



# LRS Reports

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## SUMMARY OF SENATE BILL ON SECOND READING\*

Second Regular Session, Eighteenth Congress

**S.B. No. 1933      AN ACT ESTABLISHING THE RULES AND POLICIES ON  
THE DOMESTIC ADMINISTRATIVE ADOPTION PROCEEDING OF  
FILIPINO AND FOR OTHER PURPOSES**

Authors:      Senators Grace Poe; Ramon Revilla, Jr.; and Risa Hontiveros

Referred to:   Committees on Women, Children, Family Relations and Gender  
Equality; Social Justice, Welfare and Rural Development; and  
Finance

Key words:    domestic adoption; administrative process of adoption

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This bill provides for domestic adoptions to be undertaken via an administrative process within the DSWD. This process eliminates the judicial phase of the adoption, and shortens the waiting time of adoptive parents. This will accelerate the entire process, minimize the cost, and de-clog our courts.

The documents required for the administrative process are as follows; a home study report conducted by a licensed social worker on the adopter; a child study report conducted by a licensed social worker for the adoptee; the certification declaring the child legally available for adoption; a mandatory result of psychological evaluation of the prospective adoptive parents; and an NBI/police clearance, among others.

There will be a 30-day Matching Process for the child and the approved adoptive parents in cases of legally available children. While in cases of stepparent adoption, relative adoption, and adult adoption, a matching process is no longer required. Provided that the child and the adoptive parents have been living in one household for not less than two (2) years.

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*\* LRS publishes summarized information of Senate bills under consideration for second reading in the First Regular Session, 18<sup>th</sup> Congress. The annual budget (General Appropriations Act); tax, banking and finance, and other bills which are predominantly fiscal in nature will not be included in the LRS reports.*

Upon the completion of the matching process and the issuance of the Pre-Adoption Placement Authority (PAPA), the adoptive parents will be given a trial custody of the child for a period of six (6) months. Based on the recommendation of the social worker that monitored the trial custody, a petition for adoption may be filed.

The petition for adoption will be published in a newspaper of general circulation upon filing so that any person with information that could protect the child from harm can interpose an objection.

Among the penalties provided in this act are as follows:

a. Imprisonment ranging from six (6) years and one (1) day to twelve (12) years and/or a fine not less than Fifty thousand pesos (P50,000.00), but not more than Two hundred thousand pesos (P200/000.00) on any person who commits any of the following acts:

(i) obtaining consent for an adoption through coercion, undue influence, fraud, improper material inducement, or other similar acts;

(ii) non-compliance with the procedures and safeguards provided by the law for adoption; or

(iii) subjecting or exposing the child to be adopted to danger, abuse, or exploitation.

b. A penalty of prision mayor in its medium period and a fine not exceeding Fifty thousand pesos (P50,000.00) for any person who shall cause a simulation of birth (the fictitious registration of the birth of a child under the name(s) of a person(s) who is not his/her biological parents).

c. Any physician, midwife or nurse or hospital personnel who shall cooperate in the execution of the abovementioned crime shall suffer the penalties herein prescribed and also the penalty of permanent disqualification.

d. Any person who shall violate established regulations relating to the confidentiality and integrity of records, documents, and communications of adoption applications, cases, and processes shall suffer the penalty of imprisonment ranging from one (1) year and one (1) day to two (2) years, and/or a fine of not less than Five thousand pesos (P5,000.00) but not more than Ten thousand pesos (P10,000.00), at the discretion of the court.

e. Under this Act, adoption discrimination acts, including but not limited to, labelling, shaming, bullying, negative stigma, among others, are prohibited. Any person who shall commit said adoption discrimination acts shall be penalized with a fine not less than Ten thousand pesos (P10,000.00) but not more than Twenty thousand pesos (P20,000.00), at the discretion of the court.

*(Summary prepared by: Elvie F. Isleta, 11 February 2021)*

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