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JOURNAL

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Tips for obtaining a visitor's visa

MANY people are disappointed when they apply for a visitor's visa, and are refused. They come with all the documents, such as bank statements, land titles, invitation letter, etc. They spent the days before the interview going to church to pray for visa approval. They have a legitimate reason for going to the US and have every intention of returning to the Philippines. So how come they were refused? How does a person increase his chances of getting a visitor's visa?

- Here are a few simple tips:
1. Tell the truth at your interview.
 2. Make sure all of your documents are true, genuine, and legitimate. (As opposed to forged, altered, or counterfeit, or bought on Recto Street.)
 3. Prove to the Consular

Officer that you have "reasonably good and permanent employment, meaningful business or financial connections, close family ties, or social or cultural associations, which would indicate a strong inducement". In other words, prove you will return to the Philippines after you have visited the US, and you will not go "TNT".

There are two basic types of visitor's visas:

1. Visitor for Pleasure. This means that a person is coming to the US for "legitimate activities of a recreational character, including tourism, amusement, visits with friends or relatives, rest, medical treatment, and activities of a fraternal, social, or service nature". In other words, you are coming to visit family or friends, Disneyland, etc.
2. Visitor for Business. This refers to "conventions, conferences, consultations, and other legitimate activities of a commercial or pro-

fessional nature." This would include taking orders for goods manufactured abroad, negotiating contracts, consulting with business associates, etc.

Visitor visas do not allow a person to work in the US. So, do not think that once you arrive in the US, you can start working. If the Consular Officer believes that your true intention in going to the US is to find work, this alone may be sufficient grounds to deny your visitor's visa.

To be eligible for a visitor's visa (whether for business or pleasure) you must prove to the Consular Officer, among other things:

1. You have a residence in a foreign country (such as the Philippines, Saudi Arabia, Hong Kong, etc.), which you have no intention of abandoning.
2. You intend to enter the

US for a period of specifically limited duration (i.e. one month, six months, etc).

3. You are going to the US for the sole purpose of engaging in legitimate activities relating to business or pleasure.

4. You have made adequate financial arrangements, so you can demonstrate to the Consular Officer that you will be able to support yourself (and your family while you are away) and/or carry out the purpose of your trip. This would include showing that you have enough money for hotels, food, etc, for your trip, so you will not have to work in the US in order to be able to support yourself while you are here.

5. You should have specific and realistic plans, not just vague and uncertain intentions, for the entire period of your contemplated visit. In

other words, the Consular Officer will want to know where you will be going, where you will be staying, how long you will be staying at each place, how you will get from place to place, etc.

There is no reason for you to be nervous, start crying, or faint, when the Consul starts asking you questions. But please understand that they have a job to do, and rules and regulations to follow. There are various requirements that must be met. The Consular Officer must be fully satisfied that you meet those requirements, before a visitor's visa can be issued.

Unfortunately, some people who apply for visitor's visas promise to return to the Philippines. But, after arriving in the US, they overstay and go TNT. That is why the Consular Officer wants to make sure that if you go to the US, you

will come back to the Philippines.

Michael J. Gurfinkel is licensed, and an active member of the State Bar of California and New York. All immigration services are provided by, or under the supervision of, an active member of the State Bar of California. Each case is different. The information contained herein (including testimonials, "Success Stories", endorsements and re-enactments) is of a general nature, and is not intended to apply to any particular case, and does not constitute a prediction, warranty, guarantee or legal advice regarding the outcome of your legal matter. No attorney-client relationship is, or shall be, established with any reader.

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(Advertising Supplement)

PLDT, Ayala Group lead in corporate governance

by ZINNIA B. DELA PEÑA
Philstar.com

MANILA—Telecommunications giant Philippine Long Distance Telephone Co. (PLDT) and the Ayala Group led in the latest survey of the top listed companies implementing international standards of corporate governance, the Institute of Corporate Directors (ICD) revealed last April 23.

The survey, which covered a total of 169 publicly-listed firms, is a joint undertaking among the ICD, the Securities and Exchange Commission and the Philippine Stock Exchange.

In the 2008 Corporate Governance Scorecard, the top 15 corporations had an average score of 94 percent while the next 15 had an average score of 90 percent.

Aside from PLDT, four out of the top five companies with the highest corporate governance scores among listed companies comprised the Ayala Group — holding firm Ayala Corp. and its subsidiaries Ayala Land, Bank of the Philippine Islands and Globe Telecom.

ICD chairman and former Finance Secretary Jesus Estanislao said the average score for listed companies covered by the survey was 72 percent, or seven points higher than the 65 percent recorded in 2007 and a mere 54 percent in 2006. The highest score achieved by an individual firm was 99 percent while the lowest was 33 percent.

Rounding out the top 15 companies that secured honors for corporate governance are (in alphabetical order) Aboitiz Equity Ventures Inc., ABS-CBN Broadcasting Corp., Cebu Property Ventures and Development Corp., Centro Escolar University, Philippine National Oil Co.-Energy Development Corp., First Philippine Holdings Corp., Manila Water Co., Petron Corp. and Semirara Mining Corp.

The survey is based on five internationally recognized corporate governance principles namely, shareholder rights, shareholder equity, roles of stakeholders, disclosure and transparency and board responsibilities.

Estanislao said the survey is consistent with best practices in East Asia and the Organization for Economic Cooperation and Development (OECD), composed of 30 highly-industrialized countries committed to democracy and market economy.

He said the foundations for globally-competitive corporations are laid in the boardroom because governance policies help ensure that companies place the interests of their shareholders at the heart of their deliberations and decisions.

"Through corporate governance policies, the owners of a corporation ensure that it pursues the mandate to protect the interests of the investing public. Corporate boards are held accountable for successfully governing and providing direction to the corporation," Estanislao said.

The first Corporate Governance scorecard was conducted in 2005, with only 49 firms participating. ■

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BUSINESS

Quote of the Week

"In the past seven years, the IMF has consistently underestimated Philippine GDP growth forecast by an average of about half a percentage point. There are fundamental forces in the economy that would help it to withstand global shocks and avoid a major slippage in growth."

—Bangko Sentral ng Pilipinas (BSP) Gov. Amando M. Tetangco Jr. in response to a recent International Monetary Fund (IMF) report on RP's growth rate