

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

20th CONGRESS
First Regular Session

HOUSE BILL NO. 6303



Introduced by
HON. ATTY. GERVILLE "JINKY BITRICS" R. LUISTRO

EXPLANATORY NOTE

Article II, Section 2 of the 1987 Constitution declares that the Philippines adopts generally accepted principles of international law as part of the law of the land and adheres to a policy of peace, justice, cooperation, and amity with all nations. In an era where fugitives and the proceeds of crime move rapidly across borders, this commitment requires a clear, modern, and rights-respecting legal framework on extradition.

Presidential Decree No. 1069, the "Philippine Extradition Law," was enacted under a very different constitutional and geopolitical environment. It no longer adequately reflects the 1987 Constitution, the country's growing web of extradition treaties and conventions, or contemporary standards on due process, human rights, and cooperation against terrorism, money laundering, cybercrime, and other serious transnational offenses. Gaps and ambiguities in PD 1069 have caused uncertainty, delay, and recurring questions on the respective roles of government agencies.

This bill, to be known as the "Philippine Extradition Act of 2025," repeals PD 1069 and establishes a modern statutory framework governing extradition, whether the Philippines is a Requested or Requesting State. It affirms that the Philippines must not serve as a safe haven for fugitives and seeks to strengthen international cooperation through clear, efficient, and rights-compliant procedures aligned with our treaty obligations and the 1987 Constitution.

The bill declares a clear State policy and directs that the law be liberally construed to promote effective extradition, recognizing that extradition proceedings are sui generis, summary, and do not determine guilt or

innocence. It clarifies institutional roles by designating the Department of Justice, through its Legal Staff (Office of the Chief State Counsel), as the Central Authority to handle extradition and provisional arrest requests, and the Department of Foreign Affairs as the Executive Authority to receive, review, and verify requests and supporting documents under applicable treaties. This rationalizes inter-agency coordination and ensures a coherent chain of action up to surrender.

The measure rationalizes the basis and scope of extradition by defining key terms, confirming that extradition shall be granted pursuant to an applicable treaty or convention, and providing that in case of conflict the treaty shall prevail. It clarifies extraditable offenses and dual criminality by making an offense extraditable if punishable in both States by imprisonment of at least one (1) year, extending coverage to attempts and conspiracy, and applying dual criminality flexibly based on underlying conduct. The bill also shields the extradition law or treaty from collateral attack.

To align with constitutional and human-rights standards, the bill strengthens mandatory and discretionary grounds for refusal, including politically or discriminatorily motivated requests, purely military offenses, double jeopardy, prescription or amnesty, unfair in absentia judgments, risk of torture or cruel treatment, pending Philippine prosecution, potential imposition of the death penalty absent assurances, certain extra-territorial offenses, and compelling humanitarian reasons.

The bill reinforces confidentiality and the rule of speciality by mandating strict confidentiality before the filing of the initiatory pleading and by prohibiting prosecution for offenses other than those for which extradition was granted, except as allowed under treaty. These safeguard both the process and the rights of the person sought.

Procedurally, the bill modernizes and harmonizes rules for incoming and outgoing requests and provisional arrest. It consolidates documentary requirements, prescribes clear rules on certification and authentication—including the effect of consular certification and the non-application of the 1961 Apostille Convention—and provides a focused regime for provisional arrest, including time limits for receipt of the formal request. It also codifies rules on surrender, temporary and deferred surrender, and the seizure and turnover of proceeds and instrumentalities of crime, even where extradition cannot be completed.

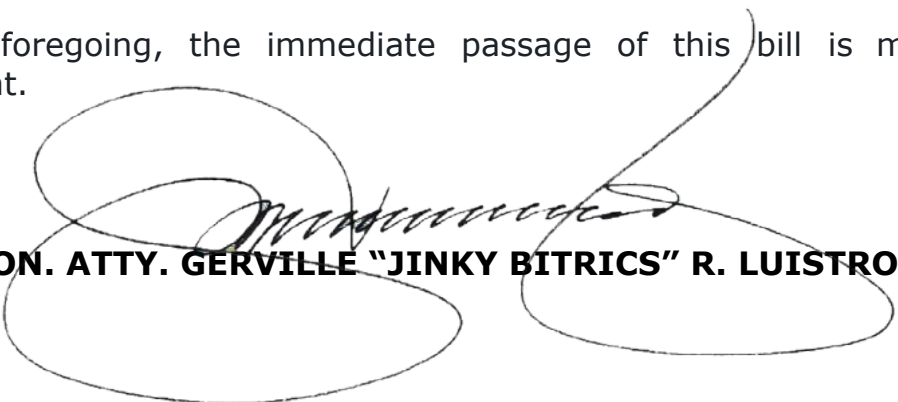
Recognizing that multiple States may seek the same person, the bill authorizes the Central Authority to determine the order of priority based on treaty obligations, seriousness and location of offenses, nationality and residence of the extraditee and victims, purpose of each request, and the

interests of justice. It likewise provides rules on transit through Philippine territory.

Finally, the bill clarifies language, appropriation, and transitional provisions and expressly repeals PD 1069 and inconsistent laws, including Section 23 of RA 10175 insofar as it designates the Office of Cybercrime as Central Authority, thereby centralizing extradition functions in the DOJ Legal Staff.

By enacting a modern Philippine Extradition Act, Congress will strengthen the country's capacity to cooperate with other States in combating serious and transnational crimes while upholding due process, human dignity, and the guarantees of the 1987 Constitution. It will affirm that the Philippines is a reliable partner in international law enforcement and is firmly committed to ensuring that its territory will not serve as a sanctuary for fugitives from justice.

In view of the foregoing, the immediate passage of this bill is most respectfully sought.



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**AN ACT STRENGTHENING THE LEGAL FRAMEWORK ON EXTRADITION
AND REPEALING FOR THE PURPOSE PRESIDENTIAL DECREE NO.
1069, OTHERWISE KNOWN AS THE "PHILIPPINE EXTRADITION
LAW," PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

Part I

GENERAL PROVISIONS

SECTION 1. *Title.* This Act shall be known as the "*Philippine Extradition Act of 2025.*"

SEC. 2. *Declaration of Policy.* It is hereby declared the policy of the State for the Philippines not to become a safe haven for fugitives. Towards this end, the Philippines shall enhance its existing legal framework on international legal cooperation by providing for an effective and efficient procedure for extradition, consistent with its obligations relating to extradition in accordance with the treaties and conventions to which it is a Party.

SEC. 3. *Definition of Terms.* For purposes of this Act, the following terms are hereby defined as follows:

- a. **Central Authority** means the Department of Justice, through the Legal Staff (Office of the Chief State Counsel).

- b. **Executive Authority** means the Department of Foreign Affairs.
- c. **Extraditee** means a person who is, or is suspected of being, within the territory of the Requested State and whose extradition, or provisional arrest for the purpose of extradition, is requested by the Requesting State.
- d. **Extradition** means the surrender of an extraditee to the Requesting State, pursuant to an extradition treaty, for criminal investigation or prosecution, imposition of penalty, or service of sentence for an extraditable offense.
- e. **Extradition Court** means the Second Level Court which has jurisdiction over the place where the Central Authority is located at the time of the filing of the petition for extradition or application for provisional arrest.
- f. **Extradition Treaty** means a bilateral treaty between the Republic of the Philippines and a foreign state, or a multilateral treaty or convention which contains provisions governing extradition to which the Philippines and the foreign state are State Parties.
- g. **Requested State** means a State which receives a request for extradition or provisional arrest of an extraditee for the purpose of extradition.
- h. **Requesting State** means a State which makes a request for extradition or provisional arrest of an extraditee for the purpose of extradition.
- i. **Transferee** means a person being extradited from a third state (Transferring State) to a foreign state (Receiving State) and who transits through the territory of the Philippines.

SEC. 4. Scope of Application. This Act shall apply to all incoming and outgoing requests for (i) extradition, or ii) provisional arrest for the purpose of extradition.

SEC. 5. Construction. This Act shall be liberally construed to promote an effective and efficient procedure for extradition.

Nothing in this Act shall be construed to amend, modify, or repeal the provisions of any extradition treaty entered into by the Philippines. In case

of conflict between the provisions of this Act and the applicable treaty, the latter shall prevail.

SEC. 6. *Extradition Law or Treaty Not Subject to Collateral Attack.*

This Act or the applicable extradition treaty shall not be subject to collateral attack. The constitutionality or validity of this Act or the applicable extradition treaty may only be questioned in a direct proceeding in accordance with the law.

SEC. 7. *Nature of Extradition Proceedings.* An extradition proceeding is *sui generis* and summary in nature. It does not involve the determination of the guilt or innocence of the extraditee.

SEC. 9. *Functions of the Central Authority.* The Central Authority, through the Legal Staff (Office of the Chief State Counsel), shall act on all requests for extradition or provisional arrest for the purpose of extradition, regardless of the offense involved.

The Central Authority, through the Legal Staff (Office of the Chief State Counsel), shall also advise, assist, and represent the Requesting State in extradition proceedings before Philippine courts.

SEC. 10. *Functions of the Executive Authority.* The Executive Authority shall determine if the request and its supporting documents, or any supplemental documents, comply with the requirements of Section 20, and have been properly authenticated in accordance with Section 21 of this Act.

SEC. 11. *Extraditable Offense.* An offense is extraditable if the act or omission is punishable under the laws of both the Philippines and a foreign state by imprisonment or other deprivation of liberty for a period of at least one (1) year or by a more severe penalty.

Where the request for extradition relates to a person who is wanted for the service of a sentence of imprisonment or other deprivation of liberty imposed for such an offense, extradition shall be granted only if a period of at least six (6) months of such sentence remains to be served.

An offense shall also be extraditable if it consists of an attempt or conspiracy to commit, or association or participation in the commission of any extraditable offense.

SEC. 12. *Accessory Extradition.* If the request for extradition relates to a number of offenses, each of which is punishable under the laws of both the Philippines and the foreign state but some of which are punishable by

deprivation of liberty of less than one (1) year, extradition may be granted for said offenses provided that the person is to be extradited for at least one (1) extraditable offense.

SEC. 13. *Dual Criminality.* There is dual criminality when an offense is punishable under the laws of both the Philippines and the foreign state, regardless:

- a. Whether the laws of both states place the acts or omissions constituting the offense within the same category of offenses or describe the offense by different terminology, so long as the underlying conduct is an offense in both states; or
- b. Whether the elements of the offense are different under the laws of both states, provided that the totality of the acts or omissions are taken into account.

Dual criminality must exist at the time of receipt of the request for extradition.

SEC. 14. *Confidentiality.*

1. The request for extradition, its contents, and supporting documents, or any action taken on the request prior to the filing in court of the initiatory action for the extradition of the person sought shall be kept confidential.
2. The receipt of a request for provisional arrest, its contents, and supporting documents, or any action taken thereon prior to the filing in court of the initiatory action for the extradition of the person sought based on the formal request for extradition shall likewise be kept confidential.
3. The Central and Executive Authorities shall keep confidential the receipt from the prosecutorial authorities of a request for extradition or provisional arrest, its contents, and supporting documents, including the disclosure from the prosecution authorities or private individuals.

SEC. 15. *Rule on Speciality.* The extraditee shall not be prosecuted, sentenced, detained, or subjected to any other restriction of personal liberty for any act or omission committed prior to surrender other than that for which extraditee was extradited.

Part II

PHILIPPINES AS REQUESTED STATE

SEC. 16. *Basis of Extradition.* A request for extradition for the purpose of criminal investigation or prosecution, imposition of penalty, or service of sentence for an extraditable offense may be granted by the Philippines pursuant to an extradition treaty.

SEC. 17. *Evaluation of the Extradition Request.*

1. Upon receipt of the request for extradition, the Executive Authority shall determine the completeness of the documentary requirements under Section 20 and proper authentication pursuant to Section 21 of this Act, and the applicable extradition treaty.
2. If the Executive Authority determines that the request for extradition is not properly authenticated, it shall return the request to the Requesting State for compliance. If the Executive Authority determines that the documentary requirements under Section 20 or the applicable extradition treaty are not complied with, it shall require the Requesting State to submit the required documents or information.
3. If the Executive Authority finds that the extradition request complies with Sections 20 and 21 of this Act, and the applicable extradition treaty, it shall transmit the request for extradition and its supporting documents to the Central Authority.
4. Upon receipt of the request for extradition and its supporting documents from the Executive Authority, the Central Authority shall evaluate the request, including its compliance with the requirements set out in this Act and the applicable extradition treaty, and require the submission of additional documents or information, if necessary.

During the evaluation of the request by the Central Authority, the potential extraditee has no right to notice and hearing and is not entitled to a copy of the request for extradition and its supporting documents as submitted by the Requesting State.

5. If the Central Authority is satisfied that the requirements of this Act and the applicable extradition treaty are met, it shall file the Petition for Extradition and represent the Requesting State in the extradition proceedings.

SEC. 18. Mandatory Grounds for Refusal of a Request for Extradition.

A request for extradition shall not be granted upon a determination by the Central Authority that any of the following circumstances exist:

- a. There are substantial grounds to believe that the request for extradition has been made for the purpose of prosecuting or punishing the extraditee on account of race, religion, nationality, ethnic origin, political opinion, sex, membership of a particular social group or class, or when the extraditee's position may be prejudiced for any of those reasons;
- b. The offense for which extradition is requested is an offense under military law, which is not also an offense under ordinary criminal law;
- c. Final judgment against the extraditee has been rendered in the Philippines in respect of the offense for which extradition is requested;
- d. The extraditee has, under the law of the Philippines or the Requesting State, become immune from prosecution or punishment for any reason, including prescription or amnesty;
- e. The judgment of the Requesting State has been rendered *in absentia*, and the extraditee has not had sufficient notice of the trial and has not had or will not have the opportunity to have the case retried in extraditee's presence;
- f. The offense for which extradition is requested is an offense of a political nature. An offense is not political in nature if it is so provided under the applicable extradition treaty; and
- g. The extraditee has been or would be subjected in the Requesting State to torture or cruel, inhuman, or degrading treatment or punishment, or the extraditee has not received or would not receive the minimum guarantees in criminal proceedings, as contained in Article 14 of the International Covenant on Civil and Political Rights.

SEC. 19. Discretionary Grounds for Refusal of a Request for Extradition.

- 1. A request for extradition may be refused by the Central Authority on any of the following grounds:

- a. The extraditee is being prosecuted in the Philippines for the same act or omission constituting the offense for which extradition is requested;
 - b. The offense for which extradition is requested carries the death penalty under the law of the Requesting State, unless the Requesting State gives assurance in writing, considered sufficient by the Central Authority, that the death penalty will not be imposed, or if imposed, will not be carried out;
 - c. The offense for which extradition is requested was committed outside the territory of the Requesting State and the laws of the Philippines do not allow prosecution for such offense when committed outside of its territory;
 - d. The offense for which extradition is requested is considered under the laws of the Philippines to have been committed, in whole or in part, within the Philippines;
 - e. The extraditee has been sentenced or would be prosecuted or sentenced in the Requesting State by a special or *ad hoc* court or tribunal; and
 - f. The extradition would be incompatible with humanitarian considerations in view of the age or health of the extraditee.
2. If a request for extradition is not granted on the ground that the situation falls under paragraph (1)(a) or (1)(d) of this Section, the Philippines, through the Central Authority, shall, if so requested by the Requesting State, submit the case to the prosecutorial authorities for the purpose of prosecution.

SEC. 20. *Incoming Requests for Extradition and Required Supporting Documents.*

- 1. All requests for extradition and supporting documents shall be transmitted through diplomatic channels.
- 2. All requests for extradition shall be supported by the following documents and information:
 - a. A description of the extraditee and any other information that may establish extraditee's identity, nationality, and location, such as identification documents and photographs;

- b. A statement of facts of the offense for which extradition is requested;
 - c. A description of the acts or omissions constituting the alleged offense, including an indication of the time and place of its commission, as well as the degree of participation of the extraditee in the offense;
 - d. The text of the relevant provisions of the law describing the essential elements of the offense for which extradition is requested;
 - e. The text of the relevant provisions of the law prescribing the penalty for the offense for which extradition is requested;
 - f. The text of the relevant provisions of the law applying the statute of limitations on the prosecution or execution of punishment for the offense;
 - g. The text of the relevant provisions of the law establishing the jurisdiction of the Requesting State in respect of the offense; and
 - h. Such other documents and information necessary to support the request for extradition.
3. In addition to the requirements in paragraph (2) of this Section, a request for extradition shall also be supported by the following documents and information:
- a. If based on convention, a statement of the relevant provisions of the convention;
 - b. If the offense for which extradition is requested carries death penalty, assurances that the Central Authority considers sufficient that death penalty will not be imposed or, if imposed, will not be carried out;
 - c. If the extraditee is sought for prosecution:
 - (i) A certified true copy of the warrant or order of arrest; and
 - (ii) A certified true copy of the document charging the extraditee with the offense for which extradition is requested.

- d. If the extraditee has been convicted of the offense for which extradition is sought:
 - (i) A statement that the extraditee is the person found guilty of the offense;
 - (ii) A certified true copy of the judgment, order, or any other document setting out the conviction and the sentence imposed; and
 - (iii) A statement that the sentence is enforceable and the extent to which the sentence remains to be served.
- e. If the extraditee has been convicted but no sentence has been imposed:
 - (i) A statement that the extraditee is the person found guilty of the offense;
 - (ii) A certified true copy of the judgment, order, or any other document setting out the conviction;
 - (iii) A statement of the sentence that may be imposed on the extraditee; and
 - (iv) A statement affirming the intention to impose a sentence.

SEC. 21. *Certification and Authentication.*

1. A request for extradition, together with its supporting documents, shall be signed and sealed or certified by a competent officer of the Requesting State and authenticated by a diplomatic or consular officer of the Philippines in the Requesting State.
2. The certification and authentication of the request for extradition, to which the supporting documents are attached, operate as the certification and authentication of the request as a whole, including the supporting documents.
3. Any supplemental documents shall also be certified and authenticated pursuant to paragraphs (1) and (2) of this Section.
4. The request for extradition and its supporting documents, or any supplemental documents, which have been certified and authenticated

in accordance with this Section, or as may be provided in the applicable Extradition Treaty, shall be admitted as evidence in extradition proceedings without any further proof.

5. The 1961 Apostille Convention does not apply to the authentication requirements provided under this Section.

Part III SURRENDER OF EXTRADITEE

SEC. 22. *Surrender of the Extraditee.*

1. After the decision granting extradition has become final and executory, the Central Authority shall notify its counterpart of the decision and arrange with the Requesting State the date and place of surrender of the extraditee.
2. The extraditee shall be discharged if the Requesting State fails to make arrangements within forty-five (45) days from notice of the final decision granting extradition, or to take custody of the extraditee from the date agreed upon with the Central Authority. If the extraditee is discharged, the Central Authority may refuse extraditee's extradition for the same offense.
3. If circumstances beyond the control of the Central Authority prevent the surrender of the extraditee, or the Requesting State from removing the extraditee from the Philippines, the other Party shall be notified prior to the expiration of the period stated in paragraph (2) of this Section. The Central Authority and the Requesting State shall agree on a new date for surrender, and the provisions of paragraph (2) of this Section on discharge shall apply.

SEC. 23. *Temporary Surrender.* In cases where a decision granting extradition has become final and executory against an extraditee who is serving a sentence in the Philippines for an offense other than that for which extradition is requested, the Extradition Court may order extraditee's temporary surrender to the Requesting State, under the following conditions:

- a. The surrender is requested for an offense of which the extraditee is accused but has not been convicted; and

- b. The Central Authority of the Requesting State has given assurances, considered sufficient by the Central Authority of the Philippines, that the extraditee shall remain in custody while temporarily surrendered, and shall be returned to the Philippines after the completion of the proceedings for which the temporary surrender is requested, which shall not be later than ninety (90) days from the date of extraditee's temporary surrender. Where necessary, this term may, upon request, be extended by the Requested State.

SEC. 24. *Deferred Surrender.* If the extraditee is under investigation, is being prosecuted, or is serving a sentence in the Philippines for an offense other than that for which extradition is requested, the Central Authority may postpone the surrender until the extraditee has been discharged, whether by acquittal or completion of the service of sentence.

SEC. 25. *Seizure and Turnover of the Properties of the Extraditee.*

1. The following properties shall, upon the written request of the Requesting State, be turned over to that State:
 - a. Properties found in the possession of the extraditee upon arrest, such as evidence or proceeds of the offense committed in the Requesting State; and
 - b. Such other properties as mentioned in the applicable extradition treaty.
2. The turnover of any of the properties indicated in paragraph (1) of this Section shall be ordered even when extradition, although already granted, cannot be effected due to the death, disappearance, or escape of the extraditee.

SEC. 26. *Provisional Arrest.*

1. In case of urgency, the provisional arrest of the extraditee may be requested by the Requesting State either through diplomatic channels or directly to the Central Authority pending receipt of the request for extradition.
2. The request for provisional arrest may be transmitted by electronic mail or any means affording a record in writing. It shall be supported by the following information:
 - a. A description of the extraditee;

- b. A statement that the extraditee is present in the territory of the Philippines;
 - c. The location of the extraditee, if known;
 - d. A brief statement of the facts of the case, including the date and the place of commission of the offense(s);
 - e. A description of the law(s) violated and a statement of the penalty imposed, or that may be imposed;
 - f. A copy of the warrant or order of arrest, finding of guilt, or judgment of conviction against the extraditee; and
 - g. A statement that the formal request for extradition shall subsequently be submitted.
3. The request for provisional arrest and its supporting documents are not required to be authenticated.
 4. Upon determination by the Central Authority of the urgency of the provisional arrest, it shall direct the National Bureau of Investigation to immediately file with the Extradition Court an *ex parte* application for the issuance of a provisional warrant of arrest against the extraditee.
 5. The Central Authority shall notify the Requesting State of the decision of the Extradition Court on the application for provisional arrest.
 6. Where the application for provisional arrest has been granted, the Central Authority shall notify the Requesting State of the date of the arrest of the extraditee.
 7. The formal request for extradition and its supporting documents must be received by the Executive Authority within sixty (60) days from the date of the provisional arrest of the extraditee.
 8. When the Executive Authority has not received the formal request for extradition and its supporting documents within sixty (60) days from the date of the provisional arrest, the extraditee shall, upon order of the Extradition Court, be released from detention.

The release of the extraditee shall be without prejudice to extraditee's re-arrest if the extradition request and its supporting documents are subsequently received by the Executive Authority.

SEC. 27. *Waiver of Extradition Proceedings; Voluntary Surrender.*

1. While on provisional arrest or during the pendency of the extradition proceedings, the extraditee may consent to be surrendered to the Requesting State by submitting to the Extradition Court an Affidavit of Waiver of Extradition Proceedings executed by the extraditee, with the assistance of counsel.
2. The Affidavit of Waiver shall contain the extraditee's:
 - a. Consent to be surrendered to the Requesting State;
 - b. Waiver of the extradition proceedings; and
 - c. Statement that said consent was knowingly and voluntarily given after having been advised by counsel of rights and the legal consequences of voluntary surrender.
3. After extraditee consented to be voluntarily surrendered, the appropriate pleading shall be filed with the Extradition Court for the surrender of the extraditee to the Requesting State.

SEC. 28. *Costs of Extradition.* The Philippines shall bear the ordinary costs of the proceedings, as well as the costs incurred in its territory in connection with the seizure and surrender of property, or the arrest and detention of the extraditee.

The Requesting State shall bear the costs incurred in transporting the extraditee from the territory of the Philippines to the Requesting State.

SEC. 29. *Concurrent Requests for Extradition.* When two or more States request the extradition of the extraditee either for the same offense or for different offenses, the Central Authority shall determine which extradition request shall proceed ahead of the other. For this purpose, the Central Authority shall take into account existing treaty obligations and, where appropriate, all the relevant circumstances, such as:

- a. Time and place of the offense;

- b. Date of receipt of the requests, including request for provisional arrest;
- c. Nationality of the extraditee and the victims;
- d. Ordinary place of residence of the extraditee and the victims;
- e. Whether extradition is requested for the purpose of prosecution, or imposition or enforcement of a sentence;
- f. Whether, in the judgment of the Central Authority, the interests of justice are best met; and
- g. The seriousness of the offenses, if the requests relate to different offenses.

Part IV

PHILIPPINES AS REQUESTING STATE

SEC. 30. *Who may Request for Extradition or Provisional Arrest.* The prosecutorial authorities may submit a request for extradition or provisional arrest to the Central Authority.

SEC. 31. *Outgoing Requests for Extradition and Required Supporting Documents.*

1. All requests for extradition and its supporting documents shall be submitted to the Central Authority for determination if the same complies with this Act and the provisions of the applicable extradition treaty.
2. All requests for extradition shall be supported by the following documents and information:
 - a. A description of the extraditee and any other information that may establish the extraditee's identity, nationality, and location, such as identification documents, recent photographs, and fingerprints;
 - b. A statement of facts of the offense for which extradition is requested;

- c. A description of the acts or omissions constituting the alleged offense, including an indication of the time and place of its commission, as well as the degree of participation of the extraditee in the offense;
 - d. A statement of the relevant provisions of the law describing the essential elements of the offense for which extradition is requested;
 - e. A statement of the relevant provisions of the law prescribing the penalty for the offense for which extradition is requested;
 - f. A statement of the relevant provisions of the law describing the prescription on the prosecution or execution of punishment for the offense;
 - a. A statement of the relevant provisions of the law establishing the jurisdiction of the Philippines in respect of the offense; and
 - b. Such other documents and information as may be deemed necessary to support the request for extradition.
3. In addition to the requirements in paragraph (2) of this Section, a request for extradition shall also be supported by the following documents:
- a. If the extraditee is sought for prosecution:
 - (i) Certified true copy of the Complaint-Affidavit, Affidavits of Witnesses, and other documents submitted to the prosecutor in support of the Complaint;
 - (ii) Certified true copy of the Resolution/s, including the Petition for Review, if one has been filed, recommending the filing of Information for the offense for which extradition is requested;
 - (iii) Certified true copy of the Information charging the extraditee with the offense for which extradition is requested;
 - (iv) Certified true copy of the warrant or order of arrest, including alias warrant, if one has been issued, and original copy of the Certification from the court where the case is filed that the warrant or order of arrest remains outstanding; and

- (v) Original copy of the Certification from the court where the case is filed that the criminal case against the extraditee is still pending.
- b. If the extraditee has been convicted of the offense for which extradition is sought, in addition to the requirements set forth in paragraphs (2) and (3)(a) of this Section:
 - (i) Statement that the extraditee is the person found guilty of the offense;
 - (ii) Certified true copy of the judgment or order setting out the conviction and the sentence imposed; and
 - (i) Statement that the sentence is enforceable and the extent to which the sentence remains to be served.

SEC. 32. *Outgoing Requests for Provisional Arrest and Required Supporting Documents.* In case of urgency, the prosecutorial authorities may request for the provisional arrest of the extraditee.

1. All requests for provisional arrest and supporting documents shall be submitted to the Central Authority for determination if the same complies with the provisions of the applicable extradition treaty.
2. The request for provisional arrest shall be supported by the following documents and information:
 - a. A description of the extraditee and any other information that may establish the extraditee's identity and nationality, such as identification documents, recent photographs, and fingerprints;
 - b. The location and other possible addresses of the extraditee in the Requested State;
 - c. A brief statement of the facts of the case, including the date and the place of commission of the offenses;
 - d. A description of the laws violated;
 - e. A certified true copy of the warrant or order of arrest, finding of guilt, or judgment of conviction against the extraditee; and

- f. A statement that the formal request for extradition shall subsequently be submitted.

Article V

TRANSIT

SEC. 33. *Transit for Extradition.* Where a transferee is being extradited from a Transferring State to a Receiving State through the territory of the Philippines (Transit State), the Central Authority of the Receiving State shall request the Central Authority of the Philippines to permit the transit of said person through its territory.

This Section shall not apply where air transport is used for transit and no landing in the territory of the Philippines is scheduled.

SEC. 34. *Allowability of Transit.* The Central Authority shall, in accordance with the relevant provisions of the applicable extradition treaty with the Receiving State, examine the request for transit made by the Receiving State.

PART VI

FINAL PROVISIONS

SEC. 35. *Required Language.* All documents pertaining to a request for extradition or provisional arrest for the purpose of extradition submitted by the Requesting State or Philippine prosecutorial authorities to the Central Authority shall be in the English language. Any document in Filipino and other languages shall be accompanied by an English translation.

SEC. 36. *Appropriations.* The amount of at least ten million pesos (Php20,000,000.00) to implement the provisions of this Act shall be charged against the current year's appropriations of the Department of Justice. Thereafter, such amount as is necessary shall be included in the annual General Appropriations Act.

SEC. 37. *Separability Clause.* If, for any reason, any part or provision of this Act is declared unconstitutional or invalid, the other parts or provisions not affected thereby shall continue to be in full force and effect.

SEC. 38. *Transitory Provision.* The provisions of this Act shall apply to all requests for extradition under evaluation by the Executive Authority and Central Authority and pending extradition proceedings, including provisional arrest.

SEC. 39. *Repealing Clause.* Presidential Decree No. 1069 or the Philippine Extradition Law is hereby repealed.

All other laws, including Section 23 of Republic Act No. 10175, or the Cybercrime Prevention Act of 2012, insofar as it designates the Office of Cybercrime as the Central Authority in all matters relating to extradition, and rules and regulations inconsistent with this Act are hereby repealed.

SEC. 40. *Effectivity.* This Act shall take effect after fifteen (15) days from publication in the Official Gazette or in a newspaper of general circulation.

Approved,