

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



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SENATE

S.B. No. 943

REF.

BY: 

Introduced by Senator SONNY ANGARA

AN ACT
PROVIDING FOR A NEW PASSPORT LAW, REPEALING REPUBLIC ACT NUMBERED
EIGHT THOUSAND TWO HUNDRED THIRTY-NINE (R.A. NO. 8239), OTHERWISE KNOWN
AS THE "PHILIPPINE PASSPORT ACT OF 1996"

EXPLANATORY NOTE

Article III, Section 6 of the 1987 Constitution provides that the right to travel shall not be "impaired except in the interest of national security, public safety, or public health, as may be provided by law." Pursuant to this, Congress enacted Republic Act No. 8239 or the Philippine Passport Act of 1996. Under that law, it is the duty of government to issue passports or any travel document to any citizen or individual who complies with the requirements stated therein.

Eighteen years have passed since the passage of Republic Act No. 8239. Therefore, in keeping with the State's policy of providing only minimum requirements for the issuance of such documents as well as its duty to enhance and protect the people's unimpaired exercise of their constitutional right to travel, there is a need to amend the existing Act to simplify both the passport documentation requirements and the application process of the Department of Foreign Affairs.

In amending the provision relating to the requirements for the issuance of passports, this bill considers laws that have been passed since the passage of the existing Act such as Republic Act No. 8552 or the Domestic Adoption Act of 1998 and Republic Act No. 9226 or the Citizenship and Reacquisition Act of 2003. The bill also provides special procedures to facilitate the passport applications of illiterate, physically disabled, and senior citizens. Further, the bill intends for a 10-year validity of the passport.

To ensure that Filipinos are better served by the Department of Foreign Affairs, this bill also seeks to amend the provision on the Passport Revolving Fund to allow it to be utilized by the Department for the improvement of its passport issuance, consular, and other services.

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



SONNY ANGARA



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AS THE "PHILIPPINE PASSPORT ACT OF 1996"

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

1 **SECTION 1. Short Title.** This Act shall be called the "*New Philippine Passport Act.*"
2

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

11
12 **SEC. 3. Definitions.** As used in this Act:

13
14 (a) *Ambassadors* refer to those who have been appointed as chiefs of mission and have
15 served as Ambassadors Extraordinary and Plenipotentiary;

16
17 (b) *Department of Foreign Affairs (DFA) Consular Offices* refer to DFA offices located in
18 regional hubs where consular services, including passport and authentication services, and
19 consular assistance are provided. They shall also include offices in Metro Manila where
20 consular services are provided;

21
22 (c) *Passport* refers to a document issued by the Philippine government to its citizens and
23 requesting other governments to allow its citizens to pass safely and freely, and to provide all
24 lawful aid and protection if needed;

25

1 (d) *Post* refers to a Philippine diplomatic and consular post such as an Embassy or
2 Consulate;

3
4 (e) *Supporting documents* refer to papers or documents which are required to be
5 submitted with the passport application supporting claims to Filipino citizenship to complete the
6 application for a passport without which such application shall be deemed incomplete or
7 otherwise become subject to denial by the issuing authority; and

8 (f) *Travel Document* refers to a certification with the relevant personal details of the
9 bearer, which is issued in lieu of a passport, by the DFA or Post based on grounds provided in
10 Section 16 of this Act.

11
12 **SEC. 4. Authority to Issue, Deny or Cancel.** The Secretary of Foreign Affairs, hereinafter
13 referred to as Secretary, or any duly authorized consular officer assigned in Philippines or at a
14 Post may issue, deny or cancel a passport in accordance with Sections 6, 8 and 9 of this Act.
15

16 The issuance of a passport may not be denied if the safety or welfare of a Filipino is at
17 stake, unless a Travel Document is sufficient for the repatriation or return trip to Philippines. The
18 denial or cancellation of a passport is not a mode of losing Philippine Citizenship.
19

20 **SEC. 5. Cooperation with Local Government Units (LGUs).** The DFA shall issue rules and
21 regulations on the guidelines and mechanisms of its cooperation with on passport services.
22

23 **SEC. 6. Requirements for the Issuance of Passport.** The Secretary or a duly authorized
24 representative shall issue a passport to an applicant who is a Filipino citizen has complied with
25 the following requirements:
26

27 (a) A duly accomplished application form and photographs of such number, size,
28 and style as may be prescribed by the DFA;
29

30 (b) The applicant's birth certificate or the foundling certificate in security paper
31 issued by the Philippine Statistics Authority (PSA) or a certified true copy (CTC) of birth
32 certificate issued by the Local Civil Registry Office (LCRO) duly authenticated by the
33 PSA: *Provided*, That if the birth of the applicant has not been registered yet, or if such
34 birth is destroyed, damaged, or not available due to other causes, the applicant shall
35 apply for delayed registration of birth with the LCRO where the applicant was born. Upon
36 compliance with the requirements for delayed registration of birth, the LCRO shall issue
37 to said applicant a certification of pending application for delayed registration of birth
38 attaching thereto a copy of an accomplished certificate of live birth which is the subject
39 of delayed registration. Such certification and the accomplished certificate of live birth
40 shall be sufficient to support an application for passport in addition to other papers which
41 the DFA may require from the applicant such as certification of no prior registration or

1 certification of previous birth registration from the PSA;
2

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

16 (d) For a married woman who opts to adopt the surname of her husband, a local
17 civil registry copy of her marriage contract duly authenticated by the PSA: *Provided*, That
18 a married woman who was widowed or divorced in accordance with Article 26 of
19 Executive Order (EO) No. 209, otherwise known as the "Family Code of the Philippines",
20 as amended by EO No. 227, or under Presidential Decree (PD) No. 1083, otherwise
21 known as the "Code of Muslim Personal Laws of the Philippines", or whose marriage
22 was annulled or declared by a court of law as void, and who opts to revert to the use of
23 her maiden name must present the death certificate of her spouse issued by the PSA or
24 a CTC of death certificate issued by the LCRO, duly authenticated by the PSA or a CTC
25 of the divorce decree, court decree of annulment or declaration of nullity showing
26 dissolution of marriage as recognized by Philippine courts and duly registered at the
27 PSA or the LCRO;
28

29 (e) For a naturalized citizen, a certified copy of the naturalization certificate, or a
30 certified naturalization certificate of spouse or parent duly registered by the LCRO and
31 authenticated by the PSA if citizenship is claimed through naturalization of the spouse or
32 the parent;
33

34 (f) For a minor applicant, the application may be filed by either parent: *Provided*,
35 That if a person other than the minor's parents files the application, a Special Power of
36 Attorney (SPA) duly executed by either parent must be presented for this purpose:
37 *Provided, further*, That, in the case of an abandoned, neglected, dependent or
38 surrendered child, a certification declaring the child as legally available for adoption by
39 the Department of Social Welfare and Development (DSWD) and an affidavit of consent
40 executed by the legal guardian or the DSWD must be presented;
41

42 (g) The consent of the DSWD, if the applicant is a prospective adoptive child

1 under Republic Act No, 8552, otherwise known as the "Domestic Adoption Act of 1998".

2
3 If the applicant is a prospective adoptive child of a non-Filipino citizen, or a relative within
4 the fourth civil degree of consanguinity or affinity under Republic Act No. 8043, otherwise known
5 as the "Inter-Country Adoption Act of 1995", the following shall be presented:

- 6 (1) Authenticated birth certificate from the PSA or a foundling
7 certificate from the DSWD;
- 8 (2) Placement Authority issued by the Inter-Country Adoption Board
9 (ICAB); and
- 10 (3) Certification issued by the DSWD;

11
12 (h) For an applicant who has reacquired Philippine citizenship under Republic Act
13 No. 9225, otherwise known as the "Citizenship Retention and Re-acquisition Act of
14 2003", and other existing laws, the following shall be presented:

- 15 (1) Identification certificate issued by appropriate agencies; and
- 16 (2) Such other documents as may be necessary or required for the
17 issuance of Philippine passport;

18
19 (i) In case of discrepancy, the applicant's name in the birth certificate shall prevail
20 over that appearing in any other public or private document: *Provided, however,* That by
21 operation of law or through court order, the applicant is permitted to use a name other
22 than what is officially recorded in the PSA or the LCRO; and

23
24 (j) If the applicant is a government employee, the travel authority issued by the
25 head of a department, agency or office may be required only if the applicant is applying
26 for an official passport.

27
28 **SEC. 7. Application.** A person applying for a passport, either for the first time or for the renewal
29 of a previously issued passport, may be required to appear in person for photo and data
30 capturing.

31
32 The parent or legal guardian may assist an applicant who is a minor.

33 An applicant who is illiterate, physically disabled or a senior citizen may be assisted by a
34 relative within the fourth civil degree of consanguinity or affinity by anyone belonging to the
35 same household.

36
37 The DFA shall provide a special procedure to facilitate the passport application of
38 illiterate, physically disabled and senior citizens.

39
40 An applicant may also be assisted by any licensed travel or recruitment agency duly
41 accredited by the DFA.

1 In the case of a passport application filed by a recruitment or travel agency or passport-
2 related service provider duly accredited by the DFA, the agent shall be responsible for the
3 authenticity of the supporting documents secured and presented by the agent to meet the
4 requirements for the application of passports.

5
6 The DFA shall have the right to require alternative documents as may be specified in the
7 implementing rules and regulations (IRR) formulated to enforce this law.

8
9 **SEC. 8. Types of Passports.** The Secretary or the authorized representative or consular officer
10 may issue the following types of passports:

11
12 (a) Diplomatic Passports are issued to persons with diplomatic status or who are on
13 diplomatic mission such as:

- 14 (1) The President and former Presidents of the Republic of the Philippines;
- 15 (2) The Vice President and former Vice Presidents of the Republic of the
16 Philippines;
- 17 (3) The Senate President, the Speaker of the House of Representatives, and
18 former Senate Presidents and Speakers of the House of Representatives of
19 the Congress of the Philippines;
- 20 (4) The Chief Justice, Associate Justices of the Supreme Court and the presiding
21 Justice of the Court of Appeals;
- 22 (5) The Secretary, Undersecretaries and Assistant Secretaries of the DFA;
- 23 (6) The Members of Congress, the Secretary of the Senate and the Secretary
24 General of the House of Representatives;
- 25 (7) The Secretaries of all the departments of the Executive branch;
- 26 (8) The Ambassadors Extraordinary and Plenipotentiary of the Republic of the
27 Philippines;
- 28 (9) The Chiefs of Mission, Foreign Service Officers of all ranks in the career
29 diplomatic service, including designated Attaches from the DFA and attached
30 agencies of the government;
- 31 (10) The Governor of the Bangko Sentral ng Pilipinas;
- 32 (11) The official delegates to international or regional conferences accorded full
33 powers by the President; and
- 34 (12) The spouses and unmarried minor children of the abovementioned officials
35 when accompanying or following to join them in an official mission abroad.

36
37 The President of the Philippines or the Secretary may grant diplomatic passports to
38 officials and persons other than those enumerated herein who, are on official mission abroad or
39 are granted full powers by the President;

40
41 (b) Official Passports are issued to all government officials and employees on official trip,

1 abroad but who are not on a diplomatic mission or have not been accorded diplomatic status
2 such as:

- 3
- 4 (1) The Undersecretaries, Assistant Secretaries of the cabinet other than the
5 DFA, the Associate Justices of the Court of Appeals and other members of
6 the Judiciary, the Deputy Secretaries of the Senate and Deputy Secretaries
7 General of the House of Representatives, and all other government officials
8 and employees travelling on official time;
9
- 10 (2) Staff officers and employees of the DFA assigned to diplomatic and consular
11 posts, and officers and representatives of other government departments and
12 agencies assigned abroad;
13
- 14 (3) Persons in the domestic service and household members of officials assigned
15 to diplomatic or consular posts not exceeding two (2): *Provided*, That an
16 increase in domestic service and household members of such officials shall
17 be approved by the Secretary; and
18
- 19 (4) Spouse and minor children, including unmarried children who are not minors
20 but dependent on the staff officers and employees of the DFA assigned to
21 diplomatic or consular posts and offices, and representatives of other
22 government agencies assigned abroad, when accompanying or following to
23 join them; and
24

25 (c) Regular Passports are issued to Filipino citizens who are not eligible or entitled to
26 diplomatic or official passports, including government officials or employees going abroad for
27 pleasure or other personal reasons. Government officials and employees and members of their
28 families may, during their incumbency in office, hold two (2) passports simultaneously: (1) a
29 regular passport for private travel; and (2) a diplomatic or official passport when travelling
30 abroad on diplomatic or official business. The spouse and minor children of persons entitled to
31 diplomatic or official passports shall be issued regular passports if they are not accompanying or
32 following to join them.
33

34 **SEC. 9. Grounds for Denial of Issuance of Passport or Cancellation of Passport.** The
35 application for a passport may be denied or an existing passport may be cancelled on the
36 following grounds only:

37 (a) Denial

- 38 (1) Failure to comply with the requirements in accordance with Section 6 or
39 violation of the provisions of this Act;
40 (2) Court order to arrest or hold the departure of the passport applicant in
41 connection with a pending criminal case;
42 (3) Court order declaring the passport applicant as a fugitive from justice;

- 1 (4) Final court decision convicting the passport applicant of a crime: *Provided*,
2 That the convict, upon release on account of completion of sentence or grant
3 of amnesty, pardon or probation, may apply for a passport; and
4 (5) Request of the parent exercising parental authority or the legal guardian of a
5 minor child: *Provided*, That a court order to withhold the issuance of a
6 passport or to hold the departure of the minor child shall be required if both
7 parents exercise parental authority and they disagree on the issuance of a
8 passport or travel abroad of their minor child; and
9

10 (b) Cancellation

- 11 (1) If the passport was obtained in violation of the provisions of this Act;
12 (2) Court order to arrest or hold the departure of the passport holder in
13 connection with a pending criminal case;
14 (3) Court order declaring the passport holder as a fugitive from justice;
15 (4) Final court decision convicting the passport holder of a crime: *Provided*, That
16 the convict, upon release on account of completion of sentence or grant of
17 amnesty, pardon or probation, may apply for a passport;
18 (5) Request of the parent exercising parental authority or the legal guardian of a
19 minor child: *Provided*, That a court order to cancel the passport or to hold the
20 departure of the minor child shall be required if both parents exercise parental
21 authority and they disagree on the travel abroad of their minor child; and
22 (6) Such other disqualifications as provided under Philippine law and
23 jurisprudence.
24

25 **SEC. 10. OFA Passport Review Committee (OPRC).** The DFA *motu proprio* or upon receipt of
26 any verified complaint that necessitates cancellation or denial of passport shall summon the
27 passport holder who shall be given fifteen (15) working days upon receipt of the complaint to
28 reply and submit such proof to contravene the complaint.
29

30 A DFA Passport Review Committee (DPRC) under the Office of the Secretary is hereby
31 created for this purpose.
32

33 The DPRC shall also review the status of passports of Filipinos overseas who are being
34 investigated for alleged offenses against Filipinos.
35

36 The DFA shall issue the rules and regulations on the establishment, composition,
37 functions, procedures and other related details of the DPRC in accordance with this Act.
38

39 **SEC. 11. Appeal.** Any person who was aggrieved as a result of the application of this Act or of
40 the IRR issued by the Secretary shall have the right to appeal to the Secretary whose decision
41 may be reviewed by the appropriate court.

1 **SEC. 12. *Validity.*** Regular passports issued under this Act shall be valid for a period of ten (10)
2 years.

3
4 **SEC. 13. *Ownership of Passports.*** A Philippine passport remains at all times the property of
5 the government, the holder being a mere possessor thereof as long as it is valid and the same
6 may not be surrendered to any person or entity other than the government or its 2
7 representative: *Provided,* That the passport of any Filipino citizen may be voluntarily
8 surrendered to any Post for storage and safekeeping for which a proper receipt shall be issued
9 for presentation when reclaiming the passport at a later date.

10
11 **SEC. 14. *Names and Titles.*** The passport shall contain the full name of the applicant, but shall
12 not include any title, profession or job description.

13
14 **SEC. 15. *Markings and Stamps.*** All passports issued by the DFA shall not contain any
15 marking, annotation or stamp pertaining to travel restrictions. Limitation of travel shall be
16 administered through travel advisories or other means which do not necessitate marking or
17 stamping of passports.

18
19 **SEC. 16. *Travel Documents.*** A Travel Document, in lieu of a passport, may be issued to:

- 20
21 (a) A Filipino citizen returning to the Philippines who for one reason or another has lost a
22 passport or cannot be issued a regular passport;
23 (b) A Filipino citizen who has lost a passport while in transit to another country;
24 (c) A Filipino citizen being repatriated to the Philippines;
25 (d) An alien spouse of a Filipino and their dependents who have not been naturalized as
26 Filipinos and who are travelling to the Philippines or are permanent residents of the
27 Philippines;
28 (e) Filipino citizens performing *Umrah* and *Hajj*; and
29 (f) A stateless person or refugee who is granted such status in the Philippines.

30
31 **SEC. 17. *Loss or Destruction.*** The loss or destruction of a passport shall be immediately
32 reported to the DFA or Post. The holder of such passport shall submit to the DFA or Post an
33 affidavit stating in detail the circumstances of such loss or destruction. The DFA shall then
34 furnish the National Bureau of Investigation (NBI) and the Bureau of Immigration (BI) copies of
35 the affidavit.

36
37 For those who are abroad, copies of the affidavit shall be forwarded by the Post to the
38 DFA Office of Consular Affairs, and which shall, in coordination with the Office of Legal Affairs,
39 transmit a copy of the affidavit to the NBI and the BJ. The transmittal of the affidavit shall be
40 accompanied by a request for the confiscation of the lost passport if found, and to investigate or,
41 if necessary, detain the person attempting to use or has used the passport. All Posts shall be

1 informed of the lost passport, including pertinent information on the passport and the
2 circumstances of loss.

3
4 No new passport shall be issued until satisfactory proof is shown that the passport was
5 actually lost and after the lapse of fifteen (15) days following the date of submission of the
6 affidavit of loss as herein required: *Provided, however,* That in the case of a passport reported
7 lost by a Filipino travelling abroad, the Post may waive the fifteen (15)-day requirement if the
8 loss has been proven to the satisfaction of the consular officer: *Provided, further,* That in case
9 the Filipino who reported a loss of passport is returning to the Philippines, the holder may be
10 issued a Travel Document.

11
12 In all cases, the fifteen (15)-day rule may be waived at the discretion of the head of the
13 Office of Consular Affairs or the head of the Consular Section or the Consul General of a Post.

14
15 **SEC. 18. Fees.** Reasonable fees shall be collected for the processing, issuance, or amendment
16 of an existing passport or replacement of a lost passport and the issuance of a Travel Document
17 as may be determined by the DFA. The DFA shall prescribe the necessary fees for passports.

18
19 **SEC. 19. Passport Revolving Fund.** The DFA may charge a service fee of not more than Two
20 hundred fifty pesos (Php250.00) for such service rendered to applicants relating to the
21 processing and issuance of passports requiring special consideration, waiver or issuance
22 beyond regular office hours. The service fees received by the DFA under this section shall
23 constitute a revolving fund to be called the "Passport Revolving Fund" which may be utilized by
24 the DFA for the improvement of its passport issuance, consular and other services except travel
25 and transportation allowances and expenses.

26
27 The establishment, use and disbursement of the revolving fund shall be subject to the
28 review by the Commission On Audit and according to accounting and auditing rules and
29 regulations, and shall be subject to an annual review by Congress. The Secretary shall submit a
30 report on the disbursement of the fund every six (6) months to both the Senate Committee on
31 Foreign Relations and the House Committee on Foreign Affairs.

32
33 **SEC. 20. Waiver.** The Secretary is solely authorized to waive any requirement set forth in
34 Section 6 of this Act.

35
36 **SEC. 21. Offenses and Penalties.** A passport, being a proclamation of the citizenship of a
37 Filipino, is superior to all other official documents and as such, shall be accorded the highest
38 respect by its holder. Any act prejudicial to its integrity is a grave crime against the security of
39 the State and shall be penalized accordingly:

40
41 (a) Offenses Relating to Issuance; Penalties – Any person who:

42 (1) Acting or claiming to act in any capacity or office under the Republic of the

1 Philippines without lawful authority, accepts passport applications, grants,
2 issues or verifies any passport or Travel Document to any or for any person
3 Whomsoever, or is caught selling in Whatever capacity passport application
4 forms, or lost or stolen passports and travel documents shall be punished by
5 a fine of not less than Fifteen thousand pesos (Php15,000.00) but not more
6 than Sixty thousand pesos (Php60,00.00) and imprisonment of not less than
7 six (6) years and one (1) day but not more than twelve (12) years; or

8 (2) Being a diplomatic: or consular official authorized to grant, issue, or verify
9 passports, knowingly and willfully grants, issues, or verifies any such
10 passport to any or for any person not owing allegiance to the Republic of the
11 Philippines, whether citizen or not, shall be punished by a fine of not less than
12 Fifteen thousand pesos (Php15,000.00) but not more than Sixty thousand
13 pesos (Php60,000.00) and imprisonment of not less than six (6) years and
14 one (1) day but not more than twelve (12) years and, upon conviction, be
15 perpetually disqualified from holding public office; or

16 (3) Being a diplomatic or consular officer, knowingly and willfully grants and
17 issues to, certifies to the authenticity of any passport or Travel Document for
18 any person not entitled thereto, or knowingly and willfully issues more than
19 one (1) passport to any person except as provided for in this Act shall be
20 punished by a fine of not less than Fifteen thousand pesos (Php15,000.00)
21 but not more than Sixty thousand pesos (Php60,000.00) and imprisonment of
22 not less than six (6) years and one (1) day but not more than twelve (12)
23 years and, upon conviction, be disqualified perpetually from holding public
24 office; or

25 (4) Acting or claiming to act in any capacity, with the intention to profit thereby,
26 intercepts a person proceeding to the DFA or any of its consular offices to
27 apply for a passport, and persuades, entices, encourages or misleads such
28 applicant to course the application through another person or agency other
29 than the DFA or its personnel on the pretext of facilitating its approval or
30 issuance by the DFA shall be punished by imprisonment of not less than
31 eighteen (18) months but not more than six (6) years;

32
33 (b) Offenses Relating to False Statements; Penalties – Any person who willfully and
34 knowingly:

35 (1) Makes any false statement in any application for passport with the intent to
36 induce or secure the issuance of a passport under the authority of the
37 Philippine government, for any purpose, contrary to this act or rules and
38 regulations prescribed pursuant hereto shall be punished by a fine of not less
39 than Fifteen thousand pesos (Php15,000.00) but not more than Sixty
40 thousand pesos (Php60,000.00) and imprisonment of not less than six (6)
41 years and one (1) day but not more than twelve (12) years; or

42 (2) Uses or attempts to use any passport which was secured in any way by

1 reason of any false statement shall be punished by a fine of not less than
2 Fifteen thousand pesos (Php15,000.00) but not more than Sixty thousand
3 pesos (Php60,000.00) and imprisonment of not less than six (6) years and
4 one (1) day but not more than twelve (12) years; or

5 (3) In addition to the abovementioned fines and penalties, travel and recruitment
6 agencies and passport-related service providers, agents, liaison officers or
7 representatives convicted of offenses relating to false statements shall have
8 their license revoked with all deposits, escrow accounts or guarantee funds
9 deposited or made as requirement of their business forfeited in favor of the
10 government. An officer of the travel or recruitment agency convicted for false
11 statements shall be barred from engaging in the travel or recruitment agency
12 business;

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

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

23 (2) Willfully or knowingly uses or attempts to use, or furnishes to another for use
24 any such false, forged, counterfeited, mutilated or altered passport or Travel
25 Document or any passport validly issued which has become void by the
26 occurrence of any condition herein prescribed shall be punished by a fine of
27 not less than Sixty thousand pesos (Php60,000.00) but not more than One
28 hundred fifty thousand pesos (Php150,000.00) and imprisonment of not less
29 than six (6) years but not more than fifteen (15) years. The officers of
30 corporations, agencies or entities licensed in the travel and recruitment
31 industry shall be held similarly liable as their agents, liaison officers or
32 representatives. Forgeries of five (5) or more passports or travel documents
33 shall be considered as massive forgery tantamount to national sabotage and
34 shall be punished by a fine of not less than Two hundred fifty thousand pesos
35 (Php250, 000.00) but not more than One million pesos (Php1,000,000.00)
36 and imprisonment of not less than seven (7) years but not more than
37 seventeen (17) years;

38
39 (d) Offenses Relating to Improper Use; Penalties – A fine of not less than Sixty thousand
40 pesos (Php60, 000.00) but not more than One hundred fifty thousand pesos (Php150,000.00)
41 and imprisonment of not less than six (6) years but not more than fifteen (15) years shall be
42 imposed upon any person who willfully and knowingly:

- 1 (1) Uses or attempts to use any passport issued or designed for the use of
2 another or any supporting document for a passport application which belongs
3 to another; or
4 (2) Uses or attempts to use any passport or supporting document in violation of
5 tile conditions or restrictions therein contained, or of the rules prescribed
6 pursuant thereto; or
7 (3) Furnishes, disposes or delivers a passport to any person other than to that in
8 whose name and for whose use it was issued, except when the applicant is a
9 minor, a senior citizen or physically or mentally incapacitated and the
10 passport is released to the parent, guardian or immediate relative: *Provided,*
11 That in case of an emergency and for humanitarian reasons, at the discretion
12 of the head of the Office of Consular Affairs or the head of the Consular
13 Section or the Consul General of a Post, the passport may be released to a
14 third party upon the submission of a written authorization from the applicant;
15 or
16 (4) Defaces or destroys a Philippine passport;

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

27 In case any of the offenses prohibited in this Act constitutes a violation of the Revised
28 Penal Code and the penalty imposed in the said Code is heavier than that provided in this Act,
29 the latter penalty shall be imposed;
30

31 (f) Offenses Relating to Forgery of Visas and Entry Documents; Penalties. - A fine of not
32 less than Fifteen thousand pesos (Php15,000.00) but not more than Sixty thousand pesos
33 (Php60,000.00) and imprisonment of not less than three (3) years but not more than ten (10)
34 years shall be imposed upon any person who:

- 35 (1) Knowingly forges, counterfeits, alters or falsely makes any immigrant or
36 nonimmigrant visa, permit, border crossing card, alien registration card or
37 other document prescribed by statute or regulation for entry into or as
38 evidence of authorized stay or employment in the Philippines or elsewhere
39 with the intent of using the same; or
40 (2) Knowingly uses, attempts to use, possesses, obtains, accepts or receives
41 any such visa, permit, border crossing card, alien registration card or other
42 document prescribed by statute or regulation for entry into or as evidence of

1 authorized stay or employment in the Philippines or elsewhere, knowing it to
2 be forged, counterfeited, altered or falsely made, or to have been procured by
3 means of any false claim or statement, or to have been otherwise procured
4 by fraud or unlawfully obtained: *Provided*, That the use of forged,
5 counterfeited, altered or falsely made visa, permit, border crossing card, alien
6 registration card or other entry document shall be *prima facie* evidence of
7 knowledge; or

8 (3) Knowingly possesses any blank permit or engraves, sells, brings into the
9 Philippines, or has the control or possession in any plate in the likeness of a
10 plate designed for the printing of permits, or makes any print, photograph or
11 impression in the likeness of any immigrant or nonimmigrant visa, permit or
12 other document required for entry into the Philippines or elsewhere, or has
13 the possession of a distinctive paper which has been adopted by the DFA for
14 the printing of such visas, permits or other documents: *Provided*, That the
15 person who forges, counterfeits, alters or falsely makes any immigrant or
16 nonimmigrant visa, permit, border crossing card, alien registration card or
17 other entry document shall be punished by a fine of not less than Sixty
18 thousand pesos (Php60,000.00) but not more than One hundred fifty
19 thousand pesos (Php150,000.00) and imprisonment of not less than six (6)
20 years but not more than fifteen (15) years for each visa or entry document.
21

22 The fines and penalties provided for under this section shall be imposed in their
23 maximum when said acts are committed by a syndicate or in large scale operation. Any unlawful
24 act under this section is committed by a syndicate if carried out by a group of three (3) or more
25 persons conspiring and confederating with one another. Such acts are committed in large scale
26 if committed against three (3) or more persons individually or as a group.
27

28 **SEC. 22. *Suspension or Revocation of Accreditation.*** Travel or recruitment agencies and
29 other passport-related service providers are allowed the privilege to transact business with the
30 DFA on the basis of trust and confidence. For the exercise of this privilege, the passport service
31 providers shall be required to secure accreditation from the DFA.
32

33 Any travel or recruitment agency and other passport service providers that violate any
34 provision of this Act shall have its accreditation suspended or revoked in accordance with the
35 schedule of administrative penalties to be formulated by the DFA. Any such suspension or
36 revocation of accreditation shall be without prejudice to civil or criminal sanctions against the
37 agency, its officers, agents and employees.
38

39 The submission of spurious, forged or falsified documents supporting a passport
40 application by any duly accredited travel or recruitment agency or other passport service
41 providers shall be *prima facie* evidence that the said travel or recruitment agency is the author
42 of such forgery or falsification: *Provided*, That the spurious, forged or falsified document

1 submitted was secured by the travel or recruitment agency or other relevant passport service
2 providers on behalf of its client.

3

4 **SEC. 23. *Implementing Rules and Regulations.*** The Secretary shall issue the necessary
5 implementing rules and regulations to implement the provisions of this Act within ninety (90)
6 days from the date of effectivity of this Act without extension or delay.

7

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

11

12 **SEC. 25. *Separability Clause.*** If any provision of this Act is declared unconstitutional or invalid,
13 the other provisions not affected thereby shall remain in full force and effect.

14

15 **SEC. 26. *Effectivity.*** This Act shall take effect fifteen (15) days after its publication in the
16 *Official Gazette* or in any newspaper of general Circulation.

17

18 Approved,