 Years: Php 18,170.00, 3 Years: Php 25,710.00.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_36. How long is the domestic work permit valid for? Indicate the period in months.**

Answer: 36

Code: 36

Explanation: The visa durations can be from 1 to 3 years.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_37. Is it possible to renew the work permit granted under the domestic worker entry track?**

Answer: Yes

Code: 1

Explanation: Yes, renewal is possible and it is not necessary to leave the country for the process to take place.

Sources: Republic of the Philippines Bureau of Immigration. "Extension of Pre-Arranged Employee – Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/extension-of-pre-arranged-employee-commercial>.

#### **IMMIGRATION\_38: Possibility of changing jobs.**

**Is it possible for a migrant worker accepted under the domestic worker entry track to switch employers?**

Answer: No (or yes, with some restrictions)

Code: 0 (choose the appropriate one)

Explanation: Changes to the employment contract require approval from the authorities. Art 41: "Prohibition against transfer of employment. a. After the issuance of an employment permit, the alien shall not transfer to another job or change his employer without prior approval of the Secretary of Labor".

Sources: Labor Code of the Philippines. 1974. Art. 41.

**Is it possible for a migrant domestic worker accepted under this entry track to switch professional sectors?**

Answer: No

Code: No

Explanation: Changes to the employment contract require approval from the authorities. Furthermore, changes to sector are not covered under the law. Art 41: "Prohibition against transfer of employment. a. After the issuance of an employment permit, the alien shall not transfer to another job or change his employer without prior approval of the Secretary of Labor".

Sources: Labor Code of the Philippines. 1974. Art. 41.

**Is it possible for a migrant worker accepted under the domestic worker entry track to switch locations?**

Answer: Yes

Code: 1

Explanation: There is a prohibition against transfer of employment, but not about change of locations.

Sources: Labor Code of the Philippines. 1974.

**IMMIGRATION\_39. Does loss of employment result in the withdrawal of a migrant domestic worker's resident permit under this track?**

Answer: Yes, right away

Code: 1

Explanation: Yes. While the 9G visa itself does not specify, the Alien Employment Permit (AEP), which is a requisite precursor to the 9G visa, specifies that termination of the employment by the employer is grounds for revocation/cancellation of the permit. As well, AEPs are issued for the duration of employment and does not allow for transfer of position or company. "The AEP shall be valid for one (1) year or co-terminus with the duration of employment, consultancy services or other modes of employment or term of office which in no case shall exceed five years. Said AEP is valid for the position/s and company for which it was issued".

Sources: Republic of the Philippines Department of Labor and Employment - Bureau of Local Employment. "Alien Employment Permit". Access date not available. <http://www.ble.dole.gov.ph/index.php/web-pages/118-alien-employment-permit>.

**IMMIGRATION\_40. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant domestic workers were equal to those of native workers?**

Answer: Yes

Code: 1

Explanation: Yes. The Labor Code of the Philippines applies to all workers unless otherwise stated. The only exceptions applied to foreigners are on joining trade unions, requirement to register under a work permit system, and some penal provisions in case of unlawful activities. "Art. 6. Applicability. All rights and benefits granted to workers under this Code shall, except as may otherwise be provided herein, apply alike to all workers, whether agricultural or non-agricultural. (As amended by Presidential Decree No. 570-A, November 1, 1974).

Sources: Labor Code of the Philippines. 1974. Art. 6.

**IMMIGRATION\_41. Is a minimum level of education required to apply to the domestic entry track?**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_42. Is a test of good health required for migrant domestic worker?**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

#### 4.8.2. Agricultural workers

##### Is there a visa scheme (entry track) for agricultural workers?

Answer: Yes

Code: 1

Explanation: Pre-Arranged Employee Visa – Commercial (9G): All non-immigrant foreigners who are seeking residency and employment rights in the Philippines go through the 9G visa track. The requirement to apply for this visa is a concrete job offer from a Philippine-based company that applies for the visa as the applicant's petitioner. The petitioner can be either corporations and partnerships or single proprietorships. The applicants should have already obtained an Alien Employment Permit from the Department of Labor and Employment, which already requires an employment contract. There are neither specifications nor restrictions on industry or skill level.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

##### IMMIGRATION\_43. Do migrants trying to enter the country under the agricultural worker entry track need to be sponsored by an individual or group?

Answer: No

Code: 1

Explanation: "What are the qualifications for me to be able to get a pre-arranged employee commercial visa? A foreign national applying for a pre-arranged employee visa has to make sure that he/she has been hired by a Philippine-based company, who will be applying for his/her pre-arranged employee visa as his/her petitioner".

Sources: Republic of the Philippines Bureau of Immigration. "Pre-Arranged Employee Visa". Accessed June 11, 2019. <http://immigration.gov.ph/faqs/visa-inquiry/pre-arranged-employee-visa>.

##### IMMIGRATION\_44. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as an agricultural worker?

Answer: Yes, required

Code: 0.25

Explanation: Required. "What are the qualifications for me to be able to get a pre-arranged employee commercial visa? A foreign national applying for a pre-arranged employee visa has to make sure that he/she has been hired by a Philippine-based company, who will be applying for his/her pre-arranged employee visa as his/her petitioner".



Reference: Republic of the Philippines Bureau of Immigration. "Pre-Arranged Employee Visa". Accessed June 11, 2019. <http://immigration.gov.ph/faqs/visa-inquiry/pre-arranged-employee-visa>.

**IMMIGRATION\_45. Does the country use a national labor market test for covering posts under the agricultural worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?**

Answer: Yes

Code: 0.5

Explanation: Yes. Employers need to submit a petition that establishes "that no person can be found in the Philippines willing and competent to perform the labor or service for which the nonimmigrant is desired and that the nonimmigrant's admission would be beneficial to the public interest". However, there is no evidence of a national labor market test conducted by the government or a required procedure as such from the employer for this point. It seems to be based on self-reporting.

Sources: The Philippine Immigration Act of 1940. 1940. Sec. 20.

**IMMIGRATION\_46. Is the agricultural worker entry track restricted to certain nationalities? (specify nationalities in the explanation).**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_47: Restrictions based on age.**

**Are age limits for migrant agricultural workers in order to be admitted to the country?**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**Which minimum age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_48. Is having a certain gender a requisite to be admitted to the country under this entry track?**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_49. Is having a certain marital status a requisite to be admitted to the country under the agricultural worker entry track?**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_50. Do migrant agricultural workers need to prove the ability to support themselves?**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_51. Is knowledge of the host country's language considered beneficial or required for the decision on immigrating as an agricultural worker?**

Answer: Neither beneficial, nor required

Code: 1

Explanation: Neither beneficial nor required. There is no provision regarding language ability.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_52. Does the application under the agricultural worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.**

Answer: 195

Code: 195

Explanation: Yes. The fees are different according to the visa validity length and whether the petitioning employer is a top 1,000 corporation or not. The fees are paid by the employer. Here, the amount is provided for a 1 year visa fee, for a non top 1000 corporation, approximately in USD. Non-Top 1,000 Corporations 1 Year validity: Php 10,130.00; 2 Years: Php 17,170.00; 3 Years: Php 24,210.00.  
For Top 1,000 Corporations 1 Year validity: Php 10,630.00; 2 Years: Php 18,170.00, 3 Years: Php 25,710.00.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_53. How long is the work permit valid for? Indicate the period in months.**

Answer: 36

Code: 36

Explanation: 1, 2 or 3 years.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_54. Is it possible to renew the work permit granted under the agricultural worker entry track?**

Answer: Yes

Code: 1

Explanation: Yes, renewal is possible and it is not necessary to leave the country for the process to take place.

Sources: Republic of the Philippines Bureau of Immigration. "Extension of Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/extension-of-pre-arranged-employee-commercial>.

#### **IMMIGRATION\_55: Possibility of changing jobs.**

**Is it possible for a migrant agricultural worker accepted under this entry track to switch employers?**

Answer: Yes

Code: 1

Explanation: Changes to the employment contract require approval from the authorities. Art 41: "Prohibition against transfer of employment. a. After the issuance of an employment permit, the alien shall not transfer to another job or change his employer without prior approval of the Secretary of Labor".

Sources: Labor Code of the Philippines. 1974. Art. 41.

**Is it possible for a migrant agricultural worker accepted under this entry track to switch professional sectors?**

Answer: No

Code: 0

Explanation: Changes to the employment contract require approval from the authorities. Furthermore, changes to sector are not covered under the law. Art 41: "Prohibition against transfer of employment. a. After the issuance of an employment permit, the alien shall not transfer to another job or change his employer without prior approval of the Secretary of Labor".

Sources: Labor Code of the Philippines. 1974. Art. 41.

**Is it possible for a migrant agricultural worker accepted under this entry track to switch locations?**

Answer: Yes

Code: 1

Explanation: There is a prohibition against transfer of employment but not specifically against change of location.

Sources: Labor Code of the Philippines. 1974.

**IMMIGRATION\_56. Does loss of employment result in the withdrawal of a migrant agricultural worker's resident permit under this track?**

Answer: Yes, right away

Code: 1

Explanation: Yes. While the 9G visa itself does not specify, the Alien Employment Permit (AEP), which is a requisite precursor to the 9G visa, specifies that termination of the employment by the employer is grounds for revocation/cancellation of the permit. As well, AEPs are issued for the duration of employment and does not allow for transfer of position or company. "The AEP shall be valid for one

(1) year or co-terminus with the duration of employment, consultancy services or other modes of employment or term of office which in no case shall exceed five years. Said AEP is valid for the position/s and company for which it was issued".

Sources: Republic of the Philippines Department of Labor and Employment - Bureau of Local Employment. "Alien Employment Permit". Access date not available. <http://www.ble.dole.gov.ph/index.php/web-pages/118-alien-employment-permit>.

**IMMIGRATION\_57. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant agricultural workers were equal to those of native workers?**

Answer: Yes

Code: 1

Explanation: Yes. The Labor Code of the Philippines applies to all workers unless otherwise stated. The only exceptions applied to foreigners are on joining trade unions, requirement to register under a work permit system, and some penal provisions in case of unlawful activities. "Art. 6. Applicability. All rights and benefits granted to workers under this Code shall, except as may otherwise be provided herein, apply alike to all workers, whether agricultural or non-agricultural. (As amended by Presidential Decree No. 570-A, November 1, 1974)

Sources: Labor Code of the Philippines. 1974. Art. 6.

**IMMIGRATION\_58. Is a minimum level of education required to apply to the agricultural worker entry track?**

Answer: No

Code: 1

Explanation: no such provision found

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_59. Is a test of good health required for migrant agricultural workers?**

Answer: No

Code: 1

Explanation: no such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

### 4.8.3. Medical doctors

#### Is there a visa scheme (entry track) for medical doctors?

Answer: Yes

Code: 1

Explanation: Pre-Arranged Employee Visa – Commercial (9G): All non-immigrant foreigners who are seeking residency and employment rights in the Philippines go through the 9G visa track. The requirement to apply for this visa is a concrete job offer from a Philippine-based company that applies for the visa as the applicant's petitioner. The petitioner can be either corporations and partnerships or single proprietorships. The applicants should have already obtained an Alien Employment Permit from the Department of Labor and Employment, which already requires an employment contract. There are neither specifications nor restrictions on industry or skill level.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

#### IMMIGRATION\_60. Do migrants trying to enter the country under the medical doctor entry track, needed to be sponsored by an individual or group?

Answer: No

Code: 1

Explanation: "What are the qualifications for me to be able to get a pre-arranged employee commercial visa? A foreign national applying for a pre-arranged employee visa has to make sure that he/she has been hired by a Philippine-based company, who will be applying for his/her pre-arranged employee visa as his/her petitioner".

Sources: Republic of the Philippines Bureau of Immigration. "Pre-Arranged Employee Visa". Accessed June 11, 2019. <http://immigration.gov.ph/faqs/visa-inquiry/pre-arranged-employee-visa>.

#### IMMIGRATION\_61. Are a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as a medical doctor?

Answer: Yes, required

Code: 0.25

Explanation: Required. "What are the qualifications for me to be able to get a pre-arranged employee commercial visa? A foreign national applying for a pre-arranged employee visa has to make sure that he/she has been hired by a Philippine-based company, who will be applying for his/her pre-arranged employee visa as his/her petitioner".

Sources: Republic of the Philippines Bureau of Immigration. "Pre-Arranged Employee Visa". Accessed June 11, 2019. <http://immigration.gov.ph/faqs/visa-inquiry/pre-arranged-employee-visa>.

#### IMMIGRATION\_62. Does the country use a national labor market test for covering posts under the medical doctor proxy (i.e. employers seeking to hire an immigrant had to prove that no native worker could do the job)?

Answer: Yes

Code: 0.5

Explanation: Yes. Employers need to submit a petition that establishes “that no person can be found in the Philippines willing and competent to perform the labor or service for which the nonimmigrant is desired and that the nonimmigrant’s admission would be beneficial to the public interest“. However, there is no evidence of a national labor market test conducted by the government or a required procedure as such from the employer for this point. It seems to be based on self-reporting.

Sources: The Philippine Immigration Act of 1940. 1940. Sec. 20.

**IMMIGRATION\_63. Is the medical doctor entry track restricted to certain nationalities? (Specify nationalities in the explanation).**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. “Conversion to Pre-Arranged Employee - Commercial”. Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_64: Restrictions based on age.**

**Are there age limits for migrant medical doctors to be admitted to the country?**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. “Conversion to Pre-Arranged Employee - Commercial”. Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**Which minimum age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_65. Is having a certain gender a requisite to be admitted to the country under the medical doctor entry track?**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_66. Is having a certain marital status a requisite to be admitted to the country under the medical doctor entry track?**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_67. Do migrant medical doctors need to prove the ability to support themselves?**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_68. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a medical doctor?**

Answer: Neither beneficial, nor required

Code: 1

Explanation: Not applicable

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.



**IMMIGRATION\_69. Does the application under the medical doctor entry track cost a fee? Register the fee in US Dollars. If application did not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.**

Answer: 195

Code: 195

Explanation: Yes. The fees are different according to the visa validity length and whether the petitioning employer is a top 1,000 corporation or not. The fees are paid by the employer. Here, the amount is provided for a 1 year visa fee, for a non top 1000 corporation, approximately in USD. Non-Top 1,000 Corporations 1 Year validity: Php 10,130.00; 2 Years: Php 17,170.00; 3 Years: Php 24,210.00.  
For Top 1,000 Corporations 1 Year validity: Php 10,630.00; 2 Years: Php 18,170.00, 3 Years: Php 25,710.00.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_70. How long is the medical doctor work permit valid for? Indicate the period in months.**

Answer: 36

Code: 36

Explanation: 1, 2 or 3 years.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_71. Is it possible to renew the work permit granted under the medical doctor entry track?**

Answer: Yes

Code: 1

Explanation: Yes, renewal is possible and it is not necessary to leave the country for the process.

Sources: Republic of the Philippines Bureau of Immigration. "Extension of Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/extension-of-pre-arranged-employee-commercial>.

**IMMIGRATION\_72: Possibility of changing jobs.**

**Is it possible for a migrant medical doctor to switch employers?**

Answer: Yes

Code: 1

Explanation: Changes to the employment contract require approval from the authorities. Art 41: "Prohibition against transfer of employment. a. After the issuance of an employment permit, the alien shall not transfer to another job or change his employer without prior approval of the Secretary of Labor".

Sources: Labor Code of the Philippines. 1974. Art. 41.

### **Is it possible for a migrant medical doctor to switch professional sectors?**

Answer: No

Code: 0

Explanation: Changes to the employment contract require approval from the authorities. Furthermore, changes to sector are not covered under the law. Art 41: "Prohibition against transfer of employment. a. After the issuance of an employment permit, the alien shall not transfer to another job or change his employer without prior approval of the Secretary of Labor".

Sources: Labor Code of the Philippines. 1974. Art. 41.

### **Is it possible for a migrant medical doctor to switch locations?**

Answer: Yes

Code: 1

Explanation: Though there is a prohibition against transfer of employment, nothing is said about a change of locations.

Sources: Labor Code of the Philippines. 1974.

### **IMMIGRATION\_73. Does loss of employment result in the withdrawal of a migrant worker's resident permit under the medical doctor track?**

Answer: Yes, right away

Code: 1

Explanation: Yes. While the 9G visa itself does not specify, the Alien Employment Permit (AEP), which is a requisite precursor to the 9G visa, specifies that termination of the employment by the employer is grounds for revocation/cancellation of the permit. As well, AEPs are issued for the duration of employment and does not allow for transfer of position or company. "The AEP shall be valid for one (1) year or co-terminus with the duration of employment, consultancy services or other modes of employment or term of office which in no case shall exceed five years. Said AEP is valid for the position/s and company for which it was issued".

Sources: Republic of the Philippines Department of Labor and Employment - Bureau of Local Employment. "Alien Employment Permit". Access date not available. <http://www.ble.dole.gov.ph/index.php/web-pages/118-alien-employment-permit>.

**IMMIGRATION\_74. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant medical doctors were equal to those of native workers?**

Answer: Yes

Code: 1

Explanation: Yes. The Labor Code of the Philippines applies to all workers unless otherwise stated. The only exceptions applied to foreigners are on joining trade unions, requirement to register under a work permit system, and some penal provisions in case of unlawful activities. "Art. 6. Applicability. All rights and benefits granted to workers under this Code shall, except as may otherwise be provided herein, apply alike to all workers, whether agricultural or non-agricultural. (As amended by Presidential Decree No. 570-A, November 1, 1974)

Sources: Labor Code of the Philippines. 1974. Art. 6.

**IMMIGRATION\_75. Is a minimum level of education required to apply to the medical doctor entry track?**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

**IMMIGRATION\_76. Is a test of good health required for migrant medical doctors?**

Answer: No

Code: 0

Explanation: No, no such provision found.

Sources: Republic of the Philippines Bureau of Immigration. "Conversion to Pre-Arranged Employee - Commercial". Access date not available. <http://immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/conversion-to-pre-arranged-employee-commercial>.

## **4.9. Proxy: Refugees**

### **4.9.1. Existence of track**

**IMMIGRATION\_77. Does the country grant refugee status?**

Answer: Yes

Code: 1

Explanation: Yes. The Department of Justice published a circular in 2012 that establishes a procedure for refugee and stateless status determination. This Section 2. Objective. - This circular establishes a fair, speedy and non-adversarial procedure to facilitate identification, treatment, and protection of refugees and stateless persons consistent with the laws, international commitments and humanitarian traditions and concerns of the Republic of the Philippines.

Sources: Department of Justice [Philippines]. "Department Circular No. 058 - Establishing the Refugees and Stateless Status Determination Procedure". Access date not available. <http://www.refworld.org/docid/5086932e2.html>.

**IMMIGRATION\_78. Are certain countries deemed safe third countries (i.e. could persons arriving through these countries be precluded from claiming asylum)?**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Department of Justice Circular No. 058. 2012.

**IMMIGRATION\_79: Safe countries of origin.**

**Are certain countries deemed safe countries of origin (i.e. refugee claims arising out of persecution in those countries could be precluded)?**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Department of Justice Circular No. 058. 2012.

**How many countries?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 4.9.2. Restrictions

### **IMMIGRATION\_80: Refugee status restricted for certain nationalities.**

#### **Is refugee status restricted to certain nationalities?**

Answer: No

Code: 1

Explanation: No. There is a provision against discrimination based on country of origin. SECTION 3. Basic Principles - This procedure shall be governed by the following basic principles: c. Non-deprivation of refugee or stateless status, and non-discrimination in the application of the Conventions, on account of race, religion, political opinion, or country of origin.

Sources: Department of Justice Circular No. 058. 2012.

#### **Which nationalities?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **IMMIGRATION\_81: Restrictions based on age.**

#### **Are there age limits for potential refugees to be admitted to the country?**

Answer: No

Code: 1

Explanation: No such provision found.

Sources: Department of Justice Circular No. 058. 2012.

#### **Which minimum age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is being below a certain age limit beneficial for the decision on whether someone gains access to refugee status?**

Answer: No

Code: 1

Explanation: No. No such provision found.

Sources: Department of Justice Circular No. 058. 2012.

**Below which age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_82. Is having a certain gender a requisite to be granted refugee status?**

Answer: No

Code: 0

Explanation: No. No such provision found.

Sources: Department of Justice Circular No. 058. 2012.

**IMMIGRATION\_83. Is having a certain marital status a requisite to be granted refugee status?**

Answer: No

Code: 0

Explanation: No. No such provision found.

Sources: Department of Justice Circular No. 058. 2012.

**4.9.3. Place of application**

**IMMIGRATION\_84: Place of application**

**Can asylum seekers file an application for asylum from outside the destination country's territory?**

Answer: No

Code: 0

Explanation: Section 6. Application: "The Application may be filed directly with the RSPPU, or in the central office or any field office of the Bureau in the port of entry/admission of the Applicant. In the latter case, the Commissioner or the immigration officer concerned shall forward the application to the RSPPU within ten (10) days from the date of receipt thereof. To be submitted with the application are the Applicant's travel document, identification document including proof of relationship to any accompanying family members, and such other documents to Basic Principles. This procedure shall be governed by the following basic principles: e. An applicant for refugee status and/or his or her dependents shall not be punished on account of his or her dependents shall not be punished on account of his or her illegal entry or presence in the country, provided he or she presents himself or herself without delay to the authorities and/or shows good cause for his or her illegal entry or presence".

Sources: Department of Justice Circular No. 058. 2012.

#### **Can asylum seekers file an application for asylum at the border/ports of entry of country's territory?**

Answer: Yes

Code: 1

Explanation: The Application may be filed directly with the RSPPU, or in the central office or any field office of the Bureau in the port of entry/admission of the Applicant. In the latter case, the Commissioner or the immigration officer concerned shall forward the application to the RSPPU within ten (10) days from the date of receipt thereof.

Sources: Department of Justice Circular No. 058. 2012.

#### **Can asylum seekers file an application for asylum on the destination country's territory?**

Answer: Yes

Code: 1

Explanation: The Application may be filed directly with the RSPPU, or in the central office or any field office of the Bureau in the port of entry/admission of the Applicant. In the latter case, the Commissioner or the immigration officer concerned shall forward the application to the RSPPU within ten (10) days from the date of receipt thereof.

Sources: Department of Justice Circular No. 058. 2012.

### **4.9.4. Permit validity**

#### **IMMIGRATION\_85. How long is the initial residence permit for recognized refugees valid for?**

Answer: Temporary, less than 12 months

Code: 6

Explanation: No term given. While it is not expressly stated, the visas need to be renewed, indicating that they are given on a temporary basis. Section 15 states: "Refugees and stateless persons including their Family Members have the right to residence. They are entitled to the appropriate visas and such other immigration documents appurtenant thereto as may be provided by immigration laws and regulations. No renewal of visa shall be allowed by the Bureau without the endorsement of the RSPPU".

Sources: Department of Justice Circular No. 058. 2012.

#### **IMMIGRATION\_86: Permit renewal.**

**Is it possible to renew a temporary residence permit?**

Answer: Yes

Code: 1

Explanation: While refugee visas may be renewed, there is no provision found for possibility of application for a permanent status. Section 15 states: "Refugees and stateless persons including their Family Members have the right to residence. They are entitled to the appropriate visas and such other immigration documents appurtenant thereto as may be provided by immigration laws and regulations. No renewal of visa shall be allowed by the Bureau without the endorsement of the RSPPU".

Sources: Department of Justice Circular No. 058. 2012.

**Is it possible to apply for a permanent resident permit for recognized refugees?**

Answer: No

Code: 0

Explanation: No provision on this. While refugee visas may be renewed, there is no provision found for possibility of application for a permanent status.

Sources: Department of Justice Circular No. 058. 2012.

**IMMIGRATION\_87. Can a recognized refugee lose his or her status as a refugee when the threatening situation in his or her country of origin ceases?**

Answer: Yes

Code: 0

Explanation: Yes. If the original conditions for being granted refugee status cease to exist, the refugee status will also cease to be valid. Section 24. Cessation of Refugee Status states: "The refugee status shall cease if a Refugee: e. enjoys the protection from the country of his or her nationality, because the reasons in connection with which he or she was granted refugee status have ceased to exist; Provided, that this paragraph shall not apply to a refugee who is able to invoke compelling reasons arising out of previous persecution for refusing to avail himself or herself of the protection of the country of his or her nationality;...".

Sources: Department of Justice Circular No. 058. 2012.



#### 4.9.5. Maximum timeframe for application resolution

**IMMIGRATION\_88: Timeframe for resolution.**

**Is there a maximum of days to process the application of asylum seekers?**

Answer: Yes

Code: 1

Explanation: Yes, 90 days. Section 31. Duties of the Protection Officer states: "The Protection Officer may request the DFA to contact foreign States only with the consent of the Applicant. In no case shall there be contact with the authorities of a foreign State where there is a claim of persecution. He shall evaluate the application or the request for reconsideration and eligibility of protection after considering all relevant evidence. He shall issue the findings in writing within ninety (90) days from date of the application or the request for reconsideration, unless there are reasonable grounds for an extended period".

Sources: Department of Justice Circular No. 058. 2012.

**What is the maximum of days?**

Answer: 90

Code: 90

Explanation: Not applicable

Sources: Department of Justice Circular No. 058. 2012.

#### 4.9.6. Possibility to change migratory status

**IMMIGRATION\_89. If an application on refugee status is rejected, does the applicant have the right to appeal?**

Answer: Not applicable

Code: Not applicable

Explanation: Yes. The applicant has the right to request for reconsideration and also seek judicial review. Section 13. Request for Reconsideration states: "In case the application is disapproved, the Applicant may request reconsideration of the decision. Only one (1) request shall be allowed to be filed within thirty (30) days from receipt of the decision. The Secretary shall issue a written resolution on the reconsideration within a reasonable time. Section 20. Judicial Review. – In accordance with the Rules of Court, the Applicant may seek judicial review of the decision or resolution on the request for reconsideration of the decision within the period prescribed".

Sources: Department of Justice Circular No. 058. 2012.

#### **IMMIGRATION\_90. Is it possible for recognized refugees to change their migratory status?**

Answer: Yes

Code: 1

Explanation: Yes. Refugees are allowed to apply for an Alien Employment Permit (AEP), which in turn would qualify them for the 9G visa.

Sources: Republic of the Philippines Department of Labor and Employment - Bureau of Local Employment. "Alien Employment Permit". Access date not available.  
<http://www.ble.dole.gov.ph/index.php/web-pages/118-alien-employment-permit>.

### **4.9.7. Detention**

#### **IMMIGRATION\_91: Detention**

##### **Are asylum seekers detained while their claims are being processed?**

Answer: No

Code: 4

Explanation: Non-detention of applicants is a basic principle of the determination procedure. Section 3. Basic Principles: "This procedure shall be governed by the following basic principles: b. Non-detention on account of being stateless or refugee".

Sources: Department of Justice Circular No. 058. 2012.

##### **Are asylum seekers detained after their claims are processed?**

Answer: No

Code: 2

Explanation: Section 3. Basic Principles: "This procedure shall be governed by the following basic principles: b. Non-detention on account of being stateless or refugee".

Sources: Department of Justice Circular No. 058. 2012.

### **4.9.8. Status after rejection**

#### **IMMIGRATION\_92. What is the status of asylum seekers whose applications are rejected?**

Answer: Issued a temporary certificate and then deportation

Code: 2

Explanation: The asylum seeker needs to leave the country within the allotted time. Section 14. Finality of Decision states: "Where the application is denied with finality, the Applicant shall be afforded sufficient time to leave the country unless he/she holds another immigration status or the Commissioner has authorized his/her continued stay. Any immigration proceeding that has been suspended pursuant to Section 7 hereof may be reactivated".

Sources: Department of Justice Circular No. 058. 2012.

#### **IMMIGRATION\_93. Do asylum seekers have the possibility to work during the process of application?**

Answer: No answer

Code: Not applicable

Explanation: This is not regulated

Sources: Department of Justice Circular No. 058. 2012.

### **4.9.9. Translation and interpretation**

#### **IMMIGRATION\_94. Does the state provide official translation or interpretation for the process of asylum seekers?**

Answer: Yes

Code: 1

Explanation: Yes. Translation is ensured for communicating the decision and resolution. Section 31. Duties of the Protection Officer: "The Protection Officer may request the DFA to contact foreign States only with the consent of the Applicant. In no case shall there be contact with the authorities of a foreign State where there is a claim of persecution. He shall ensure the translation of the decision and resolution where necessary".

Sources: Department of Justice Circular No. 058. 2012.

### **4.10. Proxy: Co-ethnics**

#### **4.10.1. General**

#### **IMMIGRATION\_95. Existence of co-ethnics in 2017 (i.e. group(s) of immigrants that were granted easier access).**

**Are there group(s) of immigrants that are granted easier access to immigration and citizenship due to colonial history, language, religion, ancestry, and/or ill-treatment in the past?**

Answer: No

Code: 0

Explanation: No. No such co-ethnic visa is found in the main immigration laws and regulations.

Sources: The Philippine Immigration Act of 1940. 1940. / Government of Republic of the Philippines. "Bureau of Immigration". Accessed June 3, 2019. <http://immigration.gov.ph/>.

**IMMIGRATION\_96. Register the name of the group(s).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.2. Reasons for co-ethnicity**

**IMMIGRATION\_97. Reasons for co-ethnicity.**

**Shared language:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Shared religion:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Shared ancestry:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Citizen of former colony:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Ill treatment by country in the past:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Self-declaration: avowal to be of country's ethnicity:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Other:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_98. May converts apply?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_99. If ancestry is sufficient to claim entitlement to preferential immigration rights, what is the degree of ancestry required?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.3. Language test**

**IMMIGRATION\_100. What is the required level of language skills?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.4. Place of residence**

**IMMIGRATION\_101. Does the applicant have to reside in a specific country to be entitled to easier access and right to permanent settlement? (If yes, specify country in the explanation).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.5. Place of application**

**IMMIGRATION\_102. Place of application.**

**Can applicants file an application from outside the territory of the host country?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can applicants file an application on host country's territory?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.6. Date of birth**

**IMMIGRATION\_103. Do applicants need to be born before or after a certain date to be eligible?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.7. Permit validity**

**IMMIGRATION\_104. If citizenship is not granted right away/after a shorter period, how long is the resident permit valid for?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_105. Permit renewal.**

**Is it possible to renew a temporary residence permit for co-ethnics?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is it possible to apply for a permanent resident permit for co-ethnics?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable



## 5. Immigrant policies

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### 5.1. Permanent residence

#### 5.1.1. Eligibility

##### **IMMIGRANT\_1: General existence of a permanent residence scheme.**

Answer: No

Code: 0

Explanation: There is no streamlined permanent residence scheme per se, but between the two broad categories of “Immigrant Visas” and “Nonimmigrant Visas”, the former seems to refer to permanent residence. As in, “immigrant” seems to signify a migrant with the intention of permanent settlement and is only available through marriage or a quota system reserved for certain nationalities. The applicants can also already be in the Philippines at the time of application. In addition, the law refers to “non-resident aliens” (e.g. in the Labor Code) to mean those migrants without permanent residency, so that residency simply means permanent residency. Aside from migrants with a family connection to the Philippines (by marriage or lineage), the only way to obtain permanent residency is through a quota system, applicable for: “Section 13 of the Philippine Immigration Act of 1940. Qualified and desirable aliens who are in the Philippines under temporary stay may be admitted within the quota, subject to the provisions of the last paragraph of Section 9 of this Act”. Nevertheless, because this permanent residency scheme is primarily dependent on nationality only in addition to other criteria, and the quota is not available as of 2018.

Sources: The Philippine Immigration Act of 1940. 1940.

##### **IMMIGRANT\_2: Existence of a permanent residence scheme for different proxies. Do asylum seekers have access to permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Do refugees have access to permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Do co-ethnics have access to permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have access to permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do agricultural workers have access to permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do medical doctors have access to permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_3: Required time of habitual residence.**

**How many months of habitual residence are required from asylum seekers for accessing permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**How many months of habitual residence are required from refugees for accessing permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**How many months of habitual residence are required from co-ethnics for accessing permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**How many months of habitual residence are required from domestic workers for accessing permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**How many months of habitual residence are required from agricultural workers for accessing permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**How many months of habitual residence are required from medical doctors for accessing permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_4: Periods of absence allowed.**

**Are periods of absence allowed before granting of permanent status for asylum seekers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e.g. ten months in a period of five years), calculate the average per year.**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Are periods of absence allowed before granting of permanent status for refugees? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Are periods of absence allowed before granting of permanent status for co-ethnics? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Are periods of absence allowed before granting of permanent status for domestic workers? If yes, register the number of non-consecutive months per year allowed. If no absence is**

**allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Are periods of absence allowed before granting of permanent status for agricultural workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Are periods of absence allowed before granting of permanent status for medical doctors? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **IMMIGRANT\_5. Result of a regularization process.**

**The regularization process leads to:**

Answer: no regularization process possible

Code: 0

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_6: Language test.**

**Is there a language requirement for asylum seekers to access permanent residence?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there a language requirement for refugees to access permanent residence?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there a language requirement for co-ethnics to access permanent residence?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there a language requirement for domestic workers to access permanent residence?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there a language requirement for co-ethnics to access permanent residence?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there a language requirement for medical doctors to access permanent residence?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_7: Economic resources.**

**Is there an economic resources requirement for applying to permanent residence for asylum seekers?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there an economic resources requirement for applying to permanent residence for refugees?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there an economic resources requirement for applying to permanent residence for co-ethnics?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there an economic resources requirement for applying to permanent residence for domestic workers?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there an economic resources requirement for applying to permanent residence for agricultural workers?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there an economic resources requirement for applying to permanent residence for medical doctors?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_8: Cost of application.**

**What is the cost of the application of permanent residence in the original currency (include the cost of issuance if any)?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**What is the cost of the application of permanent residence in the USD (include the cost of issuance if any)?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable



Sources: Not applicable

**IMMIGRANT\_9: Employer sponsorship.**

**Do asylum seekers have to be sponsored by an employer?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do refugees have to be sponsored by an employer?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do co-ethnics have to be sponsored by an employer?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic have to be sponsored by an employer?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do agricultural workers have to be sponsored by an employer?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do medical doctors have to be sponsored by an employer?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **5.1.2. Security of status**

**IMMIGRANT\_10: Maximum length of application procedure.**

**Maximum length of application procedure for asylum seekers in months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for asylum seekers:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for refugees in months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for refugees:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for co-ethnics in months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for co-ethnics:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for domestic workers in months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for domestic workers:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for agricultural workers in months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for agricultural workers:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for medical doctors in months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for medical doctors:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_11: Grounds for rejection.**

**Not fulfilling the original conditions that were required to access original permit is a ground for rejecting permanent residence application:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_12: Legal guarantees.**

**Rejection of applications must be reasoned:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Rejected applicants have the right to appeal:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_13: Expulsion is precluded for victims of violence or crime.**

**Expulsion is precluded for immigrants of all categories who are victims of violence or crime:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## **5.2. Policies of representation**

**IMMIGRANT\_14: Regulation of electoral rights.**

**Subnational electoral rights can be regulated at the subnational level:**

Answer: yes

Code: 1

Explanation: Subnational electoral rights can be regulated at the subnational level to a certain extent. There are special metropolitan political subdivisions that are entitled autonomy as well as independent executive and legislative assemblies. Section 11 of the 1987 Constitution of the Republic of the Philippines: "The Congress may, by law, create special metropolitan political subdivisions, subject to a plebiscite as set forth in Section 10 hereof. The component cities and municipalities shall retain their basic autonomy and shall be entitled to their own local executive and legislative assemblies. The jurisdiction of the metropolitan authority that will thereby be created shall be limited to basic services requiring coordination".

Sources: The 1987 Constitution of the Republic of the Philippines. 1987. Sec. 11.

### 5.2.1. Electoral rights

#### IMMIGRANT\_15: Voting eligibility for non-citizens.

##### Does the country have presidential elections?

Answer: yes

Code: 1

##### Does the country have a bicameral system (composed of a lower house and an upper house)?

Answer: yes

Code: 1

##### Can non-citizen residents vote in national presidential elections?

Answer: generally disenfranchised

Code: 0

Explanation: There is a strict prohibition on any manner of foreigner activity involving elections. Section 4 of the Republic of the Philippines Commission on Elections: "Prohibition against Foreign Intervention. It is unlawful for any foreigner, whether juridical or natural person, to aid any candidate, or political party, organization or coalition, directly or indirectly, or to take part in, or influence in any manner, any election, or to contribute or make any expenditure in connection with any election campaign or partisan political activity".

Sources: Commission on Elections Resolution No. 9615. 2013. Sec. 4.

##### Can non-citizen residents vote in national legislative elections (lower house)? :

Answer: generally disenfranchised

Code: 0

Explanation: There is a strict prohibition on any manner of foreigner activity involving elections. Section 4 of the Republic of the Philippines Commission on Elections: "Prohibition against Foreign Intervention. It is unlawful for any foreigner, whether juridical or natural person, to aid any candidate, or political party, organization or coalition, directly or indirectly, or to take part in, or influence in any manner, any election, or to contribute or make any expenditure in connection with any election campaign or partisan political activity".

Sources: Commission on Elections Resolution No. 9615. 2013. Sec. 4.

### **Can non-citizen residents vote in national legislative elections (upper house)?**

Answer: generally disenfranchised

Code: 0

Explanation: There is a strict prohibition on any manner of foreigner activity involving elections. Section 4 of the Republic of the Philippines Commission on Elections: "Prohibition against Foreign Intervention. It is unlawful for any foreigner, whether juridical or natural person, to aid any candidate, or political party, organization or coalition, directly or indirectly, or to take part in, or influence in any manner, any election, or to contribute or make any expenditure in connection with any election campaign or partisan political activity".

Sources: Commission on Elections Resolution No. 9615. 2013. Sec. 4.

### **IMMIGRANT\_16: Residence duration-based requirements for active electoral rights.**

#### **Previous residence required for being eligible to vote in presidential elections:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Previous residence required for being eligible to vote in lower house elections:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Previous residence required for being eligible to vote in upper house elections:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_17: Registration in the electoral roll for non-citizen residents.**

**Registration in the electoral roll for non-citizen residents:**

Answer: not applicable (non-citizen residents cannot vote)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_18: Passive electoral rights for non-citizen residents.**

**Can non-citizen residents stand as candidates in national presidential elections?**

Answer: generally disenfranchised

Code: 0

Explanation: There is a strict prohibition on any manner of foreigner activity involving elections. Section 4 of the Republic of the Philippines Commission on Elections: "Prohibition against Foreign Intervention. It is unlawful for any foreigner, whether juridical or natural person, to aid any candidate, or political party, organization or coalition, directly or indirectly, or to take part in, or influence in any manner, any election, or to contribute or make any expenditure in connection with any election campaign or partisan political activity".

Sources: Commission on Elections Resolution No. 9615. 2013. Sec. 4.

**Can non-citizen residents stand as candidates in national legislative elections (lower house)?**

Answer: generally disenfranchised

Code: 0

Explanation: There is a strict prohibition on any manner of foreigner activity involving elections. Section 4 of the Republic of the Philippines Commission on Elections: "Prohibition against Foreign Intervention. It is unlawful for any foreigner, whether juridical or natural person, to aid any candidate, or political party, organization or coalition, directly or indirectly, or to take part in, or influence in any manner, any election, or to contribute or make any expenditure in connection with any election campaign or partisan political activity".

Sources: Commission on Elections Resolution No. 9615. 2013. Sec. 4.

**Can non-citizen residents stand as candidates in national legislative elections (upper house)?**



Answer generally disenfranchised

Code: 0

Explanation: There is a strict prohibition on any manner of foreigner activity involving elections. Section 4 of the Republic of the Philippines Commission on Elections: "Prohibition against Foreign Intervention. It is unlawful for any foreigner, whether juridical or natural person, to aid any candidate, or political party, organization or coalition, directly or indirectly, or to take part in, or influence in any manner, any election, or to contribute or make any expenditure in connection with any election campaign or partisan political activity".

Sources: Commission on Elections Resolution No. 9615. 2013. Sec. 4.

#### **IMMIGRANT\_19: Residence duration-based restrictions for passive electoral rights.**

**Previous residence required for being eligible to stand as candidate in presidential elections:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Previous residence required for being eligible to stand as candidate in lower house elections:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **5.2.2. Regulation of participation in parties**

#### **IMMIGRANT\_20: Emigrant membership to home country political parties.**

**Non-citizen resident membership to state of reception political parties:**

Answer: not legally allowed

Code: 0

Explanation: There is a strict prohibition on any manner of foreigner activity involving elections. Section 4 of the Republic of the Philippines Commission on Elections: "Prohibition against Foreign Intervention. It is unlawful for any foreigner, whether juridical or natural person, to aid any candidate, or political party, organization or coalition, directly or indirectly, or to take part in, or influence in any manner, any election, or to contribute or make any expenditure in connection with any election campaign or partisan political activity".

Sources: Commission on Elections Resolution No. 9615. 2013. Sec. 4.

### 5.2.3. Consultative bodies

**IMMIGRANT\_21: Existence of a consultative body of immigrants acting at the national level.**

**Existence of a consultative body on immigrant issues:**

Answer: no

Code: 0

Explanation: There is no consultative body on immigrant issues in the Philippines.

Sources: Government of Republic of the Philippines. "Bureau of Immigration". Accessed 3 June 2019. <http://immigration.gov.ph/>. / The Philippine Immigration Act of 1940. 1940. / The Alien Social Integration Act of 1995. 1995.

**IMMIGRANT\_22: Structural or ad hoc consultation.**

**The consultation is:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_23: Composition of the consultative body.**

**Composition of the consultative body:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_24: Leadership of the consultative body.**

**Who chairs the consultative body?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_25: Right of initiative to make its own reports or recommendations.**

**The body has the right of initiative to make its own reports or recommendations, even when not consulted:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_26: Right to get a response from the government to recommendation.**

**Beyond consultation on policies affecting immigrants the body has the right to get a response from national authorities to its advice/recommendations:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_27: Selection criteria to ensure representativeness.**

**Existence of selection criteria to ensure a gender-balanced consultative body:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Existence of selection criteria to ensure a geographic-balanced consultative body:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 5.3. Economic policies

### 5.3.1. Access to labor market

**IMMIGRANT\_28: Migrant access to labor market.**

**Can asylum seekers access the labor market?**

Answer: no

Code: 0

Explanation: Asylum seekers are not eligible for an AEP (the Alien Employment Permit (AEP) is required by all foreign nationals “who intend to engage in gainful employment in the Philippines” unless otherwise granted exemption by special laws. This permit is required in order to apply for a special work visa in the 9G category (which is the path for all foreigners seeking employment in the Philippines unless otherwise stated). This Permit has to be applied for once the applicant is in the Philippines).

Sources: Department of Labor and Employment Order No. 186. 2017. / Labor Code of the Philippines. 1974.

**Can refugees access the labor market?**

Answer: no

Code: 0

Explanation: The latest Department Order issued by the Department of Labor and Employment (DOLE) regarding the rules for the issuance of employment permits to foreign nationals is No. 186, from 2017. There, it is stated under Section 2 (f) that "refugees and stateless persons recognized by DOJ pursuant to Article 17 of the UN Convention and Protocol Relating to status of Refugee and Stateless Persons" are exempt from securing and employment permit. Although refugees would not need an employment permit, the Labor Code regulates the employment of non-resident aliens (category in which refugees would fit). In this sense, art. 40 stipulates that: "The employment permit may be issued to a non-resident alien or to the applicant employer after a determination of the non-availability of a person in the Philippines who is competent, able and willing at the time of application to perform the services for which the alien is desired". This means that there is access to the labor market, but there is a labor market test as an obstacle that needs to be overcome. Thus, the access is not in the same conditions as nationals.

Sources: Department of Labor and Employment Order No. 186. 2017. / Labor Code of the Philippines. 1974.

**Can co-ethnics access the labor market?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can domestic workers access the labor market?**

Answer: no

Code: 0

Explanation: The most exact answer would be yes, but with restrictions, or yes, but not in equal conditions to nationals. Art. 40 of the Labor Code stipulates that: "The employment permit may be issued to a non-resident alien or to the applicant employer after a determination of the non-availability of a person in the Philippines who is competent, able and willing at the time of application to perform the services for which the alien is desired". Moreover, Section 7 of the Revised Rules For The Issuance Of Employment Permits To Foreign Nationals establishes that: "Labor Market Test and other objection against the foreign national. - ...It shall also indicate in the same notice of publication that any person in the Philippines who is competent, able and willing at the time of application to perform the services for which the foreign national is desired may file an objection at the DOLE Regional Office". This means that there is access to the labor market, but a labor market test is an obstacle that needs to be overcome for there to be access. Thus, the access is not in the same conditions as nationals.

Sources: Department of Labor and Employment Order No. 186. 2017. / Labor Code of the Philippines. 1974.

### **Can agricultural workers access the labor market?**

Answer: no

Code: 0

Explanation: The most exact answer would be yes, but with restrictions, or yes, but not in equal conditions to nationals. Art. 40 of the Labor Code stipulates that: "The employment permit may be issued to a non-resident alien or to the applicant employer after a determination of the non-availability of a person in the Philippines who is competent, able and willing at the time of application to perform the services for which the alien is desired". Moreover, Section 7 of the Revised Rules For The Issuance Of Employment Permits To Foreign Nationals establishes that: "Labor Market Test and other objection against the foreign national. - ...It shall also indicate in the same notice of publication that any person in the Philippines who is competent, able and willing at the time of application to perform the services for which the foreign national is desired may file an objection at the DOLE Regional Office". This means that there is access to the labor market, but a labor market test is an obstacle that needs to be overcome for there to be access. Thus, the access is not in the same conditions as nationals.

Sources: Department of Labor and Employment Order No. 186. 2017. / Labor Code of the Philippines. 1974.

### **Can medical doctors access the labor market?**

Answer: no

Code: 0

Explanation: The most exact answer would be yes, but with restrictions, or yes, but not in equal conditions to nationals. Art. 40 of the Labor Code stipulates that: "The employment permit may be issued to a non-resident alien or to the applicant employer after a determination of the non-availability of a person in the Philippines who is competent, able and willing at the time of application to perform the services for which the alien is desired". Moreover, Section 7 of the Revised Rules For The Issuance Of Employment Permits To Foreign Nationals establishes that: "Labor Market Test and other objection against the foreign national. - ...It shall also indicate in the same notice of publication that any person in the Philippines who is competent, able and willing at the time of application to perform the services for which the foreign national is desired may file an objection at the DOLE Regional Office". This means that there is access to the labor market, but a labor market test is an obstacle that needs to be overcome for there to be access. Thus, the access is not in the same conditions as nationals.

Sources: Department of Labor and Employment Order No. 186. 2017. / Labor Code of the Philippines. 1974.

### **Can permanent residents access the labor market?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **IMMIGRANT\_29: Migrant access to self-employment.**

#### **Can asylum seekers access self-employment?**

Answer: not applicable

Code: Not applicable

Explanation: Asylum seekers are not eligible for an Alien Employment Permit (AEP).

Sources: Not applicable

#### **Can refugees access self-employment?**

Answer: no

Code: 0

Explanation: Alien Employment Permits (AEPs) are issued for one place of employment and there is no explicit provision for self-employment. Art. 41 of the Labor Code: "Prohibition against transfer of employment. b. Any non-resident alien who shall take up employment in violation of provision of this Title and its implementing rules and regulations shall be punished in accordance with the provisions of Articles 289 and 290 of the Labor Code".

Sources: Labor Code of the Philippines. 1974. Art. 41.

### **Can co-ethnics access self-employment?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can domestic workers access self-employment?**

Answer: no

Code: 0

Explanation: Alien Employment Permits (AEPs) are issued for one place of employment and there is no explicit provision for self-employment. Art. 41 of the Labor Code: "Prohibition against transfer of employment. b. Any non-resident alien who shall take up employment in violation of provision of this Title and its implementing rules and regulations shall be punished in accordance with the provisions of Articles 289 and 290 of the Labor Code".

Sources: Labor Code of the Philippines. 1974. Art. 41.

### **Can agricultural workers access self-employment?**

Answer: no

Code: 0

Explanation: Alien Employment Permits (AEPs) are issued for one place of employment and there is no explicit provision for self-employment. Art. 41 of the Labor Code: "Prohibition against transfer of employment. b. Any non-resident alien who shall take up employment in violation of provision of this Title and its implementing rules and regulations shall be punished in accordance with the provisions of Articles 289 and 290 of the Labor Code".

Sources: Labor Code of the Philippines. 1974. Art. 41.

### **Can medical doctors access self-employment?**

Answer: no

Code: 0

Explanation: Alien Employment Permits (AEPs) are issued for one place of employment and there is no explicit provision for self-employment. Art. 41 of the Labor Code: "Prohibition against transfer of employment. b. Any non-resident alien who shall take up employment in violation of provision of this Title and its implementing rules and regulations shall be punished in accordance with the provisions of Articles 289 and 290 of the Labor Code".

Sources: Labor Code of the Philippines. 1974. Art. 41.

**Can permanent residents access self-employment?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_30: Migrant access to civil service.**

**Can asylum seekers access employment in schools (primary and secondary)?**

Answer: not applicable

Code: Not applicable

Explanation: Asylum seekers are not eligible for an Alien Employment Permit (AEP).

Sources: Not applicable

**Can refugees access employment in schools (primary and secondary)?**

Answer: no

Code: 0

Explanation: The "Civil Service" of the Philippines as defined by the Republic act No. 2260 (An Act to Amend and Revise the Laws Relative to Philippine Civil Service) encompasses schools, public administration, police, but not armed forces. And for the civil service, one needs to be a citizen of the Philippines (according to the Official Website of the Philippines Civil Service Commission).

Sources: Government of Republic of the Philippines. "Civil Service Commission". Accessed November 21, 2018. <http://web.csc.gov.ph/18-services.html>.

**Can co-ethnics access employment in schools (primary and secondary)?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can domestic workers access employment in schools (primary and secondary)?**



Answer: no

Code: 0

Explanation: The “Civil Service” of the Philippines as defined by the Republic act No. 2260 (An Act to Amend and Revise the Laws Relative to Philippine Civil Service) encompasses schools, public administration, police, but not armed forces. And for the civil service, one needs to be a citizen of the Philippines (according to the Official Website of the Philippines Civil Service Commission).

Sources: Government of Republic of the Philippines. “Civil Service Commission”. Accessed November 21, 2018. <http://web.csc.gov.ph/18-services.html>.

#### **Can agricultural workers access employment in schools (primary and secondary)?**

Answer: no

Code: 0

Explanation: The “Civil Service” of the Philippines as defined by the Republic act No. 2260 (An Act to Amend and Revise the Laws Relative to Philippine Civil Service) encompasses schools, public administration, police, but not armed forces. And for the civil service, one needs to be a citizen of the Philippines (according to the Official Website of the Philippines Civil Service Commission).

Sources: Government of Republic of the Philippines. “Civil Service Commission”. Accessed November 21, 2018. <http://web.csc.gov.ph/18-services.html>.

#### **Can medical doctors access employment in schools (primary and secondary)?**

Answer: no

Code: 0

Explanation: The “Civil Service” of the Philippines as defined by the Republic act No. 2260 (An Act to Amend and Revise the Laws Relative to Philippine Civil Service) encompasses schools, public administration, police, but not armed forces. And for the civil service, one needs to be a citizen of the Philippines (according to the Official Website of the Philippines Civil Service Commission).

Sources: Government of Republic of the Philippines. “Civil Service Commission”. Accessed November 21, 2018. <http://web.csc.gov.ph/18-services.html>.

#### **Can permanent residents access employment in schools (primary and secondary)?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Can asylum seekers access employment in public administration?**

Answer: not applicable

Code: Not applicable

Explanation: Asylum seekers are not eligible for an Alien Employment Permit (AEP).

Sources: Not applicable

#### **Can refugees access employment in public administration?**

Answer: no

Code: 0

Explanation: The “Civil Service” of the Philippines as defined by the Republic act No. 2260 (An Act to Amend and Revise the Laws Relative to Philippine Civil Service) encompasses schools, public administration, police, but not armed forces. And for the civil service, one needs to be a citizen of the Philippines (according to the Official Website of the Philippines Civil Service Commission).

Sources: Government of Republic of the Philippines. “Civil Service Commission”. Accessed November 21, 2018. <http://web.csc.gov.ph/18-services.html>.

#### **Can co-ethnics access employment in public administration?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Can domestic workers access employment in public administration?**

Answer: no

Code: 0

Explanation: The “Civil Service” of the Philippines as defined by the Republic act No. 2260 (An Act to Amend and Revise the Laws Relative to Philippine Civil Service) encompasses schools, public administration, police, but not armed forces. And for the civil service, one needs to be a citizen of the Philippines (according to the Official Website of the Philippines Civil Service Commission).

Sources: Government of Republic of the Philippines. “Civil Service Commission”. Accessed November 21, 2018. <http://web.csc.gov.ph/18-services.html>.

#### **Can agricultural workers access employment in public administration?**

Answer: no

Code: 0

Explanation: The “Civil Service” of the Philippines as defined by the Republic act No. 2260 (An Act to Amend and Revise the Laws Relative to Philippine Civil Service) encompasses schools, public administration, police, but not armed forces. And for the civil service, one needs to be a citizen of the Philippines (according to the Official Website of the Philippines Civil Service Commission).

Sources: Government of Republic of the Philippines. “Civil Service Commission”. Accessed November 21, 2018. <http://web.csc.gov.ph/18-services.html>.

#### **Can medical doctors access employment in public administration?**

Answer: no

Code: 0

Explanation: The “Civil Service” of the Philippines as defined by the Republic act No. 2260 (An Act to Amend and Revise the Laws Relative to Philippine Civil Service) encompasses schools, public administration, police, but not armed forces. And for the civil service, one needs to be a citizen of the Philippines (according to the Official Website of the Philippines Civil Service Commission).

Sources: Government of Republic of the Philippines. “Civil Service Commission”. Accessed November 21, 2018. <http://web.csc.gov.ph/18-services.html>.

#### **Can permanent residents access employment in public administration?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Can asylum seekers access employment in the police?**

Answer: not applicable

Code: Not applicable

Explanation: Asylum seekers are not eligible for an Alien Employment Permit (AEP).

Sources: Not applicable

#### **Can refugees access employment in the police?**

Answer: no

Code: 0

Explanation: The “Civil Service” of the Philippines as defined by the Republic act No. 2260 (An Act to Amend and Revise the Laws Relative to Philippine Civil Service) encompasses schools, public

administration, police, but not armed forces. And for the civil service, one needs to be a citizen of the Philippines (according to the Official Website of the Philippines Civil Service Commission).

Sources: Government of Republic of the Philippines. "Civil Service Commission". Accessed November 21, 2018. <http://web.csc.gov.ph/18-services.html>.

#### **Can co-ethnics access employment in the police?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Can domestic workers access employment in the police?**

Answer: no

Code: 0

Explanation: The "Civil Service" of the Philippines as defined by the Republic act No. 2260 (An Act to Amend and Revise the Laws Relative to Philippine Civil Service) encompasses schools, public administration, police, but not armed forces. And for the civil service, one needs to be a citizen of the Philippines (according to the Official Website of the Philippines Civil Service Commission).

Sources: Government of Republic of the Philippines. "Civil Service Commission". Accessed November 21, 2018. <http://web.csc.gov.ph/18-services.html>.

#### **Can agricultural workers access employment in the police?**

Answer: no

Code: 0

Explanation: The "Civil Service" of the Philippines as defined by the Republic act No. 2260 (An Act to Amend and Revise the Laws Relative to Philippine Civil Service) encompasses schools, public administration, police, but not armed forces. And for the civil service, one needs to be a citizen of the Philippines (according to the Official Website of the Philippines Civil Service Commission).

Sources: Government of Republic of the Philippines. "Civil Service Commission". Accessed November 21, 2018. <http://web.csc.gov.ph/18-services.html>.

#### **Can medical doctors access employment in the police?**

Answer: no

Code: 0

Explanation: The “Civil Service” of the Philippines as defined by the Republic act No. 2260 (An Act to Amend and Revise the Laws Relative to Philippine Civil Service) encompasses schools, public administration, police, but not armed forces. And for the civil service, one needs to be a citizen of the Philippines (according to the Official Website of the Philippines Civil Service Commission).

Sources: Government of Republic of the Philippines. “Civil Service Commission”. Accessed November 21, 2018. <http://web.csc.gov.ph/18-services.html>.

**Can permanent residents access employment in the police?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Quotas for preferential hiring of asylum seekers exist:**

Answer: not applicable

Code: Not applicable

Explanation: Asylum seekers are not eligible for an Alien Employment Permit (AEP).

Sources: Not applicable

**Quotas for preferential hiring of refugees exist:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Quotas for preferential hiring of co-ethnics exist:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Quotas for preferential hiring of domestic workers exist:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Quotas for preferential hiring of agricultural workers exist:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Quotas for preferential hiring of medical doctors:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Quotas for preferential hiring of permanent residents:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can asylum seekers access employment in the armed forces?**

Answer: not applicable

Code: Not applicable

Explanation: Asylum seekers are not eligible for an Alien Employment Permit (AEP).

Sources: Not applicable

**Can refugees access employment in the armed forces?**

Answer: no

Code: 0

Explanation: According to the Official Website of Philippine Military Academy, a person needs to be a natural born Filipino citizen in order to access employment in the armed forces.

Sources: Philippine Military Academy. "The Official Website of Philippine Military Academy". Accessed 21 November 2018. <https://www.pma.ph/>.

#### **Can co-ethnics access employment in the armed forces?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Can domestic workers access employment in the armed forces?**

Answer: no

Code: 0

Explanation: According to the Official Website of Philippine Military Academy, a person needs to be a natural born Filipino citizen in order to access employment in the armed forces.

Sources: Philippine Military Academy. "The Official Website of Philippine Military Academy". Accessed 21 November 2018. <https://www.pma.ph/>.

#### **Can agricultural workers access employment in the armed forces?**

Answer: no

Code: 0

Explanation: According to the Official Website of Philippine Military Academy, a person needs to be a natural born Filipino citizen in order to access employment in the armed forces.

Sources: Philippine Military Academy. "The Official Website of Philippine Military Academy". Accessed 21 November 2018. <https://www.pma.ph/>.

#### **Can medical doctors access employment in the armed forces?**

Answer: no

Code: 0

Explanation: According to the Official Website of Philippine Military Academy, a person needs to be a natural born Filipino citizen in order to access employment in the armed forces.

Sources: Philippine Military Academy. "The Official Website of Philippine Military Academy". Accessed 21 November 2018. <https://www.pma.ph/>.

#### **Can permanent residents access employment in the armed forces?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **5.3.2. Access to support**

#### **IMMIGRANT\_31: Public employment services.**

##### **Can asylum seekers access public employment services?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Can refugees access public employment services?**

Answer: No

Code: 0

Explanation: The Bureau of Local Employment, under the Department of Labor and Employment (DOLE) serves Filipino citizens only. The Bureau's website explains that: "BLE shall promote full employment by facilitating access of Filipino jobseekers to local employment opportunities through policy researches, standards setting, strategy development, labor market analysis and provision of technical assistance to regional implementers in support of employment service operations".

Sources: Bureau of Local Employment. "Philjobnet". Access date not available. <https://www.philjobnet.gov.ph/about-us>.

##### **Can co-ethnics access public employment services?**

Answer: Not applicable



Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can domestic workers access public employment services?**

Answer: No

Code: 0

Explanation: The Bureau of Local Employment, under the Department of Labor and Employment (DOLE) serves Filipino citizens only. The Bureau's website explains that: "BLE shall promote full employment by facilitating access of Filipino jobseekers to local employment opportunities through policy researches, standards setting, strategy development, labor market analysis and provision of technical assistance to regional implementers in support of employment service operations".

Sources: Bureau of Local Employment. "Philjobnet". Access date not available.  
<https://www.philjobnet.gov.ph/about-us>.

### **Can agricultural workers access public employment services?**

Answer: No

Code: 0

Explanation: The Bureau of Local Employment, under the Department of Labor and Employment (DOLE) serves Filipino citizens only. The Bureau's website explains that: "BLE shall promote full employment by facilitating access of Filipino jobseekers to local employment opportunities through policy researches, standards setting, strategy development, labor market analysis and provision of technical assistance to regional implementers in support of employment service operations".

Sources: Bureau of Local Employment. "Philjobnet". Access date not available.  
<https://www.philjobnet.gov.ph/about-us>.

### **Can medical doctors access public employment services?**

Answer: No

Code: 0

Explanation: The Bureau of Local Employment, under the Department of Labor and Employment (DOLE) serves Filipino citizens only. The Bureau's website explains that: "BLE shall promote full employment by facilitating access of Filipino jobseekers to local employment opportunities through policy researches, standards setting, strategy development, labor market analysis and provision of technical assistance to regional implementers in support of employment service operations".

Sources: Bureau of Local Employment. "Philjobnet". Access date not available.  
<https://www.philjobnet.gov.ph/about-us>.

### **Can permanent residents access public employment services?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **IMMIGRANT\_32: Recognition of qualifications.**

#### **Recognition of qualifications acquired abroad by asylum seekers:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Recognition of qualifications acquired abroad by refugees:**

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Section 7 of the Modernization Act of 2000 states: "Powers, Functions and Responsibilities of the Commission – The powers, functions, and responsibilities of the Commission are as follows: (j) Upon recommendation of the Professional Regulatory Board concerned, to approve the registration of and authorize the issuance of a certificate of registration/license and professional identification card with or without examination to a foreigner who is registered under the laws of his state or country and whose certificate of registration issued therein has not been suspended or revoked: Provided, That, the requirements for the registration or licensing in said foreign state or country are substantially the same as those required and contemplated by the laws of the Philippines and that the laws of such foreign state or country allow the citizens of the Philippines to practice the profession on the same basis and grant the same privileges as those enjoyed by the subjects or citizens of such foreign state or country: Provided, further, That, the Commission may, upon recommendation of the Board concerned, authorize the issuance of a certificate of registration/license or a special temporary permit to foreign professionals who desire to practice their professions in the country under reciprocity and other international agreements; consultants in foreign-funded, joint venture or foreign-assisted projects of the government, employees of Philippine or foreign private firms or institutions pursuant to law, or health professionals engaged in humanitarian mission for a limited period of time: Provided, finally, That agencies, organizations or individuals whether public or private, who secure the services of a foreign professional authorized by law to practice in the Philippines for reasons aforementioned, shall be responsible for securing a special permit from the Professional Regulation Commission (PRC) and the Department of Labor and Employment (DOLE), pursuant to PRC and DOLE rules".

Sources: PRC Modernization Act of 2000. 2000.

#### **Recognition of qualifications acquired abroad by co-ethnics:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Recognition of qualifications acquired abroad by domestic workers:**

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Section 7 of the Modernization Act of 2000 states: "Powers, Functions and Responsibilities of the Commission – The powers, functions, and responsibilities of the Commission are as follows: (j) Upon recommendation of the Professional Regulatory Board concerned, to approve the registration of and authorize the issuance of a certificate of registration/license and professional identification card with or without examination to a foreigner who is registered under the laws of his state or country and whose certificate of registration issued therein has not been suspended or revoked: Provided, That, the requirements for the registration or licensing in said foreign state or country are substantially the same as those required and contemplated by the laws of the Philippines and that the laws of such foreign state or country allow the citizens of the Philippines to practice the profession on the same basis and grant the same privileges as those enjoyed by the subjects or citizens of such foreign state or country: Provided, further, That, the Commission may, upon recommendation of the Board concerned, authorize the issuance of a certificate of registration/license or a special temporary permit to foreign professionals who desire to practice their professions in the country under reciprocity and other international agreements; consultants in foreign-funded, joint venture or foreign-assisted projects of the government, employees of Philippine or foreign private firms or institutions pursuant to law, or health professionals engaged in humanitarian mission for a limited period of time: Provided, finally, That agencies, organizations or individuals whether public or private, who secure the services of a foreign professional authorized by law to practice in the Philippines for reasons aforementioned, shall be responsible for securing a special permit from the Professional Regulation Commission (PRC) and the Department of Labor and Employment (DOLE), pursuant to PRC and DOLE rules“.

Sources: PRC Modernization Act of 2000. 2000.

### **Recognition of qualifications acquired abroad by agricultural workers:**

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Section 7 of the Modernization Act of 2000 states: "Powers, Functions and Responsibilities of the Commission – The powers, functions, and responsibilities of the Commission are as follows: (j) Upon recommendation of the Professional Regulatory Board concerned, to approve the registration of and authorize the issuance of a certificate of registration/license and professional identification card with or without examination to a foreigner who is registered under the laws of his state or country and whose certificate of registration issued therein has not been suspended or revoked: Provided, That, the requirements for the registration or licensing in said foreign state or country are substantially the same as those required and contemplated by the laws of the Philippines and that the laws of such foreign state or country allow the citizens of the Philippines to practice the profession on the same basis and grant the same privileges as those enjoyed by the subjects or

citizens of such foreign state or country: Provided, further, That, the Commission may, upon recommendation of the Board concerned, authorize the issuance of a certificate of registration/license or a special temporary permit to foreign professionals who desire to practice their professions in the country under reciprocity and other international agreements; consultants in foreign-funded, joint venture or foreign-assisted projects of the government, employees of Philippine or foreign private firms or institutions pursuant to law, or health professionals engaged in humanitarian mission for a limited period of time: Provided, finally, That agencies, organizations or individuals whether public or private, who secure the services of a foreign professional authorized by law to practice in the Philippines for reasons aforementioned, shall be responsible for securing a special permit from the Professional Regulation Commission (PRC) and the Department of Labor and Employment (DOLE), pursuant to PRC and DOLE rules“.

Sources: PRC Modernization Act of 2000. 2000.

#### **Recognition of qualifications acquired abroad by medical doctors:**

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Section 7 of the Modernization Act of 2000 states: "Powers, Functions and Responsibilities of the Commission – The powers, functions, and responsibilities of the Commission are as follows: (j) Upon recommendation of the Professional Regulatory Board concerned, to approve the registration of and authorize the issuance of a certificate of registration/license and professional identification card with or without examination to a foreigner who is registered under the laws of his state or country and whose certificate of registration issued therein has not been suspended or revoked: Provided, That, the requirements for the registration or licensing in said foreign state or country are substantially the same as those required and contemplated by the laws of the Philippines and that the laws of such foreign state or country allow the citizens of the Philippines to practice the profession on the same basis and grant the same privileges as those enjoyed by the subjects or citizens of such foreign state or country: Provided, further, That, the Commission may, upon recommendation of the Board concerned, authorize the issuance of a certificate of registration/license or a special temporary permit to foreign professionals who desire to practice their professions in the country under reciprocity and other international agreements; consultants in foreign-funded, joint venture or foreign-assisted projects of the government, employees of Philippine or foreign private firms or institutions pursuant to law, or health professionals engaged in humanitarian mission for a limited period of time: Provided, finally, That agencies, organizations or individuals whether public or private, who secure the services of a foreign professional authorized by law to practice in the Philippines for reasons aforementioned, shall be responsible for securing a special permit from the Professional Regulation Commission (PRC) and the Department of Labor and Employment (DOLE), pursuant to PRC and DOLE rules“.

Sources: PRC Modernization Act of 2000. 2000.

#### **Recognition of qualifications acquired abroad by permanent residents:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### 5.3.3. Worker's rights

#### **IMMIGRANT\_33: Membership in trade unions.**

**Can asylum seekers be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can refugees be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Art. 269 of the Labor Code establishes that: "Prohibition against aliens; exceptions. All aliens, natural or juridical, as well as foreign organizations are strictly prohibited from engaging directly or indirectly in all forms of trade union activities without prejudice to normal contacts between Philippine labor unions and recognized international labor centers: Provided, however, That aliens working in the country with valid permits issued by the Department of Labor and Employment, may exercise the right to self-organization and join or assist labor organizations of their own choosing for purposes of collective bargaining: Provided, further, That said aliens are nationals of a country which grants the same or similar rights to Filipino workers. (As amended by Section 29, Republic Act No. 6715, March 21, 1989)".

Sources: Labor Code of the Philippines. 1974. Art. 269.

**Can co-ethnic be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can domestic workers be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Art. 269 of the Labor Code establishes that: "Prohibition against aliens; exceptions. All aliens, natural or juridical, as well as foreign organizations are strictly prohibited from engaging directly or indirectly in all forms of trade union activities without prejudice to normal contacts between Philippine labor unions and recognized international labor centers: Provided, however, That aliens working in the country with valid permits issued by the Department of Labor and Employment, may exercise the right to self-organization and join or assist labor organizations of their own choosing for purposes of collective bargaining: Provided, further, That said aliens are nationals of a country which grants the same or similar rights to Filipino workers. (As amended by Section 29, Republic Act No. 6715, March 21, 1989)".

Sources: Labor Code of the Philippines. 1974. Art. 269.

### **Can agricultural workers be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Art. 269 of the Labor Code establishes that: "Prohibition against aliens; exceptions. All aliens, natural or juridical, as well as foreign organizations are strictly prohibited from engaging directly or indirectly in all forms of trade union activities without prejudice to normal contacts between Philippine labor unions and recognized international labor centers: Provided, however, That aliens working in the country with valid permits issued by the Department of Labor and Employment, may exercise the right to self-organization and join or assist labor organizations of their own choosing for purposes of collective bargaining: Provided, further, That said aliens are nationals of a country which grants the same or similar rights to Filipino workers. (As amended by Section 29, Republic Act No. 6715, March 21, 1989)".

Sources: Labor Code of the Philippines. 1974. Art. 269.

### **Can medical doctors be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Art. 269 of the Labor Code establishes that: "Prohibition against aliens; exceptions. All aliens, natural or juridical, as well as foreign organizations are strictly prohibited from engaging directly or indirectly in all forms of trade union activities without prejudice to normal contacts between Philippine labor unions and recognized international labor centers: Provided, however, That aliens working in the country with valid permits issued by the Department of Labor and Employment, may exercise the right to self-organization and join or assist labor organizations of their own choosing for purposes of collective bargaining: Provided, further, That said aliens are nationals of a country which grants the same or similar rights to Filipino workers. (As amended by Section 29, Republic Act No. 6715, March 21, 1989)".

Sources: Labor Code of the Philippines. 1974. Art. 269.

### **Can permanent residents be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **IMMIGRANT\_34: Job transferability.**

##### **Can asylum seekers change their employer without risking their immigration status?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Can refugees change their employer without risking their immigration status?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Transfer requires approval from the authorities. Art 41 of the Labor Code establishes that: "Prohibition against transfer of employment. a. After the issuance of an employment permit, the alien shall not transfer to another job or change his employer without prior approval of the Secretary of Labor".

Sources: Labor Code of the Philippines. 1974. Art. 41.

##### **Can co-ethnics change their employer without risking their immigration status?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Can domestic workers change their employer without risking their immigration status?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Transfer requires approval from the authorities. Art 41 of the Labor Code establishes that: "Prohibition against transfer of employment. a. After the issuance of an employment permit, the

alien shall not transfer to another job or change his employer without prior approval of the Secretary of Labor“.

Sources: Labor Code of the Philippines. 1974. Art. 41.

### **Can agricultural workers change their employer without risking their immigration status?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Transfer requires approval from the authorities. Art 41 of the Labor Code establishes that: "Prohibition against transfer of employment. a. After the issuance of an employment permit, the alien shall not transfer to another job or change his employer without prior approval of the Secretary of Labor“.

Sources: Labor Code of the Philippines. 1974. Art. 41.

### **Can medical doctors change their employer without risking their immigration status?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Transfer requires approval from the authorities. Art 41 of the Labor Code establishes that: "Prohibition against transfer of employment. a. After the issuance of an employment permit, the alien shall not transfer to another job or change his employer without prior approval of the Secretary of Labor“.

Sources: Labor Code of the Philippines. 1974. Art. 41.

### **Can permanent residents change their employer without risking their immigration status?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **IMMIGRANT\_35: Right to redress.**

**Do asylum seekers have the right to redress if the terms of their employment contracts have been violated?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable



Sources: Not applicable

**Do refugees have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: The article in the Labor Code that refers to labor arbitration explicitly refers to all workers, not just national workers. Art. 217 of the Labor Code states: "Jurisdiction of the Labor Arbiters and the Commission. a. Except as otherwise provided under this Code, the Labor Arbiters shall have original and exclusive jurisdiction to hear and decide, within thirty (30) calendar days after the submission of the case by the parties for decision without extension, even in the absence of stenographic notes, the following cases involving all workers, whether agricultural or non-agricultural..."

Sources: Labor Code of the Philippines. 1974. Art. 217.

**Do co-ethnics have the right to redress if the terms of their employment contracts have been violated?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: The article in the Labor Code that refers to labor arbitration explicitly refers to all workers, not just national workers. Art. 217 of the Labor Code states: "Jurisdiction of the Labor Arbiters and the Commission. a. Except as otherwise provided under this Code, the Labor Arbiters shall have original and exclusive jurisdiction to hear and decide, within thirty (30) calendar days after the submission of the case by the parties for decision without extension, even in the absence of stenographic notes, the following cases involving all workers, whether agricultural or non-agricultural..."

Sources: Labor Code of the Philippines. 1974. Art. 217.

**Do agricultural workers have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: The article in the Labor Code that refers to labor arbitration explicitly refers to all workers, not just national workers. Art. 217 of the Labor Code states: "Jurisdiction of the Labor Arbiters and the Commission. a. Except as otherwise provided under this Code, the Labor Arbiters shall have original and exclusive jurisdiction to hear and decide, within thirty (30) calendar days after the submission of the case by the parties for decision without extension, even in the absence of stenographic notes, the following cases involving all workers, whether agricultural or non-agricultural..."

Sources: Labor Code of the Philippines. 1974. Art. 217.

**Do medical doctors have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: The article in the Labor Code that refers to labor arbitration explicitly refers to all workers, not just national workers. Art. 217 of the Labor Code states : "Jurisdiction of the Labor Arbiters and the Commission. a. Except as otherwise provided under this Code, the Labor Arbiters shall have original and exclusive jurisdiction to hear and decide, within thirty (30) calendar days after the submission of the case by the parties for decision without extension, even in the absence of stenographic notes, the following cases involving all workers, whether agricultural or non-agricultural..."

Sources: Labor Code of the Philippines. 1974. Art. 217.

**Do permanent residents have the right to redress if the terms of their employment contracts have been violated?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **5.3.4. Property rights**

**IMMIGRANT\_36: Property rights.**

**Can asylum seekers acquire property in the state of reception?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can refugees acquire property in the state of reception?**

Answer: No

Code: 0

Explanation: Only Filipino nationals may purchase private lands. Article XII (National Economy and Patrimony), Section 7, of the 1987 Constitution establishes that: "Save in cases of hereditary succession, no private lands shall be transferred or conveyed except to individuals, corporations, or associations qualified to acquire or hold lands of the public domain".

Sources: The 1987 Constitution of the Republic of the Philippines. 1987. Sec. 7.

### **Can co-ethnics acquire property in the state of reception?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can domestic workers acquire property in the state of reception?**

Answer: No

Code: 0

Explanation: Only Filipino nationals may purchase private lands. Article XII (National Economy and Patrimony), Section 7, of the 1987 Constitution establishes that: "Save in cases of hereditary succession, no private lands shall be transferred or conveyed except to individuals, corporations, or associations qualified to acquire or hold lands of the public domain".

Sources: The 1987 Constitution of the Republic of the Philippines. 1987. Sec. 7.

### **Can agricultural workers acquire property in the state of reception?**

Answer: No

Code: 0

Explanation: Only Filipino nationals may purchase private lands. Article XII (National Economy and Patrimony), Section 7, of the 1987 Constitution establishes that: "Save in cases of hereditary succession, no private lands shall be transferred or conveyed except to individuals, corporations, or associations qualified to acquire or hold lands of the public domain".

Sources: The 1987 Constitution of the Republic of the Philippines. 1987. Sec. 7.

### **Can medical doctors acquire property in the state of reception?**

Answer: No

Code: 0

Explanation: Only Filipino nationals may purchase private lands. Article XII (National Economy and Patrimony), Section 7, of the 1987 Constitution establishes that: "Save in cases of hereditary succession, no private lands shall be transferred or conveyed except to individuals, corporations, or associations qualified to acquire or hold lands of the public domain".

Sources: The 1987 Constitution of the Republic of the Philippines. 1987. Sec. 7.

### **Can permanent residents acquire property in the state of reception?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## **5.4. Social policies**

### **5.4.1. Family reunification**

#### **Can asylum seekers bring their families to their country of residence?**

Answer: no

Code: 0

Explanation: Not applicable

Sources: Not applicable

#### **Can refugees bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: Section 15 of the "Department Circular No. 058 Establishing the Refugees and Stateless Status Determination Procedure" states: "Effects of Recognition – The RSPPU shall notify the Commissioner of the recognition of the Applicant as a refugee or stateless person, as the case may be. The benefits of recognition, as appropriate, shall automatically inure to the accompanying Family Members. Refugees and stateless persons including their Family Members have the right to residence. They are entitled to the appropriate visas and such other immigration documents

appurtenant thereto as may be provided by immigration laws and regulations. No renewal of visa shall be allowed by the Bureau without the endorsement of the RSPPU“.

Sources: Department of Justice. 2012. “Department Circular No. 058 - Establishing the Refugees and Stateless Status Determination Procedure“. Section 15.  
<http://www.refworld.org/docid/5086932e2.html>.

#### **Can co-ethnics bring their families to their country of residence?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Can domestic workers bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: For employed persons with a 9G visa, there is no residency requirement to sponsor a dependent under the visa scheme “Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder”.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

#### **Can agricultural workers bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: For employed persons with a 9G visa, there is no residency requirement to sponsor a dependent under the visa scheme “Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder”.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

#### **Can medical doctors bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: For employed persons with a 9G visa, there is no residency requirement to sponsor a dependent under the visa scheme "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder".

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

### **Can permanent residents bring their families to their country of residence?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### *Eligibility*

#### **IMMIGRANT\_37: Resident requirement for ordinary legal residents.**

#### **Residence requirement for ordinary legal residents (asylum seekers). In months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Residence requirement for ordinary legal residents (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Residence requirement for ordinary legal residents (refugees). In months:**

Answer: 0

Code: 0

Explanation: Section 15 of the "Department Circular No. 058 Establishing the Refugees and Stateless Status Determination Procedure" states: "Effects of Recognition – The RSPPU shall notify the Commissioner of the recognition of the Applicant as a refugee or stateless person, as the case may be. The benefits of recognition, as appropriate, shall automatically inure to the accompanying Family Members. Refugees and stateless persons including their Family Members have the right to residence. They are entitled to the appropriate visas and such other immigration documents appurtenant thereto as may be provided by immigration laws and regulations. No renewal of visa shall be allowed by the Bureau without the endorsement of the RSPPU".

Sources: Department of Justice Circular No. 058. 2012. Sec. 15.

**Residence requirement for ordinary legal residents (refugees):**

Answer: no residence requirement

Code: 1

Explanation: Section 15 of the "Department Circular No. 058 Establishing the Refugees and Stateless Status Determination Procedure" states: "Effects of Recognition – The RSPPU shall notify the Commissioner of the recognition of the Applicant as a refugee or stateless person, as the case may be. The benefits of recognition, as appropriate, shall automatically inure to the accompanying Family Members. Refugees and stateless persons including their Family Members have the right to residence. They are entitled to the appropriate visas and such other immigration documents appurtenant thereto as may be provided by immigration laws and regulations. No renewal of visa shall be allowed by the Bureau without the endorsement of the RSPPU".

Sources: Department of Justice Circular No. 058. 2012. Sec. 15.

**Residence requirement for ordinary legal residents (co-ethnics). In months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (domestic workers). In months:**

Answer: 0

Code: 0

Explanation: For employed persons with a 9G visa, there is no residency requirement to sponsor a dependent under the visa scheme "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder".

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Residence requirement for ordinary legal residents (domestic workers):**

Answer: no residence requirement

Code: 1

Explanation: For employed persons with a 9G visa, there is no residency requirement to sponsor a dependent under the visa scheme "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder".

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Residence requirement for ordinary legal residents (agricultural workers). In months:**

Answer: 0

Code: 0

Explanation: For employed persons with a 9G visa, there is no residency requirement to sponsor a dependent under the visa scheme "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder".

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Residence requirement for ordinary legal residents (agricultural workers):**

Answer: no residence requirement

Code: 1

Explanation: For employed persons with a 9G visa, there is no residency requirement to sponsor a dependent under the visa scheme "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder".



Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Residence requirement for ordinary legal residents (medical doctors). In months:**

Answer: 0

Code: 0

Explanation: For employed persons with a 9G visa, there is no residency requirement to sponsor a dependent under the visa scheme "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder".

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Residence requirement for ordinary legal residents (medical doctors):**

Answer: no residence requirement

Code: 1

Explanation: For employed persons with a 9G visa, there is no residency requirement to sponsor a dependent under the visa scheme "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder".

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Residence requirement for ordinary legal residents (permanent residents). In months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (permanent residents):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_38: Family members considered for reunification.**

**Family member eligible for reunification (asylum seekers): Spouse.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (asylum seekers): Partner in a civil union or long-term relationship.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (asylum seekers): Children.**

Answer: not applicable

Code: Not applicable

Explanation:

Sources:

**Family member eligible for reunification (asylum seekers): Parents.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (asylum seekers): Grandparents.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (refugees): Spouse.**

Answer: yes

Code: 1

Explanation: Section 1 of the "Department Circular No. 058 establishing the refugees and stateless status determination procedure" establishes that: "Definition of Terms. h. "Family Members" refer to the spouse and children below 18 years of age who accompany the Applicant. The term also includes any person who is dependent socially, economically or emotionally upon the Applicant".

Sources: Department of Justice Circular No. 058. 2012. Sec. 1.

**Family member eligible for reunification (refugees): Partner in a civil union or long-term relationship.**

Answer: yes

Code: 1

Explanation: Section 1 of the "Department Circular No. 058 establishing the refugees and stateless status determination procedure" establishes that: "Definition of Terms. h. "Family Members" refer to the spouse and children below 18 years of age who accompany the Applicant. The term also includes any person who is dependent socially, economically or emotionally upon the Applicant".

Sources: Department of Justice Circular No. 058. 2012. Sec. 1.

**Family member eligible for reunification (refugees): Children.**

Answer: yes

Code: 1

Explanation: Section 1 of the "Department Circular No. 058 establishing the refugees and stateless status determination procedure" establishes that: "Definition of Terms. h. "Family Members" refer to the spouse and children below 18 years of age who accompany the Applicant. The term also includes any person who is dependent socially, economically or emotionally upon the Applicant".

Sources: Department of Justice Circular No. 058. 2012. Sec. 1.

**Family member eligible for reunification (refugees): Parents.**

Answer: yes

Code: 1

Explanation: Section 1 of the "Department Circular No. 058 establishing the refugees and stateless status determination procedure" establishes that: "Definition of Terms. h. "Family Members" refer to the spouse and children below 18 years of age who accompany the Applicant. The term also includes any person who is dependent socially, economically or emotionally upon the Applicant".

Sources: Department of Justice Circular No. 058. 2012. Sec. 1.

**Family member eligible for reunification (refugees): Grandparents.**

Answer: yes

Code: 1

Explanation: Section 1 of the "Department Circular No. 058 establishing the refugees and stateless status determination procedure" establishes that: "Definition of Terms. h. "Family Members" refer to the spouse and children below 18 years of age who accompany the Applicant. The term also includes any person who is dependent socially, economically or emotionally upon the Applicant".

Sources: Department of Justice Circular No. 058. 2012. Sec. 1.

**Family member eligible for reunification (co-ethnics): Spouse.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (co-ethnics): Partner in a civil union or long-term relationship.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (co-ethnics): Children.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (co-ethnics): Parents.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (co-ethnics): Grandparents.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (domestic workers): Spouse.**

Answer: yes

Code: 1

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Family member eligible for reunification (domestic workers): Partner in a civil union or long-term relationship.**

Answer: no

Code: 0

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Family member eligible for reunification (domestic workers): Children.**

Answer: yes

Code: 1

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Family member eligible for reunification (domestic workers): Parents.**

Answer: no

Code: 0

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Family member eligible for reunification (domestic workers): Grandparents.**

Answer: no

Code: 0

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Family member eligible for reunification (agricultural workers): Spouse.**

Answer: yes

Code: 1

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Family member eligible for reunification (agricultural workers): Partner in a civil union or long-term relationship.**

Answer: no

Code: 0

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Family member eligible for reunification (agricultural workers): Children.**

Answer: yes

Code: 1

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Family member eligible for reunification (agricultural workers): Parents.**

Answer: no

Code: 0

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Family member eligible for reunification (agricultural workers): Grandparents.**

Answer: no

Code: 0

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Family member eligible for reunification (medical doctors): Spouse.**

Answer: yes

Code: 1

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Family member eligible for reunification (medical doctors): Partner in a civil union or long-term relationship.**

Answer: no

Code: 0

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Family member eligible for reunification (medical doctors): Children.**

Answer: yes

Code: 1

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.



**Family member eligible for reunification (medical doctors): Parents.**

Answer: no

Code: 0

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Family member eligible for reunification (medical doctors): Grandparents.**

Answer: no

Code: 0

Explanation: The spouse and dependent children under the age of 21 years and unmarried of the Principal holder or applicant of a Pre-arranged Employee Visa – Commercial or Non-Commercial.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Family member eligible for reunification (permanent residents): Spouse.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (permanent residents): Partner in a civil union or long-term relationship.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (permanent residents): Children.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (permanent residents): Parents.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (permanent residents): Grandparents.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

*Security of status*

**IMMIGRANT\_39: Length of application procedure.**

**Length of application procedure in months (asylum seekers).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Length of application procedure (asylum seekers).**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Length of application procedure in months (refugees).**

Answer: 97

Code: 97

Explanation: There is no provision regulating the length of the application procedure.

Sources: Department of Justice Circular No. 058. 2012.

**Length of application procedure (refugees).**

Answer: no regulation of maximum length

Code: 0

Explanation: There is no provision regulating the length of the application procedure.

Sources: Department of Justice Circular No. 058. 2012.

**Length of application procedure in months (co-ethnics).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Length of application procedure (co-ethnics).**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Length of application procedure in months (domestic workers).**

Answer: 97

Code: 97

Explanation: There is no provision regulating the length of the application procedure.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

#### **Length of application procedure (domestic workers).**

Answer: no regulation of maximum length

Code: 0

Explanation: There is no provision regulating the length of the application procedure.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

#### **Length of application procedure in months (agricultural workers).**

Answer: 97

Code: 97

Explanation: There is no provision regulating the length of the application procedure.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

#### **Length of application procedure (agricultural workers).**

Answer: no regulation of maximum length

Code: 0

Explanation: There is no provision regulating the length of the application procedure.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

#### **Length of application procedure in months (medical doctors).**

Answer: 97

Code: 97

Explanation: There is no provision regulating the length of the application procedure.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

#### **Length of application procedure (medical doctors).**

Answer: no regulation of maximum length

Code: 0

Explanation: There is no provision regulating the length of the application procedure.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

#### **Length of application procedure in months (permanent residents).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Length of application procedure (permanent residents).**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **IMMIGRANT\_40: Duration of permit.**

##### **Duration of validity of permit (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Duration of validity of permit (refugees):**

Answer: equal to sponsor's residence permit

Code: 1

Explanation: The recognition of one person as a refugee automatically extends to his/her accompanying family members. Section 15 of the Department Circular No. 058 establishing the refugees and stateless status determination procedure establishes that: "Effects of Recognition - The RSPPU shall notify the Commissioner of the recognition of the Applicant as a refugee or stateless person, as the case may be. The benefits of recognition, as appropriate, shall automatically inure to the accompanying Family Members".

Sources: Department of Justice Circular No. 058. 2012. Sec. 15.

**Duration of validity of permit (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Duration of validity of permit (domestic workers):**

Answer: not equal to sponsor's but more or equal a year

Code: 0.5

Explanation: Permits are available for up to 3 years.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Duration of validity of permit (agricultural workers):**

Answer: not equal to sponsor's but more or equal a year

Code: 0.5

Explanation: Permits are available for up to 3 years.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Duration of validity of permit (medical doctors):**

Answer: not equal to sponsor's but more or equal a year

Code: 0.5

Explanation: Permits are available for up to 3 years.

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Duration of validity of permit (permanent residents):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_41: Grounds for rejection, withdrawing or refusing to renew status.**

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Break-up of family relationship is a ground for rejecting family reunification application (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (refugees):**

Answer: no

Code: 0

Explanation: Beyond the standard legal framework for the deportation of aliens as per the Immigration Act of 1940, there are no conditions listed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (refugees):**

Answer: no

Code: 0

Explanation: Beyond the standard legal framework for the deportation of aliens as per the Immigration Act of 1940, there are no conditions listed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Break-up of family relationship is a ground for rejecting family reunification application (refugees):**

Answer: no

Code: 0

Explanation: Beyond the standard legal framework for the deportation of aliens as per the Immigration Act of 1940, there are no conditions listed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (co-ethnics):**



Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Break-up of family relationship is a ground for rejecting family reunification application (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (domestic workers):**

Answer: no

Code: 0

Explanation: Beyond the standard legal framework for the deportation of aliens as per the Immigration Act of 1940, there are no conditions listed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (domestic workers):**

Answer: no

Code: 0

Explanation: Beyond the standard legal framework for the deportation of aliens as per the Immigration Act of 1940, there are no conditions listed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Break-up of family relationship is a ground for rejecting family reunification application (domestic workers):**

Answer: no

Code: 0

Explanation: Beyond the standard legal framework for the deportation of aliens as per the Immigration Act of 1940, there are no conditions listed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (agricultural workers):**

Answer: no

Code: 0

Explanation: Beyond the standard legal framework for the deportation of aliens as per the Immigration Act of 1940, there are no conditions listed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (agricultural workers):**

Answer: no

Code: 0

Explanation: Beyond the standard legal framework for the deportation of aliens as per the Immigration Act of 1940, there are no conditions listed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Break-up of family relationship is a ground for rejecting family reunification application (agricultural workers):**

Answer: no

Code: 0

Explanation: Beyond the standard legal framework for the deportation of aliens as per the Immigration Act of 1940, there are no conditions listed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (medical doctors):**

Answer: no

Code: 0

Explanation: Beyond the standard legal framework for the deportation of aliens as per the Immigration Act of 1940, there are no conditions listed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (medical doctors):**

Answer: no

Code: 0

Explanation: Beyond the standard legal framework for the deportation of aliens as per the Immigration Act of 1940, there are no conditions listed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Break-up of family relationship is a ground for rejecting family reunification application (medical doctors):**

Answer: no

Code: 0

Explanation: Beyond the standard legal framework for the deportation of aliens as per the Immigration Act of 1940, there are no conditions listed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (permanent residents):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (permanent residents):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Break-up of family relationship is a ground for rejecting family reunification application (permanent residents):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_42: Special circumstances.**

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of existing links with country of origin (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of physical or emotional violence (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (refugees):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: Department of Justice Circular No. 058. 2012. / The Philippine Immigration Act of 1940. 1940.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (refugees):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: Department of Justice Circular No. 058. 2012. / The Philippine Immigration Act of 1940. 1940.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (refugees):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: Department of Justice Circular No. 058. 2012. / The Philippine Immigration Act of 1940. 1940.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (refugees):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: Department of Justice Circular No. 058. 2012. / The Philippine Immigration Act of 1940. 1940.

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of existing links with country of origin (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of physical or emotional violence (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (domestic workers):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (domestic workers):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (domestic workers):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (domestic workers):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (agricultural workers):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (agricultural workers):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018.



<http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (agricultural workers):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (agricultural workers):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (medical doctors):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (medical doctors):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (medical doctors):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (medical doctors):**

Answer: no

Code: 0

Explanation: There are no special circumstances to be considered before refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (permanent residents):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (permanent residents):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of existing links with country of origin (permanent residents):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of physical or emotional violence (permanent residents):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_43: Legal guarantees and redress in case of refusal or withdrawal.**

**Legal guarantee in case of refusal or withdrawal: reasoned decision (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: right to appeal (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: reasoned decision (refugees):**

Answer: no

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940.

**Legal guarantee in case of refusal or withdrawal: right to appeal (refugees):**

Answer: no

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (refugees):**

Answer: no

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940.

**Legal guarantee in case of refusal or withdrawal: reasoned decision (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: right to appeal (co-ethnic):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (co-ethnic):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: reasoned decision (domestic workers):**

Answer: no

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Legal guarantee in case of refusal or withdrawal: right to appeal (domestic workers):**

Answer: no

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (domestic workers):**

Answer: no

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Legal guarantee in case of refusal or withdrawal: reasoned decision (agricultural workers):**

Answer: no

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Legal guarantee in case of refusal or withdrawal: right to appeal (agricultural workers):**

Answer: no

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (agricultural workers):**

Answer: no

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Legal guarantee in case of refusal or withdrawal: reasoned decision (medical doctors):**

Answer: no

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Legal guarantee in case of refusal or withdrawal: right to appeal (medical doctors):**

Answer: no

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (medical doctors):**

Answer: no

Code: 0

Explanation: There are no legal guarantees and redress in case of refusal or withdrawal stipulated in the law.

Sources: The Philippine Immigration Act of 1940. 1940. / Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Legal guarantee in case of refusal or withdrawal: reasoned decision (permanent residents):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: right to appeal (permanent residents):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (permanent residents):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_44: Right to autonomous permit.**

**Right to autonomous residence permit for partners and children at age of majority (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Right to autonomous residence permit for partners and children at age of majority (refugees):**



Answer: no right

Code: 0

Explanation: Not applicable

Sources: Department of Justice Circular No. 058. 2012.

**Right to autonomous residence permit for partners and children at age of majority (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Right to autonomous residence permit for partners and children at age of majority (domestic workers):**

Answer: no right

Code: 0

Explanation: Not applicable

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Right to autonomous residence permit for partners and children at age of majority (agricultural workers):**

Answer: no right

Code: 0

Explanation: Not applicable

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Right to autonomous residence permit for partners and children at age of majority (medical doctors):**

Answer: no right

Code: 0

Explanation: Not applicable

Sources: Bureau of Immigration. "Inclusion of Dependent in the Pre-Arranged Employee Visa of the Principal Holder". Accessed May 3, 2018. <http://www.immigration.gov.ph/visa-requirements/non-immigrant-visa/pre-arranged-employment-visa/inclusion-of-dependent-in-the-pre-arranged-employee-visa-of-the-principal-holder>.

**Right to autonomous residence permit for partners and children at age of majority (permanent residents):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 5.4.2. Education

### IMMIGRANT\_45: Access to education.

**Children of asylum seekers have access to compulsory education:**

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: The Constitution states that all children of school age must receive elementary education. Article XIV, Section 2 of the 1987 Constitution of the Republic of the Philippines establishes that: "The State shall: (1) Establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society; (2) Establish and maintain a system of free public education in the elementary and high school levels. Without limiting the natural right of parents to rear their children, elementary education is compulsory for all children of school age".

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Children of refugees have access to compulsory education:**

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: The Constitution states that all children of school age must receive elementary education. Article XIV, Section 2 of the 1987 Constitution of the Republic of the Philippines establishes that: "The State shall: (1) Establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society; (2) Establish and maintain a system of free

public education in the elementary and high school levels. Without limiting the natural right of parents to rear their children, elementary education is compulsory for all children of school age“.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Children of co-ethnics have access to compulsory education:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Children of domestic workers have access to compulsory education:**

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: The Constitution states that all children of school age must receive elementary education. Article XIV, Section 2 of the 1987 Constitution of the Republic of the Philippines establishes that: "The State shall: (1) Establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society; (2) Establish and maintain a system of free public education in the elementary and high school levels. Without limiting the natural right of parents to rear their children, elementary education is compulsory for all children of school age“.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Children of agricultural workers have access to compulsory education:**

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: The Constitution states that all children of school age must receive elementary education. Article XIV, Section 2 of the 1987 Constitution of the Republic of the Philippines establishes that: "The State shall: (1) Establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society; (2) Establish and maintain a system of free public education in the elementary and high school levels. Without limiting the natural right of parents to rear their children, elementary education is compulsory for all children of school age“.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Children of medical doctors have access to compulsory education:**

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: The Constitution states that all children of school age must receive elementary education. Article XIV, Section 2 of the 1987 Constitution of the Republic of the Philippines establishes that: "The State shall: (1) Establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society; (2) Establish and maintain a system of free public education in the elementary and high school levels. Without limiting the natural right of parents to rear their children, elementary education is compulsory for all children of school age".

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Children of permanent residents have access to compulsory education:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_46: Access to higher education.**

**Asylum seekers and their children have access to higher education:**

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Institutions of higher learning are able to decide independently who shall be admitted. Section 13. Rights of Schools states: "In addition to other rights provided for by law, schools shall enjoy the following: 1. The right of their governing boards or lawful authorities to provide for the proper governance of the school and to adopt and enforce administrative or management systems. 2. The right for institutions of higher learning to determine on academic grounds who shall be admitted to study, who may teach, and what shall be subjects of the study and research".

Sources: An Act Providing for the Establishment and Maintenance of an Integrated System of Education. 1982.

**Refugees have access to higher education:**

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Institutions of higher learning are able to decide independently who shall be admitted. Section 13. Rights of Schools states: "In addition to other rights provided for by law, schools shall enjoy the following: 1. The right of their governing boards or lawful authorities to provide for the proper governance of the school and to adopt and enforce administrative or management systems. 2. The right for institutions of higher learning to determine on academic grounds who shall be admitted to study, who may teach, and what shall be subjects of the study and research".

Sources: An Act Providing for the Establishment and Maintenance of an Integrated System of Education. 1982.

**Co-ethnics have access to higher education:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Domestic workers have access to higher education:**

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Institutions of higher learning are able to decide independently who shall be admitted. Section 13. Rights of Schools states: "In addition to other rights provided for by law, schools shall enjoy the following: 1. The right of their governing boards or lawful authorities to provide for the proper governance of the school and to adopt and enforce administrative or management systems. 2. The right for institutions of higher learning to determine on academic grounds who shall be admitted to study, who may teach, and what shall be subjects of the study and research".

Sources: An Act Providing for the Establishment and Maintenance of an Integrated System of Education. 1982.

**Agricultural workers have access to higher education:**

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Institutions of higher learning are able to decide independently who shall be admitted. Section 13. Rights of Schools states: "In addition to other rights provided for by law, schools shall enjoy the following: 1. The right of their governing boards or lawful authorities to provide for the proper governance of the school and to adopt and enforce administrative or management systems. 2. The right for institutions of higher learning to determine on academic grounds who shall be admitted to study, who may teach, and what shall be subjects of the study and research".

Sources: An Act Providing for the Establishment and Maintenance of an Integrated System of Education. 1982.

**Medical doctors have access to higher education:**

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Institutions of higher learning are able to decide independently who shall be admitted. Section 13. Rights of Schools states: "In addition to other rights provided for by law, schools shall enjoy the following: 1. The right of their governing boards or lawful authorities to provide for the proper governance of the school and to adopt and enforce administrative or management systems. 2. The

right for institutions of higher learning to determine on academic grounds who shall be admitted to study, who may teach, and what shall be subjects of the study and research”.

Sources: An Act Providing for the Establishment and Maintenance of an Integrated System of Education. 1982.

**Permanent residents have access to higher education:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_47: Support for language instruction.**

**Provision of education support in language(s) of instruction for migrant pupils:**

Answer: yes

Code: 1

Explanation: Although this provision seems to have been created for accommodation of children who speak indigenous languages, it could also include foreign languages. Section 2 of the "Enhanced Basic Education Act of 2013" establishes that: "(c) Make education learner-oriented and responsive to the needs, cognitive and cultural capacity, the circumstances and diversity of learners, schools and communities through the appropriate languages of teaching and learning, including mother tongue as a learning resource". Moreover, Section 4 establishes that: "For kindergarten and the first three (3) years of elementary education, instruction, teaching materials and assessment shall be in the regional or native language of the learners. The Department of Education (DepED) shall formulate a mother language transition program from Grade 4 to Grade 6 so that Filipino and English shall be gradually introduced as languages of instruction until such time when these two (2) languages can become the primary languages of instruction at the secondary level. For purposes of this Act, mother language or first Language (LI) refers to language or languages first learned by a child, which he/she identifies with, is identified as a native language user of by others, which he/she knows best, or uses most. This includes Filipino sign language used by individuals with pertinent disabilities. The regional or native language refers to the traditional speech variety or variety of Filipino sign language existing in a region, area or place“.

Sources: Republic Act No. 10533. 2012. Sec. 2 and 4.

**IMMIGRANT\_48: Intercultural education.**

**Intercultural education is included in pre-service training in order to qualify as a teacher:**

Answer: no

Code: 0

Explanation: There are no regulations in this regard.

Sources: Republic Act No. 10533. 2012.

#### **IMMIGRANT\_49: Integration in teachers' syllabus.**

**Migration and integration are obligatory topics in professional development training:**

Answer: no

Code: 0

Explanation: There are no regulations in this regard.

Sources: Republic Act No. 10533. 2012.

### **5.4.3. Health care**

#### **IMMIGRANT\_50: Conditions for inclusion in the health care system**

**Conditions for inclusion of asylum seekers in the health care system:**

Answer: some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: Foreign nationals who are residing or working in the Philippines with an ACR-I Card (issued to all those employed) are eligible for coverage, but PhilHealth is an opt-in policy, even for nationals. According to the information found in the website "Philhealth": "Citizens of other countries residing or working in the Philippines with a valid Alien Certificate of Registration Identity Card (ACR I-Card) issued by the Bureau of Immigration may submit their PMRF for Foreign Nationals to the nearest Local Health Insurance Office (LHIO). All member-foreign nationals and their qualified dependents shall be entitled to inpatient and outpatient benefits and other special benefit packages through any of the PhilHealth-accredited health care institutions nationwide. Excluded from their entitlements, however, are the Z Benefit packages, reimbursement for all confinements abroad and benefits for women about to give birth (WATGB)".

Sources: PhilHealth. "PhilHealth Expands Coverage to Foreign Nationals". Access date not available. [https://www.philhealth.gov.ph/news/2017/expands\\_coverage.html](https://www.philhealth.gov.ph/news/2017/expands_coverage.html).

**Conditions for inclusion of refugees in the health care system:**

Answer: some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: Foreign nationals who are residing or working in the Philippines with an ACR-I Card (issued to all those employed) are eligible for coverage, but PhilHealth is an opt-in policy, even for nationals. According to the information found in the website "Philhealth": "Citizens of other countries residing or working in the Philippines with a valid Alien Certificate of Registration Identity Card (ACR I-Card) issued by the Bureau of Immigration may submit their PMRF for Foreign Nationals to the nearest Local Health Insurance Office (LHIO). All member-foreign nationals and their qualified dependents shall be entitled to inpatient and outpatient benefits and other special benefit packages

through any of the PhilHealth-accredited health care institutions nationwide. Excluded from their entitlements, however, are the Z Benefit packages, reimbursement for all confinements abroad and benefits for women about to give birth (WATGB)“.

Sources: PhilHealth. “PhilHealth Expands Coverage to Foreign Nationals”. Access date not available. [https://www.philhealth.gov.ph/news/2017/expands\\_coverage.html](https://www.philhealth.gov.ph/news/2017/expands_coverage.html).

**Conditions for inclusion of co-ethnics in the health care system:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Conditions for inclusion of domestic workers in the health care system:**

Answer: some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: Foreign nationals who are residing or working in the Philippines with an ACR-I Card (issued to all those employed) are eligible for coverage, but PhilHealth is an opt-in policy, even for nationals. According to the information found in the website "Philhealth": “Citizens of other countries residing or working in the Philippines with a valid Alien Certificate of Registration Identity Card (ACR I-Card) issued by the Bureau of Immigration may submit their PMRF for Foreign Nationals to the nearest Local Health Insurance Office (LHIO). All member-foreign nationals and their qualified dependents shall be entitled to inpatient and outpatient benefits and other special benefit packages through any of the PhilHealth-accredited health care institutions nationwide. Excluded from their entitlements, however, are the Z Benefit packages, reimbursement for all confinements abroad and benefits for women about to give birth (WATGB)“.

Sources: PhilHealth. “PhilHealth Expands Coverage to Foreign Nationals”. Access date not available. [https://www.philhealth.gov.ph/news/2017/expands\\_coverage.html](https://www.philhealth.gov.ph/news/2017/expands_coverage.html).

**Conditions for inclusion of agricultural workers in the health care system:**

Answer: some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: Foreign nationals who are residing or working in the Philippines with an ACR-I Card (issued to all those employed) are eligible for coverage, but PhilHealth is an opt-in policy, even for nationals. According to the information found in the website "Philhealth": “Citizens of other countries residing or working in the Philippines with a valid Alien Certificate of Registration Identity Card (ACR I-Card) issued by the Bureau of Immigration may submit their PMRF for Foreign Nationals to the nearest Local Health Insurance Office (LHIO). All member-foreign nationals and their qualified dependents shall be entitled to inpatient and outpatient benefits and other special benefit packages through any of the PhilHealth-accredited health care institutions nationwide. Excluded from their entitlements, however, are the Z Benefit packages, reimbursement for all confinements abroad and benefits for women about to give birth (WATGB)“.



Sources: PhilHealth. "PhilHealth Expands Coverage to Foreign Nationals". Access date not available. [https://www.philhealth.gov.ph/news/2017/expands\\_coverage.html](https://www.philhealth.gov.ph/news/2017/expands_coverage.html).

#### **Conditions for inclusion of medical doctors in the health care system:**

Answer: some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: Foreign nationals who are residing or working in the Philippines with an ACR-I Card (issued to all those employed) are eligible for coverage, but PhilHealth is an opt-in policy, even for nationals. According to the information found in the website "Philhealth": "Citizens of other countries residing or working in the Philippines with a valid Alien Certificate of Registration Identity Card (ACR I-Card) issued by the Bureau of Immigration may submit their PMRF for Foreign Nationals to the nearest Local Health Insurance Office (LHIO). All member-foreign nationals and their qualified dependents shall be entitled to inpatient and outpatient benefits and other special benefit packages through any of the PhilHealth-accredited health care institutions nationwide. Excluded from their entitlements, however, are the Z Benefit packages, reimbursement for all confinements abroad and benefits for women about to give birth (WATGB)".

Sources: PhilHealth. "PhilHealth Expands Coverage to Foreign Nationals". Access date not available. [https://www.philhealth.gov.ph/news/2017/expands\\_coverage.html](https://www.philhealth.gov.ph/news/2017/expands_coverage.html).

#### **Conditions for inclusion of permanent residents in the health care system:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **IMMIGRANT\_51: Coverage of health care services.**

##### **Health care coverage for asylum seekers.**

Answer: more than emergency care, but less than for nationals

Code: 0.75

Explanation: All member-foreign nationals and their qualified dependents shall be entitled to inpatient and outpatient benefits and other special benefit packages through any of the PhilHealth-accredited health care institutions nationwide. Excluded from their entitlements, however, are the Z Benefit packages, reimbursement for all confinements abroad and benefits for women about to give birth (WATGB).

Sources: PhilHealth. "PhilHealth Expands Coverage to Foreign Nationals". Access date not available. [https://www.philhealth.gov.ph/news/2017/expands\\_coverage.html](https://www.philhealth.gov.ph/news/2017/expands_coverage.html).

##### **Health care coverage for refugees.**

Answer: more than emergency care, but less than for nationals

Code: 0.75

Explanation: All member-foreign nationals and their qualified dependents shall be entitled to inpatient and outpatient benefits and other special benefit packages through any of the PhilHealth-accredited health care institutions nationwide. Excluded from their entitlements, however, are the Z Benefit packages, reimbursement for all confinements abroad and benefits for women about to give birth (WATGB).

Sources: PhilHealth. "PhilHealth Expands Coverage to Foreign Nationals". Access date not available. [https://www.philhealth.gov.ph/news/2017/expands\\_coverage.html](https://www.philhealth.gov.ph/news/2017/expands_coverage.html).

#### **Health care coverage for co-ethnics.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Health care coverage for domestic workers.**

Answer: more than emergency care, but less than for nationals

Code: 0.75

Explanation: All member-foreign nationals and their qualified dependents shall be entitled to inpatient and outpatient benefits and other special benefit packages through any of the PhilHealth-accredited health care institutions nationwide. Excluded from their entitlements, however, are the Z Benefit packages, reimbursement for all confinements abroad and benefits for women about to give birth (WATGB).

Sources: PhilHealth. "PhilHealth Expands Coverage to Foreign Nationals". Access date not available. [https://www.philhealth.gov.ph/news/2017/expands\\_coverage.html](https://www.philhealth.gov.ph/news/2017/expands_coverage.html).

#### **Health care coverage for agricultural workers.**

Answer: more than emergency care, but less than for nationals

Code: 0.75

Explanation: All member-foreign nationals and their qualified dependents shall be entitled to inpatient and outpatient benefits and other special benefit packages through any of the PhilHealth-accredited health care institutions nationwide. Excluded from their entitlements, however, are the Z Benefit packages, reimbursement for all confinements abroad and benefits for women about to give birth (WATGB).

Sources: PhilHealth. "PhilHealth Expands Coverage to Foreign Nationals". Access date not available. [https://www.philhealth.gov.ph/news/2017/expands\\_coverage.html](https://www.philhealth.gov.ph/news/2017/expands_coverage.html).

### **Health care coverage for medical doctors.**

Answer: more than emergency care, but less than for nationals

Code: 0.75

Explanation: All member-foreign nationals and their qualified dependents shall be entitled to inpatient and outpatient benefits and other special benefit packages through any of the PhilHealth-accredited health care institutions nationwide. Excluded from their entitlements, however, are the Z Benefit packages, reimbursement for all confinements abroad and benefits for women about to give birth (WATGB).

Sources: PhilHealth. "PhilHealth Expands Coverage to Foreign Nationals". Access date not available. [https://www.philhealth.gov.ph/news/2017/expands\\_coverage.html](https://www.philhealth.gov.ph/news/2017/expands_coverage.html).

### **Health care coverage for permanent residents.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## **5.4.4. Unemployment benefits**

### **IMMIGRANT\_52: Unemployment benefits.**

#### **Access of asylum seekers to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: There is no unemployment insurance in the Philippines. In 2017, the Social Security System put forth a proposal to begin an unemployment insurance scheme, meaning that none existed at that point.

Sources: Republic of the Philippines Philippine Information Agency. "SSS Pushes for Unemployment Insurance under Reform Act, Gets Support from ILO, DOLE". Access date not available. <https://pia.gov.ph/index.php/news/articles/1001576>.

#### **Access of refugees to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: There is no unemployment insurance in the Philippines. In 2017, the Social Security System put forth a proposal to begin an unemployment insurance scheme, meaning that none existed at that point.

Sources: Republic of the Philippines Philippine Information Agency. "SSS Pushes for Unemployment Insurance under Reform Act, Gets Support from ILO, DOLE". Access date not available. <https://pia.gov.ph/index.php/news/articles/1001576>.

#### **Access of co-ethnics to unemployment benefits as compared to citizen residents:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Access of domestic workers to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: There is no unemployment insurance in the Philippines. In 2017, the Social Security System put forth a proposal to begin an unemployment insurance scheme, meaning that none existed at that point.

Sources: Republic of the Philippines Philippine Information Agency. "SSS Pushes for Unemployment Insurance under Reform Act, Gets Support from ILO, DOLE". Access date not available. <https://pia.gov.ph/index.php/news/articles/1001576>.

#### **Access of agricultural workers to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: There is no unemployment insurance in the Philippines. In 2017, the Social Security System put forth a proposal to begin an unemployment insurance scheme, meaning that none existed at that point.

Sources: Republic of the Philippines Philippine Information Agency. "SSS Pushes for Unemployment Insurance under Reform Act, Gets Support from ILO, DOLE". Access date not available. <https://pia.gov.ph/index.php/news/articles/1001576>.

#### **Access of medical doctors to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: There is no unemployment insurance in the Philippines. In 2017, the Social Security System put forth a proposal to begin an unemployment insurance scheme, meaning that none existed at that point.

Sources: Republic of the Philippines Philippine Information Agency. "SSS Pushes for Unemployment Insurance under Reform Act, Gets Support from ILO, DOLE". Access date not available. <https://pia.gov.ph/index.php/news/articles/1001576>.

**Access of permanent residents to unemployment benefits as compared to citizen residents:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **5.4.5. Retirement benefits**

**IMMIGRANT\_53: Retirement benefits.**

**Access of asylum seekers to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: It is mandatory for all employees under the age of sixty to contribute to the Social Security System in the Philippines. Sec. 9 of the Social Security Law establishes that: "Coverage. - (a) Coverage in the SSS shall be compulsory upon all employees not over sixty (60) years of age and their employers..".

Sources: Republic Act No. 8282. 1997.

**Access of refugees to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: It is mandatory for all employees under the age of sixty to contribute to the Social Security System in the Philippines. Sec. 9 of the Social Security Law establishes that: "Coverage. - (a) Coverage in the SSS shall be compulsory upon all employees not over sixty (60) years of age and their employers..".

Sources: Republic Act No. 8282. 1997.

**Access of co-ethnics to retirement benefits as compared to citizen residents:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Access of domestic workers to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: It is mandatory for all employees under the age of sixty to contribute to the Social Security System in the Philippines. Sec. 9 of the Social Security Law establishes that: "Coverage. - (a) Coverage in the SSS shall be compulsory upon all employees not over sixty (60) years of age and their employers".

Sources: Republic Act No. 8282. 1997.

**Access of agricultural workers to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: It is mandatory for all employees under the age of sixty to contribute to the Social Security System in the Philippines. Sec. 9 of the Social Security Law establishes that: "Coverage. - (a) Coverage in the SSS shall be compulsory upon all employees not over sixty (60) years of age and their employers".

Sources: Republic Act No. 8282. 1997.

**Access of medical doctors to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: It is mandatory for all employees under the age of sixty to contribute to the Social Security System in the Philippines. Sec. 9 of the Social Security Law establishes that: "Coverage. - (a) Coverage in the SSS shall be compulsory upon all employees not over sixty (60) years of age and their employers".

Sources: Republic Act No. 8282. 1997.

**Access of permanent residents to retirement benefits as compared to citizen residents:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 5.5. Cultural policies

### **IMMIGRANT\_54: Funding for bilingual education.**

**Is there public funding for bilingual education in the language of majoritarian migrant groups?**

Answer: no

Code: 0

Explanation: There are no provisions regarding the public funding for bilingual education of majoritarian migrant groups. Moreover, the Constitution forbids the establishment of schools for migrant pupils exclusively. Section 4 of the 1987 Constitution of the Republic of the Philippines establishes that: "No educational institution shall be established exclusively for aliens and no group of aliens shall comprise more than one-third of the enrollment in any school. The provisions of this subsection shall not apply to schools established for foreign diplomatic personnel and their dependents and, unless otherwise provided by law, for other foreign temporary residents".

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

### **IMMIGRANT\_55: Funding for media on main migrant group's language.**

**Is there public funding for media in the language of the main migrant group?**

Answer: no

Code: 0

Explanation: According to 2010 household population by citizenship data, USA was the country with most immigrants originating therefrom, with China being second. English is already an official language in the Philippines and there is no evidence of funding for Chinese-language media in the Philippines.

Sources: Philippine Statistics Authority. "Household Population by Country of Citizenship: Philippines, 2010". Access date not available.  
<https://psa.gov.ph/sites/default/files/attachments/hsd/pressrelease/Citizenship%20by%20Country.pdf>.

## 5.6. Mobility policies

### 5.6.1. Identity documents

#### **IMMIGRANT\_56: Confiscation of identification documents.**

**Do asylum seekers have the right not to have their identity document confiscated by any-one (excluding public authorities)?**

Answer: no

Code: 0

Explanation: This is not regulated and it is also not mentioned in the Constitution as a right.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do refugees have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: no

Code: 0

Explanation: This is not regulated and it is also not mentioned in the Constitution as a right.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do co-ethnics have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the right not to have their identity document confiscated by any-one (excluding public authorities)?**

Answer: no

Code: 0

Explanation: This is not regulated and it is also not mentioned in the Constitution as a right.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do agricultural workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?**



Answer: no

Code: 0

Explanation: This is not regulated and it is also not mentioned in the Constitution as a right.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do medical doctors have the right not to have their identity document confiscated by any-one (excluding public authorities)?**

Answer: no

Code: 0

Explanation: This is not regulated and it is also not mentioned in the Constitution as a right.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do permanent residents have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 5.6.2. Freedom of movement

**IMMIGRANT\_57: Freedom of movement within country.**

**Do asylum seekers have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: This is not regulated in immigration laws, and even the Constitution does not refer to internal mobility as a right for citizens. Still, in the absence of restrictions, migrants are assumed to have freedom to move within the country.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do refugees have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: This is not regulated in immigration laws, and even the Constitution does not refer to internal mobility as a right for citizens. Still, in the absence of restrictions, migrants are assumed to have freedom to move within the country.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do co-ethnics have the right to move freely within the country?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: This is not regulated in immigration laws, and even the Constitution does not refer to internal mobility as a right for citizens. Still, in the absence of restrictions, migrants are assumed to have freedom to move within the country.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do agricultural workers have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: This is not regulated in immigration laws, and even the Constitution does not refer to internal mobility as a right for citizens. Still, in the absence of restrictions, migrants are assumed to have freedom to move within the country.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do medical doctors have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: This is not regulated in immigration laws, and even the Constitution does not refer to internal mobility as a right for citizens. Still, in the absence of restrictions, migrants are assumed to have freedom to move within the country.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do permanent residents have the right to move freely within the country?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_58: Freedom to move outside the country.**

**Do asylum seekers have the right to leave the country?**

Answer: yes

Code: 1

Explanation: For doing so, they must apply for an "Emigration Clearance Certificate" in cases of both temporary and permanent stays abroad. There is no mention on periods of absence from the country allowed. Sec. 22 of the Philippine Immigration Act establishes that: " A. Issuance of certificate. - Any alien about to depart from the Philippines temporarily or for permanent residence abroad shall, before leaving the country, apply to the Commissioner of Immigration for a clearance certificate. If the Commissioner finds that the applicant has no pending obligation with the Government, its instrumentalities, agencies and subdivisions, and that there is no pending, criminal, civil or administrative action which, by law requires his presence, in the Philippines, the Commissioner shall issue the certificate upon surrender of the alien or all other certificates previously issued to him by the Bureau of Immigration showing his admission and/or residence in the Philippines".

Sources: The Philippine Immigration Act of 1940. 1940.

**Number of months of absence allowed per year (asylum seekers):**

Answer: Not applicable

Code: Not applicable

Explanation: There is no mention on periods of absence from the country allowed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Do refugees have the right to leave the country?**

Answer: yes

Code: 1

Explanation: For doing so, they must apply for an “Emigration Clearance Certificate” in cases of both temporary and permanent stays abroad. There is no mention on periods of absence from the country allowed. Sec. 22 of the Philippine Immigration Act establishes that: " A. Issuance of certificate. - Any alien about to depart from the Philippines temporarily or for permanent residence abroad shall, before leaving the country, apply to the Commissioner of Immigration for a clearance certificate. If the Commissioner finds that the applicant has no pending obligation with the Government, its instrumentalities, agencies and subdivisions, and that there is no pending, criminal, civil or administrative action which, by law requires his presence, in the Philippines, the Commissioner shall issue the certificate upon surrender of the alien or all other certificates previously issued to him by the Bureau of Immigration showing his admission and/or residence in the Philippines“.

Sources: The Philippine Immigration Act of 1940. 1940.

**Number of months of absence allowed per year (refugees):**

Answer: Not applicable

Code: Not applicable

Explanation: There is no mention on periods of absence from the country allowed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Do co-ethnics have the right to leave the country?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of months of absence allowed per year (co-ethnics):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the right to leave the country?**

Answer: yes

Code: 1

Explanation: For doing so, they must apply for an “Emigration Clearance Certificate” in cases of both temporary and permanent stays abroad. There is no mention on periods of absence from the country allowed. Sec. 22 of the Philippine Immigration Act establishes that: " A. Issuance of certificate. - Any alien about to depart from the Philippines temporarily or for permanent residence abroad shall, before leaving the country, apply to the Commissioner of Immigration for a clearance certificate. If the Commissioner finds that the applicant has no pending obligation with the Government, its instrumentalities, agencies and subdivisions, and that there is no pending, criminal, civil or administrative action which, by law requires his presence, in the Philippines, the Commissioner shall issue the certificate upon surrender of the alien or all other certificates previously issued to him by the Bureau of Immigration showing his admission and/or residence in the Philippines“.

Sources: The Philippine Immigration Act of 1940. 1940.

**Number of months of absence allowed per year (domestic workers):**

Answer: 98

Code: 98

Explanation: There is no mention on periods of absence from the country allowed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Do agricultural workers have the right to leave the country?**

Answer: yes

Code: 1

Explanation: For doing so, they must apply for an “Emigration Clearance Certificate” in cases of both temporary and permanent stays abroad. There is no mention on periods of absence from the country allowed. Sec. 22 of the Philippine Immigration Act establishes that: " A. Issuance of certificate. - Any alien about to depart from the Philippines temporarily or for permanent residence abroad shall, before leaving the country, apply to the Commissioner of Immigration for a clearance certificate. If the Commissioner finds that the applicant has no pending obligation with the Government, its instrumentalities, agencies and subdivisions, and that there is no pending, criminal, civil or administrative action which, by law requires his presence, in the Philippines, the Commissioner shall issue the certificate upon surrender of the alien or all other certificates previously issued to him by the Bureau of Immigration showing his admission and/or residence in the Philippines“.

Sources: The Philippine Immigration Act of 1940. 1940.

**Number of months of absence allowed per year (agricultural workers):**

Answer: Not applicable

Code: Not applicable

Explanation: There is no mention on periods of absence from the country allowed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Do medical doctors have the right to leave the country?**

Answer: yes

Code: 1

Explanation: For doing so, they must apply for an "Emigration Clearance Certificate" in cases of both temporary and permanent stays abroad. There is no mention on periods of absence from the country allowed. Sec. 22 of the Philippine Immigration Act establishes that: " A. Issuance of certificate. - Any alien about to depart from the Philippines temporarily or for permanent residence abroad shall, before leaving the country, apply to the Commissioner of Immigration for a clearance certificate. If the Commissioner finds that the applicant has no pending obligation with the Government, its instrumentalities, agencies and subdivisions, and that there is no pending, criminal, civil or administrative action which, by law requires his presence, in the Philippines, the Commissioner shall issue the certificate upon surrender of the alien or all other certificates previously issued to him by the Bureau of Immigration showing his admission and/or residence in the Philippines".

Sources: The Philippine Immigration Act of 1940. 1940.

**Number of months of absence allowed per year (medical doctors):**

Answer: Not applicable

Code: Not applicable

Explanation: There is no mention on periods of absence from the country allowed.

Sources: The Philippine Immigration Act of 1940. 1940.

**Do permanent residents have the right to leave the country?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of months of absence allowed per year (permanent residents):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### 5.6.3. Obligations

### 5.6.4. Military service

**IMMIGRANT\_59: Military service.**

**Do asylum seekers have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: Not applicable

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do refugees have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: Not applicable

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do co-ethnics have the obligation to comply with military service?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: Not applicable

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do agricultural workers have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: Not applicable

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do medical doctors have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: Not applicable

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do permanent residents have the obligation to comply with military service?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **5.6.5. Social service**

**IMMIGRANT\_60: Social service.**

**Do asylum seekers have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: Not applicable

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do refugees have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: Not applicable



Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do co-ethnics have the obligation to comply with social service?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: Not applicable

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do agricultural workers have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: Not applicable

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do medical doctors have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: Not applicable

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Do permanent residents have the obligation to comply with social service?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### 5.6.6. Taxes

#### IMMIGRANT\_61: Income taxes.

##### Do asylum seekers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Although Sec. 25 of the National Internal Revenue Code of the Philippines specifically refers to nonresident alien individuals, it also refers to resident alien individuals: "Sec. 25. Tax on Nonresident Alien Individual- (A) Nonresident Alien Engaged in trade or Business Within the Philippines. - (1) In General. - A nonresident alien individual engaged in trade or business in the Philippines shall be subject to an income tax in the same manner as an individual citizen and a resident alien individual, on taxable income received from all sources within the Philippines".

Sources: Republic Act No. 8424. 1997.

##### Do refugees have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Although Sec. 25 of the National Internal Revenue Code of the Philippines specifically refers to nonresident alien individuals, it also refers to resident alien individuals: "Sec. 25. Tax on Nonresident Alien Individual- (A) Nonresident Alien Engaged in trade or Business Within the Philippines. - (1) In General. - A nonresident alien individual engaged in trade or business in the Philippines shall be subject to an income tax in the same manner as an individual citizen and a resident alien individual, on taxable income received from all sources within the Philippines".

Sources: Republic Act No. 8424. 1997.

##### Do co-ethnics have to pay income taxes in state of reception?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### Do domestic workers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Although Sec. 25 of the National Internal Revenue Code of the Philippines specifically refers to nonresident alien individuals, it also refers to resident alien individuals: "Sec. 25. Tax on Nonresident Alien Individual- (A) Nonresident Alien Engaged in trade or Business Within the Philippines. - (1) In General. - A nonresident alien individual engaged in trade or business in the Philippines shall be subject to an income tax in the same manner as an individual citizen and a resident alien individual, on taxable income received from all sources within the Philippines".

Sources: Republic Act No. 8424. 1997.

### **Do agricultural workers have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: Although Sec. 25 of the National Internal Revenue Code of the Philippines specifically refers to nonresident alien individuals, it also refers to resident alien individuals: "Sec. 25. Tax on Nonresident Alien Individual- (A) Nonresident Alien Engaged in trade or Business Within the Philippines. - (1) In General. - A nonresident alien individual engaged in trade or business in the Philippines shall be subject to an income tax in the same manner as an individual citizen and a resident alien individual, on taxable income received from all sources within the Philippines".

Sources: Republic Act No. 8424. 1997.

### **Do medical doctors have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: Although Sec. 25 of the National Internal Revenue Code of the Philippines specifically refers to nonresident alien individuals, it also refers to resident alien individuals: "Sec. 25. Tax on Nonresident Alien Individual- (A) Nonresident Alien Engaged in trade or Business Within the Philippines. - (1) In General. - A nonresident alien individual engaged in trade or business in the Philippines shall be subject to an income tax in the same manner as an individual citizen and a resident alien individual, on taxable income received from all sources within the Philippines".

Sources: Republic Act No. 8424. 1997.

### **Do permanent residents have to pay income taxes in state of reception?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 5.7. Administration

**IMMIGRANT\_62: Existence of immigrant integration agency in state of reception.**

**Existence of institution/agency with competencies for immigrant policies:**

Answer: yes

Code: 1

Explanation: The Bureau of Immigration enforces The Philippine Immigration Act of 1940 in conjunction with the Department of Foreign Affairs.

Sources: The Philippine Immigration Act of 1940. 1940.

**Name of the institution with competencies for immigrant policies in original language:**

Answer: Bureau of Immigration

**Name of the institution with competencies for immigrant policies in English:**

Answer: Bureau of Immigration

**Access to antidiscrimination body.**

**Migrants can access antidiscrimination bodies and prerogatives (e.g. make official complaints to an Ombudsperson) regardless of migrant status (they might be explicitly mentioned as eligible, or not; what we care about is that they are not explicitly excluded, for instance, by statements that restrict access to nationals):**

Answer: Antidiscrimination body does not exist

Code: Not applicable

Explanation: No. As of July 2018, there was no anti-discrimination law and therefore no such body or prerogative in the Philippines. "Sen. Sonny Angara pressed yesterday for the passage of the Comprehensive Anti-Discrimination bill, which seeks to minimize all forms of discrimination. Senate Bill 948 seeks to penalize discriminatory practices based on age, racial or ethnic origin, religious belief or activity, political inclination or conviction, social class, sex, gender, sexual orientation, gender identity and expressions, marital or relationship status, disability, HIV status, health status or medical history, language, physical features, or other status".

Sources: Philstar.com. "Comprehensive Anti-Discrimination Law Pushed". Accessed November 21, 2018. <https://www.philstar.com/headlines/2018/07/02/1829775/comprehensive-anti-discrimination-law-pushed>.



## 6. Immigrant citizenship and nationality

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### 6.1. Immigrant nationality

#### 6.1.1. Immigrant dual nationality

**IMNAT\_1: Renunciation of previous nationality.**

**Does the country require applicants to naturalization by residence to renounce their previous nationality?**

Answer: Yes

Code: 0

Explanation: Yes, according to Section 12 to naturalize the following declaration must be made: "I, . . . . . , solemnly swear that I renounce absolutely and forever all allegiance and fidelity to any foreign prince, potentate, state or sovereignty, and particularly to the . . . . . of which at this time I am a subject or citizen; that I will support and defend the Constitution of the Philippines and that I will obey the laws, legal orders and decrees promulgated by the duly constituted authorities of the Commonwealth<sup>15</sup> of the Philippines; [and I hereby declare that I recognize and accept the supreme authority of the United States of America in the Philippines and will maintain true faith and allegiance thereto;<sup>16</sup> and that I impose this obligation upon myself voluntarily without mental reservation or purpose of evasion".

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

**Citizenship can be withdrawn only if person resides outside the country:**

Answer: No

Code: 0

Explanation: No. No such information found.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Are there exceptions?**

Answer: No exceptions

Code: 4

Explanation: No exceptions are listed.

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

## **IMNAT\_1\_1: Sanctions.**

**Are there sanctions for naturalized persons who are later found to have the nationality of the country or origin despite there being a procedure and having pledged to renounce it?**

Answer: Yes

Code: 1

Explanation: Yes, punishable by a fine or imprisonment or both. Section 19 states: "Penalties for violation of this Act.—Any person who shall fraudulently make, falsify, forge, change, alter, or cause or aid any person to do the same, or who shall purposely aid and assist in falsely making, forging, falsifying, changing or altering a naturalization certificate for the purpose of making use thereof, or in order that the same may be used by another person or persons, and any person who shall purposely aid and assist another in obtaining a naturalization certificate in violation of the provisions of this Act, shall be punished by a fine of not more than five thousand pesos or by imprisonment for not more than five years, or both, and in the case that the person convicted is a naturalized citizen his certificate of naturalization and the registration of the same in the proper civil registry shall be ordered cancelled".

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

## **6.1.2. Emigrant dual nationality for immigrants who naturalized**

### **IMNAT\_2: Emigrant dual nationality for naturalized immigrants.**

**Does the country deprive their national citizens by naturalization of nationality (or provide for the involuntary loss of it) for having acquired a foreign one (i.e. of their place of residence) and, if so, under which conditions?**

Answer: Procedure for loss is withdrawal

Code: 0.25

Explanation: Yes, the general conditions for loss of citizenship are stated for all citizens, without differentiation between naturalized and natural born Filipinos. Section 1 specifies how citizenship may be lost: "A Filipino citizen may lose his citizenship in any of the following ways and/or events: (1) By naturalization in a foreign country; (2) By express renunciation of citizenship; (3) By subscribing to an oath of allegiance to support the constitution or laws of a foreign country upon attaining twenty-one years of age or more: Provided, however, That a Filipino may not divest himself of Philippine citizenship in any manner while the Republic of the Philippines is at war with any country; (4) By rendering services to, or accepting commission in, the armed forces of a foreign country: Provided, That the rendering of service to, or the acceptance of such commission in, the armed forces of a foreign country, and the taking of an oath of allegiance incident thereto, with the consent of the Republic of the Philippines, shall not divest a Filipino of his Philippine citizenship if either of the following circumstances is present: (a) The Republic of the Philippines has a defensive and/or offensive pact of alliance with the said foreign country; or (b) The said foreign country maintains armed forces on Philippine territory with the consent of the Republic of the Philippines: Provided, That the Filipino citizen concerned, at the time of rendering said service, or acceptance of said commission, and taking the oath of allegiance incident thereto, states that he does so only in connection with his service to said foreign country: And provided, finally, That any Filipino citizen who is rendering service to, or is commissioned in, the armed forces of a foreign country under any of the circumstances mentioned in paragraph (a) or (b), shall not be permitted to participate nor vote in any election of the Republic of the Philippines during the period of his service to, or commission in, the armed forces of

said foreign country. Upon his discharge from the service of the said foreign country, he shall be automatically entitled to the full enjoyment of his civil and political rights as a Filipino citizen; (5) By cancellation of the of the certificates of naturalization; (6) By having been declared by competent authority, a deserter of the Philippine armed forces in time of war, unless subsequently, a plenary pardon or amnesty has been granted; and (7) In the case of a woman, upon her marriage to a foreigner if, by virtue of the laws in force in her husband's country, she acquires his nationality”.

Sources: An Act Providing for the Ways in Which Philippine Citizenship May Be Lost or Reacquired. 1936. Sec. 1.

### **6.1.3. Loss of nationality after residence abroad for naturalized immigrants**

#### **IMNAT\_3: Loss after residence abroad for naturalized immigrants**

**For national citizens by naturalization who emigrated, does the country deprive them of their nationality (or provide for the involuntary loss of it) because of residence abroad**

Answer: No provision

Code: 1

Explanation: No, residence abroad is not listed in the conditions leading to loss of citizenship

Sources: An Act Providing for the Ways in Which Philippine Citizenship May Be Lost or Reacquired. 1936. Sec. 1.

#### **After how many years abroad?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **6.1.4. Unrestrictive jus soli**

#### **IMNAT\_4: Unrestrictive jus soli.**

**Does the country provide for a child to acquire nationality by birth in the territory irrespective of the birthplace of the parents?**

Answer: Yes

Code: 1



Explanation: Yes, once the child is over the age of 18, and upon fulfilling other conditions, he/she may be eligible for citizenship. Section 3 states the qualifications: "Subject to the provisions of the succeeding section, any person desiring to avail of the benefits of this Act must meet the following qualifications: (a) The applicant must be born in the Philippines and residing therein since birth; (b) The applicant must not be less than eighteen (18) years of age, at the time of filing of his/her petition; (c) The applicant must be of good moral character and believes in the underlying principles of the Constitution, and must have conducted himself/herself in a proper and irreproachable manner during his/her entire period of residence in the Philippines in his relation with the duly constituted government as well as with the community in which he/she is living; (d) The applicant must have received his/her primary and secondary education in any public school or private educational institution duly recognized by the Department of Education, Culture and Sports, where Philippine history, government and civics are taught and prescribed as part of the school curriculum and where enrollment is not limited to any race or nationality: Provided, That should he/she have minor children of school age, he/she must have enrolled them in similar schools; (e) The applicant must have a known trade, business, profession or lawful occupation, from which he/she derives income sufficient for his/her support and if he/she is married and/or has dependents, also that of his/her family: Provided, however, That this shall not apply to applicants who are college degree holders but are unable to practice their profession because they are disqualified to do so by reason of their citizenship; (f) The applicant must be able to read, write and speak Filipino or any of the dialects of the Philippines; and (g) The applicant must have mingled with the Filipinos and evinced a sincere desire to learn and embrace the customs, traditions and ideals of the Filipino people".

Sources: An Act Providing for the Acquisition of the Philippine Citizenship for Certain Aliens by Administrative Naturalization and for Other Purposes. 2001.

### **6.1.5. Qualified jus soli**

**IMNAT\_5: Qualified jus soli.**

**Does the country provide for children to acquire nationality by birth in the territory only if their parents were also born there?**

Answer: No

Code: 0

Explanation: No. Nationality of the parents is not one of the conditions listed for nationality acquisition by jus soli.

Sources: An Act Providing for the Acquisition of the Philippine Citizenship for Certain Aliens by Administrative Naturalization and for Other Purposes. 2001.

### **6.1.6. Standard naturalization procedure for immigrants due to residence**

**IMNAT\_6: Ordinary naturalization.**

**Does the country provide for standard naturalization procedure for immigrants due to residence in it?**

Answer: Yes, provision for standard naturalization based on residence

Code: 1

Explanation: The conditions are stated in Section 2 of An Act To Provide For The Acquisition Of Philippine Citizenship By Naturalization: "Subject to section four of this Act, any person having the following qualifications may become a citizen of the Philippines by naturalization: First. He must be not less than twenty-one years of age on the day of the hearing of the petition; Second. He must have resided in the Philippines for a continuous period of not less than ten years; Third. He must be of good moral character and believes in the principles underlying the Philippine Constitution, and must have conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines in his relation with the constituted government as well as with the community in which he is living. Fourth. He must own real estate in the Philippines worth not less than five thousand pesos, Philippine currency, or must have some known lucrative trade, profession, or lawful occupation; Fifth. He must be able to speak and write English or Spanish and any one of the principal Philippine languages; and Sixth. He must have enrolled his minor children of school age, in any of the public schools or private schools recognized by the Office of Private Education of the Philippines, where the Philippine history, government and civics are taught or prescribed as part of the school curriculum, during the entire period of the residence in the Philippines required of him prior to the hearing of his petition for naturalization as Philippine citizen".

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

**Number of years of residence required for naturalization:**

Answer: 10

Code: 10

Explanation: The conditions are stated in Section 2 of An Act To Provide For The Acquisition Of Philippine Citizenship By Naturalization. "Subject to section four of this Act, any person having the following qualifications may become a citizen of the Philippines by naturalization: First. He must be not less than twenty-one years of age on the day of the hearing of the petition; Second. He must have resided in the Philippines for a continuous period of not less than ten years; Third. He must be of good moral character and believes in the principles underlying the Philippine Constitution, and must have conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines in his relation with the constituted government as well as with the community in which he is living. Fourth. He must own real estate in the Philippines worth not less than five thousand pesos, Philippine currency, or must have some known lucrative trade, profession, or lawful occupation; Fifth. He must be able to speak and write English or Spanish and any one of the principal Philippine languages; and Sixth. He must have enrolled his minor children of school age, in any of the public schools or private schools recognized by the Office of Private Education of the Philippines, where the Philippine history, government and civics are taught or prescribed as part of the school curriculum, during the entire period of the residence in the Philippines required of him prior to the hearing of his petition for naturalization as Philippine citizen".

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

**Number of continuous years of residence required for naturalization:**

Answer: 10

Code: 10

Explanation: The conditions are stated in Section 2 of An Act To Provide For The Acquisition Of Philippine Citizenship By Naturalization: "Subject to section four of this Act, any person having the following qualifications may become a citizen of the Philippines by naturalization: First. He must be not less than twenty-one years of age on the day of the hearing of the petition; Second. He must have resided in the Philippines for a continuous period of not less than ten years; Third. He must be of good moral character and believes in the principles underlying the Philippine Constitution, and must have conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines in his relation with the constituted government as well as with the community in which he is living. Fourth. He must own real estate in the Philippines worth not less than five thousand pesos, Philippine currency, or must have some known lucrative trade, profession, or lawful occupation; Fifth. He must be able to speak and write English or Spanish and any one of the principal Philippine languages; and Sixth. He must have enrolled his minor children of school age, in any of the public schools or private schools recognized by the Office of Private Education of the Philippines, where the Philippine history, government and civics are taught or prescribed as part of the school curriculum, during the entire period of the residence in the Philippines required of him prior to the hearing of his petition for naturalization as Philippine citizen".

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

**Permanent residence status is required for naturalization:**

Answer: No

Code: 0

Explanation: The conditions are stated in Section 2 of An Act To Provide For The Acquisition Of Philippine Citizenship By Naturalization: "Subject to section four of this Act, any person having the following qualifications may become a citizen of the Philippines by naturalization: First. He must be not less than twenty-one years of age on the day of the hearing of the petition; Second. He must have resided in the Philippines for a continuous period of not less than ten years; Third. He must be of good moral character and believes in the principles underlying the Philippine Constitution, and must have conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines in his relation with the constituted government as well as with the community in which he is living. Fourth. He must own real estate in the Philippines worth not less than five thousand pesos, Philippine currency, or must have some known lucrative trade, profession, or lawful occupation; Fifth. He must be able to speak and write English or Spanish and any one of the principal Philippine languages; and Sixth. He must have enrolled his minor children of school age, in any of the public schools or private schools recognized by the Office of Private Education of the Philippines, where the Philippine history, government and civics are taught or prescribed as part of the school curriculum, during the entire period of the residence in the Philippines required of him prior to the hearing of his petition for naturalization as Philippine citizen".

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

**Renunciation of previous nationality is required:**

Answer: No exceptions to renunciation requirement specified in law

Code: 1

Explanation: Section 12. "I, . . . . . , solemnly swear that I renounce absolutely and forever all allegiance and fidelity to any foreign prince, potentate, state or

sovereignty, and particularly to the . . . . . of which at this time I am a subject or citizen; that I will support and defend the Constitution of the Philippines and that I will obey the laws, legal orders and decrees promulgated by the duly constituted authorities of the Commonwealth<sup>15</sup> of the Philippines; [and I hereby declare that I recognize and accept the supreme authority of the United States of America in the Philippines and will maintain true faith and allegiance thereto;<sup>16</sup> and that I impose this obligation upon myself voluntarily without mental reservation or purpose of evasion.

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

**Language condition for naturalization:**

Answer: Without tests or certification and discretionary assessment of level of competence or with certification and specified level of competence at A2

Code: 0.5

Explanation: The conditions are stated in Section 2 of An Act To Provide For The Acquisition Of Philippine Citizenship By Naturalization: “ Subject to section four of this Act, any person having the following qualifications may become a citizen of the Philippines by naturalization: First. He must be not less than twenty-one years of age on the day of the hearing of the petition; Second. He must have resided in the Philippines for a continuous period of not less than ten years; Third. He must be of good moral character and believes in the principles underlying the Philippine Constitution, and must have conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines in his relation with the constituted government as well as with the community in which he is living. Fourth. He must own real estate in the Philippines worth not less than five thousand pesos, Philippine currency, or must have some known lucrative trade, profession, or lawful occupation; Fifth. He must be able to speak and write English or Spanish and any one of the principal Philippine languages; and Sixth. He must have enrolled his minor children of school age, in any of the public schools or private schools recognized by the Office of Private Education of the Philippines, where the Philippine history, government and civics are taught or prescribed as part of the school curriculum, during the entire period of the residence in the Philippines required of him prior to the hearing of his petition for naturalization as Philippine citizen”.

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

**Civil knowledge is a requisite for naturalization:**

Answer: Language general cultural integration/assimilation condition, also if assessed informally during an interview

Code: 0.25

Explanation: Yes, the conditions are stated in Section 2 of An Act To Provide For The Acquisition Of Philippine Citizenship By Naturalization. “Subject to section four of this Act, any person having the following qualifications may become a citizen of the Philippines by naturalization: First. He must be not less than twenty-one years of age on the day of the hearing of the petition; Second. He must have resided in the Philippines for a continuous period of not less than ten years; Third. He must be of good moral character and believes in the principles underlying the Philippine Constitution, and must have conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines in his relation with the constituted government as well as with the community in which he is living. Fourth. He must own real estate in the Philippines worth not less than five thousand pesos, Philippine currency, or must have some known lucrative trade, profession, or lawful occupation;

Fifth. He must be able to speak and write English or Spanish and any one of the principal Philippine languages; and Sixth. He must have enrolled his minor children of school age, in any of the public schools or private schools recognized by the Office of Private Education of the Philippines, where the Philippine history, government and civics are taught or prescribed as part of the school curriculum, during the entire period of the residence in the Philippines required of him prior to the hearing of his petition for naturalization as Philippine citizen”.

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

**Clean criminal record is a requisite:**

Answer: Specific good character clause applying only to naturalization applicants OR no crimes carrying sentences of less than 1 years

Code: 0.75

Explanation: The conditions are stated in Section 2 of An Act To Provide For The Acquisition Of Philippine Citizenship By Naturalization: “Subject to section four of this Act, any person having the following qualifications may become a citizen of the Philippines by naturalization: First. He must be not less than twenty-one years of age on the day of the hearing of the petition; Second. He must have resided in the Philippines for a continuous period of not less than ten years; Third. He must be of good moral character and believes in the principles underlying the Philippine Constitution, and must have conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines in his relation with the constituted government as well as with the community in which he is living. Fourth. He must own real estate in the Philippines worth not less than five thousand pesos, Philippine currency, or must have some known lucrative trade, profession, or lawful occupation; Fifth. He must be able to speak and write English or Spanish and any one of the principal Philippine languages; and Sixth. He must have enrolled his minor children of school age, in any of the public schools or private schools recognized by the Office of Private Education<sup>1</sup> of the Philippines, where the Philippine history, government and civics are taught or prescribed as part of the school curriculum, during the entire period of the residence in the Philippines required of him prior to the hearing of his petition for naturalization as Philippine citizen”.

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

**Economic resources as requisite for naturalization:**

Answer: Includes employment condition or no welfare dependency ONLY at time of application

Code: 0.75

Explanation: The conditions are stated in Section 2 of An Act To Provide For The Acquisition Of Philippine Citizenship By Naturalization: “Subject to section four of this Act, any person having the following qualifications may become a citizen of the Philippines by naturalization: First. He must be not less than twenty-one years of age on the day of the hearing of the petition; Second. He must have resided in the Philippines for a continuous period of not less than ten years; Third. He must be of good moral character and believes in the principles underlying the Philippine Constitution, and must have conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines in his relation with the constituted government as well as with the community in which he is living. Fourth. He must own real estate in the Philippines worth not less than five thousand pesos, Philippine currency, or must have some known lucrative trade, profession, or lawful occupation; Fifth. He must be able to speak and write English or Spanish and any one of the principal Philippine

languages; and Sixth. He must have enrolled his minor children of school age, in any of the public schools or private schools recognized by the Office of Private Education<sup>1</sup> of the Philippines, where the Philippine history, government and civics are taught or prescribed as part of the school curriculum, during the entire period of the residence in the Philippines required of him prior to the hearing of his petition for naturalization as Philippine citizen”.

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

### **6.1.7. Socialization based acquisition of citizenship**

**IMNAT\_7: Naturalization by socialization.**

**Does the country provide for acquisition of nationality of minors who reside for a certain period or schooling in the country?**

Answer: Yes

Code: 1

Explanation: Yes, once the child is over the age of 18, those that have received education in the Philippines and fulfil other conditions may be eligible for citizenship. Section 3. Qualifications states: “Subject to the provisions of the succeeding section, any person desiring to avail of the benefits of this Act must meet the following qualifications: (a) The applicant must be born in the Philippines and residing therein since birth; (b) The applicant must not be less than eighteen (18) years of age, at the time of filing of his/her petition; (c) The applicant must be of good moral character and believes in the underlying principles of the Constitution, and must have conducted himself/herself in a proper and irreproachable manner during his/her entire period of residence in the Philippines in his relation with the duly constituted government as well as with the community in which he/she is living; (d) The applicant must have received his/her primary and secondary education in any public school or private educational institution dully recognized by the Department of Education, Culture and Sports, where Philippine history, government and civics are taught and prescribed as part of the school curriculum and where enrollment is not limited to any race or nationality: Provided, That should he/she have minor children of school age, he/she must have enrolled them in similar schools; (e) The applicant must have a known trade, business, profession or lawful occupation, from which he/she derives income sufficient for his/her support and if he/she is married and/or has dependents, also that of his/her family: Provided, however, That this shall not apply to applicants who are college degree holders but are unable to practice their profession because they are disqualified to do so by reason of their citizenship; (f) The applicant must be able to read, write and speak Filipino or any of the dialects of the Philippines; and (g) The applicant must have mingled with the Filipinos and evinced a sincere desire to learn and embrace the customs, traditions and ideals of the Filipino people”.

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

### **6.1.8. Special procedure for immigrants with very long residence in country**

**IMNAT\_8: Long residence.**



**Does the country provide for acquisition of nationality by a person who has resided there for a very long time (e.g. more or equal of 12 years)?**

Answer: No

Code: 0

Explanation: No. No such provision found.

Sources: An Act Providing for the Acquisition of Philippine Citizenship for Certain Aliens by Administrative Naturalization and for Other Purposes. 2001. / The 1987 Constitution of the Republic of the Philippines. 1987.

### **6.1.9. Preferential naturalization for immigrants from specific countries**

**IMNAT\_9: Preferential naturalization by country.**

**Does the country provide for a special (e.g. quicker, easier) acquisition of nationality by a person who is a national of another specific country?**

Answer: No

Code: 0

Explanation: No. No such provision found.

Sources: An Act Providing for the Acquisition of Philippine Citizenship for Certain Aliens by Administrative Naturalization and for Other Purposes. 2001. / The 1987 Constitution of the Republic of the Philippines. 1987.

### **6.1.10. Cultural affinity/Ethnic ties**

**IMNAT\_10: Preferential naturalization due to cultural or ethnic ties.**

**Does the country provide for acquisition of nationality by a person who has an affinity with its culture or is somehow defined as co-ethnic?**

Answer: No

Code: 0

Explanation: No. No such provision found.

Sources: An Act Providing for the Acquisition of Philippine Citizenship for Certain Aliens by Administrative Naturalization and for Other Purposes. 2001. / The 1987 Constitution of the Republic of the Philippines. 1987.

### **6.1.11. Spousal transfer**

**IMNAT\_11: Spousal transfer.**

**Does the country provide for acquisition of nationality by the spouse or registered partner of a person who is already a national citizen?**

Answer: Yes

Code: 1

Explanation: Yes, but citizenship transfer is only mentioned for wives of the naturalized citizens. Section 15. Effect of the naturalization on wife and children states: "Any woman who is now or may hereafter be married to a citizen of the Philippines, and who might herself be lawfully naturalized shall be deemed a citizen of the Philippines".

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

### **6.1.12. Filial transfer**

**IMNAT\_12: Filial transfer.**

**Does the country provide for acquisition of nationality by the child of a person who is already a national citizen?**

Answer: Yes

Code: 1

Explanation: Section 15. Effect of the naturalization on wife and children states: "Minor children of persons naturalized under this law who have been born in the Philippines shall be considered citizens thereof. A foreign-born minor child, if dwelling in the Philippines at the time of the naturalization of the parent, shall automatically become a Philippine citizen, and a foreign-born minor child, who is not in the Philippines at the time the parent is naturalized, shall be deemed a Philippine citizen only during his minority, unless he begins to reside permanently in the Philippines when still a minor, in which case, he will continue to be a Philippine citizen even after becoming of age. A child born outside of the Philippines after the naturalization of his parent, shall be considered a Philippine citizen, unless one year after reaching the age of majority, he fails to register himself as a Philippine citizen at the American Consulate of the country where he resides, and to take the necessary oath of allegiance".

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

### **6.1.13. Special naturalization for refugees**

**IMNAT\_13: Refugees.**



### **Does the country facilitate the acquisition of nationality by a refugee in its territory?**

Answer: No

Code: 0

Explanation: No specific information found for refugees. It is possible that they may not be eligible because they are meant to return to their country of origin once the original cause of their seeking asylum has been resolved. There is no clear mechanism for making their settlement permanent.

Sources: Department of Justice Circular No. 058. 2012. / The 1987 Constitution of the Republic of the Philippines. 1987.

### **6.1.14. Naturalization for special achievements/talents**

**IMNAT\_14: Special talents.**

**Does the country provide for the acquisition of nationality by a person in account of special achievements/talents?**

Answer: Yes

Code: 1

Explanation: Yes, the requirement for continuous residence is reduced from 10 to 5 years for the following: Section 3. Special qualifications states: "The ten years of continuous residence required under the second condition of the last preceding section shall be understood as reduced to five years for any petitioner having any of the following qualifications: Having honorably held office under the Government of the Philippines or under that of any of the provinces, cities, municipalities, or political subdivisions thereof; Having established a new industry or introduced a useful invention in the Philippines; Being married to a Filipino woman; Having been engaged as a teacher in the Philippines in a public or recognized private school not established for the exclusive instruction of children of persons of a particular nationality or race, in any of the branches of education or industry for a period of not less than two years; Having been born in the Philippines".

Sources: An Act To Provide For The Acquisition Of Philippine Citizenship By Naturalization, And To Repeal Acts Numbered Twenty-Nine Hundred And Twenty-Seven And Thirty-Four Hundred And Forty-Eight. 1939. [https://www.lawphil.net/statutes/comacts/ca\\_473\\_1939.html](https://www.lawphil.net/statutes/comacts/ca_473_1939.html).

### **6.1.15. Naturalization due to investment/financial assets**

**IMNAT\_15: Financial Assets.**

**Does the country provide for the acquisition of nationality by a person with special financial assets (say which) or persons who invest money in the country?**

Answer: No

Code: 0

Explanation: There is no special track for investors, but a mandatory qualification for naturalization is owning real estate in the Philippines worth not less than five thousand pesos and Philippine currency.

Sources: An Act to Provide for the Acquisition of Philippine Citizenship by Naturalization, and to Repeal Acts Numbered Twenty-Nine Hundred and Twenty-Seven and Thirty-Four Hundred and Forty-Eight. 1939.

### **6.1.16. Transfer to other relatives**

**IMNAT\_16: Transfer to other relatives.**

**Does the country provide for the acquisition of nationality by a relative other than the spouse or child of a person who is already a citizen?**

Answer: No

Code: 0

Explanation: No such information found.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

### **6.1.17. Nationality for the stateless**

**IMNAT\_17: Stateless.**

**Does the country facilitate the naturalization of a stateless person in its territory?**

Answer: No

Code: 0

Explanation: Stateless persons are not barred from applying for acquisition of nationality, although there is no clear procedure for doing so. Section 16 on the Non-Suspension of the Stateless Status Determination states: "In the case of application for stateless status, this procedure shall proceed notwithstanding the Applicant seeking acquisition or reacquisition of nationality, resettlement in another country, readmission to former country of residence, or is subject of deportation or extradition".

Sources: Department of Justice Circular No. 058. 2012.

### **6.1.18. Nationality for regularized immigrants**

**IMNAT\_18: Regularization.**

**Does the country make any differentiation in terms of naturalization procedures regarding persons that have benefited from regularization programs ((i.e. is there any special naturalization scheme for regularized immigrants)?**

Answer: No differentiation

Code: 0.5

Explanation: No. No differentiation made.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

### **6.1.19. Naturalization possible even if applicant had irregular status before**

**IMNAT\_19: Irregular status.**

**Does the country provide for a person who has or has had irregular migrant status who can however prove having had resided long enough in the country to apply for naturalization (i. e. is ever having been an irregular migrant an impediment to regularize)?**

Answer: No

Code: 0

Explanation: No. No specific regulation for those who previously had irregular status, aside from the standard naturalization procedure which does not preclude this group.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

## **6.2. Immigrant citizenship**

### **6.2.1. Restrictions on citizenship for naturalized immigrants**

**IMCIT\_1: Restrictions for naturalized immigrants.**

**Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized (even if they only have that one nationality)?**

Answer: No

Code: 0

Explanation: No. No such information found.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**For how long are the restrictions applied?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do the restrictions apply to electoral rights?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do the restrictions apply to public office posts?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Other type of restrictions**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**6.2.2. Loss or suspension of citizenship after residence abroad for immigrants who naturalized**

**IMCIT\_2. Loss or suspension of citizenship.**

**Does the country deprive their national citizens by naturalization who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?**

Answer: No

Code: 0

Explanation: No. No such information found.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**Are these rights recovered upon return?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**6.2.3. Restrictions on citizenship for naturalized immigrants who are dual nationals**

**IMCIT\_3: Restrictions for naturalized immigrants who are dual nationals.**

**Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized and have another/other nationality/ies?**

Answer: No

Code: 0

Explanation: No. No such provision found.

Sources: The 1987 Constitution of the Republic of the Philippines. 1987.

**How long do the restrictions apply?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do the restrictions apply to electoral rights?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do the restrictions apply to public office post?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Other type of restrictions (beyond electoral and public office posts).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable