

Chandrawat
& Partners

IMMIGRATION TO PHILIPPINES

A comprehensive guide to immigration to Philippines

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System of immigration

The Philippines, a group of 7,107 islands, has become a popular expat destination for people from all over the world because of its beauty, climate, modern infrastructure, standards of living and safety measures. Moreover, the cost of living in this country is relatively low compared to western countries. Many people from the US, Canada, Australia and Europe have moved to this Island country to open up their business, seek employment or retire.

The immigration law ensures that all foreigners within its territorial jurisdiction should comply with existing regulations of the Philippines. The law rules the entry, temporary stay, admission, residence and exit of all foreigners in the country. An immigration visa, passport visa, or reentry permit that is obtained by fraud or willful misrepresentation will result in cancellation. The cancellation will be issued by an officer or by the Board of Commissioners. Any lawful resident alien about to depart temporarily from the Philippines who desires a reentry permit may apply to the Commissioner of Immigration for such permit. Dual citizenship is not recognized in Philippines.

Different purposes of immigration

The Philippines has a growing economy with sectors like information technology, outsourcing, tourism, and more, offering employment opportunities to foreign professionals and skilled workers.

The Philippines is a popular retirement destination due to its affordable cost of living, beautiful landscapes, and warm climate. The government has established a Special Resident Retiree's Visa ("SRRV") program to attract retirees.

The Philippines has a growing economy with sectors like information technology, outsourcing, tourism, and more, offering employment opportunities to foreign professionals and skilled workers.

International students may immigrate to the Philippines to pursue higher education at universities and institutions offering a range of academic programs.

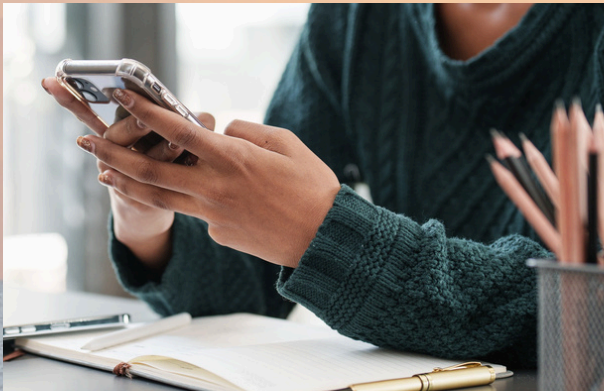
People may immigrate to the Philippines to join family members who are already residents or citizens of the country.

Foreign nationals who marry a Filipino citizen may choose to immigrate to the Philippines to live with their spouse.

Non- direct or other routes of immigration

Student Visa to Permanent Residency:

Some individuals initially come to the Philippines on a student visa to pursue higher education. After completing their studies, they may explore opportunities to transition to a work visa or permanent residency based on their skills and connections developed during their time in the country.



Volunteer and NGO Work

People interested in community development or humanitarian work may come to the Philippines as volunteers or through non-governmental organizations ("NGOs"). Over time, they might establish ties with the local community and consider more permanent residency options.

Cultural Exchange and Arts

Artists, performers, and individuals involved in cultural exchange programs might come to the Philippines for temporary engagements. If they establish connections and contribute to the local arts scene, they might explore options for staying longer-term.





Investor Route

While investing in a business in the Philippines could be a direct route to immigration, some individuals might take a more unconventional approach. They could begin by exploring investment opportunities that align with their interests and skills, and if successful, this could eventually lead to permanent residency.



Spouse of Foreign National

If a foreign national is residing in the Philippines due to work, study, or other reasons, their spouse might come to the Philippines to join them. This indirect route can lead to a change in immigration status based on their relationship.



Retirement through a different visa category

While the Special Resident Retiree's Visa (SRRV) is a direct option for retirees, some individuals might explore other visa categories that allow them to stay in the Philippines for extended periods and then consider transitioning to permanent residency.



Types of visas

Types of Visa

There are many different types of visa issued by the authorities of the Philippines to foreigners who wish to visit or stay in their country. These are:

- Temporary Visit Visa
- Transient Visa
- Seaman's Visa
- Treaty Trader/ Investor Visa
- Diplomatic Visa
- Student Visa
- Employment Visa (Prearranged)
- Special Non-Immigrant Visa
- Multiple Entry Special Visa
- Special Resident Visa

Work Visa

- Philippine Work Visa, which is issued to foreigners who will work for a Filipino company- There are three main types of Work Permits that the Philippines government issues:
- Alien Employment Permit ("AEP"), for foreigners who have a long-term work contract with a company in the Philippines.
- Special Work Permit ("SWP"), for foreigners who will work in a Filipino company or do a short term assignment for up to 6 months.
- Provisional Work Permit ("PWP"), for foreigners who still haven't received a Work Visa but want to start working while they wait. This is valid for up to three months and will become void once the Philippines Work Visa is issued.

Student visa

Philippine Student Visa, which is issued to foreigners who will pursue their studies in a Filipino educational institution-Foreign students over the age of 18 who want to pursue their higher education in an educational institution accredited by the Bureau of Immigration need a Philippines Student Visa.

Special Resident Retiree's Visa

Philippines immigration system allows a person of mor than 35 years old to apply for a Special Resident Retiree's Visa ("SRRV"). Once the permit is issued a PRA ID card is issued, which must be renewed annually. This SSR visa category is aimed at active and healthy retirees. It requires the person to maintain a fixed US\$20,000 deposit in an approved retirement account. This money must stay untouched for the totality of your stay in the Philippines, though it can be withdrawn after you leave.

Naturalisation

To be eligible for Philippine naturalization, the person must have resided in the country for at least 10 years, not have been convicted of any crime during this period, own real estate worth not less than PHP5,000 or have a lucrative business, profession or lawful occupation, be able to speak Tagalog or English or Spanish and have enrolled their minor children in any of the public or private schools recognized by the Bureau of Public Schools of the Philippines.



Licenses and documentations

“The Philippine Immigration Act of 1940.” lays down the requirement of documentation in Philippines. Immigrants must present for admission into the Philippines unexpired passports or official documents in the nature of passports issued by the governments of the countries to which they owe allegiance or other travel documents showing their origin and identity as prescribed by regulations, and valid immigration visas issued by consular officers, except that children born subsequent to the issuance of the immigration visa of an accompanying parent, the visa not having expired, shall not be subject these documentary requirements.

Section 17 of the Act lays down that no immigration visa shall be issued to an immigrant if the consular officer knows from statements in the application therefor or from the papers submitted therewith or otherwise has reason to believe that the immigrant is inadmissible into the Philippines under the immigration laws

Documents required for work visa- No immigration visa shall be issued to an immigrant if the consular officer knows from statements in the application therefor or from the papers submitted therewith or otherwise has reason to believe that the immigrant is inadmissible into the Philippines under the immigration laws



Documents required for student visa-

- Certificate of Acceptance from the school
- A Certificate of Good Moral Character, issued by your school
- A Certificate of Police Clearance issued by the authorities in your country
- Health Certificate, including an X-Ray, issued by an authorized medical practitioner
- Personal History Statement forms (forms you have to submit to the school you apply to, which detail your personal and family data, your physical appearance, educational background, etc)
- A list of any contacts you have in the Philippines
- Previous educational/academic qualifications (diploma or other)
- School Transcripts
- birth certificate
- Any other documents as requested by the Embassy/Consulate or the Bureau of Immigration in the Philippines



Recent changes

The proposed legislation also provided more clarity on the various visas which are available to foreign nationals. Under HB No. 8203, the current 9(a)/Temporary Visitor Visas are now classified as “A Visas,” which are further subdivided into three categories, namely: the “A-1 Visa,” which is available to aliens who come to the Philippines for temporary business activities, the “A-2 Visa,” which is granted to aliens coming for leisure, and the “A-3 Visa” which is for foreign nationals seeking entry for medical and health purposes.

The House of Representatives on Tuesday approved on second reading a priority bill of the Legislative Executive Development Advisory Council (“LEDAC”) that proposes to modernize the Bureau of Immigration (“BI”). The bill seeks to harmonize existing immigration laws, such as the Commonwealth Act No. 613 or the Philippine Immigration Act of 1940, in order to make them more responsive and in touch with international developments in the 21st century.

HB No. 8203 also reintroduced the current 9(g) visas as “G Visas” which are available to foreign nationals coming to the Philippines on pre-arranged employment, intra-corporate assignments, and to professionals, performing artists, athletes, and cultural exchange workers. The bill also creates a separate visa category for missionaries, religious ministers, and their dependents, who may now be issued with an “H Visa.” There are also new types of visas such as the “J Visa” which is available to foreign media workers, the “K Visa” which is available to foreign exchange visitors, and the “L-1” and “L-2 Visas” which are available to refugees and stateless persons, respectively.



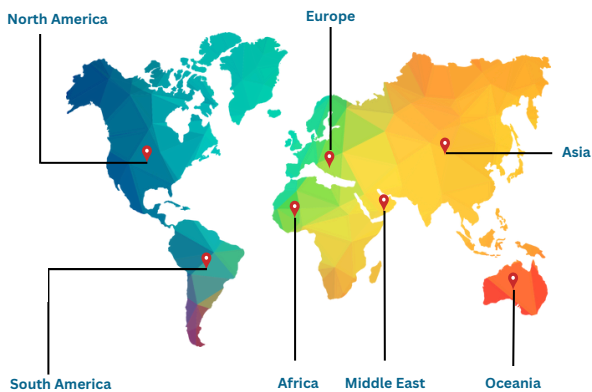


How we can help?

At Chandrawat & Partners, we provide full-service for immigration law including visa applications, sponsorship applications, interview preparation, appeals process and general counseling. Some of the services provided by our team are as follows:

- Our team work to help our clients apply for visas across the spectrum like employment, education, entertainment, business, and tourist visas.
- Our team also work with the internal application processes to ensure full compliance with the law.
- Our team can assist clients with single or multiple-entry business visas, social visas, visa-on-arrival, and visit visa extensions.
- Our team can assist clients in immigration audits, deportation cases, detainment cases, and administrative court cases.

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