# SIXTEENTH CONGRESS OF THE REPUBLIC) OF THE PHILIPPINES

First Regular Session



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SENATE

Senate Bill No.  $\underline{130}$ 

RECEIVED BY:

#### 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 ÉJERCITO ESTRADA Senator

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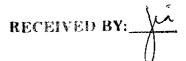
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#### SENATE

Senate Bill No. <u>130</u>



# INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

### **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:

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

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

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

Approved,

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