



DEPORTATION OF ALIENS

Sec 37. (a) The following aliens shall be arrested upon the warrant of the Commissioner of Immigration or of any other officer designated by him for the purpose and deported upon the warrant of the Commissioner of Immigration after a determination by the Board of Commissioners of the existence of the ground for deportation as charges against the alien.

1. Any alien who enters the Philippines after the effective date of this Act by means of false and misleading statements or without inspection and admission by the immigration authorities at a designated port of entry or at any place other than at a designated port of entry; [As amended by Republic Act No. 503, Sec. 13]
2. Any alien who enters the Philippines after the effective date of this Act, who was not lawfully admissible at the time of entry;
3. Any alien who, after the effective date of this Act, is convicted in the Philippines and sentences for a term of one year or more for a crime involving moral turpitude committed within five years after his entry to the Philippines, or who, at any time after such entry, is so convicted and sentenced more than once;
4. Any alien who is convicted and sentenced for a violation of the law governing prohibited drugs; [As amended by Republic Act No. 503, Sec. 13]
5. Any alien who practices prostitution or is an inmate of a house of prostitution or is connected with the management of a house of prostitution, or is a procurer;
6. Any alien who becomes a public charge within five years after entry from causes not affirmatively shown to have arisen subsequent to entry;
7. Any alien who remains in the Philippines in violation of any limitation or condition under which he was admitted as a non-immigrant;
8. Any alien who believes in, advises, advocates or teaches the overthrow by force and violence of the Government of the Philippines, or of constituted law and authority or who disbelieves in or is opposed to organized government, or who advises, advocates or teaches the assault or assassination of public officials because of their office, or who advises, advocates, or teaches the unlawful destruction of property, or who is a member of or affiliated with any organization entertaining, advocating or teaching such doctrines, or who in any manner whatsoever lends assistance, financial or otherwise, to the dissemination of such doctrines;
9. Any alien who commits any of the acts described in sections forty-five of this Act, independent of criminal action which may be brought against him: Provided, that in the case of alien who, for any reason, is convicted and sentenced to suffer both imprisonment and deportation, said alien shall first serve the entire period of his imprisonment before he is actually deported: Provided, however, that the imprisonment may be waived by the Commissioner of Immigration with the consent of the Department Head, and upon payment by the alien concerned of such amount as the Commissioner may fix and approved by the Department Head; [Paragraph added pursuant to Republic Act No. 144, Sec. 3]
10. Any alien who, at any time within five years after entry, shall have been convicted of violating the provisions of the Philippine Commonwealth Act Numbered Six hundred and fifty-three, otherwise known as the Philippine Alien Registration Act of 1941**(now Alien Registration Act of 1950, Republic Act No. 562, as amended) or who, at any time after entry, shall have been convicted more than once of violating the provisions of the same Act; [Added pursuant to Republic Act No. 503, Sec. 13]
11. Any alien who engages in profiteering, hoarding, or black-marketing, independent of any criminal action which may be brought against him; [Added pursuant to Republic Act No. 503, Sec. 13]

12. Any alien who is convicted of any offense penalized under Commonwealth Act Numbered Four hundred and seventy-three, otherwise known as the Revised Naturalization Laws of the Philippines, or any law relating to acquisition of Philippine citizenship; [Added pursuant to Republic Act No. 503, Sec. 13]
13. Any alien who defrauds his creditor by absconding or alienating properties to prevent them from being attached or executed. [Added pursuant to Republic Act No. 503, Sec. 13]

(b) Deportation may be effected under clauses 2, 7, 8, 11 and 12 of paragraph (a) of this section at any time after entry, but shall not be effected under any other clause unless the arrest in the deportation proceedings is made within five years after the cause for deportation arises. Deportation under clauses 3 and 4 shall not be effected if the court, or judge thereof, when sentencing the alien, shall recommend to the Commissioner of Immigration that the alien be not deported. [As amended by Republic Act No. 503, Sec. 13]

(c) No alien shall be deported without being informed of the specific grounds for deportation nor without being given a hearing under rules of procedure to be prescribed by the Commissioner of Immigration.

(d) In deportation proceeding involving the entry of an alien the burden of proof shall be upon the alien to show that he entered the Philippines lawfully, and the time, place, and manner of such entry, and for this purpose he shall be entitled to a statement of the facts in connection with his arrival as shown by any record in the custody of the Bureau of Immigration.

(e) Any alien under arrest in a deportation proceeding may be released under bond or under such other conditions as may be imposed by the Commissioner of Immigration.

Sec 38. An alien ordered deported shall, at the option of the Commissioner of Immigration, be removed to the country whence he came, or to the foreign port at which he embarked for the Philippines, or to the country of his nativity or of which he is a citizen or subject, or to the country in which he resided prior to coming to the Philippines.

Sec 39. If deportation proceedings are instituted within five years after entry, unless deportation is made by reason of causes which arose subsequent to the alien's entry, the cost of deportation from the port of deportation shall be at the expense of the owner or owners of the vessel by which the alien came, if that is not practicable, in such case and in all other cases, the cost of deportation shall be payable from the appropriations available for the purpose.

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