


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

'04 JUL -2 A9:06

SENATE
S. No. 1306

RECEIVED BY: 

Introduced by Senator Biazon

Explanatory Note

The government is in a continuing quest to search for fast approaches to solve problems of bureaucratic procedures. "Red tape" has been the center of complaints of many who queue in government offices. It is not surprising therefore, that a number of treatise on public administration validated the impressions imprinted on the minds of common civilians anent the inefficiency plaguing the governmental workforce as well as the leadership itself.

The problem mentioned above accounted for one of the reasons for the failure of bringing governmental efforts closer to the people. And just like us, other countries are on the look out to experiment on innovative approaches to solve red tape. But the experiences of such countries as Germany, Japan, Indonesia, South Africa and Malaysia provide examples in addressing the said bureaucratic system through an identification (ID) system. In these countries, government transactions are easily facilitated and immediately responded to with the use of their national ID card.

This bill seeks to establish an effective system to curb the perennial problems of red tape in the bureaucracy and to simplify the process relative to public and private transactions of citizens.


RODOLFO G. BIAZON
Senator

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AN ACT
ESTABLISHING A MECHANISM FOR THE NATIONAL IDENTIFICATION SYSTEM IN
THE PHILIPPINES, PROVIDING FOR BENEFITS AND RIGHTS AND CORRESPONDING
OBLIGATIONS AND FOR OTHER PURPOSES

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

SECTION 1. *Title.* – This Act shall be known as the “*National Identification System Act of 2004.*”

SEC. 2. *Establishment of the National Identification System in the Philippines.* – There shall be established a national identification system for all citizens in the Republic of the Philippines.

SEC. 3. *Registration.* – Any person residing in the Philippines shall, within one hundred and eighty (180) days after the approval of this Act, apply for registration and issuance of an identification card with permanent serial number, at the Office of the Local Civil Registrar of the city, municipality or province where he or she is located.

The person, parent or legal guardian of a minor child or an incompetent person shall, within ninety (90) days after the approval of this Act, file such application with the Office of the Local Civil Registrar of the city, municipality or province where he or she is located. In case of a new born child, the parents or legal guardian shall register such child within thirty (30) days after birth.

No accredited official of a foreign government recognized by the Republic of the Philippine or member of his family and his official staff, who are not Filipino citizens, shall be required to apply for an identification card.

SEC. 4. *Forms and Contents.* – The Department of Justice (DOJ) shall prepare the forms for the National Identification System (NIS). Such form shall contain the name, age, date and place of birth, name of spouse, name of parents, residence – both permanent and temporary, occupation, and such additional matters and information as may be necessary and required by the DOJ. The form shall call for the presentation of passport size photographs of the person to be registered and issued an identification card, one of which shall be attached to his National Identification Card and the other on the Reference Card filed with the Office of the Local Civil Registrar.

Every person required to apply for registration and the issuance of an identification card shall submit, under oath, the information required for registration, or suffer the pain of prosecution for perjury.

SEC. 5. *Functional Uses of the ID Card.* – The ID card that will be issued to all citizens shall be presented in the following cases:

- a) in all transactions with any government agency;
- b) in filing application for any services and benefits offered by the Government Service Insurance System (GSIS), the Social Security System (SSS) and the Philippine Health Insurance Corporation (PhilHealth);
- c) in tendering income tax payments to the Bureau of Internal Revenue (BIR);
- d) to serve as police clearance, whether for domestic or for foreign employment use;
- e) to serve as the advance paper to be presented for admission in any government hospital, health centers or similar institutions;
- f) to serve as identification case for admission in all schools, colleges, learning institutions and/or universities, whether public or private; or
- g) in all other similar transactions or uses which may be defined by the DOJ in the implementing rules and regulations.

SEC. 6. *ID Card to Replace NBI Clearance.* – Upon effectivity of this Act, the identification card shall replace the National Bureau of Investigation (NBI) Clearance.

SEC. 7. *Change of Personal Status and Residence.* – Any person changing his personal status and residence within the a city or municipality or from one city or municipality to another shall, likewise inform the Local Civil Registrar of both city or municipality of such proposed change or transfer of residence within ten (10) days after such transfer to the new address.

SEC. 8. *Penal Provisions.* – Any person required to apply for registration and issuance of an identification card who fails to or refuses to make such application within the prescribed period or any parent or legal guardian required to register a minor child, under guardianship shall be punished by a fine not exceeding one thousand pesos (₱1,000.00) or imprisonment of not more than one (1) year, or both, at the discretion of the court.

SEC. 9. *Liability for Fraud.* – Any person who files an application for the registration and issuance of an identification card containing statements known to him to be false or who procures or attempts to procure registration and issuance of an identification card other than his own, shall be punished by a fine of not more than five thousand pesos (₱5,000.00) or an imprisonment of not more than one (1) year, or both, at the discretion of the court.

SEC. 10. *Implementing Rules and Regulations.* – The Department of Justice shall promulgate such rules and regulations as are necessary to implement the provisions of this Act.

SEC. 11. *Appropriations.* – The funds necessary to carry out the provisions of this Act shall be charged to the budget of the Department of Justice as provided in the current General Appropriations Act.

Thereafter, the necessary sum for the implementation of this Act shall be provided in subsequent General Appropriations Acts.

SEC. 12. *Repealing Clause.* – Any provisions of law, presidential decree, executive orders, rules and regulations contrary to the provisions of this Act is hereby repealed or modified accordingly.

SEC. 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved.