

MALACAÑANG  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 423

AMENDMENTS TO THE GUIDELINES ON THE ENTRY AND STAY OF  
FOREIGN STUDENTS IN THE PHILIPPINES AND THE  
ESTABLISHMENT OF AN INTER-AGENCY COMMITTEE FOR THE  
PURPOSE

**WHEREAS**, it is the policy of the government to continuously promote the Philippines as a center for education in the region by (i) encouraging foreign students to study in the Philippines, (ii) developing awareness of the Philippine educational system by neighboring countries, and (iii) allowing duly accepted foreign students to avail of the facilities of the Philippine educational system;

**WHEREAS**, an increasing number of foreigners have expressed their desire to enter and study in the Philippines, and graduate from Philippine schools, colleges and universities;

**WHEREAS**, a procedure must be established to address national security and other concerns and determine the bonafide foreign students who wish to avail of the country's educational facilities;

**NOW, THEREFORE, I, FIDEL V. RAMOS**, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

**SECTION 1. Basic Policies and Procedures.** The following policies and procedures shall be observed by all entities concerned:

A. Coverage.

- (1) Only aliens who seek to stay temporarily in the Philippines solely for the purpose of taking up a course higher than high school at a university, seminary, academy, college or school duly authorized to accept foreign students and who are at least eighteen years of age at the time of enrollment and have means sufficient for their education and support of study are covered under this order.

B. Acceptance of Foreign Students.

- (2) Only schools whose programs are recognized by the Commission on Higher Education (CHED) shall be authorized to accept foreign students. The CHED shall

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prepare, at regular intervals, an updated list of such schools and forward the same to the Bureau of Immigration (BI). In the preparation of the list, the CHED and the BI shall consult each other, taking into account their respective mandates under existing laws and regulations. Copies of the list shall be furnished the BI, the Department of Foreign Affairs (DFA), the National Bureau of Investigation (NBI), the National Intelligence Coordinating Agency (NICA) and the schools authorized to admit foreign students. All schools authorized to admit foreign students shall establish a foreign students unit within their organization. To maintain its authorization, the school, through its foreign students unit, shall religiously submit, one month after the end of each enrollment period, the acceptance/enrollment report on foreign students and a monthly status report to the BI, copy furnished the CHED and the NICA, with emphasis on whoever is missing, has transferred or dropped from the rolls. Failure to comply with the above requirements shall be a ground for cancellation by the CHED of the authority to admit foreign students.

- (3) The Certificate of Eligibility for Admission (CEA) addressed to the accepting school shall be issued by the CHED only in cases where restrictions exist on enrollment of foreign students due to shortage of facilities, such as enrollment in medicine and dentistry. Once issued, the CEA shall remain valid for the duration of the course of study, provided the student attends his classes and continues to receive satisfactory grades. Not later than sixty (60) days from the effectivity of this Executive Order, the CHED shall prepare for distribution to the DFA, BI, NBI, and NICA the list of schools authorized to accept foreign students and an updated list of programs or courses with restrictions or quota in enrolling foreign students due to shortage of school facilities. Said list may be updated by the CHED from time to time as may be necessary.
- (4) The CHED, in consultation with the DECS, shall provide all schools with comparative equivalencies between major foreign educational systems or programs and those of the Philippines. Should any question concerning equivalencies arise, the school concerned shall secure the comments of the CHED before accepting a foreign student for enrollment.
- (5) Enrollment in any level shall require completion of the lower particular level, for example, an applicant for the tertiary or

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collegiate level must be a graduate of high school or its equivalent.

- (6) The individual school may launch information campaigns to solicit and receive applications directly from prospective foreign students. The schools, for these purposes, may seek the assistance of the DFA and the Department of Tourism.
- (7) The foreign student communicates directly with the school and complies with the school's institutional requirements, which shall include the submission of the following documents:
  - a) Original copy of the student's Personal History Statement duly signed by him both in English and in his national alphabet accompanied by his personal seal, if any, and containing among others, his left and right hand thumbprints and a 2x2-inch photograph on plain white background taken not more than six months prior to submission.
  - b) Documentary proof of adequate financial support to cover expenses for the student's accommodation and subsistence, as well as school dues and other incidental expenses;
  - d) Scholastic records duly authenticated by the Philippine Foreign Service Post located in the student applicant's country of origin or legal residence;
- (8) The school, satisfied with the student's compliance with its requirements, shall issue a Notice of Acceptance (NOA) to the student and submit a duplicate copy thereof to the DFA, together with a certified true copy of the CHED's CEA, when necessary, the original copy of the student's personal history statement, copies of the student's scholastic records and proof of the student's financial capacity/support. These documents shall be hand carried to the DFA by the school's designated liaison officer under a cover letter on the school's official stationery signed by the school's registrar and stamped with the school's official dry seal requesting that a student visa be issued to the person named therein. A copy of the NOA issued to the student and the CHED's CEA, when applicable, shall be furnished by the school to the CHED and the BI.



- (9) The DFA indorses the documents to the Philippine Foreign Service Post located in the student's country of origin or legal residence for the issuance of the student visa after ascertaining the student's identity and admissibility under existing DFA regulations.

C. Issuance of Visas.

- (10) Foreign students whose applications for student visas are approved are required to secure their visas from the Philippine Foreign Service Post in their country of origin or legal residence, regardless of where they are at the time of application.

Conversion from other visa category to that of a student visa shall not be permitted.

- (11) The Philippine Foreign Service Post shall notify, in writing, the student of the receipt of the documents and require him to appear in person before a Consular Officer for interview and compliance with consular requirements. In addition to the documents transmitted to the post by the DFA, the following requirements shall be submitted by the student to the Consular Officer:

- a) Original copy of the school's NOA containing a clear impression of the school's dry seal;
- b) Original copy of the CEA issued by the CHED, if enrolled in courses or programs where restrictions may exist due to shortage of facilities, as in Medicine or Dentistry;
- c) Police Clearance issued by the national police authorities in the student's country of origin or legal residence, authenticated by the Philippine Foreign Service Post having consular jurisdiction over the place; and
- d) Medical Health Certificate issued by an authorized physician including standard-size chest x-ray;

The consular office shall not assume the task of determining the student's scholastic fitness for the program applied for and shall issue the student visa as soon as all the requirements are accomplished. A notice of visa issuance

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shall be furnished by the DFA to the school, the CHED, the BI, the NBI and the NICA as soon as it receives a report to this effect from the issuing post. The Foreign Service Post shall then forward a copy of all the foreign student's documents to the CHED for filing. Said documents shall be made available to the BI, NBI and NICA whenever necessary.

*D. Arrival and Stay in the Philippines.*

- (12) Upon arrival in the Philippines, the student, as part of the requirements for processing his entry, shall report immediately to the accepting school and shall enroll only in the school which issued his NOA. The school shall reassess the student's competency level and establish his scholastic comparative equivalence, if necessary.
- (13) The school shall assist the student in obtaining the necessary Alien Certificate of Registration (ACR) and Certificate of Residence for Temporary Student (CRTS) from the BI. The student's authorized period of stay shall be consistent with the length of the course of study to which he has been accepted by a Philippine school.

*E. Monitoring.*

- (14) Within a month after the close of enrollment period, the school, through its foreign students unit, shall report promptly to the BI, the CHED, and the NICA the names of foreign students who have been accepted but failed to enroll, either for the first time or for subsequent terms. Further, it shall submit a monthly status report of their foreign students to the BI as may be deemed necessary by the Committee. Finally, at the end of each term, the school shall also report to the BI, the CHED and the NICA those foreign students who have dropped out or failed to take the final examination for the term and those who have completed their courses. Non-compliance by schools to submit the reports shall be a ground for the cancellation by the CHED of their authority to accept foreign students.
  - (15) The NICA and the NBI shall check, whenever necessary, the activities of foreign students brought to their attention which appear to be inimical to the security of the State. Criminal complaints filed against foreign students shall be referred to the NBI for investigation and appropriate action.
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- (16) The BI shall investigate, apprehend and prosecute, if necessary, foreign students who are not complying with Philippine immigration laws and regulations. Violation of immigration laws and regulations shall be a ground for the cancellation of a student visa and the deportation of the student concerned.

F. Exemption.

The following shall be exempt from the coverage of this Executive Order:

- a) Tertiary enrollment in Philippine schools of the spouses and unmarried dependent children below 21 years old of the following categories of aliens shall not be required to secure student visa and the BI special study permit: (1) permanent foreign residents; (2) aliens with valid working permits under Section 9(d), 9(g) and 47(a)(2) of the Philippine Immigration Act of 1940, as amended; (3) personnel of foreign diplomat and consular missions residing in the Philippines; (4) personnel of duly accredited international organizations residing in the Philippines; (5) holders of Special Investor's Resident Visa (SIRV) and Special Retiree's Resident Visa (SRRV); and (6) foreign students coming to the Philippines with 47(a)(2) visas issued pursuant to existing laws, e.g. P.D. 2021. This privilege is also extended to the principals who may wish to take advantage of the educational facilities in the country.
- b) Children who are already enrolled before their marriage and/or before reaching the age of 21 years shall be allowed to finish their studies without the need to secure a student visa and a BI special study permit as long as their principals remain in the country under any of the above-mentioned admission categories.
- c) Spouses and children of personnel of foreign diplomatic and consular missions and duly accredited international organizations located in the Philippines who desire to remain in the Philippines to enroll for the first time or finish their studies higher than high school and qualify under prescribed regulations, shall be allowed to convert their admission category to that

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of a student visa under Section 9 (f) of the Philippine Immigration Act of 1940, as amended, in accordance with applicable procedure, in the event their principals lose their admission category as Foreign Government Official under Section 9 (e) of the Philippine Immigration Act of 1940, as amended. This privilege is also extended to the principals who may wish to take advantage of the educational facilities in the country.

**SEC. 2. Establishment and Composition of the Committee on Foreign Students.** There is hereby created an Inter-Agency Committee on Foreign Students herein referred to as the Committee, which shall have the following membership:

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| a. Commission on Higher Education                 | - | Chairman    |
| b. Department of Foreign Affairs                  | - | Co-Chairman |
| c. Department of Education, Culture<br>and Sports | - | Member      |
| d. Bureau of Immigration                          | - | Member      |
| e. National Bureau of Investigation               | - | Member      |
| f. National Intelligence Coordinating<br>Agency   | - | Member      |

**SEC. 3. Duties and Responsibilities of the Committee.** The Committee shall have the following duties and responsibilities:

- a. Promulgate simplified procedures and implementing guidelines governing the entry and stay of foreign students in the Philippines, as well as, rules and regulations limiting school transfers and course shifting of foreign students in accordance with the provisions of this Executive Order within sixty (60) days from the effectivity hereof;
- b. Monitor and coordinate the implementation of this Executive Order with the Departments and agencies concerned;
- c. Meet regularly to assess the progress of the whole program, to ensure that the promotion of the Philippines as a center for education in the region is effectively encouraged and undertaken;
- d. Request representatives from other agencies and/or the private sector to attend its meetings, when it deems necessary and proper; and

- e. Submit a semi-annual report to the Office of the President, through the Office of the Executive Secretary, on the status of the foreign students in the country. The reports shall be submitted before the end of September and February, of the first and second semesters, respectively, of each school year.

The CHED shall provide the secretariat to support the Committee in its functions.

**SEC. 5. Repealing Provision.** This Executive Order repeals all other executive issuances, regulations, or any parts thereof, which are inconsistent with the provisions of this Executive Order.

**SEC. 6. Separability Clause.** If for any reason, any part or provision of this Executive Order shall be held unconstitutional or declared contrary to law, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**SEC. 7. Effectivity.** This Executive Order shall take effect immediately.

**DONE** in the City of Manila, this 25<sup>th</sup> day of J u n e in the year of Our Lord, Nineteen Hundred and Ninety-Seven.



By the President:



**RUBEN D. TORRES**  
Executive Secretary