

**Administrative Order No. \_\_\_\_\_  
Series of 2004**

SUBJECT: **Amended Omnibus Guidelines for Minors Travelling Abroad**

Administrative Order No. 149, Series of 2001 and Administrative Order No. 288, Series of 2002 is hereby consolidated for clarity and easy reference. This was likewise, revised in conformity with the existing requirements of other partner agencies and to respond to issues and concerns based on the actual experiences of the field implementors.

This guideline henceforth, provides direction and guidance for the issuance of Travel Clearance/Parental Travel Permit to Minors Travelling Abroad.

**I. Legal Bases:**

1. The UN Convention on the Rights of the Child which the Philippines ratified on July 26, 1990 mandates State Parties to take measures to combat the illicit transfer and non-return children abroad (Articles 11) and to take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form (Article 35).
2. RA 7610 also known as the Special Protection of Children Against Abuse Exploitation and Discrimination Act mandates the DSWD to issue a travel clearance to unaccompanied minors travelling abroad or written permit or justification from the child's parents or legal guardians (Article IV, Section 8, a), as a measure to protect children and prevent child trafficking. This law strengthens Article 3 on the rights of the child in the Child and Youth Welfare Code (PD 603).
3. RA 8239 otherwise known as the Philippine Passport Act of 1996 – requires the applicant (below 18 years old) to submit an affidavit of consent from a parent or those exercising parental authority and legal custody, if the minor is travelling with either one of them and a clearance from DSWD, if the minor is travelling with a legal guardian or a person other than a parent before the issuance of a passport (Sec. 51).
4. RA 9208 also known as the Anti-Trafficking in Person Act of 2003 requires the State to give highest priority to the enactment of measures to eliminate trafficking in persons and to mitigate pressures for involuntary migration. It is considered as qualified trafficking when it involves a child and his/her adoption is effected through RA 8043, "Intercountry Adoption Act of 1995" and said adoption is for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage.

5. RA 8043 “Intercountry Adoption Act of 1995” states that the Intercountry Adoption Board must protect the Filipino child from abuse, exploitation, trafficking and/or sale or any other practice prejudicial to the child.

## **II. Statement of Policy:**

The Department is mandated to provide special protection to children from all forms of abuse and other conditions prejudicial to their development. In compliance with the provisions of RA 7610, Article IV on Child Trafficking, a child shall not be allowed to travel alone to a foreign country without a travel clearance issued by the Department or a written parental travel permit if the child travels in the company of only one of the biological or adoptive parent, hence this guideline to ensure its effective implementation.

## **III. General Policies:**

1. The primary objective of the issuance of a travel clearance/parental travel permit is to protect minors from trafficking, abuse exploitation or improper influence by person/s engaged in trafficking.
2. A minor travelling with both parents, either biological or adoptive is exempted from the travel clearance requirement.
3. A minor travelling with only one parent whether biological or adoptive requires the accompanying parent to secure the appropriate Parental Travel Permit (PTP) to be executed by the other spouse.
4. An illegitimate child travelling with his/her biological mother shall not be required to secure the parental consent from the biological father. Even if recognized or acknowledged in the birth certificate by the father, an illegitimate child is under the sole parental authority of the mother unless custody is given to the biological father thru a Court Order.
5. A parent/person granted by the Court sole and absolute legal guardianship, parental authority or legal custody over the child is exempted to secure consent from the other spouse. This shall apply in situations where the parents are legally separated, divorced or have had their marriage annulled, and the Court granted sole custody and parental authority on one parent. The Court decision granting said divorce, legal separation or annulment should include a statement to this effect i.e. to whom the sole custody and parental authority is vested.
6. The biological father who petitions the Court and secure an Order vesting in him parental authority and legal custody over his illegitimate child/ren have the responsibility to notify proper authorities, i.e. Bureau of Immigration to hold the departure of his child from the Philippines without his consent thru a court order issued by the appropriate court.
7. A minor below 13 years of age is ABSOLUTELY prohibited to travel alone.

8. Abandoned/neglected minor/s who is/are voluntarily or involuntarily committed to the Department or the licensed/accredited agencies, the Regional Director or his/her authorized representative is the one responsible to give consent for the child to travel abroad for whatever purpose e.g. medical mission, study tour, etc. except when a child is leaving for intercountry adoption.
9. The travel clearance/parental travel permit shall be issued by the Field Offices who has jurisdiction over the residence of minor. ICAB shall be responsible to issue the travel clearance for minors subject for intercountry adoption.
10. The travel clearance/parental travel permit issued by the Department may be used for multiple travel abroad and is valid for a period of one (1) year upon date of issuance provided the minor shall be accompanied by the same person indicated in the travel clearance/parental travel permit.

#### **IV. Definition:**

1. **Minor** – a Filipino citizen who is below eighteen (18) years old.
2. **Travel Clearance** – is a document issued by the Department of Social Welfare and Development (DSWD) Field Offices or its attached agency, Intercountry Adoption Board (ICAB), whichever is applicable to a minor unaccompanied by any of the parent or those exercising parental authority and legal custody over the child.
3. **Parental Travel Permit (PTP)** – is a document issued by the Department of Social Welfare and Development (DSWD) based on the written consent of any of the parent or legal guardian of the minor allowing the said minor to travel unaccompanied by the said parent.
4. **Subsequent Traveller** – refers to minor/s who has/have previously been issued by the Department travel clearance/parental permit to travel abroad.

#### **V. Coverage:**

##### **1. Minor/s required to secure travel clearance**

- a. Minor travelling alone who is above 13 years old but below 18 years old
- b. Minor travelling with adoptive parent/s for purpose of intercountry adoption
- c. Minor travelling with a person other than his/her parent(s), legal guardian or person exercising parental authority/legal custody over him/her
- d. Minor who is illegitimate and is travelling with his/her biological father

##### **2. Minor/s required to secure Parental Travel Permit**

- Minor travelling with only one parent whether biological, adoptive or legal guardian.

## **EXEMPTIONS:**

Minor/s exempted to secure either a travel clearance or parental travel permit are the following:

- a. A minor travelling with both his/her biological parents or adoptive parents who were issued by the appropriate court, the Adoption Decree and the Certificate of Finality.
- b. An illegitimate child travelling with his/her biological mother who has the absolute parental authority over the child.
- c. A minor who is an immigrant or a permanent resident abroad.
- d. A minor accompanied by his/her legal guardians appointed by the Court with Letters of Guardianship.
- e. A minor accompanied by either the mother or father who has been granted sole parental authority by the Court in a judicial proceeding for legal separation/annulment/divorce.
- f. An illegitimate child travelling with his/her biological father who has been granted sole parental authority/legal custody by the Court.
- g. A minor who is half-orphaned whose father or mother died and accompanied by the surviving parent.

## **VI. Person/s allowed to File an Application for Travel Clearance/Parental Travel Permit**

- a. A minor who is at least 13 years of age
- b. The minor's parent/s or legal guardian
- c. The minor's travelling companion
- d. Duly authorized representative of the parent/legal guardian supported by a Special Power of Attorney (SPA)

## **VII. Requirements:**

### **A. Travel Clearance**

1. The requirements for minors travelling for the *first time* is an application form to be accomplished by both natural/adoptive parent or legal guardian with the attached documents:
  - a. Birth Certificate on security paper (SECPA) of the minor;
  - b. Certified copy of marriage certificate of minor's parents, if appropriate;
  - c. Notarized affidavit of consent from parents/guardian authorizing a particular person to accompany the child in his/her travel abroad;

- d. Affidavit of support and a certified copy of any evidence to show financial capability of sponsor (parents/legal guardian or other person/agency shouldering the expenses) such as:
  - a) Certificate of Employment;
  - b) Latest Income Tax Return;
  - c) Bank Statement, etc.
- e. Certified copy of death certificate of parent/s, if appropriate
- f. Two passport size pictures of minor; and
- g. Photocopy of passport of travelling companion

**Additional requirements for minor under special circumstances.**

For Filipino minor migrating to another country

- Visa petition approval

For a minor who will study abroad

- Acceptance from the school where minor is to be enrolled

For a minor who will attend conference, study tours, etc.

- Certification from sponsoring organization

For a minor going abroad for medical purposes

- Medical Abstract of the minor

For a minor going abroad for adoption

- Placement Authority
- Authority to Escort

For a minor under legal guardianship

- Certified copy of Letter of Guardianship/Court Order

For a minor who is 13 years old and above travelling alone:

- Affidavit executed by parents or legal guardian stating that minor shall be fetched at the airport by a responsible adult
- Certification from the airline that they will be responsible for the minor while on travel

Additional requirements such as baptismal certificate or school records and the like may be presented depending upon the purpose of minor's travel and the assessment of the social worker.

In instances where documents are in question, concerned parties may be required to personally appear at the DSWD Regional Office for validation/verification of documents.

2. The following are the only documents required for *subsequent travels*:

- Travel Clearance previously issued by DSWD Field Office. In case of loss, the applicant shall be required to secure a duly Notarized Affidavit of Loss
- Duly accomplished application form
- Notarized affidavit of consent from biological parent/s/guardian authorizing a particular person to accompany the child in his/her travel abroad
- Two passport size pictures of minor
- Photocopy of passport of travelling companion

## **B. Parental Travel Permit**

The requirements for minor/s travelling for the *first time* is an application form with the attached documents:

- Duly notarized Parental Travel Permit
- Birth Certificate on security paper (SECPA) of the minor
- Certified copy of marriage contract of parents
- Photocopy of passport and visa of accompanying parent

The following are the only documents required for *subsequent travels*:

- Duly notarized Parental Travel Permit
- Photocopy of passport of minor
- Photocopy of passport of accompanying parent

In the case of a minor considered as frequent traveller and/or whose parent/s are in the foreign service or diplomatic corps, overseas employment or immigrants in a foreign country any of the following documentary evidence may suffice to show proof of his/her purpose of travel and present circumstances, to wit:

- Pertinent entries in the passport on previous records of arrival/departure of minor
- Sworn Affidavit of Parent/s on the circumstances of the minor's travel
- Other Documents:
  - a) For immigrant Visa Petition Approval of the minor, if appropriate

- b) For minor studying abroad, study visa
- c) For minor whose parents are in the Foreign Service, a certification from the Department of Foreign Affairs attesting to the parent's employment
- d) For minor whose parents are overseas Filipino workers/seafarers, a certification from the employer attesting to the parent's employment

**VIII. Procedures:**

1. The applicant shall submit the supporting documents listed under the requirements to DSWD Field Office or Intercountry Adoption Board (ICAB) whichever is appropriate seven days before the travel.
2. The social worker shall conduct an in-depth interview of the minor and/or parent and review the submitted, accomplished application form and documents.
3. The social worker shall prepare an assessment report and if favorable, shall recommend approval for issuance of travel clearance/parental travel permit. If not favorable, the social worker shall immediately discuss the reasons with applicant and render a report to the DSWD Regional Director or ICAB Executive Director.

Should the reason of disapproval be detrimental to the welfare and best interest of the child, as per evaluation of the social worker, the Field Office or ICAB shall prepare a request to the Bureau of Immigration for the minor to be placed in their watch list.

4. The Regional Director/ICAB Director or his/her authorized representative shall approve the issuance of a travel clearance using the prescribed form, "Travel Clearance for a Minor/Parental Travel Permit" whichever is appropriate and affix his/her signature thereon.

**IX. Implementing Guidelines:**

**1. Application**

- 1.1 The application for travel clearance/parental travel permit may be submitted/filed by any of the appropriate persons at the DSWD Field Office which has jurisdiction over the residence of the minor.
- 1.2 The application for minor travelling abroad for the purpose of intercountry adoption shall be filed at the office of the Intercountry Adoption Board (ICAB).
- 1.3 The application form shall be signed under oath by both biological/adoptive parent/s/guardian or legal guardian/s of the child.

- 1.4 The application shall among others, indicate the purpose whether for passport requirement or for foreign travel. Likewise, the exact address of the child at the point of destination, the date of departure, the specific purpose of travel, duration and arrangements for the welfare of the child in the country of destination must be specified.
- 1.5 The application for travel clearance/parental travel permit must be filed at least seven (7) working days before the scheduled departure or even earlier if the minor still has to apply for a passport.

## **2. Assessment/Validation**

- 2.1 The social worker shall review and evaluate the accomplished application form and documents submitted and ensure that it is genuine and valid. An interview shall likewise be conducted and if necessary, a homevisit to validate the following information:
  - a. Purpose of travel
  - b. Reason/s why parent/s cannot accompany the minor
  - c. Relationship of minor to travelling companion
  - d. Destination/s with the name and address of person with whom child will stay or hotel address and telephone number
  - e. Length of stay abroad at each destination and expected date of return when appropriate
  - f. Other pertinent information
    - In the review of documents, the attachment of a red ribbon on the Affidavit of Support/Consent to Travel which was authenticated/notarized by Philippine Embassy abroad is not essential and necessary to constitute its value. The important features of the said document is the signature of the Consul accompanied by the seal of the Philippine Embassy and document/service number.
- 2.2 An in-depth interview with the minor, if appropriate, and/or biological parent/s/legal guardian/travelling companion will be considered. If the submitted complete documents are favorable and do not necessitate further validation, the social worker prepares her report and recommends approval for issuance of a travel clearance; or

If the social worker, after thorough evaluation, cannot favorably recommend the minor's travel, she/he shall immediately discuss the reasons with the applicant and render a report to the DSWD Regional Director. At the same time, the field office shall prepare a request to the Bureau of Immigration that the minor be placed in the watch list of those who are not allowed to travel abroad.

## **3. Supporting Documents**

- 3.1 Certificate of Live Birth

- The Certificate of live birth of minor need not be on security paper (SECPA) if passport is presented to secure travel clearance/parental travel permit.

### 3.2 Affidavit of Support/Consent by Parent/s or Legal Guardian

- a. The Affidavit of Support/consent duly notarized by a notary public where the parent/s reside shall be accepted in cases where the Philippine Embassy is located in another state from the parent/s residence.
- b. The Affidavit of Support/consent authenticated by the Philippine Consul shall be required for those whose residence is accessible to the Philippine Embassy.
- c. The Regional Office must require the original copy of the affidavit of consent executed by parent/s. Photocopy of the same may be accepted on a case to case basis (e.g. medical treatment, death of immediate family).
- d. Paternal/maternal grandparents who exercise parental authority over a minor whose parents are both deceased may issue the Affidavit of Consent even without guardianship order from the court.

### 3.3 Special Power of Attorney of authorized representative of parent/legal guardian

- a. The Special Power of Attorney must indicate not just the name of the travel agency but the name of a particular travel agent to transact business in behalf of the parent/s of minor.
- b. The authorized representative must be able to present his/her company ID or a valid ID (e.g. passport, PRC ID, etc.) to the DSWD Regional Office.

### 3.4 A Declaration of Abandonment (DA) or a Court Order must be secured for a minor abandoned by either or both parents.

### 3.5 In the case of abandoned child/ren unable to present a Court Order or Declaration of Abandonment, the applicant shall be required to submit other supporting document such as:

- a. Duly notarized Affidavit by the other spouse on circumstances of failure to secure Parental Travel Permit/Affidavit of Consent from the other spouse.
- b. Duly notarized Affidavit of three disinterested person.

## 4. Issuance of Travel Clearance/Parental Travel Permit

- a. The duly approved Travel Clearance for a Minor/Parental Travel Permit shall be issued to the applicant within four (4) hours provided all the supporting papers are in order.

- b. The Travel Clearance issued by the Department to the minor may be used for multiple travel abroad and will remain valid within a period of one (1) year, provided the minor shall be accompanied by the same person indicated in the travel clearance/parental travel permit.
- c. The applicants shall be issued a new Parental Travel Permit (PTP) form duly signed by the authorized signatories by the Department based on the written consent/parental travel permit given by the parent/legal guardian.
- d. Siblings shall be issued a separate Travel Clearance/Parental Travel Permit.

#### **5. Fees**

Corresponding fees to be determined by the Department shall be collected by the concerned Field Offices for every Travel Clearance/Parental Travel Permit (PTP) issued to a minor travelling abroad per Administrative Order No. 60, Series of 2003. Fees shall be subject for review periodically.

#### **X. Monitoring/Reporting/Data Banking:**

1. The Program Management Bureau (PMB), DSWD Field Offices and ICAB are responsible in maintaining a systematized data bank for easy reference.
2. The production of the Travel Clearance for a Minor and Parental Travel Permit and the distribution to the Field Offices of the same shall be handled by the PMB for centralized security coding.
3. The DSWD Field Office/ICAB shall maintain a system to facilitate and expedite the issuance of travel clearance and parental travel permit whichever is applicable with proper control measures.
4. The Program Management Bureau/DSWD Field Offices shall maintain close coordination/linkage with the Bureau of Immigration and the Department of Foreign Affairs to monitor the safe return of the minor to the Philippines.
5. Regular monitoring and technical assistance to the Field Offices shall be conducted for effective implementation by the Program Management Bureau.

All previous memoranda/directives inconsistent with this Department Order are hereby repealed or modified accordingly.

Approved this \_\_\_\_ day of \_\_\_\_\_ 2004, Quezon City.

**CORAZON JULIANO-SOLIMAN**  
Secretary