



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



# UPDATES ON THE IMPLEMENTATION OF REPUBLIC ACT NO. 9048 AND REPUBLIC ACT NO. 10172

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Attorney IV  
Philippine Statistics Authority

Bacolod - SMX Convention Center, Bacolod City, Negros Occidental  
09:00 AM, 28 September 2023





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



# STATUS OF IMPLEMENTATION OF ADMINISTRATIVE PETITION FOR CORRECTION





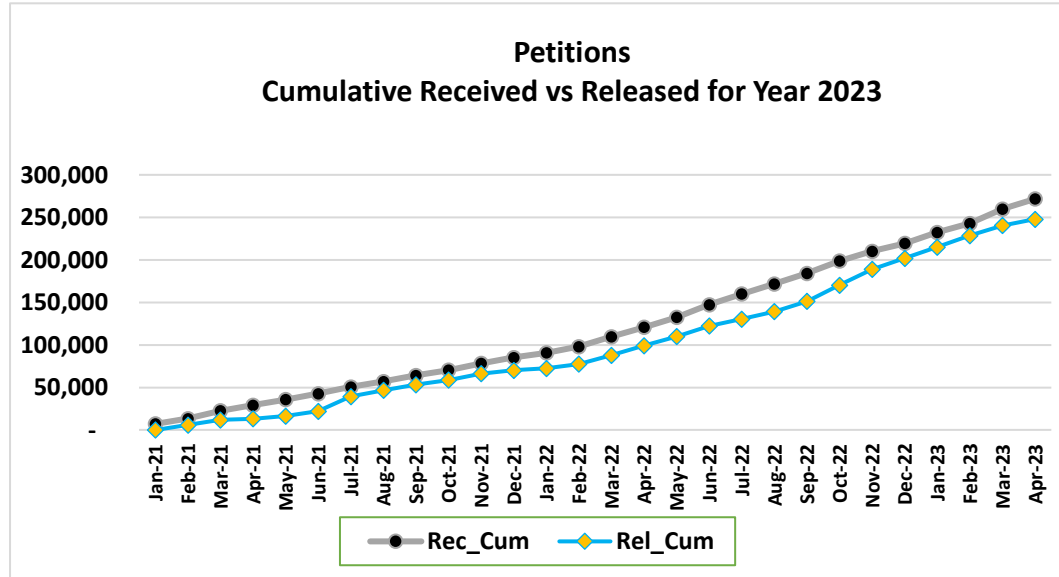
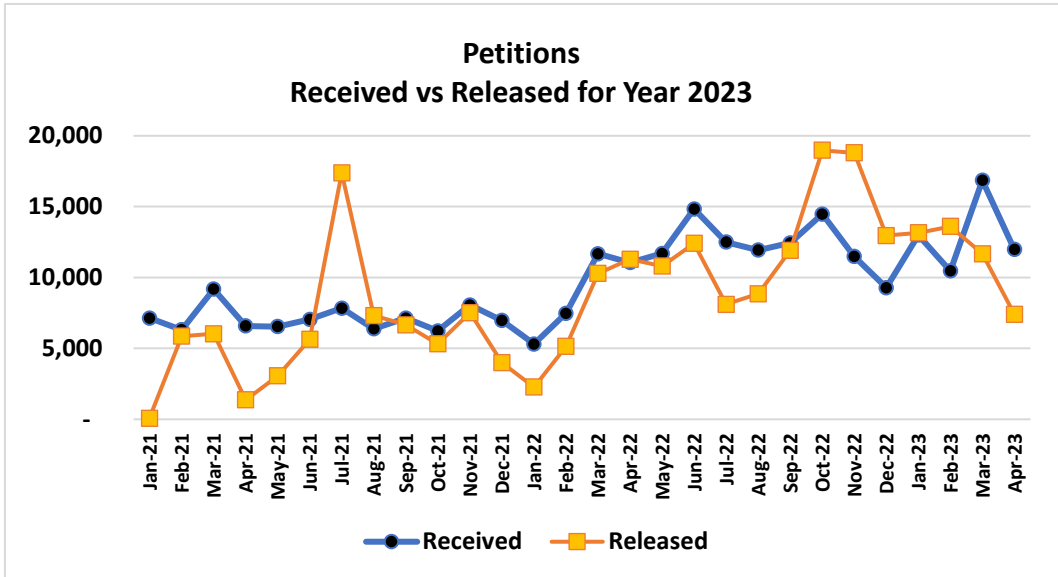
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## Number of Petitions Received and Released (January 2022 – June 2023)

	Received	Released	Received Cumulative	Released Cumulative
Jan-22	5,304	2,275	90,675	72,461
Feb-22	7,471	5,137	98,146	77,598
Mar-22	11,673	10,276	109,819	87,874
Apr-22	11,054	11,291	120,873	99,165
May-22	11,692	10,801	132,565	109,966
Jun-22	14,824	12,400	147,389	122,366
Jul-22	12,492	8,102	159,881	130,468
Aug-22	11,934	8,854	171,815	139,322
Sep-22	12,436	11,920	184,251	151,242
Oct-22	14,468	18,965	198,719	170,207
Nov-22	11,477	18,786	210,196	188,993
Dec-22	9,275	12,957	219,471	201,950
Jan-23	12,984	13,145	232,455	215,095
Feb-23	10,461	11,158	242,916	226,253
Mar-23	16,848	11,670	259,764	237,923
Apr-23	11,977	7,420	271,741	245,343
May-23	13,952	12,995	285,693	258,338
Jun-23	14,008	9,060	299,701	267,398





Summary	
January – June 2022	62,018
January – June 2023	80,231
Difference	18,212
Percentage Increase	29%







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Number of Petitions Processed (July – August 2023)				
	Received	Released	Received Cumulative	Released Cumulative
Jul-23	9,709	8,444	89,939	64,227
Aug-23	15,242	9,494	105,181	73,721

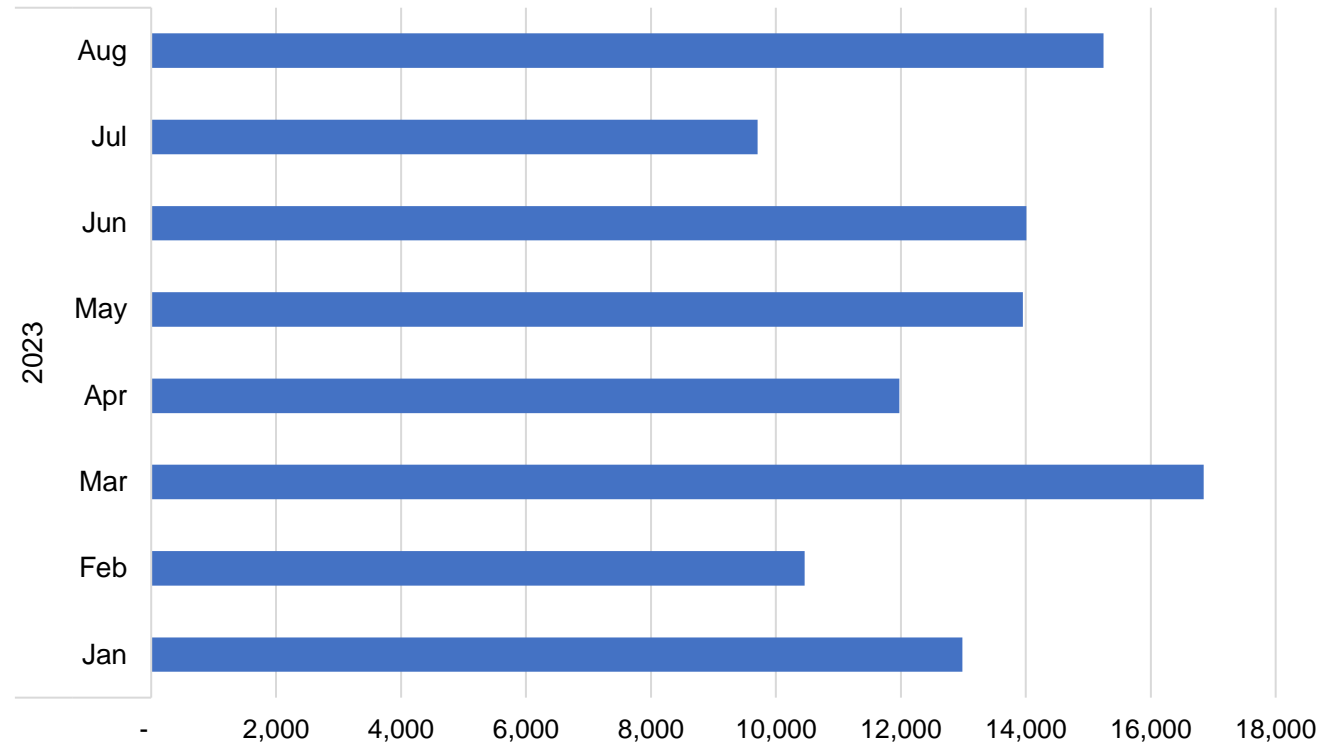




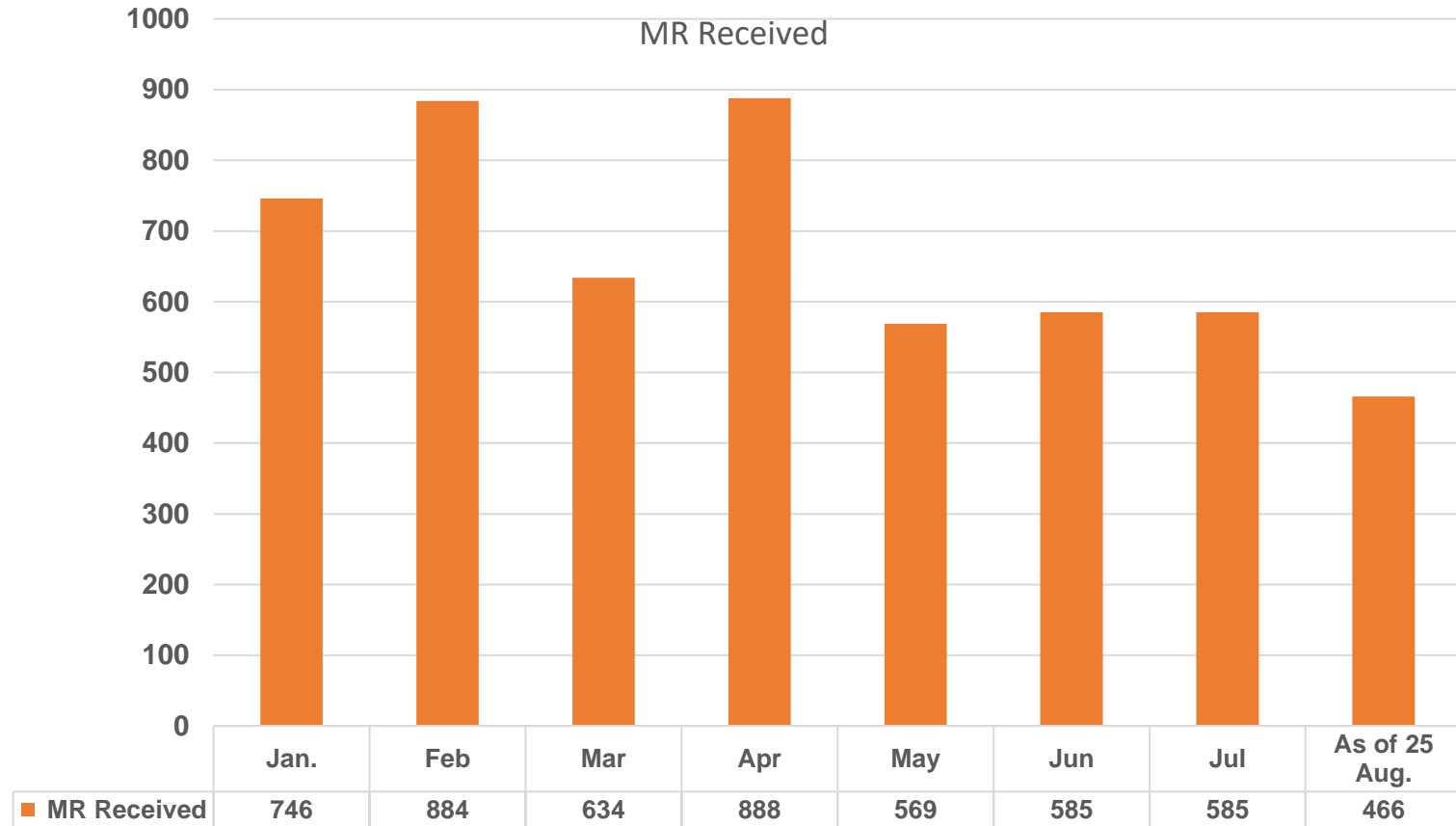
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2023	Petitions Received
Jan	12,984
Feb	10,461
Mar	16,848
Apr	11,977
May	13,952
Jun	14,008
Jul	9,709
Aug	15,242
<b>Grand Total</b>	<b>105,181</b>



## Number of Motion for Reconsideration Received for Processing (January – August 25, 2023)





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# REVISED IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 9048, AS AMENDED





## Significant Amendments/Changes to Republic Act No. 9048, As Amended

1. Entitled Republic Act No. 9048 as the “The Clerical Error Law” following the case of Bartolome v. Republic.
2. Consolidated the Implementing Rules and Regulations (IRR) of Republic Act No. 9048 and Republic Act No. 10172.
3. Included the definition of Medical Certificate which provides as follows:

**Medical Certification** – Refers to the certification issued by the accredited government physician attesting to the fact that the petitioner/document owner has not undergone sex change, sex transplant, or reassignment, or a certification providing the **finding that the petitioner/document owner is phenotypically male or female** (People of the Philippines vs Miller Unabia, G.R. No. 213346).



### Significant Amendments/Changes to Republic Act No. 9048, As Amended

4. Personal appearance is excused in the correction of sex on the basis of just and lawful cause:

In all cases, petition involving correction of clerical error in sex shall be filed personally by the document owner before the C/MCR, CG/C/VC, D/CR, **except when the document owner cannot personally appear due to minority, sickness, permanent incapacity, or other analogous circumstances.**

5. Expanded the coverage of the Migrant Petition under Republic Act No. 9048, as amended





### Significant Amendments/Changes to Republic Act No. 9048, As Amended

4. Personal appearance is excused in the correction of sex on the basis of just and lawful cause:

In all cases, petition involving correction of clerical error in sex shall be filed personally by the document owner before the C/MCR, CG/C/VC, D/CR, **except when the document owner cannot personally appear due to minority, sickness, permanent incapacity, or other analogous circumstances.**

5. Expanded the coverage of the Migrant Petition under Republic Act No. 9048, as amended:

**4.4.** Any person whose civil registry record is registered in the Philippines or whose record is reported abroad, but the petitioner/document owner is presently residing or domiciled in a foreign country, may file the administrative petition in the nearest Philippine Consulate.





### Significant Amendments/Changes to Republic Act No. 9048, As Amended

6. Provided adequate measure regarding posting and publication of administrative petition filed abroad or the record of vital event is registered thereat:

**Registered in the Philippine Consulate and Petitioner resides in the Philippines –** posting and publication is on both places.

**Residing in the Philippines or abroad and the record is registered in the Philippine Consulate –** Posting and Publication is in the place of Philippine Consulate.

**Record is registered in the Philippines and Petitioner/Document Owner resides abroad –** Posting and publication shall be made both in the Philippines and in the Philippine Consulate.







## Significant Amendments/Changes to Republic Act No. 9048, As Amended

7. Required an alternative document/s in order to effect the correction of the record of the deceased document owner:

### Section 8.2. x x x x

Provided further, in case the document owner is deceased, a clearance/certification stating that there is no pending case from the Office of the Prosecutor and Office of the Clerk of Court, where the document owner resides at the time of death, or a **certification from the National Bureau of Investigation and/or Philippine National Police**, is required. In such a case, the change of first name or nickname of a deceased document owner is allowed only if the ground for such change is section 2, paragraph 9 of Rule 5 of the revised IRR.



## Significant Amendments/Changes to Republic Act No. 9048, As Amended

### 8. Streamlined the documents required under Republic Act No. 10172:

The petition for correction of entry on the day and/or month of birth, or sex, in addition to the requirements under Section 8.1 of the revised IRR, must be supported by any of the following documents:

- (1) Earliest School Record;
- (2) Medical Records; or
- (3) Baptismal Certificate or **other equivalent document issued by the religious authority to whom the petitioner is affiliated.**

In addition to the foregoing, the petition for correction of entry involving sex must be supported also by a certification issued by an accredited government physician attesting to the fact that the petitioner has not undergone sex change or sex transplant or reassignment, or a certification providing that the document owner is phenotypically male/female.





# Significant Amendments/Changes to Republic Act No. 9048, As Amended

## 9. Adopted the Return to Sender (RTS) system in the Revised IRR:

Cause the return to the concerned C/MCR or the C/G or the D/CR the administrative petition in any of the following cases:

- a. The petition is not supported by complete documents required under Section 8 of the revised IRR.
- b. Inconsistent, improper, incorrect, illegible, or misspelled entries supplied in the petition.
- c. The petition lacks sufficiency in form.
- d. The material alteration by hand in the petition or in the C/MCR's decision lacks countersignature from the C/MCR's signature.
- e. The petition and/or C/MCR's decision bears the wrong Registry Number.
- f. The action taken by the C/MCR is inconsistent with the prayer of the petition.
- g. Lack of petitioner's signature in any of the portion of the petition or copy of the same requiring signature.





## Significant Amendments/Changes to Republic Act No. 9048, As Amended

10. Incorporated additional function/responsibility on the part of the Civil Registrar General (CRG) to utilize digital innovation that will improve the processing of administrative petition for correction:

### **Section 11. Duties and Power of the CRG: x x x x**

**Introduce digital innovation** in the effective implementation of Republic Act No. 9048, as amended, and **utilize available and appropriate technology in the processing of administrative petition.**

x x x x

The above-stated duties is without prejudice to the additional functions of the C/MCR originating from the subsequent issuance/s by the CRG allowing and **directing the use of technology in the automated processing of petition for correction pursuant to Republic Act No. 8792, otherwise known as, “The Electronic Commerce Act,”** or any other existing and applicable laws.







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# WAYS AND ACTIONS FORWARD (Implementation of Republic Act No. 9048, As Amended)



# 1. Digitization of the Processing of Administrative Petition for Correction (APCAS)

- End to end processing of administrative petition for correction is digitized.
- Real time processing.
- Convenient request and submission of additional supporting documents.
- Partners and clients have limited access over the status of their petition through the website.
- Two-approval authentications (RA Unit Supervisor and/or Director of Legal Service) in case of impugned petitions.
- Visible audit logs and provision for immediate notifications.



## 2. Conduct of Meetings with Partner Agencies

- **National Bureau of Investigation (NBI) and Philippine National Police (PNP)** – Issuance of Certification in lieu of NBI and PNP Clearance
- **Department of Foreign Affairs (DFA)** – Revision of the mode of payment in case of migrant petition abroad
- **National Commission on Indigenous Peoples (NCIP) and National Commission on Muslim Filipinos** – Issuance of a Joint Circular regarding the correction of records



# Thank you!



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