

[Skip to main content](#)



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» [Civil Registration Laws](#)

» Act No. 3753

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Law on Registry of Civil Status

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) acknowledgment of natural children; (i) naturalization; and (j) changes of name.

Section 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) Secretary of the Interior, as the case may be, who shall take the proper disciplinary action against the offenders.

Section 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 treasurers above mentioned shall be under the direction and supervision of the Civil Registrar-General.

Section 4. Civil Register Books. – The local 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.

Section 5. Registration and Certification of Birth. – 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 newly born 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 may be required in the regulation 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 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 fetus 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.

Section 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 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.

Section 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 that 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 of the minor contracting party or parties or 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 marriages, 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.

Section 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.

Section 9. Registration of acknowledgment 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 registrar 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 register.

It shall be the duty of the natural parents whose voluntary acknowledgment was may be 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.

Section 10. Registrations of adoptions, changes of name, and naturalization. – In cases of adoptions, changes of name, and naturalization, it shall be the duty of the interested parties or petitioners to register the same in the local civil registrar 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 name was recorded.

Section 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 which issued the decree to ascertain whether the same has been registered, and if this has not been done, to have said decree recorded in the office of the civil registrar of the municipality where the court is functioning.

Section 12. Duties of local civil registrar. – Local civil registrars shall (a) file registrable certificates and documents presented to them for entry; (b) complete the same monthly and prepare and send any information required of them by the Civil Registrar-General; (c) issue certified transcripts or copies of any certificate or document registered upon payment of proper fees; (d) order the binding, properly classified, of all certificates or documents registered during the year; (e) send to the Civil Registrar-General, during the first ten days of each month, a copy of the entries made during the preceding month for filing; (f) index the same to facilitate search and identification in case any information is required, and (g) administer oaths, free of charge, for civil register purposes.

Section 13. Documents registered are public documents. – The books making up the civil register and all documents relating thereto shall be considered public documents and be prima facie evidence of the truth of the facts therein contained. They shall be open to the public during office hours and shall be kept in a suitable safe which shall be furnished to the local civil registrar at the expense of the general fund of the municipality concerned. The local registrar shall not under any circumstances permit any document entrusted to his care to be removed from his office, except by order of a court, in which case the proper receipt shall be taken. The local civil registrar may issue certified copies of any document filed, upon payment of the proper fees required in this Act.

Section 14. Expenses and fees of the office of the civil registrar. – All expenses in connection with the establishment of local civil registers shall be paid out of municipal funds, and for this purpose, municipal councils and boards shall make the necessary appropriation out of their available general funds:

For the registration of documents and for certified copies of documents on file in the local civil registrar's office, fees shall be charged in accordance with the following schedule:

For registration of legitimations P2.00

For registration of an adoption 2.00

For registration of an annulment of marriage 10.00

For registration of a divorce 10.00

For registration of naturalization 20.00

For registration of a change of name 2.00

For certified copies of any documents in the register, for each one hundred words 20.00

The Civil Registrar General or any local civil registrar may issue certified copies of documents free of charge for official use or at the request of a competent court. All fees collected for such purposes shall accrue to the general fund of the municipality concerned.

Section 15. Preservation of present register books. – All birth, death and marriage registers and other papers relating thereto at present in the keeping of the municipal secretaries or the clerk of the Municipal Court of Manila shall be transferred by the same to the officers acting as local civil registrars in each city or municipality and shall form part of the archives of the latter.

Section 16. False statement. – Any person who shall knowingly make false statement in the forms furnished and shall present the same for entry in the civil register, shall be punished by imprisonment for not less than one month nor more than six months, or by a fine of not less than two hundred pesos nor more than five hundred or both, in the discretion of the court.

Section 17. Failure to report. – Other violations. – Any person whose duty is to report any fact concerning the civil status of persons and who knowingly fails to perform such duty, and any person convicted of having violated any of the provisions of this Act shall be punished by a fine of not less than ten pesos nor more than two hundred.

Section 18. Neglect of duty with reference to the provisions of this Act. – Any local registrar who fails properly to perform his duties in accordance with the provisions of this Act and of the regulations issued hereunder, shall be punished for the first offense, by an administrative fine in a sum equal to his salary for not less than fifteen days nor more than three months, and for a second or repeated offense, by removal from the service.

Section 19. Application of this Act to the special provinces. – The Director of the National Library, in his capacity as Civil Registrar-General, is hereby authorized upon recommendation of the (Director of Bureau of Non-Christian Tribes) Secretary of the Interior, to designate the municipalities in the specially organized provinces where the provisions of this Act shall be applied.

Section 20. Transitory provisions. – All rights, duties and powers established by Act Numbered thirty-six hundred and thirteen, entitled the Marriage Law, with the reference to the procedure for the issuance of the marriage license prior to the solemnization of marriage, the registration, of marriages, and the filing of the documents in connection therewith, conferred and imposed by said Act upon the clerk of the Municipal Court of Manila and the municipal secretaries, are hereby transferred to the officer of the Health Service in accordance with section three of this Act, and to the municipal treasurers, respectively, in their capacity as local registrars.

All duties and powers established by subsections (d) and (e) of section twenty-one hundred and twelve of the Administrative Code, imposed and conferred by said section upon the municipal secretaries, are hereby likewise transferred to the municipal treasurers in their capacity as local civil registrars.

Section 21. All acts or parts of acts inconsistent herewith are hereby repealed.

Section 22. This Act shall take effect three months after its approval.

Approved, November 26, 1930.