



REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY

Ref. No. 21CRS00-10-3123

MEMORANDUM CIRCULAR NO. 2021-24

TO : ALL CITY/MUNICIPAL CIVIL REGISTRARS/OFFICERS-IN-CHARGE, CONCERNED PSA OFFICIALS AND EMPLOYEES AND THE GENERAL PUBLIC

SUBJECT : Guidelines in the Registration of the Certificate of Live Birth of Persons with No Known Parent/s

DATE : 06 December 2021

As expressly provided in Section 11, Article II (Declaration of Principles and State Policies) of the 1987 Philippine Constitution, the State values the dignity of every human person and guarantees full respect for human rights. Furthermore, under Article XIII, Section 1 of the 1987 Philippine Constitution, highest priority is given to the "enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequalities...." Moreover, Article XV, Section 3 of the 1987 Philippine Constitution requires the State to defend the "right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development."

In addition, Article 24, paragraph 2 of the International Covenant on Civil and Political Rights and Article 7 of the United Nations (UN) Convention on the Rights of the Child provide that a child shall be registered immediately after birth and shall have the right from birth to a name and to acquire a nationality.

Under generally accepted principles of international law, a foundling is presumed to have been born on the territory of the State in which it was found until the contrary is proved and that a foundling is presumed born of citizens of the country where he is found.¹

The Philippine Statistics Authority (PSA) through the Civil Registrar General (CRG) is the authority having technical control and supervision on civil registration in the Philippines. Specifically, Section 11 (c) of Republic Act 10625 or the Philippine Statistical Act of 2013 provides that the National Statistician, as head of the PSA, shall provide overall direction in the implementation of the Civil Registry Law and related issuances and exercise technical supervision over the local civil registrars as Civil Registrar General.

¹ **Poe-Llamanzares vs. COMELEC**, G.R. No. 221697, G.R. No. 221698-700, 08 March 2016. Retrieved from: http://www.lawphil.net/judjuris/juri1964/dec1964/gr_20089_1964.html.



In view of the foregoing, the Office of the Civil Registrar General (OCRG) hereby promulgates the present Guidelines governing the registration of all persons with no known parent/s and renaming for this purpose the then Certificate of Foundling (OCRG Form No. 101) as the “**Certificate of Live Birth**” (COLB) revised in August 2021 to afford full protection to all persons with no known parent/s.

I. Coverage

The coverage of this Guidelines includes the registration of unregistered COLBs of all persons with no known parent/s born on or before the effectivity of this Guidelines. For Certificates of Foundling that are currently registered, separate guidelines shall be issued.

II. Definition of Terms

1. “*Person/s with No Known Parent/s*” refers to a person/s whose parentage is unknown, or whose fact/s of birth is/are unknown.
2. “*Certification Declaring a Child Legally Available for Adoption (CDCLAA)*” refers to a document issued by the Secretary of the Department of Social Welfare and Development (DSWD) or the Secretary’s duly authorized representative as provided for by Republic Act No. 9523, otherwise known as “An Act Requiring Certification of the Department of Social Welfare and Development (DSWD) to Declare a ‘Child Legally Available for Adoption’ as a Prerequisite for Adoption Proceedings, Amending for this Purpose Certain Provisions of Republic Act No. 8552, otherwise known as the Domestic Adoption Act of 1998; Republic Act No. 8043, otherwise known as the Inter-Country Adoption Act of 1995; and Presidential Decree No. 603, otherwise known as the Child and Youth Welfare Code, and for Other Purposes”, administratively declaring that a child is legally available for adoption which terminates the rights of the biological parents, guardian, or other custodian to exercise authority over the child upon issuance of the certificate.
3. “*Certificate of Live Birth*” otherwise known as OCRG Form No. 101, Revised August 2021, refers to the civil registry record of a person with no known parent/s to establish the information/facts surrounding the circumstances on how and when he/she was found for purposes of registration. A copy of this OCRG Form No. 101 is attached as **Annex “A”**.
4. “*Social Welfare and Development Office (SWDO)*” refers to the office of the city or municipality that discharges the social welfare and development programs and services devolved to such Local Government Units.
5. “*Social Case Study Report*” refers to a written report as a result of a comprehensive assessment conducted by a licensed social worker as to a person’s ethno-cultural, economic, medical, spiritual and psychosocial background, and current functioning including the facts or circumstances of abandonment or neglect. The report shall also state the efforts of the social worker to locate the person’s biological parent/s, legal guardian/s, relative/s and

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the intervention or services provided to the person's parent/s, legal guardian/s or relative/s.

III. What to Register

The Certificate of Live Birth of a person with no known parent/s shall be registered provided it is supported by a Social Case Study Report prepared by the local social welfare and development worker or any social worker from a licensed or accredited Child Caring Agencies/Child Placing Agencies (CCAs/CPAs).

IV. When to Register

The Certificate of Live Birth of a person with no known parent/s shall be registered within thirty (30) days from the issuance of the Social Case Study Report.

V. Where to Register

The Certificate of Live Birth of a person with no known parent/s must be registered at the Local Civil Registry Office (LCRO) of the city/municipality where a person with no known parent/s was found as stated in Social Case Study Report.

VI. Who shall Register

The Certificate of Live Birth of a person with no known parent/s can only be registered by any of the following registrants:

- a. DSWD social workers;
- b. Local social welfare and development workers; and
- c. Any social worker from a licensed or accredited CCA/CPA.

VII. Requirements for Registration of the Certificate of Live Birth of a Person with No Known Parent/s

The LCRO shall register the Certificate of Live Birth of a person with no known parent/s upon submission of the following requirements:

- a. Four (4) copies of the correctly and completely accomplished Certificate of Live Birth
- b. Original or certified true copy of the Social Case Study Report
- c. Certification Declaring a Child Legally Available for Adoption (CDCLAA) in case the person with no known parent/s is subject for adoption



VIII. Submission of the Required Documents to PSA

- a. It shall be the duty of the registrant to prepare the initial draft of the Certificate of Live Birth using the facts and circumstances contained in Social Case Study Report.
- b. The local civil registrar shall finalize the Certificate of Live Birth based on the initial draft of the Certificate of Live Birth prepared by the registrant.
- c. Once the Certificate of Live Birth is finalized, the local civil registrar shall prepare four (4) copies of the Certificate of Live Birth.
- d. Thereafter, the local civil registrar shall cause the registration in the Registry Book of Live Births the Certificate of Live Birth of a person with no known parent/s.
- e. Within five (5) days from the registration in the Registry Book of Live Births of the Certificate of Live Birth of a person with no known parent/s, the local civil registrar shall distribute copies of the Certificate of Live Birth bearing the civil registry number as follows:
 1. The first copy shall be given to the registrant.
 2. The second copy shall be given to the document owner.
 3. The third copy together with a copy of the Social Case Study Report shall be forwarded to the PSA-OCRG.
 4. The fourth copy shall be retained by the LCRO for safekeeping.
- f. The PSA-OCRG, upon receipt of all the required documents, shall verify the authenticity, accuracy and completeness of the documents.
- g. Thereafter, the PSA-OCRG shall either upload the Certificate of Live Birth in the Civil Registration Service database or, if applicable, provide feedback to the LCRO, the registrant and document owner.

This Memorandum Circular shall take effect immediately.

CLAIRE DENNIS S. MAPA, Ph.D.

Undersecretary

National Statistician and Civil Registrar General

DNSLM/EPA/MBG/ECQ/BLM/RDF

Attachment.

1. *Certificate of Live Birth (Revised August 2021)*