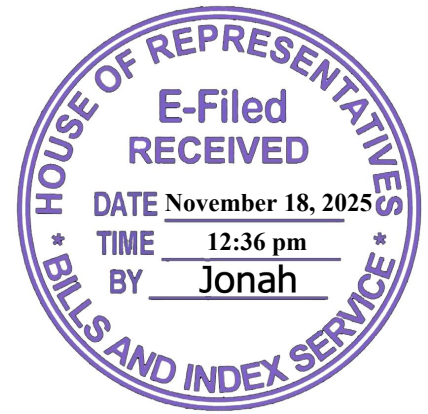


TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES
HOUSE BILL No. 6108

INTRODUCED BY HON. RICARDO S. CRUZ, JR.

EXPLANATORY NOTE

Article XV Section 3 of the 1987 Constitution provides that the State shall defend “the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development.”

In relation to this, the right to be recognized as a person before the law and to be registered at birth are enshrined in both the International Covenant on Civil and Political Rights and the Convention of the Rights of the Child. Birth registration is an essential tool for identity recognition, ensuring the child is legally recognized by the state and protected under its laws. A child who is not registered at birth is in danger of being denied the right to an official identity and a recognized name. As of 2024, 150 million children worldwide under the age of five, or approximately 2 in every 10, remain unregistered and invisible to government systems.¹ Based on the records of the Philippine Statistics Authority (PSA), 5 million Filipinos nationwide remained unregistered in 2019.² Out of this, 40% were children aged 0-14 years old.³

¹ Birth registration steadily increases worldwide, but 150 million children still ‘invisible’ - UNICEF. (2024, December 10). *UNICEF*.

<https://www.unicef.org/press-releases/birth-registration-steadily-increases-worldwide-150-million-child-ren-still-invisible>

² Registered Live Births in the Philippines. 2019. *PSA*.

<https://psa.gov.ph/content/registered-live-births-philippines-2019>

³ *Id.*

Data from the Department of Social Welfare and Development (DSWD) show that from January 2017 to November 2018, the government assisted a total of 8,197 unregistered children including those born by sexually-abused women, trafficked Filipinos, and parents seeking asylum.⁴ These unregistered individuals legally do not exist. Consequently, they are denied basic fundamental human rights, with unregistered children being the ones immensely affected by the deprivation of basic social services such as health care, education, and welfare programs.

Further, one of the main reasons cited for the failure or refusal of parents to register the birth of their children is the imposition of fees for registration, the amount of which varies in every city or municipality.

As such, this bill seeks to make timely registration of births by indigent and underprivileged parents and foundlings free. If enacted into law, this bill will help secure the recognition of every person before the law to safeguard the protection of individual rights.

In line with the policy adopted by its original proponent Senator Pia S. Cayetano, this bill therefore serves as a counterpart measure. It is for the reasons stated above that the passage of this measure is earnestly sought.


RICARDO S. CRUZ, JR.

⁴ Rocamora, J. (9 January 2019). Gov't continues to address cases of unregistered minors abroad. *PNA*.
<https://www.pna.gov.ph/articles/1058329>

HOUSE OF REPRESENTATIVES
HOUSE BILL No. 6108

INTRODUCED BY HON. RICARDO S. CRUZ, JR.

AN ACT
PROVIDING FOR FREE BIRTH REGISTRATION FOR INDIGENT AND
UNDERPRIVILEGED FILIPINOS

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 “Free Birth Registration Act.”

Sec. 2. *Scope.* – Free birth registration shall apply to:

- a) Timely Registration of Births, as defined in Sec. 3(d) of this Act, of individuals with indigent or underprivileged parents, as certified through a Barangay Certificate of Indigency; and
- b) All cases of registration of foundling, as provided for under Republic Act No. 11767 or the “Foundling Recognition and Protection Act”.

This shall not apply to Delayed Registration of Birth, as defined under this Act.

Sec. 3. *Definition of Terms.* –

- a) *Delayed Registration of Birth* – refers to any birth registered more than thirty (30) days after the date of birth with the Office of the Civil Registrar of the city/municipality where the birth occurred, or as may otherwise be provided by law.
- b) *Foundling* – refers to a deserted or abandoned child or infant with unknown facts of birth and parentage. This shall also include those who have been duly registered as a foundling during her or his infant

childhood, but have reached the age of majority without benefitting from adoption procedures upon the passage of this law.

- c) *Live Birth* – refers to a complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of the pregnancy, which after such separation, breathes or shows any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. Each product of such a birth is considered liveborn.

In accordance with Article 41 of the Civil Code of the Philippines, a fetus with an intra-uterine life of seven (7) months or more that is born alive at the time it was completely delivered from the maternal womb but died later shall be considered as live birth and must be registered in the register of births. However, if the fetus had an intra-uterine life of less than seven months, it is not deemed born if it dies within twenty-four hours after its complete delivery from the maternal womb.

- d) *Timely Registration of Birth* - refers to all births registered in the Office of the Civil Registrar of the city/municipality where the birth occurred or as the case may provide within thirty (30) days from the time of birth.
- e) *Indigent and underprivileged Filipinos* - refer to those whose income falls below the poverty threshold as defined by the Department of Economy, Planning, and Development (DEVDep) and/or those who cannot afford in a sustained manner to provide their minimum basic needs of food, health, education, housing, or other essential amenities of life as defined under Republic Act No. 8425, otherwise known as the "Social Reform and Poverty Alleviation Act."

Sec. 4. *Prohibition.* – No fees and penalties shall be imposed on Timely Registration of Births for individuals with indigent and underprivileged parents, as defined in Section 3 of this Act, and in all cases of registration of a Foundling.

Sec. 5. *Powers and Duties.* – The Office of the Civil Registrar General (OCRG) shall monitor the implementation of this Act.

The OCRG shall have the power to determine acts of violation under this law and shall recommend the Department of Interior and Local Government (DILG) to take appropriate action on such violation.

Sec. 6. *Penalties or Sanctions.* – Any local registrar who fails properly to perform his or her duties in accordance with Section 5 of this Act and of the regulations issued hereunder, shall be punished for the first offense, by an administrative fine in a sum equal to his salary for not less than fifteen days nor more than three months, and for a second or repeated offense, by removal from the service.

Sec. 7. *Repealing Clause.* – All other laws, decrees, executive orders, presidential issuances, rules and regulations or any part thereof, which are inconsistent herewith, are hereby repealed or modified accordingly.

Sec. 8. *Separability Clause.* – If, for any reason or reasons, any part or provisions of this Act shall be declared or held unconstitutional or invalid, other provision or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Sec. 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,