



Republic of the Philippines  
OFFICE OF THE PRESIDENT  
COMMISSION ON HIGHER EDUCATION

CHED MEMORANDUM ORDER (CMO)

No. 53;  
Series of 1997

**SUBJECT: AMENDMENTS TO CHED MEMORANDUM ORDER NO. 2, SERIES OF 1994 RE "THE IMPLEMENTING GUIDELINES ON THE ENTRY AND STAY OF FOREIGN STUDENTS IN THE PHILIPPINES AND THE ESTABLISHMENT OF AN INTER-AGENCY COMMITTEE FOR THE PURPOSE" TO CONFORM WITH EXECUTIVE ORDER NO. 423 SIGNED ON 25 JUNE, 1997 AMENDING EXECUTIVE ORDER NO. 188.**

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In accordance with the pertinent provisions of Republic Act No. 7722 otherwise known as the Higher Education Act of 1994 and Executive Order No. 423 amending the rules and regulations governing the admission and stay of foreign students in the country to further promote the Philippines as a center for education in the Asia-Pacific region, the Commission hereby promulgates the following changes in the implementing guidelines on the aliens' entry and stay in the country for the purpose of pursuing higher education studies at Higher Education Institutions (HEIs) authorized to admit foreign students. All concerned are informed, enjoined and directed, thus:

1. Only schools whose programs are recognized by the Commission On Higher Education (CHED) shall be authorized to accept foreign students. Recognized programs are construed as those that have achieved that status whereby requirements met are beyond the "permit" authority granted to operate the programs.
2. At regular intervals an updated list of schools authorized to accept foreign students shall be prepared by CHED. 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 aforementioned schools.

3. The schools authorized to admit foreign students shall establish a Foreign Students Unit within their organization. They shall be tasked to submit the reports as follows to the BI copy furnished the CHED through the HERO and NICA:

- a. An acceptance/enrolment report on foreign students (9f visa holders) a month after the end of each enrolment period. The names of those who have been accepted but failed to enrol, either for the first time or subsequent terms, should be underscored.
- b. A monthly status report, as may be deemed necessary, with emphasis on whoever is missing, has transferred or dropped from the rolls.
- c. A final report with reference to those who failed to take the final examinations, those with deficiencies, and those who have completed their courses at the end of each school term.

Non-compliance for one semester to submit the above-required reports shall be a ground for cancellation by the CHED upon recommendation by the HERO of the authority to admit foreign students.

4. The information drawn from the aforementioned reports to be submitted by the concerned schools shall form vital part of the monitoring system on the activities of foreign students. Activities of these students which appear to be inimical to the security of the State should be brought to the attention of the NICA and NBI. Criminal complaints, however, filed against foreign students shall be referred to the NBI for investigation and appropriate action.

The BI shall investigate, apprehend and prosecute, if necessary, foreign students who do not comply with Philippine immigration laws and regulations. Violation of such shall be a ground for the cancellation of student visa and deportation of the students concerned.

5. 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.

6. For 9f visa holders, shifting of course may only be allowed once, provided it is within the first two semesters of a foreign student's course. Transfer from one school to another, however, shall be permitted only for justifiable reason, provided the course enrolled in shall be completed within the duration of the approved curriculum for the course. Further, the transfer arrangement should not only be between schools concerned but should have the prior approval of the BI.

7. The categories of aliens as follows are not covered by the student visa and BI special study permit requirement:

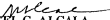
- a. Tertiary enrolment in Philippine schools of the spouses and unmarried dependent children below 21 years old of (1) permanent foreign residents; (2) aliens with valid working permits under Section 9 (d), 9(g) and 47(a)(2) of the Philippine Immigration Act of 1940, as amended; (3) personnel of foreign 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

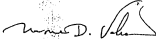
prescribed regulations, shall be allowed to convert their admission category to that of a student visa under Section 9 (f) of the Philippine Immigration Act of 1940, as amended, in accordance with applicable procedure, in the event their principals lose their admission category as Foreign Government 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.


8. The provisions on the documentary requirements for submission to the Philippine Foreign Service Post (PFSP) in the country of origin or legal residence of the foreign student and to the admitting school in the Philippines remain the same as contained in the CHED Memorandum Order herein amended.


So ordered.

Pasig City, Philippines, October 24, 1997.

  
ANGEL C. ALCALA  
Chairman

  
MONA D. VALISNO  
Commissioner

  
KATE C. BOTENGAN  
Commissioner

  
ESTER A. GARCIA  
Commissioner