

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 1216

Introduced by Representatives
DIOSDADO MACAPAGAL ARROYO and GLORIA MACAPAGAL ARROYO

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

EXPLANATORY NOTE

It is a fact that most "adoptions" in the Philippines have been and continue to be handled through "simulation of birth". It is estimated that there are several hundred thousand Filipinos who have been "informally" adopted in this manner. In these cases, because the assumed filiation under simulated births have no legal basis, the child is deprived of the benefits of being legal adopted children.

The Domestic Adoption Act of 1998 which was signed into law on February 25, 1998 and which took effect on March 22, 1998, provides for an amnesty from pecuniary and penal sanctions for those who have falsified the birth certificate/s of minor/s in their custody through the registration of simulated birth certificates.

Since CY 1998 to CY 2001, only a total of 364 applicants have availed of the amnesty against the estimated number of those who simulated the birth registration of minors.

The low number of applicants can be attributed to the unreadiness of the "parents" to legalize the adoption and their ambivalence to tell the child of his/her legal status. Also, it was known that parents complained about the tedious

process in the rectification of the simulated birth. Further, the public has a misconception towards the amnesty provided by law.

In view of the above, educating and informing the public on the facts of rectification of the simulated birth requires time, effort and money. For those who have falsified birth certificates, the amnesty period given to them expired last March 2003. The information dissemination efforts of the concerned agencies to encourage the people to avail of the amnesty was ineffective. Hence, an amendment seeking the extension of the deadline is hereby proposed.

It is important that this proposed bill extending the deadline for the rectification of simulated births to March 2013 or fifteen years from March 1998, the effectivity date of R.A. No. 8552, be passed by Congress to allow those who wish to avail of the amnesty to comply with the provisions provided by law and to have the opportunity to fully enjoy the benefits of a legally adopted child.

For this reason, the approval of this bill is earnestly sought.


DIOSDADO MACAPAGAL ARROYO
Second District, Camarines Sur


GLORIA MACAPAGAL ARROYO
Second District, Pampanga

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*Be it enacted by the Senate and 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
simulated birth of a child shall not be punished for such act: *Provided*, That the
simulation was made for the best of the child and that he/she is consistently
considered and treated by that person as his/her own son/daughter; *Provided*,
further, That the application for the correction of the birth registration and petition
for adoption shall be filed within fifteen (15) years from the effectivity of this Act
and completed thereafter: *Provided, finally*, That such person complies with the
procedures as specified in Article IV of this Act and other requirements as
determined by the Department."

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

Approved,