



Republic of the Philippines
House of Representatives
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

House Bill No. 10664

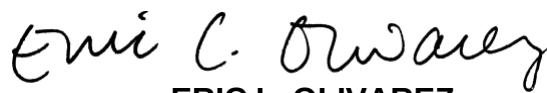
Introduced by REPRESENTATIVE ERIC L. OLIVAREZ

EXPLANATORY NOTE

Civil registration is an important factor in the functioning and development of the country. Particularly the registration of births and deaths each year, as well as the causes of their deaths, contribute to have well-functioning systems. Registration of legal instruments affecting the civil status of persons helps in providing clear proof in order to protect the rights of persons. Civil registration is not just some mandatory requirement that the government requires everyone to do just for records keeping. Civil registration is a key component in protecting the rights of the Filipinos, facilitating public service delivery and monitoring national health. The civil registration system in the country is currently facing challenges mainly because of a lack of access to registrar offices.

In response to the need to enhance the civil registration system in the country, this bill seeks to establish a comprehensive civil registration system that shall be more accessible and more responsive to Filipinos. Salient provisions of this Bill include the establishment of the Barangay Civil Registration system which shall be utilized to assist civil registration within the barangay's respective jurisdiction. Through the establishment of a Barangay Civil Registration system, civil registration will become more accessible and responsive to all Filipinos all over the country. Furthermore, this Bill shall provide the methods of registering different kinds of legal instruments affecting the civil status of persons.

In view of the foregoing, the passage of this Bill is earnestly sought.


ERIC L. OLIVAREZ





Republic of the Philippines
House of Representatives
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

House Bill No. 10664

Introduced by REPRESENTATIVE ERIC L. OLIVAREZ

**“AN ACT PROVIDING FOR A COMPREHENSIVE CIVIL
REGISTRATION SYSTEM”**

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

SECTION 1. *Short Title.* – This Act shall be known as the “*Civil Registration Act 2022*”

SECTION 2. *Declaration of Policy.* – It shall be the declared policy of the State to promote a more advanced and efficient civil registration system. Towards this end, the State shall create measures in the standardization of civil registration and likewise provide a modernized and simplified system of recording vital events occurring in one’s life.

SECTION 3. *Definition of Terms* –

- a. *Civil Registration* refers to the continuous, permanent, and compulsory recording of vital events occurring in the life of an individual such as birth, marriage, and death, as well as court decrees, and legal instruments affecting a person’s civil status;
- b. *Civil Register* refers to a system containing the recordings of the civil status of persons, in which shall be entered occurrences such as: (a) births; (b) deaths; (c) marriages; (d) annulments of

marriages; (e) divorces (for Muslims); (f) legitimations; (g) adoptions; (h) acknowledgment of natural children; (i) naturalization; and (j) changes of name.

- c. *Legal Instruments* refers to affidavits or affirmations pertaining to civil registration.
- d. *Artificial Insemination* refers to the deliberate introduction of sperm into a female's cervix or uterine cavity to achieve pregnancy.
- e. *Repatriation* refers to the act or process of restoring or returning someone to the country of origin, allegiance, or citizenship.
- f. *Declaration of Presumptive Death* refers to a judicial declaration of well-founded belief that the absentee is already dead.

SECTION 4. Coverage – This Act shall apply to all acts affecting the civil status of Filipinos, including Filipinos abroad.

SECTION 5. The National Statistician. – The National Statistician is the head of the Philippine Statistics Authority whose duties and functions are the following:

- a) Enforce and administer the provisions of this Act;
- b) Exercise direct supervision over the City and Municipal Civil Registrars and other local civil registry officers;
- c) Formulate appropriate and necessary rules concerning civil registration;
- d) Examine and endorse for investigation any complaint for violation of this Act and all other irregularities to the respective local chief executive and the applicable authorized agencies;
- e) Issuance of documents under its custody;
- f) Determine applicable standard fees for the issuance, preparations, and other acts in relation to civil registry documents.

SECTION 6. The City/Municipal Civil Registrar. – In accordance with the provisions of the Republic Act No. 7610, otherwise known as the Local Government Code, the appointment of the Civil/Municipal Civil Registrars shall be mandatory for city and municipal governments. The Civil/Municipal Registrar shall have the following functions:

- a) Develop plans and strategies for civil registry programs and projects, subject to the approval of the respective local chief executive;
- b) Register all registrable events within their respective local jurisdiction;
- c) File, accept and enter immediately upon receipt all registrable documents and judicial decrees/orders affecting the civil status of persons presented to them for entry in the appropriate civil registry books;
- d) Prepare and compile registrable documents and submit information to the National Statistician as required;
- e) Classify, digitize, bind, and preserve all registered documents appropriately in furtherance with the proper archiving procedures;
- f) Preserve, classify, digitize and bind all registered documents in accordance with the appropriate archiving procedures;
- g) Administer oaths for civil registry purposes;
- h) File, keep and preserve the books required by law;
- i) Receive applications for the issuance of a marriage license;
- j) Issue marriage licenses upon determination if requirements have been complied with and payment of appropriate fees;
- k) Coordinate with the National Statistician in conducting and planning education campaigns for civil registration and assist in the preparation of demographic and other statistics for the LGU concerned;
- l) Recommend policies and procedures on civil registration to the National Statistician;
- m) Reconstruct destroyed or lost civil registry records upon compliance with the requirement and procedures established by the National Statistician;
- n) Make available at all times the civil registry forms in the City/Municipal Civil Registrar Office.

SECTION 7. *Civil Registry Book.* – The City/Municipal Registrar shall keep and preserve the following books:

- a) Register of Births;
- b) Register of Foundlings;

- c) Register of Deaths;
- d) Register of Marriages;
- e) Register of Court Decrees or Orders;
- f) Register of Legal Instruments;
- g) Register of Applications of Marriage License;
- h) Register of Conversion to Islam;
- i) Register of Muslim Divorces;
- j) Register of Revocation of Muslim Divorces;
- k) Register of Indigenous Cultural Communities or Indigenous Peoples Marriage Dissolutions;
- l) Register of Indigenous Cultural Communities or Indigenous Peoples Revocation of Marriage Dissolutions; and
- m) Register of Administrative Orders.

The City/Municipal Civil Registrar shall enter the proper record concerning the civil status of persons in the proper book as stated above.

SECTION 8. *Registration and Certification of Birth.* – The declaration of either the physician, the midwife, or the person who attended to the birth, or in the absence thereof, the declaration of either or both parents or any other person who has personal knowledge of the facts of the birth of the newborn shall be sufficient for the registration of birth in the civil register.

The duly accomplished Certificate of Live Birth shall be submitted to the City/Municipal Civil Registrar where the birth is within thirty (30) days from the date of birth as stated by the person making the declaration for registration.

The Certificate of Live Birth shall declare the following:

- a) Name of the child;
- b) Sex of the child;
- c) Date of birth;
- d) Place of birth;
- e) Name of the mother and father;
- f) Citizenship of the mother and father;

- g) Date of marriage of parents, if applicable;
- h) Place of marriage of parents, if applicable;
- i) Such other date as required in the regulation to be issued.

Children who have been abandoned or foundlings whose parents and relatives are unknown, or those who have been committed to an orphanage or charitable institution and whose facts of birth and parentage are unknown, shall be registered with the City/Municipal Civil Registrar by the finder or charitable institution where the child is committed within thirty (30) days from the date of finding the child of the place where such child was born or found.

A deceased person's birth may also be registered on a delayed registration basis by the person's nearest kin subject to the submission of proof of the identity of the person being registered, facts of the person's birth, and other data as may be required.

SECTION 9. *Acquisition of Certificate of Live Birth.* – The record of a person's birth shall be kept strictly confidential and no information relating thereto shall be issued except upon the request by any of the following:

- a) The concerned person or any person authorized by the said person;
- b) The person's spouse, parent/s or direct descendants, or guardian or institutions legally in charge of him/her, if such a person is a minor;
- c) The court or proper public officials, when deemed absolutely necessary in administrative, judicial or other official proceedings to determine the identity of the person's parents or other circumstances surrounding his/her birth; or
- d) The nearest kin, in the case of deceased persons.

SECTION 10. *Barangay Civil Registration System.* – To ease the burden of every City/Municipal Civil Registrar, there shall be established a Barangay Civil Registration System wherein barangay officials shall have the mandate of assisting the facilitation of civil registration within their area of jurisdiction, subject to the provisions of this Act.

The implementing rules and regulations regarding the establishment of the Barangay Civil Registration System shall be released by the Office

of the National Statistician within ninety (90) days from the effectivity of this Act.

SECTION 11. *Delayed Registration and Certification of Birth.* –

Local government units shall implement a delayed registration program for persons whose births have not been registered and certified, free of charge. Likewise, the Department of Interior and Local Government, in coordination with the National Commission for Indigenous Peoples shall prepare a Free Delayed Registration Program for Indigenous Peoples which shall be implemented by the local government units and the NCIP regional or local offices in the localities concerned.

SECTION 12. *Registration and Certification of Death.* – No human body shall be buried unless the proper death certificate has been presented and recorded with the Civil/Municipal Civil Registrar.

The physician who attended to the deceased or the health officer concerned or a family member of any person having knowledge of the death of the deceased shall report the same to the local health authorities who shall issue a death certificate which shall be recorded with the Civil/Municipal Civil Registrar. The registration of the death of a person shall be made within thirty (30) days from the date of death with the Civil/Municipal Civil Registrar of the place where the death occurred.

In the absence of the health officer or his authorized representative in the place of registration, the death should be reported within forty-eight (48) hours after its occurrence by the nearest kin of the deceased or by any person having knowledge of the death to the local chief executive or any member of the Sangguniang Bayan, who shall issue and sign the medical certification portion of the Certificate of Death for burial and registration purposes.

The death certificate shall contain the following:

- a) Full name of the deceased;
- b) Sex of the deceased;
- c) Nationality;
- d) Date of death;
- e) Place of death;
- f) Cause of death; and

g) Such other data as may be required.

For cases where the death is under medico-legal examination or autopsy, or where a case of death is under investigation by the National Bureau of Investigation or any other investigative agency in the government and where the body subject of examination has not been registered, the head of the concerned investigative agency or his/her authorized representative shall cause the registration of such death through the health officer of the city or municipality where the death occurred.

SECTION 13. *Application and Registration of Marriage License.*

– Applications for a marriage license and all requirements in support thereof shall be governed by the provisions of Executive Order No. 209, otherwise known as the Family Code of the Philippines, as amended.

The local civil registrar concerned shall enter all applications for marriage licenses filed with him/her in a registry book strictly in the order in which the same are received.

SECTION 14. *Registration and Certification of Marriage.* – All persons authorized to solemnize marriages shall send four (4) copies of the Certificate of Marriage for registration with the Civil/Municipal Civil Registrar of the place where the marriage was solemnized within fifteen (15) days from the date of celebration of marriage.

For marriages exempt from the requirement of a marriage license as provided in accordance with the provisions of the Family Code of the Philippines shall have the marriage registered within thirty (30) days from the date of celebration of marriage.

For those whose marriages have not been registered, the Civil/Municipal Civil Registrar of the place where the marriage was celebrated shall allow its delayed registration.

SECTION 15. *Multiple Registrations.* – In cases of multiple registrations of birth, marriage, or death, the first duly registered document shall be given preference.

In cases of multiple marriages involving the same parties, the first registered marriage shall prevail.

SECTION 16. *Registration of Solemnizing Officers.* – All persons authorized to solemnize marriages shall be registered with the Office of

the National Statistician, except as may otherwise be provided by law or existing rules.

SECTION 17. *Registration of Court Orders.* – In cases of court issues an order concerning the status of a person, it shall be the duty of the clerk of court to advise the petitioner to have the order registered with the Civil/Municipal Civil Registrar of the place within the jurisdiction of the court where such petition was granted.

Unverified copies shall not be registered. The LCRO where the event of the order was registered shall forward a certified true copy of the order to the Civil/Municipal Registrar where the event affected was originally registered. The latter shall make the proper annotations in the documents and in the applicable registry book. The LCRO shall likewise send a certified true copy of the annotated document and the registered court order to the Office of the National Statistician. Each corrected document shall be reported to the National Statistician during the reporting month.

All court orders must be registered within fifteen (15) days after its finality. Otherwise, it shall be considered as delayed registration.

All court orders shall be effected through annotations in the civil registry document except in adoption cases where the child shall be entitled to the issuance of an amended birth certificate.

SECTION 18. *Registration of Adoption.* – The Original Certificate of Live Birth of an adopted child shall be amended upon finality of the issuance of the decree of adoption by the court. An amended Certificate of Live Birth of the adopted child shall be issued by the Civil/Municipal Civil Registrar of the place where the birth of the adopted child was recorded. The contents of the Certificate of Live Birth of the adopted child shall have the same entries as those appearing in the original records of birth, except for the following items of information:

- a) *Name of the adopted.* The first name of the adopted child shall be the same as that contained in the original Certificate of Live Birth unless the decree of adoption carried with it an order of the change of name of the adoptee. The middle name of the adopted child shall be the same as the middle name of that of the adopter except in cases of joint adoption where the husband and wife jointly adopted the child. In such case, the middle name of the adopted child shall

be the maiden name of the adopting mother. Moreover, for joint adoptions, the adopted child shall use the surname of the adopting father.

- b) *Name of parents.* The name of the natural parents of the adopted child shall be substituted by the names of the adopting parents whose names shall be indicated in the appropriate spaces in the amended Certificate of Live Birth as the father or mother, as the case may be; and
- c) *Other Information.* Information other than those above-mentioned such as citizenship and religion shall be indicated in the appropriate spaces in the amended Certificate of Live Birth, including the date of marriage of the adopting parents, in cases of joint adoptions.

In case the adopted child is a foundling the basis for issuance of an amended certificate of live birth shall be the court order.

SECTION 19. *Registration of Presumptive Death.* – A judicial order declaring the presumptive death which has reached finality shall be registered with the Civil/Municipal Registrar of the place where the first marriage was registered. For annotations needed for contracting a subsequent marriage, the same shall be recorded in the marriage register as well as in the marriage certificate.

SECTION 20. *Registration of Foreign Court Orders.* – Foreign court orders which have been confirmed by the appropriate Regional Trial Court having jurisdiction over such case and which involve the civil status of persons residing in the Philippines shall be registered before the Local Civil Registry Office where the affected document is registered.

SECTION 21. *Registration of Legal Instruments.* – As a general rule, all legal instruments shall be registered in the civil registry of the place where such instrument was executed. Except for the following:

- a) *Affidavit of Reappearance.* An Affidavit of Reappearance shall be registered in the place where the parties to the subsequent marriage are residing;
- b) *Marriage Settlement.* Marriage Settlements shall be registered in the place where the affected marriage was recorded;
- c) *Admission of Paternity, Acknowledgment, Legitimation, Voluntary Emancipation of Minor and Artificial Insemination.*

The following legal instruments shall be recorded in the place where the birth of the child was recorded.

- d) *Legal Instruments executed abroad.* All legal instruments shall be registered in the Office of Civil Registry in Manila, including all legal instruments which may be executed in the Philippines if the vital events referred to occurred in the foreign country and have been registered with the Philippine Consulate.

All legal instruments shall be effected through annotation in the civil registry document.

SECTION 22. *Registration of Affidavit of Reappearance.* – A sworn statement of the facts and circumstances surrounding the reappearance of a person previously declared presumptively dead shall be recorded in the civil registry office of the residence of the parties to the subsequent marriage, with due notice to the spouses of the subsequent marriage and without prejudice to the fact of reappearance being judicially determined in case such

SECTION 23. *Registration of Affidavit of Acknowledgement or Affidavit of Admission of Paternity.* – It shall be the duty of the person executing the affidavit of acknowledgment or admission of paternity to send the original copy of the affidavit to the City/Municipal Civil Registrar where the birth of the child was registered, for registration in the Register of Legal Instruments and proper annotation in the Register of Births.

SECTION 24. *Ratification of Artificial Insemination.* – Children conceived as a result of artificial insemination shall be considered legitimate; *Provided*, That both of them ratified such insemination in a written instrument executed and signed by both of them before the birth of the child. The instrument shall be recorded in the civil register together with the Certificate of Live Birth of the child.

SECTION 25. *Option to Elect Philippine Citizenship.* – The option to elect Philippine citizenship in accordance with Section 3, Article IV of the Philippine Constitution shall be made in an affidavit signed by the party concerned and sworn before an officer authorized to administer oaths. The same instrument shall be filed and registered with the Civil/Municipal Registrar of the place where the instrument was executed.

For instruments executed, subscribed, and sworn to before a consular officer of the Philippine Embassy in a foreign country, together with the oath of allegiance, shall be registered with the Local Civil Registry Office of Manila.

SECTION 26. *Registration of Repatriation.* – The instrument of repatriation and oath of allegiance to the Constitution and the government of the Philippines shall be filed with the Civil/Municipal Civil Registrar of the place where the instrument was executed; *Provided*, That if the for Philippine citizenships reacquired by naturalization, the court order granting the citizenship shall be recorded and registered in the Register of Court Orders.

SECTION 27. *Registration of Muslim Filipinos, Indigenous Cultural Communities (ICCs) or Indigenous Peoples (Ips), and Children in Need of Special Protection (CNSP).* – The Philippine Statistics Authority, in coordination with the National Commission on Indigenous Peoples, the National Commission on Muslim Filipinos, Philippine Association of Civil Registrars, the National Commission on Culture and the Arts, and duly recognized elders and leaders of Indigenous Peoples, shall establish an Indigenous Peoples Civil Registration System which shall abide by the sensitive and appropriate unique cultural practices and identification systems of Indigenous Peoples.

Indigenous Peoples shall be exempt from the payment of all fees in the recording of their birth, marriage, and death. Such exemption shall extend to any fine or fee for late registration as well. Likewise, they shall be exempted from the payment of notarial fees and documentary stamp tax in cases of registration of instruments requiring the execution of affidavits.

SECTION 28. *Registration of Children in Need of Special Protection and Foundlings.* – The Philippine Statistics Authority, the Department of Social Welfare and Development, the Department of Interior and Local Government, and the Philippine Association of Civil Registrars shall establish an appropriate and cohesive civil registration of Children in Need of Special Protection and Foundlings within thirty (30) days from the effectivity of this Act and in line with the principles set forth in the United Nations Convention on the Rights of the Child.

SECTION 29. *Nature of Civil Registry Documents.* – The registry books making up the civil register and all documents relating thereto shall be considered public documents and shall be *prima facie* evidence of the truth of the facts therein contained. They shall be open to the public during office hours and shall be kept in a secured place that shall be furnished to the civil registrar at the expense of the city/municipality concerned.

The civil registrar shall not, under any circumstances, permit any document registered to be removed from the office except upon lawful order of the court. The city/municipal civil registrar may issue certified copies of any documents filed upon payment of proper fees fixed by the appropriate city/municipal ordinance.

SECTION 30. *Expenses of the Civil Registrar and Appropriate Fees.* – All expenses in connection with the establishment and operations of the civil registrar's office shall be obtained out of the funds of the local government unit concerned and for this purpose, the Sanggunian of the municipalities or cities shall make the necessary appropriation.

Registration of births, foundlings, deaths, and marriages shall be free of charge. However, for all other legal instruments, a standard fee shall be collected. For the issuance of copies of civil registry documents, a standard fee shall be collected.

SECTION 31. *False Statements.* – Any person who shall knowingly make false statements in the furnished forms and present the same for entry in the civil registers shall be penalized in accordance with the law.

SECTION 32. *Failure to Report and other Violations.* – Any person duty-bound to report any fact concerning the civil status of persons and who fails to perform such duty without any justifiable reason, or any person found to be in violation of the provisions of this Act shall be punished accordingly.

Any violation of the preceding sections shall be penalized by imprisonment of not exceeding one (1) year or a fine ranging from TWENTY THOUSAND PESOS (Php20,000.00) to THIRTY THOUSAND PESOS (Php30,000.00), or both, at the discretion of the court.

The attending physician, nurse, midwife, hospital administrator, or any person in charge of the certificate of live birth or a certificate of death or any other necessary documents who fails to deliver or withholds the delivery of said documents without any justifiable reason shall be

penalized by imprisonment of not more than six (6) months or a fine ranging from TWENTY THOUSAND PESOS (Php20,000.00) to THIRTY THOUSAND PESOS (Php30,000.00), or both, at the discretion of the court. Non-payment of hospital bills, in full or in part, shall not be a ground for the non-delivery or the withholding of the Certificate of Live Birth or the Certificate of Death of the person concerned.

Any officer, priest, or minister who solemnizes a marriage without being authorized to do so; or upon solemnizing a marriage, refuses to exhibit his authorization when called upon to do so by the parties, their parents or guardians; or solemnizes a marriage which is subsequently declared void by his/her religion, church, or sect, due to failure to comply with the requirements as a pre-requisite to the solemnization of marriage; or solemnizes a marriage in violation of the provisions of this Act, shall be punished with imprisonment ranging from six (6) months to three (3) years, or the revocation of authority to solemnize a marriage or a fine ranging from TWENTY THOUSAND PESOS (Php20,000.00) to THIRTY THOUSAND PESOS (Php30,000.00), or all three penalties, at the discretion of the court.

Any officer, priest or minister who fails to deliver copies of the certificate of marriage to the City/Municipal Civil Registrar within the period fixed by law and without justifiable reason shall be punished by imprisonment of not more than six (6) months, or by a fine of not more than TEN THOUSAND PESOS (Php10,000.00), or both at the discretion of the court.

SECTION 33. *Mandatory Review.* – The provisions of this Act shall undergo a mandatory review by Congress every ten (10) years counted from the time of the effectivity of this Act.

SECTION 34. *Retroactive Effect.* – The provisions of this Act shall have a retroactive effect insofar as it does not prejudice or impair vested rights.

SECTION 35. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

SECTION 36. *Repealing Clause.* – All acts, executive orders, memorandum circulars/guidelines, and other issuances or parts thereof,

which are inconsistent with this Act, are hereby repealed or modified accordingly.

SECTION 37. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or two (2) newspapers of general circulation

APPROVED.