

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 4841



Introduced by HON. MA. AMELITA CALIMBAS-VILLAROSA

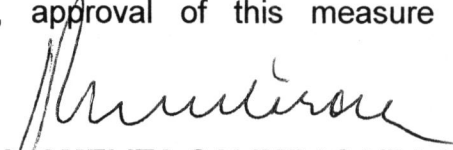
EXPLANATORY NOTE

The advent of DNA technology in the Philippines has opened the gates for scientific methods of crime detection and resolution. The DNA Analysis Laboratory of the National Bureau of Investigation has been the prime mover towards more systematic and meticulous methods of solving heinous crimes like rape. When appropriate examination is made on a complaining victim immediately after the act complained of, the identity of the offender can be ascertained with remarkable certainty which leads to either the acquittal of an innocent accused or the conviction of one correctly charged.

The benefits of this scientific breakthrough, however, should not be limited in application to resolution of criminal cases but extended to civil cases as well. For instance, establishment of filiation of illegitimate children can be anchored on DNA matching. A thoughtless father should not be allowed to deny his illegitimate child the right to receive support, to experience fatherly affection, or to use the father's surname. DNA testing should be an acceptable means of establishing paternity in order to serve the best interests of the child.

The University of the Philippines National Science Research Institute presently has the technical competence and the necessary equipment for the conduct of DNA tests that can determine paternity and filiation. Premier private medical institutions like the St. Luke's Medical Center Institute of Pathology is also qualified to undertake such DNA analysis. These institutions are of great potential that only need to be properly harnessed in order to benefit a greater majority of the people.

In view of the foregoing, approval of this measure is earnestly recommended.


MA. AMELITA CALIMBAS-VILLAROSA

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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THIRTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 4841

Introduced by HON. MA. AMELITA CALIMBAS-VILLAROSA

AN ACT EXPANDING THE GROUNDS FOR ESTABLISHMENT
OF FILIATION, AMENDING FOR THE PURPOSE, SECTION 172
OF THE FAMILY CODE OF THE PHILIPPINES

*Be it enacted by the Senate and the House of Representatives of
the Philippines in Congress so assembled.*

SECTION 1. Article 172 of Executive Order No. 209, otherwise known as
the Family Code of the Philippines, is hereby amended to read as follows:

Article 172- The filiation of legitimate children is established
by any of the following:

1. *The record of birth appearing in the civil register or a final judgment;*
2. *An admission of legitimate filiation in a public document or private handwritten instrument and signed by the parent concerned; or*
3. **Conclusive result of DNA testing conducted under court supervision by medical institutions duly-accredited with the University of the Philippines National Science Research Institute.**

In the absence of the foregoing evidence, the legitimate filiation shall be proved by:

1. *The open and continuous possession of the status of a legitimate child; or*
2. *Any other means allowed by the Rules of Court and special laws.*

SECTION 2. This Act shall take effect immediately upon approval.

Approved,