

13th CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

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SENATE

RECEIVED BY: 

S. BILL NO. **1390**

Introduced by Senator Ralph G. Recto

Explanatory Note

Republic Act No. 8239, also known as the Philippine Passport Act of 1996 was enacted to pursue the inviolable constitutional right of people to travel. The same Act mandates the government to issue passports or other travel documents to any of its citizens who comply with the requirements of the said Act.

Appropriately, it should be 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 unimpaired exercise of said right. In this regard, there is a need to amend the existing Act in order to facilitate and expedite 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 shall be qualified to file applications on behalf of certain applicants in specific circumstances provided therein.

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

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



RALPH G. RECTO

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S. BILL NO. **1390**

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AN ACT
AMENDING SECTIONS 5, 6, 7(a), 7(b), 8, 10, 14, 16, 17, 19, AND 20 OF
REPUBLIC ACT NO. 8239, OTHERWISE KNOWN AS THE PHILIPPINE
PASSPORT ACT OF 1996

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

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

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

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

11
12 (B) THE APPLICANT'S BIRTH CERTIFICATE ISSUED BY THE
13 LOCAL CIVIL REGISTRAR AND DULY AUTHENTICATED BY THE
14 OFFICE OF THE CIVIL REGISTRAR GENERAL: *PROVIDED*, THAT IF
15 THE APPLICANT WAS BORN BEFORE 1950 AND HIS BIRTH
16 CERTIFICATE HAS BEEN DESTROYED, DAMAGED, OR IS NOT
17 AVAILABLE DUE TO OTHER CAUSES, HE MUST PRESENT A
18 BAPTISMAL OR DEDICATION CERTIFICATE, OR A SIMILAR
19 EQUIVALENT CERTIFICATE ISSUED BY A NON-CHRISTIAN

1 RELIGIOUS GROUP, ATTESTING TO THE APPLICANT'S HAVING
2 BEEN ADMITTED TO SUCH RELIGIOUS GROUP OR SECT AT AN
3 EARLY AGE WHERE IT IS INDICATED THAT THE APPLICANT IS A
4 FILIPINO CITIZEN: *PROVIDED, FURTHER,* THAT THIS MUST BE
5 ACCOMPANIED BY A JOINT AFFIDAVIT BY TWO (2) PERSONS WHO
6 HAVE PERSONAL KNOWLEDGE OF THE APPLICANT AND OF
7 SUCH AGE AS TO CREDIBLY STATE THE APPLICANT'S DATE AND
8 PLACE OF BIRTH, CITIZENSHIP AND NAME OF PARENTS:
9 *PROVIDED, FINALLY,* THAT FILIPINOS WHO DO NOT SUBSCRIBE
10 TO ANY RELIGION AND WHOSE PARENTS FOR ANY REASON
11 FAILED TO HAVE THE SAID APPLICANT BAPTIZED SHALL BE
12 EXEMPTED FROM THE REQUIREMENT TO PRESENT A
13 BAPTISMAL CERTIFICATE PRESCRIBED HEREIN AND IN LIEU
14 THEREOF, THE APPLICANT SHALL EXECUTE AN AFFIDAVIT TO
15 THE EFFECT DULY CORROBORATED BY THE AFFIDAVIT OF AT
16 LEAST TWO (2) PERSONS OF GOOD REPUTATION WHO
17 PERSONALLY KNOW SUCH FACT;

18
19 “[(b) The birth certificate duly issued or authenticated by the Office of the
20 Civil Registrar General: *Provided, however,* That if the birth of the applicant has not
21 been registered yet, or if his birth certificate is destroyed, damaged, or not available
22 due to other causes, he shall apply for delayed registration of his birth with the
23 Office of the Civil Registrar General which shall issue to said applicant a certification
24 of pending application for delayed registration of birth attaching thereto a copy of an
25 accomplished certificate of live birth. Such certification and the accomplished
26 certificate of live birth shall be sufficient to support an application for passport in
27 addition to other papers which the Department may require from the applicant;]

28
29 (C) IF THE APPLICANT WAS BORN IN OR AFTER 1950 AND
30 HIS BIRTH CERTIFICATE HAS BEEN DESTROYED, DAMAGED OR
31 IS NOT AVAILABLE AT THE LOCAL CIVIL REGISTRAR AND THE
32 OFFICE OF THE CIVIL REGISTRAR GENERAL DUE TO OTHER

1 CAUSES, HE SHALL BE REQUIRED TO FILE A DELAYED
2 REGISTRATION OF BIRTH WITH THE LOCAL CIVIL REGISTRAR:
3 *PROVIDED*, THAT THIS PROVISION WILL NOT PREVENT LATE
4 REGISTRANTS BORN BEFORE 1950 FROM APPLYING FOR A
5 DELAYED REGISTRATION OF BIRTH;

6
7 [(c) In the absence of a birth certificate, a baptismal certificate for those who
8 are members of a Christian religious organization or similar or equivalent certificate
9 issued by a non-Christian religious group, attesting to the applicant's having been
10 admitted to such religious group or sect at an early age where it is indicated that the
11 applicant is a Filipino citizen which should be accompanied by a joint affidavit by
12 two(2) persons who have personal knowledge of the applicant and of such age as to
13 credibly state the applicant's date and place of birth, citizenship and name of parents:
14 *Provided*, That Filipinos who do not believe in any religion and whose parents for any
15 reason failed to have the said applicant baptized shall be exempted from the
16 baptismal certificate requirement: *Provided, further*, That in lieu thereof, the applicant
17 shall execute an affidavit to the effect duly corroborated by the affidavit of at least
18 two (2) persons of good reputation who personally know such fact;]

19
20 (D) THE APPLICANT'S VOTER'S ID OR AFFIDAVIT DULY
21 ISSUED BY THE COMELEC IN THE LOCALITY WHERE THE
22 APPLICANT IS A REGISTERED VOTER IF THE APPLICANT IS
23 ALREADY EIGHTEEN (18) YEARS OF AGE; and

24
25 “[(d) In case of a woman who is married, separated, divorced or widowed or
26 whose marriage has been annulled or declared by court as void, a copy of the
27 certificate of marriage, court decree of separation, divorce or annulment or certificate
28 of death of the deceased spouse duly issued and authenticated by the Office of the
29 Civil Registrar General: *Provided*, That in case of a divorced decree, annulment or
30 declaration of marriage as void, the woman applicant may revert to the use of her
31 maiden name: *Provided, further*, That such divorce is recognized under existing laws of
32 the Philippines;]

1 (E) A MARRIED WOMAN WHO OPTS TO ADOPT THE
2 SURNAME OF HER HUSBAND MUST PRESENT AN
3 AUTHENTICATED COPY OF HER MARRIAGE CONTRACT:
4 *PROVIDED*, THAT A MARRIED WOMAN WHO IS WIDOWED,
5 DIVORCED IN ACCORDANCE WITH ARTICLE 26 OF EXECUTIVE
6 ORDER NO. 209, AS MENDED BY EXECUTIVE ORDER NO. 227,
7 OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES
8 OF 1988, OR WHOSE MARRIAGE IS ANNULLED OR DECLARED BY A
9 COURT OF LAW AS VOID, AND WHO OPTS TO REVERT TO THE
10 USE OF HER MAIDEN NAME, MUST PRESENT THE
11 AUTHENTICATED DEATH CERTIFICATE OF HER SPOUSE, OR AN
12 AUTHENTICATED COPY OF THE DIVORCE DECREE OR COURT
13 DECREE OF ANNULMENT;
14

15 “[(e) In the case of naturalized citizens, a certified copy of the naturalization
16 certificate; or a certified naturalization certificate of husband or parent duly issued
17 and authenticated by the Office of the Civil Registrar General if citizenship is
18 claimed through the naturalization of spouse or parent;]
19

20 (F) IN THE CASE OF NATURALIZED CITIZENS, A COPY OF
21 THE NATURALIZATION CERTIFICATE, DULY REGISTERED BY
22 THE LOCAL CIVIL REGISTRAR AND AUTHENTICATED BY THE
23 OFFICE OF THE CIVIL REGISTRAR GENERAL: *PROVIDED*, THAT
24 IN CASE OF DERIVATIVE NATURALIZATION, THE APPLICANT
25 SHALL BE REQUIRED TO PRESENT A COPY OF THE
26 NATURALIZATION CERTIFICATE OF HIS PARENT OR SPOUSE
27 DULY ISSUED AND AUTHENTICATED BY THE OFFICE OF THE
28 CIVIL REGISTRAR GENERAL;
29

30 “[(f) For an applicant who has not reached the age of majority, an affidavit
31 of consent from a parent as indicated in the passport application if the minor is
32 traveling with either parent, and a clearance from the Department of Social Welfare

1 and Development, if the minor is traveling with a legal guardian or a person other
2 than a parent;]

3
4 (G) APPLICATIONS FILED BY MINOR PASSPORT APPLICANTS
5 MAY BE PROCESSED ONLY UPON THE PERSONAL APPEARANCE
6 OF THEIR PARENTS: *PROVIDED*, THAT IF A PERSON OTHER THAN
7 THE MINOR'S PARENTS FILE THE APPLICATION, A SPECIAL
8 POWER OF ATTORNEY DULY EXECUTED BY EITHER PARENT
9 MUST BE PRESENTED FOR THIS PURPOSE: *PROVIDED, FURTHER*,
10 THAT MINOR PASSPORT APPLICANTS TRAVELING WITH EITHER
11 PARENT MUST PRESENT THE PASSPORT OF HIS TRAVELING
12 COMPANION: *PROVIDED, FINALLY*, THAT IF HE IS NOT
13 TRAVELING WITH EITHER PARENT, AN AFFIDAVIT OF SUPPORT
14 AND CONSENT FROM EITHER PARENT MUST BE SUBMITTED;

15
16 “[(g) If the applicant is an adopted person, the duly certified copy of court
17 order of adoption, together with the original and amended birth certificate duly
18 issued and authenticated by the Office of the Civil Registrar General shall be
19 presented: *Provided*, That in case the adopted person is an infant or a minor or the
20 applicant is for adoption by foreign parents, an authority from the Department of
21 Social Welfare and Development shall be required: *Provided, further*, That the adopting
22 foreign parents shall also submit a certificate from their embassy or consulate that
23 they are qualified to adopt such infant or minor child;]

24
25 (H) IF THE APPLICANT IS FOR ADOPTION BY FOREIGN
26 PARENTS UNDER R.A. NO. 8043, OTHERWISE KNOWN AS THE
27 “INTER-COUNTRY ADOPTION ACT OF 1995,” THE CERTIFIED
28 TRUE COPY OF THE COURT DECREE OF ABANDONMENT OF
29 CHILD, DEATH CERTIFICATE OF THE CHILD'S PARENTS, OR THE
30 NEED OF VOLUNTARY COMMITMENT EXECUTED BY EITHER
31 PARENT AFTER THE BIRTH OF THE CHILD SHALL BE
32 PRESENTED: *PROVIDED*, THAT THE AUTHENTICATED BIRTH OR

1 **FOUNDING CERTIFICATE, PLACEMENT AUTHORITY AND THE**
2 **FORMAL ENDORSEMENT OF THE CHILD TO THE INTER-**
3 **COUNTRY ADOPTION BOARD BY THE DEPARTMENT OF SOCIAL**
4 **WELFARE AND DEVELOPMENT MUST BE PRESENTED;**
5

6 “(I) [(h)] In case of discrepancy between the applicant’s name in the birth
7 certificate and in any other **PUBLIC OR** private document[s], the former shall
8 prevail over the latter unless by operation of law or through court order, the
9 applicant is permitted to use A name other than what is officially recorded in the
10 Civil Register; and
11

12 [“(i) If the applicant is a government employee, the travel authority issued by
13 the head of department, agency or office may be required only if said applicant is
14 applying for an official passport.”]
15

16 **(J) IF THE APPLICANT IS A GOVERNMENT OFFICIAL OR**
17 **EMPLOYEE, A TRAVEL AUTHORITY FROM THE APPROPRIATE**
18 **HEADS OF AGENCIES SHALL ONLY BE REQUIRED IF HE IS**
19 **APPLYING FOR A DIPLOMATIC OR AN OFFICIAL PASSPORT.**
20

21 **SEC. 2.** Section 6 of the same Act is hereby amended to read as follows:
22

23 “Sec. 6. *Application.* – The application [may] **MUST** be filed by **ANY OF**
24 **THE FOLLOWING:**

25 “a) The applicant himself or herself; or
26

27 “b) The parent or legal guardian on behalf of an applicant who is below the
28 age of majority [.] **A SENIOR CITIZEN AT LEAST SIXTY (60) YEARS**
29 **OLD, OR IS SUFFERING FROM DISABILITY WHICH IMPAIRS HIS**
30 **MEANS OF COMMUNICATION; OR”**
31

1 (C) A TRAVEL OR RECRUITMENT AGENCY DULY
2 ACCREDITED WITH THE DEPARTMENT.
3

4 [In case of first time applicants, the applicant must present himself/herself in
5 person to prove that he or she is the same person and of the age claimed in the
6 application form. In case of renewal the application may be filed by any licensed
7 travel agency duly accredited by the Department of Foreign Affairs: *Provided*, That
8 the agent shall be responsible for the authenticity or *bona fide* of the supporting
9 documents being presented to meet the requirements for the application of
10 passports.]”
11

12 A PERSON APPLYING FOR A PASSPORT FOR THE FIRST
13 TIME MUST PRESENT HIMSELF/HERSELF IN PERSON TO PROVE
14 THAT HE OR SHE IS THE SAME PERSON AND OF THE AGE
15 CLAIMED IN THE APPLICATION FORM. THIS REQUIREMENT
16 MAY BE WAIVED WHEN THE APPLICANT IS NOT MORE THAN
17 EIGHT (8) YEARS OLD, OR AT LEAST (60) YEARS OLD, OR
18 MENTALLY OR PHYSICALLY INCAPACITATED.
19

20 WHEN A PASSPORT APPLICATION IS FILED BY A
21 RECRUITMENT OR TRAVEL AGENCY DULY ACCREDITED BY THE
22 DEPARTMENT OF FOREIGN AFFAIRS, THE AGENT SHALL BE
23 RESPONSIBLE FOR THE AUTHENTICITY OF THE SUPPORTING
24 DOCUMENTS SECURED BY THE AGENT AND BEING PRESENTED
25 TO MEET THE REQUIREMENTS FOR THE APPLICATION OF
26 PASSPORTS.
27

28 THE DEPARTMENT SHALL HAVE THE RIGHT TO REQUIRE
29 ALTERNATIVE DOCUMENTS AS MAY BE SPECIFIED IN THE
30 IMPLEMENTING RULES AND REGULATIONS FORMULATED TO
31 ENFORCE THIS LAW.
32

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

2
3 “Sec. 7. *Types of Passports.* – The Secretary or the authorized representative or
4 consular officer may issue the following types of passports:

5
6 “a) Diplomatic [passport] **PASSPORTS** [for persons imbued] **ARE**
7 **ISSUED TO PERSONS** with diplomatic status or are on A diplomatic mission
8 such as:

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

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

14
15 “3. The **INCUMBENT** Senate President and the Speaker of the House of
16 Representatives;

17
18 “4. The **INCUMBENT** Chief Justice of the Supreme Court and
19 **INCUMBENT ASSOCIATE JUSTICES OF THE SUPREME**
20 **COURT AND THE PRESIDING JUSTICE OF THE COURT**
21 **OF APPEALS;**

22
23 “5. The [Cabinet Secretaries,] **INCUMBENT SECRETARY**, [and the]
24 Undersecretaries and Assistant Secretaries of the Department of
25 Foreign Affairs;

26
27 6. **INCUMBENT MEMBERS OF CONGRESS;**

28
29 “7. [Ambassadors, Foreign Service Officers of all ranks in the career
30 diplomatic service; Attaches, and members of their families] **THE**
31 **INCUMBENT SECRETARIES OF ALL OTHER**
32 **DEPARTMENTS OF THE EXECUTIVE BRANCH; THE**

1 **SECRETARY GENERAL OF THE HOUSE OF**
2 **REPRESENTATIVES AND THE SECRETARY OF THE**
3 **SENATE;**

4
5 "8. [Members of the Congress when on official mission abroad or as
6 delegates to international conferences] **AMBASSADORS**
7 **EXTRAORDINARY AND PLENIPOTENTIARIES OF THE**
8 **REPUBLIC OF THE PHILIPPINES;**

9
10 "9. [The Governor of the *Bangko Sentral ng Pilipinas* and delegates to
11 international or regional conferences when on official mission or
12 accorded full powers by the President; and] **CHIEFS OF**
13 **MISSION, FOREIGN SERVICE OFFICERS OF ALL RANKS**
14 **IN THE CAREER DIPLOMATIC SERVICE, INCLUDING**
15 **DESIGNATED DEPARTMENT OF FOREIGN AFFAIRS**
16 **ATTACHES AND DESIGNATED ATTACHES FROM**
17 **ATTACHED AGENCIES OF THE GOVERNMENT;**

18
19 "10. [Spouses and unmarried minor children of the above-mentioned
20 officials when accompanying or following to join them in an official
21 mission abroad.] **FORMER AMBASSADORS**
22 **EXTRAORDINARY AND PLENIPOTENTIARIES OF THE**
23 **REPUBLIC OF THE PHILIPPINES AND FORMER**
24 **FOREIGN SERVICE OFFICERS WITH THE RANK OF**
25 **CHIEFS OF MISSION;**

26
27 11. **THE INCUMBENT GOVERNOR OF THE BANGKO**
28 **SENTRAL NG PILIPINAS;**

29
30 12. **OFFICIAL DELEGATES TO INTERNATIONAL OR**
31 **REGIONAL CONFERENCES ACCORDED FULL POWERS**
32 **BY THE PRESIDENT; AND**

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

7
8 “The President of the Philippines and the Secretary of the Department of
9 Foreign Affairs may grant diplomatic passports to officials and persons other than
10 those enumerated herein who are on official mission abroad **AND ARE**
11 **GRANTED FULL POWERS BY THE PRESIDENT.**

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

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

24
25 “2. [Staff officers and employees of the Department of Foreign Affairs
26 assigned to diplomatic and consular posts and officers and
27 representatives of other government departments and agencies
28 assigned abroad] **PAST SENATE PRESIDENTS AND**
29 **SPEAKERS OF THE HOUSE OF REPRESENTATIVES;**

30
31 “3. [Persons in the domestic service and household members of officials

1 assigned to diplomatic or consular posts] RETIRED CHIEF
2 JUSTICES AND ASSOCIATE JUSTICES OF THE
3 SUPREME COURT;

4
5 "4. [Spouses and unmarried minor children of the officials mentioned
6 above when accompanying or following to join them.] STAFF
7 OFFICERS AND EMPLOYEES OF THE DEPARTMENT
8 OF FOREIGN AFFAIRS ASSIGNED TO DIPLOAMTIC OR
9 CONSULAR POSTS AND OFFICES AND
10 REPRESENTATIVES OF OTHER GOVERNEMNT
11 AGENCIES ASSIGNED ABROAD;"

12
13 5. PERSONS IN THE DOMESTIC SERVICE AND
14 HOUSEHOLD MEMBERS OF OFFICIALS ASSIGNED TO
15 DIPLOMATIC OR CONSULAR POSTS NOT EXCEEDING
16 TWO (2); AND

17
18 6. SPOUSE AND MINOR CHILDREN, INCLUDING
19 UNMARRIED CHILDREN WHO ARE OF AGE BUT
20 DEPENDENT ON THE INCUMBENT OFFICIALS
21 MENTIONED ABOVE FOR SUPPORT, WHEN
22 ACCOMPANYING OR FOLLOWING TO JOIN THEM.

23
24 SEC. 4. Section 8 of the same Act is hereby amended to read as follows:

25
26 "SEC. 8. *Grounds for Denial, Cancellation or Restrictions.* – The application
27 for A passport may be denied, cancelled or restricted only on the following grounds:

28
29 "a) Denial of Passport

30
31 "1. [On orders of the court, after due notice and hearing, to hold the

1 departure of an applicant because of a pending criminal case]
2 APPLICANT'S FAILURE TO PRESENT DOCUMENTARY
3 REQUIREMENTS TO SUPPORT THE PASSPORT
4 APPLICATION;

5
6 "2. [When so requested by the natural or legal guardian, if the applicant is a
7 minor] VIOLATION BY THE APPLICANT OF ANY OF
8 THE PROVISIONS OF REPUBLIC ACT NO. 8239, AS
9 AMENDED;

10
11 "3. [When the applicant has been found to have violated any of the
12 provisions of this Act] ON ORDERS OF THE COURT, AFTER
13 DUE NOTICE AND HEARING, TO WITHHOLD THE
14 PROCESSING OF A PASSPORT;

15
16 "4. WHEN THE APPLICANT IS A FUGITIVE FROM JUSTICE;

17
18 "5. WHEN THE APPLICANT HAS BEEN CONVICTED BY
19 FINAL JUDGMENT OF A CRIMINAL OFFENSE;"

20
21 "6. [Such other disqualification under existing laws.] WHEN SO
22 REQUESTED BY THE PARENT OR LEGAL GUARDIAN,
23 IF THE APPLICANT IS A MINOR;

24
25 7. UPON LAWFUL ORDERS OF THE SECRETARY WHEN
26 HE DEEMS IT NECESSARY IN THE INTEREST OF
27 NATIONAL SECURITY OR PUBLIC SAFETY;

28
29 8. CANCELLATION OF APPLICANT'S PASSPORT UNDER
30 SECTION 8 (B) HEREOF; AND

31
32 9. SUCH OTHER DISQUALIFICATIONS UNDER EXISTING

1 **LAWS.**

2
3 **"b) Cancellation OF PASSPORT**

4
5 "1. When the holder is a fugitive from justice;

6
7 "2. When the folder [has] **HAD** been convicted **BY FINAL JUDGMENT**
8 of a criminal offense; *Provided*, that [the passport may be restored
9 after service of sentence] **HE BECOMES ELIGIBLE TO**
10 **APPLY FOR A NEW PASSPORT AFTER GRANT OF**
11 **PROBATION, SERVICE OF SENTENCE, GRANT OF**
12 **CONDITIONAL OR ABSOLUTE PARDON, OR ISSUANCE**
13 **OF AN AMNESTY; [or]**

14
15 "3. [When a passport was acquired fraudulently or tampered with] **UPON**
16 **FINDING BY THE SECRETARY OR HIS AUTHORIZED**
17 **REPRESENTATIVE OR CONSULAR OFFICER OR UPON**
18 **RECOMMENDATION OF THE COMMISSIONER OF**
19 **THE BUREAU OF IMMIGRATION THAT A PASSPORT**
20 **HAS BEEN ACQUIRED THROUGH FRAUD OR**
21 **MISREPRESENTATION OR HAS BEEN TAMPERED**
22 **WITH SUBSEQUENT TO ITS RELEASE OR ISSUANCE;**
23 **OR**

24
25 4. **UPON LAWFUL ORDER OF THE SECRETARY WHEN HE**
26 **DEEMS IT NECESSARY IN THE INTEREST OF**
27 **NATIONAL SECURITY OR PUBLIC SAFETY.**

28
29 **"c) ISSUANCE OF Restricted PASSPORTS**

30
31 "1. When the country of destination is in a state of political instability **AND**
32 **[which] could pose a danger to the Filipino traveler;**

1
2 “2. When [diplomatic ties have been fractured or severed] **THE**
3 **COUNTRY OF DESTINATION HAD SEVERED**
4 **DIPLOMATIC TIES** with the Philippines;

5
6 “3. When the country of destination is subject to travel restriction by
7 government policy, enforcement [of] action by the United States; or
8 **IS** in a state of war [.]”

9
10 4. **WHEN TRAVEL HAS BEEN AUTHORIZED BY A**
11 **COMPETENT COURT OR THE OFFICE OF THE**
12 **PRESIDENT TO A SPECIFIED DESTINATION ONLY;**
13 **AND**

14
15 5. **WHEN THE APPLICANT’S SUPPORTING DOCUMENTS**
16 **APPEAR INADEQUATE TO ESTABLISH FILIPINO**
17 **CITIZENSHIP AND THE TRAVEL IS FOR URGENT**
18 **MEDICAL REASONS AS CERTIFIED BY A PHYSICIAN,**
19 **OR TO ATTEND TO A SERIOUSLY ILL IMMEDIATE**
20 **FAMILY MEMBER WITHIN THE SECOND DEGREE OF**
21 **CONSANGUINITY OR AFFINITY.”**

22
23 **SEC. 5.** Section 10 of the same Act is hereby amended to read as follows:

24
25 “*SEC. 10. Validity.* – Regular passports issued under this Act shall be valid
26 for a period of five (5) years” *Provided, however,* That the issuing authority may limit
27 the period of validity to less than five (5) years whenever [in the national economic
28 interest or political stability of the country such restriction is necessary] **THE**
29 **SECRETARY DEEMS THAT NATIONAL SECURITY, PUBLIC SAFETY**
30 **OR PUBLIC HEALTH SO REQUIRES OR WHENEVER THE**
31 **APPLICANT’S SUPPORTING DOCUMENTS APPEAR INADEQUATE**
32 **TO ESTABLISH FILIPINO CITIZENSHIP AND THE TRAVEL IS FOR**

1 A COMPELLING REASON AS MAY BE DETERMINED BY THE
2 DEPARTMENT: *Provided, finally,* That a new passport may be issued to replace one
3 which validity has expired [, the old passport being returned to the holder after
4 cancellation].”

5
6 THE DEPARTMENT SHALL ISSUE TEN (10)-YEAR VALIDITY
7 PASSPORTS TWO (2) YEARS AFTER THE EFFECTIVITY OF THIS
8 ACT, AS AMENDED: *PROVIDED,* THAT NO SUCH PASSPORT SHALL
9 BE ISSUED TO ANY INDIVIDUAL UNDER TWENTY (20) YEARS OLD.
10

11 DIPLOMATIC AND OFFICIAL PASSPORTS SHALL BE
12 SUBMITTED TO THE DEPARTMENT FOR REVALIDATION BEFORE
13 EACH DEPARTURE OF THE HOLDER.
14

15 SEC. 6. Section 14 of the same Act is hereby amended to read as follows:
16

17 “SEC. 14. *Amendments.* – A passport may be amended at the request of the
18 holder for any [lawful purpose, but such amendment should be approved by the
19 Secretary or his duly authorized diplomatic or consular officers.] OF THE
20 FOLLOWING PURPOSES:
21

22 A) AMENDMENTS OF A WOMAN’S NAME DUE TO
23 MARRIAGE; OR
24

25 B) AMENDMENT OF A WOMAN’S NAME DUE TO DEATH OF
26 AMENDMENT MAY NOT BE MADE DUE TO ERROR IN
27 SCRIPTING OR DISCREPANCY IN THE PERSONAL DATA OF
28 THE HOLDER.
29

30 C) AMENDMENT BY ORDER OF A COMPETENT COURT
31 AND/OR PURSUANT TO R.A. NO. 9048.”
32

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

3
4 SEC. 7. Section 16 of the same Act is hereby amended to read as follows:

5
6 “SEC. 16. *Fees.* – Reasonable fees shall be collected for the processing,
7 issuance [extension] **EXTENSIONS**, amendment or replacement of a lost passport
8 and the issuance of a Travel Document as may be determined by the Department [:
9 *Provided, however,* That any fee shall not be increased more than once every three (3)
10 years].”

11
12 SEC. 8. Section 17 of the same Act is hereby amended to read as follows:

13
14 “SEC. 17. *Passport Revolving Fund.* – The Department may charge a
15 **REASONABLE** service fee [of not more than Two Hundred Fifty Pesos (P250)]
16 for such service rendered to applicants relating to the processing and issuance of
17 passports requiring special consideration, waiver or issuance beyond regular office
18 hours. The service fees received by the Department under this Section shall
19 constitute a revolving fund to be called the “Passport Revolving Fund” which may
20 be utilized by the Department for the improvement of its passporting and consular
21 services and other Department services except travel and transportation allowances
22 and expenses.

23
24 “The setting up, use and disbursement of funds shall be subject to [review,
25 accounting and auditing [rules and] regulations [of the Commission on Audit and
26 will be subject to an annual review by Congress, but the Secretary will submit a
27 report on the disbursement of the fund every six (6) months to both the Senate and
28 the house Committees on Foreign Relations]. **THE SECRETARY SHALL**
29 **SUBMIT A REPORT ON THE DISBURSEMENT OF THE FUND**
30 **ANNUALLY TO THE SENATE AND THE HOUSE COMMITTEES ON**
31 **FOREIGN RELATIONS.”**

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

4
5 “SEC. 19. *Offense and Penalties.* – A passport, being a proclamation of [the]
6 citizenship of a Filipino, [is a document that] is superior to all other [official]
7 documents, [As such] **AND AS SUCH**, [it] should be accorded the highest respect
8 by its holder [that to do damage to its integrity and validity is a serious crime that
9 should be penalized accordingly]. **ANY ACT PREJUDICIAL TO ITS**
10 **INTEGRITY IS A GRAVE CRIME OF SECURITY AGAINST THE STATE**
11 **AND SHOULD BE PENALIZED ACCORDINGLY.**

12
13 “a) *Offense Relating to Issuance[s]: Penalties.* – Any person who:

14
15 “1. Acting or claiming to act in any capacity or office under the Republic of
16 the Philippines, without lawful authority **ACCEPTS PASSPORT**
17 **APPLICATIONS**, grants, issues or verifies any passport or travel
18 document to any or for any person whomsoever, **OR IS CAUGHT**
19 **SELLING IN WHATEVER CAPACITY PASSPORT**
20 **APPLICATION FORMS, OR LOST OR STOLEN**
21 **PASSPORTS AND TRAVEL DOCUMENTS** shall be punished
22 by a fine of not less than Fifteen thousand pesos (P15,000) nor more
23 than Sixty thousand pesos (P60,000) and imprisonment of not less
24 than [eighteen (18) months] **SIX (6) YEARS AND ONE (1) DAY**
25 nor more than [six (6)] **TWELVE (12)** years; or

26
27 “2. Being a diplomatic or consular official authorized to grant, issue, amend
28 or verify passports, knowingly and willfully grants, issues, amends or
29 verifies any such passport to any or for any person not owing
30 allegiance to the Republic of the Philippines, whether citizen or not,
31 shall be punished by a fine of not less than Fifteen thousand pesos
32 (P15,000) nor more than Sixty thousand pesos (P60,000) and

1 imprisonment of not less than [eighteen (18) months] **SIX (6)**
2 **YEARS AND ONE (1) DAY** but not more than [six
3 (6)]**TWELVE (12)** years and upon conviction, be
4 **PERPETUALLY** disqualified from holding [appointive] public
5 office;

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

18
19 “b) *Offenses Relating to False Statements: penalties.* – Any person who willfully and
20 knowingly:

21
22 “1. Makes any false statement in any application for passport with the intent
23 to induce or secure the issuance of a passport under the authority of
24 the Philippine Government, either for his own use or the use of
25 another, contrary to this Act or rules and regulations prescribed
26 pursuant hereto shall be punished by a fine of not less than Fifteen
27 thousand pesos (P15,000) nor more than Sixty thousand pesos
28 (P60,000) and imprisonment of not less than [three (3) years] **SIX**
29 **(6) YEARS AND ONE (1) DAY** nor more than [ten (10)]
30 **TWELVE (12)** years; or

31
32 “2. Uses or attempts to use any passport which was secured in any way by

1 reason of any false statements, shall be punished by a fine of not less
2 than Fifteen thousand pesos (P15,000) nor more than Sixty thousand
3 pesos (P60,000) and imprisonment of not less than [three (3) years]
4 **SIX (6) YEARS AND ONE (1) DAY**, but not more than [ten (10)]
5 **TWELVE (12) years** [; or]

6
7 “3. Travel and recruitment agencies whose **OFFICERS**, agents, liaison
8 officers or representatives are convicted of offenses relating to false
9 statements shall in addition to the fines and penalties
10 abovementioned have their license revoked with all deposits, escrow
11 accounts or guarantee funds deposited or made as a requirement of
12 their business forfeited in favor of the government [without
13 prejudice to the officials of the branch office or of the agency being
14 charged as accessories to the offense and upon conviction barred
15 from engaging in the travel or recruitment agency business]. **IN**
16 **THE EVENT THAT AN OFFICER OF THE TRAVEL OR**
17 **RECRUITMENT AGENCY IS CONVICTED, HE SHALL**
18 **BE BARRED FROM ENGAGING IN THE TRAVEL OR**
19 **RECRUITMENT AGENCY BUSINESS.**

20
21 “c) *Offenses Relating to Forgery: Penalties.* – Any person who:

22
23 “1. Falsely makes, forges, counterfeits, mutilates or alters any passport [or],
24 travel document, **DEPARTMENT STAMPS**, or any supporting
25 document for a passport application, with the intent of using the
26 same shall be punished by a fine of not less than Sixty thousand
27 pesos (P60,000) nor more than One Hundred Fifty thousand pesos
28 (P150,000) and imprisonment of not less than six (6) years nor more
29 than fifteen (15) years; or

30
31 “2. Willfully or knowingly uses or attempts to use, or furnishes to another

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

17
18 "d) *Offenses Relating to Improper Use: Penalties.* – Any person who willfully and
19 knowingly:

- 20
21 "1. Uses or attempts to use any passport issued or designed for the use of
22 another or any supporting documents for a passport application
23 which belongs to another; or
24
25 "2. Uses or attempts to use any passport or supporting document in
26 violation of the conditions or restrictions therein contained, or of the
27 rules prescribed pursuant thereto; or
28
29 "3. Furnishes, disposes or delivers a passport to any person, [for use by
30 another or other than the person for whose use it was originally
31 issued or designed; or] **OTHER THAN THAT IN WHOSE**
32 **NAME AND FOR WHOSE USE IT WAS ISSUED,**

1 DESIGNED OR INTENDED, EXCEPT WHEN THE
2 APPLICANT IS A MINOR, A SENIOR CITIZEN OVER
3 SIXTY (60) YEARS OLD OR PHYSICALLY OR MENTALLY
4 INCAPACITATED AND THE PASSPORT IS RELEASED
5 TO HIS PARENT, GUARDIAN OR IMMEDIATE
6 RELATIVE: *PROVIDED*, THAT IN CASE OF AN
7 EMERGENCY AND FOR HUMANITARIAN REASONS,
8 THE HEAD OF THE OFFICE OF CONSULAR AFFAIRS
9 OR THE HEAD OF THE CONSULAR SECTION OF ANY
10 EMBASSY OR THE CONSUL GENERAL OF A
11 CONSULATE MAY, UPON HIS DISCRETION RELEASE
12 THE PASSPORT TO A THIRD PARTY UPON THE
13 SUBMISSION OF A WRITTEN AUTHORIZATION FROM
14 THE APPLICANT; OR

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

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

26
27 “e) *Offenses relating to Multiple Possession: Penalties.* – No person or
28 individual may hold more than one valid passport, except as provided for in Section
29 7 hereof, and any individual who possesses more than one unexpired passport shall,
30 for every unexpired passport found in his possession, be punished by a fine of not
31 less than Fifteen thousand pesos (P15,000) nor more than Sixty thousand pesos
32 (P60,000) and imprisonment of not less than [eighteen months] **SIX (6) YEARS**

1 AND ONE (1) DAY [but not] NOR MORE THAN [six (6)] TWELVE (12)
2 years: *Provided*, That the maximum fine and imprisonment shall be imposed by the
3 court if he attempts to use or actually uses an unexpired passport which is not in his
4 name.

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

8
9 **"F) OFFENSES REALTING TO FORGERY OF VISAS AND**
10 **ENTRY DOCUMENTS: PENALTIES -- ANY PERSON WHO:**

- 11
12 1. KNOWINGLY FORGES, COUNTERFEITS, ALTERS,
13 OR FALSELY MAKES ANY IMMIGRANT OR
14 NONIMMIGRANT VISA, PERMIT, BORDER
15 CROSSING CARD, ALIEN REGISTRATION CARD, OR
16 OTHER DOCUMENT PRESCRIBED BY STATUTE OR
17 REGULATION FOR ENTRY INTO OR AS EVIDENCE
18 OF AUTHORIZED STAY OR EMPLOYMENT IN THE
19 PHILIPPINES OR ELSEWHERE, OR UTTERS, USES,
20 ATTEMPTS TO USE, POSSESSES, OBTAINS,
21 ACCEPTS, OR RECEIVES ANY SUCH VISA, PERMIT,
22 BORDER CROSSING CARD, ALIEN REGISTRATION
23 CARD, OR OTHER DOCUMENT PRESCRIBED BY
24 STATUTE OR REGULATION FOR ENTRY INTO OR
25 AS EVIDENCE OF AUTHORIZED STAY OR
26 EMPLOYMENT IN THE PHILIPPINES OR
27 ELSEWHERE, KNOWING IT TO BE FORGED,
28 COUNTERFEITED, ALTERED, OR FALSELY MADE,
29 OR TO HAVE BEEN PROCURED BY MEANS OF ANY
30 FALSE CLAIM OR STATEMENT, OR TO HAVE BEEN
31 OTHERWISE PROCURED BY FRAUD OR
32 UNLAWFULLY OBTAINED: *PROVIDED*, THAT THE

1 USE OF FORGED, COUNTERFEITED, ALTERED, OR
2 FALSELY MADE VISA, PERMIT, BORDER CROSSING
3 CARD, ALIEN REGISTRATION CARD, OR OTHER
4 ENTRY DOCUMENT SHALL BE *PRIMA FACIE*
5 EVIDENCE OF KNOWLEDGE; OR

6
7 2. EXCEPT UNDER DIRECTION OF THE
8 DEPARTMENT OF FOREIGN AFFAIRS, OR OTHER
9 PROPER OFFICER, KNOWINGLY POSSESSES ANY
10 BLANK PERMIT, OR ENGRAVES, SELLS, BRINGS
11 INTO THE PHILIPPINES, OR HAS IN HIS CONTROL
12 OR POSSESSION IN ANY PLATE IN THE LIKENESS
13 OF A PLATE DESIGNED FOR THE PRINTING OF
14 PERMITS, OR MAKES ANY PRINT, PHOTOGRAPH,
15 OR IMPRESSION IN THE LIKENESS OF ANY
16 IMMIGRANT OR NONIMMIGRANT VISA, PERMIT
17 OR OTHER DOCUMENT REQUIRED FOR ENTRY
18 INTO THE PHILIPPINES OR ELSEWHERE, OR HAS
19 IN HIS POSSESSION A DISTINCTIVE PAPER WHICH
20 HAS BEEN ADOPTED BY THE DEPARTMENT OF
21 FOREIGN AFFAIRS FOR THE PRINTING OF SUCH
22 VISAS, PERMITS, OR DOCUMENTS SHALL BE
23 PUNISHED BY A FINE OF NOT LESS THAN
24 FIFTEEN THOUSAND PESOS (P15,000) NOR MORE
25 THAN SIXTY THOUSAND PESOS (P60,000) AND
26 IMPRISONMENT OF NOT LESS THAN THREE (3)
27 YEARS, BUT NOT MORE THAN TEN (10) YEARS:
28 *PROVIDED*, THAT THE PERSON WHO FORGES,
29 COUNTERFEITS, ALTERS, OR FALSELY MAKES ANY
30 IMMIGRANT OR NONIMMIGRANT VISA, PERMIT,
31 BORDER CROSSING CARD, ALIEN REGISTRATION
32 CARD, OR OTHER ENTRY DOCUMENT SHALL BE

1 PUNISHED BY A FINE OF NOT LESS THAN SIXTY
2 THOUSAND PESOS (P60,000) NOR MORE THAN ONE
3 HUNDRED FIFTY THOUSAND PESOS (150,000) AND
4 IMPRISONMENT OF NOT LESS THAN SIX (6) YEARS
5 NOR MORE THAN FIFTEEN (15) YEARS FOR EACH
6 VISA OR ENTRY DOCUMENT.
7

8 SEC. 10. Section 20 of the same Act is hereby amended to read as follows:
9

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

21 "ANY TRAVEL OR RECRUITMENT AGENCY WHICH
22 VIOLATES ANY PROVISION OF THIS ACT SHALL HAVE ITS
23 ACCREDITATION SUSPENDED OR REVOKED IN ACCORDANCE
24 WITH THE SCHEDULE OF ADMINISTRATIVE PENALTIES TO BE
25 FORMULATED BY THE DEPARTMENT. ANY SUCH SUSPENSION
26 OR REVOCATION OF ACCREDITATION SHALL BE WITHOUT
27 PREJUDICE TO CIVIL SERVICE OR CRIMINAL SANCTIONS
28 AGAINST THE AGENCY, ITS OFFICERS, AGENTS AND EMPLOYEES.
29

30 "The mere submission of spurious, forged or falsified documents supporting
31 a passport application by any duly accredited travel or recruitment agency shall be
32 *prima facie* evidence that the said travel or recruitment agency is the author of such

1 forgery or falsification: *Provided*, That the spurious, forged or falsified document
2 submitted is secured by the travel or recruitment agency in behalf of its client.”

3
4 **SEC. 11. *Repealing Clause.*** – All laws or parts thereof, decrees, orders, rules and
5 regulations inconsistent with the provisions of this Act are hereby repealed or modified
6 accordingly.

7
8 **SEC. 12. *Separability Clause.*** – If any provision of this Act is declared unconstitutional
9 or invalid, the other provisions not affected thereby shall remain in full force and effect.

10
11 **SEC. 13. *Effectivity Clause.*** – This Act shall take effect immediately following its
12 publication in a newspaper of general circulation or in the *Official Gazette*, whichever comes
13 first.

Approved,