

SENATE
Senate Bill No. **833**

Introduced by Senator Lacson

EXPLANATORY NOTE

The demands of modern society have made governments to identify their citizens systematically. This is seen in everyday life in such forms as GSIS or SSS numbers, tax identification numbers, student numbers and passport numbers. It is rare for a person to remember all these different multiple digit codes and to compound one's misery some of these numbers need to be changed every so often. A person is thus forced to carry several different cards or documents which really serve one purpose, i.e., to establish one's identity.

By providing one single code to each and every citizen of the Philippines at birth and a reference card carrying their number, among other information at an age when a person may begin to actively participate in society – we not only help a person integrate himself into our society, but we also simplify any transaction that the person may have with the various agencies of government as well as with private entities. Experience tells us of the constant delays and inconveniences the public has to suffer in availing of basic public services and social security benefits because of inefficient and not too reliable means of identification of the beneficiaries.

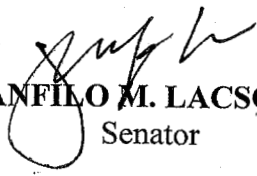
Moreover, the quantum leaps in the tides of criminality and the continuing challenge of terrorism has rendered the need for a national identification system urgent. In the context of efforts to fight criminality, terrorism and lawlessness, the proposed national reference card shall help facilitate the processes of apprehension and prosecution of those who have committed violations of the law.

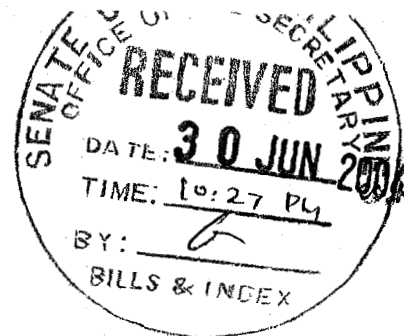
Many countries, including those with democratic form of government has a national reference system. Identity cards are in use, in one form or another in numerous countries around the world. The type of card, its function, and its integrity vary enormously. In Brazil, for example, all residents are obliged to carry at all times a plasticated flexible card the size of a credit card bearing a photograph, thumb print, full name and parents' names, national status and a serial number. The German 'Personalausweis' is a plastic card which contains, on the front side, name, date and place of

birth, nationality, date of expiration, signature and photo. The Italians have a larger format containing identity number, name, photo, signature, fingerprint, date and place of birth, citizenship, residency, address, marital status, profession and physical characteristics.

This proposed measure endeavors to reconcile the need for an adequate identification system that will effectively respond to the problem of criminality in our land and the need to provide Filipino citizens and foreign nationals with the facility to conveniently transact business on one hand, and the demand for the protection and preservation of the privacy and confidentiality of personal data on the other hand.

In view of the foregoing considerations, early passage of this measure is earnestly sought.


PANFILO M. LACSON
Senator



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Senate Bill No. **833**

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AN ACT
INSTITUTING A NATIONAL REFERENCE CARD SYSTEM AND CREATING
THEREFORE THE NATIONAL REGISTRATION COORDINATING COMMISSION

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

SECTION 1. *Short Title.* This Act shall be known and cited as the "National Reference Card System Act of 2004".

SECTION 2. *Declaration of Policy.* – It is hereby a declared policy of the state to improve and uplift public service in the country by promoting and facilitating legitimate transactions with government offices as well as with private and business entities. It is likewise an imperative policy to strengthen government's capabilities to suppress and prevent criminality through measures that will help facilitate the processes of investigation, apprehension and prosecution of those who have committed violations of the law .

SECTION 3. *Registration of Persons.* – All citizens of the Republic of the Philippines shall be assigned a Reference Number upon birth and issued a National Reference Card at age eighteen (18) free of charge and in a manner prescribed by the National Registration Coordinating Commission, hereinafter referred to as the Commission.

SECTION 4. *Foreign Nationals.* – Citizens or nationals of foreign countries residing in the Philippines shall likewise be assigned a Reference Number and issued a National Reference Card at reasonable cost and in the manner prescribed by the Commission.

An accredited official of a foreign government recognized by the Republic of the Philippines, or member of his/her official staff and family, shall not be required to have an identification card contemplated under this Act.

SECTION 5. *The National Reference Card.* – The National Reference Card shall be tamper-proof security paper encapsulated in thermally bonded lamination card with a laser-vision system imprinted photograph and thumbmarks. It shall have on its face the name, address, blood type, and next of kin of the owner. A data strip shall contain the reference number and other confidential data required by the Commission.

The Commission shall within one (1) year from the approval of this Act coordinate with other government agencies that issue similar identification numbers for varied purposes in order to consolidate all such systems into this National Reference Card.

The Commission shall likewise establish the standards in the use of Biometrics technology and in computer application designs of the system. *Provided*, That necessary measures shall be taken to ensure that the privacy, confidentiality, integrity and accuracy of an individuals' personal data are protected from unwarranted and unauthorized access. Such safeguards shall as a minimum include the following:

- a. The Commission shall limit the number of person or persons who can have an access to the data/applications on card which they are authorized to access;
- b. Card will be protected by advanced security features and cryptographic technology;
- c. Ensure that only minimal data shall be held in the ID card while more sensitive and confidential data shall be stored in back-end computer systems;
- d. There will be a stringent system of access control, including passwords, different levels of access and audit trails;

- e. That the holder/possessor shall be provided with the means to access, print and interpret the data on their cards and their application data in the application databases, and if relevant, request for correction.

An individual reference number and national reference card is non-transferable and shall not be assigned to any other individual even after the death of its holder/possessor.

SECTION 6. *Purpose*- The National Reference Card shall serve as the only official identification of the person to whom it is issued and shall be valid and accepted for all legal intents and purpose which shall include but shall not be limited to the following:

- a. Payment of SSS and GSIS benefits;
- b. Application for driver's license, passport, marriage license, death certificate, NBI and Police clearances, and business permits;
- c. Availment of Medicare Services in Hospitals;
- d. Application for work/employment;
- e. Pre-requisite for voter's ID;
- f. Opening bank accounts;
- g. Encashment, etc. of checks;
- h. Applications for loans, credit cards, water, power, telephone, pagers etc.;
- i. Purchase of stocks;
- j. Insurance claims;
- k. Receipts of payments, checks, letters, valuables, etc.

Failure of an individual to show without any reasonable or justifiable cause his/her National Identification Card when transacting business with the government or with private entities shall not be a ground to deny or limit him/her of the basic government and private services as long as he is qualified under existing laws but he/she will be subjected to the usual rigid identification and verification procedure.

SECTION 7. *Transfer of Residence*. - Any person who transfers residence within a city or municipality or from one city or municipality to another shall inform the

Commission through the Local Civil Registrar of such proposed transfer within ten (10) days after such transfer to the new address

SECTION 8. *National Registration Coordinating Commission.* - The National Registration Coordinating Commission is hereby created to be composed of a Chairperson and three commissioners to be appointed by the President for a fix term of seven (7) years without re-appointment. In case of vacancy, the commissioner appointed to fill the vacancy shall serve only for the unexpired portion of such term. The Commission shall act as a collegial body and shall promulgate the rules and regulations governing the implementation of this Act within sixty (60) days from its creation.

SECTION 9. *Privileges.* - The Chairperson shall be in charge of the administration of the Commission. He shall preside over the meetings of the Commission. The Chairperson and the Commissioners shall receive a salary equivalent to that of an Undersecretary and Assistant Secretary respectively.

SECTION 10. *Assistance.* - The Commission shall call upon all departments/agencies/organizations to help, assist, and cooperate and such departments/agencies/organizations are mandated to help, assist, and cooperate with the Commission in the implementation of the provisions of this Act and the effective execution of its tasks as provided for in this Act.

SECTION 11. *Prohibitions.* - The penalty of imprisonment from six (6) months and one (1) day to six (6) years shall be imposed upon any offender found guilty of the following acts or omissions:

- a. The willful submission of or causing to be submitted a fictitious name and other false data in the application form for a National Reference Card by any person;
- b. The unauthorized printing, preparation or issuance of a National Reference Card by any person;
- c. Willful falsification, mutilation, alteration of or tampering with the National reference Card by any person;

- d. The use or unauthorized possession of a National Reference Card without any reasonable excuse by any person other than the one to whom it was issued or the possession of a fake, falsified or altered National Reference Card;
- e. The willful transfer of the National Reference Card or the Reference Number to any other person;
- f. Willful failure to apply for and secure a National Reference Card as prescribed by the Commission.

SECTION 12. *Refusal to Accept.*- Any person who shall willfully refuse to accept, acknowledge and/or recognize the National Reference Card as the only official identification of the holder/possessor thereof shall be liable to a penalty of a fine of not more than Twenty Thousand Pesos (P20,000).

SECTION 13. *Disclosure.* - Any person who shall willfully use or disclose data or information furnished by an individual pursuant to this Act shall be liable to a penalty of a fine of not more than Fifty Thousand Pesos(P50,000) or imprisonment for not more than six (6) months or both, at the discretion of the court.

SECTION 14 *Appropriation.* - Such sums as may be necessary to carry out the purpose of this Act is hereby appropriated out of the funds of the National Treasury.

SECTION 15. *Information Campaign.* - Within three (3) months from the effectivity of this Act, the Commission shall undertake an extensive information campaign to explain the implementation of the Act to all citizens and resident aliens in the country.

SECTION 16. *Repealing Clause.* - All laws, orders, rules or regulations or parts thereof which are inconsistent with this Act are hereby repealed and/or modified accordingly.

SECTION 17. *Effectivity Clause.* - This Act shall take effect upon its approval.

Approved,