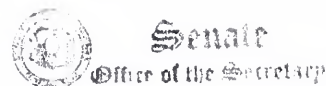


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 18 A10:11

SENATE
S. No. 691

RECEIVED BY: _____

Introduced by SENATOR RAMON BONG REVILLA, JR.

**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"**

EXPLANATORY NOTE

Article III Section 6 of the Constitution provides that the right to travel shall not be impaired, except in the interest of national security, public safety or public health.

Republic Act No. 8239 or the "Philippine Passport Act of 1996" was enacted twenty-six years ago, pursuant to that Constitutional guarantee. It affirmed the inviolability of the people's right to travel. As defined in the said law, the passport is a "document issued by the Philippine government to its citizens and requesting other governments to allow its citizens to pass safely and freely, and in case of need to give him/her all lawful aid and protection."

In 2017, RA 8239 was later amended by RA 10928 to extend the validity of regular passports from five (5) years to ten (10) years.

This bill provides a new passport law that is updated with recent measures enacted by Congress, and that recognizes the advancement of technology to ensure accessibility and convenience in the application process. It also institutes safeguards against unauthorized access and disclosure of personal information, and prohibits unfair and discriminatory practices, such as submission of extraneous and unnecessary documents, as experienced by some applicants. Lastly, this proposed legislation introduces accommodations such as special lanes for the vulnerable

sectors and overseas Filipino workers (OFWs), fifty percent (50%) discount rates for senior citizens and persons with disabilities (PWDs), and expedited processing for Muslim Filipinos who are intending pilgrims to the annual hajj pilgrimage.

A similar bill was approved by the House of Representatives on Third and Final Reading during the Eighteenth Congress, and became the subject of public hearings of the Senate Committee on Foreign Relations.

In this light, the passage of this bill is recommended.


RAMON BONG REVILLA, JR.

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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 known as the "*New Philippine Passport*
2 *Act.*"

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

13 Sec. 3. *Definition of Terms.* – As used in this Act:

14 a) *Ambassadors* – refer to those who have been appointed as Chiefs of Mission
15 and are currently serving as Ambassadors Extraordinary and
16 Plenipotentiary;

- 1 b) *Biographic data* – refers to an individual’s full name, birth date, birth place,
2 and sex as recorded in the certificate of live birth or report of birth;
- 3 c) *Biometric data* – refers to front facing photograph, iris scan and/or such
4 other identifiable features of an individual;
- 5 d) *Convention on International Aviation or Chicago Convention* – refers to the
6 Convention which sets out certain principles and arrangements for the
7 development of international civil aviation and establishment of
8 international air transport services signed in Chicago in 1944 and which
9 entered into force in 1968;
- 10 e) *Consular offices (CO)* – refer to field offices of the Department of Foreign
11 Affairs (DFA) Office of Consular Affairs located in the Philippines where
12 passport and consular services are provided;
- 13 f) *Consular Official* – refers to a DFA official assigned to the Office of Consular
14 Affairs, DFA Consular Offices in the Philippines and Foreign Service Posts,
15 who is responsible for providing passport and other consular services.
- 16 g) *Fugitives from justice* – refer to those who flee after conviction to avoid
17 punishment and those who, after being charged, flee to avoid prosecution;
- 18 h) *Foreign Service Posts (FSPs)* – refer to embassies, missions, consulates
19 general, and other foreign service establishments maintained by the DFA;
- 20 i) *ICAO* – refers to the International Civil Aviation Organization, a specialized
21 agency of the UN, established by UN Member States in 1944 to manage the
22 administration and governance of the Convention on International Civil
23 Aviation or the Chicago Convention;
- 24 j) *Issuing Authority* – refers to the DFA Office of Consular Affairs, DFA
25 Consular Offices in the Philippines, or the Philippine Foreign Service Posts
26 overseas which issue passports and provide other consular services;
- 27 k) *Large scale* – refers to the commission of any of the offenses under this Act
28 against three (3) or more persons individually or as a group;
- 29 l) *Machine Readable Travel Document* – refers to an official document,
30 conforming with the specifications contained in ICAO Document 9303,
31 issued by a State or organization, which is used by the holder for
32 international travel and which contains mandatory visual data and a

1 separate mandatory data summary in a format which is capable of being
2 read by a machine;

3 m) *Passport* – refers to the ICAO-compliant machine readable travel document
4 issued by the Philippine Government which contains a request to other
5 governments to permit its bearer to pass safely and freely, and to provide
6 all lawful aid and protection, if needed;

7 n) *Recognized alien residents* – refer to aliens who are permanent residents of
8 the Philippines, or who are Stateless persons or refugees, as recognized by
9 the Philippine Government;

10 o) *Syndicate* – refers to a group of three (3) or more persons conspiring with
11 one another; and

12 p) *Travel Document* – refers to a form of identification, compliant with current
13 ICAO standards, that the Philippines government issues to its citizens or
14 recognized residents so they can cross international borders in lieu of a
15 regular passport.

16 Sec. 4. *Authority to Issue, Deny, or Revoke.* – Upon the application of any
17 qualified Filipino citizen, the Secretary of Foreign Affairs, hereinafter referred to as
18 Secretary, or any duly authorized consular officer may issue passports in accordance
19 with this Act.

20 Philippine consular officials in a foreign country shall be authorized by the
21 Secretary to issue, verify, deny, or revoke a passport in the area of jurisdiction of the
22 Foreign Service Post in accordance with the provisions of this Act.

23 In the interest of national security, public safety, and public health, the
24 Secretary or any of the authorized consular officials may, after due hearing and in
25 their proper discretion, deny issuance of a passport or revoke a passport: Provided,
26 however, That such act shall not mean a loss of or a doubt on the person's citizenship:
27 Provided, further, That the issuance of a passport may not be denied if the safety and
28 interest of the Filipino citizen are at stake: Provided, finally, That denial or revocation
29 of a passport shall not prevent the issuance of an Emergency Travel Document.

30 Sec. 5. *Requirements for the Issuance of a Passport.* – The Secretary, or a duly
31 authorized consular official, shall issue a passport to an applicant who is a Filipino
32 citizen and who has complied with the following requirements:

- 1 a) A duly accomplished application form;
- 2 b) Proof of citizenship as prescribed by relevant laws regarding the acquisition
3 of Philippine citizenship which include, but are not limited to:
 - 4 1) Certificate of Live Birth or Report of Birth, whichever is applicable, for
5 natural born citizens authenticated by the Philippine Statistics Authority
6 (PSA);
 - 7 2) Naturalization Certificate for Naturalized citizens;
 - 8 3) Filipino Identification Certificate by Election for those who were born
9 before January 17, 1973, of Filipino mothers, and who elected Philippine
10 citizenship upon reaching the age of majority; or
 - 11 4) Documents issued upon Reacquisition or Retention of Philippine
12 citizenship under Republic Act No. 9225 otherwise known as "Citizenship
13 Retention and Reacquisition Act of 2003";
- 14 c) Valid and sufficient proof of identity, foremost of which is the individual's
15 record in the Philippine Identification System (PhilSys) as provided for in
16 Section 6 of Republic Act No. 11055 or the "Philippine Identification System
17 Act,"
- 18 d) PSA authenticated Certificate of Marriage or Report of Marriage, whichever
19 is applicable, for a married woman who wishes to use her husband's
20 surname;
- 21 e) Duly annotated PSA authenticated Certificate of Marriage or Report of
22 Marriage, whichever is applicable, of a woman who wishes to revert to the
23 use of her maiden name by virtue of an annulment, declaration of nullity of
24 marriage, legal separation, or a judicially-recognized foreign divorce; or
25 Death Certificate or Report of Death of the husband;
- 26 f) For a minor applicant, the application may be filed by either parent:
27 Provided, That if a person other than the minor's parents files the
28 application, a Special Power of Attorney (SPA) duly executed by a person
29 exercising parental authority must be presented for this purpose;
- 30 g) Certificate Declaring a Child Legally Available for Adoption (CDCLAA) issued
31 by the National Authority for Child Care (NACC) if the applicant is a
32 prospective adoptive child under the Republic Act No. 11642, otherwise

1 known as the "Domestic Administrative Adoption and Alternative Child Care
2 Act."

- 3 h) For applicants who are sixty-five (65) years old and above, who are
4 renewing their passports, the DFA shall implement a system wherein the
5 applicants may submit their application without the need to physically
6 appear in the Office of Consular Affairs or any Consular Office, through the
7 use of available technology, as far as practicable;
- 8 i) In case of discrepancy, the applicant's name or other details in the birth
9 certificate or report of birth shall prevail over that appearing in any other
10 public or private document: Provided, however, That by operation of law or
11 through court order, the applicant is permitted to use a name other than
12 what is officially recorded in the PSA or the Local Civil Registry Office
13 (LCRO);
- 14 j) A travel authority, issued by the head of the department, agency or office
15 or a duly authorized representative, if the applicant is a government official
16 or employee seeking to apply for a diplomatic or official passport; The DFA
17 is mandated to ensure the integrity of the passport at all times. As such, the
18 Secretary or duly authorized consular official may require the applicant to
19 provide additional documents until the latter adequately establishes
20 citizenship and identity.

21 *Sec. 6. Prohibition against unfair and discriminatory practices.* – The DFA, as
22 well as its authorized passport issuing authorities and personnel, is hereby prohibited
23 from conducting unfair and discriminatory practices, including but not limited to the
24 ordering of submission of extraneous and unnecessary certifications, proof and
25 documentary requirements not enumerated or specified in this Act or its implementing
26 rules and regulations, or unduly and arbitrarily delaying the issuance and release of
27 passport or travel documents without valid and just cause and even after submission
28 of all requirements provided in this Act or its implementing rules and regulations.

29 *Sec. 7. Application.* – A person applying for a passport for the first time shall
30 be required to appear in person for biometric and biographic data capturing.

31 A person exercising parental authority shall assist an applicant who is a minor.

1 An applicant who is unable to read or write, persons with disability or a senior
2 citizen may be assisted by a relative within the fourth civil degree of consanguinity or
3 affinity, or by the travelling companion of the applicant. The DFA may require other
4 or additional documents as may be specified in the rules and regulations promulgated
5 for the implementation of this Act.

6 Personal appearance as well as other additional documents shall be required
7 by the DFA as specified in the rules and regulations promulgated for the
8 implementation of this Act: Provided, That senior citizens who are sixty-five (65) years
9 old and above may renew their passports without need of personal appearance.

10 *Sec. 8. Types of Passports.* – The Secretary or the authorized consular officer
11 may issue the following types of passports:

12 a) Diplomatic Passports are issued to persons with diplomatic status or who
13 are on diplomatic mission, such as:

- 14 1) The President and former Presidents of the Philippines;
- 15 2) The Vice President and former Vice Presidents of the Philippines;
- 16 3) The President of the Senate, the Speaker of the House of
17 Representatives, and former Presidents of the Senate and Speakers of
18 the House of Representatives;
- 19 4) The Chief Justice and Associate Justices of the Supreme Court and the
20 Presiding Justice of the Court of Appeals, and the Sandiganbayan;
- 21 5) The Secretary, Undersecretaries and Assistant Secretaries of the DFA;
- 22 6) The Members of Congress, the Secretary of the Senate and the Secretary
23 General of the House of Representatives;
- 24 7) The Ambassadors Extraordinary and Plenipotentiary of the Republic of
25 the Philippines; Chiefs of Mission, and Foreign Service Officers of all
26 ranks in the career diplomatic service, including designated attachés
27 from the DFA and agencies of the government, including the officials of
28 the Migrant Workers Office (MWO) as created under Section 15 of
29 Republic Act No. 11641 or the “Department of Migrant Workers Act”;
- 30 8) The Secretaries of all departments of the Executive branch;
- 31 9) The Governor of the Bangko Sentral ng Pilipinas;

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

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

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

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

12 1) The Undersecretaries, Assistant Secretaries of the Cabinet other than
13 the DFA, the Associate Justices of the Court of Appeals and the
14 Sandiganbayan, and other members of the Judiciary, all other
15 government officials and employees travelling on official business and
16 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):
22 Provided, That an increase in domestic service and household members
23 of such officials shall be approved by the Secretary; and

24 4) Spouse and minor children of the staff officers and employees of the
25 DFA assigned to diplomatic or consular posts and offices and
26 representatives of other government agencies assigned abroad, when
27 accompanying or following to join them.

28 c) Regular Passports are issued to Filipino citizens who are not eligible or
29 entitled to diplomatic or official passports, including government officials or
30 employees going abroad for pleasure or other personal reasons.
31 Government officials and employees and members of their families may,
32 during their incumbency in office, hold two (2) passports simultaneously:

- 1) A regular passport for private travel; and
- 2) A diplomatic or official passport when travelling abroad on diplomatic or official business. The spouse and minor children of persons entitled to diplomatic or official passports shall be issued regular passports if they are not accompanying or following to join them.

- d) Emergency Passports, which shall be valid for one (1) year from the date of issuance, are issued to Filipino citizens who have been previously issued regular passports but for one reason or another, cannot apply for or cannot be issued a regular passport.

Sec. 9. Grounds for Denial of Issuance of Passport or Revocation of Passport.

– A passport application may be denied, or revoked, on the following grounds:

- a) On orders of the court, to hold the departure of an applicant because of a pending criminal case;
- b) On orders of the court, when the holder has been convicted of a criminal offense: Provided, That a passport may be issued after service of sentence;
- c) On orders of the court, when the holder is a fugitive from justice;
- d) When a passport was acquired fraudulently, tampered with, or issued erroneously;
- e) When a passport is returned to the DFA by other government agencies or entities: Provided, That revocation of the passport will not prevent the holder from being issued a new passport;
- f) On written notarized request by the persons exercising parental authority over a minor applicant or passport holder: Provided, That if the requesting party is not a Filipino, the consent of the Filipino parent is required;
- g) When the applicant has been found to have violated any of the provisions of this Act; and
- h) Such other disqualification under existing laws.

Sec. 9. Passport Databases. – The DFA shall create the following databases:

- a) Passport database which shall contain all current and if available, previous passport and travel document records of Philippines citizens, including recognized alien residents;

1 b) Watchlist database which shall contain the names of persons whose
2 passport applications have been denied or whose passports were revoked
3 under Section 4 as well as those persons found to have committed, or
4 attempted to commit, offenses under Section 19 of this Act. No passport
5 shall be issued to the persons found in the database until they are able to
6 meet the documentary or legal requirements for the removal of their names
7 from the database.

8 The Secretary or any of the duly-authorized consular officials may
9 recommend the inclusion of persons in the database other than those
10 previously cited for other reasons that may provided a basis for the DFA to
11 deny issuance of a passport to these persons.

12 Nothing in the above provisions shall prevent the issuance of other types of
13 travel documents to persons included in the watchlist, at the discretion of
14 the Secretary or duly-authorized consular officials.

15 c) Stolen, lost, and revoked database which shall contain the information on
16 passports and travel documents of persons who declared that their
17 passports or travel documents have been lost or stolen.

18 The passport or travel document that has been revoked by the DFA under
19 Section 4 of this Act shall also be included in this database.

20 Sec. 10. *Safeguards on the Passport database.* – DFA, with the technical
21 assistance and expertise of the Department of Information and Communications
22 Technology (DICT), shall implement appropriate organizational, technical and physical
23 security measures to ensure that the information gathered for the Passport database
24 is protected against unauthorized access, use, disclosure, tampering, and accidental
25 or intentional loss, destruction and damage.

26 Sec. 11. *Appeal.* –Any person whose passport application was denied or
27 revoked shall have the right to appeal to the Secretary, whose decision may be
28 reviewed by the appropriate court.

29 Sec. 12. *Validity.* – As provided for under Republic Act No. 10928 extending the
30 validity of Philippine passports, regular passports issued under this Act shall be valid
31 for a period of ten (10) years: Provided, however, That for individuals under eighteen
32 (18) years of age, only a passport with five (5)-year validity shall be issued: Provided,

1 further, That the issuing authority may limit the period of validity to less than ten (10)
2 years, whenever in the national economic interest or political stability of the country
3 such restriction is necessary: Provided, finally, That a new passport may be issued to
4 replace one which validity has expired, the old passport being returned to the holder
5 after cancellation.

6 Sec. 13. *Ownership of Passports.* – A Philippine passport remains at all times
7 the property of the government, the holder being a mere possessor thereof for the
8 duration of the passport’s validity and the same may not be surrendered to any entity
9 or person other than the government or its duly authorized representative.

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

12 Sec. 15. *Other Travel Documents.* – The following travel documents may be
13 issued in lieu of a passport, under the circumstances listed hereunder:

14 a) Emergency Travel Document which shall be valid for one (1) year from the
15 date of issuance, for:

16 1) A Filipino citizen with urgent travel requirements who, for one reason or
17 another, has lost one’s passport or whose passport has expired or is
18 expiring and cannot be issued a regular passport;

19 2) A Filipino citizen with emergency travel requirements, who has not been
20 issued a regular passport and who, for one reason or another, cannot
21 be issued a regular passport.

22 b) Travel Document Certificate which shall be valid for thirty (30) days from
23 the date of issuance, for:

24 1) A Filipino citizen being repatriated to the Philippines;

25 2) The alien spouse of a Filipino and their dependents who have not yet
26 been naturalized as a Filipino and who are travelling to the Philippines
27 or is a permanent resident of the Philippines returning from travelling
28 abroad; and

29 3) Aliens permanently residing in the Philippines who are not able to obtain
30 a passport or other travel documents from their countries of origin.

31 c) Convention Travel Document which shall be valid for five (5) years from the
32 date of issuance, shall be issued for a Stateless person who is likewise a

1 permanent resident or a refugee granted such status or asylum in the
2 Philippines.

3 Sec. 16. *Loss or Destruction of a Passport.* – The loss or destruction of a
4 passport shall be immediately reported to the DFA or a Foreign Service Post. The
5 holder of such passport shall submit an affidavit stating in detail the circumstances of
6 such loss or destruction. As used in this Act, a lost passport is one the whereabouts
7 of which are unknown to the applicant despite diligent search, or if known, may not
8 be retrieved, recovered and produced by the applicant for reasons beyond the
9 applicant’s control.

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

13 Sec. 17. *Fees.* – Reasonable fees, as may be determined by the Secretary, shall
14 be collected for the processing and issuance of a passport or a travel document.

15 Senior citizens and persons with disability shall be entitled to at least fifty
16 percent (50%) discount on the processing, issuance or replacement of a passport.

17 Sec. 18. *Establishment of an Online Application Portal and Electronic One Stop*
18 *Shop.* – The DFA, with the assistance and cooperation of other agencies involved in
19 the procurement and issuance of the requirements enumerated in Section 5 of this
20 Act, is mandated to establish and maintain an online application portal and Electronic
21 One Stop Shop readily accessible on its official website to facilitate convenience of
22 application and ease in gathering and submission of the requirements.

23 Sec. 19. *Passport Revolving Fund.* – The DFA may charge a service fee of not
24 more than fifty percent (50%) of the current fees, as determined in Section 16 of this
25 Act for services rendered to applicants relating to the processing or issuance of
26 passports requiring special consideration, waiver or issuance beyond regular office
27 hours.

28 The service fees rendered by the DFA under this section shall constitute a
29 revolving fund to be called the “Passport Revolving Fund” which may be utilized by
30 the DFA primarily for the improvement of its passporting and consular services and
31 other DFA services except travel and transportation allowances and expenses.

1 The use and disbursement of the Passport Revolving Fund shall be subject to
2 audit by the Commission on Audit. The Secretary shall submit a report on the collection
3 and use of the Passport Revolving Fund to the Senate and the House of
4 Representatives semi-annually.

5 Sec. 20. *Waiver.* – The Secretary is solely authorized to waive any requirement
6 set forth in Section 5 of this Act, as well as the fees for the processing and issuance
7 of passports and travel documents prescribed under Section 16 of this Act.

8 Sec. 21. *Setting up of Special Lanes.* – The DFA shall arrange accommodations
9 to expedite the application and renewal of passports for senior citizens, persons with
10 disabilities (PWDs), pregnant women, overseas Filipino workers (OFWs), and
11 individuals with emergency and exceptional cases through the creation of special
12 lanes. The DFA shall also institute arrangements to expedite the application and
13 renewal for regular passports from the months of March to June for Muslim Filipinos
14 who are intending pilgrims to the annual hajj pilgrimage in coordination with the
15 National Commission for Muslim Filipinos (NCMF).

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

20 a) Offenses relating to issuances; penalties. – A fine of not less than Fifteen
21 thousand pesos (P15,000.00) but not more than Sixty thousand pesos
22 (P60,000.00) and imprisonment of not less than six (6) years and one (1)
23 day not more than twelve (12) years shall be imposed to any person who:

24 1) Acts or claims to act in any capacity or office under the Republic of the
25 Philippines without lawful authority, accepts passport applications,
26 grants, issues or verifies any passport or travel document to any or for
27 any person whomsoever, or is caught selling in whatever capacity
28 passport application forms, or lost or stolen passports and travel
29 documents; or

30 2) Acts or claims to act in any capacity, with the intention to profit thereby,
31 intercepts a person proceeding to the DFA or any of its consular offices
32 or Foreign Service Posts to apply for a passport, and persuades, entices,

1 encourages, or misleads such applicant to course the application through
2 another person or agency other than the DFA or its personnel on the
3 pretext of facilitating its approval or issuance by the DFA; or

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

11 A fine of not less than Fifteen thousand pesos (P15,000.00) but not more than
12 Sixty thousand pesos (P60,000.00) and imprisonment of not less than six (6) years
13 and one (1) day but not more than twelve (12) years, and upon conviction, perpetual
14 disqualification from holding public office shall be imposed to any person who:

- 15 1) Being a diplomatic or consular official authorized to grant, issue, or verify
16 passports, knowingly and wilfully grants, issues, or verifies any such
17 passport to any or for any person not owing allegiance to the Republic
18 of the Philippines, whether citizen or not; or
19 2) Being a diplomatic or consular officer, knowingly and wilfully grants,
20 issues, or certifies to the authenticity of any passport or travel document
21 for any person not entitled thereto, or knowingly and wilfully issues more
22 than one (1) passport to any person except as provided for in this Act.

23 b) Offenses relating to false statements; penalties. A fine of not less than
24 Fifteen thousand pesos (P15,000.00) but not more than Sixty thousand
25 pesos (P60,000.00) and imprisonment of not less than six (6) years and one
26 (1) day but not more than twelve (12) years shall be imposed to any person
27 who wilfully and knowingly:

- 28 1) Makes any false statement in any application for passport with the intent
29 to induce or secure the issuance of a passport under the authority of the
30 Philippine government, for any purpose, contrary to this Act or rules and
31 regulations prescribed pursuant hereto; or

1 2) Makes any false statement in an Affidavit declaring a passport as lost
2 while knowing its actual whereabouts or not exerting diligent effort to
3 retrieve, recover and produce the same; or

4 3) Uses or attempts to use any passport which was secured in any way by
5 reason of any false statement.

6 c) Offenses relating to forgery; penalties. – Any person who:

7 1) Falsely makes, forges, counterfeits, mutilates or alters any passport or
8 travel document or any supporting document for a passport application,
9 with the intent of using the same, shall be punished by a fine of not less
10 than Seventy-five thousand pesos (P75,000.00) but not more than One
11 hundred fifty thousand pesos (P150,000.00) and imprisonment of not
12 less than six (6) years but not more than fifteen (15) years. The
13 possession of the documents herein mentioned shall be *prima facie*
14 evidence of commission of the acts enumerated herein and the intent to
15 use the same; or

16 2) Wilfully or knowingly uses or attempts to use, or furnishes to another for
17 use any such false, forged, counterfeited, mutilated or altered passport
18 or travel document or any passport validly issued which has become void
19 by the occurrence of any condition herein prescribed shall be punished
20 by a fine of not less than Sixty thousand pesos (P60,000.00) but not
21 more than One hundred fifty thousand pesos (P150,000.00) and
22 imprisonment of not less than six (6) years but not more than fifteen
23 (15) years.

24 Provided, That forgeries of five or more passports or travel documents, would
25 be considered as massive forgery tantamount to national sabotage and shall be
26 punished by a fine of not less than Two hundred and fifty thousand pesos
27 (P250,000.00) nor more than One million pesos (P1,000,000.00) and imprisonment of
28 not less than seven (7) years nor more than seventeen (17) years.

29 d) Offenses relating to improper use of passports and travel documents;
30 penalties. – A fine of not less than Sixty thousand pesos (P60,000.00) but
31 not more than One hundred fifty thousand pesos (P150,000.00) and

1 imprisonment of not less than six (6) years but not more than fifteen (15)
2 years shall be imposed upon any person who wilfully and knowingly:

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

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

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

18 4) Defaces or destroys a Philippine passport; or

19 5) Sells, trades, pawns, mortgages or uses an issued passport or travel
20 document as collateral to secure debt, or in any manner uses such
21 passport or travel document as current or object of commerce; Provided,
22 That in such situation, the buyer, trader, creditor, or mortgagee shall
23 also be liable to the same extent as the passport/travel document holder;

24 e) Offenses relating to multiple possession of passports; penalties. – No person
25 or individual may hold more than one (1) valid passport, except as provided
26 for in Section 7 hereof, and any individual who possesses more than one
27 (1) unexpired passport shall, for every unexpired passport found in the
28 individuals possession, be punished by a fine of not less than Fifteen
29 thousand pesos (P15,000.00) but not more than Sixty thousand pesos
30 (P60,000.00) and imprisonment of not less than six (6) years and one (1)
31 day but not more than twelve (12) years; Provided, That the maximum fine
32 and imprisonment shall be imposed by the court for any attempt to use or

1 the actual use of an unexpired passport which is not in the name of the
2 user.

3 f) Offenses relating to forgery of visas and entry documents; penalties. – A
4 fine of not less than Fifteen thousand pesos (P15,000.00) but not more than
5 Sixty thousand pesos (P60,000.00) and imprisonment of not less than three
6 (3) years but not more than ten (10) years shall be imposed upon any
7 person who:

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

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

25 3) Knowingly possesses any blank permit or engraves, sells, brings into the
26 Philippines, or has the control or possession in any plate in the likeness
27 of a plate designed for the printing of permits, or makes any print,
28 photograph or impression in the likeness of any immigrant or non-
29 immigrant visa, permit, or other document required for entry into the
30 Philippines or elsewhere, or is in possession of the distinctive paper
31 which has been adopted by the DFA for the printing of such visas,
32 permits or other documents: Provided, That the person who forges,

1 counterfeits, alters or false makes any immigrant or non-immigrant visa,
2 permit, border crossing card, alien registration card or other entry
3 document shall be punished by a fine of not less than Sixty thousand
4 pesos (P60,000.00) but not more than One hundred fifty thousand pesos
5 (P150,000.00) and imprisonment of not less than six (6) years, but not
6 more than fifteen (15) years for each visa or entry document.

7 g) Offenses relating to illegal withholding of passport; penalties. – Any person
8 who confiscates, retains, or withholds, without any legal authority, any valid
9 passport issued by the DFA shall be guilty of the crime of illegal withholding
10 of passport: Provided, That the act of withholding or denying passports or
11 travel documents from applicant workers before departure, for monetary or
12 financial considerations, or for any other reasons, other than those
13 authorized under the Labor Code and its implementing rules and
14 regulations, shall continue to be considered as “illegal recruitment” and be
15 penalized as such crime under Section 6 (k) and Section 7, respectively, of
16 Republic Act No. 8042, otherwise known as the Migrant Workers and
17 Overseas Filipinos Act of 1995, as amended by Republic Act No. 10022.
18 Any person found guilty of the crime of “Illegal Withholding of Passport”
19 shall suffer the penalty of imprisonment of not less than six (6) years and
20 one (1) day but not more than twelve (12) years, and shall pay a fine of not
21 less than One million pesos (P1,000,000.00) but not more than Two million
22 pesos (P2,000,000.00).

23 If the offender is a public official, in addition to the prescribed penalties, the
24 offender shall be dismissed from service and shall suffer perpetual absolute
25 disqualification to hold office.

26 If the offender is a corporation, partnership, association, or any juridical
27 person, then the penalty shall be imposed upon the president, partner,
28 manager, and/or any responsible officer of the organization who directly
29 participated in the commission of the violation of this Act and allowed its
30 perpetuation and continuance: Provided, That in every case, the criminal
31 conviction of the liable officer/s shall cause and carry the automatic
32 revocation of the business license and/or special certificate of accreditation

1 or certificate of registration of corporation, partnership, association or
2 juridical person; Provided further, That these entities and their officers who
3 are criminally held liable for the violation of this Act shall not be allowed to
4 operate similar establishments under different names. If the offender is an
5 alien in the Philippine territory, in addition to the penalties above, the alien
6 shall be deported after serving the sentence and be permanently barred
7 from entering the country.

8 h) The penalties provided for under this Section shall be imposed in their
9 maximum when the offenses are committed by a syndicate or on a large
10 scale.

11 i) In case any of the offenses prohibited in this Act constitutes a violation of
12 the Revised Penal Code and the penalty imposed therein is higher than that
13 provided in this Act, the penalty prescribed in this Act shall be imposed.

14 *Sec. 23. Implementing Rules and Regulations.* – The Secretary shall issue the
15 rules and regulations to effectively implement the provisions of and carry out the policy
16 set forth in this Act within sixty (60) days from the effectivity of this Act.

17 *Sec. 24. Separability Clause.* – If any provision or part hereof is held invalid or
18 unconstitutional, the remainder of the law or the provision or part not otherwise
19 affected shall remain valid and subsisting.

20 *Sec. 25. Repealing Clause.* – Republic Act No. 8239, otherwise known as the
21 “Philippine Passport Act of 1996,” is hereby repealed. Any law, presidential decree or
22 issuance, executive order, letter of instruction, administrative order, rule, or regulation
23 contrary to or inconsistent with the provisions of this Act are hereby repealed,
24 modified, or amended accordingly.

25 *Sec. 26. Effectivity.* – This Act shall take effect fifteen (15) days after its
26 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,