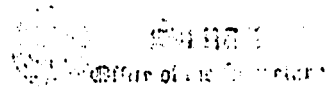


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



'21 JUN -1 P6:50

SENATE
S. B. No. 2264

RECEIVED

Introduced by Senator Aquilino "Koko" Pimentel III

**AN ACT TO STRENGTHEN THE INTEGRITY OF THE
PHILIPPINE PASSPORT ISSUANCE PROCEDURE AND
PENALIZE VIOLATIONS THEREOF, THEREBY REPEALING
REPUBLIC ACT NO. 8239, OTHERWISE KNOWN AS THE
"PHILIPPINE PASSPORT ACT OF 1996"**

EXPLANATORY NOTE

This measure seeks to repeal Republic Act. No. 8239, otherwise known as the *Philippine Passport Act of 1996*, and in place thereof, enact a new law that shall henceforth be known as the *Philippine Passport Act of 2021*.

The urgency of enacting an updated, more responsive law is underscored by both the opportunities and challenges presented by advances in identity authentication and management on the global front, institutional shift to digital solutions, and the democratization of international travel, among others.


Further, a new and more relevant law is needed to address the relentless security risks posed by transnational crimes, as well as domestic and cross-border terrorism carried out through the use of travel documents.

In light thereof, this measure strengthens the integrity of the passport application procedure through provisions that align the Philippines with its civil aviation commitments under international law. It also introduces new penal provisions for the criminalization of acts that jeopardize

national security and the individual safety of millions of passport-bearing Filipinos both here and abroad.

Indeed, the sweeping changes in the socio-economic, political, technological, and cultural conditions in the past two decades provide the necessary impetus for the enactment of a new, future-proof law governing the issuance of passports.

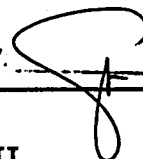
In view of the foregoing, the approval of this measure is highly and earnestly recommended.


AQUILINO "KOKO" PIMENTEL III

SENATE
S. No. 2264

'21 JUN -1 P 6:50

RECEIVED BY: _____



Introduced by Senator Aquilino "Koko" Pimentel III

AN ACT
TO STRENGTHEN THE INTEGRITY OF THE PHILIPPINE
PASSPORT ISSUANCE PROCEDURE AND PENALIZE VIOLATIONS
THEREOF, THEREBY REPEALING REPUBLIC ACT NO. 8239,
OTHERWISE KNOWN AS THE "PHILIPPINE PASSPORT ACT OF
1996", AS AMENDED BY REPUBLIC ACT NO. 10928

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

1 SECTION 1. *Short Title.* – This Act shall henceforth be known as the
2 "*Philippine Passport Act of 2021*".

3 SEC. 2. *Statement of Policy.* – The people's constitutional right to
4 travel is inviolable. Accordingly, the government has the duty to issue
5 passports using the latest tamper-proof identification, personalization,
6 and data management technology as much as practicable, or any travel
7 document to any citizen of the Philippines or individual who complies with
8 the requirements of this Act. The right to travel may be impaired only
9 when national security, public safety, or public health requires. To
10 enhance and protect the unimpaired exercise of this right, only minimum
11 requirements for application and issuance of passports and other travel
12 documents shall be prescribed. The government shall ensure that action

1 on such applications and the issuance of passports and travel documents
2 shall be done expeditiously.

3 SEC. 3. *Definition of Terms.* – As used in this Act, the following
4 terms are hereby defined, as follows:

5 (a) *Ambassadors* refer to those who have been appointed as Chiefs
6 of Mission and are currently serving as Ambassadors
7 Extraordinary and Plenipotentiary;

8 (b) *Biographic data* refers to a person's full name, date of birth,
9 place of birth, and sex as recorded in the Certificate of Live
10 Birth or Report of Birth;

11 (c) *Biometric* refers to a measurable, unique, physical
12 characteristic, such as a fingerprint or iris pattern, which may
13 be used to recognize the identity or verify the claimed identity
14 of a person;

15 (d) *Biometric data* refers to the information extracted from the
16 biometric and used to either build a reference template or
17 compare against a previously created reference template;

18 (e) *Consular Offices*, or *CO*, refer to field offices of the Office of
19 Consular Affairs of the Department of Foreign Affairs, located
20 in the Philippines where passport and consular services are
21 provided;

22 (f) *Consular Official* refers to an official of the Department of
23 Foreign Affairs assigned at the Office of Consular Affairs,
24 Consular Offices in Metro Manila and other parts of the
25 Philippines, or Foreign Service Posts and who is responsible for
26 providing passport and other consular services;

- 1 (g) *Convention on International Civil Aviation*, or the *Chicago*
2 *Convention*, refers to the Convention establishing the
3 International Civil Aviation Organization, or ICAO, which
4 provides the core principles permitting international transport
5 by air, as well as the standards and recommended practices for
6 the production of machine-readable travel documents;
- 7 (h) *Department* refers to the Department of Foreign Affairs;
- 8 (i) *Foreign Service Post*, or *FSP*, refers to a Philippine diplomatic
9 and consular post such as an Embassy or a Consulate General;
- 10 (j) *Fugitive from justice* refers not only to those who flee after
11 conviction to avoid punishment, but likewise those who, after
12 being charged, flee to avoid prosecution.
- 13 (k) *International Civil Aviation Organization*, or *ICAO*, is a
14 specialized agency of the United Nations (UN) established by
15 UN Member States in 1944 to manage the administration and
16 governance of the Chicago Convention;
- 17 (l) *ICAO Document 9303* refers to the latest edition of the
18 compendium of ICAO technical requirements, as well as
19 standards and recommended practices for the production of
20 machine-readable travel documents;
- 21 (m) *Issuing authority* refers to either the Office of Consular Affairs
22 of the Department, a CO, or an FSP which issues passports and
23 provides other consular services;
- 24 (n) *Large scale* refers to the commission of any of the offenses
25 under this Act against three (3) or more persons individually or
26 as a group;

- 1 (o) *Machine Readable Travel Document* refers to an official
2 document which conforms with the specifications under ICAO
3 Document 9303 and contains mandatory visual data and a
4 separate mandatory data summary in a format which is capable
5 of being read by a machine, and used by the holder thereof for
6 international travel;
- 7 (p) *Passport* refers to the ICAO-compliant machine-readable travel
8 document issued by the Philippine Government which contains
9 a request to other governments to permit the bearer thereof to
10 pass safely and freely, and to provide all lawful aid and
11 protection, if needed;
- 12 (q) *Recognized alien resident* refers to an alien who is a permanent
13 resident of the Philippines, or who is a stateless person or
14 refugee as recognized by the Philippine Government;
- 15 (r) *Secretary* refers to the Secretary of the Department of Foreign
16 Affairs;
- 17 (s) *Syndicate* refers to a group of three (3) or more persons
18 conspiring with one another;
- 19 (t) *Terrorism* refers to any act as defined under Section 4 of
20 Republic Act. No. 11479, otherwise known as the "Anti-
21 Terrorism Act of 2020";
- 22 (u) *Terrorist individual* refers to any natural person who commits
23 any of the acts defined and penalized under Sections 4, 5, 6, 7,
24 8, 9, 10, 11, and 12 of Republic Act. No. 11479, otherwise
25 known as the "*Anti-Terrorism Act of 2020*", and
- 26 (v) *Travel Document* refers to a form of identification compliant
27 with current ICAO standards that the Philippine Government

1 issues to its citizens or recognized residents in lieu of a regular
2 passport to enable them to cross international borders.

3 SEC. 4. *Authority to Issue, Deny, or Revoke.* – Upon the application
4 of any qualified Filipino citizen, the Secretary or any duly authorized
5 consular official may issue passports in accordance with this Act.

6 Philippine consular officials in a foreign country shall be authorized
7 by the Secretary to issue, verify, deny, or revoke a passport in the area
8 of jurisdiction of the Foreign Service Post in accordance with the
9 provisions of this Act.

10 In the interest of national security, public safety, or public health,
11 the Secretary or any of the authorized consular officials may, after due
12 hearing and in their proper discretion, deny issuance of a passport or
13 revoke a passport already issued: *Provided, however,* That such act shall
14 not mean a loss or doubt on the person's citizenship: *Provided, further,*
15 That the issuance of a passport may not be denied if the safety and
16 interest of the Filipino citizen is at stake: *Provided, finally,* That refusal or
17 revocation of a passport would not prevent the issuance of an Emergency
18 Travel Document if the passport holder or applicant is outside the
19 Philippines.

20 SEC. 5. *Requirements for the Issuance of a Passport.* – The
21 Secretary, or a duly authorized consular official, shall issue a passport to
22 an applicant who is a Filipino citizen and who has complied with the
23 following requirements:

- 24 (a) A duly accomplished application form;
25 (b) Proof of citizenship which shall follow the documents
26 prescribed by relevant laws regarding the acquisition of
27 Philippine citizenship, such as, but not limited to the following:

- 1 i. For natural born citizens, Certificate of Live Birth or Report
2 of Birth, whichever is applicable, authenticated by the
3 Philippine Statistics Authority (PSA);
4 ii. Naturalization Certificate for naturalized citizens;
5 iii. Election Certificate for those who were born before 17
6 January 1973, of Filipino mothers, and who elected
7 Philippine citizenship upon reaching the age of majority; or
8 iv. Documents issued upon Reacquisition or Retention of
9 Philippine citizenship under Republic Act No. 9225,
10 otherwise known as the "Citizenship Retention and
11 Reacquisition Act of 2003";

12 (c) Valid and sufficient proof of identity;

13 (d) PSA-authenticated Marriage Certificate or Report of Marriage,
14 whichever is applicable, for a married woman who wishes to
15 use her husband's surname;

16 (e) Duly annotated PSA-authenticated Marriage Certificate or
17 Report of Marriage, whichever is applicable, of a woman who
18 wishes to revert to the use of her maiden name by virtue of
19 an annulment, declaration of nullity of marriage, or a judicially
20 recognized divorce decree; or, for widows, PSA-authenticated
21 Death Certificate or Report of Death of the husband;

22 (f) For a minor applicant, the application may be filed by a parent
23 or legal guardian exercising parental authority: *Provided*, That
24 if a person other than a parent or legal guardian exercising
25 parental authority files the application, a Special Power of
26 Attorney (SPA) duly executed by a person exercising parental
27 authority must be presented for this purpose;

1 (g) Written consent issued by the Department of Social Welfare
2 and Development (DSWD), if the applicant is a prospective
3 adoptive child under Republic Act No. 8552, otherwise known
4 as the "Domestic Adoption Act of 1998".

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

10 i. Authenticated Certificate of Live Birth from the PSA or a
11 foundling certificate from DSWD;

12 ii. Placement Authority issued by the Inter-Country Adoption
13 Board (ICAB); and

14 iii. Certification issued by the DSWD.

15 (h) In case of discrepancy, the applicant's name or other details in
16 the Certificate of Live Birth shall prevail over that appearing in
17 any other public or private document: *Provided, however,* That
18 by operation of law or through court order, the applicant is
19 permitted to use a name other than what is officially recorded
20 in the PSA or the Local Civil Registry Office (LCRO);

21 (i) A travel authority duly issued by the head of the department,
22 agency, or office if the applicant is a Government employee
23 seeking to apply for a diplomatic or official passport.

24 The Department is mandated to ensure the integrity of the passport
25 at all times. As such, the Secretary or any duly authorized consular official
26 may require the applicant to provide additional documents until the latter
27 adequately establishes citizenship and identity.

1 SEC. 6. *Application.* – A person applying for a passport shall be
2 required to appear in person for the capturing of biometric and biographic
3 data.

4 A person exercising parental authority shall assist an applicant who
5 is a minor.

6 An applicant who is unable to read or write, or is a person with
7 disability, or is a senior citizen, may be assisted by a relative within the
8 fourth civil degree of consanguinity or affinity, or by the applicant's
9 traveling companion.

10 For applicants who are sixty-five (65) years old and above and
11 renewing a second generation passport, the Department shall implement
12 a system wherein these applicants may submit their passport renewal
13 application without need to physically appear in the Office of Consular
14 Affairs or any Consular Office, through the use of available technology,
15 including those that may be provided under Republic Act No. 11055,
16 otherwise known as the "Philippine Identification System Act", as far as
17 practicable.

18 The Department may require additional documents as may be
19 specified in the Rules and Regulations promulgated for the
20 implementation of this Act.

21 SEC. 7. *Types of Passports.* – The Secretary or any authorized
22 consular official may issue the following types of passports:

- 23 (a) *Diplomatic Passports* are issued to persons with diplomatic
24 status or who are on a diplomatic mission, such as:
- 25 i. The President and former Presidents of the Philippines;
 - 26 ii. The Vice President and former Vice Presidents of the
27 Philippines;

- 1 iii. The President of the Senate, the Speaker of the House of
2 Representatives, and former Presidents of the Senate and
3 Speakers of the House of Representatives;
- 4 iv. The Chief Justice and Associate Justices of the Supreme
5 Court and the Presiding Justice of the Court of Appeals,
6 and the Sandiganbayan;
- 7 v. The Secretary, Undersecretaries, and Assistant Secretaries
8 of the Department;
- 9 vi. The Members of Congress, the Secretary of the Senate,
10 and the Secretary General of the House of
11 Representatives;
- 12 vii. The Ambassadors Extraordinary and Plenipotentiary of the
13 Republic of the Philippines; Chiefs of Mission, and Foreign
14 Service Officers of all ranks in the career diplomatic
15 service, including designated attachés from the
16 Department and other agencies of the Government;
- 17 viii. The Secretaries of all the departments of the Executive
18 branch;
- 19 ix. The Governor of the Bangko Sentral ng Pilipinas;
- 20 x. The official delegates to international or regional
21 conferences accorded full powers by the President; and
- 22 xi. The spouses and unmarried minor children of the
23 abovementioned officials when accompanying or following
24 to join them in an official mission abroad.

25 The President of the Philippines or the Secretary may grant
26 diplomatic passports to officials and/or persons other than

1 those enumerated herein who are on official mission
2 abroad or are granted full powers by the President.

3 (b) *Official Passports* are issued to all Government officials and
4 employees on official travel abroad but who are not on a
5 diplomatic mission or have not been accorded diplomatic
6 status, such as:

- 7 i. The Undersecretaries, Assistant Secretaries of the
8 Cabinet other than the Department, the Associate
9 Justices of the Court of Appeals and the Sandiganbayan,
10 other members of the Judiciary, and all other Government
11 officials and employees traveling on official business and
12 official time;
- 13 ii. Staff officers and employees of the Department assigned
14 to diplomatic and consular posts, and officers and
15 representatives of other Government departments and
16 agencies assigned abroad;
- 17 iii. Persons in the domestic service and household members
18 of officials assigned to diplomatic or consular posts not
19 exceeding two (2): *Provided*, That an increase in domestic
20 service and household members of such officials shall be
21 approved by the Secretary; and
- 22 iv. Spouse and minor children of the staff officers and
23 employees of the Department assigned to diplomatic or
24 consular posts and offices, and representatives of other
25 Government agencies assigned abroad, when
26 accompanying or following to join them.

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

3 (c) *Regular Passports* are issued to Filipino citizens who are not
4 eligible or entitled to diplomatic or official passports, including
5 Government officials or employees going abroad for pleasure
6 or other personal reasons. Government officials and
7 employees and members of their families may, during their
8 incumbency in office, hold two (2) passports simultaneously:

9 i. A regular passport for private travel; and

10 ii. A diplomatic or official passport when traveling abroad on
11 diplomatic or official business. The spouse and minor children
12 of persons entitled to diplomatic or official passports shall be
13 issued regular passports if they are not accompanying or
14 following to join them.

15 (d) *Emergency Passports*, which shall be valid for one (1) year
16 from date of issue, are issued to Filipino citizens who have
17 been previously issued regular passports but for one reason
18 or another, cannot apply for or cannot be issued a regular
19 passport.

20 **SEC. 8. *Grounds for Denial of Issuance or Revocation of Passport.***

21 – A passport application may be denied, or revoked, on the following
22 grounds:

23 (a) Upon order of the court, to hold the departure of an applicant
24 because of a pending criminal case;

25 (b) Upon order of the court, when the holder has been convicted
26 of a criminal offense: *Provided*, That a passport may be issued
27 after service of sentence;

- 1 (c) Upon order of the court, when the holder is a fugitive from
2 justice;
- 3 (d) Upon order of the court, to initiate the procedure for the
4 cancellation of the passport of a suspected terrorist individual
5 charged with any violation of Sections 4, 5, 6, 7, 8, 9, 10, 11,
6 and 12 of Republic Act. No. 11479, otherwise known as the
7 "Anti-Terrorism Act of 2020": *Provided*, That a passport may be
8 issued upon acquittal of the accused or of the dismissal of the
9 case filed against such person or upon the discretion of the
10 court on motion of the prosecutor or of the accused;
- 11 (e) When a passport was acquired fraudulently, tampered with, or
12 issued erroneously;
- 13 (f) When a passport is returned to the Department by other
14 Government agencies or entities: *Provided*, That the revocation
15 of a passport will not prevent the holder thereof from being
16 issued a new passport;
- 17 (g) Upon written notarized request by the person exercising
18 parental authority over a minor applicant or passport holder:
19 *Provided*, That, if the requesting party is not a Filipino, the
20 consent of the Filipino parent is required;
- 21 (h) When the applicant has been found to have violated any of the
22 provisions of this Act; and
- 23 (i) Such other disqualification under existing laws.

24 SEC. 9. *Passport Databases.* – The Department shall create
25 databases, as follows:

1 (a) *Passport Database*, which shall contain all current and, if
2 available, previous passport and travel document records of
3 Philippine citizens, including recognized alien residents;

4 (b) *Watchlist Database*, which shall contain the names of persons
5 whose passport applications have been denied or whose
6 passports were revoked under Section 4 of this Act, as well as
7 those persons found to have committed, or attempted to
8 commit, offenses under Section 19 of this Act. No passport shall
9 be issued to said persons until they are able to meet the
10 documentary or legal requirements for the removal of their
11 names from said database.

12 The Secretary or any of the duly authorized consular officials
13 may recommend the inclusion of persons in the Watchlist
14 Database other than those previously cited for other reasons
15 that may provide a basis for the Department to deny issuance
16 of a passport to these persons.

17 Nothing in the above provisions shall prevent the issuance of
18 other types of Travel Documents to persons included in the
19 Watchlist Database, at the discretion of the Secretary or any of
20 his duly authorized consular officials; and

21 (c) *Stolen, Lost and Revoked Passports Database*, which shall
22 contain the passports and travel documents of persons who
23 declared that their passports or travel documents as having
24 been lost or stolen, as well as those passports referred to in
25 Section 8(d).

1 The passport or travel document that has been revoked by the
2 Department under Section 4 of this Act shall also be included in
3 this database.

4 SEC. 10. *Appeal.* – Any person whose passport application has been
5 denied or revoked shall have the right to appeal to the Secretary, whose
6 decision may be reviewed by the appropriate court.

7 SEC. 11. *Validity.* – Following ICAO standards and recommended
8 practices on the issuance of machine-readable travel documents, regular
9 passports issued under this Act shall be valid for a period of ten (10)
10 years: *Provided, however,* That for individuals under eighteen (18) years
11 of age, only a passport with a validity of five (5) years shall be issued;
12 *Provided, further,* That in the interest of national security, public safety,
13 public health, or administration of law and justice, the issuing authority
14 may issue passports with a limited period of validity of less than ten (10)
15 years.

16 SEC. 12. *Ownership of Passports and Other Travel Documents.* – A
17 Philippine passport remains at all times the property of the Government,
18 the holder being a mere possessor thereof for the duration of the
19 passport's validity, and the same may not be surrendered to any entity or
20 person other than the Government or its duly authorized representative.

21 SEC. 13. *Names and Titles.* – Passports shall contain the full name
22 of the applicant, but shall not include any title, profession, or job
23 description.

24 SEC. 14. *Other Travel Documents.* – The following travel documents
25 may be issued in lieu of a regular passport:

- 26 (a) An *Emergency Travel Document*, valid for one (1) year from
27 date of issue, is issued to:

1 i. A Filipino citizen with urgent travel requirements who, for
2 one reason or another, has lost their passport or whose
3 passport has expired or is expiring and cannot be issued a
4 regular passport;

5 ii. A Filipino citizen with emergency travel requirements, who
6 has not been issued a regular passport and who, for one
7 reason or another, cannot be issued a regular passport;

8 (b) A *Travel Document Certificate*, valid for thirty (30) days from
9 date of issue, is issued to:

10 i. A Filipino citizen being repatriated to the Philippines;

11 ii. The alien spouse of a Filipino who has not yet been
12 naturalized as a Filipino and who is traveling to the
13 Philippines or is a permanent resident of the Philippines,
14 including their dependents; and

15 iii. Aliens permanently residing in the Philippines who are not
16 able to obtain a passport or other travel documents from
17 their countries of origin; and

18 (c) A *Convention Travel Document*, valid for five (5) years from
19 date of issue, is issued to a stateless person who is likewise a
20 permanent resident or a refugee granted such status or asylum
21 in the Philippines.

22 SEC. 15. *Loss or Destruction of a Passport.* – The loss or destruction
23 of a passport shall be immediately reported to the Department or a
24 Foreign Service Post. The holder of such passport shall submit an Affidavit
25 stating in detail the circumstances of such loss or destruction. For
26 purposes of this Act, a lost passport is one whose whereabouts is
27 unknown to the applicant despite diligent search, or if known, may not be

1 retrieved, recovered, and produced by the applicant for reasons beyond
2 the applicant's control.

3 Should the Department find that the applicant made false claims or
4 deliberately withheld information about the loss of their passport or
5 passports, the applicant shall be held liable under Section 21(b) of this
6 Act.

7 SEC. 16. *Fees.* – Reasonable fees, as may be determined by the
8 Department, shall be collected for the processing, issuance, or
9 replacement of a passport or a Travel Document.

10 Senior citizens and persons with disability shall be entitled to at least
11 fifty percent (50%) discount on the processing, issuance, or replacement
12 of a passport.

13 A portion of the total fees amounting to no more than twenty
14 percent (20%) of the gross annual collection shall be retained by the
15 Department exclusively for the purpose of covering production costs in
16 excess of the allotments provided for under the General Appropriations
17 Act of the current fiscal year.

18 SEC 17. *Passport Revolving Fund.* – The Department may charge a
19 service fee for services rendered to applicants relating to the processing
20 or issuance of passports requiring special considerations, waiver, or
21 issuance beyond regular office hours.

22 The service fees received by the Department under this section shall
23 constitute a revolving fund to be called the "Passport Revolving Fund,"
24 which may be utilized by the Department primarily for the improvement
25 of its passporting and consular services and other Department services
26 except travel and transportation allowances and expenses.

1 The use and disbursement of the Passport Revolving Fund shall be
2 subject to audit by the Commission on Audit. The Secretary shall submit
3 a report on the collection and use of the Passport Revolving Fund to the
4 Senate and the House of Representatives annually.

5 **SEC. 18. *Waiver.*** – The Secretary is solely authorized to waive any
6 requirement set forth in Section 6 of this Act, as well as the fees for the
7 processing or issuance of passports and Travel Documents contained in
8 Section 16 of this Act.

9 **SEC. 19. *Offenses and Penalties.*** – A passport, being a proclamation
10 of the citizenship of a Filipino, is superior to all other official documents
11 and as such, shall be accorded the highest respect by its holder. Any act
12 prejudicial to its integrity is a grave crime against the security of the State
13 and shall be penalized accordingly:

14 **(a) *Offenses Relating to Issuances, Penalties.*** – Any person who:

- 15 i. Acting or claiming to act in any capacity or office under the
16 Republic of the Philippines without lawful authority,
17 accepts passport applications, grants, issues or verifies any
18 passport or travel document to any or for any person
19 whomsoever, or is caught selling in whatever capacity lost
20 or stolen passports and travel documents, shall be
21 punished by a fine of not less than Fifteen Thousand Pesos
22 (Php15,000.00) but not more than Sixty Thousand Pesos
23 (Php60,000.00) and imprisonment of not less than six (6)
24 years and one (1) day but not more than twelve (12) years;
25 or
26 ii. Being a diplomatic or consular official authorized to grant,
27 issue, or verify passports, knowingly and willfully grants,

1 issues, or verifies any such passport to any or for any
2 person not owing allegiance to the Republic of the
3 Philippines, whether citizen or not, shall be punished by a
4 fine of not less than Fifteen Thousand Pesos
5 (Php15,000.00) but not more than Sixty Thousand Pesos
6 (Php60,000.00) and imprisonment of not less than six (6)
7 years and one (1) day but not more than twelve (12) years
8 and, upon conviction, be perpetually disqualified from
9 holding public office; or

10 iii. Being either a diplomatic or consular official, knowingly
11 and willfully grants, issues, or certifies to the authenticity
12 of any passport or Travel Document for any person not
13 entitled thereto, or knowingly and willfully issues more
14 than one (1) passport to any person except as provided for
15 in this Act, shall be punished by a fine of not less than
16 Fifteen Thousand Pesos (Php15,000.00) but not more than
17 Sixty Thousand Pesos (Php60,000.00) and imprisonment
18 of not less than six (6) years and one (1) day but not more
19 than twelve (12) years and, upon conviction, be
20 perpetually disqualified from holding public office; or

21 iv. Acting or claiming to act in any capacity, with the intention
22 to profit thereby, intercepts a person proceeding to the
23 Department or any of its consular offices or Foreign Service
24 Posts to apply for a passport, and persuades, entices,
25 encourages or misleads such applicant to course the
26 application through another person or agency other than
27 the Department or its personnel on the pretext of

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

- 4 v. Being neither a diplomatic or consular official, nor an
5 employee authorized to grant, issue, or verify any passport
6 or travel document to or for any person, and even though
7 not claiming to be such, offers, for any material gain or
8 consideration, to escort a passport applicant, or assist the
9 same in booking an appointment, filling out an application
10 form, making payments, handling application documents,
11 or any other action relating to passport application shall be
12 punished by imprisonment of not less than eighteen (18)
13 months but not more than six (6) years.

14 (b) *Offenses Relating to False Statements; Penalties.* – Any person
15 who willfully and knowingly:

- 16 i. Makes any false statement in any application for passport
17 with the intent to induce or secure the issuance of a
18 passport under the authority of the Philippine Government,
19 for any purpose, contrary to this Act or rules and
20 regulations prescribed pursuant hereto shall be punished
21 by a fine of not less than Fifteen Thousand Pesos
22 (Php15,000.00) but not more than Sixty Thousand Pesos
23 (Php60,000.00) and imprisonment of not less than six (6)
24 years and one (1) day but not more than twelve (12) years;
25 or
- 26 ii. Makes any false statement in an Affidavit declaring a
27 passport as lost while knowing its actual whereabouts or

1 not exerting diligent effort to retrieve, recover, and
2 produce the same, shall be punished by a fine of not less
3 than Fifteen Thousand Pesos (Php15,000.00) but not more
4 than Sixty Thousand Pesos (Php60,000.00) and
5 imprisonment of not less than six (6) years and one (1)
6 day but not more than twelve (12) years; or

7 iii. Uses or attempts to use any passport which was secured
8 in any way by reason of any false statement shall be
9 punished by a fine of not less than Fifteen Thousand Pesos
10 (Php15,000.00) but not more than Sixty Thousand Pesos
11 (Php60,000.00) and imprisonment of not less than six (6)
12 years and one (1) day but not more than twelve (12) years.

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

14 i. Falsely makes, forges, counterfeits, mutilates, or alters any
15 passport or Travel Document or any supporting document
16 for a passport application, with the intent of using the
17 same, shall be punished by a fine of not less than Seventy-
18 Five Thousand Pesos (Php75,000.00) but not more than
19 One Hundred Fifty Thousand Pesos (Php150,000.00) and
20 imprisonment of not less than six (6) years and one (1)
21 day but not more than fifteen (15) years. The possession
22 of the documents herein mentioned shall be *prima facie*
23 evidence of commission of the acts enumerated herein and
24 the intent to use the same; or

25 ii. Willfully or knowingly uses or attempts to use, or furnishes
26 to another for use any such false, forged, counterfeited,
27 mutilated, or altered passport or travel document or any

1 passport validly issued which has become void by the
2 occurrence of any condition herein prescribed shall be
3 punished by a fine of not less than Sixty Thousand Pesos
4 (Php60,000.00) but not more than One Hundred Fifty
5 Thousand Pesos (Php150,000.00) and imprisonment of not
6 less than six (6) years and one (1) day but not more than
7 fifteen (15) years: *Provided*, That forgeries of five (5) or
8 more passports or travel documents, would be considered
9 as massive forgery tantamount to national sabotage and
10 shall be punished by a fine of not less than Two Hundred
11 and Fifty Thousand Pesos (Php250,000.00) nor more than
12 One Million Pesos (Php1,000,000.00) and imprisonment of
13 not less than seven (7) years but not more than seventeen
14 (17) years.

15 (d) *Offenses Relating to Improper Use of Passports and Travel*
16 *Documents; Penalties.* – A fine of not less than Sixty
17 Thousand Pesos (Php60,000.00) but not more than One
18 Hundred Fifty Thousand Pesos (Php150,000.00) and
19 imprisonment of not less than six (6) years and one (1) day
20 but not more than fifteen (15) years shall be imposed upon
21 any person who willfully and knowingly:

- 22 i. Uses or attempts to use any passport issued or designed
23 for the use of another or any supporting document for a
24 passport application which belongs to another; or
25 ii. Uses or attempts to use any passport or supporting
26 document in violation of the conditions or restrictions

1 therein contained, or of the rules prescribed pursuant
2 thereto; or

3 iii. Furnishes, disposes, or delivers a passport to any person
4 other than to that in whose name and for whose use it
5 was issued, or

6 iv. Defaces or destroys a Philippine passport; or

7 v. Sells, trades, pawns, mortgages, or uses an issued
8 passport or Travel Document as collateral to secure debt,
9 or in any manner uses such passport or Travel Document
10 as currency or object of commerce: *Provided*, That in
11 such situation, the buyer, trader, creditor, or mortgagee
12 shall also be liable to the same extent as the person to
13 whom the passport or Travel Document was originally
14 issued.

15 (e) *Multiple Possession of Passports; Penalties.* – No person or
16 individual may hold more than one (1) valid passport, except
17 as provided for in Section 8 hereof, and any individual who
18 possesses more than one (1) unexpired passport shall, for
19 every unexpired passport found in his possession, be
20 punished by a fine of not less than Fifteen Thousand Pesos
21 (Php15,000.00) but not more than Sixty Thousand Pesos
22 (Php60,000.00) and imprisonment of not less than six (6)
23 years and one (1) day but not more than twelve (12) years:
24 *Provided*, That the maximum fine and imprisonment shall be
25 imposed by the court for any attempt to use or the actual use
26 of an unexpired passport which is not in the name of the
27 user.

1 In case any of the offenses prohibited in this Act constitutes
2 a violation of the Revised Penal Code and the penalty
3 imposed therein is heavier than that provided in this Act, the
4 latter penalty shall be imposed;

5 (f) *Illegal Withholding of Passport; Penalties.* – No person or
6 individual may confiscate, retain, or withhold, without any
7 legal authority, any valid passport issued by the Department.
8 The act of withholding or denying passports or travel
9 documents from prospective overseas Filipino workers prior
10 to their departure, for monetary or financial considerations,
11 or for any reason other than those authorized under the
12 Labor Code of the Philippines, shall be considered as illegal
13 recruitment and shall be penalized as such crime under
14 Section 6(k) and Section 7, respectively, of Republic Act No.
15 8042, otherwise known as the "Migrant Workers and
16 Overseas Filipinos Act of 1995", as amended by Republic Act
17 No. 10022.

18 Any person found guilty of illegal withholding of passport
19 shall suffer the penalty of imprisonment of not less than six
20 (6) years and one (1) day but not more than twelve (12)
21 years, and shall pay a fine of not less than One Million Pesos
22 (Php1,000,000.00) but not more than Two Million Pesos
23 (Php2,000,000.00): *Provided*, That if the offender is a public
24 official, in addition to the prescribed penalties, they shall be
25 dismissed from service and shall suffer perpetual absolute
26 disqualification to hold public office: *Provided, further*, That
27 if the offender is a corporation, partnership, association, or

1 any juridical person, then the penalty shall be imposed upon
2 the president, partner, manager, and/or any responsible
3 officer of the organization who directly participated in the
4 commission of the act, or allowed its perpetuation and
5 continuance: *Provided, further,* That in every case, the
6 criminal conviction of the liable officer or officers shall cause
7 and carry the automatic revocation of the business license
8 and/or special certificate of accreditation or certificate of
9 registration of the corporation, partnership, association, or
10 juridical person: *Provided, further,* That these entities and
11 their officers who are criminally held liable for the violation
12 of this Act shall not be allowed to operate similar
13 establishments under different names: and *Provided, finally,*
14 That if the offender is an alien in Philippine territory, they
15 shall, in addition to the penalties prescribed above, be
16 deported after serving their sentence and be permanently
17 barred from entering the country.

18 The penalties provided for under this Section shall be
19 imposed in their maximum when the offenses are committed
20 by a syndicate or in large scale.

21 **SEC. 20. *Implementing Rules and Regulations.*** – The Secretary shall
22 issue the rules and regulations to effectively implement the provisions of
23 and to carry out the policy set forth in this Act within sixty (60) days from
24 its effectivity.

25 **SEC. 21. *Cooperation with Local Government Units and Other***
26 ***Entities.*** – The Department shall issue guidelines, rules, and regulations

1 on mechanisms for cooperation with local government units and other
2 entities on the provision of passport services to their constituents.

3 SEC. 22. *Separability Clause.* – Should any provision or part of this
4 Act be declared unconstitutional or invalid, the other provisions and parts
5 hereof, insofar as they are separable from the invalid ones, shall remain
6 in full force and effect.

7 SEC. 23. *Repealing Clause.* – This Act hereby repeals Republic Act
8 No. 8239, otherwise known as the “Philippine Passport Act of 1996”, as
9 amended by Republic Act No. 10928. All other laws, decrees, orders,
10 issuances, rules and regulations or parts thereof which are inconsistent
11 with this Act are hereby repealed or modified accordingly.

12 SEC. 24. *Effectivity.* – This Act shall take effect fifteen (15) days
13 after its publication in the *Official Gazette* or in at least two (2)
14 newspapers of general circulation.

Approved,