

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY

SIXTEENTH CONGRESS
FIRST REGULAR SESSION

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H.B. NO. _____



Introduced by **HON. AL FRANCIS C. BICHARA**

EXPLANATORY NOTE

This bill seeks to institutionalize a national information card to be known as the "Filipino Identification Card" in order to facilitate and streamline government transactions, cut red tape and increase productivity.

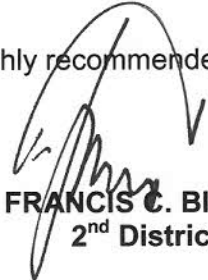
The Filipino Identification Card will serve as the official identification of a Filipino citizen whether residing in the Philippines or abroad. It can be used in both public and private transactions which will serve as an efficient tool in upgrading the speed and quality of public service in the country. It has a tamper-proof security material that will protect the identity of card holders from unwarranted and unauthorized access. Moreover, the National Statistics Office, which shall be the implementing arm of this measure, is also authorized to enter into any arrangements or agreements with the private sector for the purpose of giving special privileges, discounts or other benefits to card holders.

The idea of a national identification system has been time and again proposed in Congress. Indeed, the benefits of a unified information system to the country and its citizens are limited only by one's imagination. However, this proposal, though how novel and noble its purposes are, has always been met with stiff opposition especially from human rights groups and other similar organizations fearing that this might be used by the state to violate the rights of individuals.

To assuage this fear, this measure shall ensure that any information under the system will not be made available to third parties or entities but only under certain exceptional circumstances. Moreover, any information given in the system shall be considered as privilege and cannot be used as evidence against the holder thereof in any criminal proceedings. It is hoped that, with the inclusion of these safety mechanisms in the bill, the fears of certain sectors that this identification system will be used by the State to blackmail its citizens will be addressed.

Finally, this information card shall serve more as a protection for its holder than as an ordinary identification card. The use of this card will protect, secure and/or save the holder from red tape in the government bureaucracy, unnecessary harassments, wastage of time, and from death or permanent injuries in the case of accidents and/or disasters.

In view of the foregoing considerations, approval of this bill is highly recommended.


AL FRANCIS C. BICHARA
2nd District, Albay

Introduced by **HON. AL FRANCIS C. BICHARA**

AN ACT ESTABLISHING THE FILIPINO IDENTIFICATION SYSTEM

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

SECTION 1. This Act shall be known as the "Filipino Identification System Act."

SEC. 2. *Declaration of Policy.* – It is the policy of the State to promote a just and dynamic social order that shall ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, and improved quality life for all. Towards this end, an effective system is hereby established to curb the perennial problem of red tape in the government bureaucracy and to simplify the processes relative to public and private services.

SEC. 3. *The Filipino Identification System.* – The Filipino Identification System herein referred to as the "identification system" is hereby established and instituted as an economic and social tool towards the attainment of progressive society through efficient services for all Filipinos. The identification system shall provide official identification of all citizens of the Republic of the Philippines through the issuance of the Filipino Identification Card. It shall gradually concert and consolidate all existing Government-initiated identification systems into one-integrated and efficient identification system.

SEC. 4. *The Filipino Identification Card.* – Every Filipino, whether residing in the Philippines or abroad is mandated to have a non-transferrable Filipino Identification Card (Filipino ID) that shall be valid for at least ten (10) years and subject to renewal thereafter. The Filipino ID shall be made of tamper-proof security material. It shall have on its face the imprinted photograph, name, birth date, date of issue, signature of owner, the corresponding individual serial number issues by the NSO and such other necessary data as may be deemed necessary. The Filipino ID shall also have the capability to store at least the biometric data of the individual cardholder.

The application and issuance of the Filipino ID shall be initially free of charge as part of the government social service responsibility. The succeeding issuances shall be charged to the cardholder.

The pertinent details for applicants with pre-existing government issues identification card shall be utilized and honored as reference in the issuance of the Filipino ID.

SEC. 5. *Roles and Functions of the National Statistics Office and the Department of Foreign Affairs through the Philippine Embassies and Consular Offices.* – The National Statistics Office (NSO) in coordination with the Department of Foreign Affairs (DFA) through the Philippine Embassies and Consular Offices shall determine, validate and administer the data and materials required to avail the benefits of the identification system.

The above-mentioned government offices shall create a special unit, which shall be responsible for:

- a) accepting all the application for Filipino ID;
- b) processing of such applications; and
- c) releasing the Filipino ID to the applicants.

SEC. 6. *Registration.* – Every Filipino residing in the Philippines shall, within (6) months after the promulgation of the implementing rules and regulations subsequent to the approval of this Act, is mandated to apply for the registration and issuance of the Filipino ID at the office of the Local Civil Registrar's Office of the city municipality where they are residing. Every Filipino residing abroad shall within the time period is mandated to apply for the registration and issuance of the Filipino ID at the nearest Philippine Embassy or Consular Office of the country where they are residing.

In case of a child, incompetent person, or a disabled person unable to apply for this purpose, the parents or legal guardians shall be responsible to file for such application up to the time the child reaches the age of majority or the ground of such incompetence disappears. Parents or legal guardian of a child or an incompetent person shall be in charge for the care and upkeep of the issued Filipino ID.

SEC. 7. *Feature Involving the Private Sector and the Local Government Units.* – The implementing agency shall encourage the cooperation of the private sector and the local government units in granting additional benefits and privileges to the Filipino ID cardholders in consonance with the Private-Public Partnership Program of the government.

SEC. 8. *Functional Uses of the Filipino ID.* – The Filipino ID shall be presented and honored in transactions requiring the identity, status, birth, and all other personal circumstances such as but not limited to the following:

1. All transactions with the government;
2. Application for passport and driver's license;
3. Filing applications for any services and benefits offered by the Government Service Insurance System (GSIS), Social Security System (SSS), Philippine Health Insurance Corporation (Philhealth) and Home Development Mutual Fund (HDMF);
4. Proof of identity, status, age, address for admission in all schools, colleges, learning institutions, and/or colleges and universities as well as for employment purposes;
5. Availment of benefits or privileges afforded by law to senior citizens;
6. Proof of identity, status, age and address in banking and financial institutions;
7. Application for National Bureau of Investigation (NBI) clearance, fiscal and police clearance;
8. Voting identification purposes;
9. Employees' identification card with respect to government employees; and
10. Such other purposes and uses which the NSO may from time to time prescribe.

When the Filipino ID is presented to any qualified government agency for identification purposes, no other additional identification card shall be required necessary.

Filipino ID shall *motu proprio* be rendered invalid and ineffective upon the taking of the oath of allegiance of any Filipino to any other country exclusive of Filipinos with dual citizenship.

SEC. 9. *Change of Personal Status and Residence.* – Any person changing personal status, residence, or any material date in the circumstances of the issued Filipino ID shall have the duty to inform the Local Civil Registrar, Embassy, or Consular Office where the person is residing within a certain period as shall be prescribe by the implementing agency.

SEC. 10. *Inadmissibility in Criminal Court Proceedings.* – Any information given by the holder in connection to, or in relation to the issuance of the Filipino ID shall be deemed inadmissible in any criminal proceedings against the holder.

SEC. 11. *Exceptions to Confidentiality of Information/Records.* – No person may publish, disseminate or give to third parties or entities including government enforcement agencies any information obtained in connection with the application for the Filipino ID, including the use thereof except in the following cases:

- a) When the holder of the Filipino ID card expressly authorizes such person, entity or agency to procure such information;

- b) In the event of accident, disaster or fortuitous events, when information on medical history of the holder such as the blood type or special medical needs or other relevant information are needed by medical and/or health workers; or
- c) Upon order of any competent Court.

SEC. 12. *Safeguards on the Filipino ID.* The National Statistics Office as repository of all data and the main issuing authority of the official Filipino ID shall institute the necessary measures to safeguard the information provided in the Filipino ID.

No such information shall be released to any agency, office or instrumentality, government or otherwise, nor shall be the same be used against any person, except to the cases stipulated in paragraphs (a), (b) and (c) of Section 11 of this Act. Provided, however, that for purposes of ascertaining the authenticity of the Filipino ID, the National Statistics Office may issue a Certificate to attest to the issuance of such ID stating the name of the person and it's corresponding personal serial number.

SEC. 13. *Penal Provisions.* – Any person who knowingly uses false information in applying for the issuance of a Filipino ID or procures a card through fraud of who utilizes the card in an unlawful manner, shall be punished with a fine of not less than Five Thousand Pesos (P5,000.00) but not more than Five Hundred Thousand Pesos (P500,000.00) or an imprisonment of not less than six (6) months but not more than two (2) years, or both fine and imprisonment at the discretion of court.

Any person who shall willfully and unjustifiably refuse to accept, acknowledge or recognize the Filipino ID as the only official identification of the owner thereof shall also be punished with the same penalties or imprisonment states in the preceding paragraph.

Any public official or employee who connives with the offender in committing the acts mentioned in the last two (2) preceding paragraphs or, on his own, causes the issuance of an authorized Filipino ID or approves the application for the same, despite the knowledge of the existence of fraud or false information, shall suffer the corresponding penalties imposed in the last two (2) preceding paragraph and shall suffer the penalty of perpetual disqualification from government service.

The penalties in the Section shall be imposed in addition to those acts imposed by existing penal and other laws including those acts omissions.

SEC. 14. *Failure to Present of Filipino ID.* – Failure of any person to present Filipino ID when transacting business with the government or with private entities requiring the use and presentation of the Filipino ID shall not be ground to deny or limit the basic government and private services as long as such transaction is qualified under existing laws.

SEC. 15. *Implementing Rules and Regulations.* – The NSO in consultation with the Department of Foreign Affairs shall promulgate the rules and regulations in implementing the provisions of this Act.

SEC. 16. *Repealing Clause.* – All laws, decrees, orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 17. *Effectivity.* - This Act shall take effect within fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,