



HOUSE OF REPRESENTATIVES

H. No. 8513

BY REPRESENTATIVES HOFER, ROMUALDO, GO (E.C.), ESPINA, SY-ALVARADO, NIETO, SAVELLANO, ERIGUEL, LAZATIN, TAMBUNTING, SAGARBARRIA, DATOL, RODRIGUEZ, ESPINO, BAÑAS-NOGRALES, OLIVAREZ, SALCEDA, DEL MAR, ROBES, KHO (E.), TY (D.), TUTOR, VALMAYOR, CARI, GULLAS, CHATTO, PINEDA, MATBA, AMATONG, MARTINEZ, DAGOOC, REVILLA, BABASA, CABATBAT, PACQUIAO (A.), ALBANO, BASCUG, PLAZA, MANGUDADATU, ESTRELLA, FERNANDEZ, LOPEZ, PEÑA, PALMA, VARGAS, FRASCO, FERRER (J.M.), GATO, DY (I.P.), TULFO, SILVERIO, VIOLAGO, LABADLABAD, ALVAREZ (G.), MACAPAGAL ARROYO, BAUTISTA-BANDIGAN, CANAMA, DAZA, ERICE, FLORES, LAGMAN, ONG (J.), TALLADO, UMALI (M.V.), VILLANUEVA (N.), AGABAS, ERMITA-BUHAIN, LUSOTAN, SINSUAT, SANGCOPAN, MANGAOANG, LIM, FERRER (L.), CAMINERO, SANCHEZ, BILLONES, KHO (W.), MARIANO-HERNANDEZ, ACOP, BUSTOS, CASTELO, CASTRO (F.H.), FORTUNO, GARIN (S.), NAVA, PIMENTEL, SALO, UY (R.), ABUNDA, ORTEGA, BOLILIA, ALVAREZ (F.), BARZAGA, HERNANDEZ, MARQUEZ, MERCADO, JALOSJOS, TEVES (J.), TAN (S.), ROQUE, ACOSTA, CABREDO, GONZALES (A.), MADRONA, PADUANO, SUAREZ (A.), TY (A.), ALONTE, VILLAFUERTE, DALIPE, ROMUALDEZ (Y.M.), DELOS SANTOS, LAGON, LACSON-NOEL, COLLANTES, RIVERA, ABUEG-ZALDIVAR, ONG (R.), SUANSING (E.), ARAGONES, UY (J.), ACOSTA-ALBA, OUANO-DIZON, DELOSO-MONTALLA, ARENAS, EBCAS, DE VENECIA, GO (M.), CRISOLOGO, SINGSON-MEEHAN, HARESCO, LACSON, VILLA, SACDALAN, ESCUDERO, FUENTEBELLA, ROMERO, SUNTAY, DY (F.M.C.), GARCIA (P.J.), DEFENSOR (L.), ABU, GARCIA (J.E.), SUANSING (H.), TEJADA, CHIPECO, PICHAY, JIMENEZ, ECLEO, NOLASCO, GATCHALIAN, NOGRALES (J.J.), GORRICETA, PADIERNOS, FORTUN, BELMONTE, CUA, GASATAYA, MATUGAS, GONZAGA, CUARESMA, LIMKAICHONG, ZUBIRI, CALDERON, CAMPOS, SUAREZ (D.), GONZALEZ, MOMO, ZAMORA (W.K.), BALINDONG, BARBA, BERNOS, BRAVO, DALOG, DIMAPORO (A.), FARIÑAS (R.C.), MARIÑO, NATIVIDAD-NAGAÑO, VELASCO AND ROMAN, PER COMMITTEE REPORT NO. 717

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 SEC. 2. *Statement 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
10 requirements for the application and issuance of passports and other travel
11 documents shall be prescribed. The government shall ensure expeditious action on
12 such applications and 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
15 of Mission and are currently serving as Ambassadors
16 Extraordinary and Plenipotentiary;

17 (b) *Biographic data* refers to an individual’s full name, birthdate,
18 birth place, and sex as recorded in the certificate of live birth or
19 report of birth;

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

3 (d) *Convention on International Civil Aviation or Chicago*
4 *Convention* refers to the Convention which sets out certain
5 principles and arrangements for the development of international
6 civil aviation and establishment of international air transport
7 services signed in Chicago in 1944 and which entered into force
8 in 1968;

9 (e) *Consular Offices (CO)* refer to field offices of the Department of
10 Foreign Affairs (DFA) Office of Consular Affairs located in the
11 Philippines where passport and consular services are provided;

12 (f) *Consular Official* refers to a DFA official assigned to the Office
13 of Consular Affairs, DFA Consular Offices in the Philippines
14 and Foreign Service Posts, who is responsible for providing
15 passport and other consular services.

16 (g) *Fugitives from justice* refer to those who flee after conviction to
17 avoid punishment and those who, after being charged, flee to
18 avoid prosecution;

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

4 (i) *ICAO* refers to the International Civil Aviation Organization, a
5 specialized agency of the UN, established by UN Member States
6 in 1944 to manage the administration and governance of the
7 Convention on International Civil Aviation or the Chicago
8 Convention;

9 (j) *ICAO Document 9303* refers to the latest edition of the
10 compendium of ICAO technical requirements, standards and
11 recommended practices for the production of machine readable
12 travel documents;

13 (k) *Issuing authority* refers to the DFA Office of Consular Affairs,
14 DFA Consular Offices in the Philippines, or the Philippine
15 Foreign Service Posts overseas which issue passports and
16 provide other consular services;

17 (l) *Large scale* refers to the commission of any of the offenses under
18 this Act against three (3) or more persons individually or as a
19 group;
20

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

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

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

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

16 (q) *Travel Document* refers to a form of identification, compliant
17 with current ICAO standards, that the Philippine government

1 issues to its citizens or recognized residents so they can cross
2 international borders in lieu of a regular passport.

3 SEC. 4. *Authority to Issue, Deny, or Revoke.* — Upon the application of
4 any qualified Filipino citizen, the Secretary of Foreign Affairs, herein after referred
5 to as Secretary, or any duly authorized consular officer may issue passports in
6 accordance with this Act.

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

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

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

4 (a) A duly accomplished application form;

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

7 (1) Birth Certificate or Report of Birth, whichever is applicable,
8 for natural born citizens authenticated by the Philippine
9 Statistics Authority (PSA);

10 (2) Naturalization Certificate for Naturalized citizens;

11 (3) Filipino Identification Certificate by Election for those who
12 were born before January 17, 1973, of Filipino mothers, and who
13 elected Philippine citizenship upon reaching the age of majority;

14 or

15 (4) Documents issued upon Reacquisition or Retention of
16 Philippine citizenship under Republic Act No. 9225 otherwise
17 known as “Citizenship Retention and Reacquisition Act of
18 2003”;

19 (c) Valid and sufficient proof of identity;

1 (d) PSA authenticated Marriage Certificate or Report of Marriage,
2 whichever is applicable, for a married woman who wishes to use her
3 husband's surname;

4 (e) Duly annotated PSA authenticated Marriage Certificate or Report of
5 Marriage, whichever is applicable, of a woman who wishes to revert to the
6 use of her maiden name by virtue of an annulment, declaration of nullity
7 of marriage, legal separation, or a judicially-recognized divorce; or Death
8 Certificate or Report of Death of the husband;

9 (f) For a minor applicant, the application may be filed by either parent:
10 *Provided*, That if a person other than the minor's parents files the
11 application, a Special Power of Attorney (SPA) duly executed by a person
12 exercising parental authority must be presented for this purpose;

13 (g) Written consent of the Department of Social Welfare and Development
14 (DSWD), if the applicant is a prospective adoptive child under Republic
15 Act No. 8552, otherwise known as the "Domestic Adoption Act of 1998."
16 If the applicant is a prospective adoptive child of a non-Filipino citizen, or
17 a relative within the fourth civil degree of consanguinity or affinity under
18 Republic Act No. 8043, otherwise known as the "Inter-Country Adoption
19 Act of 1995", the following shall be presented:

1 1) Authenticated birth certificate from the PSA or a foundling
2 certificate from the DSWD;

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

5 3) Certification issued by the DSWD;

6 (h) For applicants who are sixty-five (65) years old and above, who are
7 renewing their passports, the DFA shall implement a system wherein the
8 applicants may submit their application without the need to physically
9 appear in the Office of Consular Affairs or any Consular Office, through
10 the use of available technology, as far as practicable;

11 (i) In case of discrepancy, the applicant's name or other details in the birth
12 certificate or report of birth shall prevail over that appearing in any other
13 public or private document: *Provided*, however, That by operation of law
14 or through court order, the applicant is permitted to use a name other than
15 what is officially recorded in the PSA or the Local Civil Registry Office
16 (LCRO);

17 (j) A travel authority, issued by the head of the department, agency or office
18 or a duly authorized representative, if the applicant is a government official
19 or employee seeking to apply for a diplomatic or official passport; The
20 DFA is mandated to ensure the integrity of the passport at all times. As

1 such, the Secretary or duly authorized consular official may require the
2 applicant to provide additional documents until the latter adequately
3 establishes citizenship and identity.

4 **SEC. 6. *Application.*** – A person applying for a passport for the first time
5 shall be required to appear in person for biometric and biographic data capturing.

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

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

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

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

18 (a) Diplomatic Passports are issued to persons with diplomatic status or

1 who are on diplomatic mission such as:

- 2 (1) The President and former Presidents of the Philippines;
- 3 (2) The Vice President and former Vice Presidents of the
4 Philippines;
- 5 (3) The President of the Senate, the Speaker of the House of
6 Representatives, and former Presidents of the Senate and
7 Speakers of the House of Representatives;
- 8 (4) The Chief Justice and Associate Justices of the Supreme Court
9 and the Presiding Justice of the Court of Appeals, and the
10 *Sandiganbayan*;
- 11 (5) The Secretary, Undersecretaries and Assistant Secretaries of the
12 DFA;
- 13 (6) The Members of Congress, the Secretary of the Senate and the
14 Secretary General of the House of Representatives;
- 15 (7) The Ambassadors Extraordinary and Plenipotentiary of the
16 Republic of the Philippines; Chiefs of Mission, and Foreign
17 Service Officers of all ranks in the career diplomatic service,
18 including designated attachés from the DFA and agencies of the
19 government;
- 20 (8) The Secretaries of all the departments of the Executive branch;

- 1 (9) The Governor of the *Bangko Sentral ng Pilipinas*;
- 2 (10) The Official delegates to international or regional conferences
3 accorded full powers by the President; and
- 4 (11) The spouses and unmarried minor children of the
5 abovementioned officials when accompanying or following to
6 join them in an official mission abroad.

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

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
12 not been accorded diplomatic status, such as:

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

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

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

6 (4) Spouse and minor children of the staff officers and employees of
7 the DFA assigned to diplomatic or consular posts and offices,
8 and representatives of other government agencies assigned
9 abroad, when accompanying or following to join them.

10 (c) Regular passports are issued to Filipino citizens who are not eligible
11 or entitled to diplomatic or official passports, including government
12 officials or employees going abroad for pleasure or other personal
13 reasons. Government officials and employees and members of their
14 families may, during their incumbency in office, hold two (2) passports
15 simultaneously:

16 (1) a regular passport for private travel; and

17 (2) a diplomatic or official passport when travelling abroad on
18 diplomatic or official business. The spouse and minor children
19 of persons entitled to diplomatic or official passports shall be

1 issued regular passports if they are not accompanying or
2 following to join them.

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

7 **SEC. 8. Grounds for Denial of Issuance of Passport or Revocation of**
8 **Passport.** – A passport application may be denied, or revoked, on the following
9 grounds:

10 (a) On orders of the court, to hold the departure of an applicant because
11 of a pending criminal case;

12 (b) On orders of the court, when the holder has been convicted of a
13 criminal offense: *Provided*, That a passport may be issued after service
14 of sentence;

15 (c) On orders of the court, when the holder is a fugitive from justice;

16 (d) When a passport was acquired fraudulently, tampered with, or issued
17 erroneously;

18 (e) When a passport is returned to the DFA by other government agencies
19 or entities: *Provided*, That revocation of the passport will not prevent
20 the holder from being issued a new passport;

1 (f) On written notarized request by the person exercising parental authority
2 over a minor applicant or passport holder, *Provided*, That, if the
3 requesting party is not a Filipino, the consent of the Filipino parent is
4 required;

5 (g) When the applicant has been found to have violated any of the
6 provisions of this Act; and

7 (h) Such other disqualification under existing laws.

8 **SEC. 9. *Passport Databases.*** – the DFA shall create the following databases:

9 (a) Passport database which shall contain all current and, if available,
10 previous passport and travel document records of Philippine citizens,
11 including recognized alien residents.

12 (b) Watchlist database which shall contain the names of persons whose
13 passport applications have been denied or whose passports were
14 revoked under Sec. 4, as well as those persons found to have committed,
15 or attempted to commit, offenses under Sec. 19 of this Act shall be
16 included into a watchlist database. No passport shall be issued to the
17 persons found in the database until they are able to meet the
18 documentary or legal requirements for the removal of their names from
19 the database.

1 The Secretary or any of the duly-authorized consular officials
2 may recommend the inclusion of persons in the database other than
3 those previously cited for other reasons that may provide a basis for the
4 DFA to deny issuance of a passport to these persons.

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

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

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

13 **SEC. 10. *Appeal.*** – Any person whose passport application was denied or
14 revoked shall have the right to appeal to the Secretary, whose decision may be
15 reviewed by the appropriate court.

16 **SEC. 11. *Validity.*** – As provided for under Republic Act No. 10928
17 extending the validity of Philippine passports, regular passports issued under this
18 Act shall be valid for a period of ten (10) years: *Provided, however,* That for
19 individuals under eighteen (18) years of age, only a passport with five (5)-year
20 validity shall be issued: *Provided, further,* That the issuing authority may limit the

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

5 SEC. 12. ***Ownership of Passports.*** – A Philippine passport remains at all
6 times the property of the government, the holder being a mere possessor thereof for
7 the duration of the passport's validity and the same may not be surrendered to any
8 entity or person other than the government or its duly authorized representative.

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

11 SEC. 14. ***Other Travel Documents.*** – The following travel documents
12 may be issued in lieu of a passport, under the circumstances listed hereunder:

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

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

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

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

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

7 (2) The alien spouse of a Filipino and their dependents who have not
8 yet been naturalized as a Filipino and who are travelling to the
9 Philippines or is a permanent resident of the Philippines returning
10 from traveling abroad; and

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

14 (c) Convention Travel Document, which shall be valid for five (5) years from
15 date of issuance, shall be issued for a Stateless person who is likewise a
16 permanent resident or a refugee granted such status or asylum in the
17 Philippines.

18 SEC. 15. *Loss or Destruction of a Passport.* – The loss or destruction of a
19 passport shall be immediately reported to the DFA or a Foreign Service Post. The

1 holder of such passport shall submit an affidavit stating in detail the circumstances
2 of such loss or destruction. As used in this Act, a lost passport is one the whereabouts
3 of which are unknown to the applicant despite diligent search, or if known, may not
4 be retrieved, recovered and produced by the applicant for reasons beyond the
5 applicant's control.

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

9 SEC. 16. *Fees.* – Reasonable fees, as may be determined by the Secretary,
10 shall be collected for the processing and issuance of a passport or a travel document.

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

13 SEC. 17. *Passport Revolving Fund.* – The DFA may charge a service fee
14 of not more than fifty percent (50%) of the current fees, as determined in Section 16
15 of this Act for services rendered to applicants relating to the processing or issuance
16 of passports requiring special consideration, waiver or issuance beyond regular
17 office hours.

18 The service fees received by the DFA under this section shall constitute a
19 revolving fund to be called the "*Passport Revolving Fund*" which may be utilized

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

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

7 SEC. 18. *Waiver.* – The Secretary is solely authorized to waive any
8 requirement set forth in Section 5 of this Act, as well as the fees for the processing
9 and issuance of passports and travel documents prescribed under Section 16 of this
10 Act.

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

15
16 (a) *Offenses Relating to Issuances; Penalties.* – A fine of not less than
17 Fifteen thousand pesos (P15,000.00) but not more than Sixty thousand
18 pesos (P60,000.00) and imprisonment of not less than six (6) years and
19 one (1) day but not more than twelve (12) years shall be imposed to any
20 person who:

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

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

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

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

6 (1) Being a diplomatic or consular official authorized to grant, issue, or
7 verify passports, knowingly and willfully grants, issues, or verifies
8 any such passport to any or for any person not owing allegiance to
9 the Republic of the Philippines, whether citizen or not; or

10 (2) Being a diplomatic or consular officer, knowingly and willfully
11 grants, issues, or certifies to the authenticity of any passport or travel
12 document for any person not entitled thereto, or knowingly and
13 willfully issues more than one (1) passport to any person except as
14 provided for in this Act.

15 (b) *Offenses Relating to False Statements; Penalties.* – A fine of not less
16 than Fifteen thousand pesos (P15,000.00) but not more than Sixty
17 thousand pesos (P60,000.00) and imprisonment of not less than six (6)
18 years and one (1) day but not more than twelve (12) years shall be
19 imposed to any person who willfully and knowingly:

- 1 (1) Makes any false statement in any application for passport with the
2 intent to induce or secure the issuance of a passport under the
3 authority of the Philippine government, for any purpose, contrary
4 to this Act or rules and regulations prescribed pursuant hereto; or
5 (2) Makes any false statement in an Affidavit declaring a passport as
6 lost while knowing its actual whereabouts or not exerting diligent
7 effort to retrieve, recover and produce the same; or
8 (3) Uses or attempts to use any passport which was secured in any way
9 by reason of any false statement.

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

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

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

9 *Provided*, That forgeries of five or more passports or travel documents, would
10 be considered as massive forgery tantamount to national sabotage and shall be
11 punished by a fine of not less than Two hundred and fifty thousand pesos
12 (P250,000.00) nor more than One million pesos (1,000,000.00) and imprisonment
13 of not less than seven (7) years nor more than seventeen (17) years.

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

- 1 (1) Uses or attempts to use any passport issued or designed for
2 the use of another or any supporting document for a passport
3 application which belongs to another; or
- 4 (2) Uses or attempts to use any passport or supporting document
5 in violation of the conditions or restrictions therein contained,
6 or of the rules prescribed pursuant thereto; or
- 7 (3) Furnishes, disposes, or delivers a passport to any person other
8 than to that in whose name and for whose use it was issued,
9 except when the applicant is a minor, a senior citizen, or
10 physically or mentally incapacitated and the passport is
11 released to the parent, guardian or immediate relative:
12 *Provided*, That in case of an emergency and for humanitarian
13 reasons, at the discretion of the head of the Office of Consular
14 Affairs or the head of the Consular Section or the Consul-
15 General of a Foreign Service Post, the passport may be
16 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
20 travel document as collateral to secure debt, or in any manner

1 uses such passport or travel document as currency or object
2 of commerce; *Provided*, that in such situation, the buyer,
3 trader, creditor, or mortgagee shall also be liable to the same
4 extent as the passport/travel document holder;

5 (e) ***Offenses Relating to Multiple Possession of Passports; Penalties.*** –

6 No person or individual may hold more than one (1) valid passport,
7 except as provided for in Section 7 hereof, and any individual who
8 possesses more than one (1) unexpired passport shall, for every
9 unexpired passport found in the individual's possession, be punished
10 by a fine of not less than Fifteen thousand pesos (P15,000.00) but not
11 more than Sixty thousand pesos (P60,000.00) and imprisonment of not
12 less than six (6) years and one (1) day but not more than twelve (12)
13 years: *Provided*, That the maximum fine and imprisonment shall be
14 imposed by the court for any attempt to use or the actual use of an
15 unexpired passport which is not in the name of the user.

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

17 ***Penalties.*** – A fine of not less than Fifteen thousand pesos (P15,000.00)
18 but not more than Sixty thousand pesos (P60,000.00) and imprisonment
19 of not less than three (3) years but not more than ten (10) years shall be
20 imposed upon any person who:

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

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

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

19 ***(g) Offenses Relating to Illegal Withholding of Passport; Penalties.*** – Any
20 person who confiscates, retains, or withholds, without any legal authority,

1 any valid passport issued by the DFA shall be guilty of the crime of illegal
2 withholding of passport: *Provided*, That the act of withholding or denying
3 passports or travel documents from applicant workers before departure, for
4 monetary or financial considerations, or for any other reasons, other than
5 those authorized under the Labor Code and its implementing rules and
6 regulations, shall continue to be considered as “illegal recruitment” and be
7 penalized as such crime under Section 6 (k) and Section 7, respectively, of
8 Republic Act No. 8042, otherwise known as the Migrant Workers and
9 Overseas Filipinos Act of 1995, as amended by Republic Act No. 10022.

10 Any person found guilty of crime of “Illegal Withholding of Passport”
11 shall suffer the penalty of imprisonment of not less than six (6) years and
12 one (1) day but not more than twelve (12) years, and shall pay a fine of not
13 less than One million pesos (P1,000,000.00) but not more than Two
14 million pesos (P2,000,000.00).

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

18 If the offender is a corporation, partnership, association, or any juridical
19 person, then the penalty shall be imposed upon the president, partner,
20 manager, and/or any responsible officer of the organization who directly

1 participated in the commission of the violation of this Act and allowed its
2 perpetuation and continuance: *Provided*, That in every case, the criminal
3 conviction of the liable officer(s) shall cause and carry the automatic
4 revocation of the business license and/or special certificate of accreditation
5 or certificate of registration of corporation, partnership, association, or
6 juridical person; and: *Provided further*, That these entities and their
7 officers who are criminally held liable for the violation of this Act shall
8 not be allowed to operate similar establishments under different names.
9 If the offender is an alien in the Philippine territory, in addition to the
10 penalties prescribed above, the alien shall be deported after serving
11 sentence and be permanently barred from entering the country.

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

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

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

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

3 SEC. 21. *Separability Clause.* – If any part or provision of this Act is
4 declared unconstitutional or invalid, the other provisions or parts not affected shall
5 remain in full force and effect.

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

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

13 Approved,