



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4288

Introduced by Representative ANN K. HOFER

EXPLANATORY NOTE

This bill seeks to provide for a new passport law, repealing for the purpose Republic Act (RA) No. 8239, otherwise known as the "*Philippine Passport Act of 1996*."

Section 6, Article III of the 1987 Constitution provides, in part:

"Sec. 6. x x x. Neither shall the right to travel be impaired except in the interest of national security, public safety, or public health, as may be provided by law."


Pursuant to the above-stated Constitutional mandate, RA 8239 was enacted in 1996. Its main objective is to regulate the issuance of passports or any travel document to any citizen or individual in accordance with the requirements stated in the law.

Since the passage of RA 8239, a number of laws were passed which affect the passport process such as RA 8552, otherwise known as the "*Domestic Adoption Act of 1998*", RA 9226, also known as the "*Citizenship and Reacquisition Act of 2003*,

and RA 11055 or the “Philippine Identification System Act”. This bill aims to update and reflect current laws that affect the process of issuing passports.

This measure also simplifies the passport documentation requirements by requiring the submission of specific documents; revises the list of persons entitled to diplomatic and official passports; provides for the issuance of passports with 5- or 10-year validity; creates a committee to process and adjudicate complaints and imposes stiffer penalties against the persons who use or conspire and connive with others to use fraudulent passports.

In order to ensure and protect the unimpaired right of the people to travel, approval of this bill is earnestly recommended.



ANN K. HOFER

2nd District, Zamboanga Sibugay



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4288

Introduced by Representative ANN K. HOFER

AN ACT
PROVIDING FOR A NEW PASSPORT LAW, REPEALING FOR THE
PURPOSE 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:

1 SECTION 1. *Short Title.* – This Act shall be called the “*Philippine*
2 *Passport Act of 2019.*”

3 SEC. 2. *Statement of Policy.* – The people’s constitutional right to
4 travel is inviolable. Accordingly, the government has the duty to issue passports
5 using tamper proof and latest data management technology as much as practicable
6 or any travel document to any citizen of the Philippines or individual who
7 complies with the requirements of this Act. The right to travel may be impaired
8 only when national security, public safety, or public health requires. To enhance

and protect the unimpaired exercise of this right, only minimum requirements for application and issuance of passports and other travel documents shall be prescribed. The government shall ensure that action on such applications and the issuance of passports shall be done expeditiously.

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

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

(b) *Consular Offices* refer to field offices of the DFA Office of Consular Affairs located in the Philippines where consular services, including passport and authentication services, and consular assistance are provided;

(c) *DFA* refers to the Department of Foreign Affairs;

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

(e) *Large scale* refers to the commission of any of the offenses under this Act against three (3) or more persons individually or as a group;

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

(g) *Refugee* refers to someone who has been forced to flee his or her country because of persecution, war, or violence. A refugee has a well-founded

1 fear of persecution for reasons of race, religion, nationality, political opinion or
2 membership in a particular social group;

3 (h) *Secretary* refers to the Secretary of Foreign Affairs;

4 (i) *Stateless person* refers to an individual who is not considered a citizen
5 or national under the operation of the laws of any country;

6 (j) *Supporting Documents* refer to papers or documents which are
7 required to be submitted with the passport application supporting claims to Filipino
8 citizenship and proof of identity to complete the application for a passport without
9 which such application shall be deemed incomplete or otherwise become subject to
10 denial by the issuing authority.

11 The same may refer to papers or documents submitted in support of
12 applications for travel documents;

13 (k) *Syndicate* refers to a group of three (3) or more persons conspiring
14 with one another; and

15 (l) *Terrorist act* refers to any act intended to cause death or serious
16 bodily injury to a civilian or civilians, when the purpose of such act, by its nature
17 or context, is to intimidate a population or to compel a government or an
18 international organization to do or to abstain from doing any act, as defined by
19 existing laws; and

(m) *Travel document* refers to a form of identification, compliant to current International Civil Aviation Organization (ICAO) standards, that the Philippine government issues to its citizens or recognized residents so they can cross international borders;

SEC. 4. ***Authority to Issue, Deny, Restrict, or Revoke.*** — Upon the application of any qualified Filipino citizen, the Secretary or any duly 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, revoke or deny a passport in the area of jurisdiction of the Foreign Service Post in accordance with the provisions of this Act.

In the interest of national security, public safety and public health, the Secretary or any of the authorized consular officers may, after due hearing and in their proper discretion, deny issuance of a passport, or restrict its use or withdraw or revoke a passport: ***Provided, however,*** That such act shall not mean a loss 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 or revocation 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. *Requirements for the Issuance of a Passport.* – The Secretary, or a duly authorized consular officer, shall issue a passport to an applicant who is a Filipino citizen and who has complied with the following requirements:

(a) A duly accomplished application form;

(b) Proof of citizenship which shall follow the documents prescribed by relevant laws regarding the acquisition of Philippine citizenship which include, but are not limited to:

(1) Birth Certificate or Report of Birth, whichever is applicable, for natural born citizens;

(2) Naturalization Certificate for Naturalized citizens;

(3) Election Certificate for those who are required to elect Filipino citizenship; or

(4) Identification Certificate and/or Oath of Allegiance and Order of Approval of Re-acquisition or Retention of Philippine citizenship under RA No. 9225;

(c) Valid and sufficient proof of identity;

(d) Marriage Certificate or Report of Marriage for a married woman who wishes to use her husband's surname;

e) Duly annotated Marriage Certificate or Report of Marriage of a woman who wishes to revert to the use of her maiden name by virtue of an annulment, separation, or a judicially-recognized divorce;

f) An affidavit of consent from a parent of a minor. If the minor is travelling with a person other than the parent, a clearance from the Department of Social Welfare and Development is likewise required;

(g) If the applicant is an adopted person, the following documents need to be submitted:

(1) certified copy of the court decree of adoption;

(2) original birth certificate; and

(3) amended birth certificate reflecting the name that the adopted person will use;

(g) In the case of discrepancy between the applicant's details in the birth certificate and in any other documents presented, the applicant shall be required to make the necessary corrections to the discrepant information prior to the application being accepted for processing;

(h) A travel authority, issued by the head of the department, agency, or office if the applicant is a government employee seeking to apply for an official passport;

1 The Department is mandated to ensure the integrity of the passport at all
2 times. As such, the Secretary or his duly authorized representative may require
3 the applicant to provide additional documents until the latter adequately
4 establishes citizenship and identity.

5 SEC. 6. ***Application.*** – A person applying for a passport, either for the first
6 time or for the renewal of a previously issued passport, shall be required to appear
7 in person for photo and data capturing.

8 The parent or legal guardian shall assist an applicant who is a minor.

9 An applicant who is unable to read or write, persons with disability or a
10 senior citizen may be assisted by a relative within the fourth civil degree of
11 consanguinity or affinity, or by the applicant's travelling companion.

12 The DFA may require other or additional documents as may be specified in the
13 rules and regulations promulgated for the implementation of this Act.

14 SEC. 7. ***Types of Passports.*** – The Secretary or the authorized consular officer
15 may issue the following types of passports:

16 (a) Diplomatic Passports are issued to persons with diplomatic status or
17 who are on diplomatic mission such as:

18 (1) The President and former Presidents of the Philippines;

19 (2) The Vice President and former Vice Presidents of the
20 Philippines;

(3) The President of the Senate, the Speaker of the House of Representatives, and former Presidents of the Senate and Speakers of the House of Representatives;

(4) The Chief Justice and Associate Justices of the Supreme Court and the Presiding Justice of the Court of Appeals, and the *Sandiganbayan*;

(5) The Secretary, Undersecretaries and Assistant Secretaries of the DFA;

(6) The Members of Congress, the Secretary of the Senate and the Secretary General of the House of Representatives;

(7) The Secretaries of all the departments of the Executive branch;

(8) The Ambassadors Extraordinary and Plenipotentiary of the Republic of the Philippines; Chiefs of Mission, and Foreign Service Officers of all ranks in the career diplomatic service, including designated attachés from the DFA and agencies of the government;

(9) The Governor of the *Bangko Sentral ng Pilipinas*;

(10) The Official delegates to international or regional conferences accorded full powers by the President; and

(11) The spouses and unmarried minor children of the abovementioned officials when accompanying or following to join them in an official mission abroad.

1 The President of the Philippines or the Secretary may grant diplomatic
2 passports to officials and persons other than those enumerated herein who are on
3 official mission abroad or are granted full powers by the President;

4 b) Official passports are issued to all government officials and
5 employees on official trip abroad but who are not on a diplomatic mission or have
6 not been accorded diplomatic status, such as:

7 (1) The Undersecretaries, Assistant Secretaries of the Cabinet other
8 than the DFA, the Associate Justices of the Court of Appeals and the
9 *Sandiganbayan* other members of the Judiciary, and all other government officials
10 and employees travelling on official time;

11 (2) Staff officers and employees of the DFA assigned to diplomatic and
12 consular posts, and officers and representatives of other government departments
13 and agencies assigned abroad;

14 (3) Persons in the domestic service and household members of officials
15 assigned to diplomatic or consular posts not exceeding two (2): *Provided*, That an
16 increase in domestic service and household members of such officials shall be
17 approved by the Secretary; and

18 (4) Spouse and minor children, including unmarried children who are not
19 minors but dependent on the staff officers and employees of the DFA assigned to

1 diplomatic or consular posts and offices, and representatives of other government
2 agencies assigned abroad, when accompanying or following to join them.

3 Diplomatic and official passports shall be submitted for revalidation before
4 each departure of the holder.

5 c) Regular passports are issued to Filipino citizens who are not eligible
6 or entitled to diplomatic or official passports, including government officials or
7 employees going abroad for pleasure or other personal reasons. Government
8 officials and employees and members of their families may, during their
9 incumbency in office, hold two (2) passports simultaneously: (1) a regular
10 passport for private travel; and (2) a diplomatic or official passport when
11 travelling abroad on diplomatic or official business. The spouse and minor
12 children of persons entitled to diplomatic or official passports shall be issued
13 regular passports if they are not accompanying or following to join them.

14 SEC. 8. ***Grounds for Denial of Issuance of Passport or Revocation of***
15 ***Passport.*** – The application for a passport may be denied or an existing passport
16 may be revoked on the following grounds only:

17 ***a) Denial***

18 (1) Failure of the applicant to comply with the requirements in accordance
19 with this Act;

1 (2) The issuance by a court of warrant of arrest against the applicant or an
2 order to prohibit the applicant's departure from the Philippines in connection with
3 a pending criminal action;

4 (3) Upon the request of the parent or guardian exercising parental authority
5 over the minor applying for the issuance of a passport; *Provided*, that a court order
6 to withhold the issuance of a passport or to prevent the departure of the minor child
7 shall be required if both parents exercise parental authority and they disagree on
8 the issuance of a passport or travel abroad of their minor child;

9 (4) When the applicant has been found to have violated any of the provisions
10 of this Act;

11 (5) Upon the determination by the Secretary or duly authorized
12 representatives or consular officer that a passport was secured through fraud or
13 misrepresentation, or that it has been tampered with subsequent to its release
14 or issuance to its holder;

15 (6) When there are reasonable grounds to believe that the applicant
16 intends to travel abroad to commit, plan, prepare, or participate in a terrorist
17 act or to be trained to commit, plan, prepare, or participate in a terrorist act;
18 and

19 (7) Such other disqualifications under existing laws.

20 ***b) Revocation***

1 (1) The passport was obtained in violation of the provisions of this Act;

2 (2) Upon the request of the parent or guardian exercising parental
3 authority over the minor passport holder; *Provided*, that a court order to revoke the
4 passport or to prevent the departure of the minor child shall be required if both
5 parents exercise parental authority and they disagree on the issuance of a passport
6 or travel abroad of their minor child;

7 (3) The issuance by a court of an order to revoke the passport in connection
8 with a pending criminal action;

9 (4) Court order declaring the passport holder as a fugitive from justice;

10 (5) The passport holder has been convicted of a crime by final
11 judgment; *Provided*, that, upon release on account of service of sentence or
12 grant of pardon, one who has been previously convicted may apply for a
13 passport; and

14 (6) Such other grounds as may be provided by other laws.

15
16 SEC. 9. *Appeal.* – Any person whose passport application was denied
17 or revoked shall have the right to appeal to the Secretary, whose decision may be
18 reviewed by the appropriate court.

19 SEC. 10. *Validity.* – Regular passports issued under this Act shall be
20 valid for a period of five (5) or ten (10) years; *Provided, however*, That for

1 individuals under eighteen (18) years of age, only a passport with five (5)-year
2 validity shall be issued; *Provided, further,* That in the interest of national security,
3 political stability, public safety or law enforcement, or in cases of incomplete or
4 insufficient documentation, where the safety or well-being of the applicant and/or
5 his/her family is at risk, the issuing authority may issue a passport with a limited
6 period of validity of less than ten (10) years.

7 SEC. 11. ***Ownership of Passports.*** – A Philippine passport remains at all
8 times the property of the government, the holder being a mere possessor thereof
9 for the duration of the passport's validity and the same may not be surrendered to
10 any entity or person other than the government or its duly authorized
11 representative: *Provided,* That a passport may be voluntarily surrendered to any
12 Post for storage and safekeeping, for which a proper receipt shall be issued for
13 presentation when reclaiming the passport.

14 SEC. 12. ***Names and Titles.*** – Passports shall contain the full name of the
15 applicant, but shall not include any title, profession or job description.

16 SEC. 13. ***Markings and Stamps.*** – Passports shall not contain any
17 marking, annotation or stamp pertaining to travel restrictions. Limitation of travel
18 shall be administered through travel advisories or other means which do not
19 necessitate marking or stamping of passports.

SEC. 14. ***Travel Documents.*** – A Travel Document, in lieu of a passport, may be issued to the following:

(a) A Filipino citizen overseas who, for one reason or another, has lost an issued passport or cannot be issued a regular passport;

(b) A Filipino citizen being repatriated to the Philippines;

(c) A Filipino citizen in the Philippines who has an urgent need to travel abroad and cannot be issued a regular passport;

(d) An alien spouse of a Filipino and their dependents who have not yet been naturalized as Filipinos and who are travelling to the Philippines or are permanent residents of the Philippines;

(e) Aliens permanently residing in the Philippines who are not able to obtain foreign passport and other travel documents; and

(f) A stateless person who is likewise a permanent resident or a refugee granted such status or asylum in the Philippines.

A Travel Document shall be valid for one (1) year.

SEC. 15. ***Loss or Destruction of a Passport*** – The loss or destruction of a passport shall be immediately reported to the DFA or a Foreign Service Post. The holder of such passport shall submit an affidavit stating in detail the circumstances of such loss or destruction. For purposes of this Act, a lost passport is one whose whereabouts is unknown to the applicant despite diligent search, or if

known, may not be retrieved, recovered and produced by the applicant for reasons beyond the applicant's control.

The DFA shall suspend the issuance of passport to any person applying for passport a third time within a period of three (3) years due to the loss of previously issued passports and conduct an investigation into the circumstances of the supposed lost of passports.

Should the DFA find that the applicant made false claims or deliberately withheld information about the loss of his/her passport or passports, the applicant shall be held liable under Section 19(b) of this Act.

SEC. 16. ***Fees.*** – Reasonable fees, as may be determined by the Secretary, shall be collected for the processing, issuance, or replacement of a passport or a Travel Document.

SEC. 17. ***Passport Revolving Fund.*** – The DFA may charge a service fee of no less than 25% of the current fees, or the current expedite fees, whichever is higher, as determined in Section 16 for services rendered to applicants relating to the processing or issuance of passports requiring special consideration, waiver or issuance beyond regular office hours. The service fees received by the DFA under this section shall constitute a revolving fund to be called the “*Passport Revolving Fund*” which may be utilized by the DFA

1 primarily for the improvement of its passporting and consular services and other
2 DFA services except travel and transportation allowances and expenses.

3 SEC. 18. ***Waiver.*** – The Secretary is solely authorized to waive any
4 requirement set forth in Section 5 of this Act, as well as the fees for the processing
5 or issuance of passports and Travel Documents contained in Section 16 of this Act.

6 SEC. 19. ***Offenses and Penalties.*** – A passport, being a proclamation of
7 the citizenship of a Filipino, is superior to all other official documents and as
8 such, shall be accorded the highest respect by its holder. Any act prejudicial to its
9 integrity is a grave crime against the security of the State and shall be penalized
10 accordingly:

11 a) ***Offenses Relating to Issuances; Penalties.*** – Any person who:

12 (1) Acting or claiming to act in any capacity or office under the
13 Republic of the Philippines without lawful authority, accepts passport applications,
14 grants, issues or verifies any passport or travel document to any or for any person
15 whomsoever, or is caught selling in whatever capacity passport application
16 forms, or lost or stolen passports and travel documents shall be punished by a fine
17 of not less than Fifteen Thousand Pesos (P15,000.00) but not more than Sixty
18 Thousand Pesos (P60,000.00) and imprisonment of not less than six (6) years and
19 one (1) day but not more than twelve (12) years; or

(2) Being a diplomatic or consular official authorized to grant, issue, or verify passports, knowingly and willfully grants, issues, 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 (P15,000.00) but not more than Sixty Thousand Pesos (P60,000.00) and imprisonment of not less than six (6) years and one (1) day but not more than twelve (12) years and, upon conviction, be perpetually disqualified from holding public office; or

(3) Being a diplomatic or consular officer, knowingly and willfully grants, issues, or certifies to the authenticity of any passport or Travel Document for any person not entitled thereto, or knowingly and willfully issues more than one (1) passport to any person except as provided for in this Act, shall be punished by a fine of not less than Fifteen Thousand Pesos (P15,000.00) but not more than Sixty Thousand Pesos (P60,000.00) and imprisonment of not less than six (6) years and one (1) day but not more than twelve (12) years and, upon conviction, be disqualified perpetually from holding public office; or

(4) Acting or claiming to act in any capacity, with the intention to profit thereby, intercepts a person proceeding to the DFA or any of its consular offices or Foreign Service Posts to apply for a passport, and persuades, entices, encourages or misleads such applicant to course the application through another

1 person or agency other than the DFA or its personnel on the pretext of facilitating
2 its approval or issuance by the DFA shall be punished by imprisonment of not less
3 than eighteen (18) months but not more than six (6) years;

4 (5) Being neither a diplomatic or consular official, nor an employee
5 authorized to grant, issue, or verify any passport or travel document to or for any
6 person, and even though not claiming to be such, offers, for any material gain or
7 consideration, to escort a passport applicant, or assist the same in booking an
8 appointment, filling out an application form, making payments, handling
9 application documents, or any other action relating to passport application.

10 b) ***Offenses Relating to False Statements; Penalties.*** – Any person who
11 willfully and knowingly:

12 (1) Makes any false statement in any application for passport with the
13 intent to induce or secure the issuance of a passport under the authority of the
14 Philippine government, for any purpose, contrary to this act or rules and
15 regulations prescribed pursuant hereto shall be punished by a fine of not less than
16 Fifteen Thousand Pesos (P15,000.00) but not more than Sixty Thousand Pesos
17 (P60,000.00) and imprisonment of not less than six (6) years and one (1) day but
18 not more than twelve (12) years; or

19 (2) Makes any false statement in an Affidavit declaring a passport as lost
20 while knowing its actual whereabouts or not exerting diligent effort to retrieve,

1 recover and produce the same, shall be punished by a fine of not less than Fifteen
2 Thousand Pesos (Php15,000.00) but not more than Sixty Thousand Pesos (Php
3 60,000.00) and imprisonment of not less than six (6) years and one (1) day but not
4 more than twelve (12) years; or

5 (3) Uses or attempts to use any passport which was secured in any way by
6 reason of any false statement shall be punished by a fine of not less than Fifteen
7 Thousand Pesos (P15, 000.00) but not more than Sixty Thousand Pesos (P60,
8 000.00) and imprisonment of not less than six (6) years and one (1) day but not
9 more than twelve (12) years; or

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

11 (1) Falsely makes, forges, counterfeits, mutilates or alters any passport or
12 Travel Document or any supporting document for a passport application, with
13 the intent of using the same, shall be punished by a fine of not less than Seventy-
14 Five Thousand Pesos (PhpP75,000.00) but not more than One Hundred Fifty
15 Thousand Pesos (P150,000.00) and imprisonment of not less than six (6) years but
16 not more than fifteen (15) years. The possession of the documents herein
17 mentioned shall be *prima facie* evidence of commission of the acts enumerated
18 herein and the intent to use the same; or

19 (2) Willfully or knowingly uses or attempts to use, or furnishes to
20 another for use any such false, forged, counterfeited, mutilated or altered

1 passport or travel document or any passport validly issued which has become void
2 by the occurrence of any condition herein prescribed shall be punished by a fine of
3 not less than Sixty Thousand Pesos (P60,000.00) but not more than One Hundred
4 Fifty Thousand Pesos (P150,000.00) and imprisonment of not less than six (6)
5 years but not more than fifteen (15) years.

6 d) ***Offenses Relating to Improper Use of Passports and Travel***
7 ***Documents; Penalties.*** – A fine of not less than Sixty Thousand Pesos
8 (P60,000.00) but not more than One Hundred Fifty Thousand Pesos (P150,000.00)
9 and imprisonment of not less than six (6) years but not more than fifteen (15)
10 years shall be imposed upon any person who willfully and knowingly:

11 (1) Uses or attempts to use any passport issued or designed for the use of
12 another or any supporting document for a passport application which belongs
13 to another; or

14 (2) Uses or attempts to use any passport or supporting document in
15 violation of the conditions or restrictions therein contained, or of the rules
16 prescribed pursuant thereto; or

17 (3) Furnishes, disposes or delivers a passport to any person other than to
18 that in whose name and for whose use it was issued, except when the applicant is a
19 minor, a senior citizen or physically or mentally incapacitated and the passport is
20 released to the parent, guardian or immediate relative: *Provided*, That in case of an

1 emergency and for humanitarian reasons, at the discretion of the head of the Office
2 of Consular Affairs or the head of the Consular Section or the Consul-General of a
3 Foreign Service Post, the passport may be released to a third party upon the
4 submission of a written authorization from the applicant; or

5 (4) Defaces or destroys a Philippine passport; or

6 (5) Sells, trades, pawns, mortgages or uses an issued passport or Travel
7 Document as collateral to secure debt, or in any manner uses such passport or
8 Travel Document as currency or object of commerce; *Provided*, that in such
9 situation, the buyer, trader, creditor, or mortgagee shall also be liable to the same
10 extent as the passport/Travel Document holder;

11 e) ***Offenses Relating to Multiple Possession; Penalties.*** – No person or
12 individual may hold more than one (1) valid passport, except as provided for in
13 Section 7 hereof, and any individual who possesses more than one (1) unexpired
14 passport shall, for every unexpired passport found in his possession, be punished
15 by a fine of not less than Fifteen Thousand Pesos (P15,000.00) but not more than
16 Sixty Thousand Pesos (P60,000.00) and imprisonment of not less than six (6)
17 years and one (1) day but not more than twelve (12) years: *Provided*, that the
18 maximum fine and imprisonment shall be imposed by the court for any attempt to
19 use or the actual use of an unexpired passport which is not in the name of the user.

1 In case any of the offenses prohibited in this Act constitutes a violation of
2 the Revised Penal Code and the penalty imposed therein is heavier than that
3 provided in this Act, the latter penalty shall be imposed;

4 f) ***Offenses Relating to Forgery of Visas and Entry Documents;***

5 ***Penalties.*** – A fine of not less than Fifteen Thousand Pesos (P15,000.00) but not
6 more than Sixty Thousand Pesos (P60,000.00) and imprisonment of not less than
7 three (3) years but not more than ten (10) years shall be imposed upon any person
8 who:

9 (1) Knowingly forges, counterfeits, alters or falsely makes any immigrant
10 or non-immigrant visa, permit, border crossing card, alien registration card, or
11 other document prescribed by statute or regulation for entry into or as evidence of
12 authorized stay or employment in the Philippines or elsewhere with the intent of
13 using the same;

14 (2) Knowingly uses, attempts to use, possesses, obtains, accepts or
15 receives any such visa, permit, border-crossing card, alien registration card, or
16 other document prescribed by statute or regulation for entry into or as evidence of
17 authorized stay or employment in the Philippines or elsewhere, knowing it to be
18 forged, counterfeited, altered or falsely made, or to have been procured by means
19 of any false claim or statement, or to have been otherwise procured by fraud or
20 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 of its forgery, counterfeiting, alteration, or falseness; 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 non-immigrant visa, permit, or other document required for entry into the Philippines or elsewhere, or has the possession of the distinctive paper which has been adopted by the DFA for the printing of such visas, permits or other documents: *Provided*, That the person who forges, counterfeits, alters or falsely makes any immigrant or non-immigrant visa, permit, border-crossing card, alien registration card or other entry document shall be punished by a fine of not less than Sixty Thousand Pesos (Php60,000.00) but not more than One Hundred Fifty Thousand Pesos (Php150,000.00) and imprisonment of not less than six (6) years but not more than fifteen (15) years for each visa or entry document.

(g) The penalties provided for under this Section shall be imposed in their maximum when the offenses are committed by a syndicate or in a large scale.

SEC. 20. ***Implementing Rules and Regulations.*** – The Secretary shall issue the rules and regulations to effectively implement the provisions of and

1 carry put the policy set forth in this Act within sixty (60) days from the effectivity
2 of this Act.

3 SEC. 21. **Repealing Clause.** – Republic Act No. 8239, otherwise known
4 as the *Philippine Passport Act of 1996*, is hereby repealed. All other laws, decrees,
5 orders, rules and regulations, and other issuances or parts thereof, that are
6 inconsistent with the provisions of this Act are hereby repealed, amended, or
7 modified accordingly.

8 SEC. 22. **Separability Clause.** – If any part or provision of this Act is
9 declared unconstitutional or invalid, the other provisions or parts not affected shall
10 remain in full force and effect.

11 SEC. 23. **Effectivity.** – This Act shall take effect fifteen (15) days after its
12 publication in the *Official Gazette* or in a national newspaper of general
13 circulation.

14 Approved,