

**MEMORANDUM CIRCULAR 2011 – 06**

**TO : All Regional/Provincial Statistics Officers  
City/Municipal Civil Registrars**

**SUBJECT : Guidelines in the processing of legitimation prior to the effectivity of Republic Act No. 9858 (An Act Providing for the Legitimation of Children Born to Parents Below Marrying Age. Amending for the Purpose the Family Code of the Philippines, as Amended).**

**DATE : March 11, 2011**

Administrative Order No. 1 Series of 2010, Rules and Regulations Governing the Implementation of Republic Act No.9858, took effect fifteen days after its publication in the Philippine Daily Inquirer on November 12, 2010.

Prior to the implementation of R.A. no. 9858, this Office received several requests for the processing of legitimation approved at the Local Civil Registry Offices (LCROs) which are pending at the Office of the Civil Registrar General (OCRG) as its implementing guidelines have not yet been issued.

Following are the guidelines to be followed to process the abovementioned legitimation requirements:

- a. The parents of the child shall execute a Supplemental Affidavit of Legitimation stating thereto Rule 4.2.6 of Administrative Order No. 1, Series of 2010 to wit:

*“ a statement that at the time when the child was conceived, the aforesaid parents were not disqualified by any impediment to marry each other except age, and that they subsequently entered into a valid marriage.”*

1. The Supplemental Affidavit of Legitimation shall not be registered. The registry number of the Supplemental Affidavit shall be the same as the registry number of the original registered Affidavit of Legitimation.
2. The registry number of the supplemental affidavit shall be entered by the Local Civil Registrar (LCR) at the upper right hand portion of the affidavit;
3. If either or both of the parents are dead, the child, if of age, or the guardian may execute the supplemental affidavit attaching the death certificates of the parents; and
4. In case of death of one of the parents, the surviving parent shall execute the supplemental affidavit attaching the death certificate of the deceased spouse.

After complying with the abovementioned guidelines, the complete set of legitimation documents shall be submitted to the OCRG for processing.

This memorandum shall apply to all cases of legitimation of children born to minor parent/s whose Affidavit of Legitimation was approved and registered and the LCROs prior to the implementation of R.A. 9858.

For guidance and compliance

**(SGD.) CARMELITA N. ERICTA**  
Administrator and Civil Registrar General