

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



Senate
Office of the Secretary

'13 JUL -1 P1:55

SENATE

Senate Bill No. 130

RECEIVED BY: *ja*

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

The Domestic Adoption Act which was signed into law as Republic Act No. 8552 in 1998 provides for a three-year amnesty from pecuniary and penal sanctions for those who have falsified the birth certificate of children in their custody through the registration of simulated birth certificates.

However, during the period provided under the said law, only 364 applicants have availed of the amnesty, which is just a small percentage of the reported number of simulated births. This low turn-out may be attributed to the psychological, emotional and social considerations for both the parents and the children. In addition to this, some opined that there was a lack of information drive regarding the said amnesty and there were reports that applicants found the process rather tedious.

This bill proposes to extend the amnesty period to twenty (20) years from the effectivity of R.A. 8552, or until the year 2018. Given the fact that the process requires ample time, effort and money, the proposed extension will give opportunity for parents who have not yet rectified the simulated birth not only to correct the records but more importantly, to allow the children to fully enjoy the rights, benefits, and privileges of legally adopted children.


The immediate passage of this bill is earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator

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Senate Bill No. 130

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AN ACT
EXTENDING THE PRESCRIPTIVE PERIOD FOR RECTIFICATION OF
SIMULATED BIRTHS, AMENDING FOR THE PURPOSE REPUBLIC ACT
NUMBER 8552, OTHERWISE KNOWN AS THE DOMESTIC ADOPTION ACT
OF 1998

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

1 **SECTION 1.** Section 22 of the Republic Act No. 8552 is hereby amended to
2 read as follows:

3
4 "Section 22. *Rectification of Simulated Births.* – A person who has
5 [, prior to the effectivity of this Act,] simulated the birth of a child
6 shall not be punished for such act; *Provided,* That the simulation
7 was made for the best interest of the child and that he/she is
8 consistently considered and treated by that person as his/her own
9 son/daughter; *Provided further,* That the application for the
10 correction of the birth registration and petition for adoption shall be
11 filed within [five (5)] TWENTY (20) years from the effectivity of this
12 Act and completed thereafter; *Provided finally,* That such person
13 complies with the procedures as specified in Article IV of this Act
14 and other requirements as determined by the Department."
15

16
17 **SEC. 2. Effectivity Clause.** – This Act shall take effect fifteen (15) days following
18 its publication in any two (2) newspapers of general circulation or in the Official
19 Gazette.
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25 *Approved,*