



## HOUSE OF REPRESENTATIVES

H. No. 5572

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BY REPRESENTATIVES CRUZ-GONZALES, VARGAS, ROMUALDO, SANTIAGO,  
ILAGAN, GERONA-ROBREDO, DE JESUS, PERNES, LACSON-NOEL,  
VILLARICA, ERMITA-BUHAIN AND DE VENECIA, PER COMMITTEE  
REPORT NO. 612

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AN ACT PROVIDING STRONGER MEASURES AGAINST UNLAWFUL  
PRACTICES, BUSINESSES AND SCHEMES OF MATCHING  
AND OFFERING FILIPINOS TO FOREIGN NATIONALS FOR  
PURPOSES OF MARRIAGE OR COMMON LAW PARTNERSHIP,  
REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 6955,  
ALSO REFERRED TO AS THE "ANTI-MAIL ORDER BRIDE  
LAW"

*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 known as the "Anti-Mail  
2 Order Spouse Act".

3           SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of  
4 the State to guarantee the enjoyment of the people to freely choose their  
5 lifetime partner. Towards this end, the State shall prevent the exploitation of  
6 Filipinos, and protect them from unlawful practices, businesses, and schemes  
7 which offer Filipinos for marriage to unscrupulous foreign nationals and  
8 expose them to abuse, exploitation, prostitution, and violent situations.

1           SEC. 3. *Prohibited Acts.* – It shall be unlawful for any person,  
2 whether natural or juridical, to commit, directly or indirectly, any of the  
3 following acts:

4           (a) Engage in any business or scheme which has for its purpose the  
5 matching or offering of a Filipino to foreign national for the purpose of  
6 marriage or common law partnership on a mail-order basis or through  
7 personal introduction, email, or websites in the internet;

8           (b) Exhibit, advertise, publish, print or distribute, or cause the  
9 exhibition, advertisement, publication, printing, or distribution of any  
10 brochure, flier or any propaganda materials which are calculated to promote  
11 the prohibited acts in the preceding paragraph, or to post, advertise or upload  
12 such materials through a website in the internet;

13           (c) Solicit, enlist or in any manner attract or induce any Filipino to  
14 become a member in any club or association whose objective is to match  
15 Filipino nationals to foreign nationals for the purpose of marriage or common  
16 law partnership whether for free or for a fee; and

17           (d) To use the postal service or any website in the internet to promote  
18 the prohibited acts under this section.

19           SEC. 4. *Penalties.* – Any person found guilty by the court to have  
20 committed any of the prohibited acts provided under Section 3 of this Act  
21 shall suffer the penalty of imprisonment for fifteen (15) years and a fine of not  
22 less than five hundred thousand pesos (P500,000.00) but not more than one  
23 million pesos (P1,000,000.00).

24           Any person who shall abet or cooperate in the execution of the  
25 prohibited acts mentioned in Section 3 of this Act, by previous or  
26 simultaneous acts, shall suffer the same penalty provided in the preceding  
27 paragraph.

1           If the prohibited act is committed by a syndicate or committed on a large  
2 scale, the offender shall suffer the penalty of twenty (20) years imprisonment  
3 and a fine of not less than two million pesos (P2,000,000.00) but not more  
4 than five million pesos (P5,000,000.00).

5           The prohibited act is deemed committed by a syndicate if carried out by  
6 a group of three (3) or more persons conspiring or confederating with one  
7 another.

8           The prohibited act is deemed committed on a large scale if committed  
9 against three (3) or more persons, individually or as a group.

10          Any person who has knowledge of the commission of the unlawful acts  
11 and profits from it, or assists the offender to profit from it, without having  
12 participated therein, either as principal or as accomplice, shall be punished as  
13 an accessory to the offense committed and shall suffer the penalty of ten (10)  
14 years imprisonment and a fine of not less than one hundred thousand pesos  
15 (P100,000.00) but not more than five hundred thousand pesos (P500,000.00).

16          If the offender is a foreigner, the offender shall be immediately  
17 deported after serving the sentence and payment of fine and shall be barred  
18 forever from entering the country.

19          If the offender is a corporation, partnership, association, club,  
20 establishment, or any juridical person, the penalty shall be imposed upon the  
21 owner, president, partner, manager, or any responsible officer who  
22 participated in the commission of the prohibited acts or who shall have  
23 knowingly permitted or failed to prevent its commission.

24          The court may also suspend or revoke the license or permit to operate  
25 in the Philippines of the advertising agency, newspaper and magazine  
26 publisher, television or radio station, internet websites, or other entities who  
27 commit any of the prohibited acts.

1           **SEC. 5. Confiscation and Forfeiture.** – The court shall order the  
2   confiscation and forfeiture of all the proceeds and properties derived from the  
3   commission of the prohibited act in favor of the government. All awards for  
4   damages shall be taken from the personal and separate properties of the  
5   offender and if such properties are insufficient, the balance shall be taken from  
6   the confiscated and forfeited properties.

7           When the proceeds, properties and instruments of the offense have been  
8   destroyed, diminished in value, or otherwise rendered worthless by any act or  
9   omission, directly or indirectly, by the offender or they have been concealed,  
10  removed, converted, or transferred to prevent or avoid forfeiture or  
11  confiscation, the offender shall be ordered to pay the amount equal to the value  
12  of the proceeds, property, or instruments of the offense.

13          **SEC. 6. Mandatory Programs.** – The government shall establish and  
14  implement preventive, protective, and rehabilitative programs for victims of  
15  the unlawful acts and practices enumerated in Section 3 of this Act. For this  
16  purpose, the following agencies are hereby mandated to implement their  
17  respective programs:

18          (a) Department of Foreign Affairs (DFA). – The DFA shall make  
19  available its resources and facilities overseas for victims of mail-order marriage  
20  and other similar schemes regardless of their manner of entry to the receiving  
21  country. It shall provide Filipino victims overseas with free legal assistance  
22  and counsel to pursue legal action against offenders, represent their interests in  
23  any criminal investigation or prosecution, and assist in the application for  
24  social benefits or regular immigration status as may be allowed or provided for  
25  by the host country.

26          (b) Department of Social Welfare and Development (DSWD). – The  
27  DSWD shall implement preventive, protective, and rehabilitative programs for  
28  victims. It shall provide case management service and temporary shelter to

1 victims and develop a system for accreditation among nongovernment  
2 organizations (NGOs) for purposes of establishing centers and programs for  
3 intervention in various levels of the community. It shall establish free  
4 temporary shelters, for the protection and housing of victims to provide the  
5 following basic services:

6 (1) Temporary shelter and food;

7 (2) Psychological support and counseling;

8 (3) *Twenty-four (24)-hour call center* for crisis calls and  
9 technology-based counseling and referral system;

10 (4) *Coordination with local law enforcement* entities; and

11 (5) Coordination with the Department of Justice, among others.

12 (c) Department of Justice (DOJ). – The DOJ shall ensure the  
13 prosecution of the persons accused of violating this Act. It shall also establish a  
14 *mechanism* for free legal assistance for victims' in coordination with the  
15 DSWD, the Integrated Bar of the Philippines and other NGOs and volunteer  
16 groups.

17 (d) Philippine Commission on Women (PCW). – The PCW shall  
18 actively participate and coordinate in the formulation and monitoring of  
19 policies addressing the issue of mail-order marriages and other similar  
20 practices in coordination with relevant government agencies. It shall likewise  
21 advocate for the inclusion of the issue of mail-order marriages and other  
22 similar schemes in both local and international advocacy for women issues.

23 (e) Commission on Filipinos Overseas (CFO). – The CFO shall  
24 conduct predeparture counseling services for Filipinos who have contracted  
25 marriages with partners from other countries with different cultures, faiths  
26 and religious beliefs. It shall develop a system for accreditation of NGOs that  
27 may be mobilized for purposes of conducting predeparture counseling services

1 for Filipinos in intermarriages. The CFO shall ensure that the counselors  
2 contemplated under this Act shall have the minimum qualifications and  
3 training required by law. It shall likewise assist in the conduct of information  
4 campaigns against unlawful acts under this Act and other similar schemes in  
5 coordination with local government units, the Philippine Information Agency  
6 and NGOs.

7        *SEC. 7. Extraterritorial Jurisdiction.* – The State shall exercise  
8 jurisdiction over any crime defined and penalized under this Act, even if  
9 committed outside the Philippines and whether or not the same constitutes an  
10 offense at the place of commission, the crime being a continuing offense,  
11 having been commenced in the Philippines and other elements having been  
12 committed in another country, under the following circumstances:

- 13        (a) The offender is a Filipino citizen;  
14        (b) The offender is a permanent resident of the Philippines; or  
15        (c) The offender is accused of committing the prohibited act against a  
16 citizen of the Philippines.

17        No prosecution may be commenced against a person under this section  
18 if a foreign government, in accordance with jurisdiction recognized by the  
19 Philippines, has prosecuted or is prosecuting such person for the offense.

20        The government may surrender or extradite persons accused of  
21 violation of this Act to the appropriate international court or to another State  
22 pursuant to the applicable extradition laws and treaties.

23        *SEC. 8. Venue.* – A criminal action arising from the violation of this  
24 Act shall be filed in the place where the offense was committed, where any of  
25 its elements occurred or where the victim actually resides. The court where  
26 the criminal action is first filed shall acquire jurisdiction to the exclusion of  
27 other courts.

1           SEC. 9. *Implementing Rules and Regulations.* – Within ninety (90)  
2 days from the approval of this Act, the Secretary of Foreign Affairs shall, in  
3 coordination with the DOJ, the DSWD, the CFO, the PCW, and NGOs which  
4 are engaged in assisting victims of mail-order marriages and other schemes,  
5 promulgate the necessary rules and regulations for the effective  
6 implementation of this Act.

7           SEC. 10. *Separability Clause.* – If any provision of this Act is  
8 declared unconstitutional, the remainder of this Act or any provision not  
9 affected thereby shall remain in full force and effect.

10           SEC. 11. *Repealing Clause.* – Republic Act No. 6955, also referred to  
11 as the “Anti-Mail Order Bride Law”, is hereby repealed. All other laws,  
12 decrees, executive orders, rules and regulations or parts thereof inconsistent  
13 with the provisions of this Act are hereby repealed or modified accordingly.

14           SEC. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after  
15 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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