

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Metro Manila, Philippines

FIFTEENTH CONGRESS

Third Regular Session

HOUSE BILL NO. **6813**



INTRODUCED BY REPRESENTATIVE PEDRO P. ROMUALDO

EXPLANATORY NOTE

The proposed amendment dwells on the exemption of indigent petitioners from the publication requirement of the existing law, Republic Act No. 9048, as amended by Republic Act No. 10172 which was approved into law on August 15, 2012 by His Excellency, President Benigno S. Aquino III.

To avoid nefarious activities just to get away with the publication requirement, any indigent petitioner in order to avail of the exemption provided in this Act shall first secure a Certificate of Indigency from the Office of the Local Social Welfare and Development Officer where the petition is being lodged and shall submit the same with the petition for the change of first name or nickname, or for correction of erroneous entry concerning the day and month in the date of birth or the sex of a person at the Office of the Local Civil Registrar prior to processing of the petitioner's application.

Upon receipt of the Petition and the Certificate of Indigency, the Local Civil Registrar shall cause the printing of the name of the petitioner and the posting of the name in two (2) common areas already identified in the Implementing Rules and Regulations to show to the whole world and provide third parties or the general public to file an opposition against said petition.

Many potential petitioners would like to rectify the problem of their birth or civil registration records upon discovery however they cannot carry out their intention with the high cost of publication which they cannot totally afford.

This proposal would provide our indigent petitioners the opportunity to apply and rectify their birth records from the Local Civil Registrar with less cost considering the importance of our birth records in many legal transactions and as proof of a person's identity.

Your favourable support to the approval of this amendment will be highly appreciated.


PEDRO P. ROMUALDO
Representative
Lone District, Camiguin

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AN ACT
EXEMPTING INDIGENT PETITIONERS FROM THE PUBLICATION REQUIREMENT OF REPUBLIC
ACT NO. 9048, AS AMENDED BY REPUBLIC ACT NO. 10172 AND FOR OTHER PURPOSES

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

SECTION 1. All indigent petitioners for change of first name or nickname, or for correction of erroneous entry concerning the day and month in the date of birth or the sex of a person shall be exempted from the publication requirement provided in Section 3 of Republic Act No. 10172. Provided, However, that the petitioner shall secure a Certification of Indigency from the local Social Welfare Officer of the local government unit where the petition is lodged by the petitioner. Provided, Further, That in lieu of the publication requirement for indigent petitioners, the Local Civil Registrar concerned shall cause the posting of the names of the petitioners in two (2) common public places in the Municipality and Province where the petitioner originated and in the place where the petition is being lodged for a period of two (2) consecutive weeks. Provided, Furthermore, That the Local Civil Registrar shall keep a separate record and proof of posting of the names of petitioners with pending applications in their office.

SEC. 2. The Department of Social Welfare and Development, the Office of the Civil Registrar General, Association of City and Municipal Civil Registrars, and the Department of Interior and Local Government shall draft the implementing rules and regulations of this Act within thirty (30) days after the approval of this Act and shall published the same in two (2) newspapers of general circulation.

SEC. 3. Any person who makes a mockery of the civil registration system through fraud, wilful deceit, and dishonesty shall be penalized by imprisonment of not less than six (6) months but not more than six (6) years, or fine of not less than Fifty thousand pesos (P\ 50,000.00) but not more than Two hundred thousand pesos (P\ 200,000.00), or both at the discretion of the court.

In addition, if the offender is a government official or employee, the penalty shall be removal from government service in accordance with existing civil service laws including a fine of not more than Two hundred thousand pesos (P\ 200,000.00) and an imprisonment of not less than six (6) months but not more than six (6) years, or both at the discretion of the court.

SEC. 4. Separability Clause. – If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of other provisions thereof.

SEC. 5. 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.

SEC. 6. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,