



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao

MINISTRY OF LABOR AND EMPLOYMENT OFFICE OF THE MINISTER

Bangsamoro Government Center, Gov. Gutierrez Ave., RH- VII, Cotabato City 9600



IMPLEMENTING RULES AND REGULATIONS OF BOOK I, TITLE VI OF THE BANGSAMORO AUTONOMY ACT (BAA) NO. 82 OR AN ACT INSTITUTING A LABOR AND EMPLOYMENT CODE FOR THE BANGSAMORO AUTONOMOUS REGION TO AFFORD PROTECTION TO LABOR, PROMOTE EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT, ENSURE INDUSTRIAL PEACE BASED ON SOCIAL JUSTICE, AND FOR OTHER & RELATED PURPOSES

Pursuant to Section 270 of Bangsamoro Autonomy Act No. 82 or an Act Instituting a Labor and Employment Code for the Bangsamoro Autonomous Region to Afford Protection to Labor, Promote Employment and Human Resources Development, Ensure Industrial Peace Based on Social Justice, and for Other & Related Purposes, the following implementing rules and regulations are hereby issued:

RULE I GENERAL PROVISIONS

Section 1. Title. – These rules and regulations shall be known as the “*Implementing Rules and Regulations of the Book I, Title VI of the Bangsamoro Autonomy Act No. 82, also known as Bangsamoro Labor and Employment Code of 2025*”.

Section 2. Coverage. – This Rules shall apply to any foreign national seeking admission to the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) for employment purposes, and any domestic or foreign employer who desires to engage a foreign national for employment in the BARMM.

For this purpose, the Bangsamoro Government may enter into agreement with the appropriate national government agencies.¹

RULE II DEFINITION OF TERMS

Section 1. Definition of Terms. – The following shall mean and be referred to as:

- a) **Alien Employment Permit (AEP)** is a permit issued by the MOLE to a foreign national who, consistent with national and/or regional development objectives, has the capacity and qualifications to be engaged in gainful employment by an employer in the BARMM in a position which no person in the BARMM who is competent, able, and willing to perform at the time the application for AEP is filed.
- b) **Applicant** refers to a domestic or foreign employer who intends to hire a foreign national in the BARMM for employment purposes and who files an application for an AEP for this purpose, or a foreign national who files an application for exemption

¹ Section 53, Paragraph 1 of BAA No. 82, also known as the “*Bangsamoro Labor and Employment Code of 2025*”.



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or exclusion for AEP in accordance with this Rules. The term includes the foreign national in whose name the application is filed.

- c) **Bureau of Labor Relations and Standards (BLRS)** refers to a bureau under the Ministry of Labor and Employment in-charge with the regulation of the issuance of AEP in the BARMM.
- d) **Employer** refers to any individual or juridical entity desiring to engage, is engaging, or has engaged, directly or indirectly, the services of a foreign national in the context of an employer-employee relationship. It includes any person acting in the interest of the employer.
- e) **Minister** refers to the head of Ministry of Labor and Employment.
- f) **Refugee** is a person who, owing to a well-founded fear of being persecuted by reason of race, religion, nationality, or membership in or affiliation with any particular social group or political opinion, is outside the country of his or her nationality and is unable, owing to such fear, to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his or her formal habitual residence, is unable or unwilling, owing to such fear, to return to it.
- g) **Stateless Person** is a person who is not considered as a national by any State under the operation of its law.
- h) **Understudy Training Program (UTP)** refers to a training plan of an employer which is granted fiscal incentives by the Government, or is engaged in priority or strategic areas of investments, or is operating a public utility designed to transfer technology or skills possessed by a foreign national to at least two (2) understudies who are regular employees of the employer and who are next-in-rank to such foreign national.

RULE III
ALIEN EMPLOYMENT PERMIT

Section 1. Registration of Foreign Nationals. – All employed foreign nationals in BARMM shall register with the Bureau of Labor Relations and Standards (BLRS) under such guidelines as may be issued by Ministry of Labor and Employment (MOLE).

Section 2. Employment Permit of Foreign National. – The covered foreign national or employer shall first secure an Alien Employment Permit (AEP) from MOLE prior to the actual start of his/her employment under such guidelines on the issuance, exemptions, validity, renewal, denial, and cancellation of the employment permits,



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including the establishment of an understudy program in the applicant enterprise as one of the bases for approval as may be issued by MOLE.²

Section 3. Publication Requirements. – An employment permit may be issued to a foreign national or to the applicant-employer only after MOLE has published the application for the position and subsequently certified the non-availability of a person in the BARMM who is competent, able, and willing at the time of application to perform the services for which the foreign national is desired.³

Section 4. Requirements for Alien Employment Permit Application. – The application for an AEP shall be accompanied by the following:

- a) Curriculum vitae duly signed by the applicant indicating his/her educational background, work experience and other data showing that he/she possesses high technical skills in his/her trade or profession;
- b) Contract of employment between the employer and the foreign national worker which shall embody the following, among others:
 - 1) That the foreign national worker shall comply with all applicable national and BARMM laws, rules and regulations;
 - 2) That the foreign national worker and the employer shall bind themselves to train at least two (2) Bangsamoro Understudies for a period to be determined by the Minister; and
 - 3) That he/she shall not engage in any gainful employment other than that for which he/she was issued a permit.
- c) A designation by the employer of at least two (2) Bangsamoro Understudies for every foreign national worker. Such understudies must be the next-in-rank regular employees in the section or department for which the foreign nationals are being hired to ensure the actual transfer of technology.

Section 5. Issuances of Alien Employment Permit. – The Minister of Labor and Employment may issue an AEP to the applicant based on:

- a) Compliance by the applicant and his/her employer with the requirements of Section 5 hereof;
- b) Report of the BLRS Director as to the availability or non-availability of any person in the BARMM who is competent, able, and willing to do the job for which the services of the applicant are desired;
- c) BLRS Director's assessment as to whether or not the employment of the applicant will redound to the regional and national interest;

² Section 53, Paragraph 4 of BAA No. 82, also known as the "Bangsamoro Labor and Employment Code of 2025".

³ Section 53, Paragraph 2 of BAA No. 82, also known as the "Bangsamoro Labor and Employment Code of 2025".



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- d) Admissibility of the foreign nationals as certified by the Bureau of Immigration (BI);
- e) The recommendation of the Bangsamoro Board of Investments (BBOI), Bangsamoro Economic Zone Authority (BEZA) or other appropriate government agencies if the applicant will be employed in preferred areas of investments or in accordance with imperatives of economic developments; and
- f) Payment of a P6,000.00 fee, subject to adjustment under the guidelines issued by the MOLE.

Section 6. Duration of Alien Employment Permit. – Subject to renewal upon showing of good cause, the AEP shall be valid for a minimum period of one (1) year, unless a shorter or longer period is specified based on the duration of the employment or activity as stated in the employment contract or other modes of engagement, and unless sooner revoked by the Minister of Labor and Employment for violation of any provisions of the Bangsamoro Labor and Employment Code (BLEC) of 2025 or of this Rules. In no case shall the period of validity of an AEP exceed three (3) years starting from the date of its issuance.

Section 7. Advice to Bureau of Immigration. – The BLRS shall advise the BI on the issuance of an employment permit to an applicant.

Section 8. Understudy Training Program. – The employer shall submit a training program for his/her understudies to the BLRS within thirty (30) days upon arrival of the alien workers. The supervision of the training program shall be the responsibility of the BLRS and shall be in accordance with standards established by the Minister.

Section 9. Exemption from Alien Employment Permit. – Exemptions from the requirement of AEP shall be based on international treaties or conventions⁴, such as:

- a) Dependent spouse of any member of the diplomatic corps, provided there is an existing reciprocity agreement and/or exchange of notes between the Philippine Government and the diplomat's country of origin;
- b) Any accredited official and personnel of an international organization with which the Philippine government has entered into an agreement, and the dependent spouse of such official or personnel;
- c) Any foreign national who is an officer, staff or employee of his or her country's embassy in the Philippines;

⁴ Section 53, Paragraph 4 of BAA No. 82, also known as the "Bangsamoro Labor and Employment Code of 2025".



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- d) Any foreign national who is an officer, staff or employee of a peacekeeping or international organization, either deployed in the Philippines or invited by a non-governmental organization and accredited, endorsed or certified by the appropriate government agency;
- e) Any foreign national who comes to the Philippines to teach, present or conduct research in a university or college or in a government agency as a visiting, exchange or adjunct professor under a formal agreement between the Philippine and foreign university or college, or between the Philippine government and the sending government;
- f) Any foreign national who is a permanent, probationary or temporary resident visa holder;
- g) Any refugee or stateless person recognized by the Department of Justice (DOJ) pursuant to Article 17 of the 1951 and 1954 United Nations (UN) Conventions Relating to Status of Refugees and Stateless Persons; and
- h) Any foreign national exempted by law.

Section 10. Exclusion from Alien Employment Permit. – The following categories of foreign nationals are excluded from obtaining an employment permit:

- a) Members of the governing board with voting rights only, who do not intervene in the management of the corporation or in the day-to-day operation of the enterprise;
- b) The president and treasurer who are part-owners of the company;
- c) Those providing consultancy services who do not have employers in the Philippines; and
- d) Intra-corporate transferees who are managers, executives, or specialists, as defined in accordance with trade agreements, and employees of foreign service suppliers with at least one (1) year of continuous employment prior to deployment to a branch, subsidiary, affiliate, or representative office in the Philippines.⁵

Section 11. Fines and Penalty. – Any foreign national who are employed, and any domestic or foreign employer who engaged a foreign national for employment in the BARMM, without securing an Alien Employment Permit from MOLE shall be separately fined an amount of not less than One Hundred Thousand Pesos (PHP 100,000.00) but not more than Five Hundred Thousand Pesos (PHP500,000.00).⁶

⁵ Section 54 of BAA No. 82, also known as the "Bangsamoro Labor and Employment Code of 2025".

⁶ Section 53, Paragraph 5 of BAA No. 82, also known as the "Bangsamoro Labor and Employment Code of 2025".



After the issuance of an employment permit, a foreign national who transferred to another job or changed his or her employer without the prior approval of MOLE shall be separately fined an amount of not less than Fifty Thousand Pesos (PHP50,000.00) but not more than One Hundred Thousand Pesos (PHP100,000.00).⁷

In both cases, MOLE may also order the closure of the involved establishments.

An employer may be subjected to multiple fines for every foreign national under its employ who is found guilty of this Section.

In addition to such penalty, any foreign national found guilty of this Section shall be endorsed for deportation proceedings to the appropriate national government agency.

Section 12. Submission of List. – Any employer of foreign nationals shall submit a list to MOLE within thirty (30) days from the effectivity of this Rules and thereafter annually, not later than the thirtieth (30th) day of January, indicating the names, citizenship, foreign and local addresses, nature of employment, and status of stay in the country of each foreign national employed.⁸

Section 13. Transitory Provision of this Rules. – In all cases of a new application, or where a Department of Labor and Employment (DOLE)-issued permit has expired prior to the effectivity of the guidelines of Title VI, Book I of Bangsamoro Labor and Employment Code of 2025, the new application or renewal shall be filed with DOLE.⁹

Section 14. Repealing clause. – All guidelines, issuances, procedures and agreements inconsistent herewith are hereby repealed or modified accordingly.

Section 15. Separability clause. – In case any provision of this Rules shall be declared invalid, illegal or unenforceable by competent authority, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

Section 16. Effectivity clause. – This Rules shall take effect prospectively fifteen (15) days after its publication in the Bangsamoro Gazette or a newspaper of regional circulation in the BARMM.



MUSLIMIN G. SEMA
Minister

⁷ Section 55, Paragraph 2 of BAA No. 82, also known as the "Bangsamoro Labor and Employment Code of 2025".

⁸ Section 56 of BAA No. 82, also known as the "Bangsamoro Labor and Employment Code of 2025".

⁹ Section 57 of BAA No. 82, also known as the "Bangsamoro Labor and Employment Code of 2025".