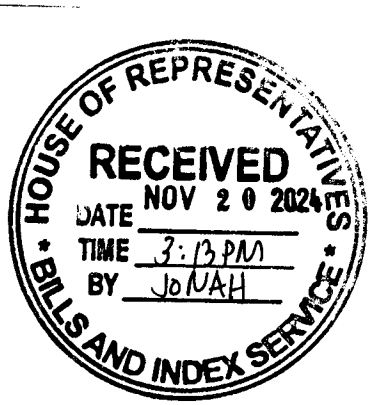


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

~~NINETEENTH CONGRESS~~
Third Regular Session

HOUSE BILL NO. 11122

Introduced by **Representative Jaime R. Fresnedi**

EXPLANATORY NOTE

This proposed measure seeks to strengthen the system for the delayed registration of births by amending Act No. 3753, otherwise known as the *Law on Civil Registry Status*. The bill introduces stricter guidelines and procedures for late registration to ensure authenticity and to prevent abuse. It mandates that birth registration must occur within thirty (30) days of birth, but allows for late registration provided that specific conditions are met. These include additional documentation, field visits and interviews by the local civil registrars in order to verify legitimacy.

It is a fundamental right of every human the right to a name and nationality. Registering one's birth is the first critical step in ensuring that this is rightfully given. The registration and issuance of a birth certificate is essential in establishing one's identity and nationality. It serves as legal proof of existence of one individual and is a requirement in accessing various social services like education, healthcare and even government benefits. A systematic framework of civil registration is one that not only supports the rule of law but also safeguards citizen rights. This also aids the government in preserving precise national data, which is crucial for effective policymaking and administration.

Under Act No. 3753, birth registration in the Philippines must occur within thirty (30) days of birth. Late registration is however allowed provided that certain conditions and requirements are met and submitted. While late registration serves as a safety net for those who missed the initial registration deadline, the current system has also been subject to abuse. Delayed registration cases sometimes involve fabrications or alterations of personal information, which not only jeopardize the integrity of civil records but also create legal complications, as highlighted by the Philippine Statistics Authority (PSA). There have been cases where the late registration system was manipulated to change the identity and citizenship of individuals. This misuse threatens the credibility of the civil registration process and raises concerns about the issuance of fraudulent certificates that could potentially impact national security.

According to data from the PSA, an estimated 5 million Filipinos still do not have birth certificates. These individuals are left in legal limbo, unable to access basic services and participate fully in civic life. It is imperative to address this gap while ensuring that the process

of delayed registration does not become a loophole for identity fraud. Birth registration is essential not only for the individual but also for the State to monitor demographic trends and maintain accurate population statistics.

This proposed measure aims to institutionalize the system of delayed registration of births and provide stricter guidelines and procedures in verifying the legitimacy of late applications. It requires additional documentation, field visits and interviews by the local civil registrars to ensure that claims of unregistered births are authentic. Moreover, this bill introduces a mandatory ten (10) day public notice period for all late registration applications that allows for objections or challenges to be raised by concerned individuals who can attest to the applicant's claims. This aims to improve transparency and deter abuse.

The bill also recognizes the importance of PSA's Negative Certification of Birth Records as a required document for late registration, preventing individuals from submitting fraudulent birth records across different jurisdictions. By amending Act No. 3753, this proposed legislation will not only streamline birth registration processes but also fortify the integrity of the civil registry, ensuring that delayed registrations are properly regulated and controlled. It ensures that every Filipino, regardless of their circumstances, has access to legal identity while preventing abuses that could compromise the country's civil registry system and national security.

The time has come to tighten the safeguards around late birth registration while promoting access to proper documentation for every Filipino citizen. This bill is a necessary step towards protecting the integrity of our civil registration system and ensuring that no Filipino is left behind.

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

JAIME R. FRESNEDI
Representative
Lone District, Muntinlupa City

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HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

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HOUSE BILL NO. 11122

Introduced by **Rep. Jaime R. Fresnedi**

AN ACT
STRENGTHENING THE SYSTEM OF FILING OF DELAYED REGISTRATION OF BIRTHS IN THE COUNTRY, AMENDING FOR THE PURPOSE ACT NO. 3753

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

SECTION 1. *Short Title.* – This Act shall be known as the "*Delayed Registration of Birth Act.*"

Sec. 2. *Declaration of Policy.* – It is the policy of the State to promote the importance of civil registry documents to establish identity and civil status, support universal civil registration and to produce accurate, complete and update vital statistics.

Sec. 3. *Definition of Terms.* – As used in this Act:

a) *Certificate of Live Birth (COLB)* refers to the source of vital information and provides legal proof of the identity of an individual;

b) *Civil Registrar General* refers to the head of the Philippine Statistics Authority (PSA) and the one who provides overall direction in the implementation of the Civil Registry Law and related issuances and exercise technical supervision over the local civil registrars;

c) *Delayed Registration of Birth* refers to the registration of birth record after the reglementary period of thirty (30) days from the time of birth in the Office of the Local Civil Registrar of the place where it occurred;

d) *Local Civil Registrar (LCR) or City/Municipal Civil Registrar* refers to the person officially in-charge with the duty of implementing and enforcing the provisions of the Civil Registry Law and its Implementing Rules and Regulations and other laws related to civil registration;

e) *Local Civil Registry Office (LCRO)* refers to the department in the city or municipal government which is mandated to perform civil registration functions;

f) *Negative Certification of Birth Record* refers to the document issued by the PSA certifying that it has no record of the person's birth, marriage or death certificate in its electronic and paper archives; and

g) *Registration of Birth* refers to the permanent and official recording of a person's existence.

Sec. 4. *Requirements on Filing Delayed Registration of Birth.* – A Negative Certification of Birth Record shall be a mandatory requirement for the application of Delayed Registration of Birth. In addition thereto, the following shall also be submitted:

a) For a party seeking late registration of birth whose parents are both Filipino citizens:

1) If the person is less than eighteen (18) years old:

i) Four (4) copies of the Certificate of Live Birth (COLB) duly accomplished and signed by the proper parties;

ii) Accomplished Affidavit for Delayed Registration at the back of the COLB by the father, mother or guardian declaring therein, among other things, the following:

- Name of child;
- Date and place of birth;
- Name of the father if the child is illegitimate and has been acknowledged by him;
- If legitimate, the date and place of marriage of parents; and
- Reason for not registering the birth within thirty (30) days after the date of birth.

iii) Negative Certification of Birth Record from the Philippine Statistics Authority (PSA);

iv) Certificate of Marriage of the parents if the child is legitimate; and

v) Birth Certificate of the parents.

In case the party seeking late registration of birth of an illegitimate child is not the mother, the party in addition to the foregoing documents, shall submit the following:

vi) Sworn statement stating the present whereabouts of the mother;

vii) Any two (2) of the following documentary evidence which may show the name of the child, date and place of birth and name of the mother (and name of the father, if the child has been acknowledge):

- Baptismal Certificate;
- School records;
- Income tax return;
- Insurance policy;
- Medical records; and

- Others, such as barangay chairperson's certification

viii) Affidavit of two (2) disinterested persons who might have witnessed or known the birth of the child.

2) If the person is eighteen (18) years old or above, he/she shall apply for the late registration of his/her birth and the requirements shall be:

i) All the requirements for a child who is less than eighteen (18) years old; and

ii) Certificate of Marriage, if married.

b) For a party seeking late registration of birth, wherein one of the parents is a foreigner:

1) Certificate of Marriage of the parents if the child is legitimate;

2) Birth certificate of the parents;

3) Passport of both parents;

4) Affidavit of Admission of Paternity and/or Affidavit to Use the Surname of the Father under Republic Act No. 9255, if the child is illegitimate and was acknowledged by the father; or

5) Affidavit of Acknowledgment in case of an illegitimate child born prior to 03 August 1988.

c) When the application for the delayed registration of birth is filed on behalf of another person, in addition to the abovementioned requirements of filing delayed registration of birth:

1) Special Power of Attorney (SPA) or Authorization Letter executed by the document owner, authorizing the applicant to file the delayed registration of birth;

2) Valid Identification Card of the document owner and the requester or applicant; and

3) Affidavit of the document owner or the registrant in case the document owner is already deceased stating the reasons why he/she cannot personally filed the application.

Sec. 5. *Procedures on Delayed Registration of Birth.* – Birth registered later than thirty (30) days after its occurrence is considered a delayed registration. It shall be registered at the Local Civil Registry Office (LCRPO) of the place where the birth occurred. The delayed registration of birth shall undergo the following procedures:

a) Upon receiving the application for delayed registration of birth, the City/Municipal Civil Registrar (C/MCR) shall examine the COLB presented whether it has been completely and correctly filled-out. The C/MCR shall also evaluate the veracity of the statements made in the Affidavits and other submitted supporting documents through personal interview with the applicant and a field visit to the Office of the Punong Barangay where the child resides to confirm the statements made in the Affidavits and the genuineness of the supporting documents;

b) Submission of a Negative Certificate of Live Birth issued by the PSA Civil Registry System Outlets or other authorized issuing centers, must be required as a mandatory requirement for the

application for delayed registration to ensure that there is no existing birth record registered anywhere in the country;

c) A notice to the public on the pending application for delayed registration shall be posted for ten (10) consecutive days on a bulletin board outside the office of the local civil registrar located in a conspicuous place within the building and accessible to the general public, as well as in the official website, social media accounts and other official physical and digital media and channels of the local civil registrar and the PSA, subject to the provisions of Republic Act No. 10173, otherwise known as the *Data Privacy Act of 2012;* and

d) If no one opposes the registration after ten (1) days, the C/MCR shall review the application and if convinced beyond doubt that the applicant for Delayed Registration was really born within his/her jurisdiction, the C/MCR shall accept and register the delayed registration of birth.

Sec. 6. *Roles and Responsibilities of the LCRs and the PSA.* – The LCROs of the different cities and municipalities, through their Local Civil Registrars, shall facilitate the registration of birth within their territorial jurisdiction. They shall likewise see to it that the appropriate form is used, the form is properly and completely filled out, entries therein are cored and the proper attachments are submitted. In case the entries are found incomplete or incorrect, the Local Civil Registrars shall require the person concerned to fill out the document completely or to correct the entries, as the case may be.

The PSA shall see to it that the prescribed standards, criteria and procedures provided in this Act are properly implemented. Likewise, it has the duty to report any irregularities, negligence or incompetency of C/MCR in the performance of his/her functions under this Act to the concerned Mayor for the latter to take the proper disciplinary action.

Sec. 7. *Collection of Fees.* – Upon the effectivity of this Act, there shall be a moratorium on the collection of all fees and payments associated with the delayed registration of birth for a period of three (3) years. Thereafter, fees collected by LCROs shall be waived if the document owner or applicant is found to be indigent as certified by the Punong Barangay where said document owner or applicant resides.

Sec. 8. *False Statement.* – Any person who shall knowingly make false statements in the forms furnished and shall present the same for entry in the civil register, shall be punished by imprisonment for not less than six (6) months and one (1) day but not more than twelve (12) years and a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Two hundred fifty thousand pesos (P250,000.00).

In addition, if the person who violated the provisions of this Act is a public official, he/she shall be dismissed from service and shall suffer perpetual absolute disqualification to hold public office.

Sec. 9. *Separability Clause.* – Should any provision of this Act or any part thereof be declared invalid, the other provisions, so far as they are separable from the invalid ones, shall remain in force and effect.

Sec. 10. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations or parts thereof that are inconsistent with this Act are hereby repealed, amended or modified accordingly.

Sec. 11. *Effectivity.* – This Act shall take effect immediately upon its publication in the Official Gazette or in any newspaper of general circulation.

Approved.