

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila**

SIXTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 2255



INTRODUCED BY REPRESENTATIVE XAVIER JESUS "XJ" D. ROMUALDO

EXPLANATORY NOTE

The late Representative Pedro P. Romualdo originally filed this proposed measure in the previous Congress. The Explanatory Note of the late Representative Romualdo is herein reproduced and adopted as the explanation for the filing of this bill:

This bill proposes to extend the period to rectify the simulation of births committed by persons who have custody over children that are not their own but treat such children as if they their own.

It is presumed that in the registration of births, the parents or their next of kin act in good faith and have provided the Office of the Local Civil Registrar with accurate information about the personal details of the child. However, it is common in our society to hear news about couples that are childless or can afford to raise an additional child who resort to simulation of birth to avoid the proper legal proceedings. It is for this reason that we are proposing the extension of the period provided originally under Republic Act No. 8552 to give persons who have simulated the births of their supposed child or children to avail of this new window of opportunity and provide the child with the full protection of the laws, such as the right of succession and legal use of the surname of their adoptive parents.

The original period to file expired in 2003 and many stakeholders believe that only a few applicants availed of this incentive. The applicants for correction of birth registration with this proposed legislative measure will have another window of opportunity and substantial time to avail of this incentive and correct the simulation of births of their child or children. After this non-extendible period, no application for rectification will be entertained by the respective Office of the Local Civil Registrar.

In view of the foregoing, the support of the Members of Congress for the timely passage of this measure is earnestly requested.


XAVIER JESUS "XJ" D. ROMUALDO

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HOUSE BILL NO. _____

INTRODUCED BY REPRESENTATIVE XAVIER JESUS "XJ" D. ROMUALDO

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

*Be it enacted by the Senate and the 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 [~~prior to the effectivity of this Act,~~] simulated the birth of a child shall not be punished for such act: Provided, That the simulation of birth was made for the best interest of the child and that SUCH CHILD [~~he/she~~] has been consistently considered and treated by that person as his/her own son/daughter: Provided, further, That the application for correction of the birth registration and petition for adoption shall be [~~filed within five (5) years from the effectivity of this Act and completed thereafter~~] **ON OR BEFORE DECEMBER 31, 2018**: Provided, finally, That such person complies with the procedure as specified in Article IV of this Act and other requirements as determined by the Department.

Section 2. All simulations of birth done after the effectivity of this Act shall no longer be allowed to be rectified under Section 22 of Republic Act No. 8552, as herein amended.

Section 3. The Department of Social Welfare and Development shall coordinate with local government units and other concerned agencies for the proper dissemination of information on the amendment introduced by this Act on Section 22 of Republic Act No. 8552.

Section 4. All laws, decrees, executive orders, proclamations, rules and regulations and other issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 5. This Act shall take effect fifteen (15) days after its publication in two (2) newspaper of general circulation.

Approved.