

[Act No. 3753, November 26, 1930]

AN ACT TO ESTABLISH A CIVIL REGISTER.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. *Civil register.*—A civil register is established for recording the civil status of persons, in which shall be entered: (a) births; (b) deaths; (c) marriages; (d) annulments of marriages; (e) divorces; (f) legitimations; (g) adoptions; (h) acknowledgments of natural children; (i) naturalizations; and (j) changes of name.

SEC. 2. *Civil Registrar-General; his duties and powers.*—The Director of the National Library shall be Civil Registrar-General and shall enforce the provisions of this Act. The Director of the National Library, in his capacity as Civil Registrar-General, is hereby authorized to prepare and issue, with the approval of the Secretary of Justice, regulations for carrying out the purposes of this Act, and to prepare and order printed the necessary forms for its proper compliance. In the exercise of his functions as Civil Registrar-General, the Director of the National Library shall have the power to give orders and instructions to the local civil registrars with reference to the performance of their duties as such. It shall be the duty of the Director of the National Library to report any violation of the provisions of this Act and all irregularities, negligence or incompetency on the part of the officers designated as local civil registrars to the Chief of the Executive Bureau or the Director of the Non-Christian Tribes, as the case may be, who shall take the proper disciplinary action against the offenders.

SEC. 3. *Local civil registrars.*—Except in the City of Manila, where the duties of local civil registrar shall be performed by the officer of the Philippine Health Service designated by the Director of said Service, the treasurers of the regular municipalities, municipal districts, and cities shall be local civil registrars of the respective municipalities, municipal districts or cities, and shall perform the duties imposed upon them by this Act without extra compensation, in addition to their ordinary duties. In his capacity as local civil registrar, the officer designated by the Director of the Health Service as local civil registrar of Manila and the treasurer above mentioned shall be under the direction and supervision of the Civil Registrar-General.

SEC. 4. *Civil register books.*—The local civil registrars shall keep and preserve in their offices the following books, in which they shall, respectively, make the proper entries concerning the civil status of persons.

1. Birth and death register.
2. Marriage register, in which shall be entered not only the marriages solemnized but also divorces and dissolved marriages.
3. Legitimation, acknowledgment, adoption, change of name, and naturalization register.

SEC. 5. *Registration and certification of births.*—The declaration of the physician or midwife in attendance at the birth or, in default thereof, the declaration of either parent of the newborn child, shall be sufficient for the registration of a birth in the civil register. Such declaration shall be exempt from the documentary stamp tax and shall be sent to the local civil registrar not later than thirty days after the birth, by the physician or midwife in attendance at the birth or by either parent of the newborn child.

In such declaration, the persons above mentioned shall certify to the following facts: (a) date and hour of birth; (b) sex and nationality of infant; (c) names, citizenship, and religion of parents or, in case the father is not known, of the mother alone; (d) civil status of parents; (e) place where the infant was born; (f) and such other data as may be required in the regulations to be issued.

In the case of an exposed child, the person who found the same shall report to the local civil registrar the place, date, and hour of finding and other attendant circumstances.

In case of an illegitimate child, the birth certificate shall be signed and sworn to jointly by the parents of the infant or only by the mother if the father refuses. In the latter case, it shall not be permissible to state or reveal in the document the name of the father who refuses to acknowledge the child, or to give therein any information by which such father could be identified.

Any foetus having human features which dies after twenty-four hours of existence completely disengaged from the maternal womb shall be entered in the proper registers as having been born and having died.

SEC. 6. *Death certificate and register.*—No human body shall be buried unless the proper death certificate has been presented and recorded in the office of the local civil registrar. The physician who attended the deceased or, in his default, the health officer concerned, or in default of the latter, any member of the family of the deceased or any person having knowledge of the death, shall report the same to the local health authorities, who shall issue a death certificate and shall order the same to be recorded in the office of the local civil registrar. The death certificate, which shall be issued by the attending physician of the deceased or, in his default, by the proper health officer, shall contain the following data which shall be furnished by the person reporting the death: (a) date and place of death; (b) full name, (c) age, (d) sex, (e) occupation or profession, (f) residence, (g) status as regards marriage, (h) nationality of the deceased, and (i) probable cause of death.

During epidemics, bodies may be buried provided the proper death certificates have been secured, which shall be registered not later than five days after the burial of the body.

SEC. 7. *Registration of marriages.*—All civil officers and priests or ministers authorized to solemnize marriages shall send a copy of each marriage contract solemnized by them to the local civil registrar within the time limit specified in the existing Marriage Law.

In cases of divorce and annulment of marriage, it shall be the duty of the successful petitioner for divorce or annulment of marriage to send a copy of the final decree of

the court to the local civil registrar of the municipality where the dissolved or annulled marriage was solemnized.

In the marriage register there shall be entered the full name and address of each of the contracting parties, their ages, the place and date of the solemnization of the marriage, the names and addresses of the witnesses, the full name, address, and relationship with the minor contracting party or parties of the person or persons who gave their consent to the marriage, and the full name, title, and address of the person who solemnized the marriage.

In cases of divorce or annulment of marriage, there shall be recorded the names of the parties divorced or whose marriage was annulled, the date of the decree of the court, and such other details as the regulations to be issued may require.

SEC. 8. *Registration of legitimations by subsequent marriage.*—The acknowledgment of the children legitimated by subsequent marriage, referred to in article one hundred and twenty-one of the Civil Code, may be recorded in the legitimation register, entering: (a) the names of the parents; (b) that at the time when the children were conceived, the aforesaid parents could have contracted marriage, and that they actually contracted marriage, stating the date and place when such marriage was solemnized, the minister who officiated, and the civil register where such marriage was recorded; (c) the names of the children legitimated, with reference to their birth certificates.

SEC. 9. *Registration of acknowledgments by public instrument.*—Any voluntary acknowledgment by the natural parents or by only one of them by public instrument, shall be recorded in the acknowledgment register of the civil register of the municipality where the birth of the acknowledged child was registered, setting forth the following data: (a) full name of the natural child acknowledged; (b) age; (c) date and place of birth; (d) status as to marriage, and residence of the child acknowledged; (e) full name of the natural father or mother who makes the acknowledgment; (f) full name of the notary public before whom the document was acknowledged; (g) full names of witnesses to document; (h) date and place of acknowledgment of said document, and entry and page number of the notarial register in which the same was recorded.

It shall be the duty of the natural parent whose voluntary acknowledgment was made by means of a public instrument to send a certified copy thereof to the local civil registrar of the municipality in the civil register whereof the birth of the acknowledged child was recorded, not later than twenty days after the execution of such instrument, for the registration thereof.

SEC. 10. *Registration of adoptions, changes of name, and naturalizations.*—In cases of adoptions, changes of name, and naturalizations, it shall be the duty of the interested parties or petitioners to register the same in the local civil register of the municipality where the decree was issued. The names of the interested parties and such other data as may be required by the regulations to be issued shall be entered in the register.

SEC. 11. *Duties of clerks of court to register certain decisions.*—In cases of legitimation, acknowledgment, adoption, naturalization, and change of given or family name, or both, upon the decree of the court becoming final, it shall be the