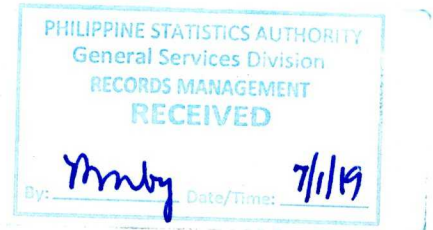




REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY

Reference No. 18CRS01-16091



MEMORANDUM CIRCULAR No. 2019 – 15

TO : ALL PSA OFFICIALS AND EMPLOYEES
ALL CITY/MUNICIPAL CIVIL REGISTRARS
ALL PHILIPPINE FOREIGN SERVICE POST OFFICIALS AND STAFF
ALL BREQS PARTNERS/USERS AND INSTITUTIONS

SUBJECT : Guidelines on the Issuance of the Civil Registry Documents (CRDs)/
Certifications including Authentication

DATE : 11 June 2019

Aligned with the policy of the Philippine Government to protect the fundamental right of every individual to privacy pursuant to Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012," this issuance provides for the guidelines that should be strictly observed and enforced immediately in the issuance of the Certificate of Live Birth, Certificate of Death, Certificate of Marriage and Certificate of No Marriage/Advisory on Marriage from the PSA Archive/CRS Database including the authentication of the aforementioned Civil Registry Documents (CRDs).

I. Definition of Terms. For purposes of standard and uniform interpretation across all PSA Services at the Central Office, Regional/Provincial Offices, Serbilis Outlets nationwide, City/Municipal Civil Registrars, Philippine Foreign Service Posts Officials and Staffs, BREQS Partners/Users and Institutions with existing Memorandum of Agreement with the PSA, below are the operational definition of commonly used terms:

Affidavit of Guardianship is a duly notarized written sworn statement of facts voluntary made by the person stating that he/she is the duly appointed guardian of a minor child.

Affidavit of Kinship is a duly notarized written sworn statement of facts voluntary made by the person stating that he/she is the nearest surviving kin of the document owner.

*Child-Caring Agency*¹ is duly licensed and accredited agency by the Department of Social Welfare and Development (DSWD) that provides twenty four (24)-hour residential care services for abandoned, orphaned, neglected, or voluntary committed children.

*Direct descendant*² is defined as the child of the document owner as per Article 965 of the Civil Code of the Philippines.

¹ Article I, Section 3 (i) of the Republic Act No. 8552 "Domestic Adoption Act of 1998".

² Article 965. The direct line is either descending or ascending. The former unites the head of the family with those who descended from him. The latter binds a person with those from he descends.



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OFFICE MEMORANDUM

Re: Guidelines on the Issuance of the Civil Registry Documents (CRDs)/Certifications including Authentication

Document owner refers to the individual whose legal identity, facts and acts concerning his/her civil status from birth to death including all the changes that takes place in his lifetime are recorded in the CRD or written in the certification.

Duly authorized representative is the individual willfully designated by the document owner in writing to request for the copy issuance of his/her CRD/Certification from the PSA.

Guardian is the legally appointed person to take charge of a minor. However, pursuant to Article 216 of the Family Code of the Philippines, "In default of parents or a judicially appointed guardian, the following person shall exercise substitute parental authority over the child in the order indicated:

- (1) The surviving grandparent;
- (2) The older brother or sister, over twenty-one years of age, unless unfit or disqualified;
- (3) The child's actual custodian, over twenty-one years of age, unless unfit or disqualified."

*Nearest of kin*³ is the closest surviving relative of the document owner. For the purpose of standard identification of the nearest of kin, the PSA adopts the definition from the Republic Act No. 9994 known as "Expanded Senior Citizens Act of 2010" and enumerated in the manner of succession as follows: legal spouse, children, parents, siblings, grandparents, uncles and aunts.

Special Power of Attorney (SPA) is a written sworn statement of facts voluntary made that grant the attorney in fact the authority to act in behalf of the principal under certain, specified task.

Parent is the biological or legal mother or father of the document owner as indicated in his/her Certificate of Live Birth/Amended birth certificate of an adopted child.

Spouse is the legal partner of the document owner (*can be the husband or the wife*) contracted through a marriage.

Valid ID is any acceptable proof of a person's identity issued by an official authority.

II. Basic Requirements and Important Reminders for the Issuance of Civil Registry Documents/Certifications from the PSA including Authentication

1. Presentation of a valid Identification (ID) Card of the document owner.
2. If the requesting party is a duly authorized representative, the original copy of the Authorization Letter or Special Power of Attorney (SPA) must be presented together with a valid ID of the document owner. The duly authorized representative should also show his/her valid ID and must provide the PSA with photocopies of all the IDs presented for its file.
 - a. The Authorization Letter/SPA issued to a representative shall specifically state that its purpose is to secure civil registry documents from PSA. Thus, the general statement as to the purpose is not acceptable.

³ Republic Act No. 9994 known as "Expanded Senior Citizens Act of 2010" Sec. 3. "(f) Nearest surviving relative refers to the legal spouse who survives the deceased senior citizen: Provided that there were no spouse survives the decedent, this shall be limited to relatives in the following order of degree of kinship: children, parents, siblings, grandparents, grandchildren, uncles and aunts;"



f

OFFICE MEMORANDUM

Re: Guidelines on the Issuance of the Civil Registry Documents (CRDs)/Certifications including Authentication

- b. The Authorization Letter/SPA should also indicate the type of document to be requested, the number of copies and the specific details of the document to be requested. This means that the facts of birth for Birth Certificate; details of marriage for Marriage Certificate; and details of death for Death Certificate should be included in the Authorization Letter/SPA.
- c. The Authorization Letter can be hand-written or typed in a clean sheet of paper and should bear the fresh signature of the document owner. On the one hand, SPA should be notarized and its purpose should have not yet been served or has not yet reached its expiry pursuant to the Article 1919 of the Civil Code of the Philippines⁴.
- d. For special cases, captured/scanned image of the actual Authorization Letter/SPA from the document owner with signature that matches the accompanying valid ID is acceptable. However, Authorization Letter from the document owner sent through e-mail and other instant messaging applications is NOT acceptable as it does not bear the signature of the document owner.

On the other hand, in cases where a Authorization Letter/SPA executed by the document owner has multi-purposes, the same can be accepted provided that the intent to secure the CRD/certificate from PSA is specifically indicated.

For authorization received from abroad, the document owner should provide a copy of the passport as the valid ID.

- e. The original copy of the Authorization Letter/SPA presented by the requesting party for the copy issuance of CRDs/certifications including authentication must be surrendered by the requester to the Releasing Officer as it has already served its purpose.

For multi-purpose SPA, the Releasing Officer will sign on the purpose of request of documents from PSA to emphasize that it has already been served. The original copy will be returned to the requester and a copy will be submitted to the Releasing Officer.

- f. The Releasing Officer should maintain a file of Authorization Letters/SPAs and photocopies of ID for ready reference in the future.

III. Who maybe allowed to Request for the Copy Issuance of Civil Registry Documents/Certifications from the PSA other than the Document Owner

1. A spouse, whose name is indicated in his/her marriage document with his/her partner, can request for the CRDs of his/her wife/husband and their children provided he/she can present a valid ID.



⁴ Article 1919. Agency is extinguished:

- (1) By its revocation;
- (2) By the withdrawal of the agent;
- (3) By the death, civil interdiction, insanity or insolvency of the principal or of the agent;
- (4) By the dissolution of the firm or corporation which entrusted or accepted the agency;
- (5) By the accomplishment of the object or purpose of the agency;
- (6) By the expiration of the period for which the agency was constituted. (1732a)

OFFICE MEMORANDUM

Re: Guidelines on the Issuance of the Civil Registry Documents (CRDs)/Certifications including Authentication

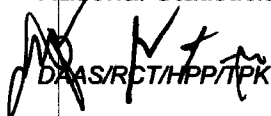
2. The parents of the document owner can request the copy issuance of CRDs of their children provided their name is indicated in the latter's birth document, either as a father or mother and can present a valid ID.
3. A child, of legal age, can request for the birth and death documents of his/her parent provided that he/she has sufficient documentation to support this case. However, a child can only request for the marriage documents of his/her own parents as indicated in his/her own birth certificate.
4. A guardian appointed by the court or the person exercising substitute parental authority pursuant to Article 216 of the Family Code of the Philippines may request for the copy issuance of a CRD of a minor provided he/she can present an Affidavit of Guardianship.
5. Request for the copy issuance of documents from institutions legally in-charge of a minor can ONLY be processed when the Regional Director of the Department of Social Welfare and Development (DSWD) has issued an authorization to the concerned Child Caring Agency (CCA) provided authorization letter will be issued on a per child basis.⁵
6. The court or proper public official whenever absolutely necessary in administrative, judicial or other official proceedings to determine the identity of the person. Provided that there must be a duly issued subpoena *duces tecum* and *ad testificandum* for the production of the civil registry document.
7. Request from other government agencies pursuant to their mandate provided that the requesting government agency executed Data Sharing Agreement with PSA in accordance with NPC Circular 16-02.
8. Request for copy issuance/authentication of CRDs/certifications by the nearest of kin of a deceased person may ONLY be accepted provided that the requesting party execute a duly notarized Affidavit of Kinship stating herein he/she is the closest surviving relative.

Anyone found to be in violation of this Office Memorandum shall be dealt with accordingly.

ALL PREVIOUS PSA ISSUANCES INCONSISTENT WITH THIS MEMORANDUM CIRCULAR ARE HEREBY AMENDED AND SUPERSEDED.



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



DAAS/RCT/HPP/TPK

⁵ Issued communication from the OIC Director and Officer-in-Charge of Protective Services Bureau of the Department of Social Welfare and Development (DSWD) to the Regional Directors of all DSWD Field Offices dated 09 June 2017 re: Authorization to Register Birth/Finding of a Child and Secure PSA Documents.