



**PHILIPPINE CONSULATE GENERAL
PRESS RELEASE**

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CONSULATE BULLETIN: MINORS TRAVELLING TO THE PHILIPPINES

NEW YORK- With the summer holidays upon us, many Filipinos in the U.S. take advantage of the opportunity to spend their vacations in the Philippines. In view of this, we are issuing this bulletin answering some Frequently Asked Questions regarding Filipino Minors Travelling Abroad, with information from the Department of Foreign Affairs (DFA) and the Department of Social Welfare and Development (DSWD):

FOREIGN MINORS TRAVELLING TO THE PHILIPPINES:

1. WHAT IS A WAIVER OF EXCLUSION GROUND (WEG)?

Under the provisions of the Philippine Immigration Act of 1940, foreign minors travelling unaccompanied by or not coming to a parent, are considered "excludable aliens" and must secure a "Waiver of Exclusion Ground" (WEG) issued by the Bureau of Immigration.

2. WHO ARE COVERED BY THIS REQUIREMENT?

As a general rule Foreign Nationals below 15 years old traveling alone to the Philippines, or accompanied by persons other than their parents must secure a WEG.

3. WHO ARE EXEMPTED FROM THE WEG REQUIREMENT?

- Foreign minors 15 years old and above;
- Foreign minors (unmarried and below 15 years old) with Philippine ancestry if they are accompanied by a Philippine grandfather, grandmother, guardian or relative, provided that the accompanying travel companion submits **proof of the children's Philippine ancestry** to the Bureau of Immigration at the port of entry. Parents of these children are also advised to execute an **Affidavit of Consent to Travel** wherein they should state the name of their children's travel companion and the latter's relations with their children. The Affidavit must be executed at the Philippine Consulate General.
- Foreign minors below 15 years old who have lawful residence in the Philippines or have been issued reentry permit;
- Dual Filipino-Foreign nationals/citizens who can show proof of Philippine citizenship (Philippine passport or Identification Certificate) in addition to a foreign passport.

4. DO MINORS TRAVELLING ALONE TO THE PHILIPPINES USING THEIR PHILIPPINE PASSPORTS NEED A WEG?

No, as Filipino citizens, they are not considered excludable. However, if they are departing from the Philippines alone or accompanied by persons other than their parent/s, they may need a Travel Clearance unless they are able to present documents exempting them from this regulation (more on Travel Clearance below).

5. WHAT ARE THE REQUIREMENTS FOR A WEG?

- a. Affidavit of Consent, Guaranty and Request for the Issuance of the Waiver Of Exclusion Ground (WEG) executed by either of the parent or both or by a legally appointed guardian of the child naming therein the person who will be accompanying the child to the Philippines and with whom the child will reside in the country (the said Affidavit must be submitted to the Consulate General prior to the child's departure for the Philippines and presented to the Bureau of Immigration upon arrival in the Philippines).
- b. Photocopy of the Birth Certificate of the child
- c. Photocopy of the data page of the child's passport

d. Photocopy of the passport of the accompanying adult or guardian

6. HOW DO I OBTAIN AN AFFIDAVIT OF CONSENT FOR THE WEG?

- The Affidavit of Consent may be filed at the Philippine Consulate General in person. The parent/s must bring the duly accomplished form (available for download from www.pcgny.net), a photocopy of the same, and two photocopies of two valid identification cards, one of which must be, preferably, his valid Philippine or US passport. The Consulate charges \$25.00 per notarization.
- If the person who will sign the affidavit of support and consent cannot come to the Consulate, and he is a resident of New York, New Jersey or Connecticut, he must comply with the following steps. First, he must have the affidavit of consent notarized by any local notary public. Second, he must bring the notarized affidavit to the office of the county clerk where the notary public is registered. The county clerk's office must attach a certification to the notarized affidavit that the notary public is registered in the county. After these two steps, anyone can bring the affidavit to the Consulate for authentication. The Consulate charges \$25.00 per authentication.
- If the person who will sign the affidavit of support and consent cannot come to the Consulate, and he is a resident of Delaware, Maine, Massachusetts, New Hampshire, Pennsylvania, Rhode Island or Vermont, he must comply with the following steps. First, he must have the affidavit of support and consent notarized by any local notary public. Second, he must bring the notarized affidavit to the office of the Secretary of State. The Office of the Secretary of State must attach a certification to the notarized affidavit that the notary public is registered in the state. After these two steps, anyone can bring the affidavit to the Consulate for authentication. The Consulate charges \$25.00 per authentication.
- The affidavit of support and consent may also be sent to the Consulate by mail. After following the steps mentioned above, the affidavit may be sent to the Consulate together with a money order payable to the Philippine Consulate and a self-addressed, self-stamped return envelope.

7. WHAT FEES MUST BE PAID?

- For processing the Affidavit of Consent to Travel (with all other documents attached), the Philippine Consulate General charges a fee of \$25.00
- For those who require WEG, upon arrival in the Philippine, the Bureau of Immigration charges the following fees, as of June 2009 (please check www.immigration.gov.ph for latest fee schedule):
 - a) Application fee: Php 2,000.00;
 - b) W.E.G. fee: Php 600.00;
 - c) Legal Research Fee: Php 20.00;
 - d) Express Lane fee: Php 500.00
- WEG application filed at the port of entry requires that the applicant leave the passport with the Bureau of Immigration, which will be released only after the WEG is secured.
- For Non-US passport holders arriving from the US, a copy of the Alien Registration Card or proof of legal residency in the US is required

8. IF MY STAY IN THE PHILIPPINES REQUIRES THAT I APPLY FOR A VISA, CAN I ALREADY APPLY FOR A VISA SIMULTANEOUS WITH MY APPLICATION FOR AN AFFIDAVIT OF CONSENT?

Yes, if entry or duration of stay requires a visa, one can apply for a visa simultaneous with the application for the Affidavit of Consent.

Visa requirements are: i) accomplished FA Form 2-A; ii) passport valid for at least 6 months beyond the proposed stay in the Philippines; iii) proof of financial capacity of parents; and iv) photocopy of airline ticket and travel itinerary. For the list of visa fees, please visit our website: www.pcgny.net

9. DO MINOR CHILDREN OF FILIPINOS/ FORMER FILIPINOS NEED A VISA TO TRAVEL TO THE PHILIPPINES WHEN USING A U.S. PASSPORT AND ARRIVING ALONE?

Like all US passport holders, if the duration of stay is more than 21 days, a visa will be needed (NOTE: Sufficient proof of Filipino ancestry must be presented upon arrival to avail of exemption from WEG requirements). See above for Visa requirements.

FILIPINO MINORS DEPARTING FROM THE PHILIPPINES:

1. WHAT IS A TRAVEL CLEARANCE FOR MINORS?

A travel clearance is a document issued by the DSWD to a Filipino child (below 18 years of age) traveling abroad alone or with someone other than his/her parents (DSWD Administrative Order No. 2, Series of 2006)

2. WHO NEEDS A TRAVEL CLEARANCE?

- A Filipino minor traveling alone to a foreign country ;
- A Filipino minor traveling to a foreign country accompanied by a person other than his or her parent/s.

3. WHO DOES NOT NEED TRAVEL CLEARANCE?

All minors other than those cited above, for example:

- a. A Filipino minor traveling to a foreign country with either parent or with his or her solo parent or legal guardian;
- b. A Filipino minor traveling abroad whose parents are in the Foreign Service
- c. A Filipino minor with permanent residency card - A minor who holds a valid pass such as dependents visa/pass/identification or permanent resident visa /pass/ identification card is no longer required to secure travel clearance from DSWD. A permanent residency card is a valid pass, proof that he/she is living with parents abroad and their travel does not constitute child trafficking; a holder of such is exempted from securing a travel clearance.
- d. A Filipino minor born abroad but has no permanent residency card - It depends on the minors citizenship or residency.
 - i. A minor who is not a Filipino citizen and holds a foreign passport is not required to secure a travel clearance.
 - ii. A minor who is a Filipino citizen and living abroad who does not hold a permanent resident visa /pass/identification card is required to secure a travel clearance.

4. IS A MARRIED MINOR REQUIRED TO SECURE A TRAVEL CLEARANCE?

A minor, regardless of civil status, who is traveling abroad alone or with person/s other than his/her parent is required to secure a travel clearance.

5. WHAT ARE THE REQUIREMENTS IN SECURING A TRAVEL CLEARANCE?

- Duly accomplished application form (application forms may be obtained from any DSWD-Field Office or maybe downloaded from the website www.dswd.gov.ph);
- Photocopy of the birth certificate or passport of the minor;
- A written consent of both parents or the solo parent or the legal guardian permitting the child to travel alone or with someone else to a foreign country;
- Photocopy of passport of traveling companion, for accompanied minors.

As appropriate,

- a. a photocopy of the marriage certificate of the minors parents or;
 - b. a photocopy of the certificate of legal guardianship of the minor or;
 - c. a photocopy of the solo parent identification card from the municipal social welfare and development office or Tallaq or Fasakh Certification from the Shariah court or any Muslim Barangay or religious leader;
 - d. in the case of an illegitimate minor, a certificate of no marriage from the local civil registrar;
 - e. in the case of a deceased parent, a photocopy of the death certificate;
- Two colored passport size photos of the minor taken within the last 6 months.
 - Please note that any official document issued by US authorities abroad such as marriage certificate, birth certificate, etc. must be duly authenticated by the Philippine Consulate General if it is to be presented before Philippine government agencies/authorities.

6. IS THERE A VALIDITY PERIOD FOR A TRAVEL CLEARANCE?

A DSWD travel clearance is valid for a period of one (1) year from the date of issuance and shall be valid for multiple travels within the validity period, provided the conditions under which the travel clearance was issued have not changed. If a change in condition occurs like a change in traveling companion, a new travel clearance must be obtained.

7. **HOW MUCH IS THE PROCESSING FEE FOR A TRAVEL CLEARANCE?**
The DSWD shall collect a processing fee for each travel clearance issued to minors traveling abroad under the following options:
Php 300.00 with validity of one (1) year.
Php 600.00 with validity of two (2) years.
8. **WHERE CAN ONE FILE THE APPLICATION FOR A TRAVEL CLEARANCE?**
The application for travel clearance, together with the supporting documents required shall be submitted / filed at any DSWD Field Office. On the appointed date, go to the nearest DSWD Field (regional) office which processed your application to submit the original copy of your supporting documents and pay Php300.00 per travel clearance certificate. The travel clearance certificate will be obtained thereafter.
9. **WHO WOULD GIVE CONSENT FOR THE TRAVEL OF A TOTALLY ORPHANED MINOR WHO HAS NO APPOINTED LEGAL GUARDIAN?**
Paternal/maternal grandparents who exercise parental authority over a minor whose parents are both deceased may issue the consent even without guardianship order from the Court. But in cases where both the paternal/maternal grandparents are deceased, relatives/acting guardians of the minor should work for their legal guardianship over the minor.
10. **WHAT ABOUT THOSE CHILDREN WHO'S PARENTS HAVE MARITAL CONFLICT AND ARE ON HOLD ORDER?**
A minor who is the subject of ongoing custody battle between parents will not be issued a travel clearance unless a Court Order is issued to allow the child to travel abroad with either one of his/her parents or authorized guardian. The family shall be responsible for notifying the Bureau of Immigration to include the name of the child/ren in the watch-list of minors travelling abroad. It is therefore the Bureau of Immigration's responsibility to ensure that no child under the watch-list order leaves the country.
11. **IS A FAXED COPY OF THE PARENTAL CONSENT OF PARENTS RESIDING ABROAD ACCEPTABLE?**
Yes, a faxed copy may be accepted by the DSWD. Likewise, a computer generated photo of minors and emailed documents are acceptable. The Philippine Consulate General New York does not process Travel Clearances.
12. **WHAT ARE THE REQUIREMENTS FOR ILLEGITIMATE CHILDREN ABANDONED BY THE MOTHER AND UNDER THE CUSTODY OF THE FATHER OR OTHER RELATIVES WHO WILL BE TRAVELING ALONE OR WITH THE FATHER OR OTHER RELATIVES?**
Since the mother has the absolute parental authority over her illegitimate children the father would need to secure a Court Order vesting in him the parental authority over the illegitimate children. If a parental authority has been granted to the father, and the minor will be traveling with the father, he is not required to secure a travel clearance. The father needs to bring a certified copy of the Court Order which immigration authorities may require to be presented upon departure. If the minor will travel alone or with someone other than the father, he/she is required to secure a travel clearance.

For updated information tailored to your specific needs, please visit the website of the Philippine Bureau of Immigration (<http://immigration.gov.ph/>) and the Philippine Department of Social Welfare and Development (<http://www.dswd.gov.ph/>). END.

Labanan ang Kahirapan

Ramdam ang Kaunlaran

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