

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



HOUSE BILL NO. 5790

Introduced by Rep. Raul T. Gonzalez, Jr.

It is no coincidence that both the 1987 Constitution and the new Local Government Code spell out and stress the State's policy on the need to promote local autonomy. Thus, all barangays, municipality, cities and provinces are now empowered to attain such desired state.

Since the Code became operative in January 1992, the national government has devolved substantial powers and personnel, functions and funds to the various local governments. And despite difficulties in the devolution-decentralization process, the transfer of enabling responsibilities, revenues and other resources has been pursued towards full consummation. Devolution may already been in place, but full and genuine autonomy still needs more time and trust in the leadership to take root and grow.

The work and responsibilities of local civil registry personnel is a huge part of local government function. Their work involves the local government unit's plans, programs and strategies, the framework of an LGU's thrust for the locale. The holding of important documents for the municipality, city or province; the performance of quasi-judicial functions in accordance with RA 9255 and other pertinent laws; as well as other commonly known function of local registries like the conduct of education campaigns on LGU activities and programs; and, the solemnization of marriages also form part of these important function. Their responsibility thus bears no elaboration. It goes without saying, therefore that their role is tantamount to a local government unit's efficiency and organizational effectiveness.

Lessons in city or provincial governance are corrected with the present bill providing for the tenets and extent of their responsibilities as well as penalties for any other person or person's interference of a local civil registry's performance of his/her function. In other words, reforms do not end with structural or even organizational changes. They are accompanied by behavior and fundamental values and an assertive spirit in local governance starting with a magna carta for them. Such a goal can be reached if we implement a Magna Carta for personnel of Local Civil Registry to design a change for political and economic destiny. Thus, approval of the bill is earnestly sought.

Raul Gonzalez, Jr.
RAUL T. GONZALEZ, JR.

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Thirteenth Congress
Third Regular Session

House Bill No. 5790

Introduced by Honorable Raul T. Gonzalez, Jr.

**“AN ACT
PROVIDING FOR THE MAGNA CARTA FOR LOCAL CIVIL REGISTRY
PERSONNEL”**

Be it enacted by the Senate and the House of Representatives of the Republic of the Philippines in Congress enabled:

SECTION 1. Title. This act shall be known as the “Magna Carta of Local Civil Registry Personnel.”

SECTION 2. Declaration of Policy and Objectives. It is hereby declared the policy of the State to provide meaningful local autonomy through the process of decentralization to local government units in order to enable them to attain their fullest development as self-reliant communities and make them more effective partners in the attainment of national goals. Towards this end the Act aims, (a) to provide for a more responsive and accountable local government structure whereby local government units shall be given more powers, authority, responsibilities, and resources; (Book I Title 1, Section 2a of RA 7160), (b) to promote and improve the social and economic well-being of the Local Civil Registry personnel, their living and working conditions and terms of employment; (c) to define the functions and responsibilities of the Local Civil Registry Offices; (d) to develop their skills and capabilities in order that they will be more responsive and better equipped to deliver various programs and projects attached thereto to their mandate; and (e) to encourage those with proper qualification and excellent abilities to join and remain in government service (RA 7035 Sec. 2).

SECTION 3. Definition. For purposes of this Act, “Local Civil Registrar” shall mean the employee, who as Local Department Head, is duly appointed by the Local Chief Executive and concurred by the Civil Service Commission as such, and all staff under him/her who are likewise duly appointed and concurred to render services as Local Civil Registry Personnel, regardless of their employment status.

SECTION 4. Qualification. (a) No person shall be appointed Local Civil Registrar unless he is a citizen of the Philippines, a resident of the Local Government Unit concerned, of good moral character, a holder of a master's degree preferable in public administration from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in civil registry work for at least five (5) years in the case of the city and three (3) years in the case of the municipal (RA 7160 Art. 9, Sec. 479a); and (b) for those of lower ranks within the Local Civil Registry Office, shall meet the minimum requirements prescribed by the Local Government Unit or the Civil Service Commission.

SECTION 5. Duties and Functions. The Local Civil Registrar shall take charge of the Civil Registry Office and shall have the following functions and duties:

- a. Shall be responsible for the civil registration program in the local government unit concerned, pursuant to the Civil Registry Law, as amended, the Civil Code, as amended, and other pertinent laws, rules and regulations issued to implement them;
- b. Develop plans and strategies and upon approval of the Mayor implement the same, particularly those which have to do with civil registry programs and projects;
- c. Accept all registrable documents, judicial and quasi-judicial decrees affecting the civil status of persons;
- d. File, keep and preserve in a secure place the registry books and documents as required by law;
- e. Transcribe and enter upon receipt all registrable documents, judicial, and quasi-judicial decrees affecting the civil status of persons in the appropriate civil registry books;
- f. Furnish the Office of the Civil Registrar-General, within a prescribed period, the fourth carbon copy of registered documents required by law;
- g. Issue certified transcript or copies of all local civil registry documents including but not limited to birth, death and marriage certificates; Provided that only certified true copies of original in the local civil registry or transcription thereof shall be considered valid on all legal purposes both local and foreign;
- h. Receive applications for the issuance of marriage license and after determining that the requirements and supporting certificated and publication thereof for the prescribed period have been complied with, issue the license upon payment of the authorized fees;

- i. Perform quasi-judicial functions in accordance with RA 9048, and implement RA 9255, and other pertinent laws that may be enacted;
- j. Solemnize marriage at the LCRO where he/she is appointed as such;
- k. Submit periodic status report on the condition of civil registry documents filed in the civil registry office;
- l. Coordinate with the NSO in conducting education campaign for vital registration fir vital registration and assist in the preparation of demographic and other statistics for the LGU concerned; and
- m. Exercise such other powers and performs such other duties and functions as may be prescribed by law or ordinance.

In the discharge of its duties and functions, the Local Civil Registry Office shall exercise utmost conscience and dignity and indiscretion to race, gender, nationality, party politics, social standing or capacity to pay.

SECTION 6. Performance Evaluation. As established under CSC Rules and Regulations on performance evaluation and subject to the internal rules thereof of the concerned Local Government Unit, the Local Civil Registry personnel shall be subject to a semestral performance evaluation by the concerned Local Chief Executive.

The performance evaluation shall consider foremost improvement of individual employee efficiency and organizational effectiveness. The Local Civil Registry personal shall be informed of the result of their performance evaluation.

SECTION 7. Salaries and Benefits. The Local Civil Registry Personnel shall be entitled to the following salaries and benefits, as provided by law and ordinances:

- a. Basic Monthly Salary. The basic monthly salary of a Local Civil Registrar may be higher but not lower than the prevailing rate for Salary Grade 24 of the National Agencies, subject to the provisions of RA 6758; while those of lower ranks shall receive the prevailing rate equivalent to salary grade in the national agencies;
- b. Honorarium. In the performance of his/her quasi-judicial functions pursuant to RA 9048, the LCR shall be entitled to a monthly honorarium as prescribed by the Joint Commission of the DILG, CSC, and DBM;
- c. Additional Monetary and Non-Monetary Benefits. Notwithstanding RA 6758 and other pertinent laws and circulars, the LCR and other LCRO personal, as

appropriate, shall also be entitled to Representation Allowance and Traveling Allowance, ADCOM, PERA, Hazard Pay, Longevity Pay, Salary Increments, Productivity Pay, Cash Gift, 13th Month Pay, Overtime Pay, Compensatory Overtime Credit (COC), Compensatory Time-Off (CTO), Monetization of Leave Credits, Medical Allowance, Uniform Allowance, Compensation for Injuries, Leave Benefits, and Study Leave, among others, as maybe prescribed by the Joint Commission on Compensation and Benefits.

SECTION 8. Right to Self-Organization. The Local Civil Registry Personnel shall have the right to freely form, join or assist organizations or unions for purposes not contrary to law in order to defend and protect their mutual interests and to obtain redress of their grievances through peaceful concerted activities.

SECTION 9. Freedom from Interference of Coercion. It shall be unlawful for any person to commit any act of interference or coercion in the discharge of the Local Civil Registry functions.

SECTION 10. Administrative Charges. Administrative charges against a Local Civil Registrar and LCRO personnel shall be heard by a committee in the Local Government Unit composed of the HRMO, Representative of the Department Heads or Rank and File, as appropriate, a Representative of the accredited employees' association, and the President of the Local Civil Registrar's Association in the Province where the LGU is located, without prejudice to the Representation of the Philippine Association of Civil Registrars. The committee shall submit its findings and recommendations to the Local Chief Executive and the Civil Service Commission within thirty (30) days from the termination of the hearing.

SECTION 11. Safeguard in Disciplinary Procedures. In every disciplinary proceeding, the Local Civil Registry Personnel shall have:

- a. the right to be informed, in writing, of the charges;
- b. the right to full access to the evidences in the case;
- c. the right to defend him/herself and to be defended by a representative of his/her choice and/or by his/her organization, adequate time being given to him/her for the preparation of his/her defense;
- d. the right to confront witnesses presented against him/her and common witnesses in his/her behalf;
- e. the right to appeal to designated authorities;

- f. the right to reimbursement of reasonable expenses incurred in his/her defense in case of exoneration or dismissal of the charges; and
- g. such other rights as will insure fairness and impartiality during the proceedings.

SECTION 12. Rules and Regulations. In consultation with the Association of Civil Registrars and other agencies, the DILG shall formulate and prepare the necessary rules and regulations to implement the provisions of this Act.

SECTION 13. Mandatory Review. This act shall undergo a mandatory review on its provisions every ten (10) years to make the law more responsive to the needs of the times. The review shall be made by Congress which shall conduct public hearing and record relevant testimonies of functionaries in the civil registration system which shall be the basis of amendments or modifications of certain provisions.

SECTION 14. Penal Provision. Any person who shall willfully interfere with, restrain or coerce the Local Civil Registrar, or his staff, in the exercise of his/her rights and functions or shall in any manner commit any act in violation of any of the provisions of this Act, upon conviction, shall be punished by a fine of not less than One Hundred Thousand pesos (P100,000.00) but not more than Two Hundred Fifty Thousand pesos (P200,000.00) or imprisonment of not more than One (1) year or both at the discretion of the court.

If the offender is a public official, the court, in addition to the penalties provided in the preceding paragraph, may impose the additional penalty of disqualification from public office.

SECTION 15. Separability Clause. If any provision of this Act is declared invalid, the remainder of this act or any provision not affected thereby shall remain in force and effect.

SECTION 16. Repealing Clause. All law, PDs, Executive Orders and their implementing rules and regulations inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 17. Effectivity. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or at least two (2) national newspapers of general circulation.

Approved,