



# 2<sup>ND</sup> NATIONAL CONVENTION ON CIVIL REGISTRATION AND VITAL STATISTICS



Organized by the Philippine Statistics Authority Spearheaded  
by the Civil Registration Service

# Proposed Revisions on RA 9048 and 10172 IRR

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## Goals

1. Ensure accurate information of civil registry documents by allowing the mechanisms provided by law (RA 9048 and RA 10172) to expediently correct clerical errors in civil registry documents
2. Streamline processing of petitions that will reduce the turn around time
3. Provide legal framework to limit documentary requirements to those that is most appropriate in rendering decisions
4. Clarify gray provisions of the rules based on latest jurisprudence
5. Allow opportunities to use new technologies for the processing of petitions
6. To put a more public-centric delivery of public service



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## Proposed Amendments

Authority to correct clerical or typographical error

Officer-in-charge or those who are in an acting capacity, shall be allowed to act of petitions under RA 9048, as amended by RA 10172, in cases where:

1. the plantilla position of the Civil Registrar is vacant;
2. where the duly appointed C/MCR may not be able to perform his/her duties by reason of leave of absence or travel on official business;
3. suspended from performing his duties as a consequence of disciplinary action or preventive suspension

Provided that, the said acting or OIC has been authorized by the Local Chief Executive



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## Proposed Amendments

### Definition of Entry/Entries

Refers to the item/s written or printed in the legal portion of Civil Registry Document.

The legal portion contains the items on the facts of occurrence of the event, found at the front page of the civil registry document. For purposes of this IRR, the Certification and Remarks portion in the legal portion are included in the definition of entry/entries and can be corrected under this Order.

Additionally, the correction of the following entries is excluded from the coverage of this IRR:

1. Geographical Identification
2. Registry Number
3. Statistical Portion
4. Signatures.



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## Proposed Amendments

Indigent petitioner – An indigent refers to a person who has no money or property sufficient and available for food, shelter and basic necessities for himself and his family, with a duly issued Certificate of Indigency from the City/Municipal Social Welfare and Development Office having jurisdiction over the residence of the petitioner. Rule 3, Section 21 of the Rules of Court,



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## Proposed Amendments

Accredited Government Physician – Refers to a licensed Doctor of Medicine who is registered with the Professional Regulations Commission (PRC) and is employed in any government hospitals, health institutions, or public health offices.



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## Proposed Amendments

Medical Certification – Refers to the certification issued by the accredited government physician attesting to the fact that the petitioner/document owner is phenotypically male or female or has not undergone sex change or sex transplant.



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## Proposed Amendments

For correction of a clerical or typographical error in sex:

The petitioner affected by such error shall personally file the petition with the civil registry office where the birth certificate is registered unless:

The petitioner is presently residing in another place within the Philippines and it would not be practical for such party, in terms of transportation expenses, time and effort to appear in person before the civil registry office where the birth certificate is registered; and The petitioner is presently residing or domiciled in a foreign country, he may file petition, in person, with nearest Philippine Consulate. Provided, however: No migrant petition may be availed of in case the place where the civil registry document is registered and the place of domicile/ residence of the petitioner is located within the same province.

Provided, that in all cases of a petition involving correction of clerical error in sex, the petitioner shall be required to personally file a petition, except when the petitioner cannot personally appear before the civil registrar or Philippine Consulate by reason of sickness, or permanent incapacity.





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## Proposed Amendments

### Grounds of Denial by the LCR/GC/Sharia Court

- Inconsistency and insufficiency of the supporting documents.
- The supporting documents are not authentic and genuine.
- The C/MCR, CG/C/VC, and/or D/CR or OIC has personal knowledge that a similar petition is filed or pending in court or in any other LCRO.
- The petition involves the same entry in the same document, which was previously corrected or changed under this Order.
- The error is not clerical or typographical, and involves substantial change, such as, but not limited to:
  - a. Change of the status, age or nationality of the petitioner/document owner; and
  - b. Change/correction of sex in certificate of birth on the ground of sex reassignment.
- Such other grounds as the C/MCR, CG/C/VC, and/or D/CR or OIC may deem not proper for correction.
- In the case of petition for change of first name or nickname, the C/MCR shall deny the petition based on any of the following grounds, in addition to Rule 5.7



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In case of change of first name or nickname, the petition shall be supported with the following documents and shall comply with the following requirements:

1. Documents required under Rule 8.1.
2. Unless the document owner is a minor, a clearance or a certification that the owner of the document has no pending administrative, civil or criminal case, or no criminal record, which shall be obtained from the following:
  - National Bureau of Investigation
  - Philippine National Police
  - Employment Clearance, if employed

However, if the document owner is unemployed at the time the administrative petition is filed, an Affidavit of Non Employment is required.

In case the document owner is already deceased, the submission of certification/clearance from the Office of the under Sections 8.2.2.1 and 8.2.2.2 are sufficient.



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Affidavit of publication from the publisher and any proof of the said publication, including but not limited to newspaper clippings. In any case, the publisher may utilize digital publication or other similar means.

Petitions of different nature (i.e CFN and CCE) in the same document shall be allowed to be consolidated in 1 form.



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## Proposed Amendments

The petition for correction of entry on the day and/or month of birth and sex under RA No. 10172 shall be supported by any of the following documents:

1. Earliest school record;
2. Medical records or;
3. Baptismal certificate or other equivalent documents issued by any religious authorities/ sectors.

In addition to the earliest school record or school documents, the petition for correction of entry involving change of sex shall also be supported with the following documents:

In addition to any of the foregoing document the petition for correction of entry involving change of sex shall also be supported with the following documents:

1. A certification issued by an accredited government physician attesting to the fact that the petitioner is phenotypically male/female or has not undergone sex change or sex transplant; Provided that when the petitioner filed his/her petition abroad, the certification may be secured from a physician duly recognized and verified by the Consul General and
2. affidavit of publication from the publisher and proof of publication.



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## Proposed Amendments

Publication requirement:

1. If filed in the Record Keeping Civil Registrar – newspaper of local circulation is sufficient
2. If migrant petition (PRCR and RKCR is within the Philippines) – newspaper of general circulation
3. If migrant petition (PRCR is abroad) – newspaper of general circulation in both the foreign country and Philippines shall be required



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## Proposed Amendments

For petition for correction of clerical error in sex, the C/MCR shall issue a certification on the authenticity of the certification issued by the accredited government physician certifying that the petitioner/document owner is a phenotypically male/female and has not undergone sex change or sex transplant.



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## Proposed Amendments

### Grounds of Denial of the CRG

- The error is not clerical or typographical or a substantial or controversial alteration of the entry/ies in the document such that, it involves the change of the age, nationality or status of a person
- The petition for correction of clerical or typographical error was not posted, or the petition for change of first name or nickname, the day and month in the date of birth or sex of a person was not published as required under Rule 9.
- The basis used in changing the first name or nickname of the person does not fall under any of the following circumstances:
  - The name or nickname is ridiculous, tainted with dishonor or extremely difficult to write or pronounce.
  - The new first name or nickname has been habitually and continuously used by the petitioner and he has been publicly known by that first name or nickname in the community.
  - The change of first name or nickname will avoid confusion.
- The C/MCR does not have authority to take cognizance of the case.
- The document submitted in support of the administrative petition do not warrant the correction of error sought to be carried out.

**Proposed Revisions on RA 9048 and 10172 IRR and MOI**



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## Proposed Amendments

Refusal to Accept or Return to Sender by the CRG

- The petition is not supported by sufficient documents.
- Inconsistent, improper, incorrect and misspelled entries supplied in the Petition.
- The petition lacks sufficiency in form.
- The alteration in the C/MCR's decision by hand was not authenticated by the C/MCR's signature.
- The Petition and/or C/MCR's decision bears the wrong Registry Number.
- The action taken by the C/MCR is inconsistent with the prayer of the petition





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## Proposed Amendments

Duty of the CRG to revise forms or processes

Make or cause to make the necessary revisions on the forms and processes through the use of appropriate technology required for the effective implementation of this Order. The CRG may refuse acceptance of incomplete or improper petitions pursuant to the rules and regulations of the Ease of Doing Business Act.



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# Digitalization of RA Filing System

1. Allow the LCR/CG/Sharia Court to file their petitions and supporting documents for administrative correction using an online platform
2. Use of a standard form of petitions generated in the platform
3. Verification and acceptance of petitions by the CRG shall be done in the field offices of PSA
4. Monitoring of status of petitions shall be provided to the petitioner and the LCR/CG/Sharia Concerned
5. Ensure data security of the filed petitions
6. Easy access and transmittal of documents and CRG decisions on the LCR level eliminating reliance to courier or mail services
7. Allow storage of digital copies of the petitions and supporting documents pursuant to the rules and regulations of the National Archives of the Philippines



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## Thank you!



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