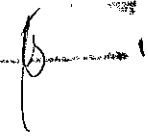


FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE SECRETARY

7 5 3 25 06

SENATE

RECEIVED BY: 

S. B. NO. 896

Introduced by SENATOR EDGARDO J. ANGARA

EXPLANATORY NOTE

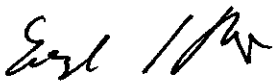
A Philippine passport is an official document of identity and nationality issued to Filipinos intending to travel or sojourn in foreign countries. It gives the bearer the right to receive the protection and assistance of the diplomatic and consular offices of the Republic of the Philippines abroad. Without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

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

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

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

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



EDGARDO J. ANGARA
Senator

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

SECRETARY

7 10 16 16

SENATE
S. B. NO. 896

RECEIVED BY: 

Introduced by SENATOR EDGARDO J. ANGARA

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

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

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

4
5

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

17
18

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

21

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

5
6 x x x

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

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

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

17 **“(C) IF THE APPLICANT WAS BORN IN OR AFTER 1950 AND
18 HIS / HER BIRTH CERTIFICATE HAS BEEN DESTROYED,
19 DAMAGED OR IS NOT AVAILABLE AT THE LOCAL CIVIL
20 REGISTRAR AND THE OFFICE OF THE CIVIL REGISTRAR
21 GENERAL DUE TO OTHER CAUSES, HE / SHE SHALL BE
22 REQUIRED TO FILE FOR LATE REGISTRATION OF BIRTH
23 WITH THE LOCAL CIVIL REGISTRAR: PROVIDED, THAT
24 THIS PROVISION WILL NOT PREVENT LATE
25 REGISTRANTS BORN BEFORE 1950 FROM APPLYING
26 FOR LATE REGISTRATION OF BIRTH;**
27

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

1
2 **"D) THE APPLICANT'S VOTER'S ID OR AFFIDAVIT DULY**
3 **ISSUED BY THE COMMISSION ON ELECTIONS IN THE**
4 **LOCALITY WHERE THE APPLICANT IS A REGISTERED**
5 **VOTER IF THE APPLICANT IS ALREADY EIGHTEEN (18)**
6 **YEARS OF AGE;**

7
8 "[e] In the case of naturalized citizens, a certified copy of the
9 naturalization certificate; or a certified naturalization certificate of
10 husband or parent duly issued and authenticated by the Office of
11 the Civil Registrar General if citizenship is claimed through
12 naturalization of spouse or parent;]

13
14 **"E) A MARRIED WOMAN WHO OPTS TO ADOPT THE**
15 **SURNAME OF HER HUSBAND MUST PRESENT AN**
16 **AUTHENTICATED COPY OF HER MARRIAGE CONTRACT:**
17 ***PROVIDED,* THAT A MARRIED WOMAN WHO IS**
18 **WIDOWED, DIVORCED IN ACCORDANCE WITH ARTICLE**
19 **26 OF EXECUTIVE ORDER NO. 209, AS AMENDED BY**
20 **EXECUTIVE ORDER NO. 227, OTHERWISE KNOWN AS THE**
21 **FAMILY CODE OF THE PHILIPPINES OF 1988, OR WHOSE**
22 **MARRIAGE IS ANNULLED OR DECLARED BY A COURT**
23 **OF LAW AS VOID, AND WHO OPTS TO REVERT TO THE**
24 **USE OF HER MAIDEN NAME MUST PRESENT THE**
25 **AUTHENTICATED DEATH CERTIFICATE OF HER**
26 **SPOUSE, OR AN AUTHENTICATED COPY OF THE**
27 **DIVORCE DECREE OR COURT DECREE OF ANNULMENT;**

28
29 "[f] For an applicant who has not reached the age of majority, an
30 affidavit of consent from a parent as indicated in the passport
31 application if the minor is traveling with either parent, and a
32 clearance from the Department of Social Welfare and Development,
33 if the minor is traveling with a legal guardian or a person other
34 than a parent;]

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

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

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

1
2 **“H) IF THE APPLICANT IS AN ADOPTEE OF FOREIGN**
3 **PARENTS UNDER REPUBLIC ACT NO. 8043, OTHERWISE**
4 **KNOWN AS THE "INTER-COUNTRY ADOPTION ACT OF**
5 **1995," THE CERTIFIED TRUE COPY OF A DECREE OF**
6 **ABANDONMENT OF CHILD, THE DEATH CERTIFICATE**
7 **OF THE CHILD'S PARENTS, OR THE DEED OF**
8 **VOLUNTARY COMMITMENT EXECUTED BY EITHER**
9 **PARENT AFTER THE BIRTH OF THE CHILD SHALL BE**
10 **PRESENTED: PROVIDED, THAT THE AUTHENTICATED**
11 **BIRTH CERTIFICATE, THE PLACEMENT AUTHORITY**
12 **AND THE FORMAL ENDORESEMENT OF THE CHILD TO**
13 **THE INTER-COUNTRY ADOPTION BOARD BY THE**
14 **DEPARTMENT OF SOCIAL WELFARE AND**
15 **DEVELOPMENT MUST ALSO BE PRESENTED;**

16
17 **“(h) (I) In case of discrepancy between the applicants name in the**
18 **birth certificate and in any other PUBLIC OR private document[s],**
19 **the former shall prevail over the latter unless by operation of law or**
20 **through court order, the applicant is permitted to use A name other**
21 **than what is officially recorded in the Civil Register; and**

22
23 **“(j) If the applicant is a government OFFICIAL OR employee, the**
24 **travel authority issued by the head of department, agency or office**
25 **[may] SHALL ONLY be required [only if said applicant] IF HE is**
26 **applying for A DIPLOMATIC OR an official passport.”**

27
28
29 **SECTION. 3.** Section 6 of the same Act is hereby amended to read as
30 follows:

31
32 **“SEC. 6. Application.** The application [may] **MUST** be filed by **ANY**
33 **OF THE FOLLOWING:**

34
35 a) The applicant himself or herself; or
36

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

5
6 **"C) A TRAVEL OR RECRUITMENT AGENCY DULY**
7 **ACCREDITED WITH THE DEPARTMENT.**

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

17
18 **"IN CASE OF FIRST-TIME APPLICANTS, HE / SHE MUST**
19 **PRESENT HIMSELF / HERSELF IN PERSON TO PROVE**
20 **THAT HE / SHE IS THE SAME PERSON AND OF THE AGE**
21 **CLAIMED IN THE APPLICATION FORM. THIS**
22 **REQUIREMENT MAY BE WAIVED WHEN THE APPLICANT**
23 **IS NOT MORE THAN EIGHT (8) YEARS OLD, OR AT LEAST**
24 **SIXTY (60) YEARS OLD, OR MENTALLY OR PHYSICALLY**
25 **INCAPACITATED.**

26
27 **"IN CASE OF A PASSPORT APPLICATION FILED BY A**
28 **RECRUITMENT OR TRAVEL AGENCY DULY ACCREDITED**
29 **BY THE DEPARTMENT OF FOREIGN AFFAIRS, THE**
30 **AGENT SHALL BE RESPONSIBLE FOR THE**
31 **AUTHENTICITY OF THE SUPPORTING DOCUMENTS**
32 **SECURED AND PRESENTED BY THE AGENT TO MEET**
33 **THE REQUIREMENTS FOR THE APPLICATION OF**
34 **PASSPORTS.**

1 **“THE DEPARTMENT SHALL HAVE THE RIGHT TO**
2 **REQUIRE ALTERNATIVE DOCUMENTS AS MAY BE**
3 **SPECIFIED IN THE SUPPLEMENTING RULES AND**
4 **REGULATIONS FORMULATED TO ENFORCE THIS LAW.”**

5
6
7 **SECTION. 4.** Section 7, subsections (a) and (b) of the same Act is
8 hereby amended to read as follows:

9
10
11 **“SEC. 7. *Types of Passports.*** The Secretary or the authorized
12 representative or consular officer may issue the following types of
13 passports:

14
15 **“a) Diplomatic [passport] PASSPORTS [for persons imbued] SHALL**
16 **BE ISSUED TO PERSONS** with diplomatic status or are on A
17 diplomatic mission such as:

18
19 **“1.**The President and former Presidents of the Republic of the
20 **Philippines;**

21
22 **“2.** The Vice-President and former Vice-Presidents of the Republic
23 **of the Philippines;**

24
25 **“3.** The **INCUMBENT** Senate President and the Speaker of the
26 **House of Representatives;**

27
28 **“4.** The **INCUMBENT** Chief Justice of the Supreme Court **AND**
29 **INCUMBENT ASSOCIATE JUSTICES OF THE SUPREME**
30 **COURT AND THE PRESIDING JUSTICE OF THE COURT**
31 **OF APPEALS;**

32
33 **“5.** The [Cabinet Secretaries,] **INCUMBENT SECRETARY,** [and
34 the] Undersecretaries and Assistant Secretaries of the
35 Department of Foreign Affairs;

1 **“6. INCUMBENT MEMBERS OF CONGRESS;**

2
3 **“7. [6. Ambassadors, Foreign Service Officers of all ranks in the**
4 **career diplomatic service. Attaches, and members of their**
5 **families] THE INCUMBENT SECRETARIES OF ALL**
6 **OTHER DEPARTMENTS OF THE EXECUTIVE BRANCH;**

7
8 **“8 [7. Members of the Congress when on official mission abroad or**
9 **as delegates to international conferences] AMBASSADORS**
10 **EXTRAORDINARY AND PLENIPOTENTIARIES OF THE**
11 **REPUBLIC OF THE PHILIPPINES;**

12
13 **“9. [8. The Governor of the *Bangko Sentral ng Pilipinas* and**
14 **delegates to international or regional conferences when on**
15 **official mission or accorded full powers by the President; and]**
16 **CHIEFS OF MISSION, FOREIGN SERVICE OFFICERS**
17 **OF ALL RANKS IN THE CAREER DIPLOMATIC**
18 **SERVICE, INCLUDING DESIGNATED DEPARTMENT OF**
19 **FOREIGN AFFAIRS ATTACHES AND DESIGNATED**
20 **ATTACHES FROM ATTACHED AGENCIES OF THE**
21 **GOVERNMENT;**

22
23 **“10. [9. Spouses and unmarried minor children of the above-**
24 **mentioned officials when accompanying or following to join them**
25 **in an official mission abroad.] FORMER AMBASSADORS**
26 **EXTRAORDINARY AND PLENIPOTENTIARIES OF THE**
27 **REPUBLIC OF THE PHILIPPINES AND FORMER**
28 **FOREIGN SERVICE OFFICERS WITH THE RANK OF**
29 **CHIEFS OF MISSION;**

30
31 **“11. THE INCUMBENT GOVERNOR OF THE *BANGKO***
32 ***SENTRAL NG PILIPINAS*;**

33
34 **“12. OFFICIAL DELEGATES TO INTERNATIONAL OR**
35 **REGIONAL CONFERENCES ACCORDED FULL POWERS**
36 **BY THE PRESIDENT; AND**

1
2 **“13. SPOUSE AND UNMARRIED MINOR CHILDREN OF**
3 **THE ABOVE-MENTIONED OFFICIALS, WHEN**
4 **ACCOMPANYING OR FOLLOWING THEM IN AN**
5 **OFFICIAL MISSION ABROAD.**

6
7 “The President of the Philippines and the Secretary of the
8 Department of Foreign Affairs may grant diplomatic passports
9 to officials and persons other: than those enumerated herein
10 who are on official mission abroad **AND ARE GRANTED**
11 **FULL POWERS BY THE PRESIDENT.**

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

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

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

32
33 “3. [Persons in the domestic service and household members of
34 officials assigned to diplomatic or consular posts] **RETIRED**
35 **CHIEF JUSTICES AND ASSOCIATE JUSTICES OF THE**
36 **SUPREME COURT;**

1
2 “4. [Spouses and unmarried minor children of the officials
3 mentioned above when accompanying or following to join them.]
4 **STAFF OFFICERS AND EMPLOYEES OF THE**
5 **DEPARTMENT OF FOREIGN AFFAIRS ASSIGNED TO**
6 **DIPLOMATIC OR CONSULAR POSTS AND OFFICES**
7 **AND REPRESENTATIVES OF OTHER GOVERNMENT**
8 **AGENCIES ASSIGNED ABROAD; “**

9
10 “5. **PERSONS IN THE DOMESTIC SERVICE AND**
11 **HOUSEHOLD MEMBERS OF OFFICIALS ASSIGNED TO**
12 **DIPLOMATIC OR CONSULAR POSTS NOT EXCEEDING**
13 **TWO (2); AND**

14
15 “6. **SPOUSE AND MINOR CHILDREN OF THE INCUMBENT**
16 **OFFICIALS MENTIONED ABOVE, WHEN**
17 **ACCOMPANYING OR FOLLOWING TO JOIN THEM.”**

18
19
20 **SECTION. 5.** Section 8 of the same Act is hereby amended to read as
21 follows:

22
23 “**SECTION. 8. *Grounds for Denial, Cancellation or Restrictions.***
24 - The application for a passport may be denied, cancelled or restricted
25 only on the following grounds:

26
27 “a) Denial of Passport

28
29 “1. [On orders of the court, after due notice and hearing, to hold the
30 departure of an applicant because of a pending criminal case]
31 **FAILURE OF THE APPLICANT TO PRESENT**
32 **DOCUMENTARY REQUIREMENTS TO SUPPORT THE**
33 **PASSPORT APPLICATION;**

34
35 “2. When so requested by the **PARENT** [natural] or legal guardian, if
36 the applicant is a minor;

1
2 "3. [When the applicant has been found to have violated any of the
3 provisions of this Act] **ON ORDERS OF THE COURT, AFTER**
4 **DUE NOTICE AND HEARING, TO WITHHOLD THE**
5 **PROCESSING OF A PASSPORT;**

6
7 "4. **WHEN THE APPLICANT IS A FUGITIVE FROM JUSTICE;**

8
9 "5. **WHEN THE APPLICANT HAS BEEN CONVICTED BY FINAL**
10 **JUDGMENT OF A CRIMINAL OFFENSE;**

11
12 "6. [*Such other disqualification under existing laws.*] **VIOLATION BY**
13 **THE APPLICANT OF ANY OF THE PROVISIONS OF**
14 **REPUBLIC ACT NO. 8239, AS AMENDED;**

15
16 "7. **UPON LAWFUL ORDER OF THE SECRETARY WHEN HE**
17 **DEEMS IT NECESSARY IN THE INTEREST OF NATIONAL**
18 **SECURITY OR PUBLIC SAFETY;**

19
20 "8. **CANCELLATION OF APPLICANT'S PASSPORT UNDER**
21 **SECTION 8 (b) HEREOF; AND**

22
23 "9. **SUCH OTHER DISQUALIFICATIONS UNDER EXISTING**
24 **LAWS.**

25
26
27 "b) **Cancellation OF PASSPORT**

28
29 "1. **When the holder is a fugitive from justice;**

30
31 "2. **When the holder [has] HAD been convicted BY FINAL**
32 **JUDGMENT of a criminal offense: Provided, That [the passport**
33 **may be restored after service of sentence] HE BECOMES**
34 **ELIGIBLE TO APPLY FOR A NEW PASSPORT AFTER A**
35 **GRANT OF PROBATION, SERVICE OF SENTENCE, GRANT**

1 OF CONDITIONAL OR ABSOLUTE PARDON, OR
2 ISSUANCE OF AN AMNESTY; [or]

3
4 “3. [When a passport was acquired fraudulently or, tampered with.]
5 UPON FINDING BY THE SECRETARY OR HIS
6 AUTHORIZED REPRESENTATIVE OR CONSULAR
7 OFFICER OR UPON RECOMMENDATION OF THE
8 COMMISSIONER OF THE BUREAU OF IMMIGRATION
9 AND DEPORTATION THAT A PASSPORT HAS BEEN
10 ACQUIRED THROUGH FRAUD OR MISREPRESENTATION
11 OR HAS BEEN TAMPERED WITH SUBSEQUENT TO ITS
12 RELEASE OR ISSUANCE; OR

13
14 “4. UPON LAWFUL ORDER OF THE SECRETARY WHEN HE
15 DEEMS IT NECESSARY IN THE INTEREST OF NATIONAL
16 SECURITY OR PUBLIC SAFETY.

17
18
19 “c) ISSUANCE OF Restricted PASSPORTS

20
21 “1. When the country of destination is in a state of political instability
22 AND [which] could pose a danger to the Filipino traveler;

23
24 “2. When [diplomatic ties have been fractured or severed] THE
25 COUNTRY OF DESTINATION HAD SEVERED DIPLOMATIC
26 TIES with the Philippines;

27
28 “3, When the country of destination is subject to travel restriction by
29 government policy, enforcement [of] action by the United Nations,
30 or IS in a state of war [.]”

31
32 “4. WHEN TRAVEL HAS BEEN AUTHORIZED BY A
33 COMPETENT COURT OR BY THE OFFICE OF THE
34 PRESIDENT TO A SPECIFIED DESTINATION ONLY; AND

1 **"5. WHEN THE APPLICANT'S SUPPORTING DOCUMENTS**
2 **APPEAR INADEQUATE TO ESTABLISH FILIPINO**
3 **CITIZENSHIP AND THE TRAVEL IS FOR URGENT**
4 **MEDICAL REASONS AS CERTIFIED BY A PHYSICIAN, OR**
5 **TO ATTEND TO A SERIOUSLY ILL IMMEDIATE FAMILY**
6 **MEMBER WITHIN THE SECOND DEGREE OF**
7 **CONSANGUINITY OR AFFINITY."**

8
9
10
11 **SECTION. 6.** Section 10 of the same Act is hereby amended to read as
12 follows:

13
14 **"SEC. 10. *Validity.*** - Regular passports issued under this Act shall be
15 valid for a period of five (5) years: *Provided, however,* That the issuing
16 authority may limit the period of validity to less than five (5) years
17 whenever [in the national economic interest or political stability of the
18 country such restriction is necessary] **THE SECRETARY DEEMS**
19 **THAT NATIONAL SECURITY, PUBLIC SAFETY OR PUBLIC**
20 **HEALTH SO REQUIRES OR WHENEVER THE APPLICANT'S**
21 **SUPPORTING DOCUMENTS APPEAR INADEQUATE TO**
22 **ESTABLISH FILIPINO CITIZENSHIP AND THE TRAVEL IS**
23 **FOR A COMPELLING REASON AS MAY BE DETERMINED BY**
24 **THE DEPARTMENT: *Provided, finally,*** That a new passport may be
25 issued to replace one which validity has expired [, the old passport
26 being returned to the holder after cancellation]."

27
28 **"THE DEPARTMENT SHALL ISSUE TEN (10)YEAR VALIDITY**
29 **PASSPORTS TWO (2) YEARS AFTER THE EFFECTIVITY OF**
30 **THIS ACT, AS AMENDED: *PROVIDED,* THAT NO SUCH**
31 **PASSPORT SHALL BE ISSUED TO ANY INDIVIDUAL UNDER**
32 **TWENTY (20) YEARS OLD.**

33
34 **"DIPLOMATIC AND OFFICIAL PASSPORTS SHALL BE**
35 **SUBMITTED TO THE DEPARTMENT FOR REVALIDATION**
36 **BEFORE EACH DEPARTURE OF THE HOLDER."**

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36

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

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

“A) AMENDMENTS OF A WOMAN'S NAME DUE TO MARRIAGE; OR

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

“AMENDMENT MAY NOT BE MADE DUE TO ERROR IN SCRIPTING OR DISCREPANCY IN THE PERSONAL DATA OF THE HOLDER.

“C) AMENDMENTS BY ORDER OF A COMPETENT COURT AND/OR PURSUANT TO REPUBLIC ACT NO. 9048.

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

SECTION. 8. Section 16 of the same Act is hereby amended to read as follows:

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

6
7
8
9 **SECTION. 9.** Section 17 of the same Act is hereby amended to read as
10 follows:

11
12 **“SEC. 17. Passport Revolving Fund.** - The Department may charge
13 a **REASONABLE** service fee [of not more than Two Hundred Fifty
14 Pesos (P250)] for such service rendered to applicants relating to the
15 processing and issuance of passports requiring special consideration,
16 waiver or issuance beyond regular office hours. The service fees
17 received by the Department under this section shall constitute a
18 revolving fund to be called the “Passport Revolving Fund” which may
19 be utilized by the Department for the improvement of its passporting
20 and consular services and other Department services except travel
21 transportation allowances and expenses.

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

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

34
35 **“SEC. 19. Offenses and Penalties.** - A passport, being a
36 proclamation of [the] citizenship of a Filipino, [is a document that] is

1 superior to all other [official] documents [.] , [As such]. AND AS SUCH,
2 [it] should be accorded the highest respect by its holder [that to do
3 damage to its integrity and validity is a serious crime that should be
4 penalized accordingly]. **ANY ACT PREJUDICIAL TO ITS**
5 **INTEGRITY IS A GRAVE CRIME OF SECURITY AGAINST THE**
6 **STATE AND SHOULD BE PENALIZED ACCORDINGLY.**

7
8 a.) *Offenses Relating to Issuance [s]: Penalties.* – Any person who

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

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

36

1 “3. Being a diplomatic or consular officer knowingly and willfully
2 grants and issues to, amends or certifies to the authenticity of any
3 passport or travel document for any person not entitled thereto, or
4 knowingly and willfully issues more than one passport to any
5 person except as provided for in this Act shall be punished by a fine
6 of not less than [Fifteen thousand pesos (P 15,000)] **TWENTY-
7 FIVE THOUSAND PESOS (P25,000)** nor more than [Sixty
8 thousand pesos (P60,000)] **SEVENTY-FIVE THOUSAND PESOS
9 (P75,000)** and imprisonment of not less than [eighteen (18)
10 months) **SIX (6) YEARS AND ONE (1) DAY** nor more than [six
11 (6) **TWELVE (12)** years and upon conviction, be **PERPETUALLY**
12 disqualified from holding [appointive) public office.

13
14
15 “b) *Offenses Relating to False Statements: Penalties.* - Any person who
16 willfully and knowingly:

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

29
30 “2. Uses or attempts to use any passport which was secured in any way
31 by reason of any false statements, shall be punished by a fine of not
32 less than [Fifteen thousand pesos (P 15,000)] **TWENTY-FIVE
33 THOUSAND PESOS (P25,000)** nor more than [Sixty thousand
34 pesos (P60,000)] **SEVENTY-FIVE THOUSAND PESOS
35 (P75,000)** and imprisonment of not less than [three (3) years] **SIX**

1 **(6) YEARS AND ONE (1) DAY,** but not more than [ten (10)
2 **TWELVE (12) years** [; or]. **AND**

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

18
19
20 **"c) Offenses Relating to Forgery: Penalties. – Any person who:**

21
22 **"1. Falsely makes, forges, counterfeits, mutilates or alters any passport**
23 **[or], travel document, DEPARTMENT STAMPS, or any**
24 **supporting document for a passport application, with the intent of**
25 **using the same shall be punished by a fine of not less than [Sixty**
26 **thousand pesos (P60,000)] SEVENTY-FIVE THOUSAND PESOS**
27 **(P75,000) nor more than [One Hundred Fifty thousand pesos**
28 **(P150,000)] TWO HUNDRED THOUSAND PESOS (P200,000)**
29 **and imprisonment of not less than six (6) years nor more than**
30 **fifteen (15) years; or**

31
32 **X X X**

33
34
35 **"d) Offenses Relating to Improper Use: Penalties. - Any person who**
36 **willfully and knowingly:**

1
2 "1. Uses or attempts to use any passport issued or designed for the use
3 of another or any supporting documents for a passport application
4 which belongs to another; or

5
6 "2. Uses or attempts to use any passport or supporting document in
7 violation of the conditions or restrictions therein contained, or of
8 the rules prescribed pursuant thereto; or

9
10 "3. Furnishes, disposes or delivers a passport to any person, [for use by
11 another or other than the, person for whose use it was originally
12 issued or designated; or] **OTHER THAN THAT IN WHOSE**
13 **NAME AND FOR WHOSE USE IT WAS ISSUED,**
14 **DESIGNATED OR INTENDED, EXCEPT WHEN THE**
15 **APPLICANT IS A MINOR, A SENIOR CITIZEN OR**
16 **PHYSICALLY OR MENTALLY INCAPACITATED AND THE**
17 **PASSPORT IS RELEASED TO HIS PARENT, GUARDIAN OR**
18 **IMMEDIATE RELATIVE: PROVIDED, THAT IN CASE OF AN**
19 **EMERGENCY AND FOR HUMANITARIAN REASONS, THE**
20 **HEAD OF THE OFFICE OF CONSULAR AFFAIRS OR THE**
21 **HEAD OF THE CONSULAR SECTION OF ANY EMBASSY**
22 **OR THE CONSUL GENERAL OF A CONSULATE MAY,**
23 **UPON HIS DISCRETION, RELEASE THE PASSPORT TO A**
24 **THIRD PARTY UPON THE SUBMISSION OF A WRITTEN**
25 **AUTHORIZATION FROM THE APPLICANT; OR**

26
27 "4. Defaces or destroys a Philippine passport, shall be punished by a
28 fine of not less than Sixty thousand pesos (P60,000) nor more than
29 One hundred and fifty thousand pesos (P150,000) and
30 imprisonment of not less than six (6) years nor more than fifteen
31 (15) years.

32
33 **"TRAVEL AND RECRUITMENT AGENCIES WHOSE**
34 **OFFICERS, AGENTS, LIAISON OFFICERS OR**
35 **REPRESENTATIVES ARE CONVICTED OF OFFENSES**
36 **RELATING TO IMPROPER USE SHALL BE BARRED FROM**

1 **ENGAGING IN THE TRAVEL OR RECRUITMENT AGENCY**
2 **BUSINESS.**

3
4 “e) *Offenses Relating'to Multiple Possession: Penalties.*- No person or
5 individual may hold more than one valid passport, except as
6 provided for in Section 7 hereof, and any individual who possesses
7 more than one unexpired passport shall, for every unexpired
8 passport found in his possession, be punished by a fine of not less
9 [Fifteen thousand pesos (P15,000)] **TWENTY-FIVE THOUSAND**
10 **PESOS (P25,000)** nor more than [Sixty thousand pesos (P60,000)]
11 **SEVENTY-FIVE THOUSAND PESOS (P75,000)** and
12 imprisonment of not less than [eighteen (18) months] **SIX (6)**
13 **YEARS AND ONE (1) DAY** [but not] **NOR** more than [six (6)]
14 **TWELVE (12)** years: Provided, That the maximum fine and
15 imprisonment shall be imposed by the court if he attempts to use or
16 actually uses an unexpired passport which is not in his name.

17
18 “In case any of the offenses prohibited in this Act constitutes a
19 violation of the Revised Penal Code and the penalty imposed in said
20 Code is heavier than that provided in this Act, the latter shall be
21 imposed.

22
23 **“F) OFFENSES RELATING TO FORGERY OF VISAS, PERMITS**
24 **AND OTHER ENTRY DOCUMENTS: PENALTIES. - ANY**
25 **PERSON WHO:**

26
27 **“1. KNOWINGLY FORGES, COUNTERFEITS, ALTERS, OR**
28 **FALSELY MAKES ANY IMMIGRANT OR NON-IMMIGRANT**
29 **VISA, PERMIT, BORDER CROSSING CARD, ALIEN**
30 **REGISTRATION CARD (ARC), OR OTHER DOCUMENT**
31 **PRESCRIBED BY STATUTE OR REGULATION FOR ENTRY**
32 **INTO OR AS EVIDENCE OF AUTHORIZED STAY OR**
33 **EMPLOYMENT IN THE PHILIPPINES OR ELSEWHERE,**
34 **OR USES, ATTEMPTS TO USE, POSSESSES, OBTAINS,**
35 **ACCEPTS, OR RECEIVES ANY SUCH VISA, PERMIT,**
36 **BORDER CROSSING CARD, ALIEN REGISTRATION**

1 RECEIPT CARD, OR OTHER DOCUMENT PRESCRIBED BY
2 STATUTE OR REGULATION FOR ENTRY INTO OR AS
3 EVIDENCE OF AUTHORIZED STAY OR EMPLOYMENT IN
4 THE PHILIPPINES OR ELSEWHERE, KNOWING IT TO BE
5 FORGED, COUNTERFEITED, ALTERED, OR FALSELY
6 MADE, OR TO HAVE BEEN PROCURED BY MEANS OF ANY
7 FALSE CLAIM OR STATEMENT, OR TO HAVE BEEN
8 OTHERWISE PROCURED BY FRAUD OR UNLAWFULLY
9 OBTAINED: *PROVIDED*, THAT THE USE OF FORGED,
10 COUNTERFEITED, ALTERED, OR FALSELY MADE VISA,
11 PERMIT, BORDER CROSSING CARD, ALIEN
12 REGISTRATION CARD, OR OTHER ENTRY DOCUMENT
13 SHALL BE PRIMA FACIE EVIDENCE OF KNOWLEDGE; OR
14

15 “2. EXCEPT UNDER THE DIRECTION OF THE DEPARTMENT
16 OF FOREIGN AFFAIRS OR OTHER APPROPRIATE
17 OFFICES, KNOWINGLY POSSESSES ANY BLANK PERMIT,
18 OR ENGRAVES, SELLS, BRINGS INTO THE PHILIPPINES,
19 OR HAS IN HIS CONTROL OR POSSESSION IN ANY PLATE
20 OR IN THE LIKENESS OF A PLATE DESIGNED FOR THE
21 PRINTING OF PERMITS, OR MAKES ANY PRINT,
22 PHOTOGRAPH, OR IMPRESSION IN THE LIKENESS OF
23 ANY IMMIGRANT OR NONIMMIGRANT VISA, PERMIT OR
24 OTHER DOCUMENT REQUIRED FOR ENTRY INTO THE
25 PHILIPPINES OR ELSEWHERE, OR HAS IN HIS
26 POSSESSION A DISTINCTIVE PAPER WHICH HAS BEEN
27 ADOPTED BY THE DEPARTMENT OF FOREIGN AFFAIRS
28 FOR THE PRINTING OF SUCH VISAS, PERMITS, OR
29 DOCUMENTS SHALL BE PUNISHED BY A FINE OF NOT
30 LESS THAN TWENTY-FIVE THOUSAND PESOS (P25,000)
31 NOR MORE THAN SEVENTY-FIVE THOUSAND PESOS
32 (P75,000) AND IMPRISONMENT OF NOT LESS THAN
33 THREE (3) YEARS, BUT NOT MORE THAN TEN (10) YEARS:
34 *PROVIDED*, THAT THE PERSON WHO FORGES,
35 COUNTERFEITS, ALTERS OR FALSELY MAKES ANY
36 IMMIGRANT OR NON-IMMIGRANT VISA, PERMIT,

1 BORDER CROSSING CARD, ALIEN REGISTRATION CARD,
2 OR OTHER ENTRY DOCUMENT SHALL BE PUNISHED BY
3 A FINE OF NOT LESS THAN SEVENTY-FIVE THOUSAND
4 PESOS (P75,000) NOR MORE THAN TWO HUNDRED
5 THOUSAND PESOS (P200,000) AND IMPRISONMENT OF
6 NOT LESS THAN SIX (6) YEARS NOR MORE THAN
7 FIFTEEN (15) YEARS FOR EACH VISA OR ENTRY
8 DOCUMENT."

9
10
11
12 **SECTION. 11.** Section 20 of the same Act is hereby amended to read
13 as follows:

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

27
28 **"ANY TRAVEL OR RECRUITMENT AGENCY WHICH**
29 **VIOLATES ANY PROVISION OF THIS ACT SHALL HAVE ITS**
30 **ACCREDITATION SUSPENDED OR REVOKED IN**
31 **ACCORDANCE WITH THE SCHEDULE OF ADMINISTRATIVE**
32 **PENALTIES TO BE FORMULATED BY THE DEPARTMENT.**
33 **SUCH SUSPENSION OR REVOCATION OF ACCREDITATION**
34 **SHALL BE WITHOUT PREJUDICE TO CIVIL SERVICE OR**
35 **CRIMINAL SANCTIONS AGAINST THE AGENCY, ITS**
36 **OFFICERS, AGENTS AND EMPLOYEES.**

1
2 “The [mere] submission of spurious, forged or falsified documents
3 supporting a passport application by any duly accredited travel or
4 recruitment agency shall be *prima facie* evidence that the said travel
5 or recruitment agency is the author of such forgery or falsification:
6 **PROVIDED, THAT THE SPURIOUS, FORGED OR FALSIFIED**
7 **DOCUMENT SUBMITTED IS SECURED BY THE TRAVEL OR**
8 **RECRUITMENT AGENCY IN BEHALF OF ITS CLIENT.”**

9
10
11 **SECTION. 12. *Repealing Clause.*** – All laws or parts thereof,
12 decrees, orders, rules and regulations deemed inconsistent with the
13 provisions of this Act are hereby repealed or modified accordingly.

14
15 **SECTION. 13. *Separability Clause.*** – If any provision of this act is
16 declared unconstitutional or invalid, the other provisions not affected thereby
17 shall remain in full force and effect.

18
19 **SECTION. 14. *Effectivity Clause*** - This Act shall take effect
20 immediately following its complete and full publication in the Official Gazette
21 or in a newspaper of general circulation.

22
23 *Approved,*
24
25