

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **575**

HOUSE OF REPRESENTATIVES

RECEIVED

DATE: 30 JUN 2016

TIME: 8:40 PM

BY: [Signature]

REGISTRATION UNIT
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Introduced by **REP. JOSE T. PANGANIBAN, JR.,**
of ANAC-IP Partylist

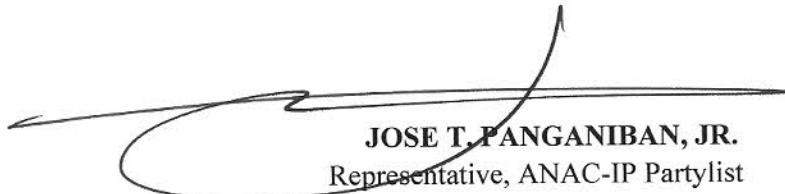
EXPLANATORY NOTE

To date, there is an estimated 22 million people who are members of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs). However, almost 60% of them are not duly registered under the Philippine Civil Registration Act. Worst, the surveys and census of population conducted by the Philippine Statistics Authority (PSA), formerly National Statistics Office (NSO), did not include the ethnic origin of a person. Thus, there is no available data of the ethno-linguistics origin of the Philippine populace. Not even the National Commission on Indigenous Peoples (NCIP), the primary Government agency mandated in the formulation and implementation of policies, plans and programs to recognize, protect, and promote the rights of ICCs/IPS in accordance with the provisions of the 1987 Constitution and RA 8371, has no compilation of this data.

Members of ICCs/IPs are discouraged to register their birth, marriage and death because of the financial burden and not culturally sensitive method of the prevailing system of civil registration. Because of the non-registration of their civil status, members of the ICCs/IPs are often neglected of the basic social services from the Government.

This measure seeks to collect, update, and create a database of the members of the ICCs/IPs. It will also provide a civil registration system that is sensitive to the culture, tradition and customary ways of the members of the ICCs/IPs. Further, it mandates the Philippine Statistics Authority to include the ethnic origin in the conduct of national census survey. And finally, this measure will provide for penalties for specified violations of the provisions of this bill.

In view of the foregoing, urgent approval of this bill is earnestly sought.


JOSE T. PANGANIBAN, JR.
Representative, ANAC-IP Partylist

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Introduced by REP. JOSE T. PANGANIBAN, JR.,
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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:

SECTION 1. *Short Title.* – This Act shall be known as the “*Free and Culture-Sensitive Indigenous Peoples Civil Registration System Act of 2016.*”

SECTION 2. *Coverage.* – This Act shall apply to all members of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) defined in Section 3 hereof, regardless of their present religion, including those who have converted to Islam.

SECTION 3. *Definition of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs).* – As provided under Section 3(h) of Chapter II of RA No. 8371, otherwise known as, the Indigenous Peoples Rights Act of 1997, refer to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as an organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions, and other distinctive cultural traits, or who have, through resistance to political, social, and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains.



SECTION 4. *Culturally-sensitive Civil Registration System.* – Within one (1) month from the effectivity of this Act, the Philippines Statistics Authority (PSA), in collaboration with the National Commission on Indigenous Peoples (NCIP), the Philippine Association of Civil Registrars, the National Commission for Culture and the Arts (NCCA) and distinguished anthropologist and selected elders and leaders of the IPs, shall establish an Indigenous Peoples Civil Registration System (IPCRS) that is sensitive and appropriate to the unique cultural practices and identification systems of the IPs: Provided, that the IPCRS shall harmonized with the existing laws and systems on civil registry.

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

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

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

SECTION 8. *Report of Marriage in Accordance with the Customary Indigenous Laws and Practices and Dissolution of Marriage.* – The report of the marriage among and between IPs solemnized in accordance with customary laws, rites, traditions and practices by the person duly authorized to perform the ritual or ceremony and by the parties to the marriage shall be conclusive upon the LCR without the need for further proof. For this purpose, the NCIP shall submit to the PSA the list of IP recognized by each indigenous community to solemnized marriage according to its customary laws or practices. The PSA shall issue a Certificate of Registration of Authority to Solemnized Marriage (CRASM) to such IPs for free.

In the case of indigenous communities whose traditional marriage ceremony does not require the presence of a solemnizing officer, as determined by the NCIP, the report by the contracting parties shall be conclusive upon the LCR without need for further proof except personal confirmation, orally or in writing, by any of the parents or by a tribal leader or elder of the indigenous community to which any of the spouses belongs. For this purpose, the NCIP shall furnish the PSA and the LCRs with a list of indigenous communities falling under

