

Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila

DEPARTMENT OF LABOR AND EMPLOYMENT	
Administrative Service Central Records Section-GSD	
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Department Order No. 120-12
Series of 2012

AMENDING CERTAIN PROVISIONS OF DEPARTMENT ORDER NO. 97-09 ENTITLED
REVISED RULES FOR THE ISSUANCE OF EMPLOYMENT PERMITS
TO FOREIGN NATIONALS

Pursuant to the provisions of Articles 5 and 40 of PD 442, as amended, the provisions of Rule XIV, Book I of its Implementing Rules and Regulations, Section 17(5), Chapter 4, Title VII of the Administrative Code of 1987, the following Rules are hereby promulgated:

Section 1. *The following provisions of Sec. 3 are amended as follows:*

- a.2. Photocopy of passport with visa, or Certificate of Recognition for Refugees or Stateless Persons
- a.5. Photocopy of current AEP (if for renewal), is hereby deleted.
- c. Additional position of the foreign national in the same company or subsequent assignment in related companies during the validity or renewal of the AEP will be subject for publication requirement and payment of publication fee. A change of position or employer shall require an application for new AEP.

Section 2. *Sec. 4 is amended as follows:*

Sec. 4. Fees. – Upon filing of application, the applicant shall pay a fee of Eight Thousand Pesos (P8,000.00) for an AEP with a validity of one year. In case the period of employment is more than one year, an additional Three Thousand Pesos (P3,000.00) shall be charged for every additional year or fraction thereof. In case of renewal, the applicant shall pay a fee of Three Thousand Pesos (P3,000.00) for each year of validity or fraction thereof.

A courier fee of Two Hundred Pesos (P200.00) shall be charged to the foreign national upon the implementation of the AEP online application system.

Any change of information or entries in the AEP shall be subject to payment of Seven Hundred Fifty Pesos (P750.00) for AEP replacement. In case of loss of AEP, request for replacement shall be supported by an Affidavit of Loss. All fees covered by official receipt issued by the Regional Office are non-refundable.

Section 3. *Sec. 5 is amended as follows:*

Sec. 5. Publication. - The Regional Office shall publish all applications for new AEP, additional position in the same company or subsequent assignment in related companies within two working days upon receipt of application. Any objection or information against the employment of the foreign national may be filed with the Regional Office within thirty (30) days after publication.

Section 4. Sec. 6 is amended as follows:

Sec. 6. Processing period. – Applications for new AEP shall be processed and an AEP shall be issued within twenty-four (24) hours after publication and payment of required fees and fines, if there is any. Applications for renewal of AEP shall be processed within twenty-four (24) hours after receipt.

Section 5. Sec. 7. Verification inspection is deleted.

Section 6. Sec. 10, paragraph c is amended as follows:

- c. the foreign national has been convicted of a criminal offense or a fugitive from justice; or

Section 7. Sec. 12. Suspension of AEP is deleted.

Section 8. The following provisions of Sec. 13 are amended as follows:

- d. meritorious objection or information against the employment of the foreign national;
- e. the foreign national has been convicted of a criminal offense or a fugitive from justice; or

Section 9. Sec. 15 is amended as follows:

Sec. 15. Fines for working without valid AEP and for employing foreign nationals without valid AEP. – The Regional Director shall impose a fine of Ten Thousand Pesos (P10,000.00) for every year or a fraction thereof on foreign nationals found working without valid AEP.

Employers found employing foreign nationals without a valid AEP shall also pay a fine of Ten Thousand Pesos (P10,000.00) for every year or a fraction thereof.

Newly hired, elected or appointed officers may file application for new AEP without penalty within fifteen (15) working days after signing of contract, election or appointment, or before the commencement of employment.

Section 10. Repealing Clause - All guidelines, rules and regulations, procedures and agreements inconsistent herewith are hereby repealed or modified accordingly.

Section 11. Effectivity - These Rules shall take effect after (15) days from the date of its publication in two (2) newspapers of general circulation.



DANILO P. CRUZ
Acting Secretary

29 February 2012