



HOUSE OF REPRESENTATIVES

H. No. 6419

BY REPRESENTATIVES RODRIGUEZ (R.), RODRIGUEZ (M.), ILAGAN, DE JESUS,
BAGASINA, MERCADO-REVILLA, BAGUILAT, SARMIENTO (M.),
VERGARA, CATAMCO, ZAMORA-APSA, UMALI (R.), CLIMACO,
CASIÑO, PALATINO, PADILLA AND VILLAFUERTE, PER COMMITTEE
REPORT NO. 2279

AN ACT PROVIDING FOR A FREE AND CULTURE-SENSITIVE
SYSTEM OF REGISTRATION CONCERNING THE CIVIL
STATUS OF INDIGENOUS PEOPLES AND FOR OTHER
PURPOSES

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Free and
2 Culture-Sensitive Indigenous Peoples Civil Registration System Act of 2012”.

3 SEC. 2. *Coverage.* – This Act shall apply to all indigenous peoples
4 (IPs) defined in Section 3 hereof, regardless of their present religion, including
5 those who have converted to Islam.

6 SEC. 3. *Definition of Indigenous Peoples.* – Indigenous Peoples refer
7 to a group of people or homogenous societies identified by self-ascription and
8 ascription by others, who have continuously lived as organized community on
9 communally bounded and defined territory, and who have, under claims of

1 ownership since time immemorial, occupied, possessed and utilized such
2 territories, sharing common bonds of language, through resistance to political,
3 social and cultural inroads of colonization, non-indigenous religions and
4 cultures, became historically differentiated from the majority of Filipinos. The
5 IPs shall likewise include peoples who are regarded as indigenous on account
6 of their descent from the populations which inhabited the country, at the time
7 of conquest or colonization, or at the time of inroads of non-indigenous
8 religions and cultures, of the establishment of present state boundaries, who
9 retain some or all of their own social, economic, cultural and political
10 institutions, but who may have been displaced from their traditional domains or
11 who may have resettled outside their ancestral domains.

12 SEC. 4. *Culturally-sensitive Civil Registration System.* – Within one
13 (1) month from the effectivity of this Act, the National Statistics Office (NSO),
14 in collaboration with the National Commission on Indigenous Peoples (NCIP),
15 the Philippine Association of Civil Registrars, the National Commission for
16 Culture and the Arts (NCCA) and distinguished anthropologists and selected
17 elders and leaders of the IPs, shall establish an Indigenous Peoples Civil
18 Registration System (IPCRS) that is sensitive and appropriate to the unique
19 cultural practices and identification systems of the IPs: *Provided,* That the
20 IPCRS shall be harmonized with existing laws and systems on civil registry.

21 SEC. 5. *Ethnicity Details in the Civil Registry Documents.* – The
22 IPCRS shall take into account the various ethnic affiliations of the IPs in the
23 country. For this purpose, the NSO Administrator, acting as the Civil Registrar
24 *General, instead of issuing separate forms for the IPCRS, shall cause the*
25 *amendment of the existing civil registry forms, for uniformity of all civil*
26 *registry documents to ensure acceptability by end-user agencies or institutions*
27 *of the facts and information contained in said documents and ease of*
28 *establishing filial bonds between or among parent or parents and child.*

1 SEC. 6. *Free Civil Registration for Indigenous Peoples.* – Any
2 provision of law to the contrary notwithstanding, IPs shall be exempted from
3 the payment of all fees in connection with the recording of their birth, marriage
4 and death at the Local Civil Registry Office and such exemption shall extend to
5 any fine or fee for late registration. They are likewise exempted from the
6 payment of notarial fees and documentary stamp tax in cases where the
7 recording of the birth, marriage or death requires the execution of affidavits or
8 sworn statements and similar documents.

9 SEC. 7. *Report of Birth by the Parents or Tribal Doctor or Tribal*
10 *Midwife Conclusive Upon the Local Civil Registrar.* – In recording the birth
11 of IPs delivered in the traditional customs and practices of the indigenous
12 community, the report as to the circumstances of the birth by any of the parents
13 or by the tribal doctor or tribal midwife who attended to the delivery shall be
14 conclusive upon the Local Civil Registrar (LCR) without need for further
15 proof. The procedures and requirements set forth in Section 5 of Act
16 No. 3753, or the Civil Registry Law, shall apply only in cases where the child
17 was delivered in a hospital or birthing center and was attended to by a
18 physician or midwife.

19 SEC. 8. *Report of Marriage Performed in Accordance with Customary*
20 *Indigenous Laws and Practices and Dissolution of Marriage.* – The report of
21 marriage among and between IPs solemnized in accordance with customary
22 laws, rites, traditions and practices by the person duly authorized to perform
23 the ritual or ceremony and by the parties to the marriage shall be conclusive
24 upon the LCR without need for further proof. For this purpose, the NCIP shall
25 submit to the NSO a list of IPs recognized by each indigenous community to
26 solemnize marriage according to its customary laws or practices. The NSO
27 shall issue a Certificate of Registration of Authority to Solemnize Marriage
28 (CRASM) to such IPs for free.

1 In the case of indigenous communities whose traditional marriage
2 ceremony does not require the presence of a solemnizing officer, as determined
3 by the NCIP, the report by the contracting parties shall be conclusive upon the
4 LCR without need for further proof except personal confirmation, orally or in
5 writing, by any of the parents or by a tribal leader or elder of the indigenous
6 community to which any of the spouses belongs. For this purpose, the NCIP
7 shall furnish the NSO and the LCRs with a list of indigenous communities
8 falling under this paragraph: *Provided*, That pending the submission of such
9 list, the oral or written confirmation of the tribal leader or elder shall be
10 conclusive upon the LCR.

11 The dissolution of marriage of IPs following customary indigenous laws
12 and practices shall be directly recorded with the LCR without need of court
13 intervention: *Provided*, That such facts and information shall be confirmed
14 orally or in writing by a tribal leader or elder of the indigenous community to
15 which any of the spouses belongs.

16 **SEC. 9. *Report of Death by Any Member of the Family or by a Tribal***
17 ***Doctor.*** – The report as to the circumstances of death of IPs by any member
18 of the family of the deceased or by the tribal doctor in attendance during such
19 death shall likewise be conclusive on the LCR without need of further proof.
20 Section 6 of Act No. 3753 shall apply only when the death happened in a
21 hospital and was attended to by a physician.

22 **SEC. 10. *Exemption from the Prescribed Period for Reporting.*** – All
23 rules and regulations, orders and circulars which prescribe a period for
24 reporting to the LCR the birth, marriage or death of any person shall not apply
25 to the IPs.

26 **SEC. 11. *Establishing the Membership of a Person to an Indigenous***
27 ***Community.*** – In the absence of any identifying document, the self-ascription
28 or ascription by any of the parents or tribal leader or elder shall suffice to

1 establish the identity of IPs when applying with the LCR for recording birth,
2 marriage or death.

3 SEC. 12. *Establishing Facts and Information About the Personal*
4 *Circumstances of IPs in Late Registration.* – In late registration, the narration
5 of facts and information made by IPs regarding personal circumstances, such
6 as name, name of parent or parents, or date and place of birth, shall be
7 conclusive upon the LCR without need of execution of an affidavit: *Provided,*
8 That such facts and information shall be confirmed personally by any of the
9 parents or by a tribal leader or elder of the indigenous community to which the
10 applicant belongs. The confirmation may be oral or written.

11 SEC. 13. *Roster of Tribal Leaders and Elders and Medicine Men and*
12 *Women.* – To facilitate the verification of reports of birth, marriage and death
13 made or filed by IPs, the LCRs, in coordination with the NCIP, shall keep and
14 continually update a roster of IPs who are authorized or recognized by the
15 indigenous community concerned to solemnize marriage in accordance with
16 customary laws or practices, including the tribal leaders or elders and medicine
17 men or women of the IPs in their respective areas of jurisdiction. A
18 compilation of such rosters shall be kept in the central office and in the
19 regional and provincial offices of the NCIP.

20 SEC. 14. *Registration of Tribal Name as Official Name.* – In the
21 registration of birth, the LCR shall register the name, regardless of form, such
22 as a single name only without middle or family name, preferred by IPs or by
23 the parent or parents of the child. For those whose parent or parents had been
24 Christianized or had converted to Islam or other religions, the LCR shall also
25 indicate in the birth registration form, if the applicant, parent or parents so
26 desire, the chosen Christian, Muslim or non-IP name which shall serve as the
27 “also-known-as” name of the child.

1 SEC. 15. *Registration Campaign for IPs.* – Within two (2) years upon
2 the effectivity of this Act, in compliance with the country's obligations under
3 the United Nations Convention on the Rights of Children and such other
4 international protocols, conventions and treaties to which it is a party, LCRs
5 and concerned local government units (LGUs) shall conduct within their areas
6 of jurisdiction, in coordination with the NCIP, periodic civil registration
7 campaigns targeting the IPs in far-flung communities. The NSO and the NCIP
8 shall extend administrative and technical assistance in the conduct of mobile
9 registration campaigns for the IPs.

10 SEC. 16. *Information and Education Campaigns.* – The NSO and the
11 NCIP, in coordination with the Department of the Interior and Local
12 Government (DILG), other agencies of the national government and the civil
13 registry offices of LGUs shall conduct information and education campaigns to
14 encourage IPs to avail of or participate in the IPCRS.

15 SEC. 17. *Punishable Acts.* – The following acts are prohibited and
16 punishable under this Act:

17 (a) Collection of fees, fines or penalties in cash or in kind by any
18 government official or employee or by any person in connection with the civil
19 registration of birth, marriage or death of IPs;

20 (b) Inducing IPs to pay in cash or in kind in order to be able to register
21 a birth, marriage or death;

22 (c) Misrepresenting oneself as a tribal leader or elder or tribal doctor or
23 midwife of an indigenous community; and

24 (d) Misrepresenting oneself as a member of an indigenous community.

25 SEC. 18. *Penalties.* – The prohibited acts enumerated in the preceding
26 paragraph shall be punished in the following manner:

27 (a) For the prohibited act mentioned in Section 17(a) hereof, a fine of
28 Five thousand pesos (P5,000.00) and imprisonment of six (6) months;

1 (b) For the prohibited act mentioned in Section 17(b) hereof, a fine of
2 Two thousand pesos (P2,000.00) and imprisonment of three (3) months; and

3 (c) For the prohibited acts mentioned in Section 17(c) and Section
4 17(d) hereof, an imprisonment of one (1) year.

5 SEC. 19. *Implementing Rules and Regulations.* – Within sixty (60)
6 days after the effectivity of this Act, the NSO shall promulgate the necessary
7 rules and regulations for the implementation of this Act.

8 SEC. 20. *Separability Clause.* – If any portion of this Act is declared
9 as unconstitutional or invalid, the remaining portions not affected thereby shall
10 continue to have force and effect.

11 SEC. 21. *Repealing Clause.* – Act No. 3753 is hereby amended and
12 modified. All other laws, orders, issuances, rules and regulations which are
13 inconsistent with this Act are hereby repealed or modified accordingly.

14 SEC. 22. *Effectivity Clause.* – This Act shall take effect fifteen (15)
15 days after its publication in the *Official Gazette* or in two (2) newspapers of
16 general circulation in the Philippines.

Approved,

O