

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS

First Regular Session
HOUSE BILL NO. 329

HOUSE OF REPRESENTATIVES

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INTRODUCED BY REPRESENTATIVE XAVIER JESUS D. ROMUALDO

EXPLANATORY NOTE

The Constitution provides that the right to travel shall not be impaired except in the interest of national security, public safety, or public health, as may be provided by law. To enhance and protect the right to travel, this measure provides that only minimal requirements shall be prescribed for the issuance of passports and travel documents. Hence, this measure aims to simplify the documentation requirements and the application process of passports. This measure likewise takes into later statutes, such as the Domestic Adoption Act of 1998 and the Citizenship and Reacquisition Act of 2003, and other developments that have a bearing on the issuance of passports to and the possession thereof by certain citizens.

Twenty years have passed since the enactment of Republic Act No. 8239, or the Philippine Passport Act of 1996. In order for government to be able to better serve the people, we must constantly revisit, review, and update our statutes so that our laws are be able to respond to and meet the needs and demands of the present times. This measure is a step in that direction.

Hence, with a view to streamlining and improving government systems, procedures, and processes, the kind and favorable support of the Members of Congress for the prompt and timely passage of this measure is earnestly sought.



XAVIER JESUS D. ROMUALDO

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**AN ACT
PROVIDING FOR THE ISSUANCE OF PASSPORTS AND TRAVEL DOCUMENTS, AS
WELL AS FOR THE REVOCATION THEREOF, DEFINING AND PENALIZING
OFFENSES RELATING TO PASSPORTS AND TRAVEL DOCUMENTS, REPEALING
REPUBLIC ACT NO. 8239, OTHERWISE KNOWN AS THE PHILIPPINE PASSPORT
ACT OF 1996, AND FOR OTHER PURPOSES**

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

1 SECTION 1. Short Title. – This Act shall be known and may be cited as the *Philippine Passport
Act of 2016*.

3

4 SEC. 2. Declaration of Policy. – The right of the people to travel shall be upheld and may
5 only be impaired in the interest of national security, public safety, or public health. To enhance
6 and protect the exercise of the right to travel, only minimum requirements for applications for
7 and the issuance of passports and other travel documents shall be prescribed. The government
8 shall ensure that action on such applications and the issuance of passports and travel documents
9 shall be done expeditiously. Moreover, the government has the duty to issue to qualified Filipino
10 citizens passports that are tamper-proof and which use the latest data management technology.

11

12 SEC. 3. Definitions. – As used in this Act, the following terms are hereby defined as
13 follows:

14

15 (a) DFA – refers to the Department of Foreign Affairs.

16

17 (b) Large scale – refers to the commission of any of the offenses under this Act against
18 three (3) or more persons individually or as a group.

(c) Passport – refers to the document issued by the Philippine Government to a Filipino citizen requesting governments of other countries to allow such Filipino citizen to pass safely and freely and to provide all lawful aid and protection, if needed.

(d) Post – refers to a Philippine diplomatic or consular post, such as an Embassy or Consulate of the Philippines.

(e) Refugee – refers to a person who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his or her nationality, and is unable or, owing to such fear, is unwilling to avail of the protection of that country; or who, not having a nationality and being outside the country of his or her former habitual residence, is unable or, owing to such fear, is unwilling to return to it.

(f) Secretary – refers to the Secretary of Foreign Affairs.

(g) Stateless Person – refers to a person who is not considered a national or citizen by any country under its laws.

(h) Supporting documents – refer to papers or documents required to be submitted together with an application for the issuance of a passport or Travel Document to support a claim to Filipino citizenship or entitlement thereto, without which such application shall be deemed incomplete or otherwise be subject to denial.

(i) Syndicate – refers to a group of three (3) or more persons conspiring with one another.

(j) Terrorist act – refers to any act intended to cause death or serious bodily injury to a civilian or civilians, when the purpose of such act, by its nature or context, is to

1 intimidate a population or to compel a government or an international organization to
2 do or to abstain from doing any act.

3

4 (k) Travel Document – refers to a certification, with the relevant personal details of the
5 bearer, issued in lieu of a passport based on the grounds provided in this Act.

6

7 SEC. 4. Authority to Issue, Deny Passport Applications, and Revoke Passports. – The
8 Secretary, or his or her authorized representatives or authorized consular officers, may issue,
9 deny a passport application, or revoke a passport in accordance with this Act. An application for
10 the issuance of a passport shall not be denied if the safety or welfare of a Filipino is at stake,
11 unless a Travel Document is sufficient for such Filipino's repatriation or return to the
12 Philippines.

13

14 The denial of a passport application or the revocation of a passport shall not result in the loss of
15 Philippine citizenship.

16

17 SEC. 5. Cooperation with Local Government Units. – The DFA shall issue guidelines,
18 rules, and regulations on mechanisms for cooperation with local government units on passport
19 services.

20

21 SEC. 6. Requirements for the Issuance of a Passport. – The Secretary, his or her authorized
22 representatives or authorized consular officers, shall issue a passport to an applicant who is a
23 Filipino citizen and who has complied with the following requirements:

24

25 (a) A duly accomplished application form with photographs of such number, size, and style
26 as may be prescribed by the DFA.

27

28 (b) The applicant's birth certificate, or foundling certificate, in security paper issued by the
29 Philippine Statistics Authority (PSA) or a certified true copy (CTC) of the same issued
30 by the Local Civil Registrar (LCR) duly authenticated by the PSA; *Provided*, that if the

1 birth of the applicant has not yet been registered, or if such birth certificate is destroyed,
2 damaged, or unavailable due to other causes, the applicant shall apply for delayed
3 registration of birth with the LCR of the city or municipality where he or she was born.
4 Upon compliance with the requirements for a delayed registration of birth, the LCR shall
5 issue to the applicant a certification of pending application for delayed registration of
6 birth, attaching thereto a copy of the accomplished birth certificate that is the subject of
7 delayed registration. Such certification and accomplished birth certificate shall be
8 sufficient to support an application for the issuance of passport, in addition to other
9 documents or papers which the DFA may require, such as a certification of no prior
10 registration or a certification of previous birth registration from the PSA.

11

12 (c) In the absence of a birth certificate or a foundling certificate, a baptismal certificate, or a
13 similar or equivalent certificate, attesting to the applicant's having been admitted to such
14 religion or religious denomination, group, or sect at an early age and indicating that the
15 applicant is a Filipino citizen, which shall be accompanied by a joint affidavit by two (2)
16 persons who have personal knowledge of the applicant as to credibly attest to the
17 applicant's date and place of birth, citizenship, and parents; *Provided*, that a Filipino
18 who does not belong to any religion or religious denomination, group, or sect and whose
19 parents for any reason failed to have the said applicant baptized or initiated shall be
20 exempted from the certificate requirement; *Provided*, further, that in lieu thereof, the
21 applicant shall execute an affidavit to that effect, corroborated by an affidavit of at least
22 two (2) persons of good reputation who personally know such fact.

23

24 (d) For a married woman who opts to adopt the surname of her husband, a copy of her
25 marriage contract from the LCR duly authenticated by the PSA; *Provided*, that a married
26 woman who was widowed or divorced in accordance with Article 26 of Executive Order
27 No. 209, otherwise known as the *Family Code of the Philippines*, as amended, or under
28 Presidential Decree No. 1083, otherwise known as the *Code of Muslim Personal Laws of*
29 *the Philippines*, or whose marriage was annulled or declared null and void by a court,
30 and who opts to revert to the use of her maiden name must present the death certificate

1 of her husband issued by the PSA or a CTC of the same issued by the LCR, duly
2 authenticated by the PSA, or a CTC of the divorce decree, decree of annulment, or
3 declaration absolute of duly registered at the PSA or with the LCR.

4

5 (e) For a naturalized citizen, a CTC of his or her naturalization certificate, or a CTC of the
6 naturalization certificate of his or her spouse or parent duly registered by the LCR and
7 authenticated by the PSA, if citizenship is claimed through naturalization of his or her
8 spouse or the parent.

9

10 (f) For a minor applicant, the application may be filed by either parent: *Provided*, That if a
11 person other than the minor's parents files the application, a Special Power of Attorney
12 (SPA) duly executed by either parent must be presented for this purpose: *Provided,*
13 *further*, That, in the case of an abandoned, neglected, dependent or surrendered child, a
14 certification declaring the child as legally available for adoption by the Department of
15 Social Welfare and Development (DSWD) and an affidavit of consent executed by the
16 legal guardian or the DSWD must be presented;

17

18 (g) The consent of the DSWD, if the applicant is a prospective adoptive child under Republic
19 Act No. 8552, otherwise known as the "Domestic Adoption Act of 1998".

20

21 If the applicant is a prospective adoptive child of a non-Filipino citizen, or a relative
22 within the fourth civil degree of consanguinity or affinity under Republic Act No. 8043,
23 otherwise known as the "Inter-Country Adoption Act of 1995", the following shall be
24 presented:

- 25 (1.) Authenticated birth certificated from the PSA or a foundling certificate from
26 DSWD;
- 27 (2.) Placement Authority issued by the Inter-Country Adoption Board (ICAB);
28 and
- 29 (3.) Certification issued by the DSWD;

1 (h) For an applicant who has reacquired Philippine citizenship under Republic Act No. 9225,
2 otherwise known as the “Citizenship Retention and Re-acquisition Act of 2003”, and
3 other existing laws, the following shall be presented:

- 4 (1.) Identification certificate issued by appropriate agencies; and
5 (2.) Such other documents as may be necessary or required for the issuance of
6 Philippine passport;

7 (i) In case of discrepancy, the applicant’s name in the birth certificate shall prevail over that
8 appearing in any other public or private document: *Provided, however,* That by
9 operation of law or through court order, the applicant is permitted to use a name other
10 than what is officially recorded in the PSA or the LCRO; and

11 (j) If the applicant is a government employee, the travel authority issued by the head of a
12 department, agency or office may be required only if the applicant is applying for an
13 official passport.

14

15 SEC. 7. Authority to Waive Passport Application Requirements. – The Secretary is granted
16 exclusive authority to waive any requirement under this Act for the issuance of a passport.

17

18 SEC. 8. Application. – A person applying for a passport, either for the first time or for the
19 renewal of a previously issued passport, may be required to appear in person for a photograph
20 and data capturing. The parent or legal guardian may assist an applicant who is a minor. An
21 applicant who is illiterate, physically disabled, or is a senior citizen may be assisted by a relative
22 within the fourth civil degree of consanguinity or affinity or by anyone belonging to the same
23 household as the applicant. The DFA shall provide for a special procedure to facilitate the
24 passport application of persons who are illiterate or physically disabled and senior citizens.

25

26 An applicant may also be assisted by any licensed travel or recruitment agency duly accredited
27 by the DFA. In the case of a passport application filed by a travel agency, recruitment agency, or
28 passport-related service provider duly accredited by the DFA, the agent concerned shall be
29 responsible for the authenticity of the supporting documents and papers secured and presented by
30 such agent to meet the requirements for the application of passports.

1

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

4

5 SEC. 9. Types of Passports. — The Secretary, his or her authorized representatives or
6 authorized consular officers, may issue the following types of passports:

7

10

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

13 (2) The Vice-President and former Vice-Presidents of the Philippines;

14

15 (3) The President of the Senate, the Speaker of the House of Representatives, and

16 former Presidents of the Senate and Speakers of the House of Representatives;

17
18 (4) Senators and Members of the House of Representatives:

(6) The Chief Justice and Associate Justices of the Supreme Court and the Presiding Justices of the Court of Appeals and the *Sandiganbayan*.

25
26 (7) The Secretary, Undersecretaries, and Assistant Secretaries of the DFA;

27
28 (8) Secretaries of the departments of the Executive Branch;

(9) 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;

(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 minor children of the abovementioned officials when accompanying or following to join them in an official mission abroad

13
14 The President of the Philippines or the Secretary may grant diplomatic passports to officials and
15 persons other than those enumerated herein who are on official mission abroad or are granted full
16 powers by the President

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

(1) Undersecretaries, Assistant Secretaries of the other departments of the Executive Branch, Associate Justices of the Court of Appeals and the *Sandiganbayan* and other members of the Judiciary, Deputy Secretaries of the Senate and Deputy Secretaries-General of the House of Representatives, and all other government officials and employees travelling on official time:

(2) Staff officers and employees of the DFA assigned to diplomatic and consular posts and officers and representatives of other government departments and agencies assigned abroad:

1
2 (3) Persons in the domestic service and household members of officials assigned to
3 diplomatic or consular posts not exceeding two (2); *Provided*, that any increase in
4 the number of domestic service and household members of such officials shall be
5 approved by the Secretary; and

6
7 (4) Spouses and minor children of, including unmarried adult children who are
8 dependent on, staff officers and employees of the DFA assigned to diplomatic or
9 consular posts and offices and representatives of other government agencies
10 assigned abroad, when accompanying or following to join them.

11
12 (c) Regular Passports – issued to Filipino citizens not eligible or entitled to diplomatic or
13 official passports, including government officials or employees travelling abroad for
14 personal reasons. Government officials and employees and members of their families
15 may, during their incumbency, hold two (2) passports simultaneously: (1) a regular
16 passport for private travel and (2) a diplomatic or official passport when travelling
17 abroad on diplomatic or official business. The spouse and minor children of persons
18 entitled to diplomatic or official passports shall be issued regular passports if they are not
19 accompanying or following to join them abroad.

20
21 SEC. 10. Grounds for Denial of a Passport Application. – An application for the issuance of a
22 passport may be denied on any of the following grounds:

23
24 (a) Failure of the applicant to comply with the requirements of this Act.

25
26 (b) The issuance by a court of warrant of arrest against the applicant or an order to
27 prohibit the applicant's departure from the Philippines in connection with a pending
28 criminal action.

1 (c) The applicant has been convicted of a crime by final judgment; *Provided*, that, upon
2 release on account of service of sentence or grant of pardon, one who has been
3 previously convicted may apply for a passport.

4
5 (d) There are reasonable grounds to believe that the applicant intends to travel abroad to
6 commit, plan, prepare, or participate in a terrorist act or to be trained to commit, plan,
7 prepare, or participate in a terrorist act.

8
9 (e) Upon the request of the parent or guardian exercising parental authority over the
10 minor applying for the issuance of a passport; *Provided*, that a court order to withhold
11 the issuance of a passport or to prevent the departure of the minor child shall be
12 required if both parents exercise parental authority and they disagree on the issuance
13 of a passport or travel abroad of their minor child.

14
15 SEC. 11. Grounds for Revocation of a Passport. – An existing passport may be revoked on
16 any of the following grounds:

17
18 (a) The passport was obtained in violation of the provisions of this Act.

19
20 (b) The issuance by a court of an order to revoke the passport in connection with a
21 pending criminal action.

22
23 (c) The passport holder has been convicted of a crime by final judgment; *Provided*, that,
24 upon release on account of service of sentence or grant of pardon, one who has been
25 previously convicted may apply for a passport.

26
27 (d) There are reasonable grounds to believe that the passport holder intends to travel
28 abroad or is travelling abroad to commit, plan, prepare, or participate in a terrorist act
29 or to be trained to commit, plan, prepare, or participate in a terrorist act.

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

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

SEC. 12. DFA Passport Review Committee. – The DFA, *motu proprio* or upon receipt of any classified complaint that may entail the denial of a passport application or the revocation of a passport, shall summon the applicant or passport holder, inform him or her of the possible denial or revocation or of the complaint, and furnish him or her the derogatory information against him or her or a copy of complaint, as the case may be. The applicant or passport holder shall be given fifteen (15) days from receipt of the derogatory information or the complaint to submit a reply with such evidence to dispute the derogatory information or complaint. Failure of the applicant or passport holder to appear, for no justifiable reason, after being properly summoned or to submit a reply within the period given shall constitute a waiver of his or her right to be heard and dispute the derogatory information or complaint against him or her.

The DFA Passport Review Committee (DPRC), under the Office of the Secretary, is hereby created for the purpose of carrying out this Section. The DPRC shall likewise review the status of passports of Filipinos overseas who are investigated for alleged offenses against fellow Filipinos.

The Secretary shall issue the rules and regulations on the establishment, composition, functions, procedures, and other operational matters of the DPRC in accordance with this Act.

SEC. 13. Appeal. – The denial of a passport application or the revocation of a passport

may be appealed to the Secretary, whose decision may be reviewed by the appropriate court.

1 SEC. 14. Validity. – Regular passports issued under this Act shall be valid for a period
2 ten (10) years; *Provided*, that regular passports issued to minors shall be valid for a period of five
3 (5) years only.

4

5 SEC. 15. Ownership of Passports. – A passport remains at all times the property of the
6 Philippine Government, the passport holder being a mere possessor thereof for the duration of
7 the passport's validity and the same may not be surrendered to any entity or person other than the
8 Philippine Government or its duly authorized representative; *Provided*, that a passport may be
9 voluntarily surrendered to any Post for storage and safekeeping, for which a proper receipt shall
10 be issued for presentation when reclaiming the passport.

11

12 SEC. 16. Names and Titles. – Passports shall contain the full name of the applicant, but
13 shall not include any title, profession, or job description.

14

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

18

19 SEC. 18. Travel Documents. – A Travel Document, in lieu of a passport, may be issued
20 to the following:

21

22 (a) A Filipino citizen returning to the Philippines who for one reason or another has lost the
23 passport issued to him or her or cannot be issued a regular passport.

24

25 (b) A Filipino citizen who has lost passport issued to him or her while in transit to another
26 country.

27

28 (c) A Filipino citizen being repatriated to the Philippines.

(d) The alien spouse of a Filipino citizen and their children who are not Filipino citizens and who are travelling to the Philippines or are permanent residents of the Philippines.

(e) A stateless person or refugee who is granted such status in the Philippines.

SEC. 19. Loss or Destruction of a Passport. – The loss or destruction of a passport shall immediately be reported to the DFA or a Post. The holder of such passport shall submit an affidavit stating in detail the circumstances of such loss or destruction.

10 The DFA shall then furnish the National Bureau of Investigation (NBI) and the Bureau of
11 Immigration (BI) copies of such affidavit. For loss or destruction of a passport reported at a Post,
12 the Post shall forward copies of the affidavit to the Office of Consular Affairs of the DFA, which
13 shall, in coordination with the Office of Legal Affairs of the DFA, transmit copies of the
14 affidavit to the NBI and the BI. The transmittal of the affidavit shall be accompanied by a request
15 for the confiscation of the lost passport if found, and to investigate or, if necessary, detain the
16 person attempting to use or has used the lost passport. All Posts shall be informed of lost
17 passports, including pertinent information on such passports and the circumstances of their loss.

19 No new passport shall be issued until satisfactory proof is shown that the passport was actually
20 lost and after the lapse of fifteen (15) days following the date of submission of the affidavit of
21 loss as herein required; *Provided*, however, that in the case of a passport reported lost by a
22 Filipino citizen travelling abroad, the Post may waive the 15-day requirement if the loss has been
23 proven to the satisfaction of the consular officer; *Provided*, further, that in case the Filipino
24 citizen who reported the loss is returning to the Philippines, the holder may be issued a Travel
25 Document. In all cases, the head of the Office of Consular Affairs of the DFA or the head of the
26 Consular Section or the Consul-General of a Post may waive the 15-day period.

28 SEC. 20. Fees. – Reasonable fees, as may be determined by the Secretary, shall be
29 charged and collected for the processing, issuance, replacement, or amendment of a passport or
30 Travel Document.

1
2 SEC. 21. Passport Revolving Fund. – The DFA may charge a service fee of not more
3 than Five Hundred Pesos (P500.00) for service rendered to applicants relating to the processing
4 and issuance of passports requiring special considerations, waivers, or work beyond regular
5 office hours. The service fees received by the DFA under this Section shall constitute a revolving
6 fund to be called the Passport Revolving Fund, which may be utilized by the DFA for the
7 improvement of its passport processing, consular, and other services, except for travel and
8 transportation allowances and expenses.

9
10 The use and disbursement of the Passport Revolving Fund shall be subject to audit by the
11 Commission on Audit. The Secretary shall submit a report on the collection and use of the
12 Passport Revolving Fund to the Senate and the House of Representatives annually.

13
14 SEC. 22. Offenses and Penalties. – A passport, being a proclamation of the citizenship of a
15 Filipino, is superior to all other official documents and as such, shall be accorded the highest
16 respect by its holder. Any act prejudicial to the integrity of a passport is a grave crime against the
17 security of the State and shall be penalized accordingly:

18
19 (a) Offenses Relating to the Issuance of Passports or Travel Documents. – Any person who:

- 20
21 1. Acting, or claiming to act, in any capacity or office under the Republic of the
22 Philippines without lawful authority, accepts passport applications, grants, issues,
23 or verifies any passport or Travel Document to any or for any person
24 whomsoever, or is caught selling in whatever capacity passport application forms
25 or lost or stolen passports and Travel Documents shall be punished by a fine of
26 not less than Fifteen Thousand Pesos (P15,000.00) but not more than Sixty
27 Thousand Pesos (P60,000.00) and imprisonment of not less than six (6) years and
28 one (1) day but not more than twelve (12) years.

- 1 2. Being a diplomatic or consular officer authorized to grant, issue, or verify
2 passports, knowingly and willfully grants, issues, or verifies any such passport to
3 any or for any person not owing allegiance to the Republic of the Philippines,
4 whether citizen or not, shall be punished by a fine of not less than Fifteen
5 Thousand Pesos (P15,000.00) but not more than Sixty Thousand Pesos
6 (P60,000.00) and imprisonment of not less than six (6) years and one (1) day but
7 not more than twelve (12) years and, upon conviction, be perpetually disqualified
8 from holding public office.
- 9
- 10 3. Being a diplomatic or consular officer, knowingly and willfully grants and issues
11 to or certifies to the authenticity of any passport or Travel Document for any
12 person not entitled thereto, or knowingly and willfully issues more than one (1)
13 passport to any person, except as provided for in this Act, shall be punished by a
14 fine of not less than Fifteen Thousand Pesos (P15,000.00) but not more than Sixty
15 Thousand Pesos (P60,000.00) and imprisonment of not less than six (6) years and
16 one (1) day but not more than twelve (12) years and, upon conviction, be
17 disqualified perpetually from holding public office.
- 18
- 19 4. Acting or claiming to act in any capacity, with the intention to profit thereby,
20 intercepts a person proceeding to the DFA or any of its consular offices to apply
21 for a passport, and persuades, entices, encourages, or misleads such applicant to
22 course the application through another person or agency other than the DFA or its
23 personnel on the pretext of facilitating its approval or issuance by the DFA shall
24 be punished by imprisonment of not less than eighteen (18) months but not more
25 than six (6) years.

26

27

28 (b.) Offenses Relating to False Statements in Passports. – Any person who willfully and
29 knowingly:

- 1 1. Makes any false statement in a passport application with the intent to induce or
2 secure the issuance of a passport under the authority of the Philippine
3 Government, for any purpose, contrary to this Act or rules and regulations
4 prescribed pursuant hereto shall be punished by a fine of not less than Fifteen
5 Thousand Pesos (P15,000.00) but not more than Sixty Thousand Pesos
6 (P60,000.00) and imprisonment of not less than six (6) years and one (1) day but
7 not more than twelve (12) years.
- 8 2. Uses or attempts to use a passport secured in any way by reason of any false
9 statement shall be punished by a fine of not less than Fifteen Thousand Pesos
10 (Php15,000.00) but not more than Sixty Thousand Pesos (P60,000.00) and
11 imprisonment of not less than six (6) years and one (1) day but not more than
12 twelve (12) years.

13

14 In addition to the abovementioned penalties, travel and recruitment agencies and passport-related
15 service providers, agents, liaison officers, or representatives convicted of Offenses Relating to
16 False Statements in Passports shall have their licenses revoked with all deposits, escrow
17 accounts, or guarantee funds deposited or made as requirement of their business forfeited in
18 favor of the government. The owner, proprietor, or officer of the travel or recruitment agency
19 convicted for false statements shall be barred from engaging in the travel or recruitment agency
20 business.

21

22 (c.) Offenses Relating to Forgery. – Any person who:

23

24 1. Falsely makes, forges, counterfeits, mutilates, or alters any passport or Travel Document
25 or DFA stamp, or any supporting document for a passport application, with the intent of
26 using the same, shall be punished by a fine of not less than Seventy-Five Thousand Pesos
27 (P75,000.00) but not more than One Hundred Fifty Thousand Pesos (P150,000.00) and
28 imprisonment of not less than six (6) years but not more than fifteen (15) years. The
29 possession of the documents herein mentioned shall be *prima facie* evidence of
30 commission of the acts enumerated herein and the intent to use the same.

1
2 2. Willfully and knowingly uses or attempts to use, or furnishes to another for use, any such
3 false, forged, counterfeited, mutilated, or altered passport or Travel Document or any
4 passport validly issued which has became void by the occurrence of any condition herein
5 prescribed shall be punished by a fine of not less than Sixty Thousand Pesos (P60,000.00)
6 but not more than One Hundred Fifty Thousand pesos (P150,000.00) and imprisonment
7 of not less than six (6) years but not more than fifteen (15) years.

8
9 The directors and officers of corporations, entities, or agencies licensed and engaged in the travel
10 and recruitment business shall be held similarly liable as their agents, liaison officers, or
11 representatives. Forgeries of five (5) or more passports or Travel Documents shall be considered
12 a massive forgery tantamount to a sabotage against the security of the State and shall be punished
13 by a fine of not less than Two Hundred Fifty Thousand Pesos (P250,000.00) but not more than
14 One Million Pesos (P1,000,000.00) and imprisonment of not less than seven (7) years but not
15 more than seventeen (17) years.

16
17 (d.) Offenses Relating to Improper Use of Passports and Travel Documents. – A fine of not
18 less than Sixty Thousand Pesos (P60,000.00) but not more than One Hundred Fifty
19 Thousand Pesos (P150,000.00) and imprisonment of not less than six (6) years but not
20 more than fifteen (15) years shall be imposed upon any person who willfully and
21 knowingly:

- 22
23 1. Uses or attempts to use any passport or Travel Document issued or designed for the
24 use of another or any supporting document for a passport or Travel Document
25 application that belongs to another.
26
27 2. Uses or attempts to use any passport, Travel Document, or supporting document in
28 violation of the conditions or restrictions therein contained, or of the rules prescribed
29 pursuant thereto.

1 3. Furnishes, disposes, or delivers a passport or Travel Document to any person other
2 than to that in whose name and for whose use it was issued, except when the
3 applicant is a minor, a senior citizen, or is physically or mentally incapacitated and
4 the passport or Travel Document is released to his or her parent, guardian, or
5 immediate relative; *Provided*, that in case of an emergency and for humanitarian
6 considerations, at the discretion of the head of the Office of Consular Affairs of the
7 DFA or the head of the Consular Section or the Consul-General of a Post, the
8 passport may be released to a third party upon the submission of a written
9 authorization from the applicant.

10
11 4. Defaces or destroys a passport or Travel Document.

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

22
23 (f.) Offenses Relating to Forgery of Visas and Entry Documents. – A fine of not less than
24 Fifteen Thousand Pesos (P15,000.00) but not more than Sixty Thousand Pesos
25 (P60,000.00) and imprisonment of not less than three (3) years but not more than ten (10)
26 years shall be imposed upon any person who:

27
28 1. Knowingly forges, counterfeits, alters, or falsely makes any immigrant or non-
29 immigrant visa, permit, border-crossing card, alien registration card, or other document

1 prescribed by statute or regulation for entry into or as evidence of authorized stay or
2 employment in the Philippines or elsewhere with the intent of using the same.

3

4 2. Knowingly uses, attempts to use, possesses, obtains, accepts, or receives any such visa,
5 permit, border-crossing card, alien registration card, or other document prescribed by
6 statute or regulation for entry into or as evidence of authorized stay or employment in the
7 Philippines or elsewhere, knowing it to be forged, counterfeited, altered, or falsely made,
8 or to have been procured by means of any false claim or statement, or to have been
9 otherwise procured by fraud or unlawfully obtained; *Provided*, that the use of forged,
10 counterfeited, altered, or falsely made visa, permit, border-crossing card, alien
11 registration card, or other entry document shall be *prima facie* evidence of knowledge of
12 its forgery, counterfeiting, alteration, or falseness.

13

14 3. Knowingly possesses any blank permit or engraves, sells, brings into the Philippines, or
15 has the control or possession of any plate in the likeness of a plate designed for the
16 printing of permits, or makes any print, photograph, or impression in the likeness of any
17 immigrant or non-immigrant visa, permit, or other document required for entry into the
18 Philippines or elsewhere, or has the possession of the distinctive paper which has been
19 adopted by the DFA for the printing of such visas, permits, or other documents;
20 *Provided*, that the person who forges, counterfeits, alters, or falsely makes any
21 immigrant or non-immigrant visa, permit, border-crossing card, alien registration card, or
22 other entry document shall be punished by a fine of not less than Sixty Thousand
23 Pesos (P60,000.00) but not more than One Hundred Fifty Thousand Pesos (P150,000.00)
24 and imprisonment of not less than six (6) years but not more than fifteen (15) years for
25 each visa, permit, border-crossing card, alien registration card, or entry document.

26

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

1 SEC. 23. DFA Accreditation. – Travel or recruitment agencies and other passport-related
2 service providers are allowed the privilege to transact business with the DFA on the basis of trust
3 and confidence. For the exercise of this privilege, the passport service providers shall secure an
4 accreditation from the DFA.

5

6 Any travel or recruitment agency and other passport-related service provider that violate any
7 provision of this Act shall have its accreditation suspended or revoked in accordance with the
8 schedule of administrative penalties to be promulgated by the Secretary. Any such suspension or
9 revocation of accreditation shall be without prejudice to civil or criminal sanctions against the
10 agency or service provider and its responsible directors, officers, employees, and agents.

11

12 The submission of spurious, forged, or falsified documents supporting a passport or Travel
13 Document application by an accredited travel or recruitment agency or other passport-related
14 service provider shall be *prima facie* evidence that the said agency or service provider is the
15 author of such forgery or falsification; *Provided*, that the spurious, forged, or falsified document
16 submitted was secured by the agency or service provider on behalf of its client.

17

18 SEC. 24. Implementing Rules and Regulations. – The Secretary shall issue the rules and
19 regulations to effectively implement the provisions of and carry put the policy set forth in this
20 Act within sixty (60) days from the effectivity of this Act.

21

22 SEC. 25. Repealing Clause. – Republic Act No. 8239, otherwise known as the *Philippine*
23 *Passport Act of 1996*, is hereby repealed. All other laws, decrees, orders, rules and regulations,
24 and other issuances or parts thereof that are inconsistent with the provisions of this Act are

1 SEC. 27. Effectivity. – This Act shall take effect fifteen (15) days after its publication in
2 the Official Gazette or in a newspaper of general circulation.

3

4 Approved,