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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1748

Introduced by **REP. PROSPERO A. PICHAY, JR.**

EXPLANATORY NOTE

No country is without any form of identification since every human transaction requires it in one form or another. The Constitutions takes for granted that such ordinary forms of identification as birth and baptismal certificates, marriage contract, voter's ID, licenses and the like give sufficient ground for the open and unhampered exercise of rights and privileges exclusive to Filipino citizens. However, there are unseen dangers in mere legal assumptions. There ought to be a single document or instrument constituting official proof of one's citizenship. This bill precisely aims to build a stronger legal infrastructure toward a citizen identification system, in particular, and a national identification system, in general.

To achieve this end, this bill seeks to expand the mission, mandate and specific functions of the Bureau of Immigration to lay the foundation of a national ID system. In the present organizational and functional set-up, it is the mission of the Bureau of Immigration "to control and regulate the immigration of aliens in the country."

As much as the Bureau is capable to account for aliens, the more it can account for Filipino citizens. Precisely, the author proposes that the Bureau of Immigration be the proper agency henceforth mandated *to determine, validate, and issue certificates of citizenship to all Filipino citizens in accordance with existing laws.*

It is high time that an agency of government be reposed the responsibility to issue citizenship IDs which shall be the Bureau of Immigration as suggested under this Act. At the same time, it shall be held responsible for the confidentiality of its personal database and the free movement of such data shall be upon a lawful court order. In short, it shall be tasked to serve the role of a Privacy Commission or a Data Protection Ombudsman for the privacy and confidentiality of all stored personal database in its repository.

There shall henceforth be a *Filipino citizen ID* to be solely issued by the Bureau of Immigration that shall be used for whatever legal purpose it may best serve the bona-fide holder of such ID. Since the Constitution is clear on the rights and privileges that are deemed exclusive for Filipino citizens, then the *Filipino citizen ID* as

a matter of constitutional right, should be issued to each and every Filipino citizen certified as such Filipino citizen by the Bureau.

Toward this end, it shall be made mandatory for all Filipino citizens to secure their *Filipino citizen IDs* upon payment of the administrative fees as may be promulgated by the Bureau of Immigration. In this way, the bill will not necessitate any special appropriation on the part of the government for the implementation of this Act. Approval of this bill is earnestly prayed for.

PROSPERO A. PICHAY, JR.



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AN ACT
PROVIDING FOR THE ESTABLISHMENT OF A PHILIPPINE CITIZENSHIP IDENTIFICATION SYSTEM

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

SECTION 1. This Act shall be known as the "Philippine Citizenship Identification System Act of 2001."

SEC. 2. There shall be established a Philippine citizenship identification (ID) system in the Philippines to be administered by the Bureau of Immigration, which is hereby mandated to determine, validate and issue certificates of citizenship to all Filipino citizens in accordance with existing laws.

SEC. 3. All Filipino citizens, who have reached the age of majority, shall be required to secure a citizen's ID card as provided for by this Act.

SEC. 4. The citizen's ID card shall contain the personal circumstances of the bearer and such information as may be deemed appropriate by the implementing agency. Each identification cardholder shall be assigned a permanent number which shall be non-transferable. Anyone who, through any means, successfully secures another number, and any person who participates therein, shall be punished in accordance with Section 12 of this Act.

SEC 5. The ID card provided for by this Act shall be required when a person performs the following acts:

a. Acknowledges any document before a notary public;
b. Takes an oath of office upon election or appointment to any position in the government service;
c. Applies for and receives any license, certificate or permit from any public authority;
d. Pays any tax or fee and receives any money from any public fund;
e. Enters into any other transaction with a government or private agency.

SEC. 6. As the repository of data and sole issuing authority, the Bureau of Immigration shall institute the necessary measures to safeguard the information, under pain of appropriate sanctions, secured in the implementation of the provisions of this Act.

No such information shall be released to any agency, office or instrumentality, government or otherwise, nor shall the same be used against any person, without lawful order of the court. Any information secured in violation of the immediately preceding prohibition shall be inadmissible in evidence in any proceeding and for any purpose.

SEC. 7. The Bureau of Immigration shall provide for the rules and regulations for the implementation of this Act: *Provided,* That no identification card shall issue without the payment of the appropriate and reasonable administrative fee which amount shall be determined by the Bureau.

SEC. 8. Upon reaching the age of 17 years, or within a year before attaining majority but not later than the minimum period needed by the implementing agency to finally issue the identification card, every citizen required under this Act shall file his application for the issuance of an identification card.

Those who are already over 17 years at the time of the effectivity of this Act shall file their respective application within sixty (60) days from the date when the Bureau shall have implemented the provisions of this Act. In case of staggered implementation, the sixty (60) day period shall be counted from the date the provisions of this Act are implemented in a particular region or district.

SEC. 9. Except those physically incapacitated, an application for an ID card shall be filed personally by the person to whom the said card may be issued. Likewise, he shall personally claim the same upon approval.

In the case of the physically incapacitated, he may authorize another to file the application and claim the card on his behalf: *Provided,* That such authorization, sworn before an officer authorized by law to take an oath, shall be submitted with a medical certification from a medical practitioner attesting to the physical incapacity of the applicant.

SEC. 10. All applications shall be filed before the branch or office of the Bureau located within the region or district where the applicant resides. A qualified applicant shall claim his card from the same branch or office. In the absence of such branch or office, an application may be filed before the branch or office of the nearest region or district.

Residents of the National Capital Region may apply and claim their citizen's ID cards from the Central Office of the Bureau of Immigration or in such other offices as the Bureau may designate.

SEC. 11. A person to whom an identification card is issued is obliged to inform the branch or office from which he claimed the same in case of changes in any of the information entered into his personal data file.

Failure to do so within sixty (60) days from the occurrence of said circumstance shall subject him to an administrative penalty equivalent to fifty percent (50%) of the application fee.

SEC. 12. Any person who knowingly uses false information in applying for the issuance of an identification card or who procures or attempts to procure the same for himself or for a physically incapacitated person when duly authorized, through fraud, or who utilizes an identification card other than his own, shall be punished with a fine of not less than One Thousand Pesos (P1,000.00) but not more than Five Hundred Thousand Pesos (P500,000.00) or an imprisonment of not less than six (6) months but not more than one (1) year, or both such fine and imprisonment at the discretion of the court.

Similarly, any public employee or officer who connives with the offender mentioned in the immediately preceding paragraph, or, on his own, causes the issuance of an identification card or approves the application for the same, despite the knowledge of existence of fraud or false information, shall suffer the corresponding penalties imposed in the preceding paragraph and shall be immediately dismissed from government service.

The penalties referred to above shall be imposed in addition to those provided for acts and omissions punished by other penal laws.

SEC. 13. All laws, decrees, orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 14. This Act shall take effect upon its approval.

Approved,