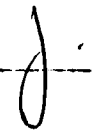


SEVENTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



16 JUL 18 P6:18

SENATE
S.B. NO. 397

RECEIVED BY: 

Introduced by SENATOR LOREN LEGARDA

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

Explanatory Note

In pursuit of the Filipinos' right to travel as mandated by the Constitution, Congress enacted Republic Act No. 8293 or the Philippine Passport Act of 1996, which provides guidelines on the issuance of passports and other travel documents.

A passport is an official document issued for travel to foreign countries. It is a document of identity and nationality, which gives the holder the right to be protected and assisted by the diplomatic and consular offices of the Republic of the Philippines abroad. The passport must be treated with highest importance and regard.

However, in spite of security features, the passport remains at risk of tampering and its contents forged, which endangers not only the identity of the victim, but also poses a threat to national security.

This bill aims to address the demand for bolder defense in manufacturing passports through institutionalizing the use of tamper proof passports and adapting to the latest data encryption technology. The bill also seeks to expedite the processes and simplify the requirements necessary for the issuance of passports by the Department of Foreign Affairs, providing for special procedures to assist the passport applications of the illiterate, senior citizens and persons with disabilities.

In light of the foregoing, the immediate passage of this measure is sought.


LOREN LEGARDA
Senator

'16 JUL 18 P6:18

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

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

1 **SECTION 1.** *Section 1 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. 1. *Short Title.* – This Act [will] **SHALL** be called [as] the [Philippine
5 Passport Act of 1996] **REVISED PHILIPPINE PASSPORT ACT.**"
6

7 **SEC. 2.** Section 2 of the same Act is hereby amended to read as follows:
8

9 "SEC. 2. *Statement of Policy.* – The people's constitutional right to travel is
10 inviolable. Accordingly, the government has the duty to issue passports
11 **USING TAMPER PROOF AND LATEST DATA MANAGEMENT TECHNOLOGY**
12 **AS MUCH AS PRACTICABLE** or any travel document to any citizen of the
13 Philippines or individual who complies with the requirement of this Act. The
14 right to travel may be impaired only when national security, public safety, or
15 public health requires. To enhance and protect the unimpaired exercise of this
16 right, only minimum requirements for the application and issuance of
17 passports and other travel documents shall be prescribed. Action on such
18 application and the issuance shall be expedited."
19

20 **SEC. 3.** Section 3, subsections (e), (f), and (g) of the same Act are hereby
21 amended to read as follows:
22

23 "SEC. 3. *Definitions.* – As used in this Act:

24 "a) *Department* means the Department of Foreign Affairs;

25 "b) *Secretary* means the Secretary of Foreign Affairs;

26 "c) *Post* means a Philippine diplomatic and consular post such as an Embassy
27 or Consulate;

28 "d) *Passport* means a document issued by the Philippine government to its
29 citizens and requesting other governments to allow its citizens to pass
30 safely and freely, and in case of need to give him/her all lawful aid and
31 protection;

32 "e) *Travel Document* means a certification or identifying document containing
33 the description and other personal circumstances of its bearer, issued for

1 direct travel to and from the Philippines valid for short periods or a
2 particular trip. It is issued only to persons whose claim to Philippine
3 citizenship is doubtful or who fall under the category enumerated in
4 [Section 13] **SECTION 14** of this Act;

5 “f) *Supporting Documents* mean [any] paper**S** or document**S** which [is] **ARE**
6 required to be submitted with the passport application supporting claims to
7 Filipino citizenship to complete the application for a passport without which
8 such application would be deemed incomplete or otherwise become subject
9 to denial by the issuing authority;

10 “g) *Ambassadors* mean those who have been appointed as chiefs of mission
11 and have served as Ambassador**S** Extraordinary and Plenipotentiary.”
12

13 **SEC. 4.** Section 4 of the same Act is hereby amended to read as follows:
14

15 “SEC. 4. *Authority to Issue, Deny[, Restrict] or Cancel.* – Upon the application of
16 any qualified Filipino citizen, the Secretary [of Foreign Affairs] or any [of his]
17 authorized consular officer may issue passports in accordance with this Act.
18

19 “Philippine consular officers in a foreign country shall be authorized by the
20 Secretary to issue, verify, [restrict,] cancel or [refuse] **DENY ISSUANCE OF** a
21 passport in the area of jurisdiction of the Post in accordance with the
22 provisions of this Act.
23

24 “In the interest of national security, public safety [and] **OR** public health, the
25 Secretary or any [of the] authorized consular officers may, after due hearing
26 and in their proper discretion, [refuse to issue a passport, or restrict its use or
27 withdraw] **DENY ISSUANCE OF A PASSPORT**, or cancel a passport: *Provided,*
28 *however,* That such act shall not mean a loss **OF** or doubt on the person’s
29 citizenship: *Provided, further,* That the issuance of a passport may not be
30 denied if the safety and interest of the Filipino citizen is at stake: *Provided,*
31 *finally,* That [refusal] **DENIAL OF ISSUANCE** or cancellation of a passport
32 would not prevent the issuance of a Travel Document to allow for a safe return
33 journey by a Filipino to the Philippines.”
34

35 **SEC. 5.** Section 5, subsections (b), (c), (d), (e), (f), (g), (h), and (i) of the same Act
36 are hereby amended and new subsections to be designated as subsections (j),
37 (k) and (l) are hereby added to read as follows:
38

39 “SEC. 5. *Requirements for the Issuance of Passport.* – No passport shall be
40 issued to an applicant unless the Secretary or [his] **A** duly authorized
41 representative is satisfied that the applicant is a Filipino citizen who has
42 complied with the following requirements:
43

44 “a) A duly accomplished application form and photographs of such number,
45 size and style as may be prescribed by the Department;
46

47 “[b) The birth certificate duly issued or authenticated by the Office of the Civil
48 Registrar General: *Provided, however,* That if the birth of the applicant has not
49 been registered yet, or if his birth certificate is destroyed, damaged, or not
50 available due to other causes, he shall apply for delayed registration of his birth
51 with the Office of the Civil Registrar General which shall issue to said applicant
52 a certification of pending application for delayed registration of birth attaching
53 thereto a copy of an accomplished certificate of live birth. Such certification
54 and the accomplished certificate of live birth shall be sufficient to support an

1 application for passport in addition to other papers which the Department may
2 require from the applicant;]

3 **"B) THE APPLICANT'S BIRTH CERTIFICATE IN SECURITY PAPER ISSUED**
4 **BY THE NATIONAL STATISTICS OFFICE (NSO) OR CERTIFIED TRUE COPY**
5 **(CTC) OF BIRTH CERTIFICATE ISSUED BY THE LOCAL CIVIL REGISTRY**
6 **OFFICE (LCRO) DULY AUTHENTICATED BY THE NSO: PROVIDED, THAT IF**
7 **THE BIRTH OF THE APPLICANT HAS NOT BEEN REGISTERED YET, OR IF**
8 **SUCH BIRTH CERTIFICATE IS DESTROYED, DAMAGED, OR NOT**
9 **AVAILABLE DUE TO OTHER CAUSES, THE APPLICANT SHALL APPLY FOR**
10 **DELAYED REGISTRATION OF BIRTH WITH THE LCRO WHERE THE**
11 **APPLICANT WAS BORN. UPON COMPLIANCE WITH THE REQUIREMENTS**
12 **FOR DELAYED REGISTRATION OF BIRTH, THE LCRO SHALL ISSUE TO**
13 **SAID APPLICANT A CERTIFICATION OF PENDING APPLICATION FOR**
14 **DELAYED REGISTRATION OF BIRTH ATTACHING THERETO A COPY OF**
15 **AN ACCOMPLISHED CERTIFICATE OF LIVE BIRTH WHICH IS THE**
16 **SUBJECT OF DELAYED REGISTRATION. SUCH CERTIFICATION AND THE**
17 **ACCOMPLISHED CERTIFICATE OF LIVE BIRTH SHALL BE SUFFICIENT TO**
18 **SUPPORT AN APPLICATION FOR PASSPORT IN ADDITION TO OTHER**
19 **PAPERS WHICH THE DEPARTMENT MAY REQUIRE FROM THE**
20 **APPLICANT SUCH AS CERTIFICATION OF NO PRIOR REGISTRATION OR**
21 **CERTIFICATION OF PREVIOUS BIRTH REGISTRATION FROM THE NSO.**
22

23 "c) In the absence of a birth certificate, a baptismal certificate for those who are
24 members of a Christian religious organization, or similar or equivalent
25 certificate issued by a non-Christian religious group, attesting to the
26 applicant's having been admitted to such religious group or sect at an early age
27 and where it is indicated that the applicant is a Filipino citizen, which should
28 be accompanied by a joint affidavit by two (2) persons who have personal
29 knowledge of the applicant and of such age as to credibly state the applicant's
30 date and place of birth, citizenship, and names of parents: *Provided, That*
31 *Filipinos who do not [believe in any religion] BELONG TO ANY RELIGIOUS*
32 **GROUP OR SECT** and whose parents for any reason failed to have the said
33 applicant baptized shall be exempted from the baptismal certificate
34 requirement: *Provided, further, That* in lieu thereof, the applicant shall execute
35 an affidavit to that effect duly corroborated by affidavit of at least two (2)
36 persons of good reputation who personally know such fact;
37

38 "[d) In case of a woman who is married, separated, divorced or widowed or
39 whose marriage has been annulled or declared by court as void, a copy of the
40 certificate of marriage, court decree of separation, divorce or annulment or
41 certificate of death of the deceased spouse duly issued and authenticated by
42 the Office of the Civil Registrar General: *Provided, That* in case of a divorce
43 decree, annulment or declaration of marriage as void, the woman applicant
44 may revert to the use of her maiden name: *Provided, further, That* such divorce
45 is recognized under existing laws of the Philippines;]

46 **"D) IF THE APPLICANT IS EIGHTEEN (18) YEARS OLD AND ABOVE, A**
47 **VOTER'S REGISTRATION CERTIFICATE OR THE APPLICANT'S VOTER'S**
48 **ID OR AFFIDAVIT DULY ISSUED OR AUTHENTICATED BY THE**
49 **COMMISSION ON ELECTIONS IN THE LOCALITY WHERE THE APPLICANT**
50 **IS A REGISTERED VOTER;**
51

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

1 **"E) A MARRIED WOMAN WHO OPTS TO ADOPT THE SURNAME OF HER**
2 **HUSBAND MUST PRESENT A LOCAL CIVIL REGISTRY COPY OF HER**
3 **MARRIAGE CONTRACT DULY AUTHENTICATED BY THE NSO: PROVIDED,**
4 **THAT A MARRIED WOMAN WHO WAS WIDOWED OR DIVORCED IN**
5 **ACCORDANCE WITH ARTICLE 26 OF EXECUTIVE ORDER (EO) NO. 209,**
6 **AS AMENDED BY EO NO. 227, 'THE FAMILY CODE OF THE PHILIPPINES**
7 **OF 1988' OR UNDER PRESIDENTIAL DECREE (PD) NO. 1083, 'THE**
8 **CODE OF MUSLIM PERSONAL LAWS OF THE PHILIPPINES', OR WHOSE**
9 **MARRIAGE WAS ANNULLED OR DECLARED BY A COURT OF LAW AS**
10 **VOID, AND WHO OPTS TO REVERT TO THE USE OF HER MAIDEN NAME**
11 **MUST PRESENT THE DEATH CERTIFICATE OF HER SPOUSE ISSUED BY**
12 **THE NSO OR CTC OF DEATH CERTIFICATE ISSUED BY THE LCRO, DULY**
13 **AUTHENTICATED BY THE NSO OR CTC OF THE DIVORCE DECREE,**
14 **COURT DECREE OF ANNULMENT OR DECLARATION OF NULLITY**
15 **SHOWING DISSOLUTION OF MARRIAGE AS RECOGNIZED BY PHILIPPINE**
16 **COURTS AND DULY REGISTERED AT THE NSO OR LCRO;**
17

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

23 **"F) IN THE CASE OF NATURALIZED CITIZENS, A COPY OF THE**
24 **NATURALIZATION CERTIFICATE, DULY REGISTERED BY THE LCRO AND**
25 **AUTHENTICATED BY THE NSO: PROVIDED, THAT IN THE CASE OF**
26 **DERIVATIVE NATURALIZATION, THE APPLICANT SHALL BE REQUIRED**
27 **TO PRESENT THE COPY OF THE NATURALIZATION CERTIFICATE OF THE**
28 **PARENT OR SPOUSE DULY ISSUED BY THE NSO OR CTC OF**
29 **NATURALIZATION CERTIFICATE ISSUED BY THE LCRO DULY**
30 **AUTHENTICATED BY THE NSO;**
31

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

41 **"G) APPLICATIONS FILED BY MINOR PASSPORT APPLICANTS MAY BE**
42 **PROCESSED ONLY UPON THE PERSONAL APPEARANCE OF EITHER**
43 **PARENT: PROVIDED, THAT IF A PERSON OTHER THAN THE MINOR'S**
44 **PARENTS FILES THE APPLICATION, A SPECIAL POWER OF ATTORNEY**
45 **(SPA) DULY EXECUTED BY EITHER OR BOTH PARENTS MUST BE**
46 **PRESENTED FOR THIS PURPOSE: PROVIDED, FURTHER, THAT IN THE**
47 **CASE OF AN ABANDONED, NEGLECTED, DEPENDENT, OR SURRENDERED**
48 **CHILD, A CERTIFICATION DECLARING THE CHILD AS LEGALLY**
49 **AVAILABLE FOR ADOPTION BY THE DEPARTMENT OF SOCIAL WELFARE**
50 **AND DEVELOPMENT (DSWD) AND AFFIDAVIT OF CONSENT EXECUTED BY**
51 **THE LEGAL GUARDIAN OR THE DSWD MUST BE PRESENTED;**
52

53 "[h] In case of discrepancy between the applicant's name in the birth certificate
54 and in any other private documents, the former shall prevail over the latter

1 unless by operation of law or through court order, the applicant is permitted to
2 use a name other than what is officially recorded in the Civil Register; and]

3 **"H) IF THE APPLICANT IS AN ADOPTEE OF ALIEN PARENTS UNDER**
4 **REPUBLIC ACT NO. 8043, OTHERWISE KNOWN AS THE 'INTER-COUNTRY**
5 **ADOPTION ACT OF 1995', THE FOLLOWING SHALL BE PRESENTED:**

6 **"1) CERTIFIED TRUE COPY OF DECREE OF ABANDONMENT OF THE**
7 **CHILD;**

8 **"2) DEED OF VOLUNTARY COMMITMENT (DVC) EXECUTED BY EITHER**
9 **PARENT AFTER THE BIRTH OF THE CHILD; AND**

10 **"3) CTC OF CERTIFICATION DECLARING A CHILD LEGALLY AVAILABLE**
11 **FOR ADOPTION ISSUED BY THE DSWD PURSUANT TO REPUBLIC ACT**
12 **NO. 9523, ENTITLED: "AN ACT REQUIRING CERTIFICATION OF THE**
13 **DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD) TO**
14 **DECLARE A 'CHILD LEGALLY AVAILABLE FOR ADOPTION' AS A**
15 **PREREQUISITE FOR ADOPTION PROCEEDINGS, AMENDING FOR THIS**
16 **PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 8552,**
17 **OTHERWISE KNOWN AS THE DOMESTIC ADOPTION ACT OF 1998,**
18 **REPUBLIC ACT NO. 8043, OTHERWISE KNOWN AS THE INTER-**
19 **COUNTRY ADOPTION ACT OF 1995, PRESIDENTIAL DECREE NO. 603,**
20 **OTHERWISE KNOWN AS THE CHILD AND YOUTH WELFARE CODE, AND**
21 **FOR OTHER PURPOSES": "PROVIDED, THAT THE AUTHENTICATED**
22 **BIRTH CERTIFICATE, PLACEMENT AUTHORITY AND FORMAL**
23 **ENDORSEMENT OF THE CHILD TO THE INTER-COUNTRY ADOPTION**
24 **BOARD (ICAB) BY THE DSWD MUST ALSO BE PRESENTED.**

25
26 **"IF THE APPLICANT IS A MINOR TO BE ADOPTED BY A NON-FILIPINO**
27 **RELATIVE OR A RELATIVE MARRIED TO A NON-FILIPINO NATIONAL, THE**
28 **APPLICANT SHALL PRESENT THE FOLLOWING REQUIREMENTS UNDER**
29 **REPUBLIC ACT NO. 8043:**

30 **"(1) DEED OF VOLUNTARY COMMITMENT EXECUTED BY ANY OF THE**
31 **FOLLOWING:**

32 **"(I) BOTH THE BIOLOGICAL PARENTS OR THE LEGAL GUARDIANS**
33 **FOR A LEGITIMATE CHILD;**

34 **"(II) BIOLOGICAL MOTHER OR LEGAL GUARDIAN FOR AN**
35 **ILLEGITIMATE CHILD; OR**

36 **"(III) DEED OF INVOLUNTARY COMMITMENT BY THE DSWD FOR**
37 **THE ABANDONED OR NEGLECTED CHILD;**

38 **"(2) DOCUMENTS ENDORSED BY THE DSWD FIELD OFFICER;**

39 **"(3) PLACEMENT AUTHORITY ISSUED BY THE ICAB;**

40 **"(4) TRAVEL CLEARANCE ISSUED BY THE ICAB; AND**

41 **"(5) CERTIFICATE OF ISSUANCE OF PASSPORT (CIP) ISSUED BY THE**
42 **ICAB.**

43
44 **"IF THE APPLICANT IS A MINOR TO BE ADOPTED BY A NONRELATIVE**
45 **WHO IS NOT A FILIPINO CITIZEN, THE APPLICANT SHALL PRESENT THE**
46 **FOLLOWING REQUIREMENTS UNDER REPUBLIC ACT NO. 8043:**

47 **"(1) DSWD CERTIFICATE DECLARING THE CHILD LEGALLY AVAILABLE**
48 **FOR ADOPTION;**

49 **"(2) INTER-COUNTRY ADOPTION CLEARANCE ISSUED BY THE DSWD;**

50 **"(3) PLACEMENT AUTHORITY ISSUED BY THE ICAB;**

51 **"(4) TRAVEL CLEARANCE ISSUED BY THE DSWD; AND**

52 **"(5) CERTIFICATE OF ISSUANCE OF PASSPORT ISSUED BY THE ICAB.**

53
54 **"I) THE APPLICANT'S NAME IN THE BIRTH CERTIFICATE SHALL PREVAIL**
55 **OVER THAT APPEARING IN ANY OTHER PUBLIC OR PRIVATE DOCUMENT**

1 **IN CASE OF DISCREPANCY, UNLESS BY OPERATION OF LAW OR**
2 **THROUGH COURT ORDER, THE APPLICANT IS PERMITTED TO USE A**
3 **NAME OTHER THAN WHAT IS OFFICIALLY RECORDED IN THE NSO OR**
4 **THE LCRO;**

5
6 “[i] **J)** If the applicant is a government employee, the travel authority issued by
7 the head of department, agency or office may be required only if said applicant
8 is applying for an official passport[.];

9
10 **“K) IN THE CASE OF THOSE WHO HAVE REACQUIRED THEIR PHILIPPINE**
11 **CITIZENSHIP UNDER REPUBLIC ACT NO. 9225, OTHERWISE KNOWN AS**
12 **THE ‘CITIZENSHIP RETENTION AND RE-ACQUISITION ACT OF 2003’ AND**
13 **OTHER EXISTING LAWS, THE APPLICANT SHALL PRESENT THE**
14 **FOLLOWING:**

15
16 **“1) ORIGINAL OR CERTIFIED TRUE COPY OF THE PRESCRIBED OATH**
17 **OF ALLEGIANCE;**

18 **“2) IDENTIFICATION CERTIFICATE ISSUED BY APPROPRIATE**
19 **AGENCIES; AND**

20 **“3) SUCH OTHER DOCUMENTS AS MAY BE NECESSARY OR REQUIRED**
21 **FOR THE ISSUANCE OF PHILIPPINE PASSPORT;**

22
23 **“L) MUSLIM FILIPINOS, TRAVELLING FOR THE PURPOSE OF HAJJ, WHO**
24 **ARE UNABLE TO COMPLY WITH THE REQUIREMENTS FOR THE**
25 **ISSUANCE OF A REGULAR PASSPORT, MAY BE ISSUED A PASSPORT**
26 **VALID FOR THREE (3) MONTHS AND FOR ONE (1) TRIP ONLY UPON**
27 **COMPLIANCE WITH THE FOLLOWING REQUIREMENTS:**

28
29 **“1) ENDORSEMENT FROM THE OFFICE OF MUSLIM AFFAIRS WHICH**
30 **ISSUES A CERTIFICATE OF TRIBAL AFFILIATION AND SIGNS A**
31 **PERSONAL GUARANTEE FORM; AND**

32 **“2) JOINT AFFIDAVIT OF TWO (2) DISINTERESTED PERSONS WHO ARE**
33 **FAMILIAR WITH THE BIRTH DETAILS OF THE APPLICANTS.**

34 **“A HAJJ PASSPORT IS NONRENEWABLE AND MAY NOT BE USED AS A**
35 **BASIS FOR THE ISSUANCE OF A REGULAR PASSPORT.”**

36
37 **SEC. 6.** Section 6 of the same Act is hereby amended to read as follows:

38
39 **“SEC. 6. *Application.* – [The application may be filed by:] A PERSON APPLYING**
40 **FOR A PASSPORT, EITHER FOR THE FIRST TIME OR FOR THE RENEWAL**
41 **OF A PREVIOUSLY ISSUED PASSPORT, MAY BE REQUIRED TO APPEAR IN**
42 **PERSON FOR PHOTO AND DATA CAPTURING.**

43
44 **“[a) The applicant himself or herself; or**

45 **“b) The parent or legal guardian on behalf of an applicant who is below the age**
46 **of majority.**

47
48 **“In case of first time applicants, the applicant must present himself/herself in**
49 **person to prove that he or she is the same person and of the age claimed in the**
50 **application form. In case of renewal the application may be filed by any**
51 **licensed travel agency duly accredited by the Department of Foreign Affairs:**
52 ***Provided,* That the agent shall be responsible for the authenticity or *bona fide* of**
53 **the supporting documents being presented to meet the requirements for the**
54 **application of passports.]**

1 "THE PARENT OR LEGAL GUARDIAN MAY ASSIST AN APPLICANT WHO IS
2 A MINOR.

3 "AN APPLICANT WHO IS ILLITERATE, PHYSICALLY DISABLED, OR A
4 SENIOR CITIZEN MAY BE ASSISTED BY A RELATIVE WITHIN THE
5 FOURTH CIVIL DEGREE BY AFFINITY OR CONSANGUINITY OR BY
6 ANYONE BELONGING TO THE SAME HOUSEHOLD.

7
8 "THE DEPARTMENT SHALL PROVIDE SPECIAL PROCEDURE TO
9 FACILITATE THE PASSPORT APPLICATION OF ILLITERATE, PHYSICALLY
10 DISABLED, AND SENIOR CITIZENS.

11
12 "AN APPLICANT MAY ALSO BE ASSISTED BY ANY LICENSED TRAVEL OR
13 RECRUITMENT AGENCY DULY ACCREDITED BY THE DEPARTMENT.

14
15 "IN THE CASE OF A PASSPORT APPLICATION FILED BY A RECRUITMENT
16 OR TRAVEL AGENCY OR PASSPORT-RELATED SERVICE PROVIDER DULY
17 ACCREDITED BY THE DEPARTMENT, THE AGENT SHALL BE
18 RESPONSIBLE FOR THE AUTHENTICITY OF THE SUPPORTING
19 DOCUMENTS SECURED AND PRESENTED BY THE AGENT TO MEET THE
20 REQUIREMENTS FOR THE APPLICATION OF PASSPORTS.

21
22 "THE DEPARTMENT SHALL HAVE THE RIGHT TO REQUIRE ALTERNATIVE
23 DOCUMENTS AS MAY BE SPECIFIED IN THE IMPLEMENTING RULES AND
24 REGULATIONS (IRR) FORMULATED TO ENFORCE THIS LAW."

25
26 **SEC. 7.** Section 7 of the same Act is hereby amended and new subsections
27 designated as subsections (a) (10), (a) (11) and (a) (12) are hereby added to read
28 as follows:

29
30 "SEC. 7. *Types of Passports.* – The Secretary or the authorized representative or
31 consular officer may issue the following types of passports:

32
33 "a) Diplomatic Passports [for] **ARE ISSUED TO** persons [imbued] with
34 diplomatic status or **WHO** are on diplomatic mission such as:

35 "1) The President and former Presidents of the Republic of the
36 Philippines;

37 "2) The Vice-President and former Vice-Presidents of the Republic of the
38 Philippines;

39 "3) The Senate President [and], the Speaker of the House of
40 Representatives, **AND FORMER SENATE PRESIDENTS AND**
41 **SPEAKERS OF THE HOUSE OF REPRESENTATIVES OF THE**
42 **CONGRESS OF THE PHILIPPINES;**

43 "4) The Chief Justice, **ASSOCIATE JUSTICES** of the Supreme Court **AND**
44 **THE PRESIDING JUSTICE OF THE COURT OF APPEALS;**

45 "5) The [Cabinet Secretaries] **SECRETARY**, [and the] Undersecretaries
46 and Assistant Secretaries of the Department of Foreign Affairs;

47 "6) [Ambassadors, Foreign Service Officers of all ranks in the career
48 diplomatic service; Attaches, and members of their families] **MEMBERS**
49 **OF CONGRESS, THE SECRETARY OF THE SENATE AND THE**
50 **SECRETARY GENERAL OF THE HOUSE OF REPRESENTATIVES;**

51 "7) [Members of the Congress when on official mission abroad or as
52 delegates to international conferences] **THE SECRETARIES OF ALL THE**
53 **DEPARTMENTS OF THE EXECUTIVE BRANCH;**

54 "8) [The Governor of the Bangko Sentral ng Pilipinas and delegates to
55 international or regional conferences when on official mission or

1 accorded full powers by the President; and] **AMBASSADORS**
2 **EXTRAORDINARY AND PLENIPOTENTIARY OF THE REPUBLIC OF**
3 **THE PHILIPPINES;**

4 "9) [Spouses and unmarried minor children of the abovementioned
5 officials when accompanying or following to join them in an official
6 mission abroad.] **CHIEFS OF MISSION, FOREIGN SERVICE OFFICERS**
7 **OF ALL RANKS IN THE CAREER DIPLOMATIC SERVICE, INCLUDING**
8 **DESIGNATED ATTACHÈS FROM THE DEPARTMENT AND ATTACHED**
9 **AGENCIES OF THE GOVERNMENT;**

10 **"10) THE GOVERNOR OF THE BANGKO SENTRAL NG PILIPINAS;**

11 **"11) OFFICIAL DELEGATES TO INTERNATIONAL OR REGIONAL**
12 **CONFERENCES ACCORDED FULL POWERS BY THE PRESIDENT;**
13 **AND**

14 **"12) SPOUSES AND UNMARRIED MINOR CHILDREN OF THE**
15 **ABOVEMENTIONED OFFICIALS WHEN ACCOMPANYING OR**
16 **FOLLOWING TO JOIN THEM IN AN OFFICIAL MISSION ABROAD.**

17 "The President of the Philippines [and] **OR** the Secretary of the
18 Department of Foreign Affairs may grant diplomatic passports to officials
19 and persons other than those enumerated herein who are on official
20 mission abroad **AND ARE GRANTED FULL POWERS BY THE**
21 **PRESIDENT.**

22
23 "b) Official PassportS [to be] **ARE** issued to all government officials and
24 employees on official trip abroad but who are not on a diplomatic mission or
25 [delegates to international or regional conferences or] have not been accorded
26 diplomatic status such as:

27
28 "1. Undersecretaries, [and] Assistant Secretaries of the Cabinet other
29 than the Department of Foreign Affairs, the Associate Justices **OF THE**
30 **COURT OF APPEALS** and other members of the Judiciary, [members of
31 the Congress] **THE DEPUTY SECRETARIES OF THE SENATE AND**
32 **DEPUTY SECRETARIES GENERAL OF THE HOUSE OF**
33 **REPRESENTATIVES**, and all other government officials and employees
34 travelling on [official business and] official time;

35 "2. Staff officers and employees of the Department [of Foreign Affairs]
36 assigned to diplomatic and consular posts and officers and
37 representatives of other government departments and agencies assigned
38 abroad;

39 "3. Persons in the domestic service and household members of officials
40 assigned to diplomatic or consular posts **NOT EXCEEDING TWO (2):**
41 **PROVIDED, THAT AN INCREASE IN DOMESTIC SERVICE AND**
42 **HOUSEHOLD MEMBERS OF SUCH OFFICIALS SHALL BE APPROVED**
43 **BY THE SECRETARY; AND**

44 "4. Spouse[s] and [unmarried] minor children, [of the officials mentioned
45 above when accompanying or following to join them.] **INCLUDING**
46 **UNMARRIED CHILDREN WHO ARE OF AGE BUT DEPENDENT ON**
47 **THE STAFF OFFICERS AND EMPLOYEES OF THE DEPARTMENT**
48 **ASSIGNED TO DIPLOMATIC OR CONSULAR POSTS AND OFFICES**
49 **AND REPRESENTATIVES OF OTHER GOVERNMENT AGENCIES**
50 **ASSIGNED ABROAD, WHEN ACCOMPANYING OR FOLLOWING TO**
51 **JOIN THEM.**

52
53 "c) Regular PassportS **ARE** issued to Filipino citizens who are not eligible or
54 entitled to diplomatic or official passports, including government officials or
55 employees going abroad for pleasure or other personal reasons. Government

1 officials and employees and members of their families may, during their
2 incumbency in office, hold two passports simultaneously: (1) a regular passport
3 for private travel; (2) a diplomatic or official passport when travelling abroad on
4 diplomatic or official business. The [wife] **SPOUSE** and minor children of
5 persons entitled to a diplomatic or official passports shall be issued regular
6 passports, if they are not accompanying or following to join them.”

7
8 **SEC. 8.** Section 8 of the same Act is hereby amended with subsection (a) (4)
9 renumbered as (a) (7); subsections (a) (4), (a) (5), (a) (6), (b) (4) and (b) (5) hereby
10 added; and subsection (c) is hereby deleted to read as follows:

11
12 “SEC. 8. *Grounds for Denial[,] OF ISSUANCE OF PASSPORT OR Cancellation*
13 *[or Restrictions] OF PASSPORT.* – The application for passport may be denied[,]
14 **OR A DULY ISSUED PASSPORT MAY BE** cancelled [or restricted] only on the
15 following grounds:

16 “a) Denial of **ISSUANCE OF** Passport – **THE ISSUANCE OF A PASSPORT**
17 **MAY BE DENIED ONLY ON THE FOLLOWING GROUNDS:**

18
19 “1. [On orders of the court, after due notice and hearing, to hold the
20 departure of an applicant because of a pending criminal case] **VIOLATION**
21 **BY THE APPLICANT OF ANY OF THE PROVISIONS OF THIS ACT;**

22 “2. [When so requested by the natural or legal guardian, if the applicant is
23 a minor] **ON ORDERS OF THE COURT, AFTER DUE NOTICE AND**
24 **HEARING, TO WITHHOLD THE PROCESSING OF A PASSPORT;**

25 “3. [When the applicant has been found to have violated any of the
26 provisions of this Act] **WHEN THE APPLICANT IS A FUGITIVE FROM**
27 **JUSTICE: PROVIDED, THAT THE APPLICANT BECOMES ELIGIBLE TO**
28 **APPLY FOR A NEW PASSPORT AFTER SUBMITTING TO THE**
29 **JURISDICTION OF THE COURT;**

30 “4. **WHEN THE APPLICANT HAS BEEN CONVICTED BY FINAL**
31 **JUDGMENT OF A CRIMINAL OFFENSE: PROVIDED, THAT THE**
32 **APPLICANT BECOMES ELIGIBLE TO APPLY FOR A NEW PASSPORT**
33 **AFTER THE SERVICE OF SENTENCE OR THE GRANT OF PROBATION,**
34 **CONDITIONAL OR ABSOLUTE PARDON, OR AMNESTY;**

35 “5. **WHEN SO REQUESTED BY THE PARENT EXERCISING PARENTAL**
36 **AUTHORITY OR LEGAL GUARDIAN, IF THE APPLICANT IS A MINOR:**
37 **PROVIDED, HOWEVER, THAT A COURT ORDER SHALL BE REQUIRED**
38 **WHEN BOTH PARENTS EXERCISE PARENTAL AUTHORITY BUT ONE**
39 **DOES NOT AGREE TO THE ISSUANCE OF A PASSPORT TO THE**
40 **MINOR;**

41 “6. **UPON LAWFUL ORDER OF THE SECRETARY WHEN DEEMED**
42 **NECESSARY IN THE INTEREST OF NATIONAL SECURITY, PUBLIC**
43 **SAFETY OR PUBLIC HEALTH; AND**

44 “[4] 7. Such other disqualificationS under existing laws.

45
46 “b) Cancellation **OF PASSPORT – PASSPORTS MAY BE CANCELLED ONLY**
47 **ON THE FOLLOWING GROUNDS:**

48
49 “1. When the holder is a fugitive from justice[;]: **PROVIDED, THAT THE**
50 **APPLICANT BECOMES ELIGIBLE TO APPLY FOR A NEW PASSPORT**
51 **AFTER SUBMITTING TO THE JURISDICTION OF THE COURT;**

52 “2. When the holder has been convicted **BY A FINAL JUDGMENT** of a
53 criminal offense: *Provided,* That the [passport may be restored after
54 service of sentence; or] **HOLDER BECOMES ELIGIBLE TO APPLY FOR A**
55 **NEW PASSPORT AFTER THE SERVICE OF SENTENCE OR THE GRANT**

1 **OF PROBATION, CONDITIONAL OR ABSOLUTE PARDON OR**
2 **AMNESTY;**

3 **"3. [When a passport was acquired fraudulently or tampered with.] UPON**
4 **FINDING BY THE SECRETARY OR THE AUTHORIZED**
5 **REPRESENTATIVE OR CONSULAR OFFICER THAT A PASSPORT HAD**
6 **BEEN ACQUIRED UNDER ANY OF THE FOLLOWING CIRCUMSTANCES:**

7
8 **"(I) FICTITIOUS NAME, FALSE NAME, ALIAS OR NICKNAME WAS**
9 **USED IN VIOLATION OF EXISTING LAWS AND EXECUTIVE**
10 **ORDERS;**

11 **"(II) FALSE OR INACCURATE INFORMATION ABOUT PERSONAL**
12 **DETAILS WAS PROVIDED IN THE APPLICATION;**

13 **"(III) FAKE DOCUMENTS WERE SUBMITTED TO SUPPORT THE**
14 **APPLICATION;**

15
16 **"4. UPON FINDING BY THE SECRETARY OR THE AUTHORIZED**
17 **REPRESENTATIVE OR CONSULAR OFFICER THAT A PASSPORT HAD**
18 **BEEN TAMPERED SUBSEQUENT TO ITS RELEASE OR ISSUANCE; OR**

19
20 **"5. UPON ORDER OF THE SECRETARY WHEN DEEMED NECESSARY**
21 **IN THE INTEREST OF NATIONAL SECURITY, PUBLIC SAFETY OR**
22 **PUBLIC HEALTH.**

23
24 **"ALL PASSPORTS ISSUED BY THE DEPARTMENT SHALL NOT CONTAIN**
25 **ANY MARKING, ANNOTATION OR STAMP PERTAINING TO TRAVEL**
26 **RESTRICTIONS. LIMITATION OF TRAVEL SHALL BE ADMINISTERED**
27 **THROUGH TRAVEL ADVISORIES OR ANY OTHER MEANS WHICH DOES**
28 **NOT NECESSITATE MARKING OR STAMPING OF PASSPORTS.**

29
30 **"[c) Restricted**

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

33 **"2. When diplomatic ties have been fractured or severed with the**
34 **Philippines;**

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

38
39 **SEC. 9.** A new Section 9 is hereby added to read as follows:

40
41 **"SEC. 9. SPECIAL BOARD OF INQUIRY (SBI). - THE DEPARTMENT MOTU**
42 **PROPRIO OR UPON RECEIPT OF ANY VERIFIED COMPLAINT THAT SHALL**
43 **NECESSITATE CANCELLATION OF PASSPORT SHALL SUMMON THE**
44 **PASSPORT HOLDER WHO SHALL BE GIVEN FIVE (5) WORKING DAYS**
45 **UPON RECEIPT OF THE COMPLAINT TO REPLY AND SUBMIT SUCH**
46 **PROOF TO CONTRAVENE THE COMPLAINT.**

47
48 **"A SPECIAL BOARD OF INQUIRY (SBI) UNDER THE OFFICE OF THE**
49 **SECRETARY IS HEREBY CREATED TO HANDLE AND ADJUDICATE THE**
50 **COMPLAINTS FOR CANCELLATION OF PASSPORT. THE SBI SHALL BE**
51 **COMPOSED OF MEMBERS FROM THE OFFICE OF THE SECRETARY, THE**
52 **OFFICE OF LEGAL AFFAIRS, THE OFFICE OF CONSULAR AFFAIRS AND**
53 **FROM SUCH OTHER OFFICES WHICH THE SECRETARY MAY DEEM**
54 **NECESSARY: PROVIDED, THAT THE SBI SHALL NOT EXCEED SEVEN (7)**
55 **MEMBERS.**

1
2 **"THE SBI SHALL OBSERVE SUMMARY PROCEEDINGS IN ADJUDICATING**
3 **THE COMPLAINT: PROVIDED, THAT SUCH SUMMARY PROCEEDINGS**
4 **RESOLVE THE COMPLAINT IN NOT MORE THAN THIRTY (30) WORKING**
5 **DAYS UPON SUBMISSION OF THE PASSPORT HOLDER'S REPLY TO SUCH**
6 **COMPLAINT.**

7
8 **"AN APPLICANT WHOSE PASSPORT HAS BEEN CANCELLED UPON THE**
9 **DECISION OF THE SBI MAY FILE FOR ITS REISSUANCE UPON**
10 **CLEARANCE BY THE SBI."**

11
12 **SEC. 10.** Section 9 of the same Act is hereby renumbered and amended to read
13 as follows:

14
15 "SEC. [9.] **10. Appeal.** – Any person who [feels] **WAS** aggrieved as a result of the
16 application of this Act or of the implementing rules and regulations (**IRR**)
17 issued by the Secretary shall have the right to appeal to the Secretary [of
18 Foreign Affairs from] whose decision [judicial review] may be [had to]
19 **REVIEWED BY** the Court[s in due course]."

20
21 **SEC. 11.** Section 10 of the same Act is hereby renumbered and amended to
22 read as follows:

23
24 "SEC. [10.] **11. Validity.** – Regular passports issued under this Act shall be
25 valid for a period of five (5) **OR TEN (10)** years[:]. [*Provided, however,* That the
26 issuing authority may limit the period of validity to less than five (5) years;
27 whenever in the national economic interest or political stability of the country
28 such restriction is necessary: *Provided, finally,* That a new passport may be
29 issued to replace one which validity has expired, the old passport being
30 returned to the holder after cancellation.]

31
32 **"THE PASSPORT APPLICANT SHALL HAVE THE OPTION TO APPLY FOR A**
33 **FIVE (5)-YEAR OR A TEN (10)-YEAR PASSPORT: PROVIDED, THAT MINOR**
34 **APPLICANTS SHALL BE ISSUED PASSPORTS VALID ONLY FOR FIVE (5)**
35 **YEARS: PROVIDED, FURTHER, THAT THE SECRETARY OR THE DULY**
36 **AUTHORIZED REPRESENTATIVE OR CONSULAR OFFICER SHALL HAVE**
37 **THE AUTHORITY TO EXTEND THE VALIDITY OF A PHILIPPINE PASSPORT**
38 **IF DEEMED NECESSARY FOR HUMANITARIAN REASONS OR IN THE**
39 **INTEREST OF NATIONAL SECURITY, PUBLIC SAFETY OR PUBLIC**
40 **HEALTH. THE EXTENSION PERIOD OF THE PASSPORT SHALL NOT**
41 **EXCEED TWO (2) YEARS AND MAY BE AVAILED OF ONLY ONCE."**

42
43 **SEC. 12.** Section 11 of the same Act is hereby renumbered and amended to
44 read as follows:

45
46 "SEC. [11.] **12. Ownership of Passports.** – A Philippine passport remains at all
47 times the property of the Government, the holder being a mere possessor
48 thereof as long as it is valid and the same may not be surrendered to any
49 person or entity other than the government or its representative: *Provided,* That
50 **[a] THE PASSPORT OF ANY** Filipino citizen may **BE** voluntarily surrendered
51 **[his/her passport to a Philippine Service] TO ANY** Post for storage and
52 safekeeping for which a proper receipt shall be issued for **PRESENTATION**
53 **[use] when reclaiming the passport at a later date."**

1 **SEC. 13.** Section 12 of the same Act is hereby renumbered and amended to
2 read as follows:

3
4 “SEC. [12.] **13. Names and Titles.** – The passport shall contain the full name of
5 the applicant, but shall not include [his] **ANY** title, [or titles or] profession or
6 job description. If an applicant’s name is changed by order of the court, a
7 certified copy of the court order or decree shall be submitted together with the
8 birth certificate or old passport on application.”

9
10 **SEC. 14.** Section 13 of the same Act is hereby renumbered and amended to
11 read as follows:

12
13 “SEC. [13.] **14. Travel Documents.** – A travel document, in lieu of a passport,
14 may be issued to:

15
16 “a) A Filipino citizen returning to the Philippines [who for one reason or
17 another has lost his/her] **OR ON EMERGENCY TRAVEL TO ANOTHER**
18 **DESTINATION, WHOSE** passport **WAS LOST** or **WHO** cannot be issued a
19 regular passport;

20 “b) A Filipino citizen being sent back to the Philippines;

21 “c) An alien spouse of a Filipino and [their] **THE** dependents who have not
22 yet been naturalized as [a] Filipino**S** [and] who are travelling to the
23 Philippines or [is a] permanent resident**S** of the Philippines;

24 “d) Aliens permanently residing in the Philippines who are not able to obtain
25 foreign passport**S** and other travel documents;

26 “e) A stateless person who is likewise a permanent resident, or a refugee
27 granted such status or asylum in the Philippines.”

28
29 **SEC. 15.** Section 14 of the same Act is hereby renumbered and amended to
30 read as follows:

31
32 “SEC. [14.] **15. Amendments.** – A passport may be amended at the request of
33 the holder for any [lawful] **OF THE FOLLOWING** purpose**S**[,]: [but such
34 amendment should be approved by the Secretary or his duly authorized
35 diplomatic or consular officers.]

36
37 “[Diplomatic and official passports shall be submitted for revalidation before
38 each departure of the holder.]

39
40 **“A) AMENDMENTS OF A WOMAN’S NAME DUE TO MARRIAGE;**

41 **“B) AMENDMENT OF A WOMAN’S NAME DUE TO DEATH OF SPOUSE,**
42 **ANNULMENT OF MARRIAGE, ISSUANCE OF A DIVORCE DECREE UNDER**
43 **PRESIDENTIAL DECREE NO. 1083, GRANT OF DIVORCE DECREE OR**
44 **DECLARATION OF NULLITY SHOWING DISSOLUTION OF MARRIAGE**
45 **GRANTED BY A FOREIGN COURT AND RECOGNIZED BY PHILIPPINE**
46 **COURTS CONSISTENT WITH ARTICLE 26 OF EXECUTIVE ORDER NO.**
47 **209, AS AMENDED; OR**

48 **“C) AMENDMENTS BY ORDER OF A COURT PURSUANT TO REPUBLIC**
49 **ACT NO. 9048, ENTITLED: ‘AN ACT AUTHORIZING THE CITY OR**
50 **MUNICIPAL CIVIL REGISTRAR OR THE CONSUL GENERAL TO**
51 **CORRECT A CLERICAL OR TYPOGRAPHICAL ERROR IN AN ENTRY**
52 **AND/OR CHANGE OF FIRST NAME OR NICKNAME IN THE CIVIL**
53 **REGISTER WITHOUT NEED OF A JUDICIAL ORDER, AMENDING FOR**
54 **THIS PURPOSE ARTICLES 376 AND 412 OF THE CIVIL CODE OF THE**
55 **PHILIPPINES’.”**

1
2 **SEC. 16.** Section 15 of the same Act is hereby renumbered and amended to
3 read as follows:
4

5 “SEC. [15.] **16. Loss or Destruction.** – The loss or destruction of a passport
6 should be immediately reported to the Department or the Post. The holder of
7 such passport shall submit to the Department or Post an affidavit stating in
8 detail the circumstances of such loss or destruction. The holder of such a
9 passport, who is in the Philippines, should also furnish the National Bureau of
10 Investigation (**NBI**) and the Bureau of Immigration (**BI**) copies of the affidavit.
11 For those who are abroad, copies of the affidavit will be forwarded by the Post
12 to the Department’s Office of Consular [Services] **AFFAIRS**, and in coordination
13 with the Office of Legal [and Intelligence Services] **AFFAIRS**, shall transmit a
14 copy of the affidavit to the [National Bureau of Investigation] **NBI** and [Bureau
15 of Immigration] **BI**. The transmittal of the affidavit shall be accompanied by a
16 request for the confiscation of the said passport if found, and to investigate or
17 detain, if necessary, the person attempting to use or has used the passport. All
18 Posts will be informed of the lost passport, including pertinent information on
19 the passport and the circumstances of loss.
20

21 “No new passport shall be issued until satisfactory proof is shown that the
22 passport was actually lost and after the lapse of fifteen (15) days following the
23 date of submission of the affidavit of loss as herein required: *Provided,*
24 *however,* That in the case of a passport reported lost by a Filipino travelling
25 abroad, the Consulate may waive the fifteen [(15) days] **(15)-DAY** requirement if
26 the loss has been proven to the Consular Official’s satisfaction: *Provided,*
27 *further,* That in case the Filipino who reported a loss of passport is returning to
28 the Philippines, the holder may be issued a Travel Document[: *Provided, finally,*
29 That in the event the lost passport is found, it should be destroyed if a
30 replacement has been issued, or mailed to the holder who was issued a Travel
31 Document].
32

33 “In all cases, **AT THE DISCRETION OF** the head of Office of Consular
34 [Services] **AFFAIRS** or the head of the Consular Section of an Embassy or the
35 Consul General of a consulate, [may, upon his discretion, waive] the fifteen
36 (15)-day waiting period[.] **MAY BE WAIVED.**”
37

38 **SEC. 17.** Section 16 of the same Act is hereby renumbered and amended to
39 read as follows:

40 “SEC. [16.] **17. Fees.** – Reasonable fees shall be collected for the processing,
41 issuance, [extension,] **OR** amendment **OF AN EXISTING PASSPORT** or
42 replacement of a lost passport and the issuance of a Travel Document as may
43 be determined by the Department[:]. [*Provided, however,* That any fee shall not
44 be increased more than once every three (3) years.]
45

46 **“THE DEPARTMENT SHALL PRESCRIBE THE NECESSARY FEES FOR**
47 **PASSPORTS WITH FIVE (5)-YEAR AND TEN (10)-YEAR VALIDITIES.”**
48

49 **SEC. 18.** Section 17 of the same Act is hereby renumbered and amended to
50 read as follows:
51

52 “SEC. [17.] **18. Passport Revolving Fund.** – The Department may charge a
53 service fee of not more than Two hundred fifty pesos (P250) for such service
54 rendered to applicants relating to the processing and issuance of passports
55 requiring special consideration, waiver or issuance beyond regular office hours.

1 The service fees received by the Department under this section shall constitute
2 a revolving fund to be called the 'Passport Revolving Fund' which may be
3 utilized by the Department for the improvement of its passporting and consular
4 services and other Department services except travel and transportation
5 allowances and expenses.

6
7 "The setting up, use, and disbursement of funds shall be subject to review,
8 accounting and auditing rules and regulations of the Commission on Audit and
9 will be subject to an annual review by Congress[.]. [but] **FURTHER**, the
10 Secretary [will] **SHALL** submit a report on the disbursement of the fund every
11 six (6) months to both the Senate **COMMITTEE ON FOREIGN RELATIONS**
12 and the House Committee[s] on Foreign [Relations] **AFFAIRS**."

13
14 **SEC. 19.** Section 18 of this Act is hereby renumbered and amended to read as
15 follows:

16
17 "SEC. [18.] **19. Waiver.** – The Secretary of Foreign Affairs is solely authorized to
18 waive any requirement[s] set forth in Section 5 of this Act."

19
20 **SEC. 20.** Section 19 of this Act is hereby renumbered and amended with new
21 subsections (a) (4) and (f) hereby added to read as follows:

22
23 "SEC. [19.] **20. Offenses and Penalties.** – A passport being a proclamation of
24 the citizenship of a Filipino, is [a document that is] superior to all other official
25 documents[.] **AND** [As] **AS** such, [it] should be accorded the highest respect by
26 its holder. [that to do damage to its integrity and validity is a serious crime
27 that should be penalized accordingly] **ANY ACT PREJUDICIAL TO ITS**
28 **INTEGRITY IS A GRAVE CRIME AGAINST THE SECURITY OF THE STATE**
29 **AND SHOULD BE PENALIZED ACCORDINGLY:**

30
31 "a) *Offenses Relating to Issuances: Penalties* – Any person who:

32
33 "1. Acting or claiming to act in any capacity or office under the Republic of
34 the Philippines, without lawful authority, **ACCEPTS PASSPORT**
35 **APPLICATIONS**, grants, issues or verifies any passport or travel document
36 to any or for any person whomsoever, **OR IS CAUGHT SELLING IN**
37 **WHATEVER CAPACITY PASSPORT APPLICATION FORMS, OR LOST**
38 **OR STOLEN PASSPORTS AND TRAVEL DOCUMENTS** shall be punished
39 by a fine of not less than Fifteen thousand pesos (P15,000) [nor] **BUT NOT**
40 more than Sixty thousand pesos (P60,000) and imprisonment of not less
41 than [eighteen (18) months nor more than] six (6) years **AND ONE (1) DAY**
42 **NOR MORE THAN TWELVE (12) YEARS;** or

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

53 "3. Being a diplomatic or consular officer, knowingly and [willfully]
54 **WILFULLY** grants and issues to, amends or certifies to the authenticity of
55 any passport or travel document for any person not entitled thereto, or

1 knowingly and [willfully] **WILFULLY** issues more than one passport to any
2 person except as provided for in this Act, shall be punished by a fine of not
3 less than Fifteen thousand pesos (P15,000) [nor] **BUT NOT** more than
4 Sixty thousand pesos (P60,000) and imprisonment of not less than
5 [eighteen (18) months nor more than] six (6) years and **ONE (1) DAY BUT**
6 **NOT MORE THAN TWELVE (12) YEARS AND** upon conviction, be
7 disqualified **PERPETUALLY** from holding [appointive] public office[.]; **OR**
8 **"4. ACTING OR CLAIMING TO ACT IN ANY CAPACITY, WITH THE**
9 **INTENTION TO PROFIT THEREBY, INTERCEPTS A PERSON**
10 **PROCEEDING TO THE DEPARTMENT OR ANY OF ITS REGIONAL**
11 **CONSULAR OFFICES TO APPLY FOR A PASSPORT, AND PERSUADES,**
12 **ENTICES, ENCOURAGES OR MISLEADS SUCH APPLICANT TO**
13 **COURSE THE APPLICATION THROUGH ANOTHER PERSON OR**
14 **AGENCY OTHER THAN THE DEPARTMENT OR ITS PERSONNEL ON**
15 **THE PRETEXT OF FACILITATING ITS APPROVAL OR ISSUANCE BY**
16 **THE DEPARTMENT SHALL BE PUNISHED BY IMPRISONMENT OF NOT**
17 **LESS THAN EIGHTEEN (18) MONTHS NOR MORE THAN SIX (6)**
18 **YEARS.**

19
20 **"b) Offenses Relating to False Statements: Penalties – Any person who [willfully]**
21 **WILFULLY** and knowingly:

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

32 "2. Uses or attempts to use any passport which was secured in any way by
33 reason of any false statement[s], shall be punished by a fine of not less
34 than Fifteen thousand pesos (P15,000) [nor] **BUT NOT** more than Sixty
35 thousand pesos (P60,000) and imprisonment of not less than [three (3)
36 years, but not more than ten (10) years] **SIX (6) YEARS AND ONE (1) DAY**
37 **BUT NOT MORE THAN TWELVE (12) YEARS;** or

38 "3. Travel and recruitment agencies [whose] **AND PASSPORT-RELATED**
39 **SERVICE PROVIDERS**, agents, liaison officers or representatives are
40 convicted of offenses relating to false statements shall, in addition to the
41 fines and penalties abovementioned, have their license revoked with all
42 deposits, escrow accounts or guarantee funds deposited or made as a
43 requirement of their business forfeited in favor of the government [without
44 prejudice to the officials of the branch office or of the agency being charged
45 as accessories to the offense and upon conviction barred from engaging in
46 the travel or recruitment agency business]. **AN OFFICER OF THE**
47 **TRAVEL OR RECRUITMENT AGENCY CONVICTED FOR FALSE**
48 **STATEMENTS SHALL BE BARRED FROM ENGAGING IN THE TRAVEL**
49 **OR RECRUITMENT AGENCY BUSINESS.**

50
51 **"c) Offenses Relating to Forgery: Penalties – Any person who:**

52
53 "1. Falsely makes, forges, counterfeits, mutilates or alters any passport or
54 travel document **OR DEPARTMENT STAMPS**, or any supporting
55 document for a passport application, with the intent of using the same

1 shall be punished by a fine of not less than [Sixty thousand pesos
2 (P60,000)] **SEVENTY-FIVE THOUSAND PESOS (P75,000)** [nor] **BUT NOT**
3 more than One hundred fifty thousand pesos (P150,000) and
4 imprisonment of not less than six (6) years [nor] **BUT NOT** more than
5 fifteen (15) years[; or]. **THE POSSESSION OF THE DOCUMENTS HEREIN**
6 **MENTIONED SHALL BE PRIMA FACIE EVIDENCE OF COMMISSION OF**
7 **THE ACTS ENUMERATED HEREIN AND THE INTENT TO USE THE**
8 **SAME; OR**
9

10 “2. [Willfully] **WILFULLY** or knowingly uses or attempts to use, or
11 furnishes to another for use any such false, forged, counterfeited,
12 mutilated or altered passport or travel document or any passport validly
13 issued which has become void by the occurrence of any condition [t]herein
14 prescribed shall be punished by a fine of not less than Sixty thousand
15 pesos (P60,000) [nor] **BUT NOT** more than One hundred fifty thousand
16 pesos (P150,000) and imprisonment of not less than six (6) years [nor]
17 **BUT NOT** more than fifteen (15) years[:]. [Provided, however, That] **THE**
18 officers of corporations, agencies or entities licensed in the travel and
19 recruitment industry would be held similarly liable as their agents, liaison
20 officers or representatives[:]. [Provided, finally, That f]Forgeries of five or
21 more passports or travel documents[, would] **SHALL** be considered as
22 massive forgery tantamount to national sabotage and [shall be] punished
23 by a fine of not less than Two hundred fifty thousand pesos (P250,000)
24 [nor] **BUT NOT** more than One million pesos (P1,000,000) and
25 imprisonment of not less than seven (7) years [nor] **BUT NOT** more than
26 seventeen (17) years.
27

28 “(d) *Offenses Relating to Improper Use: Penalties* – **A FINE OF NOT LESS THAN**
29 **SIXTY THOUSAND PESOS (P60,000) BUT NOT MORE THAN ONE HUNDRED**
30 **FIFTY THOUSAND PESOS (P150,000) AND IMPRISONMENT OF NOT LESS**
31 **THAN SIX (6) YEARS BUT NOT MORE THAN FIFTEEN (15) YEARS SHALL**
32 **BE IMPOSED UPON [A]Any person who [willfully] WILFULLY and knowingly:**
33

34 “1. Uses or attempts to use[,] any passport issued or designed for the use
35 of another or any supporting document[s] for a passport application which
36 belongs to another; or
37

38 “2. Uses or attempts to use any passport or supporting document in
39 violation of the conditions or restrictions therein contained, or of the rules
40 prescribed pursuant thereto; or
41

42 “3. Furnishes, disposes or delivers a passport to any person, [for use by
43 another or other than the person for whose use it was originally issued or
44 designed] **OTHER THAN TO THAT IN WHOSE NAME AND FOR WHOSE**
45 **USE IT WAS ISSUED, EXCEPT WHEN THE APPLICANT IS A MINOR, A**
46 **SENIOR CITIZEN OR PHYSICALLY OR MENTALLY INCAPACITATED**
47 **AND THE PASSPORT IS RELEASED TO THE PARENT, GUARDIAN OR**
48 **IMMEDIATE RELATIVE: PROVIDED, THAT IN CASE OF AN**
49 **EMERGENCY AND FOR HUMANITARIAN REASONS, AT THE**
50 **DISCRETION OF THE HEAD OF THE OFFICE OF CONSULAR AFFAIRS**
51 **OR THE HEAD OF THE CONSULAR SECTION OF ANY EMBASSY OR**
52 **THE CONSUL GENERAL OF A CONSULATE, THE PASSPORT MAY BE**
53 **RELEASED TO A THIRD PARTY UPON THE SUBMISSION OF A**
54 **WRITTEN AUTHORIZATION FROM THE APPLICANT; or**
55

1 "4. Defaces or destroys a Philippine passport[.]. [shall be punished by a
2 fine of not less than Sixty thousand pesos (P60,000) nor more than One
3 hundred fifty thousand pesos (P150,000) and imprisonment of not less
4 than six (6) years nor more than fifteen (15) years.]
5

6 "e) *Offenses Relating to Multiple Possession: Penalties* – No person or individual
7 may hold more than one valid passport, except as provided for in Section 7
8 hereof, and any individual who possesses more than one unexpired passport
9 shall, for every unexpired passport found in his possession, be punished by a
10 fine of not less than Fifteen thousand pesos (P15,000) [nor] **BUT NOT** more
11 than Sixty thousand pesos (P60,000) and imprisonment of not less than
12 [eighteen (18) months but not more than six (6) years] **SIX (6) YEARS AND**
13 **ONE (1) DAY BUT NOT MORE THAN TWELVE (12) YEARS:** *Provided,* That the
14 maximum fine and imprisonment shall be imposed by the court [if he] **FOR**
15 **ANY** attempt[s] to use or **THE** actual[ly] use[s] **OF** an unexpired passport which
16 is not in [his] **THE** name **OF THE USER.**
17

18 "In case any of the offenses prohibited in this Act constitutes a violation of the
19 Revised Penal Code and the penalty imposed in said Code is heavier than that
20 provided in this Act, the latter penalty shall be imposed.
21

22 "**F) OFFENSES RELATING TO FORGERY OF VISAS AND ENTRY**
23 **DOCUMENTS: PENALTIES – A FINE OF NOT LESS THAN FIFTEEN**
24 **THOUSAND PESOS (P15,000) BUT NOT MORE THAN SIXTY THOUSAND**
25 **PESOS (P60,000) AND IMPRISONMENT OF NOT LESS THAN THREE (3)**
26 **YEARS BUT NOT MORE THAN TEN (10) YEARS SHALL BE IMPOSED UPON**
27 **ANY PERSON WHO:**
28

29 "1. **KNOWINGLY FORGES, COUNTERFEITS, ALTERS OR FALSELY**
30 **MAKES ANY IMMIGRANT OR NONIMMIGRANT VISA, PERMIT,**
31 **BORDER CROSSING CARD, ALIEN REGISTRATION CARD OR OTHER**
32 **DOCUMENT PRESCRIBED BY STATUTE OR REGULATION FOR ENTRY**
33 **INTO OR AS EVIDENCE OF AUTHORIZED STAY OR EMPLOYMENT IN**
34 **THE PHILIPPINES OR ELSEWHERE WITH THE INTENT OF USING THE**
35 **SAME; OR**
36

37 "2. **KNOWINGLY USES, ATTEMPTS TO USE, POSSESSES, OBTAINS,**
38 **ACCEPTS OR RECEIVES ANY SUCH VISA, PERMIT, BORDER**
39 **CROSSING CARD, ALIEN REGISTRATION RECEIPT CARD OR OTHER**
40 **DOCUMENT PRESCRIBED BY STATUTE OR REGULATION FOR ENTRY**
41 **INTO OR AS EVIDENCE OF AUTHORIZED STAY OR EMPLOYMENT IN**
42 **THE PHILIPPINES OR ELSEWHERE, KNOWING IT TO BE FORGED,**
43 **COUNTERFEITED, ALTERED OR FALSELY MADE, OR TO HAVE BEEN**
44 **PROCURED BY MEANS OF ANY FALSE CLAIM OR STATEMENT, OR**
45 **TO HAVE BEEN OTHERWISE PROCURED BY FRAUD OR UNLAWFULLY**
46 **OBTAINED: PROVIDED, THAT THE USE OF FORGED,**
47 **COUNTERFEITED, ALTERED OR FALSELY MADE VISA, PERMIT,**
48 **BORDER CROSSING CARD, ALIEN REGISTRATION CARD OR OTHER**
49 **ENTRY DOCUMENT SHALL BE PRIMA FACIE EVIDENCE OF**
50 **KNOWLEDGE; OR**
51

52 "3. **KNOWINGLY POSSESSES ANY BLANK PERMIT, OR ENGRAVES,**
53 **SELLS, BRINGS INTO THE PHILIPPINES, OR HAS THE CONTROL OR**
54 **POSSESSION IN ANY PLATE IN THE LIKENESS OF A PLATE**
55 **DESIGNED FOR THE PRINTING OF PERMITS, OR MAKES ANY PRINT,**

1 PHOTOGRAPH OR IMPRESSION IN THE LIKENESS OF ANY
2 IMMIGRANT OR NONIMMIGRANT VISA, PERMIT OR OTHER
3 DOCUMENT REQUIRED FOR ENTRY INTO THE PHILIPPINES OR
4 ELSEWHERE, OR HAS THE POSSESSION OF A DISTINCTIVE PAPER
5 WHICH HAS BEEN ADOPTED BY THE DEPARTMENT FOR THE
6 PRINTING OF SUCH VISAS, PERMITS OR DOCUMENTS: *PROVIDED*,
7 THAT THE PERSON WHO FORGES, COUNTERFEITS, ALTERS OR
8 FALSELY MAKES ANY IMMIGRANT OR NONIMMIGRANT VISA,
9 PERMIT, BORDER CROSSING CARD, ALIEN REGISTRATION CARD OR
10 OTHER ENTRY DOCUMENT SHALL BE PUNISHED BY A FINE OF NOT
11 LESS THAN SIXTY THOUSAND PESOS (P60,000) BUT NOT MORE
12 THAN ONE HUNDRED FIFTY THOUSAND PESOS (P150,000) AND
13 IMPRISONMENT OF NOT LESS THAN SIX (6) YEARS BUT NOT MORE
14 THAN FIFTEEN (15) YEARS FOR EACH VISA OR ENTRY DOCUMENT.

15
16 “FINES AND PENALTIES PROVIDED FOR UNDER THIS SECTION
17 SHALL BE IMPOSED IN THEIR MAXIMUM WHEN SAID ACTS ARE
18 COMMITTED BY A SYNDICATE OR IN LARGE SCALE. ANY UNLAWFUL
19 ACT UNDER THIS SECTION IS COMMITTED BY A SYNDICATE IF
20 CARRIED OUT BY A GROUP OF THREE (3) OR MORE PERSONS
21 CONSPIRING AND CONFEDERATING WITH ONE ANOTHER. SUCH
22 ACTS ARE COMMITTED IN LARGE SCALE IF COMMITTED AGAINST
23 THREE (3) OR MORE PERSONS INDIVIDUALLY OR AS A GROUP.”

24
25 **SEC. 21.** Section 20 of the same Act is hereby renumbered and amended to
26 read as follows:

27
28 “SEC. [20.] **21.** *Suspension OR REVOCATION of Accreditation.* – TRAVEL OR
29 RECRUITMENT AGENCIES AND OTHER PASSPORT-RELATED SERVICE
30 PROVIDERS ARE ALLOWED WITH THE PRIVILEGE TO TRANSACT
31 BUSINESS WITH THE DEPARTMENT ON THE BASIS OF TRUST AND
32 CONFIDENCE. FOR THE EXERCISE OF THIS PRIVILEGE, THESE
33 PASSPORT SERVICE PROVIDERS SHALL BE REQUIRED TO SECURE
34 ACCREDITATION FROM THE DEPARTMENT.

35 “Any [duly accredited] travel or recruitment [agent or] agency AND OTHER
36 PASSPORT SERVICE PROVIDERS [which] THAT violate[s the prescription on
37 application for passport under Section 6 hereof] ANY PROVISION OF THIS
38 ACT shall have [such] ITS accreditation suspended [without prejudice to civil,
39 criminal or administrative sanctions including revocation of its license to
40 operate] OR REVOKED IN ACCORDANCE WITH THE SCHEDULE OF
41 ADMINISTRATIVE PENALTIES TO BE FORMULATED BY THE
42 DEPARTMENT. ANY SUCH SUSPENSION OR REVOCATION OF
43 ACCREDITATION SHALL BE WITHOUT PREJUDICE TO CIVIL SERVICE OR
44 CRIMINAL SANCTIONS AGAINST THE AGENCY, ITS OFFICERS, AGENTS
45 AND EMPLOYEES.

46
47 “The [mere] submission of spurious, forged or falsified documents supporting a
48 passport application by any duly accredited travel or recruitment [agent or]
49 agency OR OTHER PASSPORT SERVICE PROVIDERS shall be *prima facie*
50 evidence that the said travel or recruitment [agent or] agency is the author of
51 such forgery or falsification[.]: *PROVIDED*, THAT THE SPURIOUS, FORGED,
52 OR FALSIFIED DOCUMENT SUBMITTED WAS SECURED BY THE TRAVEL
53 OR RECRUITMENT AGENCY OR OTHER RELEVANT PASSPORT SERVICE
54 PROVIDERS ON BEHALF OF ITS CLIENT.”

1 **SEC. 22. *Implementing Rules and Regulations.*** – The Secretary shall
2 issue the necessary implementing rules and regulations to implement the
3 provisions of this Act within ninety (90) days from the date of its effectivity
4 without extension or delays.

5
6 **SEC. 23. *Separability Clause.*** – If any provision of this Act is declared
7 unconstitutional or invalid, the other provisions not affected thereby shall
8 remain in full force and effect.

9
10 **SEC. 24. *Repealing Clause.*** – Republic Act No. 8239 and all other laws or
11 parts thereof, decrees, orders, rules and regulations inconsistent with the
12 provisions of this Act are hereby repealed, amended, or modified accordingly.

13
14 **SEC. 25. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days
15 after its publication in the *Official Gazette* or in at least two (2) newspapers of
16 general circulation.

17
18 Approved,