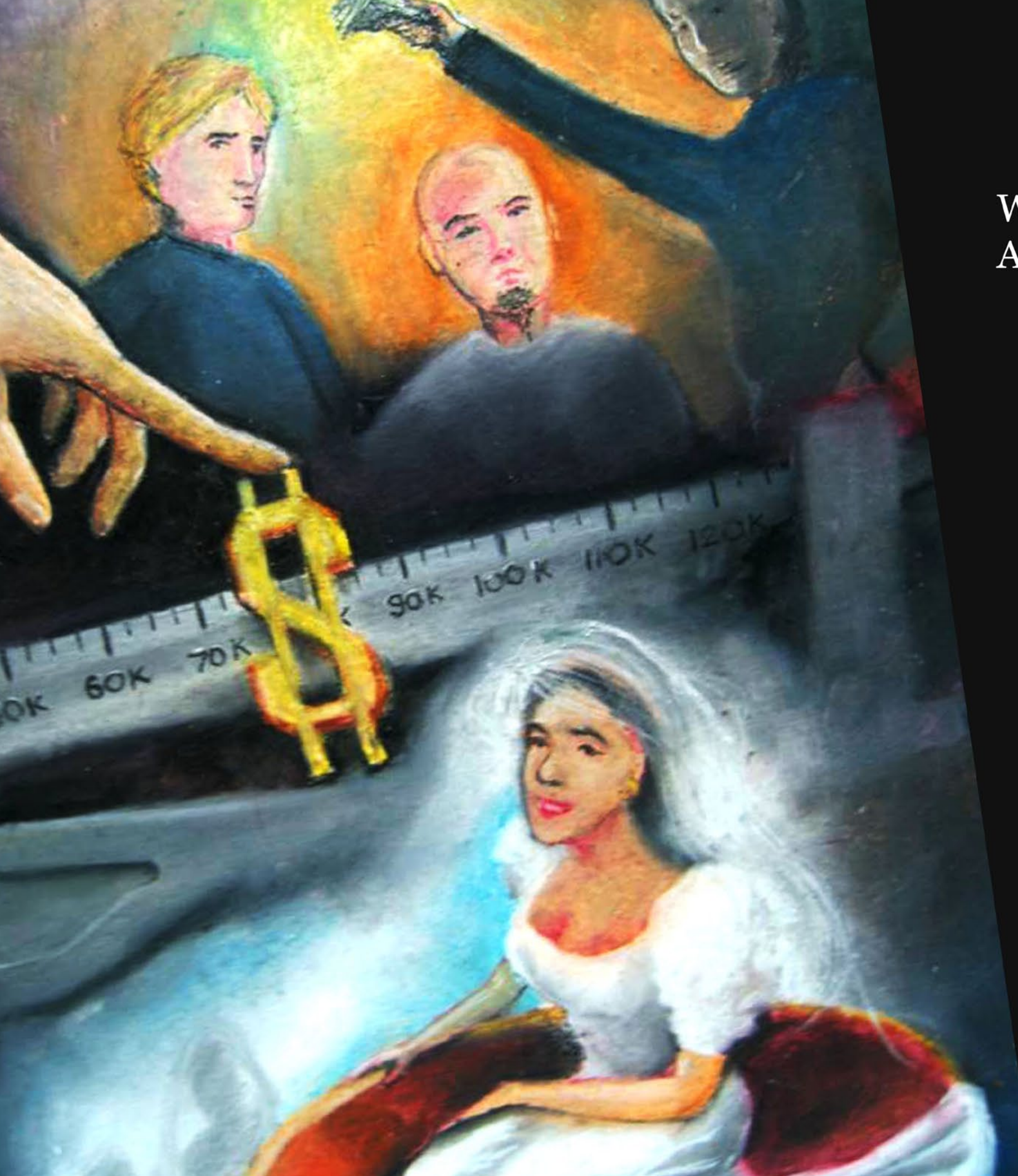




PRIMER ON  
**REPUBLIC ACT**  
**10906**  
ANTI-MAIL ORDER  
SPOUSE ACT OF 2016

PRIMER ON  
REPUBLIC ACT 10906  
OR THE ANTI-MAIL ORDER  
SPOUSE ACT OF 2016



## What is Republic Act 10906 or the Anti-Mail Order Spouse Act?

Republic Act 10906 is an act providing stronger measures against unlawful practices, businesses, and schemes of matching and offering Filipinos to foreign nationals for purposes of marriage or common law partnership. It became a law on 21 July 2016.

The Act repeals Republic Act 6955 or the Anti-Mail Order Bride Act. The salient features of the new law are the inclusion of Filipino men against acts of matching for purposes of marriage or common law partnership to foreign nationals; matching through the use of internet; confiscation and forfeiture of proceeds and instruments derived from committing the prohibited acts in favor of the government; provision on the formulation of an implementing rules and regulations; and imposing stiffer penalties on its violation.

## What are the prohibited acts under RA 10906?

Section 3 (a) to (d) of RA 10906 states that it is unlawful for any person, whether natural or juridical, to commit, directly or indirectly, any of the following acts:

- a. Engage in any business or scheme for money, profit, material, economic or other consideration which has for its purpose of matching or offering of a Filipino to a foreign national for marriage or common law partnership on a mail-order basis or through personal introduction, email or websites on the internet;
- b. Exhibit, advertise, publish, print or distribute, or cause the exhibition, advertisement, publication, printing or distribution of brochures, flyers, or propaganda materials which are calculated to promote such act, or to post, advertise, or upload such materials on the internet;
- c. Solicit, enlist or in any manner, attract or induce any Filipino to become a member in any club or association whose objective is to match Filipino nationals to foreign nationals for the purpose of marriage or common law partnership for a fee; and
- d. Use the postal service or any website on the internet to promote the prohibited acts.

## What acts are not covered by RA 10906?

RA 10906 does not cover legitimate dating websites which have for their purpose connecting individuals with shared interests in order to cultivate personal and dating relationships.

## What are the penalties for violations of the RA 10906?

Act	Penalty
Committed any of the prohibited acts; or Abet or cooperate in the execution of the prohibited acts	15 years imprisonment and a fine of P 500,000 to P 1 Million
Accomplice or accessory to the offense Knowledge of the commission of the prohibited act and profits from it	10 years imprisonment and a fine of P 100,000 to P 500,000
If committed by a foreigner	Deportation after serving the sentence and payment of fine  Barred permanently from entering the Philippines
If committed by a syndicate or on a large scale	20 years imprisonment and a fine of P 2 Million to P 5 Million



## When is the prohibited act considered a large scale or committed by a syndicate?

The prohibited act is deemed committed by a syndicate if carried out by a group of three (3) or more persons conspiring or confederating with one another. It is deemed on a large scale if committed against three (3) or more persons, individually or as a group.

## What if the offender is a corporation, partnership, association, club, establishment or any juridical person?

If the offender is a juridical person, the penalty shall be imposed upon the owner, president, partner, manager or any responsible officer who participated in the commission of the prohibited acts or who shall have knowingly permitted or failed to prevent its commission.

The court may also suspend or revoke the license or permit to operate in the Philippines of the advertising agency, newspaper, and magazine publisher, television or radio station, internet websites or other entities who commit any of the prohibited acts.

## What happens to the proceeds and properties derived from mail-order spouse activities?

The court shall order the confiscation and forfeiture of all the proceeds and properties derived from the commission of the prohibited act in favor of the government.

When the proceeds, properties and instruments of the offense have been destroyed, diminished in value or otherwise rendered worthless, by the offender or they have been concealed, removed, converted or transferred to prevent or avoid forfeiture or confiscation, the offender shall be ordered to pay the amount equal to the value of the proceeds, property or instruments of the offense.

# What are the mandatory programs available for victims of the violations of RA 10906?

The government shall establish and implement preventive, protective and rehabilitative programs for victims of mail-order spouse.

Programs	Implementing Agencie/s
Free legal service	DFA, DOJ, IBP
Temporary shelter	DFA, DOLE, DSWD,
Case management service	DSWD, LGUs, NGOs
Psychological support and counseling,	DSWD
24/7 call center for crisis calls and technology-based counseling and referral system	DSWD
Prosecution	DOJ
Policy formulation and monitoring	PCW, CFO
Local and international advocacy	PCW, CFO
Pre-departure counseling services	CFO
Information campaign	CFO, LGUs, PIA, NGOs

## Where to file cases of mail-order spouse?

A violation of the Act shall be filed in the following:

- Where the offense was committed;
- Where any of its elements occurred; or
- Where the victim actually resides.



COMMISSION ON FILIPINOS OVERSEAS





## What programs are implemented for the prevention of mail-order spouse scheme?

### Guidance and Counseling Program (GCP) for Spouses and Other Partners of Foreign Nationals

The Philippine government through the Commission on Filipinos Overseas registers Filipino emigrants or permanent resident visa holders prior to their departure. Data gathered during the registration process serve as resource for policy formulation and program development.

One of these services which is a distinct program of the government is the conduct of the pre-departure Guidance and Counselling Program (GCP) for Filipinos spouses and other partners of foreign citizens including former Filipinos. Follow-up counseling sessions are conducted to clients who were identified as prospective victims of human trafficking, mail-order bride scheme, and domestic violence, among others; minor or

below 18 years of age; and whose foreign partners have derogatory background such as those with record of multiple or serial sponsorship. Aside from addressing the settlement and intermarriage concerns of the clients, the GCP serves as an intervention program for prospective victims of human trafficking in the guise of intermarriage and those engage in marriage brokerage which is in violation of the RA 10906.

Every year, an average of 20,000 Filipinos have attended the GCP and majority of them are female.

Complementing the conduct of GCP, various activities and information systems were developed and implemented to ensure the quality of the government's service.

#### a. CFO Watchlist Database of Foreign Sponsors

To supplement the CFO's GCP, CFO currently maintains a Watchlist database which contains information on foreign nationals with history of domestic violence or involvement in trafficking, serial sponsorship, bigamy, adultery, child abuse, deception and fraud. CFO also maintains a Multiple Sponsors database which records the names of foreign nationals who have sponsored more than one Filipino spouse or partner. Through these databases, CFO counselors can extend appropriate counseling intervention to Filipino nationals whom they may sponsor for travel overseas.

#### b. Two-day Korean Cultural Workshop for Spouses of Korean Nationals

Aside from the regular GCP, a Korean Cultural Workshop (KCW) is required for spouses and other partners of South Korean. Since 2009, the CFO records show a surge in Filipinos marrying South Koreans. The workshop is conducted as an intervention for the growing concerns on the proliferation of marriage brokers and incidences of domestic violence.

[Main Page]  
SUSPECTED MARRIAGE BROKER INFORMATION

Type of Broker:  Organization  Individual

Lastname:   
 First name:   
 Middle name:   
 Alias:   
 Complete Address:  [Street, City/Town]  
 Country:   
 Telephone No.:   
 Cellphone No.:   
 Email:

EDIT	Delete	Last Name

**PROFILE OF VICTIM**

Lastname:   
 First name:   
 Middle name:   
 Alias:   
 CFO GCP Issuance Date:   
 Counselor:   
 Country of Destination:   
 Province:   
 City/Municipality:   
 Date of application of marriage license:   
 Date of Issuance of Marriage License:   
 Date of effectivity of marriage license:   
 Place issued:   
 Date of marriage:   
 Date of Actual Marriage:   
 Place of marriage:   
 Address of counselee in MC:   
 Parent consent:

Type of Marriage:  Civil  Church

Jurisdiction:   
 Solemnizing officer:   
 Witnesses:   
 Last Name:   
 First Name:   
 Middle Name:

Fees Paid:   
 Mode of Introduction:   
 For (\*), please specify:

Type of Services:  Processing of  Passporting S  VISA Process  Transportat  Others - (P

Case Summary:

### c. Creation of the Suspected and Identified Marriage Brokers' Database

With the prevalence of mail-order spouse scheme, marriage brokerage system and other related cases, there is a need for the creation of a separate database on the Suspected and Identified Marriage Brokers' Database. Its creation will not only provide an in-depth counseling service to victims of these schemes but may prevent their further exploitation that may resort to human trafficking. The said database will at the same time be instrumental in determining the scope of activities and modus operandi of these marriage brokers especially with large-scale cases.

Its creation was also one of CFO's commitments in the Revised Implementing Rules and Regulations (IRR) of RA 9208 as amended by RA 10364.



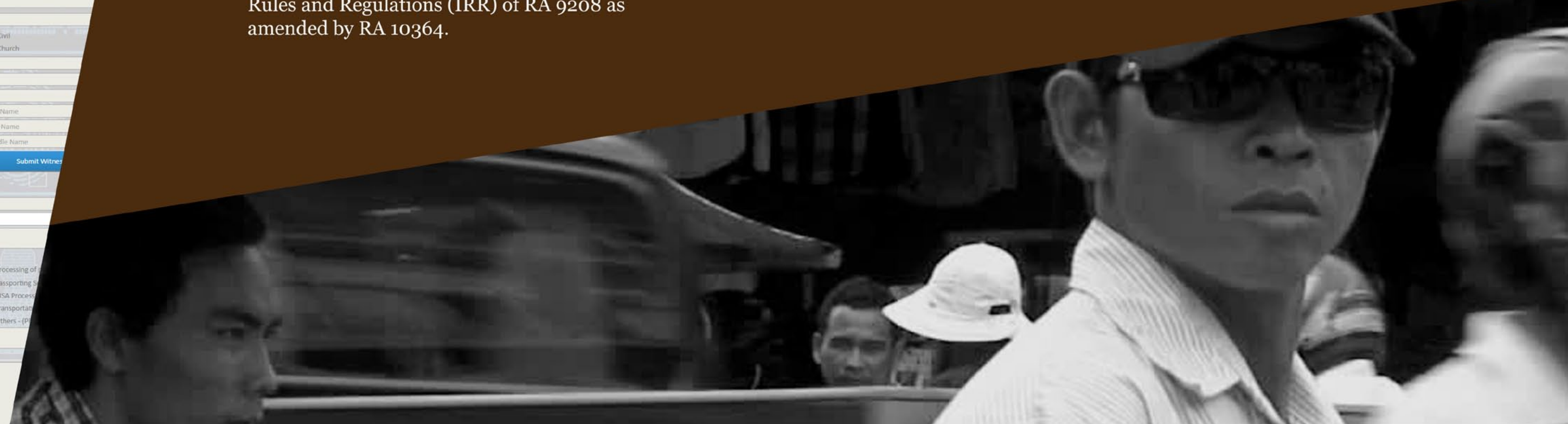
### 1343 Actionline against Human Trafficking

To make the government services more accessible to the public, the Inter-Agency Council Against Trafficking (IACAT) through the CFO launched the 1343 Actionline on 15 March 2011. It is a 24/7 hotline facility that responds to emergency or crisis calls from victims of human trafficking and their families.

The 1343 Actionline likewise provides a venue for the public to be engaged in the fight against trafficking in persons including exploitation in the guise of intermarriage. Its creation is also in line with the core message of the IACAT which is, Laban kontra Human Trafficking, Laban nating Lahat!

The 1343 Actionline can be reached from any point in Metro Manila and from the provinces using the Manila area code 02. Aside from accessing it through a local telephone line, the 1343 Actionline has expanded its services to provide the following modes of reporting of trafficking-related cases:

1. Website reporting - [www.1343actionline.ph](http://www.1343actionline.ph)
2. Email – [1343actionline@cfo.gov.ph](mailto:1343actionline@cfo.gov.ph)
3. Mobile application – 1343 Actionline
4. Social media account – Facebook





# Sa Iyong Sulok

*Itanong mo kay SIS!*

## Itanong Mo Kay Sis

The CFO Sa Iyong Sulok also known as Itanong mo kay Sis is a free web and mobile application based guidance and counseling service for youth and marriage migrants. Marriage migrants can access it through <https://sis.cfo.gov.ph>.

The web-based counselling service aims to help overseas Filipinos who have attended the mandatory pre-departure programs of the CFO by providing additional counseling support service to help the migrants survive and adjust to their new life abroad. It offers consultation, coaching and counseling through the assistance of partner counseling experts from different sectors.

Accessible via online and mobile messaging applications, Filipinos abroad can seek counseling upon arrival in their respective host countries on a 24/7 basis while being ensured that all information shall be kept confidential and private.

[sis.cfo.gov.ph](https://sis.cfo.gov.ph)



***Itanong mo kay ATO!***  
Online Legal Counseling

## Itanong Mo Kay Ato

Another initiative of the IACAT is the creation of a technology-based free legal counseling for the public who have concerns on trafficking in persons, illegal recruitment and other related acts. The CFO has partnered with the Arellano Law Foundation, through its Office of the Legal Aid, for the provision of the service.

Itanong mo kay Ato, is a web application which can directly provide online legal opinion and a means to further reach out to Filipinos who cannot afford legal consultation and an avenue to further reinforce the fight against trafficking in persons. The said web application can be accessed through the official page of the 1343 Actionline against Human Trafficking, <http://www.1343actionline.ph> or directly accessing its link; <http://onlinelegalcounseling.1343actionline.ph>.

Once accessed, the public has the options to avail of the live chat or send a message to the partner lawyers. All information received through chatting or e-mails will be held with utmost confidence.

[onlinelegalcounseling.1343actionline.ph](http://onlinelegalcounseling.1343actionline.ph)





## COMMISSION ON FILIPINOS OVERSEAS

Established on 16 June 1980 through Batas Pambansa 79, the Commission on Filipinos Overseas (CFO) is an agency of the Philippine Government under the Office of the President tasked to promote and uphold the interests, rights and welfare of overseas Filipinos and strengthen their ties with the Motherland.

The evolution of the Commission on Filipinos Overseas can be traced over a series of policy pronouncements. Presidential Decree No. 442 (Labor Code of the Philippines), which was passed in 1974, created the Overseas Employment Development Board in order to set up a systematic program for the overseas employment of Filipino workers, as well as to register and monitor emigrants leaving for various countries. The following years were characterized by a steady increase in migration, thus making it necessary to establish an independent unit which would constitute a local support network solely for Filipino emigrants. In June 1978, Presidential Decree No. 1412 created the Office of Emigrant Affairs (OEA). The decree specifically identified Filipino emigrants as the recipients of its services.

In June 1980, Batas Pambansa Blg. 79 was enacted to strengthen the government's policy on the promotion of migrant welfare and interest. It created the Commission on Filipinos Overseas which replaced OEA but retained and further expanded its mandate.

The CFO registers and provides pre-departure orientation seminars to emigrants. It also promotes the transfer of technology as well as material and financial contributions from overseas for development projects in underserved communities all over the Philippines. It also provides younger generations of Filipinos overseas with opportunities to learn Philippine history and culture.

Batas Pambansa Blg. 79, mandates the CFO to perform the following functions:

1. Provide assistance to the President and the Congress of the Philippines in the formulation of policies and measures concerning or affecting Filipinos overseas;
2. Develop and implement programmes to promote the interest and well-being of Filipinos overseas;
3. Serve as a forum for preserving and enhancing the social, economic and cultural ties of Filipinos overseas with the motherland; and
4. Liase on behalf of Filipinos overseas with appropriate government and private agencies in the transaction of business and similar ventures in the Philippines.

### **Commission on Filipinos Overseas (CFO)**

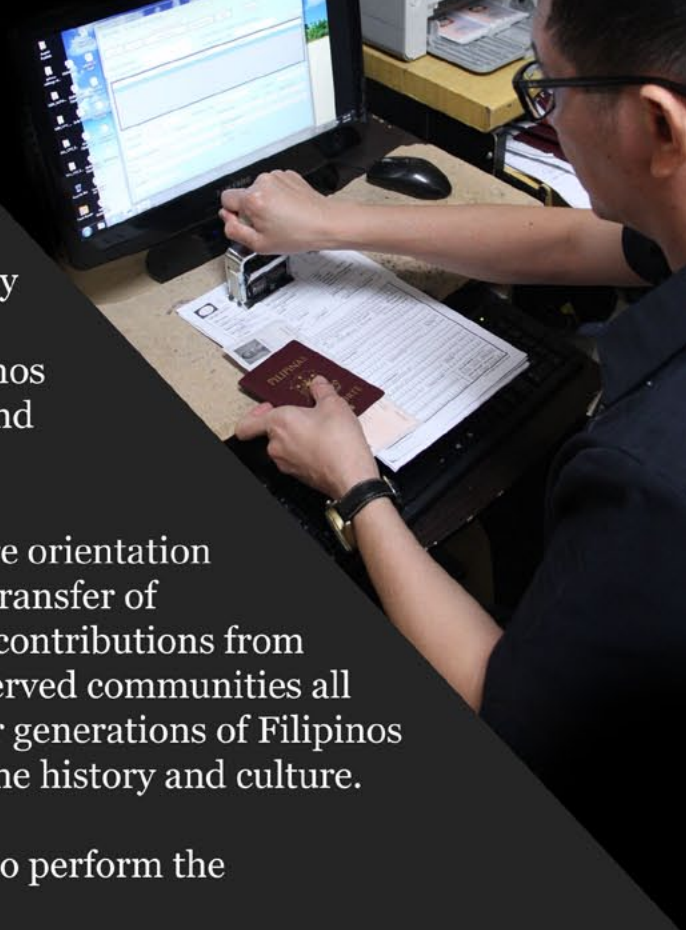
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Website : [www.cfo.gov.ph](http://www.cfo.gov.ph)



# 1343 ACTIONLINE

## AGAINST HUMAN TRAFFICKING

Report Human Trafficking!

# Call 1343

Call (02)1343 if outside Metro Manila

E-mail: [1343actionline@cfo.gov.ph](mailto:1343actionline@cfo.gov.ph)

Facebook: [fb.com/1343Actionline](https://fb.com/1343Actionline)

Web reporting: [1343actionline.ph](http://1343actionline.ph)



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Mobile App

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COMMISSION ON FILIPINOS OVERSEAS

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