

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

5 APR 26 11:43

SENATE

RECEIVED BY: _____

S. B. NO. 1980

Introduced by SENATOR EDGARDO J. ANGARA

EXPLANATORY NOTE

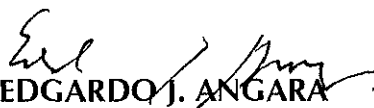
A Philippine passport is an official document of identity and nationality issued to Filipinos intending to travel or sojourn in foreign countries. It gives the bearer the right to receive the protection and assistance of the diplomatic and consular offices of the Republic of the Philippines abroad. Without a passport, departure would be illegal and entry to other countries, difficult and impossible. Being a *proclamation of Filipino citizenship*, it is superior to all other official documents. As such, it is accorded the highest respect by its holder that to do damage to its integrity and validity is deemed a serious crime that is penalized accordingly.

But like any document, a passport may be tampered with and its contents and its supporting documents spurious, forged or falsified. The Department of Foreign Affairs' statistical data of "fake passport cases" recommended as look-out list for cancellation and prosecution enumerates these instances: a) proliferation of tampered / "baklas" / photo-substituted passports; b) assumed identity; c) declared lost / cancelled passport intercepted by the Bureau of Immigration; d) unclaimed / abandoned Passports at foreign embassies; e) Intercepted passports mailed to US; f) misrepresentation of civil status; g) discrepancy in date; h) submission of spurious / fake documents; i) fake immigration stamps; i) use of stolen passports; and j) double passports.

With the continuing cases of offenses relating to the issuance, possession, use, suspension and revocation of passports, there is an insistent need to amend Republic Act No. 8239, or the Philippine Passport Act of 1996.

These amendments are necessary 1) to simplify the passport documentation requirements and processes before the Office of Consular Affairs, DFA; 2) to add grounds for its amendment, *suspension and revocation*; 3) to rally for the issuance of passports using tamper proof and the latest data encryption technology, as far as practicable; and 4) to provide stiffer penalties against the perpetrators of the proliferation of "fake passports," among others.

For these, I urge my colleagues to consider the immediate passage of the bill.


EDGARDO J. ANGARA
Senator

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

5 APR 26 11:43

RECEIVED BY: _____

SENATE

S. B. NO. 1980

Introduced by SENATOR EDGARDO J. ANGARA

AN ACT AMENDING CERTAIN PROVISIONS OF
REPUBLIC ACT 8239, OTHERWISE KNOWN AS
THE "PHILIPPINE PASSPORT ACT OF 1996"
AND FOR OTHER PURPOSES.

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

1 **SECTION 1.** Section 2 of Republic Act No. 8239, otherwise known as the
2 **"Philippine Passport Act of 1996"** is hereby amended to read as follows:
3
4

5 **"SEC. 2. Statement of Policy.** The people's constitutional right to travel is
6 *inviolable. Accordingly, the government has the duty to issue passport*
7 **USING TAMPER PROOF AND LATEST DATA ENCRYPTION**
8 **TECHNOLOGY AS MUCH AS PRACTICABLE** or any travel document to any
9 citizen of the Philippines or individual who complies with the requirement of
10 this Act. The right to travel may be impaired only when national security,
11 public safety, or public health requires. To enhance and protect the
12 unimpaired exercise of this right, only minimum requirements for the
13 application and issuance of passports and other travel documents shall be
14 prescribed. Action on such application and the issuance shall be expedited."
15
16

17 **SECTION. 2.** Section 5 of the same Act is hereby amended to read as
18 follows:
19

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

5
6 x x x

7
8 "[b) The birth certificate duly issued or authenticated by the Office of the
9 Civil Registrar General: *Provided, however, That if the birth of the*
10 *applicant has not been registered yet, or if his birth certificate is*
11 *destroyed, damaged, or not available due to other causes, he shall apply*
12 *for delayed registration of his birth with the Office of the Civil Registrar*
13 *General which shall issue to said applicant a certification of pending*
14 *application for delayed registration of birth attaching thereto a copy of an*
15 *accomplished certificate of live birth. Such certification and the*
16 *accomplished certificate of live birth shall be sufficient to support an*
17 *application for passport in addition to other papers which the Department*
18 *may require from the applicant;]*"

19
20 **B) THE APPLICANT'S BIRTH CERTIFICATE IN SECURITY PAPER ISSUED**
21 **BY THE NATIONAL STATISTICS OFFICE (NSO) OR A CERTIFICATE**
22 **TRUE COPY OF THE BIRTH CERTIFICATE ISSUED BY THE LOCAL**
23 **CIVIL REGISTRAR AND DULY AUTHENTICATED BY THE NSO:**
24 ***PROVIDED, HOWEVER, THAT IF THE APPLICANT WAS BORN***
25 ***BEFORE 1950 OR HIS BIRTH HAS NOT BEEN REGISTERED YET AND***
26 ***HIS BIRTH CERTIFICATE IS DESTROYED, DAMAGED, OR NOT***
27 ***AVAILABLE DUE TO OTHER CAUSES, HE / SHE SHALL APPLY FOR***
28 ***DELAYED REGISTRATION OF HIS / HER BIRTH WITH THE LOCAL***
29 ***CIVIL REGISTRAR WHERE HE WAS BORN; PROVIDED, FURTHER,***
30 ***THAT THIS MUST BE ACCOMPANIED BY A JOINT AFFIDAVIT OF***
31 ***TWO (2) DISINTERESTED PERSONS OF AGE WHO HAVE PERSONAL***
32 ***KNOWLEDGE OF THE APPLICANT;***

33
34 "[c) In the absence of a birth certificate, a baptismal certificate for those who
35 are members of a Christian religious organization or similar or equivalent
36 certificate issued by a non-Christian religious group, attesting to the

1 applicant's having been admitted to such religious group or sect at an
2 early age and where it is indicated that the applicant is a Filipino citizen,
3 which should be accompanied by a joint affidavit by two (2) persons who
4 have personal knowledge of the applicant and of such age as to credibly
5 state the applicant's date and place of birth, citizenship, and names of
6 parents: Provided, That Filipinos who do not believe in any religion and
7 whose parents for any reason failed to have the said applicant baptized
8 shall be exempted, from the baptismal certificate requirement: Provided,
9 further, That in lieu thereof, the applicant shall execute an affidavit to that
10 effect duly corroborated by affidavit of at least two (2) persons of good
11 reputation who personally know such fact;]"

12
13 **"C) IF THE APPLICANT WAS BORN IN OR AFTER 1950 AND HIS / HER**
14 **BIRTH CERTIFICATE HAS BEEN DESTROYED, DAMAGED OR IS NOT**
15 **AVAILABLE AT THE LOCAL CIVIL REGISTRAR AND THE OFFICE OF**
16 **THE CIVIL REGISTRAR GENERAL DUE TO OTHER CAUSES, HE / SHE**
17 **SHALL BE REQUIRED TO FILE FOR LATE REGISTRATION OF BIRTH**
18 **WITH THE LOCAL CIVIL REGISTRAR: PROVIDED, THAT THIS**
19 **PROVISION WILL NOT PREVENT LATE REGISTRANTS BORN BEFORE**
20 **1950 FROM APPLYING FOR LATE REGISTRATION OF BIRTH;**

21
22 "[d) In case of a woman who is married, separated, divorced or widowed or
23 whose marriage has been annulled or declared by court as void, a copy
24 of the certificate of marriage, court decree of separation, divorce or
25 annulment or certificate of death of the deceased spouse duly issued and
26 authenticated by the Office of tile Civil Registrar General: *Provided*, That
27 in case of a divorce decree, annulment or declaration of marriage as void,
28 the woman applicant may revert to the use of her maiden name:
29 *Provided*, further, That such divorce is recognized under existing laws of
30 the Philippines;

31
32 **"D) THE APPLICANT'S VOTER'S ID OR AFFIDAVIT DULY ISSUED BY THE**
33 **COMMISSION ON ELECTIONS IN THE LOCALITY WHERE THE**
34 **APPLICANT IS A REGISTERED VOTER IF THE APPLICANT IS ALREADY**
35 **EIGHTEEN (18) YEARS OF AGE;**

1 authenticated by the Office of tile Civil Registrar General: *Provided*, That
2 in case of a divorce decree, annulment or declaration of marriage as void,
3 the woman applicant may revert to the use of her maiden name:
4 *Provided*, further, That such divorce is recognized under existing laws of
5 the Philippines;
6

7 **"D) THE APPLICANT'S VOTER'S ID OR AFFIDAVIT DULY ISSUED BY THE**
8 **COMMISSION ON ELECTIONS IN THE LOCALITY WHERE THE**
9 **APPLICANT IS A REGISTERED VOTER IF THE APPLICANT IS ALREADY**
10 **EIGHTEEN (18) YEARS OF AGE;**

11
12 "[e] In the case of naturalized citizens, a certified copy of the naturalization
13 certificate; or a certified naturalization certificate of husband or parent
14 duly issued and authenticated by the Office of the Civil Registrar General
15 if citizenship is claimed through naturalization of spouse or parent;]

16
17 **"E) A MARRIED WOMAN WHO OPTS TO ADOPT THE SURNAME OF**
18 **HER HUSBAND MUST PRESENT AN AUTHENTICATED COPY OF HER**
19 **MARRIAGE CONTRACT: *PROVIDED*, THAT A MARRIED WOMAN**
20 **WHO IS WIDOWED, DIVORCED IN ACCORDANCE WITH ARTICLE**
21 **26 OF EXECUTIVE ORDER NO. 209, AS AMENDED BY EXECUTIVE**
22 **ORDER NO. 227, OTHERWISE KNOWN AS THE FAMILY CODE OF**
23 **THE PHILIPPINES OF 1988, OR WHOSE MARRIAGE IS ANNULLED OR**
24 **DECLARED BY A COURT OF LAW AS VOID, AND WHO OPTS TO**
25 **REVERT TO THE USE OF HER MAIDEN NAME MUST PRESENT THE**
26 **AUTHENTICATED DEATH CERTIFICATE OF HER SPOUSE, OR AN**
27 **AUTHENTICATED COPY OF THE DIVORCE DECREE OR COURT**
28 **DECREE OF ANNULMENT;**

29
30 "[f] For an applicant who has not reached the age of majority, an affidavit of
31 consent from a parent as indicated in the passport application if the minor
32 is traveling with either parent, and a clearance from the Department of
33 Social Welfare and Development, if the minor is traveling with a legal
34 guardian or a person other than a parent;]

1 "F) IN THE CASE OF NATURALIZED CITIZENS, A COPY OF THE
2 NATURALIZATION CERTIFICATE, DULY REGISTERED BY LOCAL
3 CIVIL REGISTRAR AND AUTHENTICATED BY THE OFFICE OF THE
4 CIVILREGISTRAR GENERAL: *PROVIDED*, THAT IN CASE OF
5 DERIVATIVE NATURALIZATION, THE APPLICANT SHALL BE
6 REQUIRED TO PRESENT A COPY OF THE NATURALIZATION
7 CERTIFICATE OF HIS PARENT OR SPOUSE DULY ISSUED AND
8 AUTHENTICATED BY THE OFFICE OF THE CIVIL REGISTRAR
9 GENERAL;

10
11 "[g] If the applicant is an adopted person, the duly certified copy of court
12 order of adoption, together with the original and amended birth
13 certificate duly issued and authenticated by the Office of the Civil
14 Registrar General shall be presented: *Provided*, That in case the adopted
15 person is an infant or a minor or the applicant is for adoption by foreign
16 parents, an authority from the Department of Social Welfare and
17 Development shall be required: *Provided; further*, That the adopting
18 foreign parents shall also submit a certificate from their embassy or
19 consulate that they are qualified to adopt such infant or minor child;]

20
21 "G) APPLICATIONS FILED BY MINOR PASSPORT APPLICANTS MAY BE
22 PROCESSED ONLY UPON THE PERSONAL APPEARANCE OF EITHER
23 PARENT: *PROVIDED, HOWEVER*, THAT IF A PERSON OTHER THAN
24 THE MINOR'S PARENTS FILES THE APPLICATION, A SPECIAL POWER
25 OF ATTORNEY (SPA) DULY EXECUTED BY EITHER PARENT MUST BE
26 PRESENTED FOR THIS PURPOSE; *PROVIDED, FURTHER*, THAT
27 MINOR APPLICANTS TRAVELING WITH EITHER PARENT MUST
28 PRESENT THE PASSPORT OF HIS TRAVELING COMPANION;
29 *PROVIDED, FINALLY*, THAT IF HE IS NOT TRAVELING WITH EITHER
30 PARENT, AN AFFIDAVIT OF SUPPORT AND CONSENT FROM EITHER
31 PARENT MUST BE SUBMITTED;

32
33 "H) IF THE APPLICANT IS AN ADOPTEE OF FOREIGN PARENTS UNDER
34 REPUBLIC ACT NO. 8043, OTHERWISE KNOWN AS THE "INTER-
35 COUNTRY ADOPTION ACT OF 1995," THE CERTIFIED TRUE COPY
36 OF A DECREE OF ABANDONMENT OF CHILD, THE DEATH

1 CERTIFICATE OF THE CHILD'S PARENTS, OR THE DEED OF
2 VOLUNTARY COMMITMENT EXECUTED BY EITHER PARENT AFTER
3 THE BIRTH OF THE CHILD SHALL BE PRESENTED: **PROVIDED**, THAT
4 THE AUTHENTICATED BIRTH CERTIFICATE, THE PLACEMENT
5 AUTHORITY AND THE FORMAL ENDORESEMENT OF THE CHILD TO
6 THE INTER-COUNTRY ADOPTION BOARD BY THE DEPARTMENT OF
7 SOCIAL WELFARE AND DEVELOPMENT MUST ALSO BE PRESENTED;
8

9 "[h] (i) In case of discrepancy between the applicants name in the birth
10 certificate and in any other **PUBLIC OR** private document[s], the former
11 shall prevail over the latter unless by operation of law or through court
12 order, the applicant is permitted to use A name other than what is
13 *officially recorded in the Civil Register; and*
14

15 "(j) If the applicant is a government **OFFICIAL OR** employee, the travel
16 authority issued by the head of department, agency or office [may] **SHALL**
17 **ONLY** be required [only if said applicant] **IF HE** is applying for A
18 **DIPLOMATIC OR** an official passport."
19
20

21 **SECTION. 3.** Section 6 of the same Act is hereby amended to read as
22 follows:
23

24 "**SEC. 6. Application.** The application [may] **MUST** be filed by **ANY OF THE**
25 **FOLLOWING:**
26

27 a) The applicant himself or herself; or
28

29 b) The parent or legal guardian on behalf of an applicant who is below the
30 age of majority [.] **A SENIOR CITIZEN, OR A PERSON SUFFERING**
31 **FROM ANY DISABILITY WHICH IMPAIRS HIS / HER MEANS OF**
32 **COMMUNICATION; OR"**
33

34 **"C) A TRAVEL OR RECRUITMENT AGENCY DULY ACCREDITED WITH**
35 **THE DEPARTMENT.**
36

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

8
9 **"IN CASE OF FIRST-TIME APPLICANTS, HE / SHE MUST PRESENT
10 HIMSELF / HERSELF IN PERSON TO PROVE THAT HE / SHE IS THE
11 SAME PERSON AND OF THE AGE CLAIMED IN THE APPLICATION
12 FORM. THIS REQUIREMENT MAY BE WAIVED WHEN THE
13 APPLICANT IS NOT MORE THAN EIGHT (8) YEARS OLD, OR AT
14 LEAST SIXTY (60) YEARS OLD, OR MENTALLY OR PHYSICALLY
15 INCAPACITATED.**

16
17 **"IN CASE OF A PASSPORT APPLICATION FILED BY A RECRUITMENT
18 OR TRAVEL AGENCY DULY ACCREDITED BY THE DEPARTMENT OF
19 FOREIGN AFFAIRS, THE AGENT SHALL BE RESPONSIBLE FOR THE
20 AUTHENTICITY OF THE SUPPORTING DOCUMENTS SECURED AND
21 PRESENTED BY THE AGENT TO MEET THE REQUIREMENTS FOR THE
22 APPLICATION OF PASSPORTS.**

23
24 **"THE DEPARTMENT SHALL HAVE THE RIGHT TO REQUIRE
25 ALTERNATIVE DOCUMENTS AS MAY BE SPECIFIED IN THE
26 SUPPLEMENTING RULES AND REGULATIONS FORMULATED TO
27 ENFORCE THIS LAW."**

28
29
30 **SECTION. 4.** Section 7, subsections (a) and (b) of the same Act is hereby
31 amended to read as follows:

32
33
34 **"SEC. 7. *Types of Passports.*** The Secretary or the authorized representative
35 or consular officer may issue the following types of passports:
36

1 "a) Diplomatic [passport] **PASSPORTS** [for persons imbued] **SHALL BE**
2 **ISSUED TO PERSONS** with diplomatic status or are on **A** diplomatic
3 mission such as:

4
5 "1. The President and former Presidents of the Republic of the Philippines;

6
7 "2. The Vice-President and former Vice-Presidents of the Republic of the
8 Philippines;

9
10 "3. The **INCUMBENT** Senate President and the Speaker of the House of
11 Representatives;

12
13 "4. The **INCUMBENT** Chief Justice of the Supreme Court **AND**
14 **INCUMBENT ASSOCIATE JUSTICES OF THE SUPREME COURT**
15 **AND THE PRESIDING JUSTICE OF THE COURT OF APPEALS;**

16
17 "5. The [Cabinet Secretaries,] **INCUMBENT SECRETARY**, [and the]
18 Undersecretaries and Assistant Secretaries of the Department of
19 Foreign Affairs;

20
21 "**6. INCUMBENT MEMBERS OF CONGRESS;**

22
23 "7. [6. Ambassadors, Foreign Service Officers of all ranks in the career
24 diplomatic service. Attaches, and members of their families] **THE**
25 **INCUMBENT SECRETARIES OF ALL OTHER DEPARTMENTS OF**
26 **THE EXECUTIVE BRANCH;**

27
28 "**8** [7. Members of the Congress when on official mission abroad or as
29 delegates to international conferences] **AMBASSADORS**
30 **EXTRAORDINARY AND PLENIPOTENTIARIES OF THE REPUBLIC**
31 **OF THE PHILIPPINES;**

32
33 "**9**. [8. The Governor of the *Bangko Sentral ng Pilipinas* and delegates to
34 international or regional conferences when on official mission or
35 accorded full powers by the President; and] **CHIEFS OF MISSION,**
36 **FOREIGN SERVICE OFFICERS OF ALL RANKS IN THE CAREER**

1 **DIPLOMATIC SERVICE, INCLUDING DESIGNATED DEPARTMENT**
2 **OF FOREIGN AFFAIRS ATTACHES AND DESIGNATED ATTACHES**
3 **FROM ATTACHED AGENCIES OF THE GOVERNMENT;**

4
5 **"10. [9. Spouses and unmarried minor children of the above-mentioned**
6 **officials when accompanying or following to join them in an official**
7 **mission abroad.] FORMER AMBASSADORS EXTRAORDINARY AND**
8 **PLENIPOTENTIARIES OF THE REPUBLIC OF THE PHILIPPINES**
9 **AND FORMER FOREIGN SERVICE OFFICERS WITH THE RANK OF**
10 **CHIEFS OF MISSION;**

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

14
15 **"12. OFFICIAL DELEGATES TO INTERNATIONAL OR REGIONAL**
16 **CONFERENCES ACCORDED FULL POWERS BY THE PRESIDENT;**
17 **AND**

18
19 **"13. SPOUSE AND UNMARRIED MINOR CHILDREN OF THE ABOVE-**
20 **MENTIONED OFFICIALS, WHEN ACCOMPANYING OR**
21 **FOLLOWING THEM IN AN OFFICIAL MISSION ABROAD.**

22
23 **"The President of the Philippines and the Secretary of the Department**
24 **of Foreign Affairs may grant diplomatic passports to officials and**
25 **persons other: than those enumerated herein who are on official**
26 **mission abroad AND ARE GRANTED FULL POWERS BY THE**
27 **PRESIDENT.**

28
29 **"b) Official [Passport] PASSPORTS [to be] SHALL BE issued to all government**
30 **officials and employees on official trip abroad but who are not on a**
31 **diplomatic mission [or delegates to international or regional conferences]**
32 **or not have been accorded diplomatic status such as:**

33
34 **"1. INCUMBENT Undersecretaries [and], Assistant Secretaries of the**
35 **Cabinet other than the Department of Foreign Affairs, the Associate**
36 **Justices OF THE COURT OF APPEALS and other members of the**

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

4
5 "2. [Staff officers and employees of the Department of Foreign Affairs
6 assigned to diplomatic and consular posts and officers and
7 representatives of other government departments and agencies
8 assigned abroad] **PAST SENATE PRESIDENTS AND SPEAKERS OF
9 THE HOUSE OF REPRESENTATIVES;**

10
11 "3. [Persons in the domestic service and household members of officials
12 assigned to diplomatic or consular posts] **RETIRED CHIEF JUSTICES
13 AND ASSOCIATE JUSTICES OF THE SUPREME COURT;**

14
15 "4. [Spouses and unmarried minor children of the officials mentioned
16 above when accompanying or following to join them.] **STAFF
17 OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF FOREIGN
18 AFFAIRS ASSIGNED TO DIPLOMATIC OR CONSULAR POSTS AND
19 OFFICES AND REPRESENTATIVES OF OTHER GOVERNMENT
20 AGENCIES ASSIGNED ABROAD; "**

21
22 "5. **PERSONS IN THE DOMESTIC SERVICE AND HOUSEHOLD
23 MEMBERS OF OFFICIALS ASSIGNED TO DIPLOMATIC OR
24 CONSULAR POSTS NOT EXCEEDING TWO (2); AND**

25
26 "6. **SPOUSE AND MINOR CHILDREN OF THE INCUMBENT
27 OFFICIALS MENTIONED ABOVE, WHEN ACCOMPANYING OR
28 FOLLOWING TO JOIN THEM."**

29
30
31 **SECTION. 5.** Section 8 of the same Act is hereby amended to read as
32 follows:

33
34 **"SECTION. 8. *Grounds for Denial, Cancellation or Restrictions.*** - The
35 application for a passport may be denied, cancelled or restricted only on the
36 following grounds:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

"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] **FAILURE OF THE APPLICANT TO PRESENT DOCUMENTARY REQUIREMENTS TO SUPPORT THE PASSPORT APPLICATION;**

"2. When so requested by the **PARENT** [natural] or legal guardian, if the applicant is a minor;

"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. **WHEN THE APPLICANT IS A FUGITIVE FROM JUSTICE;**

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

"6. [Such other disqualification under existing laws.] **VIOLATION BY THE APPLICANT OF ANY OF THE PROVISIONS OF REPUBLIC ACT NO. 8239, AS AMENDED;**

"7. **UPON LAWFUL ORDER OF THE SECRETARY WHEN HE DEEMS IT NECESSARY IN THE INTEREST OF NATIONAL SECURITY OR PUBLIC SAFETY;**

"8. **CANCELLATION OF APPLICANT'S PASSPORT UNDER SECTION 8 (b) HEREOF; AND**

"9. **SUCH OTHER DISQUALIFICATIONS UNDER EXISTING LAWS.**

"b) Cancellation **OF PASSPORT**

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

3
4 "2. When the holder [has] **HAD** been convicted BY FINAL JUDGMENT of a
5 criminal offense: Provided, That [the passport may be restored after
6 service of sentence] **HE BECOMES ELIGIBLE TO APPLY FOR A NEW**
7 **PASSPORT AFTER A GRANT OF PROBATION, SERVICE OF SENTENCE,**
8 **GRANT OF CONDITIONAL OR ABSOLUTE PARDON, OR ISSUANCE**
9 **OF AN AMNESTY; [or]**

10
11 "3. [When a passport was acquired fraudulently or, tampered with.] **UPON**
12 **FINDING BY THE SECRETARY OR HIS AUTHORIZED**
13 **REPRESENTATIVE OR CONSULAR OFFICER OR UPON**
14 **RECOMMENDATION OF THE COMMISSIONER OF THE BUREAU OF**
15 **IMMIGRATION AND DEPORTATION THAT A PASSPORT HAS BEEN**
16 **ACQUIRED THROUGH FRAUD OR MISREPRESENTATION OR HAS**
17 **BEEN TAMPERED WITH SUBSEQUENT TO ITS RELEASE OR**
18 **ISSUANCE; OR**

19
20 "4. **UPON LAWFUL ORDER OF THE SECRETARY WHEN HE DEEMS IT**
21 **NECESSARY IN THE INTEREST OF NATIONAL SECURITY OR PUBLIC**
22 **SAFETY.**

23
24
25 "c) **ISSUANCE OF Restricted PASSPORTS**

26
27 "1. When the country of destination is in a state of political instability **AND**
28 [which] could pose a danger to the Filipino traveler;

29
30 "2. When [diplomatic ties have been fractured or severed] **THE COUNTRY**
31 **OF DESTINATION HAD SEVERED DIPLOMATIC TIES** with the
32 Philippines;

33
34 "3, When the country of destination is subject to travel restriction by
35 government policy, enforcement [of] action by the United Nations, or **IS**
36 in a state of war [.]”

1
2 .“4. WHEN TRAVEL HAS BEEN AUTHORIZED BY A COMPETENT COURT
3 OR BY THE OFFICE OF THE PRESIDENT TO A SPECIFIED
4 DESTINATION ONLY; AND

5
6 “5. WHEN THE APPLICANT'S SUPPORTING DOCUMENTS APPEAR
7 INADEQUATE TO ESTABLISH FILIPINO CITIZENSHIP AND THE
8 TRAVEL IS FOR URGENT MEDICAL REASONS AS CERTIFIED BY A
9 PHYSICIAN, OR TO ATTEND TO A SERIOUSLY ILL IMMEDIATE
10 FAMILY MEMBER WITHIN THE SECOND DEGREE OF
11 CONSANGUINITY OR AFFINITY.”

12
13
14
15 SECTION. 6. Section 10 of the same Act is hereby amended to read as
16 follows:

17
18 “SEC. 10. *Validity.* - Regular passports issued under this Act shall be valid for
19 a period of five (5) years: *Provided, however,* That the issuing authority may
20 limit the period of validity to less than five (5) years whenever [in the
21 national economic interest or political stability of the country such restriction
22 is necessary] **THE SECRETARY DEEMS THAT NATIONAL SECURITY,**
23 **PUBLIC SAFETY OR PUBLIC HEALTH SO REQUIRES OR WHENEVER THE**
24 **APPLICANT'S SUPPORTING DOCUMENTS APPEAR INADEQUATE TO**
25 **ESTABLISH FILIPINO CITIZENSHIP AND THE TRAVEL IS FOR A**
26 **COMPELLING REASON AS MAY BE DETERMINED BY THE DEPARTMENT:**
27 *Provided, finally,* That a new passport may be issued to replace one which
28 validity has expired [, the old passport being returned to the holder after
29 cancellation].”

30
31 “THE DEPARTMENT SHALL ISSUE TEN (10)YEAR VALIDITY PASSPORTS
32 TWO (2) YEARS AFTER THE EFFECTIVITY OF THIS ACT, AS AMENDED:
33 **PROVIDED, THAT NO SUCH PASSPORT SHALL BE ISSUED TO ANY**
34 **INDIVIDUAL UNDER TWENTY (20) YEARS OLD.**

1 "DIPLOMATIC AND OFFICIAL PASSPORTS SHALL BE SUBMITTED TO
2 THE DEPARTMENT FOR REVALIDATION BEFORE EACH DEPARTURE OF
3 THE HOLDER."

4
5
6 SECTION. 7. Section 14 of the same Act is hereby amended to read as
7 follows:

8
9 "SEC. 14. *Amendments.* - A passport may be amended at the request of the
10 holder for any [lawful purpose, but such amendment should be approved by
11 the Secretary or his duly authorized diplomatic or consular officers.] **OF THE**
12 **FOLLOWING PURPOSES:**

13
14 "A) AMENDMENTS OF A WOMAN'S NAME DUE TO MARRIAGE; OR

15
16 "B) AMENDMENT OF A WOMAN'S NAME DUE TO DEATH OF SPOUSE,
17 ANNULMENT OF MARRIAGE OR ISSUANCE OF A DIVORCE DECREE
18 GRANTED BY A FOREIGN COURT CONSISTENT WITH ARTICLE 26
19 OF EXECUTIVE ORDER NO. 209, AS AMENDED BY EXECUTIVE
20 ORDER NO. 227, OTHERWISE KNOWN AS THE FAMILY CODE OF
21 THE PHILIPPINES OF 1988."

22
23 "AMENDMENT MAY NOT BE MADE DUE TO ERROR IN SCRIPTING
24 OR DISCREPANCY IN THE PERSONAL DATA OF THE HOLDER.

25
26 "C) AMENDMENTS BY ORDER OF A COMPETENT COURT AND/OR
27 PURSUANT TO REPUBLIC ACT NO. 9048.

28
29 ["Diplomatic and official passports shall be submitted for revalidation
30 before each departure of the holder.]"

31
32
33
34 SECTION. 8. Section 16 of the same Act is hereby amended to read as
35 follows:

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

9 **SECTION. 9.** Section 17 of the same Act is hereby amended to read as
10 follows:
11

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

22 "The setting up, use and disbursement of funds shall be subject to review,
23 accounting and auditing rules and regulations of the Commission on Audit
24 and will be subject to an annual 'review by Congress, but the Secretary will
25 submit a report on the, disbursement of the fund every six (6) months to both
26 the Senate and the House Committees on Foreign Relations.
27
28

29 **SECTION. 10.** Section 19, subsections (a), (b), (c), (d) and (e) of the same Act
30 are hereby amended and a new subsection to be designated as subsection **(F)** is
31 hereby added to read as follows:
32

33 **"SEC. 19. *Offenses and Penalties.*** - A passport, being a proclamation of [the]
34 citizenship of a Filipino, [is a document that] is superior to all other [official]
35 documents [.,] [As such]. **AND AS SUCH**, [it] should be accorded the highest
36 respect by its holder [that to do damage to its integrity and validity is a

1 serious crime that should be penalized accordingly']. **ANY ACT**
2 **PREJUDICIAL TO ITS INTEGRITY IS A GRAVE CRIME OF SECURITY**
3 **AGAINST THE STATE AND SHOULD BE PENALIZED ACCORDINGLY.**

4
5 a.) *Offenses Relating to Issuance [s]: Penalties.* – Any person who

6
7 “1. Acting or claiming to act in any capacity or office under the Republic of
8 the Philippines, without lawful authority, **ACCEPT PASSPORT**
9 **APPLICATIONS**, grants, issues or verifies any passport or travel
10 document to any or for any person whomsoever, **OR IS CAUGHT**
11 **SELLING IN WHATEVER CAPACITY PASSPORT APPLICATION FORMS,**
12 **OR LOST OR STOLEN PASSPORTS AND TRAVEL DOCUMENTS** shall
13 be punished by a fine of not less than [Fifteen Thousand pesos (P15,000)]
14 **TWENTY-FIVE THOUSAND PESOS (P25,000)** nor more than [Sixty
15 thousand pesos (P60,000)] **SEVENTY-FIVE THOUSAND PESOS (P75,000)**
16 and imprisonment of not less than [eighteen (18) months] **SIX (6) YEARS**
17 **AND ONE (1) DAY** nor more than [six (6) **TWELVE (12)** years; or

18
19 “2. Being a diplomatic or consular official authorized to grant, issue, amend
20 or verify passports, knowingly and willfully grants, issues, amends or
21 verifies any such passport to any or for any person not owing allegiance
22 to the Republic of the Philippines, whether citizen or not, shall be
23 punished by a fine of not less than [Fifteen thousand pesos (P 15,000)]
24 **TWENTY-FIVE THOUSAND PESOS (P25,000)** nor more than [Sixty
25 thousand pesos (P60,000)] **SEVENTY-FIVE THOUSAND PESOS (P75,000)**
26 and imprisonment of not less than [eighteen (18) months] **SIX (6) YEARS**
27 **AND ONE (1) DAY** but not more than [six (6)) **TWELVE (12)** years and
28 upon conviction, be **PERPETUALLY** disqualified from holding
29 [appointive] public office; **AND**

30
31 “3. Being a diplomatic or consular officer knowingly and willfully grants and
32 issues to, amends or certifies to the authenticity of any passport or travel
33 document for any person not entitled thereto, or knowingly and willfully
34 issues more than one passport to any person except as provided for in this
35 Act shall be punished by a fine of not less than [Fifteen thousand pesos (P
36 15,000)] **TWENTY-FIVE THOUSAND PESOS (P25,000)** nor more than

1 [Sixty thousand pesos (P60,000)] **SEVENTY-FIVE THOUSAND PESOS**
2 **(P75,000)** and imprisonment of not less than [eighteen (18) months] **SIX**
3 **(6) YEARS AND ONE (1) DAY** nor more than [six (6)] **TWELVE (12)** years
4 and upon conviction, be **PERPETUALLY** disqualified from holding
5 [appointive) public office.

6
7
8 *"b) Offenses Relating to False Statements: Penalties. - Any person who*
9 *willfully and knowingly:*

10
11 *"1. Makes any false statement in any application for passport with the intent*
12 *to induce or secure the issuance of a passport under the authority of the*
13 *Philippine Government, either for his own use or the use of another,*
14 *contrary to this Act or rules and regulations prescribed pursuant hereto*
15 *shall be punished by a fine of not less than [Fifteen thousand pesos (P*
16 *15,000)] **TWENTY-FIVE THOUSAND PESOS (P25,000)** nor more than*
17 *[Sixty thousand pesos (P60,000)] **SEVENTY-FIVE THOUSAND PESOS***
18 ***(P75,000)** and imprisonment of not less than [three (3) years] **SIX (6)***
19 ***YEARS AND ONE (1) DAY** nor more than [ten (10)] **TWELVE (12)** years;*
20 *or*

21
22 *"2. Uses or attempts to use any passport which was secured in any way by*
23 *reason of any false statements, shall be punished by a fine of not less than*
24 *[Fifteen thousand pesos (P 15,000)] **TWENTY-FIVE THOUSAND PESOS***
25 ***(P25,000)** nor more than [Sixty thousand pesos (P60,000)] **SEVENTY-FIVE***
26 ***THOUSAND PESOS (P75,000)** and imprisonment of not less than [three*
27 *(3) years] **SIX (6) YEARS AND ONE (1) DAY,** but not more than [ten (10)*
28 ***TWELVE (12)** years [; or]. **AND***

29
30 *"3. Travel and recruitment agencies whose **OFFICERS,** agents, liaison officers*
31 *or representatives are convicted of offenses relating to false statements*
32 *shall in addition to the fines and penalties abovementioned have their*
33 *license revoked with all deposits, escrow accounts or guarantee funds*
34 *deposited or made as a requirement of their business forfeited in favor of*
35 *the government [without prejudice to the officials of the branch office or*
36 *of the agency being charged as accessories to the offense and upon*

1 conviction barred from engaging in the travel or recruitment agency
2 business]. **IN THE EVENT THAT AN AGENT, LIAISON OFFICER OR**
3 **REPRESENTATIVE OF THE TRAVEL OR RECRUITMENT AGENCY IS**
4 **CONVICTED, HE SHALL BE BARRED FROM ENGAGING IN THE**
5 **TRAVEL OR RECRUITMENT AGENCY BUSINESS.**

6
7
8 *"c) Offenses Relating to Forgery: Penalties. – Any person who:*

9
10 *"1. Falsely makes, forges, counterfeits, mutilates or alters any passport [or],*
11 *travel document, **DEPARTMENT STAMPS**, or any supporting document*
12 *for a passport application, with the intent of using the same shall be*
13 *punished by a fine of not less than [Sixty thousand pesos (P60,000)]*
14 ***SEVENTY-FIVE THOUSAND PESOS (P75,000)** nor more than [One*
15 *Hundred Fifty thousand pesos (P150,000)] **TWO HUNDRED***
16 ***THOUSAND PESOS (P200,000)** and imprisonment of not less than six (6)*
17 *years nor more than fifteen (15) years; or*

18
19 X X X

20
21
22 *"d) Offenses Relating to Improper Use: Penalties. - Any person who willfully*
23 *and knowingly:*

24
25 *"1. Uses or attempts to use any passport issued or designed for the use of*
26 *another or any supporting documents for a passport application which*
27 *belongs to another; or*

28
29 *"2. Uses or attempts to use any passport or supporting document in violation*
30 *of the conditions or restrictions therein contained, or of the rules*
31 *prescribed pursuant thereto; or*

32
33 *"3. Furnishes, disposes or delivers a passport to any person, [for use by*
34 *another or other than the, person for whose use it was originally issued or*
35 *designated; or] **OTHER THAN THAT IN WHOSE NAME AND FOR***
36 ***WHOSE USE IT WAS ISSUED, DESIGNATED OR INTENDED, EXCEPT***

1 RELEASED TO HIS PARENT, GUARDIAN OR IMMEDIATE RELATIVE:
2 **PROVIDED**, THAT IN CASE OF AN EMERGENCY AND FOR
3 HUMANITARIAN REASONS, THE HEAD OF THE OFFICE OF
4 CONSULAR AFFAIRS OR THE HEAD OF THE CONSULAR SECTION
5 OF ANY EMBASSY OR THE CONSUL GENERAL OF A CONSULATE
6 MAY, UPON HIS DISCRETION, RELEASE THE PASSPORT TO A THIRD
7 PARTY UPON THE SUBMISSION OF A WRITTEN AUTHORIZATION
8 FROM THE APPLICANT; OR

9
10 "4. Defaces or destroys a Philippine passport, shall be punished by a fine of
11 not less than Sixty thousand pesos (P60,000) nor more than One hundred
12 and fifty thousand pesos (P150,000) and imprisonment of not less than
13 six (6) years nor more than fifteen (15) years.

14
15 "TRAVEL AND RECRUITMENT AGENCIES WHOSE OFFICERS,
16 AGENTS, LIAISON OFFICERS OR REPRESENTATIVES ARE CONVICTED
17 OF OFFENSES RELATING TO IMPROPER USE SHALL BE BARRED
18 FROM ENGAGING IN THE TRAVEL OR RECRUITMENT AGENCY
19 BUSINESS.

20
21 "e) *Offenses Relating to Multiple Possession: Penalties.*- No person or
22 individual may hold more than one valid passport, except as provided for
23 in Section 7 hereof, and any individual who possesses more than one
24 unexpired passport shall, for every unexpired passport found in his
25 possession, be punished by a fine of not less [Fifteen thousand pesos
26 (P15,000)] **TWENTY-FIVE THOUSAND PESOS (P25,000)** nor more than
27 [Sixty thousand pesos (P60,000)] **SEVENTY-FIVE THOUSAND PESOS**
28 **(P75,000)** and imprisonment of not less than [eighteen (18) months] **SIX**
29 **(6) YEARS AND ONE (1) DAY** [but not] NOR more than [six (6)] **TWELVE**
30 **(12)** years: Provided, That the maximum fine and imprisonment shall be
31 imposed by the court if he attempts to use or actually uses an unexpired
32 passport which is not in his name.

33
34 "In case any of the offenses prohibited in this Act constitutes a violation
35 of the Revised Penal Code and the penalty imposed in said Code is
36 heavier than that provided in this Act, the latter shall be imposed.

1
2 **"F) OFFENSES RELATING TO FORGERY OF VISAS, PERMITS AND OTHER**
3 **ENTRY DOCUMENTS: PENALTIES. - ANY PERSON WHO:**

4
5 **"1. KNOWINGLY FORGES, COUNTERFEITS, ALTERS, OR FALSELY MAKES**
6 **ANY IMMIGRANT OR NON-IMMIGRANT VISA, PERMIT, BORDER**
7 **CROSSING CARD, ALIEN REGISTRATION CARD (ARC), OR OTHER**
8 **DOCUMENT PRESCRIBED BY STATUTE OR REGULATION FOR ENTRY**
9 **INTO OR AS EVIDENCE OF AUTHORIZED STAY OR EMPLOYMENT IN**
10 **THE PHILIPPINES OR ELSEWHERE, OR USES, ATTEMPTS TO USE,**
11 **POSSESSES, OBTAINS, ACCEPTS, OR RECEIVES ANY SUCH VISA,**
12 **PERMIT, BORDER CROSSING CARD, ALIEN REGISTRATION RECEIPT**
13 **CARD, OR OTHER DOCUMENT PRESCRIBED BY STATUTE OR**
14 **REGULATION FOR ENTRY INTO OR AS EVIDENCE OF AUTHORIZED**
15 **STAY OR EMPLOYMENT IN THE PHILIPPINES OR ELSEWHERE,**
16 **KNOWING IT TO BE FORGED, COUNTERFEITED, ALTERED, OR**
17 **FALSELY MADE, OR TO HAVE BEEN PROCURED BY MEANS OF ANY**
18 **FALSE CLAIM OR STATEMENT, OR TO HAVE BEEN OTHERWISE**
19 **PROCURED BY FRAUD OR UNLAWFULLY OBTAINED: PROVIDED,**
20 **THAT THE USE OF FORGED, COUNTERFEITED, ALTERED, OR**
21 **FALSELY MADE VISA, PERMIT, BORDER CROSSING CARD, ALIEN**
22 **REGISTRATION CARD, OR OTHER ENTRY DOCUMENT SHALL BE**
23 **PRIMA FACIE EVIDENCE OF KNOWLEDGE; OR**

24
25 **"2. EXCEPT UNDER THE DIRECTION OF THE DEPARTMENT OF FOREIGN**
26 **AFFAIRS OR OTHER APPROPRIATE OFFICES, KNOWINGLY**
27 **POSSESSES ANY BLANK PERMIT, OR ENGRAVES, SELLS, BRINGS**
28 **INTO THE PHILIPPINES, OR HAS IN HIS CONTROL OR POSSESSION**
29 **IN ANY PLATE OR IN THE LIKENESS OF A PLATE DESIGNED FOR THE**
30 **PRINTING OF PERMITS, OR MAKES ANY PRINT, PHOTOGRAPH, OR**
31 **IMPRESSION IN THE LIKENESS OF ANY IMMIGRANT OR**
32 **NONIMMIGRANT VISA, PERMIT OR OTHER DOCUMENT REQUIRED**
33 **FOR ENTRY INTO THE PHILIPPINES OR ELSEWHERE, OR HAS IN HIS**
34 **POSSESSION A DISTINCTIVE PAPER WHICH HAS BEEN ADOPTED BY**
35 **THE DEPARTMENT OF FOREIGN AFFAIRS FOR THE PRINTING OF**
36 **SUCH VISAS, PERMITS, OR DOCUMENTS SHALL BE PUNISHED BY A**

1 POSSESSION A DISTINCTIVE PAPER WHICH HAS BEEN ADOPTED BY
2 THE DEPARTMENT OF FOREIGN AFFAIRS FOR THE PRINTING OF
3 SUCH VISAS, PERMITS, OR DOCUMENTS SHALL BE PUNISHED BY A
4 FINE OF NOT LESS THAN TWENTY-FIVE THOUSAND PESOS
5 (P25,000) NOR MORE THAN SEVENTY-FIVE THOUSAND PESOS
6 (P75,000) AND IMPRISONMENT OF NOT LESS THAN THREE (3)
7 YEARS, BUT NOT MORE THAN TEN (10) YEARS: *PROVIDED*, THAT
8 THE PERSON WHO FORGES, COUNTERFEITS, ALTERS OR FALSELY
9 MAKES ANY IMMIGRANT OR NON-IMMIGRANT VISA, PERMIT,
10 BORDER CROSSING CARD, ALIEN REGISTRATION CARD, OR OTHER
11 ENTRY DOCUMENT SHALL BE PUNISHED BY A FINE OF NOT LESS
12 THAN SEVENTY-FIVE THOUSAND PESOS (P75,000) NOR MORE
13 THAN TWO HUNDRED THOUSAND PESOS (P200,000) AND
14 IMPRISONMENT OF NOT LESS THAN SIX (6) YEARS NOR MORE
15 THAN FIFTEEN (15) YEARS FOR EACH VISA OR ENTRY DOCUMENT."

16
17
18
19 **SECTION. 11.** Section 20 of the same Act is hereby amended to read as
20 follows:

21
22 **"SEC. 20.** *Suspension / REVOCATION of Accreditation.* - [Any duly
23 accredited travel or recruitment agent or agency which violates the
24 prescription on application for passport under Section 6 hereof shall have
25 such accreditation suspended without prejudice to civil, criminal 'of
26 administrative sanctions including revocation of 'its license to operate.]
27 **DULY ACCREDITED TRAVEL OR RECRUITMENT AGENCIES ARE**
28 **ALLOWED THE PRIVILEGE TO TRANSACT BUSINESS, WITH THE**
29 **DEPARTMENT ON THE BASIS OF TRUST AND CONFIDENCE. FOR THE**
30 **EXERCISE OF THIS PRIVILEGE, TRAVEL AND RECRUITMENT AGENCIES,**
31 **SHALL BE REQUIRED TO SECURE ACCREDITATION FROM THE**
32 **DEPARTMENT.**

33
34 **"ANY TRAVEL OR RECRUITMENT AGENCY WHICH VIOLATES ANY**
35 **PROVISION OF THIS ACT SHALL HAVE ITS ACCREDITATION**
36 **SUSPENDED OR REVOKED IN ACCORDANCE WITH THE SCHEDULE OF**

1 OR CRIMINAL SANCTIONS AGAINST THE AGENCY, ITS OFFICERS,
2 AGENTS AND EMPLOYEES.

3
4 "The [mere] submission of spurious, forged or falsified documents supporting
5 a passport application by any duly accredited travel or recruitment agency
6 shall be *prima facie* evidence that the said travel or recruitment agency is the
7 author of such forgery or falsification: **PROVIDED, THAT THE SPURIOUS,
8 FORGED OR FALSIFIED DOCUMENT SUBMITTED IS SECURED BY THE
9 TRAVEL OR RECRUITMENT AGENCY IN BEHALF OF ITS CLIENT."**

10
11
12 **SECTION. 12. *Repealing Clause.*** – All laws or parts thereof, decrees, orders,
13 rules and regulations deemed inconsistent with the provisions of this Act are hereby
14 repealed or modified accordingly.

15
16 **SECTION. 13. *Separability Clause.*** – If any provision of this act is declared
17 unconstitutional or invalid, the other provisions not affected thereby shall remain in
18 full force and effect.

19
20 **SECTION. 14. *Effectivity Clause*** - This Act shall take effect immediately
21 following its complete and full publication in the Official Gazette or in a
22 newspaper of general circulation.

23
24
25 *Approved,*