

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5704



Introduced by **REP. RODOLFO G. VALENCIA**

EXPLANATORY NOTE

Under Republic Act 9048 and its Implementing Rules and Regulations, the authority vested upon the City or Municipal Registrar or the Consul General without need of judicial order is limited only to the correction of entry in the civil registrar involving clerical or typographical error and/or change of first name or nickname of the registrants.

Fact is, error in birth date, age, gender, compound names and other honest mistake in the civil registry continue to burden registrants particularly those who are less in life. Registrants are required to file the proper petition in a judicial court which could take almost six months and even a year at a cost of Php 50,000.00, more or less, but without the assurance that favorable judicial order may be obtained at the end.

Many affected individuals have no recourse but to give up their efforts to process rectification of erroneous entry in their civil register, particularly those financially ill and who could not bear painstaking legal process.

The inclusion of birth date, age, gender, compound names and other honest error in the enumeration of clerical or typographical errors as provided in the said law without need of a judicial order would surely benefit thousands or even millions of Filipinos. Moreover, this would enable the country's Civil Registry to clean up and sanitize the records.

Hence, the approval of this Bill is strongly recommended.


RODOLFO G. VALENCIA

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HOUSE BILL NO. 5704

Introduced by **REP. RODOLFO G. VALENCIA**

AN ACT

PROVIDING FOR THE INCLUSION OF BIRTH DATE, AGE, GENDER, COMPOUND NAMES AND OTHER HONEST ERROR IN THE ENUMERATION OF CLERICAL OR TYPOGRAPHICAL ERRORS IN THE CIVIL REGISTER WITHOUT NEED OF A JUDICIAL ORDER, AMENDING FOR THE PURPOSE SECTION 1 OF REPUBLIC ACT NO. 9048 ENTITLED "AN ACT AUTHORIZING THE CITY OR MUNICIPAL CIVIL REGISTRAR OR THE CONSUL GENERAL TO CORRECT A CLERICAL OR TYPOGRAPHICAL ERROR IN ANY ENTRY AND/OR CHANGE OF FIRST NAME OR NICKNAME IN THE CIVIL REGISTER WITHOUT NEED OF A JUDICIAL ORDER, AMENDING FOR THE 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 Philippines in Congress assembled.

SECTION 1. *Authority to Correct Clerical or Typographical Error and Change of First Name or Nickname* – Section 1 of Republic Act 9048 is hereby amended to read as follows:

"No entry in civil register shall be changed or corrected without a Judicial order, except for clerical or typographical errors in **birth date, age, gender, compound names**, change of first name or nickname, and **other honest errors** which can be corrected or changed by the concerned city or municipal civil registrar or consul general in accordance with the provisions of this Act and its implementing rules and regulations."

SECTION 2. *Implementing Rules & Regulations.* The civil registrar general shall, in consultation with the Department of Justice, the Department of Foreign Affairs, the Office of the Supreme Court Administrator, the University of the Philippines Law Center and the Philippine Association of Civil Registrars, issue the necessary rules and regulations for the effective implementation of this Act not later than three (3) months from the effectivity of this law.

SECTION 3. *Retroactivity Clause.* – This Act shall have retroactive effect insofar as it does not prejudice or impair vested or acquired rights in accordance with the Civil Code and other laws.

SECTION 4. *Separability Clause.* – If any portion or provision of this Act is declared void or unconstitutional, the remaining portions or provisions thereof shall not be affected by such declaration.

SECTION 5. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, other issuance, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 6. *Effectivity Clause.* – This Act shall effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,