

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. **575**

HOUSE OF REPRESENTATIVES

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

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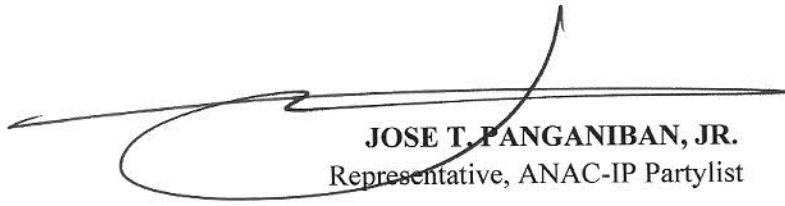
**EXPLANATORY NOTE**

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

this paragraph: Provided, that pending the submission of such list, the oral or written confirmation of the tribal leader or elder shall be conclusive upon the LCR.

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

**SECTION 9. *Report of Death by Any Member of the Family or by a Tribal Doctor.***

– The report as to the circumstances of death of IPs by any member of the family of the deceased or by the tribal doctor in attendance during such death shall likewise be conclusive on the LCR without need of further proof. Section 6 of Act No. 3753 shall apply only when the death happened in a hospital and was attended to by a physician.

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

**SECTION 11. *Establishing the membership of a Person to an Indigenous Community.*** – In the absence of identifying document, the self-ascription or ascription by any of the parents or tribal leader or elder shall suffice to establish the identity of IPs when applying with the LCR for recording birth, marriage or death.

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

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

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

**SECTION 15. *Registration Campaign for IPs.*** – Within two (2) years upon the effectivity of this Act, in compliance with the country’s obligations under the United Nations Convention on the Rights of Children and such other international protocols, conventions and

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treaties to which it is a party, LCRs and concerned local government units (LGUs) shall conduct within their areas of jurisdiction, in coordination with the NCIP, periodic civil registration campaigns targeting the IPs in far flung communities. The PSA and the NCIP shall extend administrative and technical assistance in the conduct of mobile registration campaign for the IPs.

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

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

- (a) Collection of fees, fines or penalties in cash or in kind by any government official or employee or by any person in connection with the civil registration of birth, marriage or death of IPs;
- (b) Inducing IPs to pay in cash or in kind in order to be able to register a birth, marriage or death;
- (c) Misrepresenting oneself as a tribal leader or elder or tribal doctor or midwife of an indigenous community; and
- (d) Misrepresenting oneself as a member of an indigenous community.

**SECTION 18. *Penalties.*** – The prohibited acts enumerated in the preceeding paragraph shall be punished in the following manner.

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

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

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

**SECTION 19. *Implementing Rules and Regulations.*** – Within sixty (60) days after the effectivity of this Act, the Philippine Statistics Authority shall promulgate the necessary rules regulations for the implementations of this Act.

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

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

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

Approved,

