

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

___ *th Congress*
___ Regular Session

HOUSE BILL NO. 2681

Introduced by **HON. ROGELIO J. ESPINA**

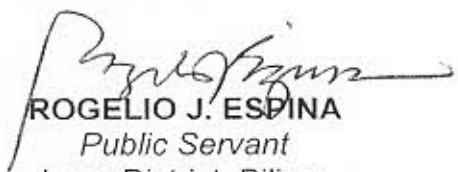
EXPLANATORY NOTE

It is common knowledge that, often, the civil registrar commits error in entering the circumstances, details and information of a newly registered individual, especially those of newly born babies, on its record. Due to their inadvertences, an individual suffers from difficulties, confusions and sometimes ridicules of other people for something not of their own making. It had been a relief to many that the correction of names which were inadvertently misspelled or places or dates of birth which were wrongly entered may now be easily obtained through a simple and affordable administrative procedure before the Local Civil Registrar without the need of any judicial order.

However, the law RA 9048, which made simple the correction of these patent errors before the Civil Registrar, failed to include therein the correction of those erroneously entered sex (gender) of an individual which, through physical examination and comparison with other existing records from birth, may be determined outright.

Thus, this bill seeks to include in the authority of the City or Municipal Civil Registrar or the Consul General the correction of erroneously entered sex (gender) of an individual in the records of the civil registrar without need of any judicial order. Provided that said error is due solely to the inadvertence, negligence or human mistake.

The approval of this bill is earnestly sought.


ROGELIO J. ESPINA
Public Servant
Lone District, Biliran

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AN ACT AMENDING SECTION 2 (3) OF RA 9048 OTHERWISE KNOWN AS AN ACT AUTHORIZING THE CITY OR MUNICIPAL CIVIL REGISTRAR OR THE CONSUL GENERAL TO CORRECT A CLERICAL OR TYPOGRAPHICAL ERROR IN AN ENTRY AND/OR CHANGE OF FIRST NAME OR NICKNAME IN THE CIVIL REGISTER WITHOUT NEED OF A JUDICIAL ORDER, AMENDING FOR THIS PURPOSE ARTICLES 376 AND 412 OF THE CIVIL CODE OF THE PHILIPPINES

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

SECTION 1. Section 02 (3) is amended as follows:

“Clerical or typographical error” refers to a mistake committed in the performance of clerical work in writing, copying, transcribing or typing an entry in the civil registry that is harmless and innocuous, such as misspelled name, or misspelled place of birth, or **an erroneously entered sex** (gender) or that which is visible to the eyes or obvious to the understanding and that can be corrected or changed only by reference to other existing record or records; *Provided, however,* that no correction must involve the change of nationality, age, status, or sex due to a sex change procedure of the petitioner.

SECTION 2. *Repealing Clause* - All laws, decrees, orders, rules and regulations, other issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 3. This act shall take effect upon approval.

Approved.