


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



23 MAR 14 P2:24

SENATE

RECEIVED BY: 

S.B. No. 2001

(In substitution of S.B. Nos. 691 and 1036, taking into consideration H.B. No. 6510)

Prepared by the Committee on Foreign Relations
with Senators Revilla, Ejercito Estrada, and Marcos as authors thereof

**AN ACT
PROVIDING FOR A NEW PASSPORT LAW, REPEALING FOR
THE PURPOSE REPUBLIC ACT NO. 8239, OTHERWISE KNOWN
AS THE "PHILIPPINE PASSPORT ACT OF 1996"**

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

1 SECTION 1. *Short Title.* – This Act shall be known as the "New Philippine
2 Passport Act".
3

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

1 documents shall be prescribed. The government shall ensure expeditious action on
2 such applications and the issuance of passports and travel documents.

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

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6 (a) *Ambassadors* – refer to those who have been appointed as Chiefs of
7 Mission and are currently serving as Ambassadors Extraordinary and Plenipotentiary;

8
9 (b) *Biographic data* – refers to an individual’s full name, birthdate, birth
10 place, and sex as recorded in the Certificate of Live Birth, Report of Birth, or Certificate
11 of Foundling;

12
13 (c) *Biometric data* – refers to front facing photograph, fingerprint, iris scan,
14 and/or such other identifiable features of an individual;

15
16 (d) *Convention on International Civil Aviation or Chicago Convention* –
17 refers to the Convention which sets out certain principles and arrangements for the
18 development of international civil aviation and establishment of international air
19 transport services signed in Chicago in 1944 and which entered into force in 1968;

20
21 (e) *Consular offices (CO)* – refer to field offices or any offsite office of the
22 Department of Foreign Affairs (DFA) Office of Consular Affairs located in the
23 Philippines that performs consular and related functions;

24
25 (f) *Consular Official* – refers to a DFA official assigned to the Office of
26 Consular Affairs, DFA Consular Offices in the Philippines and Foreign Service Posts,
27 who is responsible for providing passport and other consular services;

28
29 (g) *Foundling* – refers to a deserted or abandoned child or infant with
30 unknown facts of birth and parentage. This also include those who have been duly
31 registered as a foundling during his or her infant childhood, but have reached the age
32 of majority without benefiting from adoption procedures;

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(h) *Emergency Travel Document* – refers to a form of identification, compliant with current latest International Civil Aviation Organization (ICAO) standards, that the Philippine government issues to its citizens or recognized residents, under emergency circumstances, so they can cross international borders in lieu of a regular passport;

(i) *Fugitives from Justice* – refer to those who flee after conviction, by the Philippine court, to avoid punishment and those who, after being charged in court, flee to avoid prosecution;

(j) *Foreign Service Posts (FSPs)* – refer to embassies, missions, consulates general, and other foreign service establishments maintained by the DFA;

(k) *ICAO* – refers to the International Civil Aviation Organization, a specialized agency of the United Nations (UN), established by UN Member States in 1944 to manage the administration and governance of the Convention on International Civil Aviation or the Chicago Convention;

(l) *Issuing Authority* – refers to the DFA Office of Consular Affairs, DFA Consular Offices in the Philippines, or the Philippine Foreign Service Posts overseas which issue passports and provide other consular services;

(m) *Legal Guardians* – refer to persons exercising parental authority, either by operation of law, or by order of the court, over minors or over persons over eighteen (18) years of age but who are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition;

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

1 (o) *Machine Readable Travel Document* – refers to an official document,
2 confirming with the specifications contained in ICAO Document 9303, issued by a
3 State or organization, which is used by the holder for international travel and which
4 contains mandatory visual data and a separate mandatory data summary in a format
5 which is capable of being read by a machine;

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

11
12 (q) *Recognized Alien Residents* – refer to aliens who are permanent
13 residents of the Philippines, or who are Stateless persons or refugees, as recognized
14 by the Philippine Government;

15
16 (r) *Refugee* – refers to a person who owing to a well-founded fear of being
17 persecuted for reasons of race, religion, nationality, membership of a particular social
18 group or political opinion, is outside the country of his nationality and is unable or,
19 owing to such fear, is unwilling to avail himself of the protection of that country; or
20 who, not having a nationality and being outside the country of his or her former
21 habitual residence, is unable or, owing to such fear, is unwilling to return to it, and is
22 officially given refugee status by the Philippine government;

23
24 (s) *Stateless Person* – refers to a person who is not considered as a national
25 by any State under the operation of its law; and

26
27 (t) *Syndicate* – refers to a group of three (3) or more persons conspiring or
28 confederating with one another concerning the commission of the offenses as defined
29 under this Act.

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31 SEC. 4. *Authority to Issue, Deny, or Cancel.* – Upon the application of any
32 qualified Filipino citizen, the Secretary of Foreign Affairs, hereinafter referred to as

1 Secretary, or any duly authorized consular officer may issue passports in accordance
2 with this Act.

3
4 Philippine consular officials in a foreign country shall be authorized by the
5 Secretary to issue, deny, or cancel a passport in the area of jurisdiction of the Foreign
6 Service Post in accordance with the provisions of this Act.

7
8 In the interest of national security, public safety, and public health, and in
9 accordance with Sections 4 and 9 of this Act, the Secretary or any of the authorized
10 consular officials may, deny issuance of a passport or cancel a passport: *Provided,*
11 *however,* That such act shall not mean a loss of, or a doubt on, the person's
12 citizenship: *Provided,* further, That the issuance of a passport may not be denied if
13 the safety and interest of the Filipino citizen are at stake: *Provided, finally,* That denial
14 or cancellation of a passport shall not prevent the issuance of an Emergency Travel
15 Document.

16
17 *SEC. 5. Requirements for the Issuance of a Passport.* – The Secretary, or a duly
18 authorized consular official, shall issue a passport to an applicant who is a Filipino
19 citizen and who has complied with the following requirements:

20
21 (a) A duly accomplished application form;

22
23 (b) Proof of citizenship as prescribed by relevant laws regarding the
24 acquisition of Philippine citizenship which include, but are not limited to:

25
26 (1) For natural born citizens, Certificate of Live Birth or Report of
27 Birth, or Certificate of Foundling, whichever is applicable, authenticated by the
28 Philippine Statistics Authority (PSA) or its successor agency;

29
30 (2) For naturalized citizens, Certificate of Naturalization,
31 Identification Certificate, Court Order granting naturalization, Decree of
32 Naturalization, or copy of law granting legislative naturalization;

1
2 (3) Identification Certificate for those who avail of Recognition with
3 the Bureau of Immigration;

4
5 (4) Order of Approval, Identification Certificate of Oath of Allegiance
6 for those who avail of Reacquisition or Retention of Philippine citizenship under
7 Republic Act No. 9225, otherwise known as "Citizenship Retention and
8 Reacquisition Act of 2003";

9
10 (c) Valid and sufficient proof of identity, foremost of which is the individual's
11 record in the Philippine Identification System (PhilSys) as provided for in Section 6 of
12 Republic Act No. 11055 or the "Philippine Identification System Act", and its future
13 amendments;

14
15 (d) For a married woman who wishes to use her husband's surname,
16 Certificate of Marriage or Report of Marriage, whichever is applicable, authenticated
17 by PSA or its successor agency;

18
19 (e) For a woman who wishes to revert to the use of her maiden name by
20 virtue of an annulment; declaration of nullity of marriage; legal separation; judicially-
21 recognized foreign divorce; or death of a husband, a duly annotated authenticated
22 Certificate of Marriage or Report of Marriage, whichever is applicable, or Certificate of
23 Death or Report of Death, whichever is applicable, authenticated by PSA or its
24 successor agency;

25
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 application, a Special
28 Power of Attorney (SPA) duly executed by a person exercising parental authority, as
29 per existing laws, must be presented for this purpose. For minor applicants who are
30 foundlings, an adult guardian, through the presentation of a letter of guardianship
31 issued by a Family Court and a DSWD clearance, may file for the minor's passport
32 application;

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2 (g) Certificate Declaring a Child Legally Available for Adoption (CDCLAA)
3 issued by the National Authority for Child Care (NACC) if the applicant is a prospective
4 adoptive child under the Republic Act No. 11642, otherwise known as the "Domestic
5 Administrative Adoption and Alternative Child Care Act";

6
7 (h) For applicants who are sixty (60) years old and above and for migrant
8 workers abroad, who are renewing their passports, the DFA shall implement a system
9 wherein the applicants may submit their application without the need to physically
10 appear in the Office of Consular Affairs or any Consular Office, through the use of
11 available technology, as far as practicable;

12
13 (i) In case of discrepancy, the applicant's name or other details in the
14 Certificate of Live Birth or Report of Birth shall prevail over those appearing in any
15 other public or private document: *Provided, however,* That unless by operation of law
16 or through court order, the applicant is permitted to use a name other than what is
17 officially recorded in the PSA, or its successor agency, or the Local Civil Registry Office
18 (LCRO);

19
20 Valid IDs must be consistent with the name and other biographical details in
21 the Certificate of Live Birth or Report of Birth, as well as to the Certificate of Marriage
22 or laws wherein a woman prefers to use her husband's surname on any given form;
23 and

24
25 (j) A travel authority, issued by the head of the department, agency, or
26 office or a duly authorized representative, if the applicant is a government official or
27 employee seeking to apply for a diplomatic or official passport. The DFA is mandated
28 to ensure the integrity of the passport at all times. As such, the Secretary or duly
29 authorized consular official may require the applicant to provide additional documents
30 until the latter adequately establishes citizenship and identity.

1 SEC. 6. *Prohibition against unfair and discriminatory practices.* – The DFA, as
2 well as its authorized passport issuing authorities and personnel shall only require the
3 following documents to prove the following: (1) identity of the applicant; (2) the
4 applicant’s citizenship, and (3) lack of legal travel restrictions, consistent with the
5 Republic Act No. 11032 or the “Ease of Doing Business and Efficient Government
6 Service Delivery Act of 2018”.

7
8 SEC. 7. *Application.* – A person applying for a passport for the first time shall
9 be required to appear in person for biometric and biographic data capturing. This
10 requirement shall be open for modification upon the determination by the Department
11 of Foreign Affairs and the existence of enabling technologies and procedures that will
12 enable the non-requirement of personal appearance.

13
14 A person exercising parental authority, under relevant domestic laws, shall
15 assist an applicant who is a minor.

16
17 An applicant who is unable to read or write, persons with disability, or a senior
18 citizen may be assisted by a relative within the fourth civil degree of consanguinity or
19 affinity, or by the traveling companion of the applicant.

20
21 The DFA may require other additional documents as may be specified in the
22 rules and regulations promulgated for the implementation of this Act.

23
24 Personal appearance as well as other additional documents shall be required
25 by the DFA as specified in the rules and regulations promulgated for the
26 implementation of this Act: *Provided,* That senior citizens who are sixty (60) years old
27 and above and migrant workers abroad may renew their passports without need of
28 personal appearance.

29
30 SEC. 8. *Types of Passports.* – The Secretary or the authorized consular officer
31 may issue the following types of passports:

1 (a) *Diplomatic Passports* are issued to citizens with diplomatic status or who
2 are on diplomatic mission, such as:

3
4 (1) The President and former Presidents of the Philippines;

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

7
8 (3) The President of the Senate, the Speaker of the House of
9 Representatives, and former Presidents of the Senate and Speakers of the
10 House of Representatives;

11
12 (4) The Chief Justice and Associate Justices of the Supreme Court,
13 as well as the respective Presiding Justices of the Court of Appeals and the
14 Sandiganbayan;

15
16 (5) The Secretary, Undersecretaries, and Assistant Secretaries of the
17 DFA;

18
19 (6) The Members of Congress, the Secretary of the Senate, and the
20 Secretary General of the House of Representatives;

21
22 (7) The Ambassadors Extraordinary and Plenipotentiary of the
23 Republic of the Philippines; Chiefs of Mission, Foreign Service Officers of all
24 ranks in the career diplomatic service, and including designated attaches from
25 the DFA and agencies of the government, including the officials of the Migrant
26 Workers Office (MWO) as created under Section 15 of Republic Act No. 11641
27 or the "Department of Migrant Workers Act";

28
29 (8) The Secretaries of all departments of the Executive branch;

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

1 (10) the Official delegates to international or regional conferences
2 accorded full powers by the Senate; and
3

4 (11) The spouses and minor children of the abovementioned officials
5 when accompanying or following to join them in a diplomatic mission abroad.
6

7 The President of the Philippines or the Secretary may grant diplomatic passport
8 to officials and persons other than those enumerated herein.
9

10 (b) *Official Passports* are issued to all government officials and employees
11 on official trip abroad but who are not on a diplomatic mission or have not been
12 accorded diplomatic status, such as:
13

14 (1) The Undersecretaries, Assistant Secretaries of the Cabinet other
15 than the DFA, the Associate Justices of the Court of Appeals and the
16 Sandiganbayan, and other members of the Judiciary, all other government
17 officials and employees traveling on official business and official time;
18

19 (2) Staff officers and employees of the DFA assigned to diplomatic
20 and consular posts, as well as officers and representatives of other government
21 departments and agencies assigned abroad;
22

23 (3) Persons in the domestic service and household members of
24 officials assigned to diplomatic or consular posts not exceeding two (2)
25 persons; *Provided*, That an increase in domestic service and household
26 members of such officials shall be approved by the Secretary; and
27

28 (4) Spouse and minor children of the staff officers and employees of
29 the DFA assigned to diplomatic or consular posts and offices and
30 representatives of other government agencies assigned abroad, when
31 accompanying or following to join them.
32

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

6
7 (1) A regular passport for private travel; and

8
9 (2) A diplomatic or official passport when traveling abroad on a
10 diplomatic or official business. The spouse and minor children of persons
11 entitled to diplomatic or official passports shall be issued regular passports if
12 they are not accompanying or following to join them.

13
14 (d) *Emergency Travel Document* is issued by Foreign Service Posts (FSPs)
15 to Filipino citizens who have been previously issued regular passports but for one
16 reason or another, cannot apply for or cannot be issued a regular passport.

17
18 (1) *Emergency Passports* – shall be issued to Filipino travelers who
19 have lost their passports while traveling overseas and are justifiably in need to
20 complete their intended overseas travel prior to return to the Philippines or
21 their residence overseas. This shall be valid for one (1) year from date of
22 issuance; and

23
24 (2) *Emergency Travel Document Certificate* form is issued to Filipinos
25 in foreign countries who have lost their passports overseas and are in dire need
26 to return to the Philippines. This certificate shall be valid for thirty (30) days up
27 to six (6) months from date of issuance.

28
29 (e) *Convention Travel Document* which shall be valid for five (5) years from
30 date of issuance, shall be issued for a Stateless person who is likewise a permanent
31 resident or a refugee granted such status or asylum in the Philippines. This type of
32 Travel Document can only be applied in the DFA main consular office in Manila, or its

1 successor office, without prejudice to the establishment of additional offices for this
2 purpose.

3
4 SEC. 9. *Grounds for Denial of Issuance of Passport or Cancellation of Passport*
5 *or Imposition of Restrictions on Passports.* – A passport application may be denied, or
6 cancelled, or restrictions may be imposed on a passport, based on the following
7 grounds:

8
9 (a) Denial of Passport:

10
11 (1) On order of the court, to hold the departure of an
12 applicant/passport holder who is a respondent in a complaint pending
13 preliminary investigation, and against whom a Precautionary HDO was issued
14 by the court;

15
16 (2) On written notarized request by the person exercising parental
17 authority over a minor or incapacitated applicant or passport holder;

18
19 (3) When the applicant has been found to have violated any of the
20 provisions of this Act;

21
22 (4) Such other disqualification under existing laws.

23
24 (b) Cancellation of Passport:

25
26 (1) On orders of the court, when the holder has been convicted of a
27 criminal offense: *Provided*, That a passport may be issued after service of
28 sentence;

29
30 (2) On orders of the court, when the holder is a fugitive from justice;

1 (3) Upon order of the court, to initiate the procedure for the
2 cancellation of the passport of a suspected terrorist individual charged with any
3 violation of Sections 4, 5, 6, 7, 8, 9, 10, 11, and 12 of Republic Act No. 11479,
4 otherwise known as "The Anti-Terrorism Act of 2020": *Provided*, That a
5 passport may be issued upon acquittal of the accused or of the dismissal of the
6 case filed against such person or upon the discretion of the court on motion of
7 the prosecutor or of the accused;

8
9 (4) When a passport was acquired fraudulently, tampered with, or
10 issued erroneously;

11
12 (5) When a passport is returned to the DFA by other government
13 agencies or entities: *Provided*, That cancellation of the passport will not prevent
14 the holder from being issued a new passport;

15
16 (c) Imposition of Restriction of Passport:

17
18 (1) When the country of designation is in a state of political instability
19 which could pose a danger to the Filipino traveler;

20
21 (2) When diplomatic ties have been fractured or severed with the
22 Philippines; or

23
24 (3) When the country of destination is subject to travel restriction by
25 government policy, enforcement of action by the United Nations or in a state
26 of war.

27
28 SEC. 10. *Passport Databases.* – The DFA shall create the following Databases:

29
30 (a) Passport database which shall contain all current and if available,
31 previous passport and travel documents records of Philippine citizens, including
32 recognized alien residents;

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(b) Watchlist database which shall contain the names of persons whose passport applications have been denied or whose passports were cancelled under Section 4 as well as those persons found to have committed, or attempted to commit offenses under Section 23 of this Act. No passport shall be issued to the persons found in the database until they are able to meet the documentary or legal requirements for the removal of their names from the database.

The Secretary or any of the duly authorized consular officials may recommend the inclusion of persons in the database other than those; previously cited for other reasons that may provide a basis for the DFA to deny issuance of a passport to these persons. Nothing in the above provisions shall prevent the issuance of other types of travel documents to persons included in the watchlist, at the discretion of the Secretary or duly authorized consular officials.

(c) Stolen, lost, and revoked database which shall contain the information on passports and travel documents of persons who declared that their passports or travel documents have been lost or stolen. The passport or travel document that has been cancelled by the DFA under Section 4 of this Act shall also be included in this database.

SEC. 11. *Safeguards on the Passport database.* – The DFA, with the coordination with the Department of Information and Communications Technology (DICT), shall implement appropriate organizational, technical and physical security measures to ensure that the information gathered for the Passport database is protected against unauthorized access, use, disclosure, tampering, and accidental or international loss, destruction, and damage.

SEC. 12. *Appeal.* – Any person whose passport application was denied or cancelled may appeal to the Secretary, whose decision may be reviewed by the appropriate court.

1 SEC. 13. *Validity.* – Regular passports issued under this Act shall be valid for a
2 period of ten (10) years: *Provided, however,* That for individuals under eighteen (18)
3 years of age, only a passport with five (5)-year validity shall be issued: *Provided,*
4 *further,* That the issuing authority may limit the period of validity to less than ten (10)
5 years whenever such restriction is necessary in the interest of national economy or
6 political stability of the country.

7
8 SEC. 14. *Ownership of Passports.* – A Philippine passport remains at all times
9 the property of the government, the holder being a mere possessor thereof for the
10 duration of the passport’s validity and the same may not be confiscated by any entity
11 or person other than the government, through the Department. Any other government
12 agency, official or employee that confiscates a passport or travel document shall
13 promptly turn over the confiscated passport or travel document to the Department.

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

17
18 The Philippine naming conventions and the relevant laws of the Philippines on
19 the names of persons shall govern the details that shall be reflected in the passport.

20
21 SEC. 16. *Other Travel Documents.* – The following travel documents may be
22 issued in lieu of a passport, the following travel documents, as described under Section
23 8, may be issued in lieu of a passport under the circumstances listed hereunder:

24
25 (a) *Emergency Travel Document:*

26
27 (1) A Filipino citizen with urgent travel requirements who, for
28 one reason or another, has lost one’s passport or whose passport has
29 expired or is expiring and cannot be issued a regular passport; and
30

1 (2) A Filipino citizen with emergency travel requirements, who
2 has not been issued a regular passport and who, for one reason or
3 another, cannot be issued a regular passport.
4

5 (b) *Travel Document Certificate:*
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7 (1) A Filipino citizen being repatriated to the Philippines;
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9 (2) The alien spouse of a Filipino and their dependents who
10 have not yet been naturalized as a Filipino and who are traveling to the
11 Philippines or is a permanent resident of the Philippines returning from
12 traveling abroad; and
13

14 (3) Aliens permanently residing in the Philippines who are not
15 able to obtain a passport or other travel documents from their countries
16 of origin.
17

18 (c) *Convention Travel Document* which shall be valid for five (5)
19 years from the date of issuance, shall be issued to Refugees or Stateless
20 persons recognized by the DOJ Refugees and Stateless Persons Protection Unit
21 (DOJ-RSPPU) or the appropriate government agency and is likewise a
22 permanent resident.
23

24 *SEC. 17. Loss or Destruction of a Passport.* – The loss or destruction of a
25 passport shall be immediately reported to the DFA or a Foreign Service Post. The
26 holder of such passport shall submit an affidavit stating in detail the circumstances of
27 such loss or destruction. As used in this Act, a lost passport is one the whereabouts
28 of which are unknown to the applicant despite diligent search, or if known, may not
29 be retrieved, recovered and produced by the applicant for reasons beyond the
30 applicant's control.
31

1 A holder who subsequently manages to find his lost passport shall turnover the
2 same to the Department. If he is not able to do so, he shall submit an Affidavit stating
3 the location of the passport and the person or entity in possession thereof.
4

5 Should the DFA find that the applicant made false claims or deliberately
6 withheld information about the loss of the passport or passports, or intentionally
7 destroyed a passport, the applicant shall be held liable under Section 23(b) of this
8 Act.

9
10 SEC. 18. *Fees.* – Reasonable fees, as may be determined by the Secretary,
11 shall be collected for the processing and issuance of a passport or a travel document:
12 *Provided, however,* That any fee shall not be increased more than once every three
13 (3) years.
14

15 In the issuance and replacement of passports, Senior citizens and persons with
16 disability shall be entitled to a reduced passport application fee up to twenty percent
17 (20%) of the prevailing and approved application fees.
18

19 SEC. 19. *Establishment of an Online Application Portal and Electronic One-Stop*
20 *Shop.* – With the assistance and cooperation of other agencies involved in the
21 procurement and issuance of the requirements enumerated in Section 5 of this Act,
22 the DFA is mandated to establish and maintain an online application portal and
23 Electronic One-Stop Shop readily accessible on its official website to facilitate
24 convenience of application and ease in gathering and submission of the requirements.
25

26 SEC. 20. *Passport Revolving Fund.* A portion of the total fees amounting to not
27 more than twenty percent (20%) of the gross annual collection shall be retained by
28 the Department for the purpose of covering production costs, beyond the allotments
29 provided for under the General Appropriations Act of the current fiscal year, and other
30 passport-related expenditure deemed appropriate by the Department.
31

1 The service fees received by the DFA under this section shall constitute a
2 revolving fund to be called the "Passport Revolving Fund", which may be utilized by
3 the DFA primarily for the improvement of its passporting and consular services and
4 other DFA services except travel and transportation allowances and expenses.
5

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

11 SEC. 21. *Waiver.* – The Secretary or his duly authorized representative may
12 waive any requirement set forth in Section 5 of this Act, as well as the fees for the
13 processing or issuance of passports and Travel Documents contained in Section 16 of
14 this Act.
15

16 SEC. 22. *Setting up of Special Lanes.* – The DFA shall arrange accommodations
17 to expedite the application and renewal of passports for senior citizens, persons with
18 disabilities (PWDs), pregnant women, overseas Filipino workers (OFWs), and
19 individuals with emergency and exceptional cases through the creation of special
20 lanes. The DFA shall also institute arrangements to expedite the application and
21 renewal for regular passports from the months of March to June for Muslim Filipinos
22 who are intending pilgrims to the annual hajj pilgrimage in coordination with the
23 National Commission for Muslim Filipinos (NCMF).
24

25 SEC. 23. *Offenses and Penalties.* – A passport, being a proclamation of the
26 citizenship of a Filipino, is superior to all other official documents and as such, shall
27 be accorded the higher respect by its holder. Any act prejudicial to its integrity is a
28 grave crime against the security of the State and shall be penalized accordingly:
29

30 (a) *Offenses relating to issuances; penalties.* – (1) A fine of not less than
31 One Hundred Thousand Pesos (P100,000.00) but not more than Two Hundred Fifty

1 Thousand Pesos (P250,000.00) and imprisonment of not less than six (6) years and
2 one (1) day but not more than twelve (12) years shall be imposed to any person who:

3
4 (i) Acts or claims to act in any capacity or office under the Republic
5 of the Philippines without lawful authority, accepts passport applications,
6 grants, issues or verifies any passport or travel document to any or for any
7 person whomsoever, or is caught selling in whatever capacity passport
8 application forms, or lost or stolen passports and travel documents;

9
10 (ii) Acts or claims to act in any capacity, with the intention to profit
11 thereby, intercepts a person proceeding to the DFA or any of its consular offices
12 or Foreign Service Posts to apply for a passport, and persuades, entices,
13 encourages, or misleads such applicant to course the application through
14 another person or agency other than the DFA or its personnel on the pretext
15 of facilitating its approval or issuance by the DFA; or

16
17 (iii) Being neither a diplomatic or consular official, nor an employee
18 authorized to grant, issue, or verify any passport or travel document to or for
19 any person, and even though not claiming to be such, offers, for any material
20 gain or consideration, to escort a passport applicant, or assist the same in
21 booking an appointment, filling out an application form, making payments,
22 handling application documents, or any other action relating to passport
23 application.

24
25 (2) A fine of not less than One Hundred Thousand Pesos (P100,000.00) but
26 not more than Two Hundred Fifty Thousand Pesos (P250,000.00) and imprisonment
27 of not less than eighteen (18) months and one (1) day but not more than six (6)
28 years, and upon conviction perpetual disqualification from holding public office shall
29 be imposed to any person who:

30
31 (i) Being a diplomatic or consular official authorized to grant, issue,
32 or verify passports, knowingly and willfully grants, issues, or verifies any such

1 passport to any or for any person not owing allegiance to the Republic of the
2 Philippines, whether citizen or not; or

3
4 (ii) Being a diplomatic or consular officer, knowingly and willfully
5 grants, issues, or certifies to the authenticity of any passport or travel
6 document for any person not entitled thereto, or knowingly and willfully issues
7 more than one (1) passport to any person except as provided for in this Act.

8
9 (b) *Offenses relating to false statements; penalties.* – A fine of not less than
10 One Hundred Thousand Pesos (P100,000.00) but not more than Two Hundred Fifty
11 Thousand Pesos (P250,000.00) and imprisonment of not less than eighteen (18)
12 months and one (1) day but not more than six (6) years shall be imposed to any
13 person who willfully and knowingly:

14
15 (1) Makes any false statement in any application for passport with
16 the intent to induce or secure the issuance of a passport under the authority
17 of the Philippine government, for any purpose, contrary to this Act or rules and
18 regulations prescribed pursuant hereto;

19
20 (2) Makes any false statement in an Affidavit declaring a passport as
21 lost while knowing its actual whereabouts or not exerting diligent effort to
22 retrieve, recover, and produce the same; or

23
24 (3) Uses or attempts to use any passport which was secured in any
25 way by reason of any false statement.

26
27 (c) *Offenses relating to forgery; penalties.* – Any person who:

28
29 (1) Falsely makes, forges, counterfeits, mutilates or alters any
30 passport or travel document or any supporting document for a passport
31 application, with the intent of using the same, shall be punished by a fine of
32 not less than Two Hundred Fifty Thousand Pesos (P250,000.00) but not more

1 than Five Hundred Thousand Pesos (P500,000.00) and imprisonment of not
2 less than six (6) years but not more than fifteen (15) years. The possession of
3 the documents herein mentioned shall be *prima facie* evidence of commission
4 of the acts enumerated herein and the intent to use the same; or
5

6 (2) Willfully or knowingly uses or attempts to use, or furnishes to
7 another for use, any such false, forged, counterfeited, mutilated, or altered
8 passport or travel document or any passport validly issued which has become
9 void by the occurrence of any condition herein prescribed shall be punished by
10 a fine of not less than Sixty Thousand Pesos (P60,000.00) but not more than
11 One Hundred Fifty Thousand Pesos (P150,000.00) and imprisonment of not
12 less than six (6) years but not more than fifteen (15) years.
13

14 *Provided,* That forgeries of five or more passports or travel documents, would
15 be considered a massive forgery tantamount to national sabotage and shall be
16 punished by a fine of not less than Two Hundred Fifty Thousand Pesos (P250,000.00)
17 but not more than One Million Pesos (P1,000,000.00) and imprisonment of not less
18 than seven (7) years but not more than seventeen (17) years.
19

20 (d) *Offenses relating to improper use of passports and travel documents;*
21 *penalties.* – A fine of not less than Two Hundred Fifty Thousand Pesos (P250,000.00)
22 but not more than Five Hundred Thousand Pesos (P500,000.00) and imprisonment of
23 not less than six (6) years but not more than twelve (12) years shall be imposed upon
24 any person who willfully and knowingly:
25

26 (1) Uses or attempts to use any passport issued or designed for the
27 use of another or any supporting document for a passport application which
28 belongs to another;
29

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

1
2 (3) Furnishes, disposes, or delivers a passport to a person other than
3 to the one whose name and for whose use the passport was issued, except
4 when the applicant is a minor, a senior citizen, or physically or mentally
5 incapacitated and the passport is released to the parent, guardian, or
6 immediate relative: *Provided*, That in case of any emergency and for
7 humanitarian reasons, at the discretion of the head of the Office of Consular
8 Affairs or the head of the Foreign Service Post, the passport may be released
9 to a third party upon the submission of a written authorization from the
10 applicant;

11
12 (4) Defaces or destroys a Philippine passport; or

13
14 (5) Sells, trades, pawns, mortgages, or uses an issued passport or
15 travel document as a collateral to secure debt, or in any manner uses such
16 passport or travel document as current or object of commerce; *Provided*, That
17 in such situation, the buyer, trader, creditor, or mortgagee shall also be liable
18 to the same extent as the passport/travel document holder.

19
20 (e) *Offenses relating to multiple possession of passports; penalties.* – No
21 person 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) unexpired
23 passport shall, for every unexpired passport found in the individual's possession, be
24 punished by a fine of not less than One Hundred Thousand Pesos (P100,000.00) but
25 not more than One Hundred Fifty Thousand Pesos (P150,000.00) and imprisonment
26 of 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 court for
28 any attempt to use or the actual use of an unexpired passport which is not in the
29 name of the user.

30
31 (f) *Offenses relating to forgery of visas and entry documents; penalties.* –
32 A fine of not less than Two Hundred Fifty Thousand Pesos (P250,000.00) but not more

1 than One Million Pesos (P1,000,000.00) and imprisonment of not less than seven (7)
2 years but not more than seventeen (17) years shall be imposed upon any person who:

3
4 (1) Knowingly forges, counterfeits, alters, or falsely makes any
5 immigrant or non-immigrant visa, permit, border crossing card, alien
6 registration card, or other document prescribed by statute or regulation for
7 entry into, or as evidence of authorized stay or employment in, the Philippines
8 or elsewhere with the intent of using the same;

9
10 (2) Knowingly uses, attempts to use, possesses, obtains, or receives
11 any such visa, permit, border crossing card, alien registration card, or other
12 document prescribed by statute or regulation for entry into, or as evidence of
13 authorized stay or employment in, the Philippines or elsewhere, knowing it to
14 be forged, counterfeited, altered, or falsely made, or to have been procured by
15 means of any false claim or statement, or to have been procured by means of
16 any false claim or statement, to have been otherwise procured by fraud or
17 unlawfully obtained: *Provided*, That the use of forged, counterfeited, altered or
18 falsely made visa, permit, border crossing card, alien registration card, or any
19 entry document shall be *prima facie* evidence of knowledge of its forgery,
20 counterfeiting, alteration, or falsity; or

21
22 (3) Knowingly possesses any blank permit or engraves, sells, brings
23 into the Philippines, or has the control or possession in any plate in the likeness
24 of a plate designed for the printing of permits, or makes any print, photograph,
25 or impression in the likeness of any immigrant or non-immigrant visa, permit,
26 or other document required for entry into the Philippines or elsewhere, or is in
27 possession of the distinctive paper which has been adopted by the DFA for the
28 printing of such visas, permits, or other documents: *Provided*, That the person
29 who forges, counterfeits, alters, or falsifies any immigrant or non-immigrant
30 visa, permit, border crossing card, alien registration card, or other entry
31 document shall be punished by a fine of not less than Two Hundred Fifty
32 Thousand Pesos (P250,000.00) but not more than One Million Pesos

1 (P1,000,000.00) and imprisonment of not less than seven (7) years, but not
2 more than seventeen (17) years for each visa or entry document.

3
4 (g) *Offenses relating to illegal withholding of passport; penalties.* – Any
5 person who confiscates, retains, or withholds, without any legal authority, any valid
6 passport issued by the DFA shall be guilty of the crime of illegal withholding of
7 passport: *Provided,* That the act of withholding or denying passports or travel
8 documents from applicant workers before departure, for monetary or financial
9 considerations, or for any other reasons, and other rules under the existing rules and
10 regulations of the DFA, or a court of law, other than those authorized under the Labor
11 Code and its implementing rules and regulations, shall continue to be considered as
12 “illegal recruitment” and be penalized as such crime under Section 6(k) and Section
13 7, respectively, of Republic Act No. 8042, otherwise known as the “Migrant Workers
14 and Overseas Filipinos Act of 1995”, as amended.

15
16 Any person found guilty of the crime of Illegal Withholding of Passport shall
17 suffer the penalty of imprisonment of not less than six (6) years and one (1) day but
18 not more than twelve (12) years, and shall pay a fine of not less than One Million
19 Pesos (P1,000,000.00) but not more than Two Million Pesos (P2,000,000.00).

20
21 If the offender is a public official, in addition to the prescribed penalties, the
22 offender shall be dismissed from service and shall suffer perpetual absolute
23 disqualification to hold office.

24
25 If the offender is a corporation, partnership, association, or any juridical
26 person, then the penalty shall be imposed upon the president, partner, manager,
27 and/or any responsible officer of the organization who directly participated in the
28 commission of the violation of this Act and allowed its perpetuation and continuance:
29 *Provided,* That in every case, the criminal conviction of the liable officer/s shall cause
30 and carry the automatic revocation of the business license and/or special certificate
31 of accreditation or certificate of registration of corporation, partnership, association,
32 or juridical person: *Provided, further,* That these entities and their officers who are

1 criminally held liable for the violation of this Act shall not be allowed to operate similar
2 establishments under different names. If the offender is an alien in the Philippine
3 territory, in addition to the penalties above, the alien shall be deported after serving
4 the sentence and be permanently barred from entering the country.

5
6 (h) *Offenses pertaining to unfair and discriminatory practices.* – Any
7 violation of Section 6 of this Act will warrant the following penalties and liabilities:

8
9 (1) First Offense: Administrative liability with six (6) months
10 suspension;

11
12 (2) Second Offense: Administrative liability and criminal liability of
13 dismissal from service, perpetual disqualification from holding public office and
14 forfeiture of retirement benefits and imprisonment of one (1) year to six (6)
15 years with a fine of not less than One Hundred Thousand Pesos (P100,000.00)
16 but not more than Two Hundred Fifty Thousand Pesos (P250,000.00).

17
18 (i) The penalties provided for under this Section shall be imposed in their
19 maximum when the offenses are committed by a syndicate or on a large scale.

20
21 (j) In case any of these offenses prohibited in this Act constitutes a violation
22 of the Revised Penal Code and the penalty imposed therein is higher than that
23 provided in this Act, the penalty prescribed in this Act shall be imposed.

24
25 SEC. 24. *Implementing Rules and Regulations.* – The Secretary shall issue the
26 rules and regulations to effectively implement the provisions of, and carry out the
27 policy set forth in, this Act within sixty (60) days from the effectivity of this Act.

28 SEC. 25. *Repealing Clause.* – Republic Act No. 8239, otherwise known as the
29 "Philippine Passport Act of 1996", is hereby repealed. All other laws, acts, presidential
30 decrees, executive orders, issuances, presidential proclamations, rules and regulations

1 or parts thereof, which are contrary to and inconsistent with any provision of this Act,
2 are hereby repealed, amended, or modified accordingly.

3 SEC. 26. *Separability Clause.* – If any portion or provision of this Act is declared
4 unconstitutional, the remainder of this Act or any provision not affected thereby shall
5 remain in force and effect.

6 SEC. 27. *Effectivity.* – This Act shall take effect immediately following the
7 completion of its publication either in the *Official Gazette* or in two (2) newspapers of
8 general circulation.

Approved,