



REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY

Reference No. 22CRS00-11-6118

MEMORANDUM CIRCULAR NO. 2019-15A

TO : ALL PSA OFFICIALS AND EMPLOYEES,
CITY/MUNICIPAL CIVIL REGISTRARS,
PHILIPPINE FOREIGN SERVICE POST OFFICIALS
AND STAFF, BREQS PARTNERS/USERS AND
INSTITUTIONS, AND SHARI'A CIRCUIT/DISTRICT
REGISTRARS

SUBJECT : Amendment to Memorandum Circular No. 2019-15
dated 11 June 2019 regarding the Guidelines on the
Issuance of the Civil Registry Documents (CRDs)/
Certifications including Authentication

DATE : 29 November 2022

Aligned with the policy of the Philippine Government to protect the fundamental right of every individual to privacy pursuant to Republic Act (RA) No. 10173, otherwise known as the "Data Privacy Act (DPA) of 2012," Philippine Statistics Authority (PSA) issued Memorandum Circular (MC) No. 2019-15 providing the guidelines for the issuance of Civil Registry Documents (CRDs) such as Certificate of Live Birth (COLB), Certificate of Death/Certificate of No Death (CENODEATH), Certificate of Marriage (COM) and Certificate of No Marriage (CENOMAR)/Advisory on Marriage from the PSA Archive/Civil Registry System Database including the authentication of the aforementioned CRDs.

In order to keep updated with the recent National Privacy Commission (NPC) Advisory Opinions, this MC provides for the updated guidelines that should be strictly observed and immediately enforced.

I. Definition of Terms. For purposes of standard and uniform interpretation, below are the operational definition of terms used in this Circular.



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- a) Affidavit of Guardianship is a duly notarized written sworn statement of facts voluntarily made by the person stating that he/she is the guardian of a child.
- b) Affidavit of Kinship is a duly notarized written sworn statement of facts voluntarily made by the person stating that he/she is the nearest surviving kin of the document owner.
- c) Child refers to any person below 18 years of age or older who is unable to fully take care of himself/herself from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition.
- d) Child-caring agency refers to a duly licensed and accredited agency by the Department of Social Welfare and Development (DSWD) that provides 24-hour residential care services for abandoned, orphaned, neglected, or voluntarily and involuntarily committed children.¹
- e) Child-placing agency refers to a private non-profit or charitable or government agency duly licensed and accredited agency by the DSWD to provide comprehensive child welfare services including receiving and processing of petitions, for adoption and foster care, evaluating the prospective adoptive parents (PAPs) or foster parents, preparing the child case study report and home study report.²
- f) Direct Descendant refers to the descending direct line³ as defined in Article 965 of the Civil Code of the Philippines.
- g) 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 take place in his lifetime are recorded in the CRD or written in the Certification.
- h) 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. For purposes of requests for copy issuance of CRDs of a child, authorized representatives shall include

¹ Section 4(k) of Republic Act (RA) No. 11642 or the "Domestic Administrative Adoption and Alternative Child Care Act"

² Section 4(m) of RA 11642

³ Article 965. The direct line is either descending or ascending. The former unites the head of the family with those who descend from him. The latter binds a person with those from whom he descends.

those persons designated by the legal guardian or those exercising substitute parental authority.

i) Legal Guardian is the judicially appointed person who shall have the care and custody of the person of his ward, and the management of his property or estate.

j) Executor refers to persons named in a will as the person who will carry out the testator's formal wishes.

k) Substitute parental authority is given, in default of parents or a judicially appointed guardian, to the following in the order indicated:

- i. The surviving grandparent (Art. 214)
- ii. The oldest brother or sister, over twenty-one years of age, unless unfit or disqualified; and
- iii. The child's actual custodian, over twenty-one years of age, unless unfit or disqualified.

l) Nearest of kin or "next of kin" is the closest surviving relative of the document owner. When the law speaks of "next of kin", the reference is to those who are entitled, under the statute of distribution, to the decedent's property, one whose relationship is such that he is entitled to share in the estate as distributed, in short, an heir.⁴

m) Special Power of Attorney (SPA) is a written sworn statement of facts voluntarily executed by the document owner or the legal guardian that grants the attorney-in-fact the authority to act on behalf of the principal under a certain specified task.

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

o) Spouse is the legal partner of the document owner contracted through a valid marriage.

p) Valid Identification (ID) is any acceptable proof of a person's identity issued by a government authority.

⁴ G.R. No. 153798 September 2, 2005

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

Civil registry documents contain personal and sensitive personal information protected under RA 10173 or the DPA. However, processing of personal and sensitive personal information is allowed in accordance with Sections 12 and 13 of the DPA.

III. Basic requirements for the issuance of Civil Registry Documents/Certifications from the PSA including Authentication

A. For document owners

- i. Presentation of a valid ID card of the document owner pursuant to PSA MC Nos. 2019-16 and 2019-16A.

B. If the requesting party is a duly authorized representative, the following should be presented and submitted prior to the release of the requested document.

1. Original or photocopy of the valid ID of the document owner and the duly authorized representative must be presented, and a photocopy shall be kept for filing.
2. Authorization Letter/SPA executed by the document owner. The photocopy of the authorization letter/SPA must be submitted prior to the release of the requested CRD and must be kept for filing provided that the authorized representative is able to provide the specific details required in the application form. Otherwise, the request will not be granted.

C. Contents of the Authorization Letter/Special Power of Attorney (SPA)

1. The authorization letter/SPA **issued by the document owner**, or legal guardian shall specifically state that its purpose is to secure civil registry documents from PSA. **A general statement as to the purpose will not be accepted.**
2. The authorization letter/SPA shall also indicate the type of civil registry document requested. However, the authorized representative

must be able to provide the specific details required in the application form. Otherwise, the request will not be granted.

3. Authorization letters can be typewritten or handwritten in a clean sheet of paper and should bear the signature of the document owner. The full name and signature appearing in the authorization letter must be identical to the valid ID of the document owner except for the Philippine Identification (PhilID) card/ePhilID which can be authenticated by the Civil Registry System Outlets using PhilSys Use-Case app.

4. SPA must be notarized.

5. Multi-purpose SPA can be accepted provided that the intent to secure the specific CRD/Certification from the PSA is specifically indicated.

Captured/scanned image of the actual SPA from the document owner with signature that matches the accompanying valid ID is allowed.

Authorization Letter from the document owner sent through email and other instant messaging applications is acceptable provided that the full name and signature appearing in the authorization letter must be identical to the valid ID of the document owner and the authorized person.

For scanned Authorization Letters/SPA submitted for requests for copy issuances of CRDs/Certifications, the pertinent provisions of RA 8792 or the Electronic Commerce Act of 2000 shall be applied.

The Releasing Officer shall maintain a file of Authorization Letters/SPAs and photocopies of the valid IDs submitted for reference.

IV. Who may be allowed to Request for a Copy Issuance of Civil Registry Documents/Certifications from the PSA other than the Document Owner

Requests for copy issuance of CRDs from persons other than the document owners shall be subject to the pertinent provisions of the DPA, specifically Sections 12 and 13, its Implementing Rules and Regulations (IRR) and other related laws.

V. Guidelines in cases where the Document Owner is alive and of legal age. The following shall be allowed to request for copy issuance of CRDs:

1. Certificate of Live Birth

- a. The document owner himself/herself, or any person authorized by him/her;
- b. His/her spouse, his parent or parents, his direct descendants, or the guardian or institution legally in charge of him if he is a child; and
- c. The court or proper public official whenever necessary in administrative, judicial, or other official proceedings to determine the identity of the child's parents or other circumstances surrounding his birth.

2. Certificate of Marriage/Certificate on No Marriage/Advisory on Marriage

- a. The document owner himself/herself, or any person authorized by him/her;
- b. His/her spouse for COM;
- c. The guardian to his/her ward; and
- d. The court or proper public official whenever necessary in administrative, judicial or other official proceedings for the protection of lawful rights and interests of natural or legal persons in court proceedings, or the establishment, exercise or defense of legal claims, or when provided to government or public authority.

VI. Guidelines in cases where the COLB and COD requested belongs to a Minor Child. Article 7 of Presidential Decree No. 603 or the Child and Youth Welfare Code shall be applied to wit:

The record of birth and death of a minor child shall be kept strictly confidential and no information relating thereto shall be issued except on the request of any of the following:

1. His/her parent or parents. In the absence of the parents, the guardian or institution legally in charge of him/her.
2. In case the child is a non-marital unacknowledged child, only the mother can request for the COLB/COD.

3. In case the child is a non-marital acknowledged child, the Father can also request for the copy issuance of the COLB/COD provided that the name of the Father appears in the COLB/COD.
4. The court or proper public official whenever necessary in administrative, judicial, or other official proceedings to determine the identity of the child's parents or other circumstances surrounding his birth; and
5. In case of the minor's death, the nearest of kin.

Request for CRDs from requesters claiming to be nearest of kin of the deceased minor child may only be accepted provided that the requester executes and submits a duly notarized Affidavit of Kinship stating therein that he/she is the closest surviving relative.

VII. Guidelines in cases where the document owner whose document is requested is already dead. In cases where the document owner of the CRD is already dead, Section 17 of the DPA⁵ shall apply.

Any of the following shall be allowed to request for civil registry documents of deceased document owners pursuant to the pertinent provisions of the Civil Code on Succession.

1. Certificate of Live Birth

The persons shall be allowed to request for COLB in the following order of preference.

- a. Legal Spouse, marital children and non-marital children;
- b. In default of legitimate children and descendants of the deceased, his parents, and ascendants may request for the COLB, to the exclusion of collateral relatives;
- c. In default of A and B, brothers and sisters; and
- d. Other collateral relatives up to the fifth degree of consanguinity.

In case of COLB of deceased senior citizen, nearest of kin shall refer to the legal spouse who survives the deceased senior citizen. Where no spouse survives the decedent, this shall be limited to relatives in the following order of degree of kinship: children, parents, siblings,

⁵ SEC. 17. *Transmissibility of Rights of the Data Subject.* – The lawful heirs and assigns of the data subject may invoke the rights of the data subject for, which he or she is an heir or assignee at any time after the death of the data subject or when the data subject is incapacitated or incapable of exercising the rights as enumerated in the immediately preceding section.

grandparents, grandchildren, uncles, and aunts pursuant to RA 9994 or the Expanded Senior Citizen Act of 2010.

2. Certificate of Marriage/Certificate of No Marriage/Advisory on Marriage

The persons shall be allowed to request for COM/CENOMAR/Advisory on Marriage in the following order of preference:

- a. Legal Spouse, marital children;
- b. In default of legitimate children and descendants of the deceased, his parents and ascendants may request for the COM/CENOMAR/Advisory on Marriage, to the exclusion of collateral relatives;
- c. In default of A and B, brothers and sisters; and
- d. Other collateral relatives up to the fifth degree of consanguinity.

3. Certificate of Death/Certificate of No Death

The persons shall be allowed to request for COD/CENODEATH in the following order of preference.

- a. Legal Spouse, marital children, non-marital acknowledged children
- b. In default of legitimate children and descendants of the deceased, his parents and ascendants may request for the COLB, to the exclusion of collateral relatives;
- c. In default of A and B, brothers and sisters; and
- d. Other collateral relatives up to the fifth degree of consanguinity.

VIII. Guidelines in cases where the requester is a law firm. In cases where requests for CRDs originate from law firms. Sections 12 and 13 of the DPA shall be applied. The following guidelines must be followed:

- a. SPA of the document owner must be presented prior to the release of the request;
- b. Should the document owner be deceased, the provisions in Part III.C of this Circular shall be applied when applicable;
- c. Should 13(f) of the DPA be invoked or the legitimate purpose for the request be for the establishment of legal claims, a certification

- shall be issued either confirming or denying the birth, marriage, or death of the document owner⁶;and
- d. Should the issued certification not be enough, a court order should be secured prior to the release of the requested civil registry document.

In all requests for CRDs, the principles of legitimate purpose, proportionality, and transparency must always be upheld.

IX. Guidelines in cases where the requester is a government agency

1. Requester is an agency with investigative powers and subpoena powers.

The legitimate purpose including a determination of what the extent of processing must be clearly stated in the letter request. If none is stated, a certification should be issued either confirming or denying the existence of birth, marriage, or death of the document owner. The request for CRD shall be held in abeyance pending determination of the legitimate purpose and proportionality of the request from the government agency.

However, should a subpoena be duly issued by the public authority, the requested CRDs shall be issued in compliance thereof. Provided that, for purposes of issuing a copy of the CRD a subpoena duces tecum shall not be necessary provided that the conditions in the preceding paragraph is complied.

2. Requester is from independent, central monetary authority and law enforcement and regulatory agencies of their constitutionally and statutorily mandated functions pursuant to Section 4 of the DPA and Sec.5 of its Implementing Rules and Regulations.

Request of CRDs under this Section must be accompanied by a letter. The letter request must specify the purpose for the processing of information which must be in accordance with its constitutional or statutory mandate. If none is stated, a certification should be issued either confirming or denying the existence of marriage or death of the document owner. The request for CRD shall be denied pending determination of the purpose for

⁶ NPC Opinion No. 2022-020

the processing of information which must be in accordance with its constitutional or statutory mandate.

3. Request of CRDs from head of agencies, oversight committees, House of Representatives, Senate, and other government officials shall be approved by the National Statistician and Civil Registrar General.

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

ALL PREVIOUS PSA ISSUANCES INCONSISTENT WITH THIS MEMORANDUM CIRCULAR ARE HEREBY AMENDED AND SUPERSEDED. THIS MEMORANDUM CIRCULAR IS TO TAKE EFFECT IMMEDIATELY UNLESS REVOKED OR SOONER MODIFIED.

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Undersecretary

National Statistician and Civil Registrar General

MBG/EPA