

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* )

Office of the Secretary

24 JUN -4 P12:37

**SENATE**

**S. No. 2703**

RECEIVED BY



---

**Introduced by Senator Jinggoy Ejercito Estrada**

---

**AN ACT  
STRENGTHEN THE SYSTEM OF FILING OF DELAYED REGISTRATION OF  
BIRTH IN THE COUNTRY, AMENDING FOR THE PURPOSE ACT NO. 3753**

**EXPLANATORY NOTE**

Act No. 3753 or the Law on Registry of Civil Status was promulgated on November 26, 1930. The law provided for a system of filing of civil registry documents and outlined the duties and powers of the Civil Registrar-General and the local Civil Registrars. However, the registration of vital events in the country remained low and prompted the issuance on February 14, 1994 of Proclamation No. 326, "Declaring as a National State Policy the Registration of Births, Deaths, Marriages and Foundlings".

As part of the government's continuous efforts to enjoin the people to give due importance to civil registry documents, the country became one of the parties in the Ministerial Conference on Civil Registration and Vital Statistics in Asia and the Pacific of the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) that was held in November 2014. The commitment to adopt the Ministerial Declaration to "Get everyone in the picture" in Asia and the Pacific was solidified by the issuance of Proclamation No. 1106 on August 20, 2015 which declares the years 2015 to 2024 as "Civil Registration and Vital Statistics Decade".

Birth Certificate is one of these civil registry documents and it is an official document that particularly indicates a person's identity, nationality and lineage. This is one instrument to uphold the rights of children as embodied in Article 7 of the Convention on the Rights of the Child, ratified by the Philippines in July 1990, which states that, "The child shall be registered immediately after birth and shall have the right from birth to a name and the right to acquire nationality."

However, the data of the Philippine Statistics Authority (PSA) shows that in 2020, there are 3.7 million Filipinos who have no birth certificates due to various reasons.<sup>1</sup> Some of these are the high costs, lack of time, unawareness of the necessity to register the birth, or complications in the relationships surrounding the child. Such prevalence of unregistered individuals is considered by the United Nations Children's Fund (UNICEF) as a "scandal of invisibility".

While Birth Certificate should be registered within thirty (30) days after the birth of the child, late registration is allowed subject to the submission of requirements and prescribed procedures as provided in the guidelines issued by the PSA. In 2022, there are 1.3 million births that were registered on time and 127,919 that were registered late.<sup>2</sup>

The PSA, however, pointed out that, "In the past, there are instances that process of delayed registration is being abused. The entries of Certificates of Live Birth (COLBs) under delayed registration are prone to fabrication and alteration." In response, the PSA together with the Department of the Interior and Local Government (DILG) issued Joint Memorandum Circular No. 2021-01, the "Revised Guidelines for Delayed Registration of Birth" in order "to provide stringent procedures to avoid double or multiple registrations" and "to ensure that birth

---

<sup>1</sup> [PSA mulls stricter policy for late birth registration | GMA News Online \(gmanetwork.com\)](#)

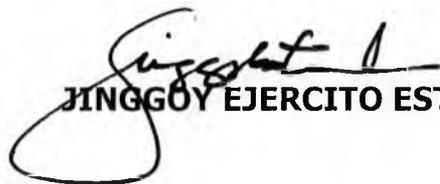
<sup>2</sup> [PSA mulls stricter policy for late birth registration | GMA News Online \(gmanetwork.com\)](#)

records registered before the Local Civil Registry Offices (LCROs) must contain the true identity of a person”.

The "*Delayed Registration of Birth Act*" seeks to institutionalize the requirements and procedures embodied in the Revised Guidelines for Delayed Registration of Birth by incorporating the same in Act No. 3753. It also provides stricter penalties for those who will declare false statements in the birth certificate that will be registered late.

Through this measure, the procedure for the delayed registration of birth will be more effective and will ensure that the birth certificates are genuine and truthful representation of the identity of the person.

In this light, the immediate passage of this bill is highly recommended.

  
JINGGOY EJERCITO ESTRADA

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* )

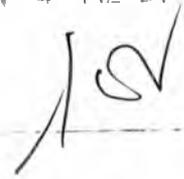
Office of the Clerk

24 JUN -4 P12:37

SENATE

S. No. 2703

RECEIVED



---

**Introduced by Senator Jinggoy Ejercito Estrada**

---

**AN ACT  
STRENGTHEN THE SYSTEM OF FILING OF DELAYED REGISTRATION OF  
BIRTH IN THE COUNTRY, AMENDING FOR THE PURPOSE ACT NO. 3753**

*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 “*Delayed Registration*  
2 *of Birth Act*”.

3 Sec. 2. *Declaration of Policy.* – It is the policy of the State to promote the  
4 importance of civil registry documents to establish identity and civil status, support  
5 universal civil registration, and to produce accurate, complete and updated vital  
6 statistics.

7 Sec. 3. *Definition of Terms.* – As used in this Act:

- 8 a) *Certificate of Live Birth (COLB)* refers to the source of vital information  
9 and provides legal proof of the identity of an individual;
- 10 b) *Civil Registrar General* refers to the head of the Philippine Statistics  
11 Authority (PSA) and the one who provides overall direction in the  
12 implementation of the Civil Registry Law and related issuances and  
13 exercise technical supervision over the local civil registrars;
- 14 c) *Delayed Registration of Birth* refers to the registration of birth record  
15 after the reglementary period of thirty (30) days from the time of birth  
16 in the Office of the Local Civil Registrar of the place where it occurred;

- 1 d) *Local Civil Registrar (LCR)* or *City / Municipal Civil Registrar* refers to  
2 the person officially in-charge with the duty of implementing and  
3 enforcing the provisions of the Civil Registry Law and its Implementing  
4 Rules and Regulations and other laws related to civil registration;
- 5 e) *Local Civil Registry Office (LCRO)* refers to the department in the City  
6 / Municipal government which is mandated to perform civil registration  
7 functions;
- 8 f) *Negative Certification of Birth Record* refers to the document issued by  
9 the PSA certifying that it has no record of the person's birth, marriage,  
10 or death certificate in its electronic and paper archives after an  
11 exhaustive search in the said archive;
- 12 g) *Registration of Birth* refers to the permanent and official recording of a  
13 person's existence.

14 Sec. 4. *Requirements on Filing Delayed Registration of Birth.* – The following  
15 requirements shall be submitted by any party seeking late registration of birth:

- 16 a) For a party seeking late registration of birth whose parents are both  
17 Filipino citizens:
- 18 1) If the person is less than eighteen (18) years old:
- 19 i) Four (4) copies of the Certificate of Live Birth (COLB)  
20 duly accomplished and signed by the proper parties;
- 21 ii) Accomplished Affidavit for Delayed Registration at the  
22 back of the COLB by the father, mother, or guardian,  
23 declaring therein, among other things, the following:
- 24 • Name of child;
  - 25 • Date and place of birth;
  - 26 • Name of the father if the child is illegitimate and  
27 has been acknowledged by him;
  - 28 • If legitimate, the date and place of marriage of  
29 parents; and
  - 30 • Reason for not registering the birth within thirty  
31 (30) days after the date of birth

1 iii) Negative Certification of Birth Record from the  
2 Philippine Statistics Authority (PSA);

3 iv) Certificate of Marriage of the parents if the child is  
4 legitimate; and

5 v) Birth Certificate of the parents.

6 In case the party seeking late registration of birth of an  
7 illegitimate child is not the mother, the party in addition to the  
8 foregoing documents, shall submit the following:

9 vi) Sworn statement stating the present whereabouts of  
10 the mother;

11 vii) Any two (2) of the following documentary evidence  
12 which may show the name of the child, date and place  
13 of birth, and name of the mother (and name of father,  
14 if the child has been acknowledged):

- 15 • Baptismal Certificate;
- 16 • School records;
- 17 • Income tax return;
- 18 • Insurance policy;
- 19 • Medical records; and
- 20 • Others, such as barangay chairperson's  
21 certification

22 viii) Affidavit of two (2) disinterested persons who  
23 might have witnessed or known the birth of the child.

24 2) If the person is eighteen (18) years old or above, he/she shall  
25 apply for the late registration of his/her birth, and the  
26 requirements shall be:

27 i) All the requirements for a child who is less than  
28 eighteen (18) years old; and

29 ii) Certificate of Marriage, if married.

30 b) For a party seeking late registration of birth whose one of the parents  
31 is a foreigner:

32 1) Certificate of Marriage of the parents if the child is legitimate;

- 1                   2) Birth certificate of the parents;
- 2                   3) Passport of both parents;
- 3                   4) Affidavit of Admission of Paternity and/or Affidavit to Use the
- 4                   Surname of the Father under Republic Act No. 9255, if the child
- 5                   is illegitimate and was acknowledged by the father; or
- 6                   5) Affidavit of Acknowledgement in case of an illegitimate child
- 7                   born prior to 03 August 1988.
- 8           c) When the application for the delayed registration of birth is filed on
- 9           behalf of another person, in addition to the abovementioned
- 10           requirements of filing delayed registration of birth:
- 11                   1) Special Power of Attorney (SPA) or Authorization Letter
- 12                   executed by the document owner, authorizing the applicant to
- 13                   file the delayed registration of birth;
- 14                   2) Valid Identification Card of the document owner and the
- 15                   requester or applicant; and
- 16                   3) Affidavit of the document owner or the registrant in case the
- 17                   document owner is already deceased stating the reasons why
- 18                   he/she cannot personally file the application.

19           *Sec. 5. Procedures on Delayed Registration of Birth.* – Birth registered later  
20 than thirty (30) days after its occurrence is considered delayed registration. Delayed  
21 registration of birth, like an ordinary registration made at the time of birth, shall be  
22 registered at the Local Civil Registry Office (LCRO) of the place where the birth  
23 occurred. The delayed registration of birth shall undergo the procedure as follows:

- 24           a) Upon receiving the application for delayed registration of birth, the City
- 25           / Municipal Civil Registrar (C/MCR) shall examine the COLB presented
- 26           whether it has been completely and correctly filled-out. The C/MCR
- 27           shall also evaluate the veracity of the statements made in the Affidavits
- 28           and other submitted supporting documents through personal interview
- 29           with the applicant and a field visit with the Office of the Punong
- 30           Barangay where the child resides to confirm the statements made in
- 31           the Affidavits and the genuineness of the supporting documents;

- 1           b) Submission of a Negative Certificate of Live Birth issued by the PSA  
2           Civil Registry System Outlets or other authorized issuing centers must  
3           be required as a mandatory requirement for the application for delayed  
4           registration to ensure that there is no existing birth record registered  
5           anywhere in the country;
- 6           c) A notice to the public on the pending application for delayed  
7           registration shall be posted for ten (10) consecutive days on a bulletin  
8           board outside the office of the local civil registrar located in a  
9           conspicuous place within the building and accessible to the general  
10          public, as well as in the official website, social media accounts, and  
11          other official physical and digital media and channels of the local civil  
12          registrar and the PSA, subject to the provisions of Republic Act No.  
13          10173, otherwise known as the "*Data Privacy Act of 2012*";
- 14          d) If no one opposes the registration after ten (10) days, the C/MCR shall  
15          review the application, and, if convinced beyond doubt that the  
16          applicant for Delayed Registration was really born within his/her  
17          jurisdiction, the C/MCR shall accept and register the delayed  
18          registration of birth.

19           *Sec. 6. Roles and Responsibilities of the LCROs and the PSA.* – The LCROs of  
20          the different cities / municipalities, through their Local Civil Registrars, shall facilitate  
21          the registration of birth within their territorial jurisdiction. They shall likewise see to  
22          it that the appropriate form is used, the form is properly and completely filled out,  
23          entries therein are correct, and the proper attachments are submitted. In case the  
24          entries are found incomplete or incorrect, the Local Civil Registrars shall require the  
25          person concerned to fill out the document completely or to correct the entries, as  
26          the case may be.

27           The PSA shall see to it that the prescribed standards, criteria and procedures  
28          provided in this Act are properly implemented. Likewise, it has the duty to report  
29          any irregularities, negligence or incompetency of C/MCR in the performance of  
30          his/her functions under this Act to the concerned mayor for the latter to take the  
31          proper disciplinary action.

1           Sec. 7. *False Statement.* – Any person who shall knowingly make false  
2 statement in the forms furnished and shall present the same for entry in the civil  
3 register, shall be punished by imprisonment for not less than six (6) months and one  
4 (1) day but not more than twelve (12) years and a fine of not less than One hundred  
5 thousand pesos (P100,000.00) but not more than Two hundred fifty thousand pesos  
6 (P250,000.00).

7           In addition, if the person who violated the provisions of this Act is a public  
8 official, he/she shall be dismissed from service and shall suffer perpetual absolute  
9 disqualification to hold public office.

10           Sec. 8. *Separability Clause.* – If any provision or part hereof is held invalid or  
11 unconstitutional, the remainder of the law or the provision or part not otherwise  
12 affected shall remain valid and subsisting.

13           Sec. 9. *Repealing Clause.* – Act No. 3753 is hereby amended accordingly.  
14 Any law, presidential decree or issuance, executive order, letter of instruction,  
15 administrative order, rule, or regulation contrary to or inconsistent with the  
16 provisions of this Act are hereby repealed, modified, or amended accordingly.

17           Sec. 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
18 publication in the *Official Gazette* or in a newspaper of general circulation.

*Approved,*