EXPLANATORY NOTE


In August 2019, Bureau of Immigration Commissioner Jaime Morente said that the Agency is implementing numerous changes to “ensure that only the legitimate and properly documented foreign nationals may set foot and stay in the country.”¹ This statement came after concerns were raised on the increasing number of foreign nationals with improper or no documentation.

This measure intends to allow aliens whose stay in the Philippines has been illegal, to be socially and economically re-integrated into the country and, at the same time, allow the government to generate funds, directly from the program, and indirectly from internal revenues paid by aliens who derive income from within the country, to support key programs of the government.

¹ [https://news.mb.com.ph/2019/08/02/bi-steps-up-drive-against-illegal-aliens/]
EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

HOUSE OF REPRESENTATIVES
H.B. No. 4460

Introduced by Representative TEODORICO T. HARESCO, JR.

AN ACT
GRANTING TEMPORARY RESIDENCY STATUS TO CERTAIN ALIENS
IN THE PHILIPPINES UNDER CERTAIN CONDITIONS

Be it enacted by the Senate and House of Representatives of the Philippines in Congress
assembled:

SECTION 1. Short Title - This Act shall be known as the "Alien Social
Integration Act."

SEC. 2. Declaration of Policy - The state shall control and regulate the
admission and integration of aliens into its territory and body politic. Towards this
end, aliens with unlawful residence shall be integrated into the mainstream of
Philippine society.

SEC. 3. Coverage - Upon effectivity of this Act, all aliens whose stay in the
Philippines is otherwise illegal under existing laws because of improper
documentation, or aliens who have arrived legally but stayed after their visas expired,
and who have entered the country prior to June 30, 2019, excluding those who
already availed in good faith the benefits of Executive Order No. 324 and Republic Act
7919, as amended whose application has been duly approved, are hereby granted
temporary resident status upon compliance with the provisions of this Act, and shall
not be prosecuted for crimes defined under Commonwealth Act No. 613, otherwise
known as the Immigration Act of 1940 which are inherent to illegal residence such as
the absence of valid travel documents or visa: Provided, that in no case shall alien
refugees in the Philippines be qualified to apply under this Act.

The bar to prosecution shall apply only to such crimes or felonies committed
due to acts necessary or essential to maintain a false, fraudulent or illegal residence,
such as falsification of marriage, birth or baptismal certificates or travel documents such as visas or alien certificates of registration.

SEC. 4. Integration Requirements and Fees - The social integration of aliens established under Section 3 shall be effective and its benefits enjoyed by illegal residents upon completion of all the following acts:

4.1. Filing of registration forms with the following agencies:
   (1) the civil register of the place of residence;
   (2) the Bureau of Internal Revenue (BIR);
   (3) the Bureau of Immigration (BI);
   (4) the National Bureau of Investigation (NBI); and
   (5) the commercial or universal bank to which the alien pays the integration fee as hereinafter provided.

In lieu of the foregoing, the filing of registration forms may be done in Five (5) sets with a commercial or universal bank certified by the BIR as authorized collectors for income tax.

4.2. The registration form shall contain:
   (1) the applicant's full name and aliases by which the applicant may be known;
   (2) proof of identity, good moral character and financial capacity through affidavits from two (2) Filipino citizens of good reputation in his/her place of residence;
   (3) history of stay in the Philippines;
   (4) residential address for the immediate past five (5) years;
   (5) four (4) passports size pictures; and
   (6) a complete fingerprint card for each of the agencies mentioned in 4.1, including his/her most recent dental records which shall be submitted to the NBI.

4.3. Payment of the integration fees to any duly licensed commercial or universal bank accredited by the BIR as authorized to receive income tax payments in the following amounts:

4.3.1 A one-time payment of Four Hundred Thousand Pesos (P400,000.00), for aliens who have stayed illegally in the Philippines for less than one (1) year, and Eight Hundred Thousand Pesos (P800,000.00) for aliens
who have stayed illegally in the Philippines for one (1) year or longer, for the principal applicant upon filing of the registration forms with the bank: Provided, that the BIR may promulgate rules and regulations for other modes of payment through installment scheme.

4.3.2. A single payment of One hundred Fifty Thousand Pesos (P150,000.00) for the spouse and Seventy Five Thousand Pesos (P75,000.00) for each legitimate child below eighteen (18) years of age.

4.3.3. Children born after 30 June 2018 of parents who received the benefits of this Act shall, upon proper registration with the BI, become legal residents.

4.3.4. The integration fees paid by an alien shall be in lieu of all immigration fees and fines said alien may have incurred during his unlawful residence in the country.

4.4. Submission of a medical certificate stating that the applicant is not a user of prohibited drugs or otherwise a drug addict and that he/she is not afflicted with Acquired Immune Deficiency Syndrome (AIDS).

4.5. Submission of a medical certificate stating that the applicant is mentally and psychologically healthy.

SEC. 5. Official Receipt - The commercial or universal bank shall issue an official receipt acknowledging receipt of the integration fee, upon payment by the applicant of a processing fee of Five Thousand Pesos (P5,000.00). In the event the registration was affected under paragraph 2 of subsection 4.1, the bank shall furnish copies of the registration document to the following agencies:

(1) the civil register of the applicant's place of residence;
(2) the BIR; and
(3) the NBI

Thereafter, the bank shall issue a certification to this effect in favor of the applicant.

SEC. 6. Duties of the Bureau of Immigration - Upon presentation by the applicant of the official receipt from the bank, together with a certification from the bank or agency concerned, as the case may be, that the civil registrar, the BIR and the
NBI received copies of the registration forms defined in Subsection 4.2 hereof, the BI shall verify whether the applicant is within the coverage of this Act, and shall, after verification, issue an alien certificate of registration (ACR) to the applicant. The legal residence granted under this Act shall commence from the date the BI issues the ACR. The BI shall publish, at the applicant’s expense, the names, ages, addresses and a photograph of each applicant in a national newspaper of general circulation at the end of each calendar month during the effectivity of the application period, as herein after provided in Section 8. The BI shall likewise post the abovementioned details on its website for at least two (2) weeks. The banks authorized under this Act to collect the fees herein required shall collect a publication fee of Ten Thousand Pesos (P10,000.00) from the applicant.

SEC. 7. Ministerial Duty of the Civil Registrar, the BIR and the NBI - The Civil Registrar, the BIR and the NBI shall have the ministerial duty to accept the registration forms required under Section 4. Each of these agencies may charge no more than Five Hundred Pesos (P500.00) for the filing of the registration forms. Upon payment of the filing fee, the agency concerned shall issue a certification that the alien has filed with said office by himself/herself or through the bank, all the forms under Section 4.

SEC. 8. Application Period - The benefits extended by Section 3 can be availed of within two (2) years from the effectivity of this Act.

SEC. 9. Administrative Confirmation - The procedure herein provided may be availed of by any alien who may want a confirmation of his stay in the Philippines.

SEC. 10. Eligibility for Citizenship - Aliens granted legal residence under this Act shall be eligible to apply for naturalization after five (5) years from the approval of his/her application.

SEC. 11. Compliance Report and Oversight Functions - The BI shall submit to the chairpersons of the Committee on Justice of each chamber of Congress, copies furnished to the Senate President and the Speaker of the House of Representatives, a
written report on the developments in the implementation of this Act every six (6)
months following the effectivity of this Act.

SEC. 12. Revocation of Resident Status - Deceit or misrepresentation on the
part of any applicant to enable them to obtain legal status under this Act shall be a
ground for cancellation or revocation of their resident status. The BI shall promulgate
rules and regulations to determine the authenticity of the documents submitted by
the applicants. The BI may revoke applicants or legalized aliens on the basis of
substantial evidence.

SEC. 13. Perjury - All applications shall be under oath or affirmation, which
oath or affirmation shall be required for their registration. Applicants who violate
their oath or affirmation by knowingly making untruthful statements on any material
matter in their application shall be liable for perjury under Revised Penal Code. In
addition to the penalty imposed on perjury, the subsequent convictions of the
applicant shall revoke the legal residence granted him/her and shall subject the
applicant to deportation proceedings.

SEC. 14. Appropriations - There is hereby appropriated, out of the payments
received under Section 4 hereof, an amount of Twenty Million Pesos
(P20,000,000.00) to cover administrative and other expenses to be incurred in the
implementation of this Act.

SEC. 15. Privacy Clause - Information submitted by an alien applicant
pursuant to this Act, shall be used only for the purpose of determining the veracity of
the factual statements by the applicant or for enforcing the penalties prescribed by
this Act.

SEC. 16. Rule-making Powers - The provisions of this Act are self-executory
and shall not be dependent on the issuance of any rules or regulations. The Secretary
of Justice is hereby authorized, however, to promulgate only such rules and
regulations as may be needed to efficiently and administratively implement the
provisions of this Act.
SEC. 17. Separability Clause - If any provision of this Act is declared unconstitutional, such sections or parts not affected thereby shall remain in full force and effect.

SEC. 18. Repealing Clause - all laws, decrees, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 19. Effectivity Clause - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspaper of general circulation.

Approved,