



HOUSE OF REPRESENTATIVES

H. No. 4905

BY REPRESENTATIVES CAJES, FUA, ABAYON, CHATTO, CHIPECO, ROQUERO
AND ESPINO, PER COMMITTEE REPORT NO. 1197

AN ACT PROVIDING FOR A MORE RESPONSIVE CIVIL REGISTRATION SYSTEM

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Civil
2 Registration Act of 2006”.

3 SEC. 2. *Declaration of Policy.* – The State shall promote and maintain
4 a more responsive civil registration system. Towards this end, standardization
5 and modernization of registration procedures is necessary to establish the
6 identity of the individual for administrative and legal purposes. Moreover,
7 efficient and simplified procedures in recording vital events must be applied in
8 civil registration for the benefit of the general public.

9 SEC. 3. *Coverage.* – This law shall embrace all acts affecting the civil
10 status of persons in the Philippines and all Filipinos abroad.

11 SEC. 4. *Definition of Terms.* –

12 (a) “Civil Registration” refers to the continuous, permanent and
13 compulsory documentation of occurrence and characteristics of vital events,

1 including any modifications thereof during the lifetime of a person, namely
2 births, deaths, marriages, judicial and administrative orders and legal
3 instruments.

4 (b) "Civil Register" refers to the various civil registry books where
5 events and judicial decrees concerning the civil status of persons are recorded,
6 and to related certificates and documents kept in the archives of the Local Civil
7 Registry Office, Philippine Consulates, National Statistics Office and Shari'a
8 District or Circuit Courts.

9 (c) "Civil Registry Documents" refers to all certificates and documents
10 relating to civil status of persons which are recorded and kept in the archives of
11 the Local Civil Registry Office, Philippine Consulates, National Statistics
12 Office and Shari'a District or Circuit Courts.

13 (d) "Civil Registrar General" refers to the head of the National
14 Statistics Office.

15 (e) "Civil Registrar" refers to the head of the Local Civil Registry
16 Office (LCRO) or the City or Municipal Civil Registrar (C/MCR), the Consul
17 General, Consul or Vice Consul and the Clerk of Shari'a District or Circuit
18 Courts.

19 (f) "District or Circuit Registrar" refers to the Clerk of Shari'a District
20 or Circuit Court performing civil registration functions with regard to Muslim
21 marriages, divorces, revocations of divorce and conversions under Title VI,
22 Book Two of Presidential Decree No. 1083, otherwise known as the Code of
23 Muslim Personal Laws.

24 (g) "Barangay Civil Registration System" refers to a strategy to
25 facilitate civil registration at the barangay level where all the barangay officials
26 shall assist the C/MCR in civil registration work, as provided for under Section
27 394(d)(5), Republic Act No. 7160, otherwise known as the Local Government
28 Code of the Philippines.

1 (h) "Legal Instruments" refers to the affidavits/affirmations pertaining
2 to civil registration.

3 SEC. 5. *Duties and Functions of the Civil Registrar General.* – The
4 Civil Registrar General shall have the following duties and functions:

5 (a) Enforce the provisions of this Act;

6 (b) Prepare and issue rules and regulations pertaining to civil
7 registration;

8 (c) Exercise technical direction and supervision over the C/MCRs and
9 other local civil registry officers;

10 (d) Give orders and instructions to the C/MCRs on civil registration;

11 (e) Endorse for investigation any complaint for violation of this Act
12 and all irregularities to the local chief executive and other duly authorized
13 agencies;

14 (f) Reproduce and issue documents under its custody and prepare and
15 order the printing of necessary forms; and

16 (g) Determine and prescribe standard fees for civil registry documents.

17 SEC. 6. *Duties of the City/Municipal Civil Registrar (C/MCR).* – The
18 appointment of the C/MCRs shall be mandatory for city and municipal
19 governments.

20 The C/MCR shall be responsible for the civil registration programs in
21 the local government unit (LGU) concerned pursuant to this Act and other
22 pertinent laws and implementing rules and regulations.

23 The C/MCR shall develop plans and strategies and upon approval
24 thereof by the governor or mayor, as the case may be, implement the same,
25 particularly those which have to do with civil registry programs and projects
26 which the mayor is empowered to implement and which the sanggunian is
27 empowered to provide for.

1 The C/MCR shall:

2 (a) Register all registrable events occurring within their jurisdiction;

3 (b) File registrable certificates and documents presented to them for
4 entry;

5 (c) Compile the registrable certificates and documents monthly and
6 prepare and send any information required of them by the Civil Registrar
7 General;

8 (d) Issue certified transcripts or copies of any certificate or document
9 registered upon payment of the proper fees;

10 (e) Order the binding, properly classified, of all certificates or
11 documents registered during the year;

12 (f) Send to the Civil Registrar General, within the first ten (10) days of
13 each month, a copy of entries made during the preceding month;

14 (g) Index all entries to facilitate search and identification in case any
15 information is required;

16 (h) Administer oaths for civil registry purposes free of charge;

17 (i) Accept all registrable documents and judicial decrees/orders
18 affecting the civil status of persons;

19 (j) File, keep and preserve in a secured place the books required by
20 law; .

21 (k) Transcribe and enter immediately upon receipt all registrable
22 documents and judicial decrees affecting the civil status of persons in the
23 appropriate civil registry books;

24 (l) Receive applications for the issuance of a marriage license and,
25 after determining that the requirements, supporting certificates and publication
26 thereof for the prescribed period have been complied with, issue the license
27 upon payment of the authorized fee to the treasurer;

1 (m) Coordinate with the Office of the Civil Registrar General (OCRG)
2 in conducting educational campaigns for vital registration and assist in the
3 preparation of demographic and other statistics for the LGU concerned;

4 (n) Recommend to the Civil Registrar General systems and procedures
5 relative to the formulation of policies, rules and regulations on civil
6 registration;

7 (o) Submit status reports on the condition of civil registry documents
8 filed in the civil registry office whenever there are changes in the previous
9 status of files;

10 (p) Observe faithful compliance to rules and regulations pertaining to
11 civil registration;

12 (q) Reconstruct destroyed civil registry records upon compliance with
13 the requirements and procedures established by the OCRG; and

14 (r) Make available at all times the civil registry forms in the C/MCR
15 office.

16 SEC. 7. *Civil Registry Book.* – The C/MCRs shall keep and preserve in
17 their offices the following books in which they shall accordingly enter the
18 proper record concerning the civil status of persons: (1) Register of Births; (2)
19 Register of Foundlings; (3) Register of Deaths; (4) Register of Marriages; (5)
20 Register of Court Decrees or Orders; (6) Register of Legal Instruments; (7)
21 Register of Applications for Marriage License; (8) Register of Conversions to
22 Islam; (9) Register of Muslim Divorces; (10) Register of Revocations of
23 Muslim Divorces; (11) Register of Indigenous Cultural Communities or
24 Indigenous Peoples (ICCs/IPs) Marriage Dissolutions; (12) Register of
25 ICCs/IPs Revocations of Marriage Dissolutions; and (13) Register of
26 Administrative Orders.

27 SEC. 8. *Registration and Certification of Birth.* – The declaration of
28 the physician, midwife, nurse, attendant at birth, or in default thereof, the

1 declaration of either or both parents or any person who has knowledge of the
2 facts of birth of the newborn child shall be sufficient for the registration of
3 birth in the civil register.

4 The duly accomplished Certificate of Live Birth (COLB) containing the
5 above declaration shall be submitted for registration to the C/MCR of the place
6 where the birth occurred within thirty (30) days from the date of birth by the
7 person making the declaration. The COLB shall declare the following: (a)
8 name of the child; (b) sex; (c) date of birth; (d) place of birth; (e) name of
9 mother; (f) name of father; (g) citizenship of the mother; (h) citizenship of the
10 father; (i) date of marriage of parents; (j) place of marriage of parents; and (k)
11 such other data as required in the regulation to be issued.

12 Abandoned children or foundlings whose parents, guardians or relatives
13 are unknown, or children committed to an orphanage or a charitable institution
14 with unknown facts of birth and parentage, shall be registered by the finder or
15 charitable institution concerned within thirty (30) days from the date of finding
16 or commitment of the child with the C/MCR of the place where the child was
17 found.

18 A person who has not been registered with the C/MCR of the place
19 where such person was born within the prescribed period of thirty (30) days
20 may be allowed delayed registration.

21 A deceased person's birth may also be registered on a delayed
22 registration basis by his/her nearest kin. However, the informant and affiant
23 must show authentic proof of the identity of the person registered, the facts of
24 his/her birth and parentage, and other relevant data.

25 Out-of-town registration of birth may be allowed.

26 The record of a person's birth shall be kept strictly confidential and no
27 information relating thereto shall be issued except upon request by any of the
28 following:

1 (a) The concerned person or any person authorized by him/her;

2 (b) The person's spouse, parent/s or direct descendants, or guardian or
3 institution legally in-charge of him/her, if such person is a minor;

4 (c) The court or proper public officials, when deemed absolutely
5 necessary in administrative, judicial or other official proceedings to determine
6 the identity of the person's parents or other circumstance surrounding his/her
7 birth; or

8 (d) The nearest kin, in the case of deceased persons.

9 SEC. 9. *Registration and Certification of Death.* – No human body
10 shall be buried unless the proper death certificate has been presented and
11 recorded with the C/MCR.

12 The physician who attended to the deceased or, in his default, the health
13 officer concerned, or in default of the latter, any member of the family of the
14 deceased, or any person having knowledge of the death, shall report the same
15 to the local health authorities who shall issue a death certificate and shall order
16 the same to be recorded with the C/MCR.

17 The death certificate shall be accomplished by the attending physician
18 or, in his default, by the proper health officer. It shall contain the following
19 data which may be furnished by the person reporting the death: (a) full name
20 of the deceased; (b) sex; (c) age; (d) civil status; (e) nationality; (f) date of
21 death; (g) place of death; (h) cause of death; and (i) such other data that may be
22 required.

23 The surname used by the deceased person, when still living, will be the
24 surname to be used in the death certificate.

25 Registration shall be made within thirty (30) days from the time of death
26 with the C/MCR of the place where the death occurred.

27 In the absence of the health officer or his authorized representative in
28 the place of registration, or when it is a nonworking day and the health officer

1 or his authorized representative is not expected to be in his/her office, the
2 death should be reported within forty-eight (48) hours after its occurrence by
3 the nearest kin of the deceased or by any person having knowledge of the death
4 to the mayor, any member of the sangguniang bayan or the municipal
5 secretary, who shall issue and sign the medical certification portion of the
6 Certificate of Death for burial and registration purposes.

7 When the death is under medico-legal examination, or where a case of
8 death is under investigation by the National Bureau of Investigation (NBI) or
9 other investigative agency of the government, and where the body of the
10 deceased is subjected to an autopsy or examination by the medico-legal
11 officers and the deceased has not been registered in the place of death, the head
12 of the NBI or other investigative agency or their authorized representative shall
13 cause the registration of such death through the health officer of the city or
14 municipality where the death occurred.

15 The medico-legal officer shall accomplish and sign the medical
16 certification of the Certificate of Death.

17 Registration of fetal death shall follow the same procedures in the
18 registration of death.

19 A death not registered within the prescribed thirty (30) day period may
20 be allowed delayed registration with the C/MCR of the place where the death
21 occurred.

22 Out-of-town registration of death may also be allowed.

23 *SEC. 10. Registration of Marriage License.* – The local civil registrar
24 concerned shall enter all applications for marriage licenses filed with him/her
25 in a registry book strictly in the order in which the same are received. He/she
26 shall record in said book the names of the applicants, the date on which the
27 marriage license was issued and such other data as may be necessary.

1 SEC. 11. *Application for Marriage License.* – All applications for
2 marriage license shall be governed by the pertinent provisions of Executive
3 Order No. 209, otherwise known as the Family Code of the Philippines, as
4 amended.

5 SEC. 12. *Registration and Certification of Marriage.* – All civil
6 officers, priests, ministers, wali, imam and tribal leaders authorized to
7 solemnize marriage shall send four copies of the Certificate of Marriage for
8 registration with the C/MCR of the place where the marriage was solemnized
9 within fifteen (15) days after the marriage. Marriages exempt from the license
10 requirement shall be registered within thirty (30) days after the marriage in the
11 city or municipality where it was solemnized.

12 A person whose marriage has not yet been registered with the C/MCR of
13 the place where the marriage was solemnized or celebrated may be allowed
14 delayed registration.

15 Out-of-town registration of marriage may also be allowed.

16 SEC. 13. *Multiple Registration.* – In cases of multiple registration of
17 birth, marriage or death, the first duly registered document shall prevail.
18 However, in cases of multiple marriages occurring to the same parties, it shall
19 be the first valid marriage that shall prevail.

20 SEC. 14. *Registration of Solemnizing Officers.* – Except as may
21 otherwise be provided by law or existing rules, all solemnizing officers shall be
22 registered with the Office of the Civil Registrar General.

23 The C/MCRs may assist the local chief executive in determining
24 documents pertaining to the existence of religious sects.

25 SEC. 15. *Registration of Court Orders.* – In case a court issues an order
26 concerning the status of a person, it shall be the duty of the clerk of court to
27 advise the successful petitioner to have the order registered with the C/MCR of
28 the place where the court is functioning.

1 If a person other than the petitioner shall register the order, the C/MCR
2 shall verify if the copy of the order is authentic. Unverified copies shall be
3 refused registration.

4 The LCRO where the event of the order was registered shall forward a
5 certified true copy of the order to the C/MCR where the event affected was
6 originally registered. The latter shall make the proper annotations in the
7 document and in the applicable registry book. He/she shall likewise send a
8 certified true copy of the annotated document and the registered court order to
9 the OCRG.

10 Each corrected document shall be reported to the OCRG during the
11 usual reporting month.

12 All court orders shall be registered within fifteen (15) days after its
13 finality. Registration after the prescribed period shall be considered delayed
14 registration.

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

18 SEC. 16. *Registration of Adoption.* -- After the court decision on an
19 adoption has become final and executory, the Original Certificate of Live Birth
20 shall be amended. An amended certificate of live birth of the adopted shall be
21 issued by the C/MCR of the place where the birth of the adopted child was
22 recorded. It shall have the same entries as those appearing in the original
23 records of birth, except for the following items of information:

24 (a) Name of the adopted -- the first name of the adopted child shall be
25 the same as that in the original certificate of live birth unless the order of
26 adoption carried an order changing it to another name. The middle name of
27 the adopted child shall be the same as the middle name of the adopter, except

1 when the husband and the wife jointly adopted the child, in which case, the
2 middle name of the adopted shall be the surname of the adopting mother.

3 The surname of the adopted child shall be that of the adopter. If the
4 husband and wife jointly adopt the child, the adopted child shall use the
5 surname of the adopting father.

6 (b) Names of parents – the names of the natural parents of the adopted
7 child shall be substituted by the names of the adopting parents whose names
8 shall be indicated in the appropriate spaces in the amended certificate of live
9 birth as the father or mother, as the case may be; and

10 (c) Other information – other information about the adopting parents
11 such as citizenship and religion shall be indicated in the appropriate spaces in
12 the amended certificate of live birth, including the date and place of marriage
13 of the adopting parents, in cases where the husband and wife jointly made the
14 adoption.

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

17 SEC. 17. *Registration of Presumptive Death.* – A judicial order or
18 decree declaring a person presumably dead shall be registered with the C/MCR
19 of the place where the first marriage was registered. Annotations for the
20 purpose of contracting a subsequent marriage shall be recorded in the marriage
21 register as well as in the marriage certificate.

22 SEC. 18. *Registration of Court Orders Decided Abroad.* – All foreign
23 court orders involving civil status of persons shall be registered in the LCRO
24 of Manila.

25 SEC. 19. *Registration of Legal Instruments.* – As a general rule, all
26 legal instruments shall be registered in the civil registry of the place where they
27 were executed except the following:

1 (a) Affidavit of reappearance – where the parties to the subsequent
2 marriage are residing;

3 (b) Marriage settlement – where the marriage was recorded; and

4 (c) Admission of paternity, acknowledgment, legitimation, voluntary
5 emancipation of minor, artificial insemination – where the birth of the child
6 was recorded.

7 All legal instruments executed abroad shall be registered in the LCRO
8 of Manila including all legal instruments which may be executed in the
9 Philippines if the vital events referred to in the latter instruments occurred in a
10 foreign country and are duly registered with the Philippine Consulate.

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

13 SEC. 20. *Registration of Affidavit of Reappearance.* – A sworn
14 statement of the facts and circumstances of reappearance shall be recorded in
15 the civil registry office of the residence of the parties to the subsequent
16 marriage at the instance of any interested person, with due notice to the
17 spouses of the subsequent marriage and without prejudice to the fact of
18 reappearance being judicially determined in case such fact is disputed.

19 SEC. 21. *Registration of Affidavit of Acknowledgment or Affidavit of*
20 *Admission of Paternity.* – It shall be the duty of the parent/s who executed the
21 affidavit of acknowledgment or of admission of paternity to send the original
22 copy of the affidavit to the C/MCR where the birth of the child was registered,
23 for registration in the Register of Legal Instruments and proper annotation in
24 the Register of Births.

25 SEC. 22. *Authorization or Ratification of Artificial Insemination.* –
26 Children conceived as a result of artificial insemination of the wife with the
27 sperm of the husband or that of a donor or both shall be considered legitimate
28 children of the husband and wife: *Provided, That both of them authorized or*

1 ratified such insemination in a written instrument executed and signed by both
2 of them before the birth of the child.

3 The instrument shall be recorded in the civil register together with the
4 birth certificate of the child.

5 SEC. 23. *Option to Elect Philippine Citizenship.* – The option to elect
6 Philippine citizenship in accordance with Section 1(3), Article IV of the
7 Constitution shall be expressed in a statement to be signed and sworn to by the
8 party concerned before any officer authorized to administer oaths, and shall be
9 filed and registered with the C/MCR of the place where the instrument was
10 executed.

11 Election of Philippine citizenship executed, subscribed and sworn to
12 before a Consular Officer of the Philippine Embassy abroad, together with the
13 oath of allegiance, shall be registered with the LCRO of Manila.

14 SEC. 24. *Registration of Repatriation.* – The instrument of repatriation
15 and the oath of allegiance to the Constitution and the government of the
16 Philippines shall be filed with the C/MCR of the place where the instrument
17 was executed: *Provided,* That if the Philippine citizenship is reacquired by
18 naturalization, the order of the court granting citizenship shall be recorded in
19 the Register of Court Order.

20 SEC. 25. *Registration of Muslim Filipinos, Indigenous Cultural*
21 *Communities (ICCs) or Indigenous Peoples (IPs) and Children in Need of*
22 *Special Protection (CNSP).* – Muslims Filipinos, ICCs/IPs and CNSP, by
23 reason of their sociocultural, religious and peculiarities shall be registered as
24 follows:

25 (a) Muslim Filipinos civil registration shall be governed by Presidential
26 Decree No. 1083, Executive Order No. 157 and Administrative Order No. 1,
27 Series of 2005.

1 (b) ICCs/IPs civil registration shall be governed by Republic Act No.
2 8371 and Administrative Order No. 3, Series of 2004.

3 (c) CNSP civil registration shall follow the procedures provided under
4 OCRG Memorandum Circular 2004-01 and other promulgations by the OCRG
5 in coordination with the Department of Social Welfare and Development and
6 other concerned agencies.

7 SEC. 26. *Barangay Civil Registration System (BCRS)*. – All elected or
8 appointed barangay officials shall assist in the civil registration within their
9 area of jurisdiction through the BCRS. The OCRG shall issue guidelines
10 governing the implementation of the System.

11 SEC. 27. *Civil Registry Documents are Public Documents*. – The
12 registry books making up the civil register and all documents relating thereto
13 shall be considered public documents and shall be *prima facie* evidence of the
14 truth of the facts therein contained. They shall be open to the public during
15 office hours and shall be kept in a secured place that shall be furnished to the
16 civil registrar at the expense or thru the funds of the municipality concerned.

17 The civil registrar shall not, under any circumstances, permit any
18 document entrusted to his/her care to be removed from his/her office, except
19 upon lawful order of the court, in which case the proper receipt shall be
20 secured.

21 The civil registrar may issue certified copies of any documents filed
22 upon payment of proper fees fixed by municipal ordinance.

23 SEC. 28. *Expense of the Office of the Civil Registrar*. – All expenses in
24 connection with the establishment and operations of the civil registrar's office
25 shall be paid out of municipal funds and for this purpose, the sanggunian of
26 municipalities or cities concerned shall make the necessary appropriation
27 available.

1 SEC. 29. *Fees.* – Registration of births, foundlings, deaths and
2 marriages is mandatory and compulsory and shall be free of charge.

3 For registration of court orders, legal instruments and registrable
4 administrative orders, a standard fee shall be collected.

5 The LGU may collect reasonable service fees.

6 For issuance of copies of civil registry documents, a standard fee shall
7 be collected.

8 SEC. 30. *False Statements.* – Any person who shall knowingly make
9 false statements in the forms furnished and present the same for entry in the
10 civil registers shall be penalized in accordance with law.

11 SEC. 31. *Failure to Report and other Violations* – Any person whose
12 duty is to report any fact concerning the civil status of persons and who
13 knowingly fails to perform such duty, or any person violating the provisions of
14 this Act shall be punished in accordance with law.

15 Any civil registrar who fails to properly perform his/her duties in
16 accordance with the provisions of this Act or of the regulations issued
17 thereunder shall be punished in accordance with law.

18 Any violation of the preceding provisions shall be penalized by
19 imprisonment of one year or a fine ranging from Five thousand pesos
20 (PhP5,000.00) to Ten thousand pesos (PhP10,000.00), or both, at the
21 discretion of the court.

22 The attending physician, nurse, midwife, hospital administrator or any
23 person in charge of the certificate of live birth who knowingly fails or
24 withholds the delivery of copies of the certificate to the C/MCR shall be
25 penalized by imprisonment of not more than six months or a fine of not more
26 than Five thousand pesos (PhP5,000.00), or both, at the discretion of the court.

27

1 Any officer, priest or minister who:

2 (1) Solemnizes marriage without being authorized by the Civil
3 Registrar General;

4 (2) Upon solemnizing marriage, refuses to exhibit his authorization
5 when called upon to do so by the parties, their parents or guardians;

6 (3) Authorizes the immediate solemnization of a marriage that is
7 subsequently declared illegal by his church, religion or sect, the regulations
8 and practices of which require bans or publications previous to the
9 solemnization of marriage; or

10 (4) Solemnizes marriage in violation of the provisions of this Act, shall
11 be punished with imprisonment ranging from six months to three years, or a
12 fine ranging from One thousand pesos (PhP1,000.00) to Five thousand pesos
13 (PhP5,000.00), or the revocation of his/her authority to solemnize marriage, or
14 all three penalties or combination thereof, at the discretion of the court.

15 Any officer, priest or minister who fails to deliver copies of the
16 certificate of marriage to the C/MCR within the period fixed by law shall be
17 punished by imprisonment of not more than six months, or by a fine of not
18 more than Five thousand pesos (PhP5,000.00), or both, at the discretion of the
19 court.

20 SEC. 32. *Mandatory Review.* – This Act shall undergo a mandatory
21 review of its provisions by Congress every ten (10) years.

22 SEC. 33. *Separability Clause.* – If any part or provision of this Act
23 shall be held to be invalid or unconstitutional, other parts or provisions hereof
24 which are not affected thereby shall continue to be in full force and effect.

25 SEC. 34. *Repealing Clause.* – All laws, rules, regulations, orders,
26 memoranda or circulars inconsistent with this Act are hereby revoked, repealed
27 or modified accordingly.

1 SEC. 35. *Retroactivity.* – This Act shall have retroactive effect insofar
2 as it does not prejudice or impair vested or acquired rights.

3 SEC. 36. *Effectivity.* – This Act shall take effect fifteen (15) days after
4 its publication in the *Official Gazette* or in any two national newspapers of
5 general circulation.

Approved,

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