



IMPLEMENTING RULES AND REGULATIONS (IRR) OF RA 11909 PERMANENT VALIDITY OF THE CERTIFICATES OF LIVE BIRTH, DEATH AND MARRIAGE ACT

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



WHAT IS REPUBLIC ACT NO. 11909?

Republic Act 11909, otherwise known as the “Permanent Validity of the Certificates of Live Birth, Death, and Marriage Act”, is the law establishing the permanent validity of certificates of live birth, death, and marriage, including reports of birth, death and marriage, collectively referred herein as civil registry documents.

This Act lapsed into law on 28 July 2022.





WHAT ARE THE SALIENT FEATURES OF THE IRR OF R.A 11909?

- Permanent validity of Certificates of Live Birth, Death, and Marriage, as well as Reports of Birth Death and Marriage;
- Prohibition on requiring the submission of another or newer copy of CRDs;
- Instances when end-users may require the submission of a new, updated or amended copy of the CRDs;
- Security features of CRDs;
- Submission of other supporting documents to establish the identity of applicants;
- Right of document owner/s to request for the issuance of his/her CRD;
- Rules on the issuance of CRDs in case of multiple registration;
- Virtual Viewing Facility; and
- Transitory provision.





CIVIL REGISTRY DOCUMENTS COVERED BY THE IRR

Rule 2 of the IRR:

1. Certificates of live birth, death, and marriage;
2. Transcriptions from the registry books of birth, death, and marriage, in case the original or duplicate copy is no longer available in the LCRO or when the original/duplicate copy contains blurred or unreadable entries;
3. Certificate of Foundling/Certificate of Live Birth of Persons with No Known Parent/s;
4. Report of birth, death and marriage registered and issued by the PFSPs and transmitted to the PSA; and
5. Certificate of Muslim Marriages.





WHAT IS PERMANENT VALIDITY?

“**Permanent Validity**” pertains to the mandatory acceptability of certificates of live birth, death and marriage **ISSUED, SIGNED, CERTIFIED** or **AUTHENTICATED (ISCA)** by *(Rule 3 (k) of the IRR)*:

1. The PSA and its predecessor, the NSO; and
2. Local Civil Registrars (LCRs) (which includes Shari’a District and Circuit Registrars).

PROVIDED, that:



WHAT IS PERMANENT VALIDITY?

The civil registry document remains (IRVAS):

I – intact;

R – readable; and

V – visibly contains the:

A – authenticity and

S – security features. (*Rule 9 (a), IRR of R.A 11909*)





WHAT IS PERMANENT VALIDITY?

Consequently, such civil registry documents must be recognized and accepted in all government or private transactions or services requiring the submission thereof, as proof of identity or legal status of a person.

NOTE: The above rule likewise applies, to reports of births, deaths, and marriages, registered and issued by the Philippine Foreign Service Posts (PFSPs) and transmitted to the PSA.



PROHIBITION ON REQUIRING THE SUBMISSION OF ANOTHER OR NEWER COPIES OF CRDs

What happens if the end-user to whom a valid certificate has been submitted requires the submission of another or newer copies of the certificates?

ANSWER: The end-user may be held liable for violation of Section 5 of R.A 11909, as implemented by Rule 6 of the IRR.

Rule 6, prohibits the end-users (*whether government agencies or private entities*), from requiring the submission of another or newer copies of civil registry documents, when a valid certificate can already be presented.





PROHIBITION ON REQUIRING THE SUBMISSION OF ANOTHER OR NEWER COPIES OF CRDS

WHAT IS THE PENALTY FOR VIOLATION OF THE LAW?

ANSWER: Rule 13 of the IRR, provides for the penalty of imprisonment of one (1) month and 1 day to six (6) months or a fine of not less than Five thousand pesos (P5,000.00) but not more than Ten thousand pesos (P10,000.00), or both, at the discretion of the court.



PROHIBITION ON REQUIRING THE SUBMISSION OF ANOTHER OR NEWER COPIES OF CRDS

WHAT IS THE PENALTY FOR VIOLATION OF THE LAW?

ANSWER: If the violation is committed by:

- i. Public official or employee
 - in addition to the abovementioned penalty, an accessory penalty of temporary disqualification to hold public office shall likewise be imposed.





PROHIBITION ON REQUIRING THE SUBMISSION OF ANOTHER OR NEWER COPIES OF CRDS

Is the prohibition absolute?

Answer: No!

General Rule: The prohibition applies only when the conditions/requirements for the permanent validity of civil registry documents are present.

Exception: Even when CRDs is **ISCA** by the the PSA, NSO, LCROs, PFSPs, etc., and remains **IRVAS**, the end-user may still require the submission of another or newer copies of the certificates without violating Section 5 of R.A 11909, when:



PROHIBITION ON REQUIRING THE SUBMISSION OF ANOTHER OR NEWER COPIES OF CRDS

1. The CRD needs to undergo or has undergone administrative correction pursuant to, R.A 9048, as amended by R.A 10172, R.A 9858, and R.A 9255 (*Rule 6 (e) of the IRR*);
2. The CRD has undergone administrative corrections pursuant to other existing civil registration laws, rules, and regulations (*Rule 6 (l) of the IRR*).
3. CRDs that need to undergo or have undergone judicial corrections (*Rule 6 (d) of the IRR*).

Reason for the exception: Under Section 3 of R.A 11909, the permanent validity





PROHIBITION ON REQUIRING THE SUBMISSION OF ANOTHER OR NEWER COPIES OF CRDS

established under the law, shall be without prejudice to an administrative or judicial correction that may be conducted pursuant to the above-mentioned laws or in accordance with other existing laws, rules and regulations, and judicial decrees. And when an administrative correction or judicial decree has been approved, the concerned person shall thus submit the **new, amended, or updated certificate**.

Other Exceptions:

- i. When the document, upon verification appears not to be authentic;
- ii. The security features of the documents are no longer visible;
- iii. CRDs which are unreadable or the texts on the certificates appear illegible;





PROHIBITION ON REQUIRING THE SUBMISSION OF ANOTHER OR NEWER COPIES OF CRDS

Other exceptions:

- iv. Administrative and Judicial Adoption pursuant to R.A 8043, R.A 8522, R.A 11222, and R.A 11642;
- v. Certified copies of registered Legal Instruments (i.e., Naturalization, and Election of Philippine Citizenship);
- vi. Dissolution and Revocation of Dissolution of Marriages under the customs and traditions of the indigenous people and protected under R.A 8371;
- vii. Divorces, and Revocation of Divorces under Presidential Decree 1083;
- viii. CRDs to be used abroad requiring the issuance of Apostille;





PROHIBITION ON REQUIRING THE SUBMISSION OF ANOTHER OR NEWER COPIES OF CRDS

Other exceptions:

ix. CRDs compliant with the requirements of R.A 8239 to establish identity and citizenship, and to meet International Civil Aviation Organization standards pertaining to security, integrity, and satisfactory level of confidence in the reliability of travel documents;



SECURITY FEATURES OF CIVIL REGISTRY DOCUMENTS

What are security features under the IRR?

Answer: These are features used to validate the authenticity of civil registry documents such as: Birth Reference Number/Marriage Reference Number/Death Reference Number, Signature of the authorized official, Barcode/Barcode data, Security Paper Serial Number, Quick Response (QR) Code and such other security features as may be developed in the future. (*Rule 3(m) of IRR of RA 11909*)

NOTE: These security features are currently available only to CRDs issued by the PSA.



SECURITY FEATURES OF CRDs

Rule 12 (a), states that each copy of the certificates of live birth, marriage, and death and other certificates printed on security paper issued by the PSA shall contain security features to ensure that the document is a genuine and authentic copy thereof.

How about the CRDs issued by the LCRs and Shari'a Circuit/District Registrars, will it contain a security feature?

Answer: Yes, the PSA will issue guidelines on the standard implementation of security features in consultation with the Philippine Association of Civil Registrars, Shari'a Circuit/District Registrars, and the DICT (*Rule 12(b) of the IRR*).





SUBMISSION OF OTHER SUPPORTING DOCUMENTS

Can end-users require the submission of other supporting documents even if a valid CRD has already been presented?

ANSWER: Yes. What is prohibited under the law is to require the applicant/document owner who already submitted a permanently valid document to submit another or newer copies of the CRD.

Under Rule 7 of the IRR, the submission of a PSA-authenticated birth certificate shall be without prejudice to the submission of other supporting documents that the end-user agency, company, or entity may use in determining the identity of applicants, particularly those classified as special cases, such as dual/multiple citizenship or needing further citizenship verification, persons with dissolved marriages, and those with late registered certificates of live birth or persons with discrepant entries on documents.



ISSUANCE OF CRDs IN CASE OF MULTIPLE REGISTRATION

What CRD must be issued in case of multiple registration?

ANSWER:

For births and death, the first registration shall be issued, unless there is a court order to the contrary.

For multiple marriages involving the same parties, the certificate of marriage pertaining to the first celebrated marriage shall be issued.

For multiple marriages involving different parties, the marriage certificate being requested by the document owner/s should be issued.



ISSUANCE OF CRDs

Regardless of the permanent validity herein established, the document owner or his/her authorized representative, may request for a copy of his/her civil registry documents in such number of copies or as often as necessary upon payment of the fees as prescribed by the PSA, the LCRs, and PFSPs.

General Rule: Issuance of CRDs are subject to the prescribed fees.

Exception: The issuance of CRDs shall be free of charge upon presentation of any of the following certificates:

- Certificate of Indigency issued by DSWD;
- Certificate of Indigency issued by LGU, subject to verification process;
- Certificate of 4Ps issued by DSWD.





ISSUANCE OF CIVIL REGISTRY DOCUMENTS

Provided, that the Certificate of Indigency shall be based on the DSWD *Listahanan*.

The CRG shall issue guidelines in the implementation of issuance of CRDs for indigents in coordination with DSWD.



VIRTUAL VIEWING FACILITY

Section 7 of the law, mandates the establishment of a Virtual Viewing Facility (VVF) to be developed by the PSA in coordination with DICT.

What is a VVF?

VVF refers to a facility developed by PSA in coordination with DICT to verify the authenticity of the CRDs (*Rule 3 (o) of the IRR*).

Where may the VVF be accessed?

The VVF shall be established at the LCROs and PFSPs and shall be accessible therein.





VIRTUAL VIEWING FACILITY

Access to the Virtual Viewing Facility vs. Data Privacy Act

The facility shall incorporate such controls and safeguards as are appropriate and necessary, to ensure that only authorized personnel have access to the facility, and the confidentiality of the information is protected at all times, in accordance with the relevant provisions of Presidential Decree No. 603, or “The Child and Youth Welfare Code” as amended, and Republic Act No. 10173, or the “Data Privacy Act of 2012”.





TRANSITORY PROVISIONS

What may be used to implement R.A 11909, pending the development of the Civil Registry Database and the VVF?

ANSWER: All existing facilities and databases maintained by the PSA, LCROs, Shari'a Circuit/District Registrars, and PFSPs shall be utilized for the implementation and operationalization of R.A 11909, pending the development and/or updating of newer facilities and databases.





TRANSITORY PROVISIONS

Is the permanent validity established under the law applicable to CRDs issued, signed, certified and authenticated before its effectivity?

ANSWER: Yes, provided that, the same remain intact, readable, and still visibly contains the authenticity and security features (*Rule 14 of the IRR*).





TRANSITORY PROVISIONS

What can the end-users use to validate the authenticity of CRDs issued by the LCROs and PFSPs pending the development of the VVF?

ANSWER: The end-user may conduct verification and authentication of the documents with the PSA for those CRDs issued by the LCROs, Shari'a Circuit/District Registrars, and PFSPs, while the facilities and databases intended to implement RA 11909 is not yet available.





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Thank you!



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