



2nd Philippine Identity Summit and 3rd National Convention on Civil Registration and Vital Statistics



Guidelines on the Registration of the Certificate of Live Birth of Persons with No Known Parents pursuant to RA 11767

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Roni SRSIago SKP
MANILA BULLETIN
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- Republic Act 11767, otherwise known as the “Foundling Recognition and Protection Act”
- The Law was approved by President Rodrigo Duterte on May 6, 2022
- protect the rights and ensure access to assistance, including proper care, nutrition and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to the development of every child
- uphold the best interests of the child
- protect any child with unknown parents by ensuring a natural-born citizen status consistent with our Constitution, the United Nations Convention on the Rights of the Child and other relevant instruments, and the generally accepted principles of international law
- ensure that support services are provided to foundlings and acts inimical to their welfare are penalized.





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Foundling Rate: The rate of foundlings varies from year to year, but there have been instances of infants and young children being abandoned and left in public places, such as churches, hospitals, or streets. These cases are typically reported to local authorities or child protection agencies.

Legal Framework: The Philippines has laws and regulations in place to address child abandonment and the rights of foundlings. These include adoption laws, child protection laws, and the implementation of the United Nations Convention on the Rights of the Child (CRC).

Child Welfare: Various government agencies, non-governmental organizations (NGOs), and religious institutions in the Philippines are involved in providing care and support for foundlings. This includes efforts to place them in loving homes through adoption or foster care.

Birth Registration: One challenge for foundlings is the lack of proper birth registration, which can affect their access to essential services and legal rights. Efforts have been made to improve birth registration processes for these children.

Inter-country Adoption: In some cases, foundlings in the Philippines are adopted by families from other countries through inter-country adoption processes. The Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption guides these adoptions.





Mary Grace Natividad Poe-Llamanzares vs. Commission on Election; G.R. No. 221697, March 8, 2016

- “To deny full Filipino citizenship to all foundlings and render them stateless just because there may be a theoretical chance that one among the thousands of these foundlings might be the child of not just one, but two, foreigners is downright discriminatory, irrational, and unjust.”
- “While the 1935 Constitution's enumeration is silent as to foundlings, there is no restrictive language which would definitely exclude foundlings either. Because of silence and ambiguity in the enumeration with respect to foundlings, there is a need to examine the intent of the framers.”
- In sum, all of the international law conventions and instruments on the matter of nationality of foundlings were designed to address the plight of a defenseless class which suffers from a misfortune not of their own making. We cannot be restrictive as to their application if we are a country which calls itself civilized and a member of the community of nations.





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Coverage

Unregistered COLBs
of persons with no
known parents

Registered COF on or
before MC 2021-24
Conversion of COF to
COLB

Revocation of COF
and COLB of persons
with no known
parents





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Unregistered COLBs of persons with no known parents

INFANT/CHILD

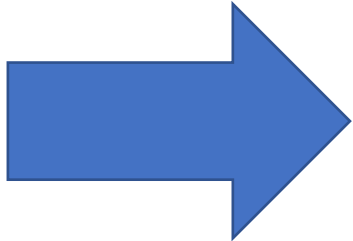
FOUND IN PH

FOUND IN
EMBASSY

FOUND IN PH

ADULT

FOUND IN
EMBASSY



Registration





Unregistered COLBs of persons with no known parents

INFANT/CHILD

FOUND IN PH

Step 1: NACC through the RACCO or social worker to fill out and submit the application, draft COLB and supporting documents for registration to the LCRO

Step 2: LCRO shall review the Draft COLB submitted application and documents as to completeness, consistency, and accuracy. Prepare 4 copies of COLB

Step 3: LCRO to enter the registration in the Registry Book of Live Births of Person with No Known Parent/s

Step 4: LCRO to provide copies of COLB with Registry No. to: i.) registrant, ii) document owner, iii) OCRG within 5 days from entry in registry book (LCRO to keep the 4th copy)

Required Documents:

1. 4 copies of COLB
2. Affidavit of Finder
3. Certification from Barangay / Police Blotter, whichever is applicable
4. NACC summary case study report

Who: NACC through RACCO or other NACC social worker authorized to handle the case;
Local social welfare and development workers handling the case;
Any social worker from a licensed or accredited Child Caring Agencies (CCA)/Child Placing Agencies (CPA) having custody of the child; and Safe haven provider

Where: LCRO where the child was found

When: within 30 days from issuance of NACC report



Unregistered COLBs of persons with no known parents

ADULT

FOUND IN PH

Step 1: Adult Foundling to fill out and submit the application and supporting documents for registration to the LCRO

Step 2: LCRO shall review the Draft COLB submitted application and documents as to completeness, consistency, and accuracy. Prepare 4 copies of COLB

Step 3: LCRO to enter the registration in the Registry Book of Live Births of Person with No Known Parent/s

Step 4: LCRO to provide copies of COLB with Registry No. to: i.) registrant, ii) document owner, iii) OCRG within 5 days from entry in registry book (LCRO to keep the 4th copy)

Required Documents:

1. 4 copies of COLB
2. Affidavit of Finder
3. LSWDO summary case study report on the foundling's background, including the estimated age of the foundling, and qualifications as a foundling under the Act

Who: Adult foundling

Where: LCRO where the child was found

When: within 30 days from issuance of LSWDO report





Unregistered COLBs of persons with no known parents

INFANT/CHILD/ADULT

FOUND IN EMBASSY

Step 1: Registrant to submit application, draft COLB, and supporting documents to PFSP

Step 2: PFSP to review the Draft COLB submitted application and documents as to completeness, consistency, and accuracy. Prepare 4 copies of COLB

Step 3: PFSP to enter the registration in the Registry Book of Live Births of Person with No Known Parent/s

Step 4: PFSP to provide copies of COLB with Registry No. to: i.) registrant, ii) document owner, iii) OCRG within 5 days from entry in registry book (PFSP to keep the 4th copy)

Required Documents:

1. 4 copies of COLB
2. Affidavit of Finder
3. Philippine Consulate/Embassy or Office summary case study report

Who: Authorized personnel/official from the Department of Foreign Affairs or PFSPs

Where: PFSP where the child was found

When: within 30 days from issuance of Philippine Consulate/Embassy or Office Case Study Report



Registered COF on or before MC 2021-24 (Conversion of COF to COLB)

Step 1: Applicant for conversion to submit application and supporting documents to LCRO/PFSP

Step 2: LCRO/PFSP to review the submitted application and documents as to completeness, consistency, and accuracy. Prepare 3 copies of COLB. Registry Number shall be the same as the COF.

Step 3: LCRO/PFSP to provide copies of COLB with Registry No. to: i) document owner, ii) OCRG within 5 days from entry in registry book (LCRO/PFSP to keep the 3rd copy)

Required Documents:

1. 3 copies of COLB
2. Certified Copy of the COF
3. Certification from NACC or confirmation from PSA that the person applying for the conversion has not been legally adopted, whichever is applicable

Who: NACC thru RACCO or LSWDO, Adult or authorized representative

Where: LCRO or PFSP where the child was registered

***** Migrant Application is allowed**





Revocation of COF and COLB of persons with no known parents

Grounds:

The parentage of the foundling has been established

Fraud to conceal the material facts of birth or parentage of the person that would otherwise not render the person as a foundling

Step 1: Petitioner for revocation to submit petition and supporting documents to LCRO/PFSP

Step 2: LCRO/PFSP to review the submitted application and documents as to completeness, consistency, and accuracy.

Step 3: LCRO/PFSP to post the petition for revocation for 10 days

Step 4: LCRO/PFSP to approve or deny petition

Step 5: Notify petitioner within 15 days cc NACC

Step 6: If petition is approved, stamp COLB as “CANCELLED”

Step 7: If there is no COLB registered, register the person thru delayed registration, otherwise original COLB shall be resurrected

Required Documents:

1. Verified Petition for Revocation of Issued Certificate of Live Birth.
2. Affidavit of the Petitioner establishing the fact and the grounds relied upon.
3. NACC Case study report establishing the parentage of the person with no known parent/s, if available;
4. Barangay and Police certification/blotter reports, if available
5. Such other documentary evidence that may prove the allegations set forth in the petition.

Who: Biological parents, NACC thru RACCO, safe haven provider

Where: LCRO or PFSP where the child was registered





Processing in the PSA

Registration of COLB and Conversion of COF to COLB

- Step 1:** LCRO to submit COLB to PSA Provincial Office thru Vital Events Information (VEI)
- Step 2:** VEI to encode the information in the COLB
- Step 3:** VEI to transmit the COLB to OCRG
- Step 4:** OCRG to verify documents as to authenticity, accuracy, and completeness of submitted documents
- Step 5:** If documents are OK, OCRG to digitize and upload COLB in the Civil Registration Production Database

Revocation of COLB

- Step 1:** LCRO to submit Final Decision of Revocation and supporting documents to PSA
- Step 2:** PSA shall reinstate original COLB, if available, otherwise, wait for the COLB registered under delayed registration



Thank you!



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