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REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY

SIXTEENTH CONGRESS
FIRST REGULAR SESSION

000000 12
H.B. NO. _____



Introduced by **HON. AL FRANCIS C. BICHARA**

EXPLANATORY NOTE

Republic Act No. 8239, otherwise known as the Philippine Passport Act of 1996, was enacted pursuant to the people's constitutional right to travel. Accordingly, the government has the duty to issue passports or other travel documents to any of its citizens who comply with the requirements of the said Act.

It is the policy of the State to prescribe only minimum requirements for the application and issuance of passports and other travel documents to enhance and protect the unimpaired exercise of the people's constitutional right to travel. For this reason, there is a need to amend the existing Act in order to simplify the passport documentation requirements and application process of the Department of Foreign Affairs (DFA).

This bill seeks to amend the provision relating to the requirements of issuance of passports and provides additional grounds for amendments, suspension and revocation.

The proposed measure also provides an option for applicants to acquire a Philippine passport with a five-year (5) or ten-year (10) validity. It also proposes for the allocation of an amount equivalent to ten percent (10%) of the consular income to the Building Fund for the purpose of renovating deteriorating government-owned chanceries and residences of Philippine Embassies, consulates and missions abroad, amortization of acquired chanceries and buildings of the Department of Foreign Affairs and acquisition of new properties abroad as well as acquisition of official vehicles.

This bill also proposes to amend the provision on the *Passport Revolving Fund* which may be utilized by the DFA for the improvement of *all* its passports and consular offices in the Philippines.

In addition, the bill addresses the proliferation of fake passports by providing more severe penalties against the perpetrators of this type of fraud.

It is on the basis of the foregoing consideration that the approval of this bill is urgently sought.



AL FRANCIS C. BICHARA
2nd District, Albay

Introduced by **HON. AL FRANCIS C. BICHARA**

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

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

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

"SEC. 1. *Short Title.* – This Act [will] **SHALL** be called [as] the '[Philippine Passport Act of 1996] **REVISED PHILIPPINE PASSPORT ACT OF 2012**'."

SEC. 2. Section 2 of the same Act 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**S USING TAMPER PROOF AND LATEST DATA MANAGEMENT TECHNOLOGY AS MUCH AS PRACTICABLE** or any travel document to any citizen of the Philippines or individual who complies with the requirement 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. 3. Section 3, subsections (e), (f) and (g) of the same Act are hereby amended to read as follows:

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

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

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

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

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

"e) *Travel Document* means a certification or identifying document containing the description and other personal circumstances of its bearer, issued for direct travel to and from the Philippines valid for short periods or a particular trip. It is issued only to persons whose claim to Philippine citizenship is doubtful or who fall under the category enumerated in [Section 13] **SECTION 14** of this Act;

"f) *Supporting Documents* mean [any] paper**S** or document**S** which [is] **ARE** required to be submitted with the passport application supporting claims to Filipino citizenship to complete

the application for a passport without which such application would be deemed incomplete or otherwise become subject to denial by the issuing authority;

"g) *Ambassadors* mean those who have been appointed as chiefs of mission and have served as AmbassadorS Extraordinary and Plenipotentiary."

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

"SEC. 4. *Authority to Issue, Deny[, Restrict] or Cancel.* – Upon the application of any qualified Filipino citizen, the Secretary [of Foreign Affairs] or any [of his] authorized consular officer may issue passports in accordance with this Act. "Philippine consular officers in a foreign country shall be authorized by the Secretary to issue, verify, [restrict,] cancel or [refuse] **DENY ISSUANCE OF** a passport in the area of jurisdiction of the Post in accordance with the provisions of this Act. "In the interest of national security, public safety [and] **OR** public health, the Secretary or any [of the] authorized consular officers may, after due hearing and in their proper discretion, [refuse to issue a passport, or restrict its use or withdraw] **DENY ISSUANCE OF A PASSPORT**, or cancel a passport: *Provided, however,* That such act shall not mean a loss **OF** or doubt on the person's citizenship: *Provided, further,* That the issuance of a passport may not be denied if the safety and interest of the Filipino citizen is at stake: *Provided, finally,* That [refusal] **DENIAL OF ISSUANCE** or cancellation of a passport would not prevent the issuance of a Travel Document to allow for a safe return journey by a Filipino to the Philippines."

SEC. 5. Section 5, subsections (b), (c), (d), (e), (f), (g), (h) and (i) of the same Act are hereby amended and new subsections to be designated as subsections (j), (k) and (l) are hereby added 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] **A** duly authorized representative is satisfied that the applicant is a Filipino citizen who has complied with the following requirements:

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

"[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 CERTIFIED TRUE COPY (CTC) OF BIRTH CERTIFICATE ISSUED BY THE LOCAL CIVIL REGISTRY OFFICE (LCRO) DULY AUTHENTICATED BY THE NSO: PROVIDED, THAT IF THE BIRTH OF THE APPLICANT HAS NOT BEEN REGISTERED YET, OR IF SUCH BIRTH CERTIFICATE IS DESTROYED, DAMAGED, OR NOT AVAILABLE DUE TO OTHER CAUSES, THE APPLICANT SHALL APPLY FOR DELAYED REGISTRATION OF BIRTH WITH THE LCRO WHERE THE APPLICANT WAS BORN. UPON COMPLIANCE WITH THE REQUIREMENTS FOR DELAYED REGISTRATION OF BIRTH, THE LCRO 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 WHICH IS THE SUBJECT OF DELAYED REGISTRATION. 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 SUCH AS CERTIFICATION OF NO PRIOR REGISTRATION OR CERTIFICATION OF PREVIOUS BIRTH REGISTRATION FROM THE NSO.

"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] **BELONG TO ANY RELIGIOUS GROUP OR SECT** 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;

"[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) IF THE APPLICANT IS EIGHTEEN (18) YEARS OLD AND ABOVE, A VOTER'S REGISTRATION CERTIFICATE OR THE APPLICANT'S VOTER'S ID OR AFFIDAVIT DULY ISSUED OR AUTHENTICATED BY THE COMMISSION ON ELECTIONS IN THE LOCALITY WHERE THE APPLICANT IS A REGISTERED VOTER;

"[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 A LOCAL CIVIL REGISTRY COPY OF HER MARRIAGE CONTRACT DULY AUTHENTICATED BY THE NSO: *PROVIDED*, THAT A MARRIED WOMAN WHO WAS WIDOWED OR DIVORCED IN ACCORDANCE WITH ARTICLE 26 OF EXECUTIVE ORDER (EO) NO. 209, AS AMENDED BY EO NO. 227, 'THE FAMILY CODE OF THE PHILIPPINES OF 1988' OR UNDER PRESIDENTIAL DECREE (PD) NO. 1083, 'THE CODE OF MUSLIM PERSONAL LAWS OF THE PHILIPPINES', OR WHOSE MARRIAGE WAS 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 DEATH CERTIFICATE OF HER SPOUSE ISSUED BY THE NSO OR CTC OF DEATH CERTIFICATE ISSUED BY THE LCRO, DULY AUTHENTICATED BY THE NSO OR CTC OF THE DIVORCE DECREE, COURT DECREE OF ANNULMENT OR DECLARATION OF NULLITY SHOWING DISSOLUTION OF MARRIAGE AS RECOGNIZED BY PHILIPPINE COURTS AND DULY REGISTERED AT THE NSO OR LCRO;

"[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 travelling with either parent, and a clearance from the Department of Social Welfare and Development, if the minor is travelling 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 THE LCRO AND AUTHENTICATED BY THE NSO: *PROVIDED*, THAT IN THE CASE OF DERIVATIVE NATURALIZATION, THE APPLICANT SHALL BE REQUIRED TO PRESENT THE COPY OF THE NATURALIZATION CERTIFICATE OF THE PARENT OR SPOUSE DULY ISSUED BY THE NSO OR CTC OF NATURALIZATION CERTIFICATE ISSUED BY THE LCRO DULY AUTHENTICATED BY THE NSO;

"[g] If the applicant is an adopted person, the duly certified copy of court order of adoption, together with the original and amended birth certificates 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, THAT IF A PERSON OTHER THAN THE MINOR'S PARENTS FILES THE APPLICATION, A SPECIAL POWER OF ATTORNEY (SPA) DULY EXECUTED BY EITHER OR BOTH PARENTS MUST BE PRESENTED FOR THIS PURPOSE: PROVIDED, FURTHER, THAT IN THE CASE OF AN ABANDONED, NEGLECTED, DEPENDENT OR SURRENDERED CHILD, A CERTIFICATION DECLARING THE CHILD AS LEGALLY AVAILABLE FOR ADOPTION BY THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD) AND AFFIDAVIT OF CONSENT EXECUTED BY THE LEGAL GUARDIAN OR THE DSWD MUST BE PRESENTED;

"[h) In case of discrepancy between the applicant's name in the birth certificate and in any other private documents, 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]

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

- 1) "CERTIFIED TRUE COPY OF DECREE OF ABANDONMENT OF THE CHILD;**
- 2) "DEED OF VOLUNTARY COMMITMENT (DVC) EXECUTED BY EITHER PARENT AFTER THE BIRTH OF THE CHILD; AND**
- 3) "CTC OF CERTIFICATION DECLARING A CHILD LEGALLY AVAILABLE FOR ADOPTION ISSUED BY THE DSWD PURSUANT TO REPUBLIC ACT NO. 9523, ENTITLED: "AN ACT REQUIRING CERTIFICATION OF THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD) TO DECLARE A 'CHILD LEGALLY AVAILABLE FOR ADOPTION' AS A PREREQUISITE FOR ADOPTION PROCEEDINGS, AMENDING FOR THIS PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 8552, OTHERWISE KNOWN AS THE DOMESTIC ADOPTION ACT OF 1998, REPUBLIC ACT NO. 8043, OTHERWISE KNOWN AS THE INTER-COUNTRY ADOPTION ACT OF 1995, PRESIDENTIAL DECREE NO. 603, OTHERWISE KNOWN AS THE CHILD AND YOUTH WELFARE CODE, AND FOR OTHER PURPOSES"**

"PROVIDED, THAT THE AUTHENTICATED BIRTH CERTIFICATE, PLACEMENT AUTHORITY AND FORMAL ENDORSEMENT OF THE CHILD TO THE INTER-COUNTRY ADOPTION BOARD (ICAB) BY THE DSWD MUST ALSO BE PRESENTED.

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

- 1) "DEED OF VOLUNTARY COMMITMENT EXECUTED BY ANY OF THE FOLLOWING:**
 - I. BOTH THE BIOLOGICAL PARENTS OR THE LEGAL GUARDIANS FOR A LEGITIMATE CHILD;**
 - II. "BIOLOGICAL MOTHER OR LEGAL GUARDIAN FOR AN ILLEGITIMATE CHILD; OR**
 - III. "DEED OF INVOLUNTARY COMMITMENT BY THE DSWD FOR THE ABANDONED OR NEGLECTED CHILD;**
- 2) "DOCUMENTS ENDORSED BY THE DSWD FIELD OFFICER;**
- 3) "PLACEMENT AUTHORITY ISSUED BY THE ICAB;**

- 4) "TRAVEL CLEARANCE ISSUED BY THE ICAB; AND
- 5) "CERTIFICATE OF ISSUANCE OF PASSPORT (CIP) ISSUED BY THE ICAB.

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

- 1) "DSWD CERTIFICATE DECLARING THE CHILD LEGALLY AVAILABLE FOR ADOPTION;
- 2) "INTER-COUNTRY ADOPTION CLEARANCE ISSUED BY THE DSWD;
- 3) "PLACEMENT AUTHORITY ISSUED BY THE ICAB;
- 4) "TRAVEL CLEARANCE ISSUED BY THE DSWD; AND
- 5) "CERTIFICATE OF ISSUANCE OF PASSPORT ISSUED BY THE ICAB.

"I) THE APPLICANT'S NAME IN THE BIRTH CERTIFICATE SHALL PREVAIL OVER THAT APPEARING IN ANY OTHER PUBLIC OR PRIVATE DOCUMENT IN CASE OF DISCREPANCY, 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 NSO OR THE LCRO;

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

"K) IN THE CASE OF THOSE WHO HAVE REACQUIRED THEIR PHILIPPINE CITIZENSHIP UNDER REPUBLIC ACT NO. 9225, OTHERWISE KNOWN AS THE 'CITIZENSHIP RETENTION AND RE-ACQUISITION ACT OF 2003' AND OTHER EXISTING LAWS, THE APPLICANT SHALL PRESENT THE FOLLOWING:

- 1) "ORIGINAL OR CERTIFIED TRUE COPY OF THE PRESCRIBED OATH OF ALLEGIANCE;
- 2) "IDENTIFICATION CERTIFICATE ISSUED BY APPROPRIATE AGENCIES; AND
- 3) "SUCH OTHER DOCUMENTS AS MAY BE NECESSARY OR REQUIRED FOR THE ISSUANCE OF PHILIPPINE PASSPORT;

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

- 1) "ENDORSEMENT FROM THE OFFICE OF MUSLIM AFFAIRS WHICH ISSUES A CERTIFICATE OF TRIBAL AFFILIATION AND SIGNS A PERSONAL GUARANTEE FORM; AND
- 2) "JOINT AFFIDAVIT OF TWO (2) DISINTERESTED PERSONS WHO ARE FAMILIAR WITH THE BIRTH DETAILS OF THE APPLICANTS.

"A HAJJ PASSPORT IS NONRENEWABLE AND MAY NOT BE USED AS A BASIS FOR THE ISSUANCE OF A REGULAR PASSPORT."

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

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

"[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.

"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.]

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

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

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

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

"IN THE CASE OF A PASSPORT APPLICATION FILED BY A RECRUITMENT OR TRAVEL AGENCY OR PASSPORT-RELATED SERVICE PROVIDER DULY ACCREDITED BY THE DEPARTMENT, 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 IMPLEMENTING RULES AND REGULATIONS (IRR) FORMULATED TO ENFORCE THIS LAW."

SEC. 7. Section 7 of the same Act is hereby amended and new subsections designated as subsections (a) (10), (a) (11) and (a) (12) are hereby added 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 passports [for] **ARE ISSUED TO persons [imbued] with diplomatic status or **WHO** are on 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 Senate President [and], the Speaker of the House of Representatives, **AND FORMER SENATE PRESIDENTS AND SPEAKERS OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE PHILIPPINES;****
- 4) "The Chief Justice, **ASSOCIATE JUSTICES** of the Supreme Court **AND THE PRESIDING JUSTICE OF THE COURT OF APPEALS;****

- 5) "The [Cabinet Secretaries] **SECRETARY**, [and the] Undersecretaries and Assistant Secretaries of the Department of Foreign Affairs;
- 6) "[Ambassadors, Foreign Service Officers of all ranks in the career diplomatic service; Attaches, and members of their families] **MEMBERS OF CONGRESS, THE SECRETARY OF THE SENATE AND THE SECRETARY GENERAL OF THE HOUSE OF REPRESENTATIVES**;
- 7) "[Members of the Congress when on official mission abroad or as delegates to international conferences] **THE SECRETARIES OF ALL THE DEPARTMENTS OF THE EXECUTIVE BRANCH**;
- 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] **AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARY OF THE REPUBLIC OF THE PHILIPPINES**;
- 9) "[Spouses and unmarried minor children of the abovementioned officials when accompanying or following to join them in an official mission abroad.] **CHIEFS OF MISSION, FOREIGN SERVICE OFFICERS OF ALL RANKS IN THE CAREER DIPLOMATIC SERVICE, INCLUDING DESIGNATED ATTACHÉS FROM THE DEPARTMENT AND ATTACHED AGENCIES OF THE GOVERNMENT**;
- 10) **THE GOVERNOR OF THE BANGKO SENTRAL NG PILIPINAS**;
- 11) **OFFICIAL DELEGATES TO INTERNATIONAL OR REGIONAL CONFERENCES ACCORDED FULL POWERS BY THE PRESIDENT; AND**
- 12) **SPOUSES AND UNMARRIED MINOR CHILDREN OF THE ABOVEMENTIONED OFFICIALS WHEN ACCOMPANYING OR FOLLOWING TO JOIN THEM IN AN OFFICIAL MISSION ABROAD.**

"The President of the Philippines [and] **OR** 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 PassportS [to be] **ARE** 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] have not been accorded diplomatic status such as:

- 1) "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] **THE DEPUTY SECRETARIES OF THE SENATE AND DEPUTY SECRETARIES GENERAL OF THE HOUSE OF REPRESENTATIVES**, and all other government officials and employees travelling 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;
- 3) "Persons in the domestic service and household members of officials assigned to diplomatic or consular posts **NOT EXCEEDING TWO (2): PROVIDED, THAT AN INCREASE IN DOMESTIC SERVICE AND HOUSEHOLD MEMBERS OF SUCH OFFICIALS SHALL BE APPROVED BY THE SECRETARY; AND**
- 4) "Spouse[s] and [unmarried] minor children, [of the officials mentioned above when accompanying or following to join them.] **INCLUDING UNMARRIED CHILDREN WHO ARE OF AGE BUT DEPENDENT ON THE STAFF**

OFFICERS AND EMPLOYEES OF THE DEPARTMENT ASSIGNED TO DIPLOMATIC OR CONSULAR POSTS AND OFFICES AND REPRESENTATIVES OF OTHER GOVERNMENT AGENCIES ASSIGNED ABROAD, WHEN ACCOMPANYING OR FOLLOWING TO JOIN THEM.

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

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

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

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

- 1) "[On orders of the court, after due notice and hearing, to hold the departure of an applicant because of a pending criminal case] **VIOLATION BY THE APPLICANT OF ANY OF THE PROVISIONS OF THIS ACT;**
- 2) "[When so requested by the natural or legal guardian, if the applicant is a minor] **ON ORDERS OF THE COURT, AFTER DUE NOTICE AND HEARING, TO WITHHOLD THE PROCESSING OF A PASSPORT;**
- 3) "[When the applicant has been found to have violated any of the provisions of this Act] **WHEN THE APPLICANT IS A FUGITIVE FROM JUSTICE: PROVIDED, THAT THE APPLICANT BECOMES ELIGIBLE TO APPLY FOR A NEW PASSPORT AFTER SUBMITTING TO THE JURISDICTION OF THE COURT;**
- 4) "**WHEN THE APPLICANT HAS BEEN CONVICTED BY FINAL JUDGMENT OF A CRIMINAL OFFENSE: PROVIDED, THAT THE APPLICANT BECOMES ELIGIBLE TO APPLY FOR A NEW PASSPORT AFTER THE SERVICE OF SENTENCE OR THE GRANT OF PROBATION, CONDITIONAL OR ABSOLUTE PARDON, OR AMNESTY;**
- 5) "**WHEN SO REQUESTED BY THE PARENT EXERCISING PARENTAL AUTHORITY OR LEGAL GUARDIAN, IF THE APPLICANT IS A MINOR: PROVIDED, HOWEVER, THAT A COURT ORDER SHALL BE REQUIRED WHEN BOTH PARENTS EXERCISE PARENTAL AUTHORITY BUT ONE DOES NOT AGREE TO THE ISSUANCE OF A PASSPORT TO THE MINOR;**
- 6) "**UPON LAWFUL ORDER OF THE SECRETARY WHEN DEEMED NECESSARY IN THE INTEREST OF NATIONAL SECURITY, PUBLIC SAFETY OR PUBLIC HEALTH; AND**
- 7) "[4] Such other disqualification**S** under existing laws.

"b) Cancellation **OF PASSPORT** – **PASSPORTS MAY BE CANCELLED ONLY ON THE FOLLOWING GROUNDS:**

- 1) "When the holder is a fugitive from justice[:]; **PROVIDED, THAT THE APPLICANT BECOMES ELIGIBLE TO APPLY FOR A NEW PASSPORT AFTER SUBMITTING TO THE JURISDICTION OF THE COURT;**
- 2) "When the holder has been convicted **BY A FINAL JUDGMENT** of a criminal offense: *Provided*, That the [passport may be restored after service of sentence; or] **HOLDER BECOMES ELIGIBLE TO APPLY FOR A NEW PASSPORT AFTER THE SERVICE OF SENTENCE OR THE GRANT OF PROBATION, CONDITIONAL OR ABSOLUTE PARDON OR AMNESTY;**
- 3) "[When a passport was acquired fraudulently or tampered with.] **UPON FINDING BY THE SECRETARY OR THE AUTHORIZED REPRESENTATIVE OR CONSULAR OFFICER THAT A PASSPORT HAD BEEN ACQUIRED UNDER ANY OF THE FOLLOWING CIRCUMSTANCES:**
 - I. **"FICTITIOUS NAME, FALSE NAME, ALIAS OR NICKNAME WAS USED IN VIOLATION OF EXISTING LAWS AND EXECUTIVE ORDERS;**
 - II. **"FALSE OR INACCURATE INFORMATION ABOUT PERSONAL DETAILS WAS PROVIDED IN THE APPLICATION;**
 - III. **"FAKE DOCUMENTS WERE SUBMITTED TO SUPPORT THE APPLICATION;**
- 4) **"UPON FINDING BY THE SECRETARY OR THE AUTHORIZED REPRESENTATIVE OR CONSULAR OFFICER THAT A PASSPORT HAD BEEN TAMPERED SUBSEQUENT TO ITS RELEASE OR ISSUANCE; OR**
- 5) **"UPON ORDER OF THE SECRETARY WHEN DEEMED NECESSARY IN THE INTEREST OF NATIONAL SECURITY, PUBLIC SAFETY OR PUBLIC HEALTH.**

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

"[c) Restricted

- 1) "When the country of destination is in a state of political instability which could pose a danger to the Filipino traveler;
- 2) "When diplomatic ties have been fractured or severed 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 in a state of war.]"

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

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

"A SPECIAL BOARD OF INQUIRY (SBI) UNDER THE OFFICE OF THE SECRETARY IS HEREBY CREATED TO HANDLE AND ADJUDICATE THE COMPLAINTS FOR CANCELLATION OF PASSPORT. THE SBI SHALL BE COMPOSED OF MEMBERS FROM THE OFFICE OF THE SECRETARY, THE OFFICE OF LEGAL AFFAIRS, THE OFFICE OF CONSULAR AFFAIRS AND FROM SUCH OTHER OFFICES WHICH THE SECRETARY MAY

DEEM NECESSARY: PROVIDED, THAT THE SBI SHALL NOT EXCEED SEVEN (7) MEMBERS.

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

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

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

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

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

"SEC. [10.] 11. Validity. – Regular passports issued under this Act shall be valid for a period of five (5) OR TEN (10) 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: 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 PASSPORT APPLICANT SHALL HAVE THE OPTION TO APPLY FOR A FIVE (5)-YEAR OR A TEN (10)-YEAR PASSPORT: PROVIDED, THAT MINOR APPLICANTS SHALL BE ISSUED PASSPORTS VALID ONLY FOR FIVE (5) YEARS: PROVIDED, FURTHER, THAT THE SECRETARY OR THE DULY AUTHORIZED REPRESENTATIVE OR CONSULAR OFFICER SHALL HAVE THE AUTHORITY TO EXTEND THE VALIDITY OF A PHILIPPINE PASSPORT IF DEEMED NECESSARY FOR HUMANITARIAN REASONS OR IN THE INTEREST OF NATIONAL SECURITY, PUBLIC SAFETY OR PUBLIC HEALTH. THE EXTENSION PERIOD OF THE PASSPORT SHALL NOT EXCEED TWO (2) YEARS AND MAY BE AVAILED OF ONLY ONCE."

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

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

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

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

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

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

- a) "A Filipino citizen returning to the Philippines [who for one reason or another has lost his/her] **OR ON EMERGENCY TRAVEL TO ANOTHER DESTINATION, WHOSE** passport **WAS LOST** or **WHO** cannot be issued a regular passport;
- b) "A Filipino citizen being sent back to the Philippines;
- c) "An alien spouse of a Filipino and [their] **THE** dependents who have not yet been naturalized as [a] Filipino**S** [and] who are travelling to the Philippines or [is a] permanent resident**S** of the Philippines;
- d) "Aliens permanently residing in the Philippines who are not able to obtain foreign passport**S** and other travel documents;
- e) "A stateless person who is likewise a permanent resident, or a refugee granted such status or asylum in the Philippines."

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

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

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

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

B) "AMENDMENT OF A WOMAN'S NAME DUE TO DEATH OF SPOUSE, ANNULMENT OF MARRIAGE, ISSUANCE OF A DIVORCE DECREE UNDER PRESIDENTIAL DECREE NO. 1083, GRANT OF DIVORCE DECREE OR DECLARATION OF NULLITY SHOWING DISSOLUTION OF MARRIAGE GRANTED BY A FOREIGN COURT AND RECOGNIZED BY PHILIPPINE COURTS CONSISTENT WITH ARTICLE 26 OF EXECUTIVE ORDER NO. 209, AS AMENDED; OR

C) "AMENDMENTS BY ORDER OF A COURT PURSUANT TO REPUBLIC ACT NO. 9048, ENTITLED: 'AN ACT AUTHORIZING THE CITY OR MUNICIPAL CIVIL REGISTRAR OR THE CONSUL GENERAL TO CORRECT A CLERICAL OR TYPOGRAPHICAL ERROR IN AN ENTRY AND/OR CHANGE OF FIRST NAME OR NICKNAME IN THE CIVIL REGISTER WITHOUT NEED OF A JUDICIAL ORDER, AMENDING FOR THIS PURPOSE ARTICLES 376 AND 412 OF THE CIVIL CODE OF THE PHILIPPINES'."

SEC. 16. Section 15 of the same Act is hereby renumbered and amended to read as follows:

"SEC. [15.] **16. Loss or Destruction.** – The loss or destruction of a passport should be immediately reported to the Department or the Post. The holder of such passport shall submit to the Department or Post an affidavit stating in detail the circumstances of such loss or destruction. The holder of such a passport, who is in the Philippines, should also furnish the National Bureau of Investigation (**NBI**) and the Bureau of Immigration (**BI**) copies of the affidavit. For those who are abroad, copies of the affidavit will be forwarded by the Post to the Department's Office of Consular [Services] **AFFAIRS**, and in coordination with the Office of Legal [and Intelligence Services] **AFFAIRS**, shall transmit a copy of the affidavit to the [National Bureau of Investigation] **NBI** and [Bureau of Immigration] **BI**. The transmittal of the affidavit shall be accompanied by a request for the confiscation of the said passport if found, and to investigate or detain, if necessary, the person attempting to use or has used the passport. All

Posts will be informed of the lost passport, including pertinent information on the passport and the circumstances of loss.

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

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

SEC. 17. Section 16 of the same Act is hereby renumbered and amended to read as follows: "SEC. [16.] **17. Fees.** – Reasonable fees shall be collected for the processing, issuance, [extension,] **OR amendment OF AN EXISTING PASSPORT** 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.] **"THE DEPARTMENT SHALL PRESCRIBE THE NECESSARY FEES FOR PASSPORTS WITH FIVE (5)-YEAR AND TEN (10)-YEAR VALIDITIES."**

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

"SEC. [17.] **18. Passport Revolving Fund.** – The Department may charge a 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 and 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] **FURTHER,** the Secretary [will] **SHALL** submit a report on the disbursement of the fund every six (6) months to both the Senate **COMMITTEE ON FOREIGN RELATIONS** and the House Committee[s] on Foreign [Relations] **AFFAIRS.**"

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

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

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

"SEC. [19.] **20. 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[.] **AND [As] 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 AGAINST THE SECURITY OF THE STATE AND SHOULD BE PENALIZED ACCORDINGLY:**

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

- 1) "Acting or claiming to act in any capacity or office under the Republic of the Philippines, without lawful authority, **ACCEPTS 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) [nor] **BUT NOT** more than Sixty thousand pesos (P60,000) and imprisonment of not less than [eighteen (18) months nor more than] six (6) years **AND ONE (1) DAY NOR MORE THAN TWELVE (12) YEARS;** or

- 2) "Being a diplomatic or consular official authorized to grant, issue, amend or verify passports, knowingly an [willfully] **WILFULLY** 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 (P15,000) [nor] **BUT NOT** more than Sixty thousand pesos (P60,000) and imprisonment of not less than [eighteen (18) months but not more than] six (6) years **AND ONE (1) DAY BUT NOT MORE THAN TWELVE (12) YEARS,** and upon conviction, be **PERPETUALLY** disqualified from holding [appointive] public office; **OR**
- 3) "Being a diplomatic or consular officer, knowingly and [willfully] **WILFULLY** 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] **WILFULLY** 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 (P15,000) [nor] **BUT NOT** more than Sixty thousand pesos (P60,000) and imprisonment of not less than [eighteen (18) months nor more than] six (6) years and **ONE (1) DAY BUT NOT MORE THAN TWELVE (12) YEARS AND** upon conviction, be disqualified **PERPETUALLY** from holding [appointive] public office[.]; **OR**
- 4) "**ACTING OR CLAIMING TO ACT IN ANY CAPACITY, WITH THE INTENTION TO PROFIT THEREBY, INTERCEPTS A PERSON PROCEEDING TO THE DEPARTMENT OR ANY OF ITS REGIONAL CONSULAR OFFICES TO APPLY FOR A PASSPORT, AND PERSUADES, ENTICES, ENCOURAGES OR MISLEADS SUCH APPLICANT TO COURSE THE APPLICATION THROUGH ANOTHER PERSON OR AGENCY OTHER THAN THE DEPARTMENT OR ITS PERSONNEL ON THE PRETEXT OF FACILITATING ITS APPROVAL OR ISSUANCE BY THE DEPARTMENT SHALL BE PUNISHED BY IMPRISONMENT OF NOT LESS THAN EIGHTEEN (18) MONTHS NOR MORE THAN SIX (6) YEARS.**

"b) *Offenses Relating to False Statements: Penalties* – Any person who [willfully] **WILFULLY** 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] **FOR ANY PURPOSE,** contrary to this Act or rules and regulations prescribed hereto shall be punished by a fine of not less than Fifteen thousand pesos (P15,000) nor more than Sixty thousand pesos (P60,000) and imprisonment of not less than [three (3) years nor more than ten (10) years] **SIX (6) YEARS AND ONE (1) DAY BUT NOT MORE THAN TWELVE (12) YEARS;** or
- 2) "Uses or attempts to use any passport which was secured in any way by reason of any false statement[s], shall be punished by a fine of not less than Fifteen thousand pesos (P15,000) [nor] **BUT NOT** more than Sixty thousand pesos (P60,000) and imprisonment of not less than [three (3) years, but not more than ten (10) years] **SIX (6) YEARS AND ONE (1) DAY BUT NOT MORE THAN TWELVE (12) YEARS;** or
- 3) "Travel and recruitment agencies [whose] **AND PASSPORT-RELATED SERVICE PROVIDERS,** 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]. **AN OFFICER OF THE TRAVEL OR RECRUITMENT AGENCY CONVICTED FOR FALSE STATEMENTS 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 **OR 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] **BUT NOT** more than One hundred fifty thousand pesos (P150,000) and imprisonment of not less than six (6) years [nor] **BUT NOT** more than fifteen (15) years[; or]. **THE POSSESSION OF THE DOCUMENTS HEREIN MENTIONED SHALL BE PRIMA FACIE EVIDENCE OF COMMISSION OF THE ACTS ENUMERATED HEREIN AND THE INTENT TO USE THE SAME; OR**
- 2) "[Willfully] **WILFULLY** or knowingly uses or attempts to use, or furnishes to another for use any such false, forged, counterfeited, mutilated or altered passport or travel document or any passport validly issued which has become void by the occurrence of any condition [t]herein prescribed shall be punished by a fine of not less than Sixty thousand pesos (P60,000) [nor] **BUT NOT** more than One hundred fifty thousand pesos (P150,000) and imprisonment of not less than six (6) years 32 [nor] **BUT NOT** more than fifteen (15) years[:]. [Provided, however, That] **THE** officers of corporations, agencies or entities licensed in the travel and recruitment industry would be held similarly liable as their agents, liaison officers or representatives[:]. [Provided, finally, That f]Forgeries of five or more passports or travel documents[, would] **SHALL** be considered as massive forgery tantamount to national sabotage and [shall be] punished by a fine of not less than Two hundred fifty thousand pesos (P250,000) [nor] **BUT NOT** more than One million pesos (P1,000,000) and imprisonment of not less than seven (7) years [nor] **BUT NOT** more than seventeen (17) years.

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

- 1) "Uses or attempts to use[,] any passport issued or designed for the use of another or any supporting document[s] 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 designed] **OTHER THAN TO THAT IN WHOSE NAME AND FOR WHOSE USE IT WAS ISSUED, EXCEPT WHEN THE APPLICANT IS A MINOR, A SENIOR CITIZEN OR PHYSICALLY OR MENTALLY INCAPACITATED AND THE PASSPORT IS RELEASED TO THE PARENT, GUARDIAN OR IMMEDIATE RELATIVE: PROVIDED, THAT IN CASE OF AN EMERGENCY AND FOR HUMANITARIAN REASONS, AT THE DISCRETION OF 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, THE**

PASSPORT MAY BE RELEASED 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 fifty thousand pesos (P150,000) and imprisonment of not less than six (6) years nor more than fifteen (15) years.]

"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 than Fifteen thousand pesos (P15,000) [nor] **BUT NOT** more than Sixty thousand pesos (P60,000) and imprisonment of not less than [eighteen (18) months but not more than six (6) years] **SIX (6) YEARS AND ONE (1) DAY BUT NOT MORE THAN TWELVE (12) YEARS:** *Provided,* That the maximum fine and imprisonment shall be imposed by the court [if he] **FOR ANY** attempt[s] to use or **THE** actual[ly] use[s] **OF** an unexpired passport which is not in [his] **THE** name **OF THE USER.**

"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 penalty shall be imposed.

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

- 1) "KNOWINGLY FORGES, COUNTERFEITS, ALTERS OR FALSELY MAKES ANY IMMIGRANT OR NONIMMIGRANT VISA, PERMIT, BORDER CROSSING CARD, ALIEN REGISTRATION 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 WITH THE INTENT OF USING THE SAME; OR
- 2) "KNOWINGLY 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
- 3) "KNOWINGLY POSSESSES ANY BLANK PERMIT, OR ENGRAVES, SELLS, BRINGS INTO THE PHILIPPINES, OR HAS THE CONTROL OR POSSESSION IN ANY PLATE 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 THE POSSESSION OF A DISTINCTIVE PAPER WHICH HAS BEEN ADOPTED BY THE DEPARTMENT FOR THE PRINTING OF SUCH VISAS, PERMITS OR DOCUMENTS: *PROVIDED,* THAT THE PERSON WHO FORGES, COUNTERFEITS, ALTERS OR FALSELY MAKES ANY IMMIGRANT OR NONIMMIGRANT VISA, PERMIT, BORDER CROSSING CARD, ALIEN REGISTRATION CARD OR OTHER ENTRY DOCUMENT SHALL BE PUNISHED BY A FINE OF NOT LESS THAN

SIXTY THOUSAND PESOS (P60,000) BUT NOT MORE THAN ONE HUNDRED FIFTY THOUSAND PESOS (P150,000) AND IMPRISONMENT OF NOT LESS THAN SIX (6) YEARS BUT NOT MORE THAN FIFTEEN (15) YEARS FOR EACH VISA OR ENTRY DOCUMENT.

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

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

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

"Any [duly accredited] travel or recruitment [agent or] agency **AND OTHER PASSPORT SERVICE PROVIDERS** [which] **THAT** violate[s] the prescription on application for passport under Section 6 hereof **ANY PROVISION OF THIS ACT** shall have [such] **ITS** accreditation suspended [without prejudice to civil, criminal or administrative sanctions including revocation of its license to operate] **OR REVOKED IN ACCORDANCE WITH THE SCHEDULE OF ADMINISTRATIVE PENALTIES TO BE FORMULATED BY THE DEPARTMENT. ANY 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 [agent or] agency **OR OTHER PASSPORT SERVICE PROVIDERS** shall be *prima facie* evidence that the said travel or recruitment [agent or] agency is the author of such forgery or falsification[.]: **PROVIDED, THAT THE SPURIOUS, FORGED OR FALSIFIED DOCUMENT SUBMITTED WAS SECURED BY THE TRAVEL OR RECRUITMENT AGENCY OR OTHER RELEVANT PASSPORT SERVICE PROVIDERS ON BEHALF OF ITS CLIENT.**"

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

SEC. 23. *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. 24. *Repealing Clause.* – Republic Act No. 8239 and all other laws or parts thereof, decrees, orders, rules and regulations inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

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

Approved,