

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session



14 MAY 15 P 4 :22

SENATE
S.B. **2229**

RECEIVED BY: *jr*

Introduced by Senator Sonny Angara

AN ACT PROVIDING FOR A NEW PASSPORT LAW, REPEALING FOR THE PURPOSE REPUBLIC ACT NUMBERED EIGHT THOUSAND TWO HUNDRED THIRTY-NINE (R.A. NO. 8239), OTHERWISE KNOWN AS THE "PHILIPPINE PASSPORT ACT OF 1996"

EXPLANATORY NOTE

Article III, Section 6 of the 1987 Constitution provides that the right to travel shall not be "impaired except in the interest of national security, public safety, or public health, as may be provided by law." Pursuant to this, Congress enacted Republic Act No. 8239 or the Philippine Passport Act of 1996. Under that law, it is the duty of government to issue passports or any travel document to any citizen or individual who complies with the requirements stated therein.

Eighteen years have passed since the passage of Republic Act No. 8239. Therefore, in keeping with the State's policy of providing only minimum requirements for the issuance of such documents as well as its duty to enhance and protect the people's unimpaired exercise of their constitutional right to travel, there is a need to amend the existing Act to simplify both the passport documentation requirements and the application process of the Department of Foreign Affairs.

In amending the provision relating to the requirements for the issuance of passports, this bill considers laws that have been passed since the passage of the existing Act such as Republic Act No. 8552 or the Domestic Adoption Act of 1998 and Republic Act No. 9226 or the Citizenship and Reacquisition Act of 2003. The bill also provides special procedures to facilitate the passport applications of illiterate, physically disabled, and senior citizens.

To ensure that Filipinos are better served by the Department of Foreign Affairs, this bill also seeks to amend the provision on the Passport Revolving Fund to allow it to be utilized by the Department for the improvement of its passport issuance, consular, and other services.

This bill is the counterpart of House Bill No. 4006 filed by Congressmen Bichara, Batocabe, Co, Revilla, Del Rosario (A.G.), Yap (S.), Señeres, Dalog, Quisumbing, Arnaiz, Bataoil, Bello (W.), Cortuna, Padilla, Villarica And Barzaga under Committee Report No. 93.

In view of the foregoing, immediate approval of this bill is earnestly sought.


SENATOR SONNY ANGARA



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

- 1 SECTION 1. *Short Title.* – This Act shall be called the "New Philippine Passport Act".
- 2 SEC. 2. *Statement of Policy.* – The people's constitutional right to travel is inviolable.
- 3 Accordingly, the government has the duty to issue tamper proof passports using the latest data
- 4 management technology as much as practicable or a travel document to any citizen of the
- 5 Philippines or individual who complies with the requirements of this Act. The right to travel may
- 6 be impaired only when national security, public safety, or public health requires. To enhance
- 7 and protect the unimpaired exercise of this right, only minimum requirements for the
- 8 application and issuance of passports and other travel documents shall be prescribed. Action
- 9 on such application and the issuance thereof shall be expedited.
- 10 SEC. 3. *Definitions.* – As used in this Act:
- 11 (a) *Ambassadors* refer to those who have been appointed as chiefs of mission and have
- 12 served as Ambassadors Extraordinary and Plenipotentiary;
- 13 (b) *Department of Foreign Affairs (DFA) Consular Offices* refer to DFA offices located in
- 14 regional hubs where consular services, including passport and authentication services, and
- 15 consular assistance are provided. They shall also include offices in Metro Manila where consular
- 16 services are provided;

1 (c) *Passport* refers to a document issued by the Philippine government to its citizens and
2 requesting other governments to allow its citizens to pass safely and freely, and to provide all
3 lawful aid and protection if needed;

4 (d) *Post* refers to a Philippine diplomatic and consular post such as an Embassy or
5 Consulate;

6 (e) *Supporting documents* refer to papers or documents which are required to be
7 submitted with the passport application supporting claims to Filipino citizenship to complete the
8 application for a passport without which such application shall be deemed incomplete or
9 otherwise become subject to denial by the issuing authority; and

10 (f) *Travel Document* refers to a certification with the relevant personal details of the
11 bearer, which is issued in lieu of a passport, by the DFA or Post based on grounds provided in
12 Section 16 of this Act.

13 **SEC. 4. Authority to Issue, Deny or Cancel.** – The Secretary of Foreign Affairs, hereinafter
14 referred to as Secretary, or any duly authorized consular officer assigned in the Philippines or at
15 a Post may issue, deny or cancel a passport in accordance with Sections 6, 8 and 9 of this Act.
16 The issuance of a passport may not be denied if the safety or welfare of a Filipino is at stake,
17 unless a Travel Document is sufficient for the repatriation or return trip to the Philippines. The
18 denial or cancellation of a passport is not a mode of losing Philippine citizenship.

19 **SEC. 5. Cooperation with Local Government Units (LGUs).** – The DFA shall issue rules and
20 regulations on the guidelines and mechanisms of its cooperation with LGUs on passport
21 services.

22 **SEC. 6. Requirements for the Issuance of Passport.** – The Secretary or a duly authorized
23 representative shall issue a passport to an applicant who is a Filipino citizen and has complied
24 with the following requirements:

25 (a) A duly accomplished application form and photographs of such number, size and style
26 as may be prescribed by the DFA;

27 (b) The applicant's birth certificate or the foundling certificate in security paper issued by
28 the Philippine Statistics Authority (PSA) or a certified true copy (CTC) of birth certificate issued
29 by the Local Civil Registry Office (LCRO) duly authenticated by the PSA: *Provided*, That if the
30 birth of the applicant has not been registered yet, or if such birth certificate is destroyed,

1 damaged, or not available due to other causes, the applicant shall apply for delayed registration
2 of birth with the LCRO where the applicant was born. Upon compliance with the requirements
3 for delayed registration of birth, the LCRO shall issue to said applicant a certification of pending
4 application for delayed registration of birth attaching thereto a copy of an accomplished
5 certificate of live birth which is the subject of delayed registration. Such certification and the
6 accomplished certificate of live birth shall be sufficient to support an application for passport in
7 addition to other papers which the DFA may require from the applicant such as certification of
8 no prior registration or certification of previous birth registration from the PSA;

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

20 (d) For a married woman who opts to adopt the surname of her husband, a local civil
21 registry copy of her marriage contract duly authenticated by the PSA: *Provided*, That a married
22 woman who was widowed or divorced in accordance with Article 26 of Executive Order (EO) No.
23 209, otherwise known as the "Family Code of the Philippines", as amended by EO No. 227, or
24 under Presidential Decree (PD) No. 1083, otherwise known as the "Code of Muslim Personal
25 Laws of the Philippines", or whose marriage was annulled or declared by a court of law as void,
26 and who opts to revert to the use of her maiden name must present the death certificate of her
27 spouse issued by the PSA or a CTC of death certificate issued by the LCRO, duly authenticated
28 by the PSA or a CTC of the divorce decree, court decree of annulment or declaration of nullity
29 showing dissolution of marriage as recognized by Philippine courts and duly registered at the
30 PSA or the LCRO;

1 (e) For a naturalized citizen, a certified copy of the naturalization certificate, or a certified
2 naturalization certificate of spouse or parent duly registered by the LCRO and authenticated by
3 the PSA if citizenship is claimed through naturalization of the spouse or the parent;

4 (f) For a minor applicant, the application may be filed by either parent: *Provided*, That if a
5 person other than the minor's parents files the application, a Special Power of Attorney (SPA)
6 duly executed by either parent must be presented for this purpose: *Provided, further*, That, in
7 the case of an abandoned, neglected, dependent or surrendered child, a certification declaring
8 the child as legally available for adoption by the Department of Social Welfare and Development
9 (DSWD) and an affidavit of consent executed by the legal guardian or the DSWD must be
10 presented;

11 (g) The consent of the DSWD, if the applicant is a prospective adoptive child under
12 Republic Act No. 8552, otherwise known as the "Domestic Adoption Act of 1998".

13 If the applicant is a prospective adoptive child of a non-Filipino citizen, or a relative within
14 the fourth civil degree of consanguinity or affinity under Republic Act No. 8043, otherwise
15 known as the "Inter-Country Adoption Act of 1995", the following shall be presented:

16 (1) Authenticated birth certificate from the PSA or a foundling certificate from the DSWD;

17 (2) Placement Authority issued by the Inter-Country Adoption Board (ICAB); and

18 (3) Certification issued by the DSWD;

19 (h) For an applicant who has reacquired Philippine citizenship under Republic Act No.
20 9225, otherwise known as the "Citizenship Retention and Re-acquisition Act of 2003", and other
21 existing laws, the following shall be presented:

22 (1) Identification certificate issued by appropriate agencies; and

23 (2) Such other documents as may be necessary or required for the issuance of Philippine
24 passport;

25 (i) In case of discrepancy, the applicant's name in the birth certificate shall prevail over
26 that appearing in any other public or private document: *Provided, however*, That by operation
27 of law or through court order, the applicant is permitted to use a name other than what is
28 officially recorded in the PSA or the LCRO; and

1 (j) If the applicant is a government employee, the travel authority issued by the head of a
2 department, agency or office may be required only if the applicant is applying for an official
3 passport.

4 SEC. 7. *Application.* – A person applying for a passport, either for the first time or for
5 the renewal of a previously issued passport, may be required to appear in person for photo and
6 data capturing.

7 The parent or legal guardian may assist an applicant who is a minor.

8 An applicant who is illiterate, physically disabled or a senior citizen may be assisted by a
9 relative within the fourth civil degree of consanguinity or affinity by anyone belonging to the
10 same household.

11 The DFA shall provide a special procedure to facilitate the passport application of illiterate,
12 physically disabled and senior citizens.

13 An applicant may also be assisted by any licensed travel or recruitment agency duly
14 accredited by the DFA.

15 In the case of a passport application filed by a recruitment or travel agency or passport-
16 related service provider duly accredited by the DFA, the agent shall be responsible for the
17 authenticity of the supporting documents secured and presented by the agent to meet the
18 requirements for the application of passports.

19 The DFA shall have the right to require alternative documents as may be specified in the
20 implementing rules and regulations (IRR) formulated to enforce this law.

21 SEC. 8. *Types of Passports.* – The Secretary or the authorized representative or consular
22 officer may issue the following types of passports:

23 (a) Diplomatic Passports are issued to persons with diplomatic status or who are on
24 diplomatic mission such as:

25 (1) The President and former Presidents of the Republic of the Philippines;

26 (2) The Vice President and former Vice Presidents of the Republic of the Philippines;

27 (3) The Senate President, the Speaker of the House of Representatives, and former
28 Senate Presidents and Speakers of the House of Representatives of the Congress of the
29 Philippines;

1 (4) The Chief Justice, Associate Justices of the Supreme Court and the presiding Justice of
2 the Court of Appeals;

3 (5) The Secretary, Undersecretaries and Assistant Secretaries of the DFA;

4 (6) The Members of Congress, the Secretary of the Senate and the Secretary General of
5 the House of Representatives;

6 (7) The Secretaries of all the departments of the Executive branch;

7 (8) The Ambassadors Extraordinary and Plenipotentiary of the Republic of the Philippines;

8 (9) The Chiefs of Mission, Foreign Service Officers of all ranks in the career diplomatic
9 service, including designated Attachés from the DFA and attached agencies of the government;

10 (10) The Governor of the Bangko Sentral ng Pilipinas;

11 (11) The official delegates to international or regional conferences accorded full powers by
12 the President; and

13 (12) The spouses and unmarried minor children of the abovementioned officials when
14 accompanying or following to join them in an official mission abroad.

15 The President of the Philippines or the Secretary may grant diplomatic passports to
16 officials and persons other than those enumerated herein who are on official mission abroad or
17 are granted full powers by the President;

18 (b) Official Passports are issued to all government officials and employees on official trip
19 abroad but who are not on a diplomatic mission or have not been accorded diplomatic status
20 such as:

21 (1) The Undersecretaries, Assistant Secretaries of the Cabinet other than the DFA, the
22 Associate Justices of the Court of Appeals and other members of the Judiciary, the Deputy
23 Secretaries of the Senate and Deputy Secretaries General of the House of Representatives, and
24 all other government officials and employees travelling on official time;

25 (2) Staff officers and employees of the DFA assigned to diplomatic and consular posts,
26 and officers and representatives of other government departments and agencies assigned
27 abroad;

28 (3) Persons in the domestic service and household members of officials assigned to
29 diplomatic or consular posts not exceeding two (2): *Provided*, That an increase in domestic
30 service and household members of such officials shall be approved by the Secretary; and

1 (4) Spouse and minor children, including unmarried children who are not minors but
2 dependent on the staff officers and employees of the DFA assigned to diplomatic or consular
3 posts and offices, and representatives of other government agencies assigned abroad, when
4 accompanying or following to join them; and

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

13 SEC. 9. *Grounds for Denial of Issuance of Passport or Cancellation of Passport.* – The
14 application for a passport may be denied or an existing passport may be cancelled on the
15 following grounds only:

16 (a) Denial

17 (1) Failure to comply with the requirements in accordance with Section 6 or violation of
18 the provisions of this Act;

19 (2) Court order to arrest or hold the departure of the passport applicant in connection
20 with a pending criminal case;

21 (3) Court order declaring the passport applicant as a fugitive from justice;

22 (4) Final court decision convicting the passport applicant of a crime: *Provided*, That the
23 convict, upon release on account of completion of sentence or grant of amnesty, pardon or
24 probation, may apply for a passport; and

25 (5) Request of the parent exercising parental authority or the legal guardian of a minor
26 child: *Provided*, That a court order to withhold the issuance of a passport or to hold the
27 departure of the minor child shall be required if both parents exercise parental authority and
28 they disagree on the issuance of a passport or travel abroad of their minor child; and

29 (b) Cancellation

30 (1) If the passport was obtained in violation of the provisions of this Act;

1 (2) Court order to arrest or hold the departure of the passport holder in connection with a
2 pending criminal case;

3 (3) Court order declaring the passport holder as a fugitive from justice;

4 (4) Final court decision convicting the passport holder of a crime: *Provided*, That the
5 convict, upon release on account of completion of sentence or grant of amnesty, pardon or
6 probation, may apply for a passport;

7 (5) Request of the parent exercising parental authority or the legal guardian of a minor
8 child: *Provided*, That a court order to cancel the passport or to hold the departure of the minor
9 child shall be required if both parents exercise parental authority and they disagree on the
10 travel abroad of their minor child; and

11 (6) Such other disqualifications as provided under Philippine law and jurisprudence.

12 SEC. 10. *DFA Passport Review Committee (DPRC)*. – The DFA *motu proprio* or upon
13 receipt of any verified complaint that necessitates cancellation or denial of passport shall
14 summon the passport holder who shall be given fifteen (15) working days upon receipt of the
15 complaint to reply and submit such proof to contravene the complaint.

16 A DFA Passport Review Committee (DPRC) under the Office of the Secretary is hereby
17 created for this purpose.

18 The DPRC shall also review the status of passports of Filipinos overseas who are being
19 investigated for alleged offenses against Filipinos.

20 The DFA shall issue the rules and regulations on the establishment, composition,
21 functions, procedures and other related details of the DPRC in accordance with this Act.

22 SEC. 11. *Appeal*. – Any person who was aggrieved as a result of the application of this
23 Act or of the IRR issued by the Secretary shall have the right to appeal to the Secretary whose
24 decision may be reviewed by the appropriate court.

25 SEC. 12. *Validity*. – Regular passports issued under this Act shall be valid for a period of
26 five (5) or ten (10) years.

27 The passport applicant shall have the option to apply for a five (5)-year or a ten (10)-year
28 passport: *Provided*, That minor applicants shall be issued passports valid only for five (5) years.

29 SEC. 13. *Ownership of Passports*. – A Philippine passport remains at all times the
30 property of the government, the holder being a mere possessor thereof as long as it is valid and

1 the same may not be surrendered to any person or entity other than the government or its
2 representative: *Provided*, That the passport of any Filipino citizen may be voluntarily
3 surrendered to any Post for storage and safekeeping for which a proper receipt shall be issued
4 for presentation when reclaiming the passport at a later date.

5 SEC. 14. *Names and Titles*. – The passport shall contain the full name of the applicant,
6 but shall not include any title, profession or job description.

7 SEC. 15. *Markings and Stamps*. – All passports issued by the DFA shall not contain any
8 marking, annotation or stamp pertaining to travel restrictions. Limitation of travel shall be
9 administered through travel advisories or other means which do not necessitate marking or
10 stamping of passports.

11 SEC. 16. *Travel Documents*. – A Travel Document, in lieu of a passport, may be issued
12 to:

13 (a) A Filipino citizen returning to the Philippines who for one reason or another has lost a
14 passport or cannot be issued a regular passport;

15 (b) A Filipino citizen who has lost a passport while in transit to another country;

16 (c) A Filipino citizen being repatriated to the Philippines;

17 (d) An alien spouse of a Filipino and their dependents who have not been naturalized as
18 Filipinos and who are travelling to the Philippines or are permanent residents of the Philippines;

19 (e) Filipino citizens performing *Umrah* and *Hajj*; and

20 (f) A stateless person or refugee who is granted such status in the Philippines.

21 SEC. 17. *Loss or Destruction*. – The loss or destruction of a passport shall be
22 immediately reported to the DFA or Post. The holder of such passport shall submit to the DFA
23 or Post an affidavit stating in detail the circumstances of such loss or destruction. The DFA shall
24 then furnish the National Bureau of Investigation (NBI) and the Bureau of Immigration (BI)
25 copies of the affidavit.

26 For those who are abroad, copies of the affidavit shall be forwarded by the Post to the
27 DFA Office of Consular Affairs, and which shall, in coordination with the Office of Legal Affairs,
28 transmit a copy of the affidavit to the NBI and the BI. The transmittal of the affidavit shall be
29 accompanied by a request for the confiscation of the lost passport if found, and to investigate
30 or, if necessary, detain the person attempting to use or has used the passport. All Posts shall be

1 informed of the lost passport, including pertinent information on the passport and the
2 circumstances of loss.

3 No new passport shall be issued until satisfactory proof is shown that the passport was
4 actually lost and after the lapse of fifteen (15) days following the date of submission of the
5 affidavit of loss as herein required: *Provided, however,* That in the case of a passport reported
6 lost by a Filipino travelling abroad, the Post may waive the fifteen (15)-day requirement if the
7 loss has been proven to the satisfaction of the consular officer: *Provided, further,* That in case
8 the Filipino who reported a loss of passport is returning to the Philippines, the holder may be
9 issued a Travel Document.

10 In all cases, the fifteen (15)-day rule may be waived at the discretion of the head of the
11 Office of Consular Affairs or the head of the Consular Section or the Consul General of a Post.

12 SEC. 18. *Fees.* – Reasonable fees shall be collected for the processing, issuance, or
13 amendment of an existing passport or replacement of a lost passport and the issuance of a
14 Travel Document as may be determined by the DFA. The DFA shall prescribe the necessary fees
15 for passports with five (5)-year and ten (10)-year validities.

16 SEC. 19. *Passport Revolving Fund.* – The DFA may charge a service fee of not more than
17 Two hundred fifty pesos (Php250.00) for such service rendered to applicants relating to the
18 processing and issuance of passports requiring special consideration, waiver or issuance beyond
19 regular office hours. The service fees received by the DFA under this section shall constitute a
20 revolving fund to be called the "Passport Revolving Fund" which may be utilized by the DFA for
21 the improvement of its passport issuance, consular and other services except travel and
22 transportation allowances and expenses.

23 The establishment, use and disbursement of the revolving fund shall be subject to the
24 review by the Commission on Audit and according to accounting and auditing rules and
25 regulations, and shall be subject to an annual review by Congress. The Secretary shall submit a
26 report on the disbursement of the fund every six (6) months to both the Senate Committee on
27 Foreign Relations and the House Committee on Foreign Affairs.

28 SEC. 20. *Waiver.* – The Secretary is solely authorized to waive any requirement set forth
29 in Section 6 of this Act.

1 SEC. 21. *Offenses and Penalties.* – A passport, being a proclamation of the citizenship of
2 a Filipino, is superior to all other official documents and as such, shall be accorded the highest
3 respect by its holder. Any act prejudicial to its integrity is a grave crime against the security of
4 the State and shall be penalized accordingly:

5 (a) *Offenses Relating to Issuance; Penalties.* – Any person who:

6 (1) Acting or claiming to act in any capacity or office under the Republic of the Philippines
7 without lawful authority, accepts passport applications, grants, issues or verifies any passport or
8 Travel Document to any or for any person whomsoever, or is caught selling in whatever
9 capacity passport application forms, or lost or stolen passports and travel documents shall be
10 punished by a fine of not less than Fifteen thousand pesos (Php15,000.00) but not
11 more than Sixty thousand pesos (Php60,000.00) and imprisonment of not less than six (6)
12 years and one (1) day but not more than twelve (12) years; or

13 (2) Being a diplomatic or consular official authorized to grant, issue, or verify passports,
14 knowingly and willfully grants, issues, or verifies any such passport to any or for any person not
15 owing allegiance to the Republic of the Philippines, whether citizen or not, shall be punished by
16 a fine of not less than Fifteen thousand pesos (Php15,000.00) but not more than Sixty thousand
17 pesos (Php60,000.00) and imprisonment of not less than six (6) years and one (1) day but not
18 more than twelve (12) years and, upon conviction, be perpetually disqualified from holding
19 public office; or

20 (3) Being a diplomatic or consular officer, knowingly and willfully grants and issues to,
21 certifies to the authenticity of any passport or Travel Document for any person not entitled
22 thereto, or knowingly and willfully issues more than one (1) passport to any person except as
23 provided for in this Act shall be punished by a fine of not less than Fifteen thousand pesos
24 (Php15,000.00) but not more than Sixty thousand pesos (Php60,000.00) and imprisonment of
25 not less than six (6) years and one (1) day but not more than twelve (12) years and, upon
26 conviction, be disqualified perpetually from holding public office; or

27 (4) Acting or claiming to act in any capacity, with the intention to profit thereby, intercepts
28 a person proceeding to the DFA or any of its consular offices to apply for a passport, and
29 persuades, entices, encourages or misleads such applicant to course the application through
30 another person or agency other than the DFA or its personnel on the pretext of facilitating its

1 approval or issuance by the DFA shall be punished by imprisonment of not less than eighteen
2 (18) months but not more than six (6) years;

3 (b) Offenses Relating to False Statements; Penalties. – Any person who willfully and
4 knowingly:

5 (1) Makes any false statement in any application for passport with the intent to induce or
6 secure the issuance of a passport under the authority of the Philippine government, for any
7 purpose, contrary to this act or rules and regulations prescribed pursuant hereto shall be
8 punished by a fine of not less than Fifteen thousand pesos (Php15,000.00) but not more than
9 Sixty thousand pesos (Php60,000.00) and imprisonment of not less than six (6) years and one
10 (1) day but not more than twelve (12) years; or

11 (2) Uses or attempts to use any passport which was secured in any way by reason of any
12 false statement shall be punished by a fine of not less than Fifteen thousand pesos
13 (Php15,000.00) but not more than Sixty thousand pesos (Php60,000.00) and imprisonment of
14 not less than six (6) years and one (1) day but not more than twelve (12) years; or

15 (3) In addition to the abovementioned fines and penalties, travel and recruitment
16 agencies and passport-related service providers, agents, liaison officers or representatives
17 convicted of offenses relating to false statements shall have their license revoked with all
18 deposits, escrow accounts or guarantee funds deposited or made as requirement of their
19 business forfeited in favor of the government. An officer of the travel or recruitment agency
20 convicted for false statements shall be barred from engaging in the travel or recruitment agency
21 business;

22 (c) Offenses Relating to Forgery; Penalties. – Any person who:

23 (1) Falsely makes, forges, counterfeits, mutilates or alters any passport or Travel
24 Document or DFA stamps, or any supporting document for a passport application, with the
25 intent of using the same, shall be punished by a fine of not less than Seventy-five thousand
26 pesos (Php75,000.00) but not more than One hundred fifty thousand pesos (Php150,000.00)
27 and imprisonment of not less than six (6) years but not more than fifteen (15) years. The
28 possession of the documents herein mentioned shall be *prima facie* evidence of commission of
29 the acts enumerated herein and the intent to use the same; or

1 (2) Willfully or knowingly uses or attempts to use, or furnishes to another for use any such
2 false, forged, counterfeited, mutilated or altered passport or Travel Document or any passport
3 validly issued which has become void by the occurrence of any condition herein prescribed shall
4 be punished by a fine of not less than Sixty thousand pesos (Php60,000.00) but not more than
5 One hundred fifty thousand pesos (Php150,000.00) and imprisonment of not less than six (6)
6 years but not more than fifteen (15) years. The officers of corporations, agencies or entities
7 licensed in the travel and recruitment industry shall be held similarly liable as their agents,
8 liaison officers or representatives. Forgeries of five (5) or more passports or travel documents
9 shall be considered as massive forgery tantamount to national sabotage and shall be punished
10 by a fine of not less than Two hundred fifty thousand pesos (Php250,000.00) but not more than
11 One million pesos (Php1,000,000.00) and imprisonment of not less than seven (7) years but not
12 more than seventeen (17) years;

13 (d) Offenses Relating to Improper Use; Penalties. – A fine of not less than Sixty
14 thousand pesos (Php60,000.00) but not more than One hundred fifty thousand pesos
15 (Php150,000.00) and imprisonment of not less than six (6) years but not more than fifteen (15)
16 years shall be imposed upon any person who willfully and knowingly:

17 (1) Uses or attempts to use any passport issued or designed for the use of another or any
18 supporting document for a passport application which belongs to another; or

19 (2) Uses or attempts to use any passport or supporting document in violation of the
20 conditions or restrictions therein contained, or of the rules prescribed pursuant thereto; or

21 (3) Furnishes, disposes or delivers a passport to any person other than to that in whose
22 name and for whose use it was issued, except when the applicant is a minor, a senior citizen or
23 physically or mentally incapacitated and the passport is released to the parent, guardian or
24 immediate relative: *Provided*, That in case of an emergency and for humanitarian reasons, at
25 the discretion of the head of the Office of Consular Affairs or the head of the Consular Section
26 or the Consul General of a Post, the passport may be released to a third party upon the
27 submission of a written authorization from the applicant; or

28 (4) Defaces or destroys a Philippine passport;

29 (e) Offenses Relating to Multiple Possession; Penalties. – No person or individual may
30 hold more than one (1) valid passport, except as provided for in Section 8 hereof, and any

1 individual who possesses more than one (1) unexpired passport shall, for every unexpired
2 passport found in his possession, be punished by a fine of not less than Fifteen thousand pesos
3 (Php15,000.00) but not more than Sixty thousand pesos (Php60,000.00) and imprisonment of
4 not less than six (6) years and one (1) day but not more than twelve (12) years: *Provided*, That
5 the maximum fine and imprisonment shall be imposed by the court for any attempt to use or
6 the actual use of an unexpired passport which is not in the name of the user.

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

10 (f) Offenses Relating to Forgery of Visas and Entry Documents; Penalties. – A fine of not
11 less than Fifteen thousand pesos (Php15,000.00) but not more than Sixty thousand pesos
12 (Php60,000.00) and imprisonment of not less than three (3) years but not more than ten (10)
13 years shall be imposed upon any person who:

14 (1) Knowingly forges, counterfeits, alters or falsely makes any immigrant or nonimmigrant
15 visa, permit, border crossing card, alien registration card or other document prescribed by
16 statute or regulation for entry into or as evidence of authorized stay or employment in the
17 Philippines or elsewhere with the intent of using the same; or

18 (2) Knowingly uses, attempts to use, possesses, obtains, accepts or receives any such
19 visa, permit, border crossing card, alien registration card or other document prescribed by
20 statute or regulation for entry into or as evidence of authorized stay or employment in the
21 Philippines or elsewhere, knowing it to be forged, counterfeited, altered or falsely made, or to
22 have been procured by means of any false claim or statement, or to have been otherwise
23 procured by fraud or unlawfully obtained: *Provided*, That the use of forged, counterfeited,
24 altered or falsely made visa, permit, border crossing card, alien registration card or other entry
25 document shall be *prima facie* evidence of knowledge; or

26 (3) Knowingly possesses any blank permit or engraves, sells, brings into the Philippines, or
27 has the control or possession in any plate in the likeness of a plate designed for the printing of
28 permits, or makes any print, photograph or impression in the likeness of any immigrant or
29 nonimmigrant visa, permit or other document required for entry into the Philippines or
30 elsewhere, or has the possession of a distinctive paper which has been adopted by the DFA for

1 the printing of such visas, permits or other documents: *Provided*, That the person who forges,
2 counterfeits, alters or falsely makes any immigrant or nonimmigrant visa, permit,
3 border crossing card, alien registration card or other entry document shall be punished by a fine
4 of not less than Sixty thousand pesos (Php60,000.00) but not more than One hundred fifty
5 thousand pesos (Php150,000.00) and imprisonment of not less than six (6) years but not more
6 than fifteen (15) years for each visa or entry document.

7 The fines and penalties provided for under this section shall be imposed in their maximum
8 when said acts are committed by a syndicate or in large scale operation. Any unlawful act
9 under this section is committed by a syndicate if carried out by a group of three (3) or more
10 persons conspiring and confederating with one another. Such acts are committed in large scale
11 if committed against three (3) or more persons individually or as a group.

12 *SEC. 22. Suspension or Revocation of Accreditation.* – Travel or recruitment agencies
13 and other passport-related service providers are allowed the privilege to transact business with
14 the DFA on the basis of trust and confidence. For the exercise of this privilege, the passport
15 service providers shall be required to secure accreditation from the DFA.

16 Any travel or recruitment agency and other passport service providers that violate any
17 provision of this Act shall have its accreditation suspended or revoked in accordance with the
18 schedule of administrative penalties to be formulated by the DFA. Any such suspension or
19 revocation of accreditation shall be without prejudice to civil or criminal sanctions against the
20 agency, its officers, agents and employees.

21 The submission of spurious, forged or falsified documents supporting a passport
22 application by any duly accredited travel or recruitment agency or other passport service
23 providers shall be *prima facie* evidence that the said travel or recruitment agency is the author
24 of such forgery or falsification: *Provided*, That the spurious, forged or falsified document
25 submitted was secured by the travel or recruitment agency or other relevant passport service
26 providers on behalf of its client.

27 *SEC. 23. Implementing Rules and Regulations.* – The Secretary shall issue the necessary
28 implementing rules and regulations to implement the provisions of this Act within ninety (90)
29 days from the date of effectivity of this Act without extension or delay.

1 SEC. 24. *Repealing Clause.* – Republic Act No. 8239 is hereby repealed. All other laws or
2 parts thereof, decrees, orders, rules and regulations inconsistent with the provisions of this Act
3 are hereby repealed, amended or modified accordingly.

4 SEC. 25. *Separability Clause.* – If any provision of this Act is declared unconstitutional or
5 invalid, the other provisions not affected thereby shall remain in full force and effect.

6 SEC. 26. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in
7 the *Official Gazette* or in any newspaper of general circulation.

Approved,