

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

FIFTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 582

INTRODUCED BY CONGRESSMAN PEDRO P. ROMUALDO

EXPLANATORY NOTE

This bill proposes to extend the period to rectify the simulation of births committed by persons who has custody over these children and has treated these children like their own child or children.

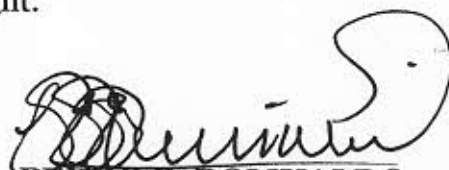
It is presumed that in the registration of births, the parents or their next of kin acted in good faith and has provided the Office of the Local Civil Registrar with accurate information about the personal details of the child like: name, date of birth, place of birth, parents names, gender, attending physician or midwife and such other details.

However, it is common in our society to hear news about couple who are childless or those that can afford to raise an additional child will resort to simulation of birth to avoid the proper legal action. It is for this reason that we are proposing the extension of the expired period provided originally under Republic Act NO. 8552 to give these persons who have simulated the births of their child or children to avail of this new window of opportunity and provide the child with the full protection of the laws such as the right of succession and legal use of the surname of their adoptive parents.

The original period to file expired in 2003 and many stakeholders believed that only a few applicants have availed of this incentive. The applicants for correction of birth registration if this amendment will be approved into law will have until December 31, 2017 to avail of this incentive. All simulation of births beyond this period will no longer be allowed for rectification.

One of the reasons for the unsuccessful application may be the lack of resources and time to disseminate the provisions of this law and lack of in-depth understanding that there will be no legal action against the applicants. Thus, the local government units, the Department of Social Welfare and Development as well as other stakeholders must work together for the successful implementation of this Act.

The early approval of this bill is earnestly sought.


PEDRO P. ROMUALDO

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AN ACT
PROVIDING FOR A LONGER PERIOD FOR THE RECTIFICATION OF
SIMULATED BIRTHS, AMENDING FOR THE PURPOSE REPUBLIC ACT
NO. 8552, OTHERWISE KNOWN AS THE "DOMESTIC ADOPTION ACT OF
1998"

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

SECTION 1. Section 22 of Republic Act NO. 8552 is hereby amended to read as
follows:

"SEC. 22. Rectification of Simulated Births. – A person who has **[prior to the
effectivity of this Act,]** simulated the birth of a child shall not be punished for such
act: Provided, That the simulation of birth was made for the best interest of the child
WHO [and that he/she] has been consistently considered and treated **AS THE
DAUGHTER OR SON OF** [by] that person [as his/her own son/daughter/: Provided
further, That the application for correction of the birth registration and petition shall be
filed [within five (5) years from the effectivity of this Act and completed thereafter] **BY
DECEMBER 31, 2017**: Provided finally. That such person complies with the
procedure as specified in Article IV of this Act and other requirements as determined by
the Department."

**THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT
SHALL COORDINATE WITH THE LOCAL GOVERNMENT UNITS AND
OTHER CONCERNED AGENCIES FOR THE DISSEMINATION OF THIS
INCENTIVE.**

SECTION 2. All simulation of births done beyond the effectivity of this Act shall
no longer be allowed for rectification.

SECTION 3. This Act shall take effect fifteen (15) days after publication in the
Official Gazette or two (2) newspapers of general circulation.

Approved.