


THIRTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*First Regular Session*

}

'04 JUN 30 P11 :20

SENATE

RECEIVED BY: 

S. No. 805

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INTRODUCED BY HON. MANUEL B. VILLAR, JR.

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#### EXPLANATORY NOTE


Republic Act No. 8239, otherwise known as the Philippine Passport Act of 1996, was enacted pursuant to the people's Constitutional right to travel. Accordingly, the government has the duty to issue passports or other travel documents to any of its citizens who comply with the requirements of said Act.

In this light, it would be worth noting that it is also the policy of the State to prescribe only minimum requirements for the application and issuance of passports and other travel documents to enhance and protect the right to travel. Viewed in this regard, there is a need to amend the existing Act in order to facilitate the issuance of passports and travel documents.

Specifically, this bill seeks to amend the provisions relating to the requirements for issuance of passports as well as additional grounds for its amendment, suspension and revocation. Furthermore, the proposed bill enumerates the individuals who are qualified to file applications on behalf of certain applicants.

Finally, the bill also seeks to penalize those who do damage to the Philippine passport's integrity and validity by punishing those who sell passport applications, government forms, as well as lost or stolen travel documents.

It is on the basis of the foregoing consideration that the approval of this bill is urgently sought.

  
MANUEL B. VILLAR, JR.

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**AN ACT TO AMEND REPUBLIC ACT NO. 8239, OTHERWISE KNOWN AS THE  
PHILIPPINE PASSPORT ACT OF 1996**

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

SECTION 1. Section 5 of Republic Act No. 8239, otherwise known as the "Philippine  
Passport Act of 1996" is hereby amended to read as follows:

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

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

["b.) The birth certificate duly issued or authenticated by the Office of the Civil Registrar  
General: *Provided, however,* That if the birth of the applicant has not been registered yet, or if his  
birth certificate is destroyed, damaged, or not available due to other causes, he shall apply for  
delayed registration of his birth with the Office of the Civil Registrar General which shall issue  
to said applicant a certification of pending application for delayed registration of birth attaching  
thereto a copy of an accomplished certificate of live birth. Such certification and the  
accomplished certificate of live birth shall be sufficient to support an application for passport in  
addition to other papers which the Department may require from the applicant;]

**(B) THE APPLICANT'S BIRTH CERTIFICATE DULY AUTHENTICATED BY THE  
OFFICE OF THE CIVIL REGISTRAR GENERAL OR ITS LOCAL CIVIL  
REGISTRAR: *PROVIDED,* THAT IF THE APPLICANT WAS BORN BEFORE 1950  
AND HIS BIRTH CERTIFICATE HAS BEEN DESTROYED, DAMAGED, OR IS NOT  
AVAILABLE DUE TO OTHER CAUSES, HE MUST PRESENT A BAPTISMAL OR  
DEDICATION CERTIFICATE, OR A SIMILAR OR EQUIVALENT CERTIFICATE  
ISSUED BY A NON-CHRISTIAN RELIGIOUS GROUP, ATTESTING TO THE  
APPLICANT'S HAVING BEEN ADMITTED TO SUCH RELIGIOUS GROUP OR SECT**

AT AN EARLY AGE WHERE IT IS INDICATED THAT THE APPLICANT IS A FILIPINO CITIZEN: *PROVIDED, FURTHER*, THAT THIS MUST BE ACCOMPANIED BY A JOINT AFFIDAVIT BY TWO (2) PERSONS WHO HAVE PERSONAL KNOWLEDGE OF THE APPLICANT AND OF SUCH AGE AS TO CREDIBLY STATE THE APPLICANT'S DATE AND PLACE OF BIRTH, CITIZENSHIP AND NAME OF PARENTS: *PROVIDED, FINALLY*, THAT FILIPINOS WHO DO NOT SUBSCRIBE TO ANY RELIGION AND WHOSE PARENTS FOR ANY REASON FAILED TO HAVE THE SAID APPLICANT BAPTIZED SHALL BE EXEMPTED FROM THE REQUIREMENT TO PRESENT A BAPTISMAL CERTIFICATE PRESCRIBED HEREIN AND IN LIEU THEREOF, THE APPLICANT SHALL EXECUTE AN AFFIDAVIT TO THAT EFFECT DULY CORROBORATED BY THE AFFIDAVIT OF AT LEAST TWO (2) PERSONS OF GOOD REPUTATION WHO PERSONALLY KNOW SUCH FACT;

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

(C) IF THE APPLICANT WAS BORN IN OR AFTER 1950 AND HIS BIRTH CERTIFICATE HAS BEEN DESTROYED, DAMAGED OR IS NOT AVAILABLE AT THE LOCAL CIVIL REGISTRAR AND THE OFFICE OF THE CIVIL REGISTRAR GENERAL DUE TO OTHER CAUSES, HE SHALL BE REQUIRED TO FILE A DELAYED REGISTRATION OF BIRTH WITH THE LOCAL CIVIL REGISTRAR: *PROVIDED*, THAT THIS PROVISION WILL NOT PREVENT LATE REGISTRANTS BORN BEFORE 1950 FROM APPLYING FOR A DELAYED REGISTRATION OF BIRTH;

(D) THE APPLICANT'S VOTER'S ID OR AFFIDAVIT DULY ISSUED BY THE COMELEC IN THE LOCALITY WHERE THE APPLICANT IS A REGISTERED VOTER IF THE APPLICANT IS ALREADY EIGHTEEN (18) YEARS OF AGE; and

["d.) In case of a woman who is married, separated, divorced or widowed or whose marriage has been annulled or declared by court as void, a copy of the certificate of marriage, court decree of

separation, divorce or annulment or certificate of death of the deceased spouse duly issued and authenticated by the Office of the Civil Registrar General: *Provided*, That in case of a divorce decree, annulment or declaration of marriage as void, the woman applicant may revert to the use of her maiden name: *Provided, further*, That such divorce is recognized under existing laws of the Philippines;]

**(E) A MARRIED WOMAN WHO OPTS TO ADOPT THE SURNAME OF HER HUSBAND MUST PRESENT AN AUTHENTICATED COPY OF HER MARRIAGE CONTRACT: *PROVIDED*, THAT A MARRIED WOMAN WHO IS WIDOWED, DIVORCED IN ACCORDANCE WITH ARTICLE 26 OF EXECUTIVE ORDER NO. 209, AS AMENDED BY EXECUTIVE ORDER NO. 227, OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES OF 1988, OR WHOSE MARRIAGE IS ANNULLED OR DECLARED BY A COURT OF LAW AS VOID, AND WHO OPTS TO REVERT TO THE USE OF HER MAIDEN NAME MUST PRESENT THE AUTHENTICATED DEATH CERTIFICATE OF HER SPOUSE, OR AN AUTHENTICATED COPY OF THE DIVORCE DECREE OR COURT DECREE OF ANNULMENT;**

[“e.) In the case of naturalized citizens, a certified copy of the naturalization certificate; or a certified naturalization certificate of husband or parent duly issued and authenticated by the Office of the Civil Registrar General if citizenship is claimed through naturalization of spouse or parent;]

**(F) IN THE CASE OF NATURALIZED CITIZENS, A COPY OF THE NATURALIZATION CERTIFICATE, DULY ISSUED AND AUTHENTICATED BY THE OFFICE OF THE CIVIL REGISTRAR GENERAL: *PROVIDED*, THAT IN CASE OF DERIVATIVE NATURALIZATION, THE APPLICANT SHALL BE REQUIRED TO PRESENT A COPY OF THE NATURALIZATION CERTIFICATE OF HIS PARENT OR SPOUSE DULY ISSUED AND AUTHENTICATED BY THE OFFICE OF THE CIVIL REGISTRAR GENERAL;**

[“f.) For an applicant who has not reached the age of majority, an affidavit of consent from a parent as indicated in the passport application if the minor is travelling with either parent, and a clearance from the Department of Social Welfare and Development, if the minor is travelling with a legal guardian or a person other than a parent;]

**(G) APPLICATIONS FILED BY MINOR PASSPORT APPLICANTS MAY BE PROCESSED ONLY UPON THE PERSONAL APPEARANCE OF EITHER PARENT: *PROVIDED*, THAT IF A PERSON OTHER THAN THE MINOR’S PARENTS FILES THE APPLICATION, A SPECIAL POWER OF ATTORNEY DULY EXECUTED BY EITHER PARENT MUST BE PRESENTED FOR THIS PURPOSE: *PROVIDED, FURTHER*, THAT MINOR PASSPORT APPLICANTS TRAVELING WITH EITHER**

**PARENT MUST PRESENT THE PASSPORT OF HIS TRAVELING COMPANION: PROVIDED, FINALLY, THAT IF HE IS NOT TRAVELING WITH EITHER PARENT, AN AFFIDAVIT OF SUPPORT AND CONSENT FROM EITHER PARENT MUST BE SUBMITTED;**

[“g.) If the applicant is an adopted person, the duly certified copy of court order of adoption, together with the original and amended birth certificate duly issued and authenticated by the Office of the Civil Registrar General shall be presented: *Provided*, That in case the adopted person is an infant or a minor or the applicant is for adoption by foreign parents, an authority from the Department of Social Welfare and Development shall be required: *Provided, further*, That the adopting foreign parents shall also submit a certificate from their embassy or consulate that they are qualified to adopt such infant or minor child;]

**(H) IF THE APPLICANT IS FOR ADOPTION BY FOREIGN PARENTS UNDER REPUBLIC ACT NO. 8043, OTHERWISE KNOWN AS THE “INTER-COUNTRY ADOPTION ACT OF 1995,” THE CERTIFIED TRUE COPY OF THE COURT DECREE OF ABANDONMENT OF CHILD, DEATH CERTIFICATE OF THE CHILD’S PARENTS, OR THE DEED OF VOLUNTARY COMMITMENT EXECUTED BY EITHER PARENT AFTER THE BIRTH OF THE CHILD SHALL BE PRESENTED: PROVIDED, THAT THE AUTHENTICATED BIRTH OR FOUNDING CERTIFICATE, PLACEMENT AUTHORITY AND THE FORMAL ENDORSEMENT OF THE CHILD TO THE INTER-COUNTRY ADOPTION BOARD BY THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT MUST BE PRESENTED;**

“[h.)] **(I)** In case of discrepancy between the applicant’s name in the birth certificate and in any other **PUBLIC OR** private document[s], the former shall prevail over the latter unless by operation of law or through court order, the applicant is permitted to use **A** name other than what is officially recorded in the Civil Register; and

[“i.) If the applicant is a government employee, the travel authority issued by the head of department, agency or office may be required only if said applicant is applying for an official passport.]”

**(J) IF THE APPLICANT IS A GOVERNMENT OFFICIAL OR EMPLOYEE, A TRAVEL AUTHORITY FROM THE APPROPRIATE HEADS OF AGENCIES SHALL ONLY BE REQUIRED IF HE IS APPLYING FOR A DIPLOMATIC OR AN OFFICIAL PASSPORT.**

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

“SEC. 6. *Application.* - The application [may] **MUST** be filed by **ANY OF THE FOLLOWING:**

“a.) The applicant himself or herself; or

“b.) The parent or legal guardian on behalf of an applicant who is below the age of majority [.]  
**A SENIOR CITIZEN AT LEAST SIXTY (60) YEARS OLD, OR IS SUFFERING FROM  
DISABILITY WHICH IMPAIRS HIS MEANS OF COMMUNICATION; OR”**

**(C) A TRAVEL OR RECRUITMENT AGENCY DULY ACCREDITED WITH THE  
DEPARTMENT.**

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

**A PERSON APPLYING FOR A PASSPORT FOR THE FIRST TIME MUST PRESENT  
HIMSELF/HERSELF IN PERSON TO PROVE THAT HE OR SHE IS THE SAME  
PERSON AND OF THE AGE CLAIMED IN THE APPLICATION FORM. THIS  
REQUIREMENT MAY BE WAIVED WHEN THE APPLICANT IS NOT MORE THAN  
EIGHT (8) YEARS OLD, OR AT LEAST SIXTY (60) YEARS OLD, OR MENTALLY OR  
PHYSICALLY INCAPACITATED.**

**WHEN A PASSPORT APPLICATION IS FILED BY A RECRUITMENT OR TRAVEL  
AGENCY DULY ACCREDITED BY THE DEPARTMENT OF FOREIGN AFFAIRS,  
THE AGENT SHALL BE RESPONSIBLE FOR THE AUTHENTICITY OF THE  
SUPPORTING DOCUMENTS BEING PRESENTED TO MEET THE REQUIREMENTS  
FOR THE APPLICATION OF PASSPORTS.**

**THE DEPARTMENT SHALL HAVE THE RIGHT TO REQUIRE ALTERNATIVE  
DOCUMENTS AS MAY BE SPECIFIED IN THE SUPPLEMENTING RULES AND  
REGULATIONS FORMULATED TO ENFORCE THIS LAW.**

SEC. 3. Section 7 (a) and (b) of the same Act is hereby amended to read as follows:

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

“a.) Diplomatic [passport] **PASSPORTS** [for persons imbued] **ARE ISSUED TO PERSONS**  
with diplomatic status or are on A diplomatic mission such as:

- “1. The President and former Presidents of the Republic of the Philippines;
- “2. The Vice-President and former Vice-Presidents of the Republic of the Philippines;
- “3. The **INCUMBENT** Senate President and the Speaker of the House of Representatives;
- “4. The **INCUMBENT** Chief Justice of the Supreme Court **AND INCUMBENT ASSOCIATE  
JUSTICES OF THE SUPREME COURT AND THE PRESIDING JUSTICE OF THE  
COURT OF APPEALS;**

“5. The [Cabinet Secretaries,] **INCUMBENT SECRETARY**, [and the] Undersecretaries and Assistant Secretaries of the Department of Foreign Affairs;

“6. [Ambassadors, Foreign Service Officers of all ranks in the career diplomatic service; Attaches, and members of their families] **THE INCUMBENT SECRETARIES OF ALL OTHER DEPARTMENTS OF THE EXECUTIVE BRANCH, THE SECRETARY GENERAL OF THE HOUSE OF REPRESENTATIVES AND THE SECRETARY OF THE SENATE;**

“7. [Members of the Congress when on official mission abroad or as delegates to international conferences] **AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARIES OF THE REPUBLIC OF THE PHILIPPINES;**

“8. [The Governor of the *Bangko Sentral ng Pilipinas* and delegates to international or regional conferences when on official mission or accorded full powers by the President; and] **CHIEFS OF MISSION, FOREIGN SERVICE OFFICERS OF ALL RANKS IN THE CAREER DIPLOMATIC SERVICE, INCLUDING DESIGNATED DEPARTMENT OF FOREIGN AFFAIRS ATTACHES AND DESIGNATED ATTACHES FROM ATTACHED AGENCIES OF THE GOVERNMENT;**

“9. [Spouses and unmarried minor children of the above-mentioned officials when accompanying or following to join them in an official mission abroad.] **FORMER AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARIES OF THE REPUBLIC OF THE PHILIPPINES AND FORMER FOREIGN SERVICE OFFICERS WITH THE RANK OF CHIEFS OF MISSION;**

10. **INCUMBENT MEMBERS OF CONGRESS;**

11. **THE INCUMBENT GOVERNOR OF THE *BANGKO SENTRAL NG PILIPINAS*;**

12. **OFFICIAL DELEGATES TO INTERNATIONAL OR REGIONAL CONFERENCES ACCORDED FULL POWERS BY THE PRESIDENT; AND**

13. **SPOUSE AND MINOR CHILDREN, INCLUDING UNMARRIED CHILDREN WHO ARE OF AGE BUT DEPENDENT ON THE INCUMBENT OFFICIALS MENTIONED ABOVE FOR SUPPORT, WHEN ACCOMPANYING OR FOLLOWING THE AFOREMENTIONED OFFICIALS ON BUSINESS.**

“The President of the Philippines and the Secretary of the Department of Foreign Affairs may grant diplomatic passports to officials and persons other than those enumerated herein who are on official mission abroad **AND ARE GRANTED FULL POWERS BY THE PRESIDENT.**

“b.) Official [Passport] **PASSPORTS** [to be] **ARE** issued to all government officials and employees on official trip abroad but who are not on a diplomatic mission [or delegates to international or regional conferences] or have not been accorded diplomatic status such as:

“1. **INCUMBENT** Undersecretaries [and], Assistant Secretaries of the Cabinet other than the Department of Foreign Affairs, the Associate Justices **OF THE COURT OF APPEALS** and

other members of the Judiciary [,] [members of the Congress] and all other government officials and employees traveling on [official business and] official time;

“2. [Staff officers and employees of the Department of Foreign Affairs assigned to diplomatic and consular posts and officers and representatives of other government departments and agencies assigned abroad] **PAST SENATE PRESIDENTS AND SPEAKERS OF THE HOUSE OF REPRESENTATIVES;**

“3. [Persons in the domestic service and household members of officials assigned to diplomatic or consular posts] **RETIRED CHIEF JUSTICES AND ASSOCIATE JUSTICES OF THE SUPREME COURT;**

“4. [Spouses and unmarried minor children of the officials mentioned above when accompanying or following to join them.] **STAFF OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF FOREIGN AFFAIRS ASSIGNED TO DIPLOMATIC OR CONSULAR POSTS AND OFFICES AND REPRESENTATIVES OF OTHER GOVERNMENT AGENCIES ASSIGNED ABROAD;”**

**5. PERSONS IN THE DOMESTIC SERVICE AND HOUSEHOLD MEMBERS OF OFFICIALS ASSIGNED TO DIPLOMATIC OR CONSULAR POSTS NOT EXCEEDING TWO (2); AND**

**6. SPOUSE AND MINOR CHILDREN, INCLUDING UNMARRIED CHILDREN WHO ARE OF AGE BUT DEPENDENT ON THE INCUMBENT OFFICIALS MENTIONED ABOVE FOR SUPPORT, WHEN ACCOMPANYING OR FOLLOWING TO JOIN THEM.**

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

“SEC. 8. *Grounds for Denial, Cancellation or Restrictions.* - The application for A passport may be denied, cancelled or restricted only on the following grounds:

“a.) Denial of Passport

“1. [On orders of the court, after due notice and hearing, to hold the departure of an applicant because of a pending criminal case] **APPLICANT’S FAILURE TO PRESENT DOCUMENTARY REQUIREMENTS TO SUPPORT THE PASSPORT APPLICATION;**

“2. [When so requested by the natural or legal guardian, if the applicant is a minor] **VIOLATION BY THE APPLICANT OF ANY OF THE PROVISIONS OF REPUBLIC ACT NO. 8239, AS AMENDED;**

“3. [When the applicant has been found to have violated any of the provisions of this Act] **ON ORDERS OF THE COURT, AFTER DUE NOTICE AND HEARING, TO WITHHOLD THE PROCESSING OF A PASSPORT;**

“4. [Such other disqualification under existing laws.] **WHEN SO REQUESTED BY THE PARENT OR LEGAL GUARDIAN, IF THE APPLICANT IS A MINOR;**



5. UPON LAWFUL ORDER OF THE SECRETARY WHEN HE DEEMS IT NECESSARY IN THE INTEREST OF NATIONAL SECURITY OR PUBLIC SAFETY;
6. CANCELLATION OF APPLICANT'S PASSPORT UNDER SECTION 8 (b) HEREOF;
- AND
7. SUCH OTHER DISQUALIFICATIONS UNDER EXISTING LAWS.

**"b.) Cancellation OF PASSPORT**

- "1. When the holder is a fugitive from justice;
- "2. When the holder [has] **HAD** been convicted **BY FINAL JUDGMENT** of a criminal offense: *Provided*, That [the passport may be restored after service of sentence] **HE BECOMES ELIGIBLE TO APPLY FOR A NEW PASSPORT AFTER GRANT OF PROBATION, SERVICE OF SENTENCE, GRANT OF CONDITIONAL OR ABSOLUTE PARDON, OR ISSUANCE OF AN AMNESTY; [or]**
- "3. [When a passport was acquired fraudulently or tampered with.] **UPON FINDING BY THE SECRETARY OR HIS AUTHORIZED REPRESENTATIVE OR CONSULAR OFFICER OR UPON RECOMMENDATION OF THE COMMISSIONER OF THE BUREAU OF IMMIGRATION THAT A PASSPORT HAS BEEN ACQUIRED THROUGH FRAUD OR MISREPRESENTATION OR HAS BEEN TAMPERED WITH SUBSEQUENT TO ITS RELEASE OR ISSUANCE; OR**
4. UPON LAWFUL ORDER OF THE SECRETARY WHEN HE DEEMS IT NECESSARY IN THE INTEREST OF NATIONAL SECURITY OR PUBLIC SAFETY.

**"c.) ISSUANCE OF Restricted PASSPORTS**

- "1. When the country of destination is in a state of political instability **AND** [which] could pose a danger to the Filipino traveler;
- "2. When [diplomatic ties have been fractured or severed] **THE COUNTRY OF DESTINATION HAD SEVERED DIPLOMATIC TIES** with the Philippines;
- "3. When the country of destination is subject to travel restriction by government policy, enforcement [of] action by the United Nations, or **IS** in a state of war [.]”
4. **WHEN TRAVEL HAS BEEN AUTHORIZED BY A COMPETENT COURT OR THE OFFICE OF THE PRESIDENT TO A SPECIFIED DESTINATION ONLY; AND**
5. **WHEN THE APPLICANT'S SUPPORTING DOCUMENTS APPEAR INADEQUATE TO ESTABLISH FILIPINO CITIZENSHIP AND THE TRAVEL IS FOR URGENT MEDICAL REASONS AS CERTIFIED BY A PHYSICIAN, OR TO ATTEND TO A SERIOUSLY ILL IMMEDIATE FAMILY MEMBER WITHIN THE SECOND DEGREE OF CONSANGUINITY OR AFFINITY.”**

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

“SEC. 10. *Validity*. - Regular passports issued under this Act shall be valid for a period of five (5) years: *Provided, however*, That the issuing authority may limit the period of validity to less

than five (5) years whenever [in the national economic interest or political stability of the country such restriction is necessary] **THE SECRETARY DEEMS THAT NATIONAL SECURITY, PUBLIC SAFETY OR PUBLIC HEALTH SO REQUIRES OR WHENEVER THE APPLICANT'S SUPPORTING DOCUMENTS APPEAR INADEQUATE TO ESTABLISH FILIPINO CITIZENSHIP AND THE TRAVEL IS FOR A COMPELLING REASON AS MAY BE DETERMINED BY THE DEPARTMENT:** *Provided, finally,* That a new passport may be issued to replace one which validity has expired [, the old passport being returned to the holder after cancellation].”

**THE DEPARTMENT SHALL ISSUE TEN (10)-YEAR VALIDITY PASSPORTS TWO (2) YEARS AFTER THE EFFECTIVITY OF THIS ACT, AS AMENDED: PROVIDED, THAT NO SUCH PASSPORT SHALL BE ISSUED TO ANY INDIVIDUAL UNDER TWENTY (20) YEARS OLD.**

**DIPLOMATIC AND OFFICIAL PASSPORTS SHALL BE SUBMITTED TO THE DEPARTMENT FOR REVALIDATION BEFORE EACH DEPARTURE OF THE HOLDER.**

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

“SEC. 14. *Amendments.* - A passport may be amended at the request of the holder for any [lawful purpose, but such amendment should be approved by the Secretary or his duly authorized diplomatic or consular officers.] **OF THE FOLLOWING PURPOSES:**

- A) AMENDMENTS OF A WOMAN'S NAME DUE TO MARRIAGE; OR**
- B) AMENDMENT OF A WOMAN'S NAME DUE TO DEATH OF SPOUSE, ANNULMENT OF MARRIAGE OR ISSUANCE OF A DIVORCE DECREE GRANTED BY A FOREIGN COURT CONSISTENT WITH ARTICLE 26 OF EXECUTIVE ORDER NO. 209, AS AMENDED BY EXECUTIVE ORDER NO. 227, OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES OF 1988.**

**AMENDMENT MAY NOT BE MADE DUE TO ERROR IN SCRIPTING OR DISCREPANCY IN THE P/PERSONAL DATA OF THE HOLDER.**

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

SEC. 7. Section 16 of the same Act is hereby amended to read as follows:

“SEC. 16. *Fees.* - Reasonable fees shall be collected for the processing, issuance, [extension] **EXTENSIONS**, amendment or replacement of a lost passport and the issuance of a Travel Document as may be determined by the Department[: *Provided, however,* That any fee shall not be increased more than once every three (3) years].”

SEC. 8. Section 17 of the same Act is hereby amended to read as follows:

“SEC. 17. *Passport Revolving Fund.* - The Department may charge a **REASONABLE** service fee [of not more than Two Hundred Fifty Pesos (P250)] for such service rendered to applicants

relating to the processing and issuance of passports requiring special consideration, waiver or issuance beyond regular office hours. The service fees received by the Department under this section shall constitute a revolving fund to be called the "Passport Revolving Fund" which may be utilized by the Department for the improvement of its passporting and consular services and other Department services except travel and transportation allowances and expenses.

"The setting up, use and disbursement of funds shall be subject to [review,] accounting and auditing [rules and] regulations [of the Commission on Audit and will be subject to an annual review by Congress, but the Secretary will submit a report on the disbursement of the fund every six (6) months to both the Senate and the House Committees on Foreign Relations]. **THE SECRETARY SHALL SUBMIT A REPORT ON THE DISBURSEMENT OF THE FUND ANNUALLY TO THE SENATE AND THE HOUSE COMMITTEES ON FOREIGN RELATIONS.**"

SEC. 9. Section 19, subsections (a), (b), (c), (d) and (e) of the same Act are hereby amended and a new subsection to be designated as subsection (F) is hereby added to read as follows:

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

"a.) *Offenses Relating to Issuance[s]: Penalties.* - Any person who:

"1. Acting or claiming to act in any capacity or office under the Republic of the Philippines, without lawful authority, **ACCEPTS PASSPORT APPLICATIONS**, grants, issues or verifies any passport or travel document to any or for any person whomsoever, **OR IS CAUGHT SELLING IN WHATEVER CAPACITY PASSPORT APPLICATION FORMS, OR LOST OR STOLEN PASSPORTS AND TRAVEL DOCUMENTS** shall be punished by a fine of not less than Fifteen thousand pesos (P15,000) nor more than Sixty thousand pesos (P60,000) and imprisonment of not less than [eighteen (18) months] **SIX (6) YEARS AND ONE (1) DAY** nor more than [six (6)] **TWELVE (12)** years; or

"2. Being a diplomatic or consular official authorized to grant, issue, amend or verify passports, knowingly and willfully grants, issues, amends or verifies any such passport to any or for any person not owing allegiance to the Republic of the Philippines, whether citizen or not, shall be punished by a fine of not less than Fifteen thousand pesos (P15,000) nor more than Sixty thousand pesos (P60,000) and imprisonment of not less than [eighteen (18) months] **SIX (6) YEARS AND ONE (1) DAY** but not more than [six (6)] **TWELVE (12)** years and upon conviction, be **PERPETUALLY** disqualified from holding [appointive] public office;

“3. Being a diplomatic or consular officer knowingly and willfully grants and issues to, amends or certifies to the authenticity of any passport or travel document for any person not entitled thereto, or knowingly and willfully issues more than one passport to any person except as provided for in this Act, shall be punished by a fine of not less than Fifteen thousand pesos (P15,000) nor more than Sixty thousand pesos (P60,000) and imprisonment of not less than [eighteen (18) months] **SIX (6) YEARS AND ONE (1) DAY** nor more than [six (6)] **TWELVE (12) years** and upon conviction, be **PERPETUALLY** disqualified from holding [appointive] public office.

“b.) *Offenses Relating to False Statements: Penalties.* - Any person who willfully and knowingly:

“1. Makes any false statement in any application for passport with the intent to induce or secure the issuance of a passport under the authority of the Philippine Government, either for his own use or the use of another, contrary to this Act or rules and regulations prescribed pursuant hereto shall be punished by a fine of not less than Fifteen thousand pesos (P15,000) nor more than Sixty thousand pesos (P60,000) and imprisonment of not less than [three (3) years] **SIX (6) YEARS AND ONE (1) DAY** nor more than [ten (10)] **TWELVE (12) years**; or

“2. Uses or attempts to use any passport which was secured in any way by reason of any false statements, shall be punished by a fine of not less than Fifteen thousand pesos (P15,000) nor more than Sixty thousand pesos (P60,000) and imprisonment of not less than [three (3) years] **SIX (6) YEARS AND ONE (1) DAY**, but not more than [ten (10)] **TWELVE (12) years** [; or].

“3. Travel and recruitment agencies whose **OFFICERS**, agents, liaison officers or representatives are convicted of offenses relating to false statements shall in addition to the fines and penalties abovementioned have their license revoked with all deposits, escrow accounts or guarantee funds deposited or made as a requirement of their business forfeited in favor of the government [without prejudice to the officials of the branch office or of the agency being charged as accessories to the offense and upon conviction barred from engaging in the travel or recruitment agency business]. **IN THE EVENT THAT AN OFFICER OF THE TRAVEL OR RECRUITMENT AGENCY IS CONVICTED, HE SHALL BE BARRED FROM ENGAGING IN THE TRAVEL OR RECRUITMENT AGENCY BUSINESS.**

“c.) *Offenses Relating to Forgery: Penalties.* - Any person who:

“1. Falsely makes, forges, counterfeits, mutilates or alters any passport [or], travel document, **DEPARTMENT STAMPS**, or any supporting document for a passport application, with the intent of using the same shall be punished by a fine of not less than Sixty thousand pesos (P60,000) nor more than One hundred fifty thousand pesos (P150,000) and imprisonment of not less than six (6) years nor more than fifteen (15) years; or

“2. Willfully or knowingly uses or attempts to use, or furnishes to another for use any such false, forged, counterfeited, mutilated or altered passport or travel document or any passport validly issued which has become void by the occurrence of any condition therein prescribed shall be

punished by a fine of not less than Sixty thousand pesos (P60,000) nor more than One hundred and fifty thousand pesos (P150,000) and imprisonment of not less than six (6) years nor more than fifteen (15) years: *Provided, however,* That officers of corporations, agencies or entities licensed in the travel and recruitment industry would be held similarly liable as their agents, liaison officers or representatives: *Provided, finally,* That forgeries of five or more passports or travel documents would be considered as massive forgery tantamount to national sabotage and shall be punished by a fine of not less than Two hundred and fifty thousand pesos (P250,000) nor more than One million pesos (P1,000,000) and imprisonment of not less than seven (7) years nor more than seventeen (17) years.

“d.) *Offenses Relating to Improper Use: Penalties.* - Any person who willfully and knowingly:

“1. Uses or attempts to use any passport issued or designed for the use of another or any supporting documents for a passport application which belongs to another; or

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

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

“4. Defaces or destroys a Philippine passport, shall be punished by a fine of not less than Sixty thousand pesos (P60,000) nor more than One hundred fifty thousand pesos (P150,000) and imprisonment of not less than six (6) years nor more than fifteen (15) years.

**“TRAVEL AND RECRUITMENT AGENCIES WHOSE OFFICERS, AGENTS, LIAISON OFFICERS OR REPRESENTATIVES ARE CONVICTED OF OFFENSES RELATING TO IMPROPER USE SHALL BE BARRED FROM ENGAGING IN THE TRAVEL OR RECRUITMENT AGENCY BUSINESS.**

“e.) *Offenses Relating to Multiple Possession: Penalties.* - No person or individual may hold more than one valid passport, except as provided for in Section 7 hereof, and any individual who possesses more than one unexpired passport shall, for every unexpired passport found in his possession, be punished by a fine of not less than Fifteen thousand pesos (P15,000) nor more

than Sixty thousand pesos (P60,000) and imprisonment of not less than [eighteen (18) months] **SIX (6) YEARS AND ONE (1) DAY** [but not] **NOR** more than [six (6)] **TWELVE (12) years**: *Provided*, That the maximum fine and imprisonment shall be imposed by the court if he attempts to use or actually uses an unexpired passport which is not in his name.

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

**F.) OFFENSES RELATING TO FORGERY OF VISAS AND ENTRY DOCUMENTS: PENALTIES. - ANY PERSON WHO:**

**1. KNOWINGLY FORGES, COUNTERFEITS, ALTERS, OR FALSELY MAKES ANY IMMIGRANT OR NONIMMIGRANT VISA, PERMIT, BORDER CROSSING CARD, ALIEN REGISTRATION CARD, OR OTHER DOCUMENT PRESCRIBED BY STATUTE OR REGULATION FOR ENTRY INTO OR AS EVIDENCE OF AUTHORIZED STAY OR EMPLOYMENT IN THE PHILIPPINES OR ELSEWHERE, OR UTTERS, USES, ATTEMPTS TO USE, POSSESSES, OBTAINS, ACCEPTS, OR RECEIVES ANY SUCH VISA, PERMIT, BORDER CROSSING CARD, ALIEN REGISTRATION RECEIPT CARD, OR OTHER DOCUMENT PRESCRIBED BY STATUTE OR REGULATION FOR ENTRY INTO OR AS EVIDENCE OF AUTHORIZED STAY OR EMPLOYMENT IN THE PHILIPPINES OR ELSEWHERE, KNOWING IT TO BE FORGED, COUNTERFEITED, ALTERED, OR FALSELY MADE, OR TO HAVE BEEN PROCURED BY MEANS OF ANY FALSE CLAIM OR STATEMENT, OR TO HAVE BEEN OTHERWISE PROCURED BY FRAUD OR UNLAWFULLY OBTAINED: PROVIDED, THAT THE USE OF FORGED, COUNTERFEITED, ALTERED, OR FALSELY MADE VISA, PERMIT, BORDER CROSSING CARD, ALIEN REGISTRATION CARD, OR OTHER ENTRY DOCUMENT SHALL BE *PRIMA FACIE* EVIDENCE OF KNOWLEDGE; OR**

**2. EXCEPT UNDER DIRECTION OF THE DEPARTMENT OF FOREIGN AFFAIRS, OR OTHER PROPER OFFICER, KNOWINGLY POSSESSES ANY BLANK PERMIT, OR ENGRAVES, SELLS, BRINGS INTO THE PHILIPPINES, OR HAS IN HIS CONTROL OR POSSESSION IN ANY PLATE IN THE LIKENESS OF A PLATE DESIGNED FOR THE PRINTING OF PERMITS, OR MAKES ANY PRINT, PHOTOGRAPH, OR IMPRESSION IN THE LIKENESS OF ANY IMMIGRANT OR NONIMMIGRANT VISA, PERMIT OR OTHER DOCUMENT REQUIRED FOR ENTRY INTO THE PHILIPPINES OR ELSEWHERE, OR HAS IN HIS POSSESSION A DISTINCTIVE PAPER WHICH HAS BEEN ADOPTED BY THE DEPARTMENT OF FOREIGN AFFAIRS FOR THE PRINTING OF SUCH VISAS, PERMITS, OR DOCUMENTS SHALL BE PUNISHED BY A FINE OF NOT LESS THAN FIFTEEN**

THOUSAND PESOS (P15,000) NOR MORE THAN SIXTY THOUSAND PESOS (P60,000) AND IMPRISONMENT OF NOT LESS THAN THREE (3) YEARS, BUT NOT MORE THAN TEN (10) YEARS: *PROVIDED*, THAT THE PERSON WHO FORGES, COUNTERFEITS, ALTERS, OR FALSELY MAKES ANY IMMIGRANT OR NONIMMIGRANT VISA, PERMIT, BORDER CROSSING CARD, ALIEN REGISTRATION CARD, OR OTHER ENTRY DOCUMENT SHALL BE PUNISHED BY A FINE OF NOT LESS THAN SIXTY THOUSAND PESOS (P60,000) NOR MORE THAN ONE HUNDRED FIFTY THOUSAND PESOS (P150,000) AND IMPRISONMENT OF NOT LESS THAN SIX (6) YEARS NOR MORE THAN FIFTEEN (15) YEARS FOR EACH VISA OR ENTRY DOCUMENT.

SEC. 10. Section 20 of the same Act is hereby amended to read as follows:

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

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

“The mere submission of spurious, forged or falsified documents supporting a passport application by any duly accredited travel or recruitment agent or agency shall be *prima facie* evidence that the said travel or recruitment agent or agency is the author of such forgery or falsification.”

SEC. 11. *Repealing Clause.* - All laws or parts thereof, decrees, orders, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 12. *Separability Clause.* - If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

SEC. 13. *Effectivity Clause.* - This Act shall take effect immediately following its publication in a newspaper of general circulation or in the *Official Gazette*, whichever comes first.

Approved,