

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 175

**STRENGTHENING THE POWERS OF THE SECRETARY OF JUSTICE OVER THE
BUREAU OF IMMIGRATION**

WHEREAS, the Bureau of Immigration performs a major role in the protection of the state against aliens who threaten national security, public health, public safety and national interest;

WHEREAS, Section 17, Article VI of the Constitution and Section 1, Chapter 1, Title I, Book III of Executive Order No. 292, series of 1987, otherwise known as the "Administrative Code of 1987", provide that the President shall have control of all executive departments, bureaus and offices and shall ensure that the laws are faithfully executed;

WHEREAS, under Administrative Order No. 142, series of 1994, limited functions to act on immigration matters were transferred to the Secretary of Justice or his duly authorized representative;

WHEREAS, Section 8, Chapter 3, Title I, Book III of the Administrative Code of 1987 provides that the President shall the power to deport aliens, subject to the requirements of due process;

WHEREAS, the Secretary of Justice acts as an alter ego of the President and bears the latter's implied or assumed approval, unless actually disapproved by the President;

WHEREAS, the Bureau of Immigration is under the control and supervision of the Department of Justice pursuant to Administrative Code of 1987;

WHEREAS, there is a need to strengthen the Department of Justice in its role of ensuring that the Bureau of Immigration would be a more effective and highly responsive organization to carry out necessary police measures of the government;

WHEREAS, the President has continuing authority to transfer any function under the Office of the President to any other department or agency, in accordance with Presidential Decree No. 1416, as amended by Presidential Decree No. 1772, and the Administrative Code of 1987;



NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, and the Constitution, do hereby order the following:

SECTION 1. *Transfer of Functions.* – The Secretary of Justice or his duly authorized representative shall have the power to act on immigration matters, including waiver of visas and admission of aliens, and to countermand decisions of the Board of Commissioners of the Bureau of Immigration under Section 10, Chapter 3, Title I, Book III of Executive Order No. 292, series of 1987.

SEC. 2. *Strengthened Authority.* – The Secretary of Justice shall have the power to transfer, detail, assign or reassign officials and personnel, including presidential appointees, of the Bureau of Immigration, notwithstanding the specific designation, group assignment, office or station stated in their respective appointments, as the best interest of the service may require, in accordance with the existing organizational set-up of the Bureau; Provided, that such transfer, detail, assignment or reassignment shall not affect the tenure of office of the concerned officials nor result in the change of status, demotion in rank and/or deduction in salary, and shall be made only in accordance with the civil service laws, rules and regulations.

SEC. 3. *Implementing Rules and Regulations.* – The Secretary of Justice shall issue the Implementing Rules and Regulations covering this Administration Order.

SEC. 4. *Repealing Clause.* – The provisions of Administrative Order No. 142, series of 1994, and all executive orders, administrative orders, proclamations, rules and regulations or parts thereof that are inconsistent with this Order are hereby repealed or modified accordingly.

SEC. 5. *Effectivity.* – This Administrative Order shall take effect fifteen (15) days following its publication in a national newspaper of general circulation.

DONE in the City of Manila, this 2nd day of April, in the year of our Lord, Two Thousand and Seven.

Gloria M. Arroyo



By the President:

Eduardo R. Ermita
EDUARDO R. ERMITA
Executive Secretary

