

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

H. B. No. 654

Introduced by HONORABLE JUAN EDGARDO "SONNY" M. 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 passports 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 document; i) fake immigration stamps; j) use of stolen passports; and k) 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.



JUAN EDGARDO "SONNY" M. ANGARA
Representative
Lone District, Province of Aurora

Introduced by Honorable JUAN EDGARDO "SONNY" M. ANGARA

AN ACT
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT 8239, OTHERWISE
KNOWN AS THE "PHILIPPINE PASSPORT ACT OF 2010" AND FOR OTHER
PURPOSES

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

SECTION 1. Section 2 of Republic Act No. 8239, otherwise known as the "*Philippine Passport Act of 2010*" is hereby amended to read as follows:

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

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

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

x x x

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

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

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

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

"[d) In case of a woman who is married, separated, divorced or widowed or whose marriage has been annulled or declared by court as void, a copy of the certificate of marriage, court decree of separation, divorce or annulment or certificate of death of the deceased spouse duly issued and authenticated by the Office of the Civil Registrar General: *Provided*, That in case of a divorce decree, annulment or declaration of marriage as void, the woman applicant may revert to the use of her

maiden name: *Provided*, further, That such divorce is recognized under existing laws of the Philippines;

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

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

"E) A MARRIED WOMAN WHO OPTS TO ADOPT THE SURNAME OF HER HUSBAND MUST PRESENT AN AUTHENTICATED COPY OF HER MARRIAGE CONTRACT: *PROVIDED*, THAT A MARRIED WOMAN WHO IS WIDOWED, DIVORCED IN ACCORDANCE 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, OR WHOSE MARRIAGE IS ANNULLED OR DECLARED BY A COURT OF LAW AS VOID, AND WHO OPTS TO REVERT TO THE USE OF HER MAIDEN NAME MUST PRESENT THE AUTHENTICATED DEATH CERTIFICATE OF HER SPOUSE, OR AN AUTHENTICATED COPY OF THE DIVORCE DECREE OR COURT DECREE OF ANNULMENT;

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

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

"[g] If the applicant is an adopted person, the duly certified copy of court order of adoption, together with the original and amended birth certificate duly issued and

authenticated by the Office of the Civil Registrar General shall be presented: *Provided*, That in case the adopted person is an infant or a minor or the applicant is for adoption by foreign parents, an authority from the Department of Social Welfare and Development shall be required: *Provided; further*, That the adopting foreign parents shall also submit a certificate from their embassy or consulate that they are qualified to adopt such infant or minor child;]

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

"H) IF THE APPLICANT IS AN ADOPTEE OF FOREIGN PARENTS UNDER REPUBLIC ACT NO. 8043, OTHERWISE KNOWN AS THE "INTER-COUNTRY ADOPTION ACT OF 1995," THE CERTIFIED TRUE COPY OF A DECREE OF ABANDONMENT OF CHILD, THE DEATH CERTIFICATE OF THE CHILD'S PARENTS, OR THE DEED OF VOLUNTARY COMMITMENT EXECUTED BY EITHER PARENT AFTER THE BIRTH OF THE CHILD SHALL BE PRESENTED: *PROVIDED*, THAT THE AUTHENTICATED BIRTH CERTIFICATE, THE PLACEMENT AUTHORITY AND THE FORMAL ENDORSEMENT OF THE CHILD TO THE INTER-COUNTRY ADOPTION BOARD BY THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT MUST ALSO BE PRESENTED;

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

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

SEC. 3. Section 6 of the same Act is hereby amended to read as follows:

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

- a) The applicant himself or herself; or
- b) The parent or legal guardian on behalf of an applicant who is below the age of majority [.] **A SENIOR CITIZEN, OR A PERSON SUFFERING FROM ANY DISABILITY WHICH IMPAIRS HIS / HER MEANS OF COMMUNICATION; OR"**
- "C) A TRAVEL OR RECRUITMENT AGENCY DULY ACCREDITED WITH THE DEPARTMENT.**

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

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

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

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

SEC. 4. Section 7, subsections (a) and (b) of the same Act is hereby amended to read as follows:

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

- "a) Diplomatic [passport] PASSPORTS [for persons imbued] SHALL BE ISSUED TO PERSONS** with diplomatic status or are on **A** diplomatic mission such as:
 - "1. The President and former Presidents of the Republic of the Philippines;**
 - "2. The Vice-President and former Vice-Presidents of the Republic of the Philippines;**

- "3. The **INCUMBENT** Senate President and the Speaker of the House of Representatives;
- "4. The **INCUMBENT** Chief Justice of the Supreme Court **AND INCUMBENT ASSOCIATE JUSTICES OF THE SUPREME COURT AND THE PRESIDING JUSTICE OF THE COURT OF APPEALS**;
- "5. The [Cabinet Secretaries,] **INCUMBENT SECRETARY**, [and the] Undersecretaries and Assistant Secretaries of the Department of Foreign Affairs;
- "6. **INCUMBENT MEMBERS OF CONGRESS**;
- "7. [6. Ambassadors, Foreign Service Officers of all ranks in the career diplomatic service. Attaches, and members of their families] **THE INCUMBENT SECRETARIES OF ALL OTHER DEPARTMENTS OF THE EXECUTIVE BRANCH**;
- "8. [7. Members of the Congress when on official mission abroad or as delegates to international conferences] **AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARIES OF THE REPUBLIC OF THE PHILIPPINES**;
- "9. [8. The Governor of the *Bangko Sentral ng Pilipinas* and delegates to international or regional conferences when on official mission or accorded full powers by the President; and] **CHIEFS OF MISSION, FOREIGN SERVICE OFFICERS OF ALL RANKS IN THE CAREER DIPLOMATIC SERVICE, INCLUDING DESIGNATED DEPARTMENT OF FOREIGN AFFAIRS ATTACHES AND DESIGNATED ATTACHES FROM ATTACHED AGENCIES OF THE GOVERNMENT**;
- "10. [9. Spouses and unmarried minor children of the above-mentioned officials when accompanying or following to join them in an official mission abroad.] **FORMER AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARIES OF THE REPUBLIC OF THE PHILIPPINES AND FORMER FOREIGN SERVICE OFFICERS WITH THE RANK OF CHIEFS OF MISSION**;
- "11. **THE INCUMBENT GOVERNOR OF THE BANGKO SENTRAL NG PILIPINAS**
- "12. **OFFICIAL DELEGATES TO INTERNATIONAL OR REGIONAL CONFERENCES ACCORDED FULL POWERS BY THE PRESIDENT; AND**
- "13. **SPOUSE AND UNMARRIED MINOR CHILDREN OF THE ABOVE-MENTIONED OFFICIALS, WHEN ACCOMPANYING OR FOLLOWING THEM IN AN OFFICIAL MISSION ABROAD.**

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

- "b) Official [Passport] **PASSPORTS** [to be] **SHALL BE** issued to all government officials and employees on official trip abroad but who are not on a diplomatic mission [or

delegates to international or regional conferences] or not have been accorded diplomatic status such as:

- "1. **INCUMBENT** Undersecretaries [and], Assistant Secretaries of the Cabinet other than the Department of Foreign Affairs, the Associate Justices **OF THE COURT OF APPEALS** and other members of the Judiciary [,] [members of the Congress] and all other government officials and employees traveling on [official business and] official time;
- "2. [Staff officers and employees of the Department of Foreign Affairs assigned to diplomatic and consular posts and officers and representatives of other government departments and agencies assigned abroad] **PAST SENATE PRESIDENTS AND SPEAKERS OF THE HOUSE OF REPRESENTATIVES;**
- "3. [Persons in the domestic service and household members of officials assigned to diplomatic or consular posts] **RETIRED CHIEF JUSTICES AND ASSOCIATE JUSTICES OF THE SUPREME COURT;**
- "4. [Spouses and unmarried minor children of the officials mentioned above when accompanying or following to join them.] **STAFF OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF FOREIGN AFFAIRS ASSIGNED TO DIPLOMATIC OR CONSULAR POSTS AND OFFICES AND REPRESENTATIVES OF OTHER GOVERNMENT AGENCIES ASSIGNED ABROAD; "**
- "5. **PERSONS IN THE DOMESTIC SERVICE AND HOUSEHOLD MEMBERS OF OFFICIALS ASSIGNED TO DIPLOMATIC OR CONSULAR POSTS NOT EXCEEDING TWO (2); AND**
- "6. **SPOUSE AND MINOR CHILDREN OF THE INCUMBENT OFFICIALS MENTIONED ABOVE, WHEN ACCOMPANYING OR FOLLOWING TO JOIN THEM."**

SEC. 5. Section 8 of the same Act is hereby amended to read as follows:

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

"a) Denial of Passport

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

- "2. When so requested by the **PARENT** [natural] or legal guardian, if the applicant is a minor;
- "3. [When the applicant has been found to have violated any of the provisions of this Act] **ON ORDERS OF THE COURT, AFTER DUE NOTICE AND HEARING, TO WITHHOLD THE PROCESSING OF A PASSPORT;**
- "4. **WHEN THE APPLICANT IS A FUGITIVE FROM JUSTICE;**
- "5. **WHEN THE APPLICANT HAS BEEN CONVICTED BY FINAL JUDGMENT OF A CRIMINAL OFFENSE;**
- "6. [Such other disqualification under existing laws.] **VIOLATION BY THE APPLICANT OF ANY OF THE PROVISIONS OF REPUBLIC ACT NO. 8239, AS AMENDED;**
- "7. **UPON LAWFUL ORDER OF THE SECRETARY WHEN HE DEEMS IT NECESSARY IN THE INTEREST OF NATIONAL SECURITY OR PUBLIC SAFETY;**
- "8. **CANCELLATION OF APPLICANT'S PASSPORT UNDER SECTION 8 (b) HEREOF; AND**
- "9. **SUCH OTHER DISQUALIFICATIONS UNDER EXISTING LAWS.**

"b) **Cancellation OF PASSPORT**

- "1. When the holder is a fugitive from justice;
- "2. When the holder [has] **HAD** been convicted BY FINAL JUDGMENT of a criminal offense: Provided, That [the passport may be restored after service of sentence] **HE/SHE BECOMES ELIGIBLE TO APPLY FOR A NEW PASSPORT AFTER A GRANT OF PROBATION, SERVICE OF SENTENCE, GRANT OF CONDITIONAL OR ABSOLUTE PARDON, OR ISSUANCE OF AN AMNESTY; [or]**
- "3. [When a passport was acquired fraudulently or, tampered with.] **UPON FINDING BY THE SECRETARY OR HIS/HER AUTHORIZED REPRESENTATIVE OR CONSULAR OFFICER OR UPON RECOMMENDATION OF THE COMMISSIONER OF THE BUREAU OF IMMIGRATION AND DEPORTATION THAT A PASSPORT HAS BEEN ACQUIRED THROUGH FRAUD OR MISREPRESENTATION OR HAS BEEN TAMPERED WITH SUBSEQUENT TO ITS RELEASE OR ISSUANCE; OR**

"4. UPON LAWFUL ORDER OF THE SECRETARY WHEN HE/SHE DEEMS IT NECESSARY IN THE INTEREST OF NATIONAL SECURITY OR PUBLIC SAFETY.

"c) **ISSUANCE OF Restricted PASSPORTS**

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

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

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

"4. **WHEN TRAVEL HAS BEEN AUTHORIZED BY A COMPETENT COURT OR BY THE OFFICE OF THE PRESIDENT TO A SPECIFIED DESTINATION ONLY; AND**

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

SEC. 6. Section 10 of the same Act is hereby amended to read as follows:

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

"**THE DEPARTMENT SHALL ISSUE TEN (10) YEAR VALIDITY PASSPORTS TWO (2) YEARS AFTER THE EFFECTIVITY OF THIS ACT, AS AMENDED: *PROVIDED,***

THAT NO SUCH PASSPORT SHALL BE ISSUED TO ANY INDIVIDUAL UNDER TWENTY (20) YEARS OLD.

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

SEC. 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.]"

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

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

SEC. 9. Section 17 of the same Act is hereby amended to read as follows:

"SEC. 17. *Passport Revolving Fund.* - The Department may charge a **REASONABLE** service fee [of not more than Two Hundred Fifty Pesos (P250)] for such service rendered to applicants relating to the processing and issuance of passports requiring

special consideration, waiver or issuance beyond regular office hours. The service fees received by the Department under this section shall constitute a revolving fund to be called the "Passport Revolving Fund" which may be utilized by the Department for the improvement of its passporting and consular services and other Department services except travel transportation allowances and expenses.

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

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

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

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

- "1. Acting or claiming to act in any capacity or office under the Republic of the Philippines, without lawful authority, **ACCEPT PASSPORT APPLICATIONS**, grants, issues or verifies any passport or travel document to any or for any person whomsoever, **OR IS CAUGHT SELLING IN WHATEVER CAPACITY PASSPORT APPLICATION FORMS, OR LOST OR STOLEN PASSPORTS AND TRAVEL DOCUMENTS** shall be punished by a fine of not less than [Fifteen Thousand pesos (P15,000)] **TWENTY-FIVE THOUSAND PESOS (P25,000)** nor more than [Sixty thousand pesos (P60,000)] **SEVENTY-FIVE THOUSAND PESOS (P75,000)** and imprisonment of not less than [eighteen (18) months] **SIX (6) YEARS AND ONE (1) DAY** nor more than [six (6) **TWELVE** (12) years; or
- "2. Being a diplomatic or consular official authorized to grant, issue, amend or verify passports, knowingly and willfully grants, issues, amends or verifies any such passport to any or for any person not owing allegiance to the Republic of the Philippines, whether citizen or not, shall be punished by a fine of not less than [Fifteen thousand pesos (P 15,000)] **TWENTY-FIVE THOUSAND PESOS (P25,000)** nor more than [Sixty thousand pesos (P60,000)] **SEVENTY-FIVE THOUSAND PESOS (P75,000)** and imprisonment of not less than [eighteen (18) months] **SIX (6)**

YEARS AND ONE (1) DAY but not more than [six (6)] **TWELVE (12)** years and upon conviction, be **PERPETUALLY** disqualified from holding [appointive] public office;
AND

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

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

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

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

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

business]. IN THE EVENT THAT AN AGENT, LIAISON OFFICER OR REPRESENTATIVE OF THE TRAVEL OR RECRUITMENT AGENCY IS CONVICTED, HE SHALL BE BARRED FROM ENGAGING IN THE TRAVEL OR RECRUITMENT AGENCY BUSINESS.

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

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

X X X

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

- "1. Uses or attempts to use any passport issued or designed for the use of another or any supporting documents for a passport application which belongs to another; or
- "2. Uses or attempts to use any passport or supporting document in violation of the conditions or restrictions therein contained, or of the rules prescribed pursuant thereto; or
- "3. Furnishes, disposes or delivers a passport to any person, [for use by another or other than the, person for whose use it was originally issued or designated; or] **OTHER THAN THAT IN WHOSE NAME AND FOR WHOSE USE IT WAS ISSUED, DESIGNATED OR INTENDED, EXCEPT WHEN THE APPLICANT IS A MINOR, A SENIOR CITIZEN OR PHYSICALLY OR MENTALLY INCAPACITATED AND THE PASSPORT IS RELEASED TO HIS PARENT, GUARDIAN OR IMMEDIATE RELATIVE: PROVIDED, THAT IN CASE OF AN EMERGENCY AND FOR HUMANITARIAN REASONS, THE HEAD OF THE OFFICE OF CONSULAR AFFAIRS OR THE HEAD OF THE CONSULAR SECTION OF ANY EMBASSY OR THE CONSUL GENERAL OF A CONSULATE MAY, UPON HIS DISCRETION, RELEASE THE PASSPORT TO A THIRD PARTY UPON THE SUBMISSION OF A WRITTEN AUTHORIZATION FROM THE APPLICANT; OR**

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

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

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

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

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

- "1. KNOWINGLY FORGES, COUNTERFEITS, ALTERS, OR FALSELY MAKES ANY IMMIGRANT OR NON-IMMIGRANT VISA, PERMIT, BORDER CROSSING CARD, ALIEN REGISTRATION CARD (ARC), OR OTHER DOCUMENT PRESCRIBED BY STATUTE OR REGULATION FOR ENTRY INTO OR AS EVIDENCE OF AUTHORIZED STAY OR EMPLOYMENT IN THE PHILIPPINES OR ELSEWHERE, OR USES, ATTEMPTS TO USE, POSSESSES, OBTAINS, ACCEPTS, OR RECEIVES ANY SUCH VISA, PERMIT, BORDER CROSSING CARD, ALIEN REGISTRATION RECEIPT CARD, OR OTHER DOCUMENT PRESCRIBED BY STATUTE OR REGULATION FOR ENTRY INTO OR AS EVIDENCE OF AUTHORIZED STAY OR EMPLOYMENT IN THE PHILIPPINES OR ELSEWHERE, KNOWING IT TO BE FORGED, COUNTERFEITED, ALTERED, OR FALSELY MADE, OR TO HAVE BEEN PROCURED BY MEANS OF ANY FALSE CLAIM OR STATEMENT, OR TO HAVE BEEN OTHERWISE PROCURED BY FRAUD OR UNLAWFULLY OBTAINED: PROVIDED, THAT THE USE OF FORGED,**

COUNTERFEITED, ALTERED, OR FALSELY MADE VISA, PERMIT, BORDER CROSSING CARD, ALIEN REGISTRATION CARD, OR OTHER ENTRY DOCUMENT SHALL BE PRIMA FACIE EVIDENCE OF KNOWLEDGE; OR

"2. EXCEPT UNDER THE DIRECTION OF THE DEPARTMENT OF FOREIGN AFFAIRS OR OTHER APPROPRIATE OFFICES, KNOWINGLY POSSESSES ANY BLANK PERMIT, OR ENGRAVES, SELLS, BRINGS INTO THE PHILIPPINES, OR HAS IN HIS CONTROL OR POSSESSION IN ANY PLATE OR IN THE LIKENESS OF A PLATE DESIGNED FOR THE PRINTING OF PERMITS, OR MAKES ANY PRINT, PHOTOGRAPH, OR IMPRESSION IN THE LIKENESS OF ANY IMMIGRANT OR NONIMMIGRANT VISA, PERMIT OR OTHER DOCUMENT REQUIRED FOR ENTRY INTO THE PHILIPPINES OR ELSEWHERE, OR HAS IN HIS POSSESSION A DISTINCTIVE PAPER WHICH HAS BEEN ADOPTED BY THE DEPARTMENT OF FOREIGN AFFAIRS FOR THE PRINTING OF SUCH VISAS, PERMITS, OR DOCUMENTS SHALL BE PUNISHED BY A FINE OF NOT LESS THAN TWENTY-FIVE THOUSAND PESOS (P25,000) NOR MORE THAN SEVENTY-FIVE THOUSAND PESOS (P75,000) AND IMPRISONMENT OF NOT LESS THAN THREE (3) YEARS, BUT NOT MORE THAN TEN (10) YEARS: *PROVIDED*, THAT THE PERSON WHO FORGES, COUNTERFEITS, ALTERS OR FALSELY MAKES ANY IMMIGRANT OR NON-IMMIGRANT VISA, PERMIT, BORDER CROSSING CARD, ALIEN REGISTRATION CARD, OR OTHER ENTRY DOCUMENT SHALL BE PUNISHED BY A FINE OF NOT LESS THAN SEVENTY-FIVE THOUSAND PESOS (P75,000) NOR MORE THAN TWO HUNDRED THOUSAND PESOS (P200,000) AND IMPRISONMENT OF NOT LESS THAN SIX (6) YEARS NOR MORE THAN FIFTEEN (15) YEARS FOR EACH VISA OR ENTRY DOCUMENT."

SEC. 11. Section 20 of the same Act is hereby amended to read as follows:

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

"ANY TRAVEL OR RECRUITMENT AGENCY WHICH VIOLATES ANY PROVISION OF THIS ACT SHALL HAVE ITS ACCREDITATION SUSPENDED OR REVOKED IN ACCORDANCE WITH THE SCHEDULE OF ADMINISTRATIVE PENALTIES TO BE

FORMULATED BY THE DEPARTMENT. SUCH SUSPENSION OR REVOCATION OF ACCREDITATION SHALL BE WITHOUT PREJUDICE TO CIVIL SERVICE OR CRIMINAL SANCTIONS AGAINST THE AGENCY, ITS OFFICERS, AGENTS AND EMPLOYEES.

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

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

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

SEC. 14. *Effectivity Clause.* This Act shall take effect immediately following its complete and full publication in the Official Gazette or in a newspaper of general circulation.

Approved,