



GMS Flash Alert

Immigration Edition

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Philippines - COVID-19: New Entry Rules for Foreign Workers and Lifting of Travel Ban

The Philippine government has issued guidelines that will enable essential foreign nationals to apply for a working visa prior to arrival in the Philippines. Before the release of these guidelines, a foreign national must already be in the Philippines before the visa application process can commence.

The government has also lifted the travel ban on ten (10) restricted countries. (For prior coverage, see [GMS Flash Alert 2021-217](#), August 18, 2021.)

WHY THIS MATTERS

The new guidelines on visa issuance can help employers save on application costs as some pre-requisite documents will be omitted such as the travel ban exemption and a separate entry visa. Moreover, employees do not need to travel to the Philippines in advance for visa processing and they can immediately start their activities upon arrival in the country. This also provides employers the opportunity to speed up their business plans in the Philippines.

Additionally, with the lifting of the travel ban, deployments to the Philippines by employers based in the previously-restricted countries can now resume. However, employers should:

- remain aware of pre-entry requirements, as well as
- continue assessing the risk of “physical” assignments.

Guidelines for Visa Issuance of Foreign Workers

The guidelines cover foreign nationals who intend to come to the Philippines to engage in (a) long-term employment

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(more than six months) with a Philippine-based employer, and (b) employment in connection with foreign-funded projects such as those in transportation and infrastructure.¹

Issuance of Alien Employment Permit (AEP) of Certificate of Exemption/Exclusion (COE)²

The application for AEP or COE shall be filed by the Philippine-based employer with the Department of Labor and Employment Regional Office (DOLE RO). The AEP shall be issued within five (5) working days after the completion of the labor market test or publication of the AEP application in a newspaper of general circulation, and payment of the required fees. The COE shall be issued within three (3) working days after receipt of the application and payment of required fees.

Issuance of 9(G) Pre-arranged Employment Visas³

For foreign nationals with long-term employment with a Philippine-based employer, the Philippine-based employer may already apply for issuance of the 9(G) visa with the Bureau of Immigration (BI) once the AEP or COE is granted. The BI shall convey the approved applications to the Department of Foreign Affairs (DFA), through the Office of Consular Affairs, for onward transmittal to the Foreign Service Post (FSP). The FSP shall issue a 9(G) visa valid for 90 days from the date of issuance for entry purposes and subject to BI implementation once the foreign national has arrived in the country.

Issuance of 47(a)(2) Visas⁴

For foreign nationals employed in connection with foreign-funded projects such as those in transportation and infrastructure, the Philippine-based employer shall apply for the issuance of a 47(a)(2) visa with the Department of Justice (DOJ), through its Legal Staff. The application should be supported by a favorable endorsement from the implementing government agency involved in or connected with the implementation of a foreign-funded project.

The DOJ shall convey the approved applications to the DFA, through the Office of Consular Affairs, for onward transmittal to the FSP. The FSP shall issue the 47(a)(2) visa with validity based on the DOJ approval.

Acceptable Documents

Digitized or scanned copies of the original documents, including documents authenticated or apostilled abroad, may be accepted by the agencies subject to submission of the original documents at a later date in accordance with the rules of the concerned agencies.

Further Details

Foreign nationals issued with 9(G) visas or 47(a)(2) visas under these guidelines may be allowed to enter the Philippines without need of an entry exemption document but without prejudice to the exercise of the mandate of the BI in arrival and departure formalities. Within seven (7) days from release from quarantine or isolation, the foreign national holder of a 9(G) visa shall report to the Bureau of Immigration for photo and biometric “capturing” and the visa implementation process. For holders of 47(a)(2) visa, the endorsing government agency shall report to the DOJ the fact of arrival of the foreign national for monitoring purposes.

Lifting of Travel Ban

Travel restrictions on India, Pakistan, Bangladesh, Sri Lanka, Nepal, United Arab Emirates, Oman, Thailand, Malaysia, and Indonesia have been lifted effective 6 September 2021.⁵ (For prior coverage, see [GMS Flash Alert 2021-217](#), August 18, 2021.)

FOOTNOTES:

- 1 See [IATF Resolution No. 131-A](#) (August 5, 2021).
- 2 See [DOLE Labor Advisory No. 16](#) (posted August 31, 2021).
- 3 See “Press Release” (August 18, 2021): https://immigration.gov.ph/images/News/2021_Yr/08_Aug/2021Aug18_Press.pdf . Also, see [BI Public Advisory](#) posted on the official Facebook page on 18 August 2021 (*users may need to log-in to their Facebook accounts*).
- 4 See: “[Guidelines for the Processing of Applications for the Issuance of Special Non-Immigrant Visas](#)” issued by the Department of Justice (DOJ).
- 5 See “Press Release” (August 31, 2021) at: https://immigration.gov.ph/images/News/2021_Yr/08_Aug/2021Aug31_Press.pdf .

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The information contained in this newsletter was submitted by the KPMG International member firm in the Philippines.

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