



HOUSE OF REPRESENTATIVES

H: No. 4530

BY REPRESENTATIVES GUNIGUNDO, ROMUALDO, MIRAFLORES,
ALVAREZ (M.), ESPINA, ARNAIZ, RODRIGUEZ (R.), RODRIGUEZ (M.),
TUPAS, CASIÑO AND RELAMPAGOS, PER COMMITTEE REPORT NO. 874

AN ACT FURTHER AUTHORIZING THE CITY OR MUNICIPAL CIVIL REGISTRAR OR THE CONSUL GENERAL TO CORRECT CLERICAL OR TYPOGRAPHICAL ERROR IN THE DATE OF BIRTH OR SEX OF A PERSON APPEARING IN THE CIVIL REGISTER WITHOUT NEED OF A JUDICIAL ORDER, AMENDING FOR THE PURPOSE THE PERTINENT PROVISIONS OF REPUBLIC ACT NO. 9048

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 SECTION 1. Section 1 of Republic Act No. 9048 is hereby amended to
2 read as follows:

3 “SECTION 1. *Authority to Correct Clerical or Typographical*
4 *Error and Change of First Name or Nickname.* – No entry in a
5 civil register shall be changed or corrected without a judicial order,
6 except for clerical or typographical errors WHICH INCLUDE
7 MISTAKE IN THE ENTRY IN THE DATE OF BIRTH OR THE SEX OF A
8 PERSON and change of first name or nickname which can be
9 corrected or changed by the concerned city or municipal civil
10 registrar or consul general in accordance with the provisions of this
11 Act and its implementing rules and regulations.”

1 SEC. 2. Section 2, paragraph (3) of Republic Act No. 9048 is hereby
2 amended to read as follows:

3 “SEC. 2. *Definition of Terms.* – As used in this Act, the
4 following terms shall mean:

5 “(3) ‘Clerical or typographical error’ refers to a mistake
6 committed in the performance of clerical work in writing, copying,
7 transcribing or typing an entry in the civil register that is harmless
8 and innocuous, such as misspelled name or misspelled place of
9 birth, **MISTAKE IN THE ENTRY IN THE DATE OF BIRTH OR THE SEX**
10 **OF A PERSON** or the like, which is visible to the eyes or obvious to
11 the understanding, and can be corrected or changed only by
12 reference to other existing record or records: *Provided, however,*
13 That no correction must involve the change of nationality, [age,]
14 **OR status [or sex] of the petitioner.**”

15 SEC. 3. Section 5 of Republic Act No. 9048 is hereby amended to read
16 as follows:

17 “SEC. 5. *Form and Contents of the Petition.* – The petition
18 **FOR CORRECTION OF A CLERICAL OR TYPOGRAPHICAL ERROR,**
19 **OR FOR CHANGE OF FIRST NAME OR NICKNAME, AS THE CASE**
20 **MAY BE,** shall be in the form of an affidavit, subscribed and sworn
21 to before any person authorized by law to administer oaths. The
22 affidavit shall set forth facts necessary to establish the merits of the
23 petition and shall show affirmatively that the petitioner is
24 competent to testify to the matters stated. The petitioner shall state
25 the particular erroneous entry or entries which are sought to be
26 corrected and/or the change sought to be made.

1 “The petition shall be supported with the following
2 documents:

3 “(1) A certified true machine copy of the certificate or of the
4 page of the registry book containing the entry or entries sought to
5 be corrected or changed;

6 “(2) At least two (2) public or private documents showing the
7 correct entry or entries upon which the correction or change shall
8 be based; and

9 “(3) Other documents which the petitioner or the city or
10 municipal civil registrar, or the consul general may consider
11 relevant and necessary for the approval of the petition.

12 [In case of change of first name or nickname, the petition shall
13 likewise be supported with the documents mentioned in the
14 immediately preceding paragraph.]

15 **NO PETITION FOR CORRECTION OF ERRONEOUS ENTRY**
16 **CONCERNING THE DATE OF BIRTH OR THE SEX OF A PERSON**
17 **SHALL BE ENTERTAINED EXCEPT IF THE PETITION IS**
18 **ACCOMPANIED BY EARLIEST SCHOOL RECORD OR EARLIEST**
19 **CIVIL DOCUMENTS SUCH AS, BUT NOT LIMITED TO, MEDICAL**
20 **RECORDS, BAPTISMAL CERTIFICATE AND OTHER DOCUMENTS**
21 **ISSUED BY RELIGIOUS AUTHORITIES; NOR SHALL ANY ENTRY**
22 **INVOLVING CHANGE OF GENDER CORRECTED EXCEPT IF THE**
23 **PETITION IS ACCOMPANIED BY A CERTIFICATION ISSUED BY AN**
24 **ACCREDITED GOVERNMENT PHYSICIAN ATTESTING TO THE FACT**
25 **THAT THE PETITIONER HAS NOT UNDERGONE SEX CHANGE OR**
26 **SEX TRANSPLANT.**

27 [In addition, t]The petition FOR CHANGE OF FIRST NAME OR
28 NICKNAME, OR FOR CORRECTION OF ERRONEOUS ENTRY
29 CONCERNING THE DATE OF BIRTH OR THE SEX OF A PERSON, AS
30 THE CASE MAY BE, shall be published at least once a week for

1 two (2) consecutive weeks in a newspaper of general circulation.
2 Furthermore, the petitioner shall submit a certification from the
3 appropriate law enforcement agencies that he/SHE has no pending
4 case or no criminal record.

5 "The petition and its supporting papers shall be filed in three
6 (3) copies to be distributed as follows: first copy to the concerned
7 city or municipal civil registrar, or the consul general; second copy
8 to the Office of the Civil Registrar General; and the third copy to
9 the petitioner."

10 SEC. 4. Section 8 of Republic Act No. 9048 is hereby amended to read
11 as follows:

12 "SEC. 8. *Payment of Fees.* - The city or municipal civil
13 registrar or the consul general shall be authorized to collect
14 reasonable fees as a condition for accepting the petition. An
15 indigent petitioner shall be exempt from the payment of the said
16 fee.

17 "THE FEES COLLECTED BY THE CITY OR MUNICIPAL CIVIL
18 REGISTRAR OR THE CONSUL GENERAL PURSUANT TO THIS ACT
19 SHALL ACCRUE TO THE FUNDS OF THE LOCAL CIVIL REGISTRY
20 OFFICE CONCERNED OR THE OFFICE OF THE CONSUL GENERAL
21 FOR MODERNIZATION OF THE OFFICE AND HIRING OF NEW
22 PERSONNEL AND PROCUREMENT OF SUPPLIES, SUBJECT TO
23 GOVERNMENT ACCOUNTING AND AUDITING RULES."

24 SEC. 5. *Implementing Rules and Regulations.* - The Civil Registrar
25 General shall, in consultation with the Department of Justice (DOJ), the
26 Department of Foreign Affairs, the Office of the Supreme Court Administrator
27 and the Philippine Association of Civil Registrars, issue the necessary rules
28 and regulations for the effective implementation of this Act not later than
29 two (2) months from its effectivity.

1 SEC. 6. *Separability Clause.* – If any portion or provision of this Act
2 is declared void or unconstitutional, the remaining portion or provisions
3 hereof shall not be affected by such declaration.

4 SEC. 7. *Repealing Clause.* – All laws, decrees, orders, rules and
5 regulations, other issuances or parts thereof inconsistent with the provisions of
6 this Act are hereby repealed or modified accordingly.

7 SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after
8 its complete publication in the *Official Gazette* or in at least two (2) national
9 newspapers of general circulation.

Approved,

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