

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
EIGHTEENTH CONGRESS
Second Regular Session



HOUSE BILL NO. 9388

Introduced by: **HON. “KUYA” JOSE ANTONIO R. SY-ALVARADO**

**AN ACT PROVIDING FOR THE PERMANENT VALIDITY OF THE
CERTIFICATES OF LIVE BIRTH, DEATH, AND MARRIAGE ISSUED, SIGNED,
CERTIFIED, AND AUTHENTICATED BY THE PHILIPPINE STATISTICS
AUTHORITY (PSA), THE LOCAL CIVIL REGISTRY OFFICES, AND THE
NATIONAL STATISTICS OFFICE (NSO)**

EXPLANATORY NOTE

In a June 2016 press statement by the Philippine Statistics Authority, they clearly stated that some features, such as the color of the SECPA wherein the document is being printed, are changed over time. This is done to prevent the proliferation of counterfeit documents. However, the change in color does not render the previously issued document invalid or expired, unless it has become tattered or unreadable and there have been authorized annotations due to changes in facts. The PSA emphasized that those certificates they issue should have no expiry date and clarified that those issued by the NSO have no expiration and are the same as those issued by the PSA.

Despite the fact that issued certificates have no expiry, majority of our government agencies and employers require applicants to submit the certificate of live birth, or death or marriage printed on the latest SECPA and issued within the last six (6) months. This practice places additional and unnecessary expenses to many Filipinos.

This measure aims to remove the burden of many Filipinos and to further strengthen the mandate of RA11032 or the “Ease of Doing Business and Efficient Government Service Delivery Act of 2018” by providing permanent validity of the certificates of live birth, death, and marriage issued, signed, certified, or authenticated by the PSA, NSO and the local civil registry offices.

Thus, the immediate passage of this bill is earnestly sought.

“KUYA” JOSE ANTONIO R. SY-ALVARADO
Representative
First District of Bulacan

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

SECTION 1. Short Title. – This Act shall be known as the “*Lingkod Permanent Validity of the Certificates of Live Birth, Death and Marriage Act.*”

SEC. 2. Declaration of Policy. – It is the policy of the State to establish an effective system for providing copies of civil registry documents to all its citizens. The State likewise promotes efficiency and economy by removing duplicitous processes and requirements involving the issuance and use of those documents. Towards this end, the State shall enforce the permanent validity of the certificates of live birth, death, and marriage issued, signed, certified, or authenticated by the Philippine Statistics Authority (PSA), the local civil registry offices, and the National Statistics Office (NSO).

SEC. 3. Permanent Validity. – The Certificate of Live Birth, the Certificate of Death, and the Certificate of Marriage issued, signed, certified or authenticated by the PSA, the local civil registry offices or the NSO, shall have permanent validity regardless of the date of issuance, shall be recognized and accepted in all government or private transactions or services requiring submission as proof of identity and legal status of a person: Provided, That the document remains intact and readable, and still visibly contains the authenticity and security features: Provided further, That the entries in the certificates of live birth, death, and marriage do not require administrative or judicial correction as provided under 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 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,” as amended by Republic Act No. 10172 entitled “An Act Further Authorizing the City or Municipal Civil Registrar or the Consul General to Correct Clerical or Typographical Errors in the Day and Month in the Date of Birth or Sex of a Person

Appearing in the Civil Register Without Need of a Judicial Order, Amending for this Purpose Republic Act Numbered Ninety Forty-Eight,” and Republic Act No. 9255 entitled “An Act Allowing Illegitimate Children to Use the Surname of their Father, Amending for the Purpose Article 176 of Executive Order No. 209, otherwise known as the "Family Code of the Philippines.” Provided, further, That for the Certificate of Marriage, the marriage has not been judicially decreed annulled or declared void ab initio as provided under the Family Code of the Philippines or under any subsequent laws amending it. Otherwise, the person is required to submit the newly-corrected copy of the Certificate of Live Birth or the Certificate of Marriage.

This provision likewise applies to reports of birth issued by Foreign Service Posts to Filipinos born overseas which are duly-registered at the PSA.

SEC. 4. Securing of Copies. - The permanent validity herein declared notwithstanding, no person whose information on the occurrence and characteristics of vital events is registered in the civil registry, or the authorized representative, shall be prevented from securing a copy of civil registry documents in such number of prints or as often as necessary, subject to applicable payment of relevant fees prescribed by the PSA and the local civil registry office concerned. The initial issuance of a certificate, and request for replacement due to loss or damage and reissuance upon presentation of a Certificate of Indigency, shall be free of charge.

SEC. 5. Prohibited Requirement. - National government agencies and instrumentalities, government-owned and controlled corporations, local government units, private companies, and other non-government entities are prohibited from requiring the submission of a certificate of live birth, or death or marriage printed on the most recent version of the security paper issued by the PSA or certified within the past six (6) months.

SEC. 6. Non-Availability of PSA-Issued Certificate. – In all transactions or services where a copy of the certificate of live birth, or death or marriage is required and a PSA-issued certificate is not available, it shall be sufficient for the person concerned or the authorized representative to submit to the end-user agency, company or entity the original or a certified true copy of the original certificate of live birth, or death or marriage issued and signed by the local civil registrar or those bearing NSO logo.

SEC. 7. Submission of Other Documents. - The submission of a PSA authenticated birth certificate shall be without prejudice to the submission of other supporting documents that the end-user agency, company or entity may use in determining the identity of applicants, particularly those classified as special cases such as dual citizens, female applicants with dissolved marriages, and those with late registered certificates of live birth.

SEC. 8. Civil Registry Database. – Within six (6) months from the effectivity of this Act, the PSA, in coordination with the Department of Information and Communications Technology (DICT), shall develop a civil registry database in local civil registry offices and establish a virtual viewing facility where the certificates of live birth, death and marriage may be verified for authenticity of the photocopy submitted. The facility shall incorporate such controls and safeguards as are appropriate and necessary to ensure that only authorized personnel have access to the facility and the confidentiality of the information is protected at all times, in accordance with the relevant provisions of Presidential Decree No. 603, otherwise known as the “Child and Youth Welfare Code” as amended, and Republic Act No. 10173, otherwise known as the “Data Privacy Act of 2012.” The PSA may charge reasonable fees for the use of the virtual viewing facility.

To maximize the ease and convenience offered by technological advancements, the PSA shall continually upgrade the virtual viewing facility and adopt appropriate policies towards the migration of the required submission of the certificates of live birth, death, and marriage into a paperless process.

SEC. 9. Penalty. – Any person who violates Section 5 of this Act shall, upon conviction, be punished with imprisonment of one (1) month and one (1) day to six (6) months or a fine of not less than Five thousand pesos (P5,000.00) but not more than Ten thousand pesos (P10,000.00), or both, at the discretion of the court.

If the violation is committed by a public official or employee, an accessory penalty of temporary disqualification to hold public office shall likewise be imposed.

If the violation is committed by a corporation, partnership, or association, the board of directors, partners, trustees, officials, and employees who directly participated in the commission of the unlawful act shall be liable.

SEC. 10. Appropriations. – The amount necessary for the implementation of this Act shall be charged against the current appropriations of the National Economic and Development Authority (NEDA). Thereafter, such sum as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 11. Implementing Rules and Regulations. - Within sixty (60) days from the effectivity of this Act, the National Statistician, in coordination with the Secretaries of the Department of Interior and Local Government and the DICT, and the Director-General of the NEDA, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 12. Separability Clause. – If any provision, section, or part of this Act shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other provisions, sections or parts hereof.

SEC. 13. Repealing Clause. – All other laws, rules and regulations, orders, circulars, and other issuances or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SEC. 14. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,

