

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF LABOR AND EMPLOYMENT
MANILA

0443 02 JAN 19 2002

MEMORANDUM

TO : ALL REGIONAL DIRECTORS

SUBJECT : IMPLEMENTATION OF RULE II, PARAGRAPHS 3.2 AND 3.3 OF DEPARTMENT ORDER NO. 12, SERIES OF 2001 ENTITLED "OMNIBUS GUIDELINES FOR THE ISSUANCE OF EMPLOYMENT PERMITS TO FOREIGN NATIONALS"

DATE : 14 January 2002

REC BY
CENT

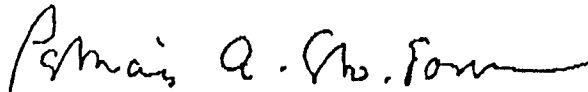
In the implementation of the abovementioned provisions, the DOLE – Regional Director shall:

1. Publish the application/s for Alien Employment Permit/s (AEP/s), within two (2) working days after compliance with the substantive and documentary requirements and payment of appropriate fees including a publication fee in the amount of Four Thousand Pesos (P4,000.00). The publication shall be in the format hereto attached and the same shall be published once in a newspaper of national or regional circulation, whichever is applicable.
2. Grant the application for AEP within five (5) working days after publication, if there is no objection to the application.
3. In case there is an objection to the application, the DOLE Regional Director shall:
 - 3.1 Determine as to whether or not the objection is meritorious.
 - 3.2 Grant the application for AEP, within five (5) working days after a final determination that the objection is not meritorious; or
 - 3.3 Deny the application, within five (5) working days after a final determination that the objection is meritorious.

The following foreign nationals are exempted from the publication requirements and the payment of publication fee:

1. Resident foreign nationals seeking employment in the Philippines;
2. Non-resident foreign nationals applying for renewal of AEP;
3. Members of the Governing Board who occupy position in the company, Presidents, Vice-Presidents, General Managers and Treasurers;
4. Holders of Special Investors Resident Visa (SIRV), Special Retirees Resident Visa (SRRV), Treaty Traders Visa (9d) or Special Non-Immigrant visa [47(a)2], who occupy any executive, advisory, supervisory, or technical position in the establishment where the foreign national has investments.
5. Intra-corporate transferees and officers of foreign-owned companies on secondment or temporary assignment from their mother companies;
6. Consultants in foreign funded, joint ventures or other public or private projects;
7. Foreign nationals who, by special laws or international or bilateral agreements which the Philippine government is a signatory, are specifically exempted from the labor market test; and
8. Non-Indo Chinese Refugees.

For compliance.


PATRICIA A. STO. TOMAS
Secretary

DISSEMINATED BY AS-RECORDS SECTION ON 1-18-2002