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SENATE

S. No. 3056

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

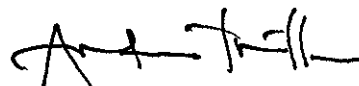
Vital records maintained by the civil registrar contain the most important documents of the general public. For this reason, a simple erroneous entry in the civil registrar can cause grave or serious problems on the part of the registrant. A registrant's date of birth entered erroneously usually come across problems particularly in the processing of papers for school enrolment, travel abroad or retirement benefits.

Enacted for the purpose of amending Articles 376 and 412 of the Civil Code of the Philippines, Republic Act No. 9048 authorizes the city and municipal civil registrars or consuls-general to change or correct without judicial order, certain clerical or typographical errors in the civil registers. However, this law did not include other entries such as sex, day and month in the date of birth, where typographical or clerical errors are likewise commonly committed.

The inaccuracies of entries in the civil register remain a major source of inconvenience, and individuals who are not actually to blame for these errors have to go through with these difficulties. Requiring these individuals to go to court for proper remedy exacerbates their sorry plight.

This bill seeks to expand the authority of the city or municipal civil registrar or the consul-general by including the correction of clerical and typographical errors in the day and month in the date of birth or sex of a person appearing in the civil registrar without need of a judicial order.


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



ANTONIO "SONNY" F. TRILLANES IV
Senator

SENATE

S. No. 3056

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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

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

SECTION 1. *Short Title.* – Section 1 of Republic Act No. 9048, hereinafter referred to
as the Act, is hereby amended to read as follows:

“Sec. 1. Authority to Correct Clerical or Typographical Error and Change of First
Name or Nickname. – No entry in a civil register shall be changed or corrected without a
judicial order, except for clerical or typographical errors and change of first name or
nickname, THE DAY AND MONTH IN THE DATE OF BIRTH OR SEX OF A
PERSON WHERE IT IS PATENTLY CLEAR THAT THERE WAS A CLERICAL OR
TYPOGRAPHICAL ERROR OR MISTAKE, IN THE ENTRY which can be corrected
or changed by the concerned city or municipal civil registrar or consul-general in
accordance with the provisions of this Act and its implementing rules and regulations.”

SEC. 2. Section 2 of the Act is likewise amended to read as follows:

(1) x x x
x x x x x x x x x

1 (2) “Clerical or typographical error” refers to a mistake committed in the
2 performance of clerical work in writing, copying, transcribing or typing an
3 entry in the civil register that is harmless and innocuous, such as misspelled
4 name or misspelled place of birth, MISTAKE IN THE ENTRY OF DAY
5 AND MONTH IN THE DATE OF BIRTH OR THE SEX OF THE PERSON
6 or the like, which is visible to the eyes or obvious to the understanding, and
7 can be corrected or changed only by reference to other existing record or
8 records: *Provided*, however, That no correction must involve the change of
9 nationality, age, or status [or sex] of the petitioner.

10
11 **SEC. 3. *Separability Clause.*** – If any provision of this Act shall at any time be found to
12 be unconstitutional or invalid, the remainder thereof not affected by such declaration shall
13 remain in full force and effect.

14
15 **SEC. 4. *Repealing Clause.*** – All laws, decrees, rules or regulations inconsistent with the
16 provisions of this Act are hereby repealed or modified accordingly.

17
18 **SEC. 5. *Effectivity Clause.*** – This Act shall take effect after fifteen (15) days following
19 its complete publication in two (2) newspapers of general circulation.

Approved,