



HOUSE OF REPRESENTATIVES

H. No. 7849

BY REPRESENTATIVES CATAMCO, PANGANIBAN, RODRIGUEZ (M.),
BROSAS, DE JESUS, ZARATE, TINIO, CASTRO (F.L.),
CASILAO, ELAGO, CUA, PALMA, ARCILLAS, BORDADO,
TURABIN-HATAMAN, BAGUILAT, DALOG, TEVES, ACOSTA,
SAGARBARRIA, ORTEGA (P.), ACHARON, ESCUDERO, NOEL,
YAP (A.), MARQUEZ, LANETE, YAP (M.), DY, SALCEDA,
VIOLAGO, ANDAYA, VILLANUEVA, TUPAS, GONZALES (A.D.),
ALVAREZ (M.), ESTRELLA, AUMENTADO, BULUT-BEGTANG
AND SY-ALVARADO, PER COMMITTEE REPORT NO. 786

AN ACT PROVIDING FOR A FREE AND CULTURE-SENSITIVE
CIVIL REGISTRATION SYSTEM FOR INDIGENOUS
PEOPLES

*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
2 “Indigenous Peoples Civil Registration System Act”.

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

6 SEC. 3. *Definition of Indigenous Peoples (IPs).* – Indigenous
7 Peoples (IPs) refer to a group of people or homogenous societies
8 identified by self-ascription and ascription by others, who have

1 continuously lived as organized community on communally bounded
2 and defined territory, and who have, under claims of ownership
3 since time immemorial, occupied, possessed and utilized such
4 territories, sharing common bonds of language, through resistance
5 to political, social and cultural inroads of colonization,
6 nonindigenous religions and cultures, became historically
7 differentiated from the majority of Filipinos. IPs likewise include
8 those who are regarded as indigenous on account of their descent
9 from the populations who inhabited the country at the time of
10 conquest or colonization, or at the time of inroads of nonindigenous
11 religions and cultures, of the establishment of present state
12 boundaries, and who have retained some or all of their own social,
13 economic, cultural and political institutions, but who may have been
14 displaced from their traditional domains or who may have resettled
15 outside their ancestral domains.

16 SEC. 4. *Culturally-sensitive Civil Registration System.* –
17 Within one (1) month from the effectivity of this Act, the Philippine
18 Statistics Authority (PSA), in collaboration with the National
19 Commission on Indigenous Peoples (NCIP), National Commission
20 on Muslim Filipinos (NCMF), Philippine Association of Civil
21 Registrars, National Commission on Culture and the Arts (NCCA),
22 and distinguished anthropologists and selected elders and leaders of
23 IPs, shall establish an Indigenous Peoples Civil Registration System
24 (IPCRS) that is sensitive and appropriate to the unique cultural
25 practices and identification systems of IPs: *Provided*, That the
26 IPCRS shall be harmonized with existing laws and systems on civil
27 registry.

1 SEC. 5. *Ethnicity Details in the Civil Registry Documents.* –

2 The IPCRS shall take into account the various ethnic affiliations of
 3 the IPs in the country. For this purpose, the PSA National
 4 Statistician, instead of issuing separate forms for the IPCRS, shall
 5 cause the amendment of the existing civil registry forms, for
 6 uniformity of all civil registry documents to ensure acceptability by
 7 end-use agencies or institutions of the information contained in the
 8 documents and ease of establishing filial bonds between or among
 9 parent or parents and child.

10 SEC. 6. *Free Civil Registration for Indigenous Peoples.* – Any

11 provision of law to the contrary notwithstanding, IPs shall be
 12 exempted from the payment of all fees in the recording of their
 13 birth, marriage and death at the Local Civil Registry Office and
 14 such exemption shall extend to any fine or fee for late registration.
 15 They are likewise exempted from the payment of notarial fees and
 16 documentary stamp tax in cases where the recording of the birth,
 17 marriage or death requires the execution of affidavits or sworn
 18 statements and similar documents.

19 SEC. 7. *Report of Birth by the Parents or Tribal Doctor or
 20 Tribal Midwife Conclusive Upon the Local Civil Registrar.* – In

21 recording the birth of IPs delivered in the traditional custom and
 22 practice of the indigenous community, the report as to the
 23 circumstances of the birth by any of the parents or by the attending
 24 tribal doctor or tribal midwife shall be conclusive upon the Local
 25 Civil Registrar (LCR) without need for further proof. The
 26 procedures and personal data required in Section 5 of Act No. 3753,
 27 or the Civil Registry Law, shall apply only in cases where the child

1 was delivered in a hospital or birthing center and was attended to
 2 by a physician or midwife.

3 SEC. 8. *Report of Marriage Performed in Accordance with*

4 *Customary Indigenous Laws and Practices and Dissolution of*

5 *Marriage.* – The report of marriage among and between IPs

6 solemnized in accordance with customary laws, rites, traditions and
 7 practices by the person duly authorized to perform the ritual or
 8 ceremony and by the parties to the marriage shall be conclusive
 9 upon the LCR without need for further proof. For this purpose, the
 10 NCIP or the NCMF, as the case may be, shall submit to the PSA a
 11 list of IPs recognized by each indigenous community to solemnize
 12 marriage according to its customary laws or practices. The PSA
 13 shall issue a Certificate of Registration of Authority to Solemnize
 14 Marriage to such IPs, free of charge.

15 In the case of indigenous communities whose traditional
 16 marriage ceremony does not require the presence of a solemnizing
 17 officer, as determined by the NCIP or the NCMF, the report by the
 18 contracting parties shall be conclusive upon the LCR without need
 19 for further proof except personal confirmation, orally or in writing,
 20 by any of the parents or by a tribal leader or elder of the indigenous
 21 community to which any of the spouses belongs. For this purpose,
 22 the NCIP or the NCMF shall furnish the PSA and the LCRs with a
 23 list of indigenous communities falling under this paragraph:
 24 *Provided,* That pending the submission of such list, the oral or
 25 written confirmation of the tribal leader or elder shall be conclusive
 26 upon the LCR.

1 The dissolution of marriage of IPs following customary
 2 indigenous laws and practices shall be directly recorded by the LCR
 3 without need of court intervention: *Provided*, That such facts and
 4 information shall be confirmed orally or in writing by a tribal leader
 5 or elder of the indigenous community to which any of the spouses
 6 belong.

7 *SEC. 9. Report of Death by Any Member of the Family or by a*
 8 *Tribal Doctor.* – The report made by any member of an IP's family
 9 as to the circumstances of a death within the family, or the report
 10 made by the tribal doctor in attendance during such death shall
 11 likewise be conclusive upon the LCR without need for further proof.
 12 The data required in Section 6 of Act No. 3753 shall apply only
 13 when the IP member died in a hospital and was attended to by a
 14 physician.

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

19 *SEC. 11. Establishing the Membership of a Person to an*
 20 *Indigenous Community.* – In the absence of any identifying
 21 document, the self-ascription or ascription by any of the parents or
 22 by a tribal leader or elder shall suffice to establish the identity of
 23 IPs when applying with the LCR for the recording of birth, marriage
 24 and death.

25 *SEC. 12. Establishing Facts and Information About the*
 26 *Personal Circumstances of IPs in Late Registration.* – In late
 27 registration, the narration of facts and information made by IPs

1 regarding personal circumstances, such as name, name of parent or
 2 parents, or date and place of birth, shall be conclusive upon the LCR
 3 without need of execution of an affidavit: *Provided*, That such facts
 4 and information shall be confirmed personally by any of the parents
 5 or by a tribal leader or elder of the indigenous community to which
 6 the applicant belongs. The confirmation may be oral or written.

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

18 *SEC. 14. Registration of Tribal Name as Official Name.* – In
 19 the registration of birth, the LCR shall register the name,
 20 regardless of form, such as a single name only without middle or
 21 family name, preferred by IPs or by the parents or parent of the
 22 child. For those whose parent or parents had been converted into
 23 Christianity, or had converted to Islam or other religions, the LCR
 24 shall also indicate in the birth registration form, if the applicant,
 25 parents or parent so desires, the chosen Christian, Muslim or
 26 non-IP name which are the "alias" or other name/s of the child.

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

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

18 SEC. 17. *Punishable Acts and Corresponding Penalties.* –
 19 The following acts are prohibited and punishable under this Act:

20 (a) Collecting fees, fines or penalties in cash or in kind by any
 21 government employee or official or by any person in connection with
 22 the civil registration of birth, marriage or death of IPs shall be
 23 penalized with a fine of Five thousand pesos (P5,000.00) and
 24 imprisonment of six (6) months;

25 (b) Inducing IPs to pay in cash or in kind in order to be able
 26 to register a birth, marriage or death shall be penalized with a fine

1 of Two thousand pesos (P2,000.00) and imprisonment of three (3)
 2 months; and

3 (c) Misrepresenting one's self as a tribal leader or elder or a
 4 tribal doctor or midwife or a member of an indigenous community
 5 shall be penalized with imprisonment of one (1) year for each act of
 6 misrepresentation.

7 SEC. 18. *Implementing Rules and Regulations.* – Within
 8 sixty (60) days after the effectivity of this Act, the PSA shall
 9 promulgate the necessary rules and regulations for the
 10 implementation of this Act.

11 SEC. 19. *Separability Clause.* – If any portion of this Act is
 12 declared as unconstitutional or invalid, the remaining portions not
 13 affected thereby shall continue to have force and effect.

14 SEC. 20. *Repealing Clause.* – Act No. 3753 is hereby
 15 amended and modified. All other laws, orders, issuances, rules and
 16 regulations which are inconsistent with this Act are hereby repealed
 17 or modified accordingly.

18 SEC. 21. *Effectivity.* – This Act shall take effect fifteen (15)
 19 days after its publication in the *Official Gazette* or in any newspaper
 20 of general circulation.

Approved,

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