



REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY

Reference No. 23ONS-03-1606

MEMORANDUM CIRCULAR NO. 2023-14

TO : ALL CITY/MUNICIPAL CIVIL REGISTRARS, PHILIPPINE FOREIGN SERVICE POSTS OFFICIALS AND STAFF, REGIONAL DIRECTORS/PROVINCIAL STATISTICS OFFICERS/OFFICERS-IN-CHARGE, AND PSA OFFICIALS AND EMPLOYEES

SUBJECT : Amendment of the Implementing Rules and Regulations of Republic Act No. 9255 Otherwise Known as An Act Allowing Illegitimate Children to Use the Surname of Their Father, Amending for the Purpose Article 176 of Executive Order No. 209, Otherwise Known as the "Family Code of the Philippines"

DATE : 16 June 2023

In the interest of service and to conform with the legislative intent in the drafting of Republic Act (RA) No. 9255, otherwise known as An Act Allowing Illegitimate Children to Use the Surname of their Father, amending for the purpose Article 176 of Executive Order No. 209, otherwise known as the "Family Code of the Philippines", Administrative Order No. 1 series of 2016 (AO No. 1 s. 2016) is hereby amended by AO No. 1 s. 2023. This amendment of the Implementing Rules and Regulations (IRR) of RA No. 9255 or AO No. 1 s. 2023 was published in the Official Gazette on 05 June 2023, and a copy submitted to the UP Law Center on 06 June 2023.

AO No. 1 s. 2023 amended AO No. 1 s. 2016 to give retroactive effect for all births occurring within and outside the Philippines in accordance with Rule 1 of this Administrative Order.

AO No. 1 s. 2023 or the Amended IRR shall take effect immediately after its publication in a newspaper of general circulation in the Philippines.

For your guidance and strict compliance.

CLAIRE DENNIS S. MAPA, PhD
Undersecretary
National Statistician and Civil Registrar General

MBG/EPA

Annex 1. Administrative Order No. 1 Series of 2023



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**Republic of the Philippines
OFFICE OF THE CIVIL REGISTRAR GENERAL
Philippine Statistics Authority**

**ADMINISTRATIVE ORDER NO. 1
SERIES OF 2023**

**AMENDMENT OF IMPLEMENTING RULES AND REGULATIONS OF
REPUBLIC ACT NO. 9255**

WHEREAS, Republic Act (RA) No. 9255 otherwise known as An Act Allowing Illegitimate Children to Use the Surname of Their Father, Amending for the Purpose Article 176 of Executive Order No. 209, Otherwise Known as the "Family Code of the Philippines" was passed into law on 24 February 2004;

WHEREAS, as mandated by RA No. 10625, the Civil Registrar General (CRG) promulgated Implementing Rules and Regulations of RA No. 9255, OCRG Administrative Order (AO) No. 1-2004, dated 24 May 2004;

WHEREAS, pursuant to Supreme Court Ruling in the case of "Grande vs Antonio", G.R. No. 206248 dated 18 February 2014, the PSA AO No. 1-2016 dated 22 March 2016 was promulgated revising OCRG AO No. 1-2004;

WHEREAS, to address the rules to be applied for non-marital children after the effectivity of the Family Code of the Philippines up to the effectivity of RA No. 9255, it is recommended that certain provisions pertaining to the coverage of RA No. 9255 of PSA AO No. 1-2016 be amended.

NOW THEREFORE, the Civil Registrar General, pursuant to its mandate under RA No. 10625, hereby promulgates the following amendments to PSA AO No. 1-2016:

Section 1. Rule 1 is hereby amended to read as:

"Rule 1. Coverage

These Rules shall apply to all non-marital children during the effectivity of Executive Order No. 209 or otherwise known as the "Family Code of the Philippines". This includes:

1.1 Unregistered births; and

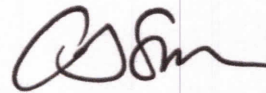
1.2 Registered births where the non-marital children use the surname of the mother."

Section 2. The rules and other prevailing issuances pursuant to RA No. 9255 shall have retroactive effect for all births occurring within and outside the Philippines in accordance with Rule 1 of this PSA AO No. 1-2023.

Section 3. All circulars, memoranda, rules and regulations or parts thereof inconsistent with the provisions of this Amended Implementing Rules and Regulations are hereby modified accordingly.

Section 4. This Amended Implementing Rules and Regulations shall take effect immediately after its publication in a newspaper of general circulation in the Philippines.

Approved this APR 28 2023.



CLAIRE DENNIS S. MAPA, Ph.D.
National Statistician and Civil Registrar General