



SENATE  
Senate Bill No. 41

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Introduced by **SENATOR LACSON**

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### EXPLANATORY NOTE

The growing demands of modern society have correspondingly increased the need for governments to identify their citizens systematically. The government has issued Government Service Insurance System and Social Security System numbers, tax identification numbers, student numbers, and passport numbers, among others. But in reality, it is difficult and impractical for a person to carry and remember all these different multiple-digit codes, all of which basically serve a single purpose--to establish one's identity.

In the Philippines, experience tells us how the public suffers constant delays and inconveniences in availing of basic public services and social security benefits due to inefficient and unreliable means of identifying the beneficiaries. Moreover, the quantum leaps in criminality and the continuing challenge of terrorism have rendered the need for a national identification system more urgent than ever.

Hence, this proposed measure endeavors to create and establish a National Reference System which shall record and provide a single official identification for all citizens and foreign residents of the Republic of the Philippines. The same system shall collect material information and assign a national reference number to each citizen and foreign resident, together with a national reference card.

The passage of this proposal shall help expedite and simplify government transactions and the delivery of basic services. In the context of efforts to fight criminality, terrorism and lawlessness, the proposed national reference system shall help facilitate the processes of apprehension and prosecution of those who have committed violations of the law.

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

  
**PANFILO M. LACSON**  
Senator

SEVENTEENTH CONGRESS OF THE REPUBLIC }  
OF THE PHILIPPINES }  
*First Regular Session*



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Senate Bill No. 41

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**AN ACT  
INSTITUTING A NATIONAL REFERENCE SYSTEM**

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

1        **SECTION 1. *Short Title.*** - This Act shall be known as the "NATIONAL  
2 **REFERENCE SYSTEM ACT OF 2016."**

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

10        **SECTION 3. *National Reference System.*** – A National Reference System herein  
11 referred to as "Reference System" or "System" is hereby created and established which  
12 shall record and provide a single official identification to all citizens and foreign residents  
13 of the Republic of the Philippines. The System shall collect material information and  
14 assign a national reference number to each citizens and foreign residents together with a  
15 national reference card.

16        The System shall have the following components:

17        a. A national reference number that is unique to each individual;

1           b. A national reference card that is tamper-proof containing the identity of the  
2           individual;

3           c. A Registry where records and information about individuals are collected and  
4           stored.

5           **SECTION 4. *National Reference Number.***— The Philippine Statistics Authority  
6 (PSA) shall assign to every citizen and foreign resident of the Republic of the Philippines  
7 a Reference Number upon birth, which shall be unique and permanent to each individual.  
8 It shall be non-transferable and shall not be re-assigned to any other individual even after  
9 the death of the holder. It shall consist of a combination of letters and numbers, or  
10 characters as the PSA deems necessary.

11           **SECTION 5. *National Reference Card.*** —A National Reference Card, hereinafter  
12 referred to as “Reference Card” or “Card” shall be issued to each citizen and foreign  
13 resident, bearing information on the identity of the individual. The Card shall contain the  
14 Reference Number, full name, permanent address, date and place of birth, signature, the  
15 photograph of the individual, blood type, and next of kin of the owner. It should be  
16 capable of storing the biometric data of the individual.

17           The Card shall be tamper-proof and made out of the highest quality material and  
18 latest technology available. It shall adopt multiple security features, with minimum of  
19 five, such as, but not limited to, multicolored guilloche pattern, infrared ink-printing, 3-D  
20 holographic foil, optical variable ink and machine-verifiable structure. The Card shall be  
21 capable for use in electronic transactions.

22           The Card shall serve as the only official identification of the person to whom it is  
23 issued and shall be valid, accepted and honored, upon presentation, in any transaction  
24 requiring the identity, status, birth and other personal circumstance.

25           The Card shall be renewed upon reaching the age of majority at eighteen (18)  
26 years and every five years thereafter, without cost. The Card shall be surrendered upon  
27 renewal. Within one month after registration or renewal, a new card shall be issued.

1           **SECTION 6. *The Registry.*** – A National Registry hereinafter referred as  
2 “Registry” shall be created to contain all the registered records and information of all  
3 persons issued with Reference Number and Card. The Registry shall be under the  
4 authority of the PSA, which is hereto mandated to adopt measures to protect all records  
5 and information relative to a particular subject or card owner.

6           The Card owner shall be provided with the means to access, print and interpret the  
7 data on the Card and all relevant information collected and stored in the Registry. The  
8 PSA shall adopt a stringent procedure of access control, including but not limited to  
9 passwords and/or biometrics, with audit trails capability at all levels of access.

10           **SECTION 7. *Registration.*** – Upon the effectivity of this Act and within one (1)  
11 year after the full operation of the System, all citizens and nationals of foreign countries  
12 residing in the Philippines shall enroll and register with the PSA-designated registration  
13 and renewal center near their place of residence. The PSA shall adopt necessary special  
14 arrangements for the registration of the elderly and persons with disabilities.

15           Simultaneous with the registration of births, every newborn citizen or child of  
16 resident nationals of foreign countries shall be registered and enrolled in the System.

17           Upon enrollment and registration, a Reference Number shall automatically be  
18 assigned with the Reference Card to be issued within one (1) month thereafter.

19           **SECTION 8. *Foreign Nationals.*** – Citizens or nationals of foreign countries  
20 residing in the Philippines shall be included in the System and likewise be assigned a  
21 Reference Number and Card.

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

25           **SECTION 9. *Fees.*** – No fees shall be collected during enrollment, registration,  
26 issuance and renewal or replacement of Reference Card except when the loss of the card  
27 is due to the fault of the holder. In case of loss or theft, the Card owner must report such

1 incident to the PSA hotline within 24 hours of discovery of such loss and the Card should  
2 immediately be deactivated.

3       **SECTION 10. *Changes in Material Information.*** – Any changes in the material  
4 information of any person previously supplied and currently maintained in the System  
5 shall be effected within a reasonable time after the occurrence. The changes shall be  
6 made in the nearest PSA-designated registration and renewal centers. Changes in material  
7 information may refer but not limited to change of name by court order or by operation of  
8 law, address, social status or facial features due to age or medical intervention. A new  
9 Card shall be issued within one month after the request for change in the material  
10 information has been made.

11       **SECTION 11. *Confidentiality.*** –All information collected and stored in the  
12 System shall remain confidential and no person or entities, whether government or  
13 private, shall disclose, publish or disseminate the same except on the following instances:

- 14       1) The owner of the information expressly authorizes, in writing, the disclosure;  
15       2) Upon the order of any competent court;  
16       3) In the interest of public health or safety, relevant information may be disclosed  
17       provided the risk of significant harm to the public is established and the owner  
18       of the information is notified, within a reasonable period of time, of the fact of  
19       such disclosure.

20       The disclosure even if allowed by the above-mentioned instances, shall only cover  
21 specifically identified requested information and shall not pertain to the whole record.

22       Any information obtained in violation of this section shall be inadmissible in  
23 evidence in any proceedings against the owner of the information.

24       **SECTION 12. *No Derogation of Rights or Denial of Services.*** – No provisions  
25 of this Act shall be interpreted as derogating the Constitutional Rights of the individuals,  
26 citizens or foreign residents, nor shall restrict them on the exercise of their rights. The  
27 State and the private sector shall not deny any individual from receiving benefits or

1 privileges due to them by reason of failure to use or present a Reference Card for services  
2 that do not require the determination of identity, birth, status or personal information.

3 **SECTION 13. *Functions and Responsibilities of the Philippine Statistics***

4 ***Authority.*** – The PSA shall be the administrator of the System and shall be responsible  
5 for its implementation and management. In coordination with the Department of Foreign  
6 Affairs (DFA), the PSA shall conduct registration and enrolment of all citizens and  
7 foreign residents of the Republic of the Philippines. A specific organizational unit within  
8 the PSA shall be created to specifically handle the tasks mandated by this Act.

9 The Department of Information and Communications Technology (DICT) shall  
10 assist and provide technical expertise to the PSA in the implementation, management and  
11 maintenance of the System.

12 In pursuance of its mandate under Republic Act 10625 or the “*Philippine*  
13 *Statistical Act of 2013*”, the PSA may utilize the information in the System for statistical  
14 purposes, provided no individual can be readily identified, without violating Section 11  
15 of this Act.

16 **SECTION 14. *Penal Provisions.*** –

17 1) Any person who fails, without justifiable reason, to apply for and secure a National  
18 Reference Card shall be liable to a penalty of fine of Three Hundred Thousand Pesos  
19 (P300,000.00).

20 2) Any person who shall willfully refuse to accept, acknowledge and/or recognize the  
21 Card as the only official identification of the holder/possessor thereof shall be liable  
22 to a penalty of a fine of Five Hundred Thousand Pesos (P500,000.00).

23 3) The penalty of imprisonment from three (3) years to six (6) years and a fine of One  
24 Million Pesos (P1,000,000.00) to Three Million Pesos (P3,000,000.00) shall be  
25 imposed upon any offender found guilty of the following acts or omissions:

- 1 a) The willful submission of or causing to be submitted a fictitious name or false  
2 information in the application, renewal or updating in the System by any  
3 person.
- 4 b) The unauthorized printing, preparation or issuance of a National Reference  
5 Card by any person.
- 6 c) Willful falsification, mutilation, alteration of or tampering with the National  
7 reference Card by any person.
- 8 d) The use or unauthorized possession of a National Reference Card without any  
9 reasonable excuse by any person other than the one to whom it was issued or  
10 the possession of a fake, falsified or altered National Reference Card.
- 11 e) The willful transfer of the National Reference Card or the Reference Number  
12 to any other person.
- 13 4) The penalty of imprisonment from six (6) years to ten (10) years and a fine of Three  
14 Million Pesos (P3,000,000.00) to Five Million Pesos (P5,000,000.00) shall be  
15 imposed upon any offender found guilty of the following acts or omissions:
- 16 a) Any person who shall access the System without any authority.
- 17 b) Any person who shall willfully use or disclose data or information in violation  
18 of Section 11 of this Act.
- 19 If financial profit resulted from accessing, disclosing or using the data or  
20 information, the guilty person shall, in addition, pay twice the amount gained from such  
21 act.
- 22 5) Malicious disclosure or processing of data or information by officials, employees or  
23 agents who have the custody or responsibility of maintaining the integrity of the  
24 System shall be penalized by imprisonment from ten (10) years to fifteen (15) years  
25 and a fine of Five Million Pesos (P5,000,000.00) to Ten Million Pesos  
26 (P10,000,000.00). If financial profit resulted from such disclosure or processing of the

1 data or information, the guilty person shall, in addition, pay twice the amount gained  
2 from such act.

3 6) Officials, employees or agents who have the custody or responsibility of maintaining  
4 the integrity of the System shall be penalized by imprisonment from three (3) years to  
5 six (6) years and a fine of One Million Pesos (P1,000,000.00) to Three Million Pesos  
6 (P3,000,000.00) if due to negligence provided access to the System or allow the  
7 processing or disclosure of any data or information without any authority from this  
8 Act or any existing law.

9 In all instances, if the violation was committed by a government official or  
10 employee, the penalty shall include perpetual absolute disqualification from holding any  
11 public office or employment in the government, including any Government-Owned  
12 and/or Controlled Corporations (GOCCs), and their subsidiaries.

13 **SECTION 15. *Appropriation.*** – Such sum as may be necessary to carry out the  
14 purpose of this Act is hereby appropriated out of the hands of the National Treasury.

15 **SECTION 16. *Information Campaign.*** – Within three (3) months from the  
16 effectivity of this Act, the PSA, together with the DFA, shall undertake an extensive  
17 information campaign to explain the implementation of the Act to all citizens and  
18 resident aliens in the country.

19 **SECTION 17. *Implementing Rules and Regulations.*** - The PSA together with  
20 the DFA and the DICT shall formulate the implementing rules and regulations of this Act  
21 within two (2) months after its approval, subject to consultation with the Department of  
22 Social Welfare and Management (DSWD), National Bureau of Investigation (NBI),  
23 Commission on Elections (Comelec), Government Service Insurance System (GSIS),  
24 Social Security System (SSS), Philippine Health Insurance Corporation (PhilHealth),  
25 Bureau of Immigration (BI) and other concerned agencies of government that may be  
26 determined by the PSA.



1           **SECTION 18. *Supplementary Applications.*** – Republic Act 10173, otherwise known  
2 as the “*Data Privacy Act of 2012*”, shall have supplementary application in so far as  
3 confidentiality of records and information are concerned, including violations not  
4 specifically punished by this Act.

5           **SECTION 19. *Separability Clause.*** –If for any reason, any section or provision of  
6 this Act is declared unconstitutional or invalid, such other sections or provisions not  
7 affected thereby shall remain in full force and effect.

8           **SECTION 20. *Repealing Clause.*** - All laws, orders, rules or regulations or parts  
9 thereof which are inconsistent with this Act are hereby repealed and/or modified  
10 accordingly.

11           **SECTION. 21. *Effectivity.*** - This Act shall take effect upon its approval.

12           *Approved,*