

THIRTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

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S E N A T E

S. No. 355

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

This bill seeks to amend RA 8239, otherwise known as the "Philippine Passport Act of 1996" to give life to the Constitutional right to travel guaranteed under Article III, Section 6 of the 1987 Constitution which provides in part "Neither shall the right to travel be impaired except in the interest of national security, public safety, or public health, as may be provided by law."

To safeguard the right to travel, the state has the obligation to preserve and maintain the integrity of a passport as a travel document. Cases of stolen blank passport forms and fake documentary evidences presented for the issuance of a passport persist, perpetuated presented by a criminal syndicates that have mastered the art of forgery and/or who are in cahoots with corrupt government officials by profit instead of upholding the integrity of public service for the public good.

This bill seeks to expand the coverage of punishable acts and the corresponding penalties related to passport forgery. It also aims to institute the safeguards on the issuance and amendment of diplomatic and restricted passports thus giving back the dignity and respect that a passport as a travel document deserves.

In particular, this proposed measure.

1. emphasizes that a passport is a document superior to all other official documents, thus any act prejudicial to its integrity is a grave crime against the state to be penalized accordingly;
2. expands the list of punishable acts such as accepting applications without lawful authority, selling application forms or lost or stolen passports to facilitate their processing while at the same time also ensuring their integrity;
3. further rationalizes the requirements for the issuance of passports to facilitate their processing while at the same time also ensuring their integrity;
4. vest the secretary of Foreign Affairs with the discretion, after due notice and hearing, to deny issuance or cancel the same in the interest of national security and public interest;

5. increases the penalty of passport-related offenses from eighteen (18) months-six (6) years to six (6) years and one (1) day to twelve (12) years.

In view of the foregoing, early passage of this bill is earnestly requested.



SERGIO OSMEÑA III
Senator

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Introduced by Senator S. R. Osmeña III

AN ACT
TO FURTHER PROTECT THE INTEGRITY OF A PASSPORT, AMENDING FOR
THE PURPOSE REPUBLIC ACT NO. 8239, OTHERWISE KNOWN AS THE
"PHILIPPINE PASSPORT ACT OF 1996", AND FOR OTHER PURPOSES

*Be it enacted by the Senate and the House of Representatives of the Republic of the
Philippines in Congress assembled:*

1 SECTION 1. Section 5 of Republic Act No. 8239 is hereby amended to
2 read as follows:

3 "SEC. 5. **Requirements for the issuance of Passport.** – No
4 passport shall be issued to an applicant unless the Secretary or his duly
5 authorized representative is satisfied that the applicant is a Filipino citizen
6 who has complied with the following requirements:

7 "a. A duly accomplished application form and photographs of such
8 number, size and style as may be prescribed by the
9 Department;

10 "b. The APPLICANT'S birth certificate duly [issued or]
11 authenticated by the Office of the Civil Registrar General OR
12 ITS LOCAL CIVIL REGISTRAR: Provided, [however] That if
13 [the birth of] the applicant [has not been registered yet,] WAS
14 BORN BEFORE 1950 [or if] AND his birth certificate [is] HAS
15 BEEN destroyed, damaged, or IS not available due to other
16 causes, [he shall apply for delayed registration of his birth with

1 the Office of the Civil Registrar General which shall issue to
2 said applicant a certification of pending application for delayed
3 registration of birth attaching thereto a copy of an
4 accomplished certificate of live birth. Such certification and the
5 accomplished certificate of live birth shall be sufficient to
6 support an application for passport in addition to other papers
7 which the Department may require from the applicant] HE
8 SHALL PRESENT A BAPTISMAL CERTIFICATE ISSUED BY
9 A CHRISTIAN RELIGIOUS ORGANIZATION OR SIMILAR OR
10 EQUIVALENT CERTIFICATE ISSUED BY A NON-CHRISTIAN
11 RELIGIOUS GROUP, ATTESTING TO THE APPLICANT
12 HAVING BEEN ADMITTED TO SUCH RELIGIOUS GROUP
13 OR SECT AT AN EARLY AGE WHERE IT IS INDICATED
14 THAT THE APPLICANT IS A FILIPINO CITIZEN AND
15 ACCOMPANIED WITH A JOINT AFFIDAVIT BY TWO
16 PERSONS WHO HAVE PERSONAL KNOWLEDGE OF THE
17 APPLICANT AND OF SUCH AGE AS TO CREDIBLY STATE
18 THE APPLICANT'S DATE AND PLACE OF BIRTH,
19 DITIZENSHIP AND NAME OF PARENTS; *PROVIDED,*
20 *FURTHER,* THAT FILIPINOS WHO DO NOT SUBSCRIBE TO
21 ANY RELIGION AND WHOSE PARENTS FOR ANY REASON
22 FAILED TO HAVE THE APPLICANT BAPTIZED SHALL BE
23 EXEMPTED FROM THE REQUIREMENT TO PRESENT A
24 BAPTISMAL CERTIFICATE PRESCRIBED HEREIN AND IN
25 LIEU THEREOF, THE APPLICANT SHALL EXECUTE AN
26 AFFIDAVIT TO THAT EFFECT DULY CORROBORATED BY
27 THE AFIDAVIT OF AT LEAST TWO PERSONS OF GOOD
28 REPUTATION WHO PERSONALLY KNOW SUCH FACT;
29 *PROVIDED, FURTHER,* THAT, IF THE APPLICANT WAS

1 BORN IN OR AFTER 1950 AND HIS BIRTH CERTIFICATE
2 HAS BEEN DESTROYED, DAMAGED OR IS NOT
3 AVAILABLE AT THE OFFICE OF THE CIVIL REGISTRAR
4 GENERAL OR THE LOCAL CIVIL REGISTRAR DUE TO
5 OTHER CAUSES, HE SHALL BE REQUIRED TO FILE A
6 DELAYED REGISTRATION OF BIRTH WITH THE LOCAL
7 CIVIL REGISTRAR; *PROVIDED, FINALLY*, THAT THIS
8 PROVISION SHALL NOT PREVENT LATE REGISTRANTS
9 BORH BEFORE 1950 FROM APPLYING FOR A DELAYED
10 REGISTRATION OF BIRTH.

11 “[c) In the absence of a birth certificate, a baptismal certificate for
12 those who are members of a Christian religious organization, or
13 similar or equivalent certificate issued by a non-Christian
14 religious group, attesting to the applicant’s having been
15 admitted to such religious group or sect at an early age and
16 where it is indicated that the applicant is a Filipino citizen,
17 which should be accompanied by a joint affidavit by two (2)
18 persons who have personal knowledge of the applicant and of
19 such age as to credibly state the applicant’s date and place of
20 birth, citizenship, and names of parents: *Provided*, That
21 Filipinos who do not believe in any religion and whose parents
22 for any reason failed to have the said applicant baptized shall
23 be exempted from the baptismal certificate requirement:
24 *Provided, further*, That in lieu thereof, the applicant shall
25 execute an affidavit to that effect duly corroborated by affidavit
26 of at least two (2) persons of good reputation who personally
27 know such fact;]

28 “C) THE APPLICANTS VOTERS IDENTIFICATION R AFFIDAVIT
29 DULY ISSUED BY THE COMMISSION ON ELECTIONS IN

1 THE LOCALITY WHERE THE APPLICANT IS A
2 REGISTERED VOTER IF THE APPLICANT IS AT LEAST
3 EIGHTEEN (18) YEARS OF AGE;

4 “d) In case of a MARRIED woman who [is] OPTS TO ADOPT THE
5 SURNAME OF HER HUSBAND, AN AUTHENTICATED COPY
6 OF HER MARRIAGE CONTRACT: *PROVIDED*, THAT A
7 *married[,] WOMAN WHO IS [separated, divorced or] widowed*
8 *or DIVORCED IN ACCORDANCE WITH ARTICLE 26 OF*
9 *EXECUTIVE ORDER NO. 209, AS AMENDED BY*
10 *EXECUTIVE ORDER NO. 227, OTHERWISE KNOWN AS*
11 *“THE FAMILY CODE OF THE PHILIPPINES OF 1988”, OR*
12 *whose marriage has been annulled or declared by ANY court*
13 *OF LAW as void AND WHO OPTS TO REVERT TO THE USE*
14 *OF HER MAIDEN NAME, [a copy of the certificate of marriage,*
15 *court decree of separation, divorce or annulment or certificate*
16 *of] SHALL PRESENT AN AUTHENTICATED death*
17 *CERTIFICATE of [the deceased] HER spouse, [duly issued*
18 *and authenticated by the Office of the Civil Registrar General:*
19 *Provided, That in case of {a} OR AN AUTHENTICATED COPY*
20 *OF THE divorce decree[,] or court decree of ANNULMENT, [or*
21 *declaration of marriage as void, the woman applicant may*
22 *revert to the use of her maiden name: *Provided, further,* That*
23 *such divorce is recognized under existing laws of the*
24 *Philippines] AS THE CASE MAY BE;*

25 “e) In the case of naturalized citizens, a [certified] copy of the
26 naturalization certificate DULY ISSUED AND
27 AUTHENTICATED BY THE OFFICE OF THE CIVIL
28 REGISTRAR GENRAL; *PROVIDED*, THAT, IN CASE OF
29 DERIVATIVE NATURALIZATION, THE APPLICANT SHALL

1 BE REQUIRED TO PRESENT A COPY [or a certified] OF THE
2 naturalization certificate of HIS [husband or] parent OR
3 SPOUSE duly issued and authenticated by the Office of the
4 Civil Registrar General [if citizenship is claimed through
5 naturalization of spouse or parent];

6 "f) For [an] MINOR applicantS [who has not reached the age of
7 majority, an affidavit of consent from a parent as indicated in
8 the passport application] PERSONAL APPERANCE OF
9 EITHER PARENT SHALL BE REQUIRED: *PROVIDED*, THAT,
10 IF A PERSON OTHER THAN THE MINOR'S PARENT FILES
11 THE APPLICATION, A SPECIAL POWER OF ATTORNEY
12 DULY EXECUTED BY EITHER PARENT SHALL BE
13 PRESENTED FOR THIS PURPOSE; *PROVIDED, FURTHER*,
14 THAT [if the] minor PASSPORT APPLICANTS [is] travelling
15 with either parent[,] SHALL PRESENT THE PASSPORT OF
16 HIS TRAVELLING COMPANION; *PROVIDED, FINALLY*,
17 THAT, [and a clearance from the Department of Social Welfare
18 and Development,] if [the minor] HE is NOT travelling with [a
19 legal guardian or a person other than a] EITHER parent, AN
20 AFFIDAVIT OF SUPPORT AND CONSENT FROM EITHER
21 PARENT SHALL BE SUBMITTED;

22 "g) if the applicant is [an adopted person] FOR ADOPTION BY
23 FOREIGN PARENTS UNDER R.A. NO. 8043, OTHERWISE
24 KNOWN AS THE "INTERCOUNTRY ADOPTION ACT OF
25 1995", the [duly] certified TRUE copy of THE court [order of
26 adoption] DECREE OF ABANDONMENT OF CHILD, DEATH
27 CERTIFICATE OF THE CHILD'S PARENT, OR THE DEED OF
28 VOLUNTARY COMMITMENT EXECUTED BY EITHER
29 PARENT AFTER BIRTH OF THE CHILD: *PROVIDED*, THAT

1 [together with the original and amended] THE
2 AUTHENTICATED birth OR FOUNDING certificate[s],
3 PLACEMENT AUTHORITY AND THE FORMAL
4 ENDORSEMENT OF THE CHILD TO THE INTER-COUNTRY
5 ADOPTION BOARD [duly issued and authenticated by the
6 Office of the Civil Registrar General shall be presented:
7 *Provided*, That in case the adopted person is an infant or a
8 minor or the applicant is for adoption by foreign parents, and
9 authority from] OF the Department of Social Welfare and
10 Development [shall be required:] ARE PRESENTED [*Provided*,
11 *further*, That the adopting foreign parents shall also submit a
12 certificate from their embassy or consulate that they are
13 qualified to adopt such infant or minor child]; AND

14 “[h) In case of discrepancy between the applicant’s name in the
15 birth certificate and in any other private documents, the former
16 shall prevail over the latter unless by operation of law or
17 through court order, the applicant is permitted to use name
18 other than what is officially recorded in the Civil Register; and]

19 “[i) H) If the applicant is a government OFFICIAL OR employee,
20 [the] A travel authority [issued by the head of department,
21 agency or office may be] FROM THE APPROPRIATE HEADS
22 OF AGENCIES SHALL BE required [only] if [said applicant] HE
23 is applying for A DIPLOMATIC AND/OR [an] official passport.”

24 **SEC. 2.** Section 6 of the same Act is hereby amended to read as follows:

25 “SEC. 6. **Application.** – The application [may] SHALL be filed by
26 ANY OF THE FOLLOWING:

27 “a) The applicant himself or herself [; or] *PROVIDED*, THAT, IF
28 THE PERSON IS APPLYING FOR A PASSPORT FOR THE
29 FIRST TIME, HE OR SHE SHALL PRESENT HIMSELF OR

1 HERSELF IN PERSON TO PROVE THAT HE OR SHE IS THE
2 SAME PERSON AND OF THE AGE CLAIMED IN THE
3 APPLICATION FORM; *PROVIDED, FURTHER*, THAT THIS
4 REQUIREMENT MAY BE WAIVED WHEN THE APPLICANT IS
5 NOT MORE THAN EIGHT (8) YEARS OF AGE, OR AT LEAST
6 SIXTY (60) YEARS OLD, OR MENTALLY OR PHYSICALLY
7 INCAPACITATED; OR

8 “b) The parent or legal guardian on behalf of an applicant who is
9 below the age of majority [.] OR A SENIOR CITIZEN AT
10 LEAST SIXTY (60) YEARS OLD, OR VERBALLY AND
11 PHYSICALLY CHALLENGED; OR

12 “[In case of first time applicants, the applicant must present
13 himself/herself in person to prove that he or she is the same
14 person and of the age claimed in the application form. In case of
15 renewal the application may be filed by any licensed travel agency
16 duly accredited by the Department of Foreign Affairs: *Provided*,
17 That the agent shall be responsible for the authenticity or bona fide
18 of the supporting documents being presented to meet the
19 requirement for the application of passports.]

20 “C) A LICENSED TRAVEL OR RECRUITMENT AGENCY DULY
21 ACCREDITED BY THE DEPARTMENT OF FOREIGN
22 AFFAIRS: *PROVIDED*, THAT THE AGENT SHALL BE
23 RESPONSIBLE FOR THE AUTHENTICITY OF THE
24 SUPPORTING DOCUMENTS BEING PRESENTED TO
25 MEET THE REQUIREMENT FOR THE APPLICATION OF
26 PASSPORTS.

27 “THE DEPARTMENT SHALL HAVE THE RIGHT TO
28 REQUIRE ALTERNATIVE DOCUMENTS AS MAY BE

1 SPECIFIED IN THE IMPLEMENTING RULES AND
2 REGULATIONS FORMULATED TO ENFORCE THIS LAW.”

3 **SEC. 3.** Section 7 of the same Act is hereby amended to read as follows:

4 “SEC. 7. **Types of Passports.** – The Secretary or the authorized
5 representative or consular officer may issue the following types of
6 passports:

7 a) Diplomatic passports [for persons imbued] ISSUED TO
8 PERSONS with diplomatic status or are on diplomatic mission such as:

9 “1. The President and former Presidents of the Republic of the
10 Philippines;

11 “2. The Vice-President and former Vice-President of the Republic
12 of the Philippines;

13 “3. The INCUMBENT Senate President and the INCUMBENT
14 Speaker of the House of Representatives;

15 “4. The INCUMBENT Chief Justice AND ASSOCIATE JUSTICE of
16 the Supreme Court;

17 “5. The Cabinet Secretaries OF ALL DEPARTMENTS OF THE
18 EXECUTIVE BRANCH, [and] the Undersecretaries and Assistant
19 Secretaries of the Department of Foreign Affairs, AND THE SECRETARY
20 OF THE SENATE AND THE SECRETARY GENERAL OF THE HOUSE
21 OF REPRESENTATIVES:

22 “6. Ambassadors, CHIEFS OF MISSION, Foreign Service Officers
23 of all ranks in the career diplomatic service[,] INCLUDING DESIGNATED
24 FOREIGN SERVICE Attaches, AND DESIGNATED ATTACHES FROM
25 OTHER GOVERNMENT AGENCIES, and member of their families;

26 “7. Members of [the] Congress when on official mission abroad or
27 as delegates to international conferences;

1 "8. The Governor of the Bangko Sentral ng Pilipinas and delegates
2 to international or regional conferences when on official mission or
3 accorded full powers by the President; and

4 "9. Spouses and [unmarried] minor children INCLUDING
5 UNMARRIED CHILDREN WHO ARE OF AGE BUT DEPENDENT [of]
6 ON the above-mentioned officials when accompanying or following to join
7 them in an official mission abroad.

8 "The President of the Philippines and the Secretary of the
9 Department of Foreign Affairs may grant diplomatic passports to officials
10 and persons other than those enumerated herein who are on official
11 mission abroad.

12 "b) Official passports [to be] issued to all government officials and
13 employees on official trip abroad but who are not on a
14 diplomatic mission or delegates to international or regional
15 conferences or have not been accorded diplomatic status such
16 as:

17 "1. Undersecretaries and Assistant Secretaries of the Cabinet
18 other than the Department of Foreign Affairs, the PRESIDING
19 JUSTICE AND Associate Justices OF THE COURT OF
20 APPEALS, [and] other members of the Judiciary, [members of
21 the Congress] and all other government officials and
22 employees travelling on official business and official time;

23 "2. Staff officers and employees of the Department of Foreign
24 Affairs assigned to diplomatic and consular posts and officers
25 and representatives of other government departments and
26 agencies assigned abroad;

27 "3. Persons in the domestic service and household members of
28 officials assigned to diplomatic or consular posts[;] NOT
29 EXCEEDING TWO (2);

1 "4. Spouses and unmarried minor children of the officials
2 mentioned above when accompanying or following to join
3 them[.];

4 "5. FORMER SENATE PRESIDENTS AND SPEAKERS OF THE
5 HOUSE OF REPRESENTATIVES;

6 "6. RETIRED CHIEF JUSTICES AND ASSOCIATE JUSTICES OF
7 THE SUPREME COURT.

8 "c) Regular Passport issued to Filipino citizens who are not eligible
9 or entitled to diplomatic or official passports, including
10 government officials or employees going abroad for pleasure
11 or other personal reasons. Government officials and
12 employees and members of their families may, during their
13 incumbency in office, hold two passports simultaneously: (1) a
14 regular passport for private travel; (2) a diplomatic or official
15 passport when travelling abroad on diplomatic or official
16 business. The wife and minor children of persons entitled to a
17 diplomatic or official passport shall be issued regular
18 passports, if they are not accompanying or following to join
19 them."

20 **SEC. 4.** Section 8 of the same Act is hereby amended to read as follows:

21 "SEC. 8. ***Grounds for Denial, Cancellation or Restrictions.*** –

22 The application for passport may be denied, cancelled or restricted only
23 on the following grounds:

24 "a) Denial of Passport

25 "1. On orders of the court, after due notice and hearing, to hold the
26 departure of an applicant because of a pending criminal case;

27 "2. When so requested by the natural or legal guardian, if the
28 applicant is a minor;

1 "3. When the applicant has been found to have violated any of the
2 provisions of this Act;

3 "4. FAILURE OF APPLICANT TO PRESENT DOCUMENTARY
4 REQUIREMENTS TO SUPPORT THE PASSPORT
5 APPLICATION;

6 "5. UPON LAWFUL ORDER OF THE SECRETARY OF FOREIGN
7 AFFAIRS, AFTER DUE NOTICE AND HEARING, WHEN HE
8 DEEMS IT NECESSARY IN THE INTEREST OF NATIONAL
9 SECURITY OR PUBLIC SAFETY;

10 "6. CANCELLATION OF APPLICANT'S PASSPORT UNDER
11 SECTION 8 (B) HEREOF; AND

12 "[4] 7. Such other disqualification under existing laws.

13 "b) Cancellation OF PASSPORT

14 "1. When the holder is a fugitive from justice; OR

15 "2. When the holder [has] HAD been convicted BY FINAL
16 JUDGMENT of a criminal offense: Provided, That [the passport
17 may be restored after service of sentence] HE SHALL BE
18 ELIGIBLE TO APPLY FOR A NEW PASSPORT AFTER
19 GRANT OF PROBATION, SERVICE OF SENTENCE, GRANT
20 OF CONDITIONAL OR ABSOLUTE PARDON, OR ISSUANCE
21 OF AMNESTY; or

22 "3. [When a passport was acquired fraudulently or tampered with.]
23 UPON FINDING BY THE SECRETARY OF FOREIGN
24 AFFAIRS OR HIS AUTHORIZED REPRESENTATIVE OR
25 CONSULAR OFFICER OR UPON RECOMMENDATION OF
26 THE COMMISSIONER OF THE BUREAU OF IMMIGRATION
27 THAT A PASSPORT HAS BEEN ACQUIRED THROUGH
28 FRAUD OR MISREPRESENTATION OR HAS BEEN

1 TAMPERED WITH SUBSEQUENT TO ITS RELEASE OR
2 ISSUANCE; OR

3 "4. UPON LAWFUL ORDER OF THE SECRETARY OF FOREIGN
4 AFFAIRS, AFTER DUE NOTICE AND HEARING, WHEN HE
5 DEEMS IT NECESSARY IN THE INTEREST OF NATIONAL
6 SECURITY OR PUBLIC SAFETY.

7 "c) ISSUANCE OF Restricted PASSPORTS.

8 "1. When the country of destination is in a state of political
9 instability [which] AND could pose a danger to the Filipino
10 traveler;

11 "2. When THE COUNTRY OF DESTINATION HAS SEVERED
12 diplomatic ties[have been fractured or severed] with the
13 Philippines;

14 "3. When the country of destination is subject to travel restriction
15 by government policy, enforcement of action by the United
16 Nations or in a state of war[.];

17 "4. WHEN TRAVEL HAS BEEN AUTHORIZED BY A
18 COMPETENT COURT OR THE OFFICE OF THE PRESIDENT
19 TO A SPECIFIED DESTINATION ONLY; AND

20 "5. WHEN THE APPLICANT'S SUPPORTING DOCUMENTS
21 APPEAR INADEQUATE TO ESTABLISH PHILIPPINE
22 CITIZENSHIP AND THE TRAVEL IS FOR URGENT MEDICAL
23 REASONS AS CERTIFIED BY A PHYSICIAN, OR TO
24 ATTEND TO A SERIOUSLY ILL FAMILY MEMBER WITHIN
25 THE SECOND DEGREE OF CONSANGUINITY OR
26 AFFINITY."

27 **Sec. 5.** Section 10 of the same Act is hereby amended to read as follows:

28 "SEC. 10. **Validity.** – Regular passports issued under this Act
29 shall be valid for a period of five (5) years: *Provided*, however, That the

1 issuing authority may limit the period of validity to less than five (5)
2 years[;] whenever in the national economic interest or political stability of
3 the country, OR WHENEVER THE SECRETARY OF FOREIGN
4 AFFAIRS DEEMS THAT NATIONAL SECURITY, PUBLIC SAFETY OR
5 PUBLIC HEALTH SO REQUIRES, OR WHENEVER THE
6 SUPPORTING DOCUMENTS APPEAR INADEQUATE TO ESTABLISH
7 FILIPINO CITIZENSHIP AND THE TRAVEL IS FOR URGENT
8 MEDICAL REASONS AS CERTIFIED BY A PHYSICIAN, OR TO
9 ATTEND TO A SERIOUSLY ILL FAMILY MEMBER WITHIN THE
10 SECOND DEGREE OF CONSANGUINITY OR AFFINITY, such
11 restriction is necessary[;] *Provided, finally,* That a new passport may be
12 issued to replace one which validity has expired, the old passport being
13 returned to the holder after cancellation.

14 "AFTER THE EXPIRATION OF THE FIVE YEAR PERIOD OF
15 VALIDITY, THE DEPARTMENT OF FOREIGN AFFAIRS MAY
16 REVALIDATE A PASSPORT FOR A VALIDITY PERIOD OF NOT LESS
17 THAN TEN (10) YEARS: *PROVIDED,* THAT, NO SUCH PASSPORT
18 SHALL BE ISSUED TO ANY INDIVIDUAL UNDER TWENTY (20
19 YEARS OLD.

20 "DIPLOMATIC AND OFFICIAL PASSPORT SHALL BE
21 SUBMITTED TO THE DEPARTMENT FOR REVALIDATION BEFORE
22 EACH DEPARTURE OF THE HOLDER: *PROVIDED, HOWEVER,*
23 THAT MEMBERS OF CONGRESS AND THE JUDICIARY SHALL BE
24 EXEMPTED FROM SUBMITTING THEIR DIPLOMATIC AND/OR
25 OFFICIAL PASSPORTS FOR VALIDATION; *PROVIDED, FURTHER,*
26 THAT MEMBERS OF CONGRESS AND OF THE JUDICIARY SHALL
27 BE REQUIRED TO OBTAIN TRAVEL AUTHORITY FROM THE
28 SENATE PRESIDENT IN THE CASE OF SENATORS, THE SPEAKER
29 OF THE HOUSE IN THE CASE OF THE MEMBERS OF THE HOUSE

1 OF REPRESENTATIVES AND THE CHIEF JUSTICE OF THE
2 SUPREME COURT FOR THE MEMBER FOR THE JUDICIARY.”

3 **SEC. 6.** Section 14 of the same Act is hereby amended to read as
4 follows:

5 “SEC. 14. **Amendments.** – A passport may be amended at the
6 request of the holder for any [lawful purpose,] OF THE FOLLOWING
7 PURPOSES, PROVIDED [but] THAT such amendment should be
8 approved by the Secretary or his duly authorized diplomatic or consular
9 officers[.];

10 “(A) AMENDMENT OF A WOMAN’S NAME DUE TO MARRIAGE;
11 OR

12 “(B) AMENDMENT OF A WOMAN’S NAME DUE TO DEATH OF
13 SPOUSE, ANNULMENT OF MARRIAGE OR ISSUANCE OF A
14 DIVORCE DECREE GRANTED BY A FOREIGN COURT CONSISTENT
15 WITH ARTICLE 26 OF EXECUTIVE ORDER NO. 209, AS AMENDED
16 BY EXECUTIVE ORDER NO. 227, OTHERWISE KNOWN AS THE
17 FAMILY CODE OF THE PHILIPPINES OF 1988.

18 “[Diplomatic and official passports shall be submitted for
19 revalidation before each departure of the holder.]

20 “AMENDMENT MAY NOT BE MADE DUE TO ERROR IN
21 SCRIPTING OR DISCREPANCY IN THE PERSONAL DATE OF THE
22 HOLDER.”

23 **SEC. 7.** Section 17 of the same Act is hereby amended to read as
24 follows:

25 “SEC. 17. **Passport Revolving Fund.** – The Department may
26 charge a REASONABLE service fee [of not more than Two Hundred Fifty
27 Pesos (P250)] for such service rendered to applicants relating to the
28 processing and issuance of passports requiring special consideration,
29 waiver or issuance beyond regular office hours. The service fees

1 received by the Department under this section shall constitute a revolving
2 fund to be called the "Passport Revolving Fund" which may be utilized by
3 the Department for the improvement of its [passporting] PASSPORT and
4 consular services and other Department services except travel and
5 transportation allowances and expenses.

6 "The setting up, use and disbursement of funds shall be subject to
7 review, accounting and auditing rules and regulations of the Commission
8 on Audit and will be subject to an annual review by Congress, [but] AND
9 the Secretary [will] SHALL submit a report on the disbursement of the
10 fund [every six (6) months] ANNUALLY to both the Senate and the House
11 Committees on Foreign Relations."

12 **SEC. 8.** Section 19 of the same Act is hereby amended to read as
13 follows:

14 "SEC. 19, ***Offenses and Penalties.*** – A passport being a
15 proclamation of the citizenship of a Filipino, is a document that is
16 superior to all other official documents[.] AND As such, it should be
17 accorded the highest respect by its holder [that to do damage to its
18 integrity and validity is a serious crime that should be penalized
19 accordingly:]. ANY ACT PREJUDICIAL TO ITS INTEGRITY IS A GRAVE
20 CRIME AGAINST THE STATE AND SHALL BE PENALIZED
21 ACCORDINGLY:

22 "a) Offenses Relating to Issuances: Penalties – Any person who:

23 "1. Acting or claiming to act in any capacity or office under the
24 Republic of the Philippines, without lawful authority, ACCEPTS
25 PASSPORT APPLICATIONS, grants, issues or verifies any passport or
26 travel document to any or for any person whomsoever OR IS CAUGHT
27 SELLING IN WHATEVER CAPACTIY ANY PASSPORT APPLICATIONS
28 FORMS OR LOST OR STOLEN PASSPORTS AND TRAVEL
29 DOCUMENTS, shall be punished by a fine of not less than Fifteen

1 thousand pesos (P15,000.00) nor more than Sixty thousand pesos
2 (P60,000.00) and imprisonment of not less than [eighteen (18) months
3 nor more than] six (6) years AND ONE (1) DAY NOR MORE THAN
4 TWELVE (12) YEARS; or

5 "2. Being a diplomatic or consular official authorized to grant,
6 issue, amend or verify passports, knowingly and willfully grants, issues,
7 amends or verifies any such passport to any or for any person not owing
8 allegiance to the Republic of the Philippines, whether citizen or not, shall
9 be punished by a fine of not less than Fifteen thousand pesos
10 (P15,000.00) nor more than Sixty Thousand Pesos (P60,000.00) and
11 imprisonment of not less than [eighteen (18) months but not more than]
12 six (6) years AND ONE (1) DAY BUT NOT MORE THAN TWELVE (12)
13 YEARS, and upon conviction, be PERPETUALLY disqualified from
14 holding [appointive] public office; OR

15 "3. Being a diplomatic consular officer knowingly and willfully
16 grants and issues to, amend or certifies to the authenticity of any
17 passport or travel document for any person not entitled thereto, or
18 knowingly and willfully issues more than one passport to any person
19 except as provided for in this Act, shall be punished by a fine of not less
20 than Fifteen thousand pesos (P15,000.00) nor more than Sixty thousand
21 pesos (P60,000.00) and imprisonment of not less than [eighteen (18)
22 months nor more than] six (6) years AND ONE (1) DAY BUT NOT MORE
23 THAN TWELVE (12) YEARS, and upon conviction, be disqualified from
24 holding [appointive] public office.

25 "b) Offenses Relating to False Statements: Penalties – any person
26 who willfully and knowingly:

27 "1. Makes any false statement in any application for passport with
28 the intent to induce or secure the issuance of a passport under the
29 authority of the Philippine Government, either for his own use or the use

1 of another, contrary to this Act or rules and regulations prescribed
2 pursuant hereto shall be punished by a fine of not less than Fifteen
3 thousand pesos (P15,000.00) nor more than Sixty thousand pesos
4 (P60,000.00) and imprisonment of not less than [three (3)] SIX (6) years
5 AND ONE (1) DAY nor more than [ten (10)] TWELVE (12) years; or

6 "2. Uses or attempts to use any passport which was secured in
7 any way by reason of any false statements, shall be punished by a fine of
8 not less than Fifteen thousand peso (P15,000.00) nor more than Sixty
9 thousand pesos (P60,000.00) and imprisonment of not less than [three
10 (3)] SIX (6) years AND ONE (1) DAY, but not more than [ten (10)]
11 TWELVE (12) years[;or].

12 "[3. Travel and recruitment agencies whose agents, liaison officers
13 or representatives are convicted of offenses relating to false statements
14 shall in addition to the fines and penalties above-mentioned have their
15 license revoked with all deposits, escrow accounts or guarantee funds
16 deposited or made as a requirement of their business forfeited in favor of
17 the government without prejudice to the officials of the branch office or of
18 the agency being charged as accessories to the offense and upon
19 conviction barred from engaging in the travel or recruitment agency
20 business.]

21 "c) Offenses Relating to Forgery: Penalties – Any person who:

22 "1. Falsely makes, forges, counterfeits, mutilates or alters any
23 passport or travel documents, DEPARTMENT STAMPS, or any
24 supporting document for a passport application, with the intent of using
25 the same shall be punished by a fine of not less than Sixty thousand
26 pesos (P60,000.00) nor more than One hundred fifth thousand pesos

1 (P150,000.00) and imprisonment of not less than six (6) year nor more
2 than fifteen (15) years; or

3 "2. Willfully or knowingly uses or attempts to use, or furnishes to
4 another for use any such false, forged, counterfeited, mutilated or altered
5 passport or travel document or any passport validly issued which has
6 become void by the occurrence of any condition therein prescribe shall
7 be punished by a fine of not less than Sixty thousand pesos (P60,000.00)
8 nor more than One hundred and fifty thousand pesos (P150,000.00) and
9 imprisonment of not less than six (6) years nor more than fifteen (15)
10 years: *Provided, however,* That officers of corporations, agencies or
11 entities licensed in the travel and recruitment industry *would be held*
12 *similarly liable as their agents, liaison officers or representatives:*
13 *Provided, finally,* That forgeries of five or more passports or travel
14 documents, would be considered as massive forgery tantamount to
15 national sabotage and shall be punished by a fine of not less than Two
16 hundred and fifty thousand pesos (P250,000.00) nor more than One
17 Million pesos (P1,000,000.00) and imprisonment of not less than seven
18 (7) years nor more than seventeen (17) years.

19 "d) Offense Relating to Improper Use: Penalties – Any person who
20 willfully and knowingly:

21 "1. Uses or attempts to use, any passport issued or designed for
22 the use of another or any supporting documents for a passport
23 application which belongs to another; or

24 "2. Uses or attempts to use any passport or supporting document
25 in violation of the conditions or restriction therein contained, or of the
26 rules prescribed pursuant thereto; or

1 "3. Furnishes, disposes, or delivers a passport to any person, [for
2 use by another or other than the person for whose use it was originally
3 issued or designed] OTHER THAN THAT IN WHOSE NAME AND FOR
4 WHOSE USE IT WAS ISSUED, DESIGNED OR INTENDED, EXCEPT
5 WHEN THE APPLICANT IS A MINOR, A SENIOR CITIZEN OVER
6 SIXTY (60) YEARS OLD OR PHYSICALLY OR MENTALLY
7 INCAPACITATED AND THE PASSPORT IS RELEASED TO HIS
8 PARENT, GUARDIAN OR IMMEDIATE RELATIVE: *PROVIDED*, THAT,
9 IN CASE OF AN EMERGENCY AND FOR HUMANITARIAN REASONS,
10 THE HEAD OF THE OFFICE OF CONSULAR AFFAIRS OR THE HEAD
11 OF THE CONSULAR SECTION OF ANY EMBASSY OR THE CONSUL
12 GENERAL OF A CONSULATE MAY, UPON HIS DISCRETION,
13 RELEASE THE PASSPORT TO A THIRD PARTY UPON THE
14 SUBMISSION OF A WRITTEN AUTHORIZATION FROM THE
15 APPLICANT; or

16 "4. Defaces or destroys a Philippine passport, shall be a punished
17 by a fine of not less than Sixty thousand pesos (P60,000.00) nor more
18 than One hundred fifty thousand pesos (P150,000.00) and imprisonment
19 of not less than six (6) years nor more than fifteen (15) years.

20 "TRAVEL AND RECRUITMENT AGENCIES WHOSE OFFICERS,
21 AGENTS, LIAISON OFFICERS OR REPRESENTATIVES ARE
22 CONVICTED OF OFFENSES RELATING TO IMPROPER USE SHALL BE
23 BARRED FROM ENGAGING IN THE TRAVEL AND RECRUITMENT
24 AGENCY BUSINESS.

25 "e) Offenses Relating to Multiple Possession: Penalties – No
26 person or individual may hold more than one valid passport, except as
27 provided for in Section 7 hereof, and any individual who possesses more
28 than one unexpired passport shall, for every unexpired passport found in

1 his possession, be punished by a fine of not less than Fifteen thousand
2 pesos (P15,000.00) nor more than Sixty thousand pesos (P60,000.00)
3 and imprisonment of not less than [eighteen (18) months] SIX (6) YEARS
4 AND ONE (1) DAY but not more than [six (6)] TWELVE (12) years:
5 *Provided*, That the maximum fine and imprisonment shall be imposed by
6 the court if he attempts to use or actually uses an unexpired passport
7 which is not in his name.

8 "In case any of the offenses prohibited in this Act constitutes a
9 violation of the Revised Penal Code and the Penalty imposed in said
10 Code is heavier than that provided in this Act, the latter penalty shall be
11 imposed.

12 "F) OFFENSES RELATING TO FORGERY OF VISAS AND
13 ENTRY DOCUMENTS; PENALTIES. – ANY PERSON WHO

14 "1. KNOWINGLY FORGES, COUNTERFEITS, ALTERS, OR
15 FALSELY MAKES ANY IMMIGRANT OR NON-IMMIGRANT VISA,
16 PERMIT, BORDER CROSSING, ALIEN REGISTRATION CARD, OR
17 OTHER DOCUMENTS PRESCRIBED BY STATUTE OR REGULATION
18 FOR ENTRY INTO OR AS EVIDENCE OF AUTHORIZED STAY OR
19 EMPLOYMENT IN THE PHILIPPINES OR ELSEWHERE, OR UTTER,
20 USES, ATTEMPTS TO USE, POSSESSES, OBTAIN, ACCEPTS, OR
21 RECEIVES ANY SUCH VISA, PERMIT, BORDER CROSSING CARD,
22 ALIEN REGISTRATION RECEIPT CARD, OR OTHER DOCUMENTS
23 PRESCRIBED BY STATUTE OR REGULATION FOR ENTRY INTO OR
24 AN EVIDENCE OF AUTHORIZED STAY OR EMPLOYMENT IN THE
25 PHILIPPINES OR ELSEWHERE, KNOWING IT TO BE FORGED,
26 COUNTERFEITED, ALTERED, OR FALSELY MADE, OR HAVE BEEN
27 PROCURED BY MEANS OF ANY FALSE CLAIM OR STATEMENT, OR
28 TO HAVE BEEN OTHERWISE PROCURED BY FRAUD OR

1 UNLAWFULLY OBTAIN: *PROVIDED*, THAT, THE USE OF FORGED,
2 COUNTERFEITED, ALTERED, OR FALSELY MADE VISA, PERMIT,
3 BORDER CROSSING CARD, ALIEN REGISTRATION CARD, OR
4 OTHER ENTRY DOCUMENT SHALL BE PRIMA FACIE EVIDENCE OF
5 KNOWLEDGED; OR

6 "2. EXCEPT UNDER DIRECTION OF THE DEPARTMENT OF
7 FOREIGN AFFAIRS, OR OTHER PROPER OFFICER, KNOWINGLY
8 POSSESSES ANY BLANK PERMIT, OR ENGRAVES, SELLS, BRINGS
9 INTO THE PHILIPPINES, OR HAS IN HIS CONTROL OR POSSESSION
10 ANY PLATE IN THE LIKENESS OF A PLATE DESIGNED FOR THE
11 PRINTING OF PERMITS, OR MAKES ANY PRINT, PHOTOGRAPH OR
12 IMPRESSION IN THE LIKENESS OF ANY IMMIGRANT OR NON-
13 IMMIGRANT VISA, PERMIT OR OTHER DOCUMENT REQUIRED FOR
14 ENTRY INTO THE PHILIPPINES OR ELSEWHERE, OR HAS IN HIS
15 POSSESSION A DISTINCTIVE PAPER WHICH HAS BEEN ADOPTED
16 BY THE DEPARTMENT OF FOREIGN AFFAIRS FOR THE PRINTING
17 OF SUCH VISAS, PERMITS OR DOCUMENTS SHALL BE PUNISHED
18 BY A FINE OF NOT LESS THAN FIFTEEN (15) THOUSAND PESOS
19 (P15,000.00) NOR MORE THAN SIXTY (60) THOUSAND PESOS
20 (P60,000.00) AND IMPRISONMENT OF NOT LESS THAN THREE (3)
21 YEARS, BUT NOT MORE THAN TEN (10) YEARS: *PROVIDED*, THAT,
22 THE PERSON WHO FORGES, CUNTERFEITS, ALTERS, OR FALSELY
23 MAKES ANY IMMIGRANT OR NON-IMMIGRANTS VISA, PERMIT
24 BORDER CROSSING CARD, ALIEN REGISTRATION CARD, OR
25 OTHER ENTRY DOCUMENT SHALL BE PUNISHED WITH A FINE OF
26 NOT LESS THAN SIXTY (60) THOUSAND PESOS (P60,000.00) NOR
27 MORE THAN ONE HUNDRED FIFTY THOUSAND PESOS
28 (P150,000.00) AND IMPRISONMENT OF NOT LESS THAN SIX (6)

1 YEARS NOR MORE THAN FIFTEEN (15) YEARS FOR EACH VISA OR
2 ENTRY DOCUMENT.”

3 **SEC. 9.** Section 20 of the same Act is hereby amended to read as
4 follows:

5 “SEC. 20. *Suspension/REVOCAION of accreditation.* – [Any
6 duly accredited travel or recruitment agent or agency which violates the
7 prescription on application for passport under Section 6 hereof shall have
8 such accreditation suspended without prejudice to civil, criminal or
9 administrative sanctions including revocation of its license to operate.]
10 TRAVEL OR RECRUITMENT AGENCIES ARE ALLOWED THE
11 PRIVILEGE TO TRANSACT BUSINESS WITH THE DEPARTMENT ON
12 THE BASIS OF TRUST AN CONFIDENCE. FOR THE EXERCISE OF
13 THIS PRIVELEGE, TRAVEL AND RECRUITMENT AGENCIES SHALL
14 BE REQUIRED TO SECURE ACCREDITATION FROM THE
15 DEPARTMENT.

16 “A TRAVEL OR RECRUITMENT AGENCY WHICH VIOLATES
17 ANY PROVISION OF THIS ACT SHALL HAVE ITS ACCREDITATION
18 SUSPENDED OR REVOKED IN ACCORDANCE WITH THE
19 SCHEDULE OF ADMINISTRATIVE PENALTIES TO BE FORMULATED
20 BY THE DEPARTMENT. ANY SUCH SUSPENSION OR REVOCATION
21 OF ACCREDITATION SHALL BE WITHOUT PREJUDICE TO CIVIL OR
22 CRIMINAL SANCTIONS AGAINST THE AGENCY, ITS OFFICERS,
23 AGENTS AND EMPLOYEES.

24 “The mere submission of spurious, forged or falsified documents
25 supporting a passport application by any duly accredited travel or
26 recruitment agent or agency shall be prima facie evidence that the said

1 travel or recruitment agent or agency is the author of such forgery of
2 falsification.”

3 **SEC. 10.** All laws or parts thereof, decrees, orders, rules and regulations
4 inconsistent with the provisions of this Act are hereby repealed or modified
5 accordingly.

6 **SEC. 11.** If any provision of this Act is unconstitutional or invalid, the
7 other provisions not affected shall remain in full force and effect.

8 **SEC. 12.** This Act shall take effect after fifteen (15) days following its
9 complete publication in at least two (2) newspapers of general circulation.

10 Approved,