



HOUSE OF REPRESENTATIVES

H. No. 4006

BY REPRESENTATIVES BICHARA, BATOCABE, CO, REVILLA, DEL ROSARIO
(A.G.), YAP (S.), SEÑERES, DALOG, QUISUMBING, ARNAIZ, BATAOIL,
BELLO (W.), CORTUNA, PADILLA, VILLARICA AND BARZAGA, PER
COMMITTEE REPORT NO. 93

AN ACT PROVIDING FOR A NEW PASSPORT LAW, REPEALING
FOR THE PURPOSE REPUBLIC ACT NUMBERED EIGHT
THOUSAND TWO HUNDRED THIRTY-NINE (R.A. 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 "New Philippine
2 Passport Act".

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

1 travel documents shall be prescribed. Action on such application and the
2 issuance thereof shall be expedited.

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

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

6 (b) *Department of Foreign Affairs (DFA) Consular Offices* refer to
7 DFA offices located in regional hubs where consular services, including
8 passport and authentication services, and consular assistance are provided.
9 They shall also include offices in Metro Manila where consular services are
10 provided;

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

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

16 (e) *Supporting documents* refer to papers or documents which are
17 required to be submitted with the passport application supporting claims to
18 Filipino citizenship to complete the application for a passport without which
19 such application shall be deemed incomplete or otherwise become subject to
20 denial by the issuing authority; and

21 (f) *Travel Document* refers to a certification with the relevant personal
22 details of the bearer, which is issued in lieu of a passport, by the DFA or Post
23 based on grounds provided in Section 16 of this Act.

24 SEC. 4. *Authority to Issue, Deny or Cancel.* – The Secretary of
25 Foreign Affairs, hereinafter referred to as Secretary, or any duly authorized
26 consular officer assigned in the Philippines or at a Post may issue, deny or
27 cancel a passport in accordance with Sections 6, 8 and 9 of this Act. The
28 issuance of a passport may not be denied if the safety or welfare of a Filipino is

1 at stake, unless a Travel Document is sufficient for the repatriation or return
2 trip to the Philippines. The denial or cancellation of a passport is not a mode of
3 losing Philippine citizenship.

4 SEC. 5. *Cooperation with Local Government Units (LGUs).* – The
5 DFA shall issue rules and regulations on the guidelines and mechanisms of its
6 cooperation with LGUs on passport services.

7 SEC. 6. *Requirements for the Issuance of Passport.* – The Secretary
8 or a duly authorized representative shall issue a passport to an applicant who is
9 a Filipino citizen and has complied with the following requirements:

10 (a) A duly accomplished application form and photographs of such
11 number, size and style as may be prescribed by the DFA;

12 (b) The applicant's birth certificate or the foundling certificate in
13 security paper issued by the Philippine Statistics Authority (PSA) or a certified
14 true copy (CTC) of birth certificate issued by the Local Civil Registry Office
15 (LCRO) duly authenticated by the PSA: *Provided, That* if the birth of the
16 applicant has not been registered yet, or if such birth certificate is destroyed,
17 damaged, or not available due to other causes, the applicant shall apply for
18 delayed registration of birth with the LCRO where the applicant was born.
19 Upon compliance with the requirements for delayed registration of birth, the
20 LCRO shall issue to said applicant a certification of pending application for
21 delayed registration of birth attaching thereto a copy of an accomplished
22 certificate of live birth which is the subject of delayed registration. Such
23 certification and the accomplished certificate of live birth shall be sufficient to
24 support an application for passport in addition to other papers which the DFA
25 may require from the applicant such as certification of no prior registration or
26 certification of previous birth registration from the PSA;

27 (c) In the absence of a birth certificate or a foundling certificate, a
28 baptismal certificate issued by a Christian religious organization, or similar or

1 equivalent certificate issued by a non-Christian religious group, attesting to the
2 applicant's having been admitted to such religious group or sect at an early age
3 and where it is indicated that the applicant is a Filipino citizen, which shall be
4 accompanied by a joint affidavit by two (2) persons who have personal
5 knowledge of the applicant and of such age as to credibly state the applicant's
6 date and place of birth, citizenship and names of parents: *Provided*, That a
7 Filipino who does not belong to any religious group or sect and whose parents
8 for any reason failed to have the said applicant baptized shall be exempted
9 from the baptismal certificate requirement: *Provided, further*, That in lieu
10 thereof, the applicant shall execute an affidavit to that effect duly corroborated
11 by an affidavit of at least two (2) persons of good reputation who personally
12 know such fact;

13 (d) For a married woman who opts to adopt the surname of her
14 husband, a local civil registry copy of her marriage contract duly authenticated
15 by the PSA: *Provided*, That a married woman who was widowed or divorced
16 in accordance with Article 26 of Executive Order (EO) No. 209, otherwise
17 known as the "Family Code of the Philippines", as amended by EO No. 227, or
18 under Presidential Decree (PD) No. 1083, otherwise known as the "Code of
19 Muslim Personal Laws of the Philippines", or whose marriage was annulled or
20 declared by a court of law as void, and who opts to revert to the use of her
21 maiden name must present the death certificate of her spouse issued by the
22 PSA or a CTC of death certificate issued by the LCRO, duly authenticated by
23 the PSA or a CTC of the divorce decree, court decree of annulment or
24 declaration of nullity showing dissolution of marriage as recognized by
25 Philippine courts and duly registered at the PSA or the LCRO;

26 (e) For a naturalized citizen, a certified copy of the naturalization
27 certificate, or a certified naturalization certificate of spouse or parent duly

1 registered by the LCRO and authenticated by the PSA if citizenship is claimed
2 through naturalization of the spouse or the parent;

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

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

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

18 (1) Authenticated birth certificate from the PSA or a foundling
19 certificate from the DSWD;

20 (2) Placement Authority issued by the Inter-Country Adoption Board
21 (ICAB); and

22 (3) Certification issued by the DSWD;

23 (h) For an applicant who has reacquired Philippine citizenship under
24 Republic Act No. 9225, otherwise known as the "Citizenship Retention and
25 Re-acquisition Act of 2003", and other existing laws, the following shall be
26 presented:

27 (1) Identification certificate issued by appropriate agencies; and

1 (2) Such other documents as may be necessary or required for the
2 issuance of Philippine passport;

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

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

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

14 The parent or legal guardian may assist an applicant who is a minor.

15 An applicant who is illiterate, physically disabled or a senior citizen
16 may be assisted by a relative within the fourth civil degree of consanguinity or
17 affinity by anyone belonging to the same household.

18 The DFA shall provide a special procedure to facilitate the passport
19 application of illiterate, physically disabled and senior citizens.

20 An applicant may also be assisted by any licensed travel or recruitment
21 agency duly accredited by the DFA.

22 In the case of a passport application filed by a recruitment or travel
23 agency or passport-related service provider duly accredited by the DFA, the
24 agent shall be responsible for the authenticity of the supporting documents
25 secured and presented by the agent to meet the requirements for the application
26 of passports.

1 The DFA shall have the right to require alternative documents as may be
2 specified in the implementing rules and regulations (IRR) formulated to
3 enforce this law.

4 SEC. 8. *Types of Passports.* – The Secretary or the authorized
5 representative or consular officer may issue the following types of passports:

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

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

10 (2) The Vice President and former Vice Presidents of the Republic of
11 the Philippines;

12 (3) The Senate President, the Speaker of the House of Representatives,
13 and former Senate Presidents and Speakers of the House of Representatives of
14 the Congress of the Philippines;

15 (4) The Chief Justice, Associate Justices of the Supreme Court and the
16 presiding Justice of the Court of Appeals;

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

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

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

22 (8) The Ambassadors Extraordinary and Plenipotentiary of the
23 Republic of the Philippines;

24 (9) The Chiefs of Mission, Foreign Service Officers of all ranks in the
25 career diplomatic service, including designated Attachés from the DFA and
26 attached agencies of the government;

27 (10) The Governor of the Bangko Sentral ng Pilipinas;

1 (11) The official delegates to international or regional conferences
2 accorded full powers by the President; and

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

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

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

12 (1) The Undersecretaries, Assistant Secretaries of the Cabinet other
13 than the DFA, the Associate Justices of the Court of Appeals and other
14 members of the Judiciary, the Deputy Secretaries of the Senate and Deputy
15 Secretaries General of the House of Representatives, and all other government
16 officials and employees travelling on official time;

17 (2) Staff officers and employees of the DFA assigned to diplomatic and
18 consular posts, and officers and representatives of other government
19 departments and agencies assigned abroad;

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

24 (4) Spouse and minor children, including unmarried children who are
25 not minors but dependent on the staff officers and employees of the DFA
26 assigned to diplomatic or consular posts and offices, and representatives of
27 other government agencies assigned abroad, when accompanying or following
28 to join them; and

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

11 SEC. 9. *Grounds for Denial of Issuance of Passport or Cancellation of*
12 *Passport.* – The application for a passport may be denied or an existing
13 passport may be cancelled on the following grounds only:

14 (a) Denial

15 (1) Failure to comply with the requirements in accordance with Section
16 6 or violation of the provisions of this Act;

17 (2) Court order to arrest or hold the departure of the passport applicant
18 in connection with a pending criminal case;

19 (3) Court order declaring the passport applicant as a fugitive from
20 justice;

21 (4) Final court decision convicting the passport applicant of a crime:
22 *Provided, That* the convict, upon release on account of completion of sentence
23 or grant of amnesty, pardon or probation, may apply for a passport; and

24 (5) Request of the parent exercising parental authority or the legal
25 guardian of a minor child: *Provided, That* a court order to withhold the
26 issuance of a passport or to hold the departure of the minor child shall be
27 required if both parents exercise parental authority and they disagree on the
28 issuance of a passport or travel abroad of their minor child; and

1 (b) Cancellation

2 (1) If the passport was obtained in violation of the provisions of this
3 Act;

4 (2) Court order to arrest or hold the departure of the passport holder in
5 connection with a pending criminal case;

6 (3) Court order declaring the passport holder as a fugitive from justice;

7 (4) Final court decision convicting the passport holder of a crime:
8 *Provided*, That the convict, upon release on account of completion of sentence
9 or grant of amnesty, pardon or probation, may apply for a passport;

10 (5) Request of the parent exercising parental authority or the legal
11 guardian of a minor child: *Provided*, That a court order to cancel the passport
12 or to hold the departure of the minor child shall be required if both parents
13 exercise parental authority and they disagree on the travel abroad of their
14 minor child; and

15 (6) Such other disqualifications as provided under Philippine law and
16 jurisprudence.

17 SEC. 10. *DFA Passport Review Committee (DPRC)*. – The DFA
18 *motu proprio* or upon receipt of any verified complaint that necessitates
19 cancellation or denial of passport shall summon the passport holder who shall
20 be given fifteen (15) working days upon receipt of the complaint to reply and
21 submit such proof to contravene the complaint.

22 A *DFA Passport Review Committee (DPRC)* under the Office of the
23 Secretary is hereby created for this purpose.

24 The *DPRC* shall also review the status of passports of Filipinos overseas
25 who are being investigated for alleged offenses against Filipinos.

26 The DFA shall issue the rules and regulations on the establishment,
27 composition, functions, procedures and other related details of the *DPRC* in
28 accordance with this Act.

1 SEC. 11. *Appeal.* – Any person who was aggrieved as a result of the
2 application of this Act or of the IRR issued by the Secretary shall have the
3 right to appeal to the Secretary whose decision may be reviewed by the
4 appropriate court.

5 SEC. 12. *Validity.* – Regular passports issued under this Act shall be
6 valid for a period of five (5) or ten (10) years.

7 The passport applicant shall have the option to apply for a five (5)-year
8 or a ten (10)-year passport: *Provided,* That minor applicants shall be issued
9 passports valid only for five (5) years.

10 SEC. 13. *Ownership of Passports.* – A Philippine passport remains at
11 all times the property of the government, the holder being a mere possessor
12 thereof as long as it is valid and the same may not be surrendered to any person
13 or entity other than the government or its representative: *Provided,* That the
14 passport of any Filipino citizen may be voluntarily surrendered to any Post for
15 storage and safekeeping for which a proper receipt shall be issued for
16 presentation when reclaiming the passport at a later date.

17 SEC. 14. *Names and Titles.* – The passport shall contain the full name
18 of the applicant, but shall not include any title, profession or job description.

19 SEC. 15. *Markings and Stamps.* – All passports issued by the DFA
20 shall not contain any marking, annotation or stamp pertaining to travel
21 restrictions. Limitation of travel shall be administered through travel advisories
22 or other means which do not necessitate marking or stamping of passports.

23 SEC. 16. *Travel Documents.* – A Travel Document, in lieu of a
24 passport, may be issued to:

25 (a) A Filipino citizen returning to the Philippines who for one reason or
26 another has lost a passport or cannot be issued a regular passport;

27 (b) A Filipino citizen who has lost a passport while in transit to another
28 country;

1 (c) A Filipino citizen being repatriated to the Philippines;

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

5 (e) Filipino citizens performing *Umrah* and *Hajj*; and

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

8 SEC. 17. *Loss or Destruction.* – The loss or destruction of a passport
9 shall be immediately reported to the DFA or Post. The holder of such passport
10 shall submit to the DFA or Post an affidavit stating in detail the circumstances
11 of such loss or destruction. The DFA shall then furnish the National Bureau of
12 Investigation (NBI) and the Bureau of Immigration (BI) copies of the affidavit.

13 For those who are abroad, copies of the affidavit shall be forwarded by
14 the Post to the DFA Office of Consular Affairs, and which shall, in
15 coordination with the Office of Legal Affairs, transmit a copy of the affidavit
16 to the NBI and the BI. The transmittal of the affidavit shall be accompanied by
17 a request for the confiscation of the lost passport if found, and to investigate or,
18 if necessary, detain the person attempting to use or has used the passport. All
19 Posts shall be informed of the lost passport, including pertinent information on
20 the passport and the circumstances of loss.

21 No new passport shall be issued until satisfactory proof is shown that
22 the passport was actually lost and after the lapse of fifteen (15) days following
23 the date of submission of the affidavit of loss as herein required: *Provided,*
24 *however,* That in the case of a passport reported lost by a Filipino travelling
25 abroad, the Post may waive the fifteen (15)-day requirement if the loss has
26 been proven to the satisfaction of the consular officer: *Provided, further,* That
27 in case the Filipino who reported a loss of passport is returning to the
28 Philippines, the holder may be issued a Travel Document.

1 In all cases, the fifteen (15)-day rule may be waived at the discretion of
2 the head of the Office of Consular Affairs or the head of the Consular Section
3 or the Consul General of a Post.

4 SEC. 18. *Fees.* – Reasonable fees shall be collected for the processing,
5 issuance, or amendment of an existing passport or replacement of a lost
6 passport and the issuance of a Travel Document as may be determined by the
7 DFA. The DFA shall prescribe the necessary fees for passports with five
8 (5)-year and ten (10)-year validities.

9 SEC. 19. *Passport Revolving Fund.* – The DFA may charge a service
10 fee of not more than Two hundred fifty pesos (Php250.00) for such service
11 rendered to applicants relating to the processing and issuance of passports
12 requiring special consideration, waiver or issuance beyond regular office
13 hours. The service fees received by the DFA under this section shall constitute
14 a revolving fund to be called the “Passport Revolving Fund” which may be
15 utilized by the DFA for the improvement of its passport issuance, consular and
16 other services except travel and transportation allowances and expenses.

17 The establishment, use and disbursement of the revolving fund shall be
18 subject to the review by the Commission on Audit and according to accounting
19 and auditing rules and regulations, and shall be subject to an annual review by
20 Congress. The Secretary shall submit a report on the disbursement of the fund
21 every six (6) months to both the Senate Committee on Foreign Relations and
22 the House Committee on Foreign Affairs.

23 SEC. 20. *Waiver.* – The Secretary is solely authorized to waive any
24 requirement set forth in Section 6 of this Act.

25 SEC. 21. *Offenses and Penalties.* – A passport, being a proclamation
26 of the citizenship of a Filipino, is superior to all other official documents and
27 as such, shall be accorded the highest respect by its holder. Any act prejudicial

1 to its integrity is a grave crime against the security of the State and shall be
2 penalized accordingly:

3 (a) Offenses Relating to Issuance; Penalties. – Any person who:

4 (1) Acting or claiming to act in any capacity or office under the
5 Republic of the Philippines without lawful authority, accepts passport
6 applications, grants, issues or verifies any passport or Travel Document to any
7 or for any person whomsoever, or is caught selling in whatever capacity
8 passport application forms, or lost or stolen passports and travel documents
9 shall be punished by a fine of not less than Fifteen thousand pesos
10 (Php15,000.00) but not more than Sixty thousand pesos (Php60,000.00) and
11 imprisonment of not less than six (6) years and one (1) day but not more than
12 twelve (12) years; or

13 (2) Being a diplomatic or consular official authorized to grant, issue, or
14 verify passports, knowingly and willfully grants, issues, or verifies any such
15 passport to any or for any person not owing allegiance to the Republic of the
16 Philippines, whether citizen or not, shall be punished by a fine of not less than
17 Fifteen thousand pesos (Php15,000.00) but not more than Sixty thousand pesos
18 (Php60,000.00) and imprisonment of not less than six (6) years and one (1) day
19 but not more than twelve (12) years and, upon conviction, be perpetually
20 disqualified from holding public office; or

21 (3) Being a diplomatic or consular officer, knowingly and willfully
22 grants and issues to, certifies to the authenticity of any passport or Travel
23 Document for any person not entitled thereto, or knowingly and willfully issues
24 more than one (1) passport to any person except as provided for in this Act
25 shall be punished by a fine of not less than Fifteen thousand pesos
26 (Php15,000.00) but not more than Sixty thousand pesos (Php60,000.00) and
27 imprisonment of not less than six (6) years and one (1) day but not more than

1 twelve (12) years and, upon conviction, be disqualified perpetually from
2 holding public office; or

3 (4) Acting or claiming to act in any capacity, with the intention to profit
4 thereby, intercepts a person proceeding to the DFA or any of its consular
5 offices to apply for a passport, and persuades, entices, encourages or misleads
6 such applicant to course the application through another person or agency
7 other than the DFA or its personnel on the pretext of facilitating its approval or
8 issuance by the DFA shall be punished by imprisonment of not less than
9 eighteen (18) months but not more than six (6) years;

10 (b) Offenses Relating to False Statements; Penalties. – Any person
11 who 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
16 than Fifteen thousand pesos (Php15,000.00) but not more than Sixty thousand
17 pesos (Php60,000.00) and imprisonment of not less than six (6) years and one
18 (1) day but not more than twelve (12) years; or

19 (2) Uses or attempts to use any passport which was secured in any way
20 by reason of any false statement shall be punished by a fine of not less than
21 Fifteen thousand pesos (Php15,000.00) but not more than Sixty thousand pesos
22 (Php60,000.00) and imprisonment of not less than six (6) years and one (1) day
23 but not more than twelve (12) years; or

24 (3) In addition to the abovementioned fines and penalties, travel and
25 recruitment agencies and passport-related service providers, agents, liaison
26 officers or representatives convicted of offenses relating to false statements
27 shall have their license revoked with all deposits, escrow accounts or guarantee
28 funds deposited or made as requirement of their business forfeited in favor of

1 the government. An officer of the travel or recruitment agency convicted for
2 false statements shall be barred from engaging in the travel or recruitment
3 agency business;

4 (c) Offenses Relating to Forgery; Penalties. – Any person who:

5 (1) Falsely makes, forges, counterfeits, mutilates or alters any passport
6 or Travel Document or DFA stamps, or any supporting document for a
7 passport application, with the intent of using the same, shall be punished by a
8 fine of not less than Seventy-five thousand pesos (Php75,000.00) but not more
9 than One hundred fifty thousand pesos (Php150,000.00) and imprisonment of
10 not less than six (6) years but not more than fifteen (15) years. The possession
11 of the documents herein mentioned shall be *prima facie* evidence of
12 commission of the acts enumerated herein and the intent to use the same; or

13 (2) Willfully or knowingly uses or attempts to use, or furnishes to
14 another for use any such false, forged, counterfeited, mutilated or altered
15 passport or Travel Document or any passport validly issued which has become
16 void by the occurrence of any condition herein prescribed shall be punished by
17 a fine of not less than Sixty thousand pesos (Php60,000.00) but not more than
18 One hundred fifty thousand pesos (Php150,000.00) and imprisonment of not
19 less than six (6) years but not more than fifteen (15) years. The officers of
20 corporations, agencies or entities licensed in the travel and recruitment industry
21 shall be held similarly liable as their agents, liaison officers or representatives.
22 Forgeries of five (5) or more passports or travel documents shall be considered
23 as massive forgery tantamount to national sabotage and shall be punished by a
24 fine of not less than Two hundred fifty thousand pesos (Php250,000.00) but
25 not more than One million pesos (Php1,000,000.00) and imprisonment of not
26 less than seven (7) years but not more than seventeen (17) years;

27 (d) Offenses Relating to Improper Use; Penalties. – A fine of not less
28 than Sixty thousand pesos (Php60,000.00) but not more than One hundred fifty

1 thousand pesos (Php150,000.00) and imprisonment of not less than six (6)
2 years but not more than fifteen (15) years shall be imposed upon any person
3 who willfully and knowingly:

4 (1) Uses or attempts to use any passport issued or designed for the use
5 of another or any supporting document for a passport application which
6 belongs to another; or

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

10 (3) Furnishes, disposes or delivers a passport to any person other than
11 to that in whose name and for whose use it was issued, except when the
12 applicant is a minor, a senior citizen or physically or mentally incapacitated
13 and the passport is released to the parent, guardian or immediate relative:
14 *Provided*, That in case of an emergency and for humanitarian reasons, at the
15 discretion of the head of the Office of Consular Affairs or the head of the
16 Consular Section or the Consul General of a Post, the passport may be released
17 to a third party upon the submission of a written authorization from the
18 applicant; or

19 (4) Defaces or destroys a Philippine passport;

20 (e) Offenses Relating to Multiple Possession; Penalties. – No person
21 or individual may hold more than one (1) valid passport, except as provided
22 for in Section 8 hereof, and any individual who possesses more than one (1)
23 unexpired passport shall, for every unexpired passport found in his possession,
24 be punished by a fine of not less than Fifteen thousand pesos (Php15,000.00)
25 but not more than Sixty thousand pesos (Php60,000.00) and imprisonment of
26 not less than six (6) years and one (1) day but not more than twelve (12) years:
27 *Provided*, That the maximum fine and imprisonment shall be imposed by the

1 court for any attempt to use or the actual use of an unexpired passport which is
2 not in the name of the user.

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

6 (f) Offenses Relating to Forgery of Visas and Entry Documents;
7 Penalties. – A fine of not less than Fifteen thousand pesos (Php15,000.00) but
8 not more than Sixty thousand pesos (Php60,000.00) and imprisonment of not
9 less than three (3) years but not more than ten (10) years shall be imposed upon
10 any person who:

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

16 (2) Knowingly uses, attempts to use, possesses, obtains, accepts or
17 receives any such visa, permit, border crossing card, alien registration card or
18 other document prescribed by statute or regulation for entry into or as evidence
19 of authorized stay or employment in the Philippines or elsewhere, knowing it
20 to be forged, counterfeited, altered or falsely made, or to have been procured
21 by means of any false claim or statement, or to have been otherwise procured
22 by fraud or unlawfully obtained: *Provided*, That the use of forged,
23 counterfeited, altered or falsely made visa, permit, border crossing card, alien
24 registration card or other entry document shall be *prima facie* evidence of
25 knowledge; or

26 (3) Knowingly possesses any blank permit or engraves, sells, brings
27 into the Philippines, or has the control or possession in any plate in the likeness
28 of a plate designed for the printing of permits, or makes any print, photograph

1 or impression in the likeness of any immigrant or nonimmigrant visa, permit or
2 other document required for entry into the Philippines or elsewhere, or has the
3 possession of a distinctive paper which has been adopted by the DFA for the
4 printing of such visas, permits or other documents: *Provided*, That the person
5 who forges, counterfeits, alters or falsely makes any immigrant or
6 nonimmigrant visa, permit, border crossing card, alien registration card or
7 other entry document shall be punished by a fine of not less than Sixty
8 thousand pesos (Php60,000.00) but not more than One hundred fifty thousand
9 pesos (Php150,000.00) and imprisonment of not less than six (6) years but not
10 more than fifteen (15) years for each visa or entry document.

11 The fines and penalties provided for under this section shall be imposed
12 in their maximum when said acts are committed by a syndicate or in large scale
13 operation. Any unlawful act under this section is committed by a syndicate if
14 carried out by a group of three (3) or more persons conspiring and
15 confederating with one another. Such acts are committed in large scale if
16 committed against three (3) or more persons individually or as a group.

17 *SEC. 22. Suspension or Revocation of Accreditation.* – Travel or
18 recruitment agencies and other passport-related service providers are allowed
19 the privilege to transact business with the DFA on the basis of trust and
20 confidence. For the exercise of this privilege, the passport service providers
21 shall be required to secure accreditation from the DFA.

22 Any travel or recruitment agency and other passport service providers
23 that violate any provision of this Act shall have its accreditation suspended or
24 revoked in accordance with the schedule of administrative penalties to be
25 formulated by the DFA. Any such suspension or revocation of accreditation
26 shall be without prejudice to civil or criminal sanctions against the agency, its
27 officers, agents and employees.

1 The submission of spurious, forged or falsified documents supporting a
2 passport application by any duly accredited travel or recruitment agency or
3 other passport service providers shall be *prima facie* evidence that the said
4 travel or recruitment agency is the author of such forgery or falsification:
5 *Provided*, That the spurious, forged or falsified document submitted was
6 secured by the travel or recruitment agency or other relevant passport service
7 providers on behalf of its client.

8 SEC. 23. *Implementing Rules and Regulations.* – The Secretary shall
9 issue the necessary implementing rules and regulations to implement the
10 provisions of this Act within ninety (90) days from the date of effectivity of
11 this Act without extension or delay.

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

16 SEC. 25. *Separability Clause.* – If any provision of this Act is
17 declared unconstitutional or invalid, the other provisions not affected thereby
18 shall remain in full force and effect.

19 SEC. 26. *Effectivity.* – This Act shall take effect fifteen (15) days after
20 its publication in the *Official Gazette* or in any newspaper of general
21 circulation.

Approved,

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