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Chapter 1 INTRODUCTION

Republic Act No. 9048¹ was a consolidation of House Bill No. 9797² and Senate Bill No. 2159³. It was approved by President G.M. Arroyo on 22 March 2001.

R.A. No. 9048 amends Articles 376⁴ and 412⁵ of the Civil Code of the Philippines. Article 376 prohibits the changing of name or surname of a person without a judicial authority, while Article 412 prohibits any correction or change of entry in a civil register without a judicial order. The amendatory provision of R.A. No. 9048 is Section 1, which provides:

Section 1. Authority to correct clerical or typographical error and change of first name or nickname. - No entry in a civil register shall be changed or corrected without a judicial order, except for clerical or typographical errors and change of first name or nickname which can be corrected or changed by the concerned city or municipal civil registrar or consul general in accordance with the provisions of this Act and its implementing rules and regulations.

The clerical or typographical errors which are covered under R.A. No. 9048 are limited to those mistakes committed in the performance of clerical work in writing, copying, transcribing or typing an entry in the civil register that are harmless and innocuous, which are visible to the eyes or obvious to the understanding, and can be corrected or changed only by reference to other existing record or records. Those errors that involve the change of nationality, age, status or sex of the petitioner are excluded from the coverage of the new law.⁶ Thus, any petition to correct error that would subsequently change the nationality, age, status or sex of a person shall be filed with the proper court, and not with any LCRO.

With regard to the change of first name, R.A. No. 9048 provides the following grounds: (1) The petitioner finds the first name or nickname to be ridiculous, tainted with dishonor or extremely difficult to write or pronounce; (2) The new first name or nickname has been habitually and continuously used by the petitioner and he has been publicly known by that first name or nickname in the community; or, (3) The change will avoid confusion. Any of these grounds, if supported with convincing proof, will be sufficient basis of changing the first name.

¹ An act authorizing the city or municipal civil registrar or the consul general to correct clerical or typographical error in an entry and/or change of first name or nickname in the civil register without need of a judicial order, amending for this purpose, Articles 376 and 412 of the Civil Code of the Philippines ..

² Authored by Congressman Magtanggol Gunigundo, Jr.; passed by the House of Representatives on 07 February 2001

³ Authored by Senator Renato L. Cayetano; passed by the Senate on 08 February 2001

⁴ Art. 376. No person can change his name or surname without a judicial authority.

⁵ Art. 412. No entry in a civil register shall be changed or corrected, without a judicial order.

⁶ Section 2(3), R.A. No. 9048

For the effective implementation of the new law, the Civil Registrar General promulgated Administrative Order No. I, Series of 2001 on 24 July 2001, in consultation with the Department of Justice, Department of Foreign Affairs, Office of the Supreme Court Administrator, University of the Philippines Law Center and the Philippine Association of Civil Registrars.⁷ The Order contains the rules and regulations governing the implementation of R.A. No. 9048. It was published by Philippine Star, a newspaper of general circulation, on 01 August 2001.

Chapter 2 CONCEPTS AND DEFINITIONS

Unless otherwise given another meaning elsewhere. in this Manual, each of these terms shall mean and be understood in accordance with the following working concepts and definitions:

City/Municipal Civil Registrar (C/MCR)

The City/Municipal Civil Registrar (*C/MCR*) is the head of the local civil registry office of the city or municipality, as the case may be, who is appointed as such by the city or municipal mayor in accordance with the provisions of existing laws.

Under the existing laws⁸, the appointment of a civil registrar shall be mandatory for city and municipal governments. The law further says that the civil registrar shall be responsible for the civil registration program in the local government unit concerned, pursuant to the Civil Registry Law, the Civil Code, and other pertinent laws, rules and regulations issued to implement them.

Under the Memorandum Circular No. 2001-92 issued by DILG Undersecretary Eduardo R. Soliman, Jr. on 26 July 2001, which was addressed to all Provincial Governors, City Mayors, Municipal Mayors, DILG Regional Directors and all others concerned, it is provided that an OIC-Local Civil Registrar cannot validly exercise the additional power vested by R.A. No. 9048.⁹

⁷ Section 10 of R.A. No. 9048 provides: The Civil Registrar General shall, in consultation with the Department of Justice, the Department of Foreign Affairs, the Office of the Supreme Court Administrator, the University of the Philippines Law Center and the Philippine Association of Civil Registrars, issue the necessary rules and regulations for the effective implementation of this Act not later than three (3) months from the effectivity of this law.

⁸ Section 479, Republic Act No. 7160 (Local Government Code of 1991)

⁹ Among others, DILG Eduardo R Soliman, Jr. said: The need for permanent Civil Registrars has been reiterated with the enactment of Republic Act No. 9-048, which took effect on 22 April 2001. That law expanded on the basic quasi-judicial duties and functions of the Civil Registrar as provided under paragraph C, Section 479 of Republic Act No. 7160. It amended Articles 376 and 412 of the Civil Code of the Philippines, by granting the city and municipal civil registrars, among other specified officials, the authority to correct clerical or typographical error and to change first name or nickname in the civil register without need of a judicial order. But more importantly, the new law, albeit indirectly, qualifies or limits the use of said authority by defining under paragraph 1, Section 2 of the amendatory law, the term "city or municipal civil in that provision, such Official identified as "the head of the civil registry office of the city or municipality. as the case may be, who is appointed as such by the city or municipal mayor in accordance with the provisions of existing laws (underscoring supplied). For this reason,

Having an OIC or Acting *C/MCR* cannot be avoided in some cases, such as when the incumbent *CIMCR* is on leave (sick, vacation or maternity) or traveling on official business outside the city or municipality, or suspended from performing his duties as a consequence of a disciplinary action. In these exceptional cases, when the period of absence of the incumbent *C/MCR* is less than ten (10) working days, the OIC or Acting *C/MCR* duly designated by him shall only accept petitions for correction of clerical error or for change of first name but the decision shall be rendered by the incumbent *CIMCR* on his return to office. However, when the period of absence is ten (10) working days or more, the OIC or Acting *CIMCR* shall accept petitions and subsequently render decision.

The concept introduced in the immediately preceding paragraph should be differentiated from the pronouncement of DILG Undersecretary Soliman that an OIC-Local Civil Registrar cannot validly exercise the additional power vested by R.A. No. 9048. In the latter case, the presumption is that there is no incumbent *CIMCR* of the city or municipality, while in the former, the incumbent *CIMCR* is merely absent temporarily.¹⁰

Consul General (CG)

The consul general is an official of the Department of Foreign Affairs who is issued a consular commission by the President and/or the Secretary of Foreign Affairs. In a foreign service establishment of the Philippines where there is no CG, the civil registration function and duties under R.A. No. 9048 and its implementing rules and regulations shall be exercised and performed by the Consul or Vice Consul who should be similarly issued consular commission by the President and/or the Secretary of Foreign Affairs.

Actually, the CG is the civil registrar outside the Philippines. Under Article 5(t) of the Vienna Convention on Consular Relations (1963), it is provided that one of the consular functions is "Acting as notary and civil registrar and in capacities of similar kind, and performing certain functions of an administrative nature, provided that there is nothing contrary thereto in the laws and regulations of the receiving state." (Underscoring supplied.)

Also, under Article 10 of the Family Code, it is provided: "Marriages between Filipino citizens abroad may be solemnized by a consul-general, consul or vice-consul of the Republic of the Philippines. The issuance of the marriage license and the duties of the local civil registrar and of the solemnizing officer with regard to the celebration of marriage shall be performed by said consular official."

an OIC-Local Civil Registrar cannot validly exercise this additional power vested by law, thus depriving the affected constituents of the benefits given by the new enactment.

¹⁰ The issue as to whether or not an OIC (meaning, the city/municipality does not have incumbent *C/MCR*) can validly implement R.A. No. 9048 and its implementing guidelines was referred by the CRG to the Secretary of Justice for opinion. The opinion was not yet available as of the printing date of this Manual

District/Circuit Registrar (D/CR)

The District/Circuit Registrar is the Clerk of the Shari'a District or Circuit Court performing civil registration function with regard to Muslim marriages, Divorces, Revocations of Divorce and Conversions under Title VI, Book Two of Presidential Decree No. 1083 which is otherwise known as the Code of Muslim Personal Laws.

Articles 81, 82 and 83 of Presidential Decree No. 1083 specifically provide:

Art. 81. District Registrar. - The Clerk of Court of the Shari 'a District Court shall, in addition to his regular functions, act as District Registrar of Muslim Marriages, Divorces, Revocations of Divorces, and Conversions within the territorial jurisdiction of said court. The Clerk of Court of the Shari 'a Circuit Court shall act as Circuit Registrar of Muslim Marriages, Divorces, Revocations of Divorces, and Conversions within his jurisdiction.

Art. 82. Duties of District Registrar. - Every District Registrar shall exercise supervision of Circuit Registrars in every Shari 'a District. He shall, in addition to an entry book, keep and bind copies of certificates of Marriage, Divorce, Revocation of Divorce, and Conversion sent to him by the Circuit Registrars in separate general registers. He shall send copies in accordance with Act No. 3753, as amended, to the office of the Civil Registrar General.

Art. 83. Duties of Circuit Registrar. - Every Circuit Registrar shall:

- (a) File every certificate of marriage (which shall specify the nature and amount of the dower agreed upon), divorce or revocation of divorce and conversion and such other documents presented to him for registration;*
- (b) Compile said certificates monthly, prepare and send any information required of him by the District Registrar;*
- (c) Register conversions involving Islam;*
- (d) Issue certified transcripts or copies of any certificate or document registered upon payment of the required fees,'*
- (e) Send to the District Registrar during the first ten days of each month a copy of the entries made during the previous month,*
- (e) Send to the District Registrar during the first ten days of each month a copy of the entries made during the previous month,'*

- (f) *Index the same for easy reference and identification in case any information is required; and*
- (g) *Administer oaths, free of charge, for civil registry purposes.*

Civil Registrar General (CRG)

The Civil Registrar General (CRG) is the same person as the Administrator of the National Statistics Office (NSO). Prior to 27 February 1931, there was no CRG, as the system of civil registration was purely local government affairs. It was only when Act No. 3753 took effect on 27 February 1931 that the system was centralized with the Director of the National Library being designated as the Civil Registrar General. Section 2 of Act No. 3753 provides among others that "The Director of the National Library shall be Civil Registrar General and shall enforce the provisions of this Act."

However, when Commonwealth Act No. 591 was enacted on 19 August 1940, the civil registration function of the National Library was transferred to the Bureau of the Census and Statistics (now, NSO). Section 2(t) of this law provides that one of the powers, functions and duties of the Bureau of the Census and Statistics is "To carry out and administer the provisions of Act No. 3753, entitled *An Act to Establish a Civil Register.* "

With regard to the implementation of R.A. No. 9048, two of the most important powers and functions of the CRG are to impugn the decisions of C/MCRs, CGs and D/CRs and to promulgate rules and regulations.

Local Civil Registry Office (LCRO)

The local civil registry office (LCRO) is an office or department in the city or municipal government that is mandated to perform civil registration function. Under Act No. 3753 (effective 27 February 1931), the LCRO was under the Municipal Treasurer's Office or City Health Office. Under Batas Pambansa Blg. 337 (effective 1983), the LCRO was transferred to the Office of the City Municipal Planning Development Office. Finally, under Republic Act No. 7160 (effective 01 January 1992), the LCRO was made an independent office in the city/municipal government headed by a regular and permanent CIMCR.

Petitioner¹¹

The petitioner is a natural person filing the petition for the correction of a clerical or typographical error, or a petition for change of first name. He must be of legal age¹² and must have direct and personal interest in the correction of clerical or typographical error in an entry and/or change of first name or nickname in the civil register.

¹¹ Section 2(2) and 3, R.A. No. 9048; Rule 2.6, Rule 3, Administrative Order No.1, S. 2001

¹² Republic Act No. 6809 which was approved on 13 December 1989 lowered the age of majority from 21 to 18 years

A person is considered to have "direct and personal interest" when he is the owner of the record, or the owner's spouse, children, parents, brothers, sisters, grandparents, guardian or any other person duly authorized by law or by the owner of the record¹³ sought to be corrected or changed. When a person is a minor or physically or mentally incapacitated, the petition may be filed on his behalf by his spouse, or any of his children, parents, brothers, sisters, grandparents, guardians, or persons duly authorized by law.

Indigent petitioner

An indigent petitioner is one who is destitute, needy and poor individual. To qualify as indigent petitioner, he should be certified as such by the social welfare and development officer of the city/municipal government.

As provided under Section 8 of R.A. No. 9048 and Rule 18 of Administrative Order No. I, S. 2001, an indigent petitioner is exempted from the payment of filing fee. When the indigent petitioner is a migrant, he is also exempted from the payment of service fee. However, when the petition is for a change of first name where there is a need for the publication of the petition in a newspaper of general circulation, the issue as to whether or not an indigent petitioner may be exempted from the publication fee is a matter which the indigent petitioner should negotiate with the publisher.

Clerical or typographical error

An error in the civil register is considered clerical ;or typographical when it meets one or more of the following criteria:

1. It is a mistake committed in the performance of clerical work In writing, copying, transcribing or typing an entry.
2. It is harmless and innocuous.
3. It is visible to the eyes or obvious to the understanding.
4. It can be corrected or changed only by reference to other existing record or records.
5. The correction must not involve change of nationality, age, status or sex of the petitioner.

¹³ When the owner of the record authorizes one to file petition on his behalf, the authority must be given in the form of special power of attorney ..

For the guidance of all concerned parties, all errors in the civil register which are classified as clerical or typographical are listed and discussed in detail in Chapter 3. If the subject of a petition is not in the list, but the *C/MCR* believes that the error, which the petitioner wants to be corrected, should be classified as clerical or typographical, the *CIMCR* may send his query to the CRG together with his justification. If necessary, the CRG may elevate the problem to the Secretary of Justice for an opinion as to whether or not the correction of such error can be done under R.A. No. 9048. In such a case, the CIMCR shall notify the petitioner in order to stop the running of the prescribed period of rendering the decision.

As the need arises, the CRG shall update the list of clerical or typographical errors and shall circularize the updated list to all concerned parties. In no case shall the *C/MCR*, ca, D/CR or person other than CRG alter or modify the list.

It is hereby stressed that under R.A. No. 9048, no clerical or typographical error shall be corrected or changed in any court decree or decision and in any legal instrument recorded in the civil register concerning civil status of persons. Furthermore, an entry in the civil register previously corrected or first name previously changed on the basis of a court order shall not be corrected or changed again under R.A. No. 9048.

First name

As defined under Section 2(6), R.A. No. 9048, the first name is the name or nickname given to a person which may consist of one or more names in addition to the middle and last names. For the purpose of this law, only the first name of the child appearing in his birth certificate shall be subject of a petition for change of first name.

The name that appears in the civil register should be considered as the *real name* of a person, for all legal purposes.¹⁴ When there is a change of name, the old name is not erased or corrected; the new name is simply annotated in the Registry.¹⁵

For all practical and legal purposes, a man's name is the designation by which he is known. It is defined as the word or combination of words by which a person is distinguished from other individuals and also, as the label or appellation which he bears for the convenience of the world at large addressing him or in speaking of or dealing with him.¹⁶

Names are used merely as one method of indicating the identity of persons: they are descriptive of persons for identification, since, the identity is the essential thing and it has frequently been held that, when identity is certain, a variance in, or misspelling of the name is immaterial.¹⁷

¹⁴Urn vs. Republic, L-20811, July 26, 1966 (Cited by E. Paras, Civil Code of the Philippines, 11m Edition, 1984, p, 850)

¹⁵"Registry" is the same as "register", Black's Law Dictionary defines "registry" as a register or book authorized or recognized by law, kept for the recording or registration of facts or documents. The same dictionary defines "register" as an officer authorized by law to keep a record called "register" or "registry". Again, from the same source, a "register" is defined as a book of public facts such as births, deaths and marriages (also called a registry).

¹⁶Remedial Law, Herrera, 1996 Edition, Vol. III-A, p. 334, citing, 38 Am. Jur .Name 594-594 (Cited by Secretary of Justice in Opinion No. 10, S. 1999)

¹⁷Republic vs. Court of Appeals, 209 SCRA 189 (1992)

The names of individuals usually have two parts: The given name or proper name, and the surname or family name. The given or proper name is that which is given to the individual at birth or baptism, to distinguish him from other individuals. The name or family name is that which identifies the family to which he belongs and is continued from parent to child. The given name may be freely selected by the parents for the child; but the surname to which the child is entitled is fixed by law.¹⁸

Even if the parents of the child may freely select the given name, such cannot be arbitrarily or whimsically exercised as the adoption of names is impressed with public interest. Indeed, the State has an interest in the names borne by individuals and entities for purposes of identification.¹⁹

Civil register

The civil register refers to the various registry books and related certificates and documents kept in the archives of the LCROs, Philippine Consulates, Office of the Civil Registrar General, and Shari'a Circuit Courts. Examples: Register of Births, Register of Deaths, Register of Divorces and Revocations of Divorces, Report of Birth, Report of Death, Certificate of Live Birth, Certificate of Marriage, and others. The civil register was established in the Philippines through the enactment of Act No. 3753, which took effect on 27 February 1931. This law has been amended several times by various laws. One of the most important amendments was made by Republic Act No. 386 which added more acts, events and judicial decrees to be recorded in the civil register.

Newspaper of general circulation

A newspaper may be a broad sheet or tabloid. In order to be considered of general circulation, a newspaper shall comply with the following requisites:

1. It is published for the dissemination of local news and general information;
2. It has *bona fide* subscription list of paying subscribers; and
3. It is published at regular intervals.

¹⁸ Ibid.

¹⁹ Ong Peng Dan v. Republic of the Philippines, 102 Phil. 468

²⁰ Art. 408. The following shall be entered in the civil register: (1) Births; (2) marriages; (3) deaths; (4) legal separations; (5) annulment of marriages; (6) judgments declaring marriages void from the beginning; (7) legitimation; (8) adoptions; (9) acknowledgments; (10) naturalization; (11) loss, or (12) recovery of citizenship; (13) civil interdiction; (14) judicial determination of foliation; (15) voluntary emancipation of a minor; and (16) change of name.

Petition-receiving civil registrar (PRCR), Record-keeping civil registrar (RKCR), and Migrant petitioner (MP)

These three (3) terms shall be applied only in a case where the petition is filed by or on behalf of a person who already migrated to a place outside the city or municipality where his vital event is recorded.

PRCR is the *CIMCR* of the city or municipality where the petitioner resides or is domiciled and who receives the petition on behalf of the RKCR. RKCR is the *CIMCR* in whose archive is kept the record, which contains the error to be corrected or the first name to be changed. MP is a petitioner whose present residence or domicile is different from the place where his civil registry record or records are registered.

Illustration:

Mariano Zamora Gomez was born on 08 October 1975 at Caba, La Union where the incumbent MCR is Carmelita Sobrepena. Mr. Gomez is now a resident of San Marcelino, Zambales where the incumbent MCR is Antonio Escobar. Mr. Gomez discovered that his first name was recorded in the civil register of Caba, La Union as "Marino" in stead of "Mariano".

Inasmuch as he has been using the name "Mariano" since his elementary grades, Mr. Gomez filed a petition to correct the spelling of his first name from "Marino" to "Mariano" with MCR Antonio Escobar of San Marcelino, Zambales. Following the procedures for migrant petitioner, MCR Antonio Escobar sent the petition of Mr. Gomez to MCR Carmelita Sobrepena of Caba, La Union. In this case, the PRCR is MCR Antonio Escobar; RKCR is MCR Carmelita Sobrepena; and MP is Mariano Zamora Gomez.

Spouse

A spouse is one's legal wife or legal husband. This means that the man and the woman must be legally married. Thus, a man and a woman who are living together as husband and wife without being legally married to each other are not considered "spouses". In such a case, neither of them can file petition for or on behalf of the other, except when one authorizes the other with special power of attorney to file petition on his or her behalf. However, either of them can file petition for or on behalf of their minor or mentally incapacitated children.

Guardian

A guardian is a person lawfully invested with the power, and charged with the duty, of taking care of the person and managing the property and rights of another person who, for defect of age, understanding, or self control, is considered incapable of administering his own affairs. This term may refer also to those who, under Article 216 of the Family Code, are authorized to exercise substitute parental authority over the child in default of parents or a judicially appointed guardian. These persons are the following:

1. The surviving grandparent, as provided in Article 214 of the Family Code;
2. The oldest brother or sister, over twenty-one years of age, unless unfit or disqualified; and
3. The child's actual custodian, over twenty-one years of age, unless unfit or disqualified.

Chapter 3 CLERICAL OR TYPOGRAPHICAL ERROR

For the purpose of R.A. No. 9048 and Administrative Order No.1, S. 2001, the only errors, which are considered clerical or typographical and can be corrected by CIMCR, CG or D/CR are listed and illustrated in this Chapter. Specific errors, which are not considered clerical or typographical, are also illustrated. In no case shall CIMCR, CG, D/CR or any other person alter or modify the list.

For the detailed discussion on the concept and definition of clerical or typographical error, please refer to Chapter 2, pages 8 and 9.

The following cases illustrate the various types of clerical errors, which can be and cannot be corrected under R.A. No. 9048.

Section 1. MISSPELLING ²¹

Case 1.1. One or more letters were interchanged, or a correct letter was written in a wrong order or space within a word.'

Example:

He has been using the name *Juanito Perez Santiago* since his elementary grades. However, in his birth certificate, his first name was spelled as *Jaunito*. Clearly, letters "u" and "a" were interchanged.

This is a clerical error within the meaning of R.A. No. 9048.

²¹ "Misspelling" can happen in any type of civil registry document.

Case 1.2. One or more letters were omitted.

Example:

He has been using the name *Christopher Locsin Abonal* in all his records, including his birth and marriage certificates. However, in one of the birth certificates of his children, his name as the child's father was spelled *Cristopher Locsin Abonal*. Letter "h" was omitted between letters "C" and "r".

This is a clerical error within the meaning of R.A. No. 9048.

Case 1.3. Unnecessary letter or letters were included.

Example:

In all his records (school records, employment records, etc.), his name is spelled as *Florante Cruz Ocampo*. His birth certificate, however, showed his first name as *Floriente*. Clearly, the letter "i" between letters "r" and "a" is not necessary.

This is a clerical error within the meaning of R.A. No. 9048.

Case 1.4. One or more letters were erroneously used.

Her name in all her school records is spelled as *Carmelita Burgoz Aquino*, but in his birth certificate, she found out that her first name was spelled *Carmilita*. Letter "i" was wrongly used for letter "e".

This is a clerical error within the meaning of R.A. No. 9048.

Case 1.5. One letter was superimposed over other letter. This kind of clerical error occurs when, in an effort to correct a wrongly typed letter, the typist does not physically erase it but instead type the correct letter over that erroneously typed letter. Consequently, the reader or the owner himself may not know exactly what the correct letter is

Example:

The civil registry clerk was preparing the birth certificate of *Mario Samson Montenegro*. She was typing the first name *Mario* but what she actually typed was *Matio*. To correct letter "t", she typed over it the letter "r" without first physically erasing the letter "t". Consequently, letters "t" and "r" were typed on the same space.

This is a clerical error within the meaning of R.A. No. 9048.

Case 1.6. Hyphen is omitted. There are names that are hyphenated. The hyphen is part of the name, hence, if omitted, the name is considered misspelled.

Example:

His father is *Cipriano Ladines Mag-aso* while his mother is *Concepcion Tan Julag-ay*. The names of his parents were correctly entered in his birth certificate, but his own name is entered as *Santiago Julagay Magaso* when it should be *Santiago Julag-ay Magaso*.

This is a clerical error within the meaning of R.A. No. 9048.

Case 1.7. Use of "Maria" and "Ma." in compound first name.

Example:

She was baptized as *Maria Victoria Santos Samaniego*. The same name was entered in her birth certificate. When she started schooling, she used the name *Ma. Victoria Santos Samaniego*. The name *Maria* was abbreviated to *Ma.* in all her records except her birth certificate. Now, she wants to correct her name in her birth certificate from *Maria Victoria Santos Samaniego* to *Ma. Victoria Santos Samaniego*.

There is no clerical error in this case. Her name as recorded in her birth certificate is perfectly correct. There is no misspelling, no misplaced letter, no omitted letter, no unnecessary letter, and no misplaced word.

What she wants is to change her first name from *Maria Victoria Santos Samaniego* to *Ma. Victoria Santos Samaniego*, hence, the petition she should file is not one for correction of clerical error but for change of first name.

Case 1.8. Abbreviated first name.

Example:

Her name was entered in her birth certificate as *Maria Lourdes Sanchez Bautista*. However, since she was a child, she has been using *Marilou* as her first name, and she has been known in the community with that name. In fact, her school and other records show her first name as *Marilou*.

There is no clerical error in this case. The petition to be filed should be for change of first name and not for correction of clerical error.

Case 1.9. Unnecessary space or character was inadvertently inserted within a name or word.

Example 1:

The actual full name of the child is *Milagros Javier Magsino* but what was entered in her birth certificate was *Milagros Javier Magsino*. In her first name, there is an unwanted or unnecessary space between letter "l" and "a", while in her last name, character "9" was inadvertently inserted between "s" and "T".

The two errors are clerical and can be corrected under R.A. No. 9048.

Example 2:

His actual full name is *Jose Maria de Guzman Valdimar*. However, what was entered in his birth certificate was *Jose-Maria de Guzman Valdimar*. A hyphen was inadvertently inserted between *Jose* and *Maria*.

In this case, he can file petition for correction of clerical error to remove the hyphen (-) from his compound first name.

Section 2. WORDS ARE NOT IN THE RIGHT SPACE ²²

Case 2.1. The middle name was entered as the last name, or the last name was entered as the middle name. This error becomes visible to the eyes or obvious to the understanding when reference is made to the name of the mother and to the name of the father.

Example:

She was baptized as *Cinderella Dizon Baligad*. Her father is *Federico Lim Baligad* while her mother is *Concepcion Billones Dizon*. In her birth certificate, however, her first name was entered as *Cinderella*, her middle name as *Baligad*, and her last name as *Dizon*. By referring to the name of her parents in the same document, it is visible to the eyes or obvious to the understanding that her middle and last names were interchanged or written in wrong places.

This is clerical error within the meaning of R.A. No. 9048. It is not a change of name, but simply, a correction of clerical error.

Case 2.2. In all civil registration forms, the order of entering the complete name is *first name, middle name, and last name*, while in some of the non-civil registration forms, the order is *last name, first name and middle name*.

²² This type of error can happen to any type of civil registry document.

Example 1:

His name in his birth certificate was entered as *Dominguez Rogelio Sanchez* in violation of the order of entering name, which should be *first name, middle name, and last name*. As it was entered, *Dominguez* is the last name, *Rogelio* is the first name, and *Sanchez* is the middle name. Following the correct order of entering name in the birth certificate, his complete name should have been entered as *Rogelio Sanchez Dominguez*.

This is a clerical error within the meaning of R.A. No. 9048.

Example 2:

Traditionally, the Chinese write their complete name with the family name first, and followed by the given name. Thus, in the case of *Yu Hue*, the family or last name is *Yu* and the given or first name is *Hue*. Traditionally, the Chinese do not use middle name.

In the birth certificate and other registration forms, the order of entering the complete name is always *first name, middle name and last name*. In the case of *Yu Hue*, the first name entered in his birth certificate was *Yu*, while his last name was entered as *Hue*.

This error is clerical within the meaning of R.A. No. 9048.

Case 2.3. The name of municipality was entered as the province, while the name of the province was entered as the municipality.

Example:

Cecilia Biason Cereno was born at *Cuyapo, Nueva Ecija*. However, in the geographic identification in her birth certificate, *Cuyapo* was entered as "province", while *Nueva Ecija* was entered as "municipality". It is public knowledge that *Cuyapo* is a municipality while *Nueva Ecija* is a province. This clerical error can occur also in the "place of birth" of the child.

This is a clerical error within the meaning of R.A. No. 9048.

Case 2.4. Entries were interchanged. There are many cases that can illustrate entries being interchanged in a document. Sometimes, in the marriage certificate where separate columns are provided for the items of information pertaining to the "husband" and to the "wife", the entry or entries supposed to be for the "husband" are entered under the column for the "wife", or vice versa. There are cases also in the birth certificate where the information for the "father" is entered for the "mother", or vice versa. In these cases, the errors are considered clerical or typographical and they can be corrected under R.A. No. 9048.

Section 3. SEX NOT PROPERLY RECORDED²³

Case 3.1. Neither "male" nor "female" was marked "x". There was no entry.

Example:

Elizabeth Sanchano Lim, physically and by her name is female. In her birth certificate, however, neither "male" nor "fern-ale" was marked "x" which means that her sex was not recorded at all. This error is not clerical within the meaning of R.A. No. 9048, and therefore, no petition to correct it is necessary. The error of omission can be corrected by means of supplemental report of birth.

Case 3.2. Both "male" and "female" were marked "x".

Example:

Milagros Tan Limchaoco, physically and by her name is female. In her birth certificate, however, both "male" and "female" are marked "x". In this case, as if there is no entry at all, hence, the defect can be cured by means of supplemental report of birth. There is no need to file petition under R.A. No. 9048.

Case 3.3. A female child was marked "male", or a male child was marked "female".

Example:

Her name was recorded in her birth certificate as *Helen Chua Laxamana*. She is female and the only child in the family. Her sex, however, was indicated as "male" in her birth certificate.

Although many will disagree, the error in the birth certificate of *Helen Chua Laxamana* with regard to her sex cannot be corrected under R.A. No. 9048. This is prohibited by Section 2(3), which provides among others that no correction must involve the change of sex of the petitioner. Hence, when *Helen Chua Laxamana* files her petition, the same shall be denied or disapproved. The petitioner shall be advised to file her appropriate petition with the proper court.

Case 3.4. Wrong name was consistent with a wrong sex.

Her name is *Maria Velasquez Ignacio* and is a *female*. However, in her birth certificate, what was recorded was *Mario Velasquez Ignacio* and the sex was *male*.

²³ This type of error can happen to any type of civil registry documentary.

With regard to her first name, it can be considered a clerical error, hence, it can be corrected under R.A. No. 9048. However, with regard to her sex, it can be corrected only by regular court. Therefore, it would be better for her to file the petition with the regular court where she can pray for the correction of the spelling of her name and also her sex.

Section 4. IMPROPERLY RECORDED NAME²⁴

Case 4.1. Surname of an illegitimate child born prior to 03 August 1988

Example:

Under Article 82(1) of the Civil Code, a recognized natural child has the right to bear the surname of the parent recognizing him. It follows that an illegitimate child who is not acknowledged or recognized by his father in accordance with law cannot use the surname of the latter. Here is one case. *Dominador* was born illegitimate. His mother is *Cynthia Lucero Quinto* while his alleged father is *Joel Sim Jiminez*. There was no showing that *Joel* acknowledged or recognized *Dominador* as his son. However, in his birth certificate, *Dominador's* last name was recorded as *Jiminez*, which is the last name of his alleged father. Being an illegitimate child who was not acknowledged or recognized by his alleged father, *Dominador* is supposed to use the surname of his mother, which is *Quinto*.

This case is not considered clerical error within the meaning of R.A.

No. 9048, hence, any petition filed under this circumstance, whether it be for correction of clerical error or change of name shall be denied or disapproved for want of jurisdiction. This is for the regular court to decide.

Case 4.2. Surname of illegitimate children born on 03 August 1988 and thereafter.

Example:

The absolute rule under the Family Code is that an illegitimate child shall use the surname of its mother. Here is one case.

Carolina Franco Gomez and *Leoncio Santos Ignacio* were living together as husband and wife but they were not legally married to each other. Out of the relation, a child was born on 08 October 1997. On 24 December 1998, *Carolina* and *Leoncio* finally got married. On 15 January 1999, *Carolina* registered the birth of her child under the rules governing late registration.

²⁴ This happens only in the birth certificate.

In the registration process, the MCR who was not so knowledgeable on the procedural aspects of registering an illegitimate child, proceeded to record the child's name as *Mary Anne Gomez Ignacio* in violation of Article 176 of the Family Code. Being born an illegitimate child and pursuant to Article 176 of the Family Code, the child's name should have been recorded as *Mary Anne Gomez*, following the surname of the mother.

When petition is filed to correct the birth certificate of the child, the same should be denied or disapproved on the ground of want of jurisdiction. The error in this case is not within the scope of R.A. No. 9048.

Section 5. WRONG DATES²⁵

As a rule, the correction of clerical error under R.A. No. 9048 must not involve the change of age of the petitioner or of any person appearing in the document. There are many cases, however, where the error concerning dates is visible to the eyes or obvious to the understanding, or where this error can be corrected or changed by reference to other existing record or records. These cases are herein illustrated.

Case 5.1. The date of the occurrence of the vital event was after the date of registration of the same event or registration was done before the occurrence of the event. It could be the date of birth, date of marriage, or date of death.

Example:

Luz Alvarado Go was actually born on 11 *September* 1998. However, what was recorded as her date of birth in her birth certificate was 21 *September* 1998, while all the other dates appearing in the same document are 15 *September* 1998. In item 19b, the attendant signed the "Certification of Birth" on 15 *September* 1998; the informant provided the information in item 20 on 15 *September* 1998; in item 21, the date when the clerk prepared the birth certificate was 15 *September* 1998; and the birth certificate was received at the office of the civil registrar (item 22) on 15 *September* 1998.

There is in this case an impossible event whereby registration of birth was done ahead of the occurrence of birth. That the birth was registered prior to its occurrence indicates a glaring clerical error especially if the date of birth, as recorded, is compared with the other significant dates in the same document.

This error is visible to the eyes and obvious to the understanding, hence, it can be considered a clerical error, which can be corrected under R.A. No. 9048. In this case, the correction is not an attempt to change the age of the child, but to correct the impression that registration was done prior to the occurrence of birth.

²⁵ Indicating a wrong date can happen to all types of civil registry documents.

Case 5.2. The date is impossible. It could be any date in the civil registry record.

Example:

As shown in several supporting papers of the petition, *Consuela Torres Carpio* was actually born on 21 *February* 1996. However, in her birth certificate, the date of her birth was recorded as 31 *February* 1996. The error is really clerical. It is visible to the eyes and obvious

to the understanding that February has only 28 days, and the only exception is during leap year where there are 29 days. This can be corrected under R.A. No. 9048.

Case 5.3. The date appears unreasonable.

Example:

Sonia Aldea Fernandez was actually born on 07 *November* 1989, as shown by the various supporting papers she submitted in connection with her petition to correct the year of her birth in her birth certificate which was entered as 1899. Her parents, as shown in item 18 (date and place of marriage of parents) were married on 01 *June* 1987. All the other dates in the birth certificate are 21 *November* 1989, and there was no showing that it is a case of delayed registration.

This case is not one falling under the prohibition of Section 2(3) of R.A. No. 9048 which provides among others that no correction must involve the change of age of the petitioner, because the error is visible to the eyes and obvious to the understanding. By just merely looking at the various dates in the birth certificate, one is convinced that the year of birth is patently erroneous.

The error is clerical within the meaning of R.A. No. 9048.

Case 5.4. Misleading date where numeric character or symbol was used for the month.

Example:

Gerardo Basco Matienzo was actually born on *February* 11, 1997. In accordance with the order of writing the date in the birth certificate, the "day" should be entered first, followed by "month" and the last, "year". The month should be spelled out and not be represented by numerical symbol, like "February" and not "2". The typist however entered the date of birth of this child as "11-2-97" which could be interpreted as "November 2, 1997" or "February 11, 1997"

In this case, the concerned party may file petition for the correction of her date of birth. It is a case of clerical error within the meaning of R.A. No. 9048.

Case 5.5. Year of birth was erroneous. This usually occurs during early part of every January.

Example:

Carolyn Bautista Zuniga was born on *05 January 1999*. As the typist, for the past year, had been typing the year "1998", he erroneously entered the year of birth of *Carolyn* as "*05 January 1998*". The year of birth of *Carolyn* is a clear example of a clerical error, which can be corrected under R.A. No. 9048.

Section 6. AGE OF THE MOTHER ²⁶

Case 6.1. The age of the mother entered in Item 11 (Age at the time of this birth) of the birth certificate was very much beyond or below the reproductive age.

Example 1:

Cecilia Biason Tolentino at the age of 19 gave birth to her first daughter. She immediately reported the birth of her daughter to the MCR for registration. In the birth certificate of her daughter, her age in Item 11 was entered as "91" instead of "19".

This is a clerical error and can be corrected under R.A. No. 9048.

Example 2:

In another case, *Karla Lim Santos* at the age of 35 gave birth to her third child. The birth was reported to the MCR for registration within the prescribed period of not later than 30 days after the date of birth. Lately, however, *Karla*, found that her age recorded in the birth certificate of her third child was 5 instead of 35. *Karla* is now filing petition for the correction of her age from 5 to 35 on the ground that it was not possible for her to give birth at the age of 5. She added that her eldest child is now aged 9.

In these two cases (Examples 1 and 2), the errors are indeed clerical. The correction of the age of the mother does not mean "changing" the age but to correct something which appears absurd, or something that appears impossible to happen in a woman's life. Therefore, these errors can be corrected under R.A. No. 9048.

²⁶ this errors happens only in the birth certificate

Section 7. DATE AND PLACE OF MARRIAGE OF PARENTS²⁷

Case 7.1. Entries were made for date and place of marriage of parents in Item 18 of the birth certificate when the entry should have been "not married".

Example:

Christine was born illegitimate on 09 September 1998. Her parents (*Antonio Macasaet Miranda* and *Susana Chua Solidum*) were married only on 24 December 2000. The birth of *Christine* was applied for late registration only on 26 January 2001. Being born illegitimate, she used in her birth certificate the surname of her mother, *Solidum*.

However, in item 18 (Date and place of marriage of parents) of the birth certificate, the entries "24 December 2000, San Juan, Metro Manila" were made when it should have been "not married" following the rule that only information obtaining at the time of birth shall be recorded in the birth certificate, and not the information prevailing at the time of registration.

This kind of error can be corrected as clerical error within the meaning of R.A. No. 9048. The reason is that a future event cannot be recorded in the birth certificate. The correction will not alter the status of the child, who by her recorded name, is an illegitimate child for legitimation by virtue of the subsequent marriage of her parents.

Case 7.2. The date and place of marriage of parents (Item 18) was left blank or there was no entry.

Example:

Shiela Parson Cruz and *Tony Carreon Lucero* were married on 15 June 1994. On 07 July 1995, *Shiela* gave birth to *Minerva*. Prior to the birth of *Minerva*, *Tony* left the conjugal home and lived with another woman. Because of her husband's infidelity, *Shiela* registered *Minerva* as illegitimate with "unknown" father. Item 18 (date and place of marriage of parents) of the birth certificate was left blank.

Sometime in 1997, *Tony* returned home to finally settle with *Shiela*. Lately, *Tony* discovered the following in the birth certificate of *Minerva*: (1) The last name of *Minerva* is *Cruz*, which is the maiden last name of his wife; (2) His name as the father of *Minerva* is not entered, but marked "unknown"; and (3) There is no information about the date and place of marriage of the parents.

Consequently, *Shiela* and *Tony* jointly filed petition for the correction of the clerical errors in the birth certificate of their daughter, *Minerva*, invoking R.A. No. 9048. The petition shall be denied or disapproved. The errors are not clerical within the meaning of R.A. No. 9048 because the correction shall involve the change of status of *Minerva* from "illegitimate" to "legitimate"

²⁷. Same

Case 7.3. The couple married twice. The first one was civil, which was performed by a Judge, while the second one was religious, which was performed by a Catholic priest. Correction of the date of marriage does not affect legitimacy of the child because the birth took place after the two marriages of the parents.

Example:

Santiago Golem Marinero and *Joan Cortez Chua* were married on 15 June 1999 before a Judge. The marriage was registered at the LCRO of Manila. On 24 December 1999, the civil marriage was ratified in a religious wedding ceremony performed by a Catholic priest in Malolos, Bulacan where said religious marriage was subsequently registered. On 13 November 2000, *Joan* delivered her first child whose birth was recorded in the civil register of Malolos, Bulacan. The child was named *Joy Chua Marinero*.

In January 2001, the family prepared to migrate to USA. The US Embassy verified from OCRG all pertinent records of *Santiago*, *Joan* and *Joy*. US Embassy discovered that the spouses have two marriage records, and that in the birth certificate of *Joy*, the date of marriage appearing in item 18 is 24 December 1999 which was the second marriage and which was considered a mere religious ratification of the previous valid civil marriage.

As a rule, the religious ratification of the civil marriage is not registrable. What is to be registered should be the first marriage, which in this case was a civil marriage.

As the birth certificate of *Joy* was dishonored by the US Embassy because of the wrong date of marriage of parents, *Joan* now intends to file petition for the correction of the date of marriage from 24 December 1999 to 15 June 1999 invoking R.A. No. 9048. Can she do this? The answer is yes. In this case, although the date of marriage shall be corrected to 15 June 1999, the legitimacy status of *Joy* who was born on 13 November 2000 is not affected. The birth took place after the celebration of the first and second marriages.

(NOTE: *Santiago* and *Joan* should also file petition with the regular court to cancel the registration of their second marriage in Malolos, Bulacan.)

Case 7.4. Correction of the date of marriage in the birth certificate will affect the legitimacy status of the child.

Example:

Catherine Guico Tan and *Samuel Chan Moriyama* lived together as wife and husband without being legally married, although both of them had no legal impediment to marry each other. On 16 September 1997, *Catherine* gave birth to her first child, *Lourdes*.

On 21 *June 2000*, they formally got married. Meanwhile, the birth of *Lourdes* was not yet registered. It was only on 22 *March 2001* when *Catherine* registered the birth of *Lourdes* under the rules governing delayed registration of birth. The complete name of the child as recorded in the birth certificate was *Lourdes Tan Moriyama*.

In item 18 of the birth certificate of *Lourdes*, the date of marriage was entered as 21 *June 2000*, which was overlooked by the MCR as erroneous because the entry should have been "not married". This is dictated by the principle in civil registration that only the facts obtaining at the time of birth shall be recorded in the birth certificate and not those facts prevailing at the time of registration. At the time when *Lourdes* was born on 16 *September 1997*, her parents were not yet married, hence, the entry should have been "not married" and not 21 *June 2000* which was a future date when compared with the date of birth of *Lourdes*.

Even the registered name of the child was erroneous. In accordance with Article 176 of the Family Code, illegitimate children shall use the surname of their mother. *Lourdes* was born illegitimate, hence, her surname should have been the surname of her mother which was *Tan* in stead of *Moriyama*.

The parents were not aware of the applicable laws, until they were informed by the MCR. Stressing that because of the errors, the birth certificate of *Lourdes* may be questioned in the future, the MCR was able to convince the parents to file petition for the change of surname of the child from *Moriyama* to *Tan*, and the date of marriage from *June 2000* to *not married*; and finally, the cancellation of the place of marriage.

Is the petition appropriate to correct the various errors under R.A. No. 9048? The answer is NO. The change of surname cannot be done under R.A. No. 9048, which covers only the change of first name. The correction of the date of marriage from 21 *June 2000* to *not married*, and the cancellation of the place of marriage cannot be done under R.A. No. 9048, because in effect, the status of the child will be changed.

Case 7.5. Correction of date of marriage in the birth certificate does not affect the status of the child.

Example:

Maryrose Velarde Samson and *Luisito Cresa Moreno* were actually married on 15 *June* 1998. However, in the birth certificate of their daughter, *Marilou*, who was born on 20 *December 2000*, their date of marriage was indicated in item 18 as 14 *June 1998*. In this case, the error is considered clerical within the meaning of R.A. No. 9048. Even if the date of marriage is corrected from 14 *June 1998* to 15 *June 1998*, the legitimacy status of *Marilou* is not affected.

Section 8. MARRIED NAME WAS ENTERED FOR THE MOTHER²⁸

Case 8.1. Maiden name of the mother was not entered.

Example:

Kristina Puno Javier was married to *Edilberto Maramba Ocampo*. They had a child whom they registered as *Jane Javier Ocampo*. In the birth certificate of *Jane*, the name of the mother was entered as *Kristina Javier Ocampo* instead of *Kristina Puno Javier*. The error is clerical and can be corrected under R.A. No. 9048. This is not a change of name. The correction is intended merely to provide the true maiden name of the mother, which is what the item of information requires.

Section 9. ERRONEOUS CITIZENSHIP

Case 9.1. A foreigner was entered as Filipino, or otherwise. This case can happen in the birth certificate, death certificate or marriage certificate.

Example:

Roberto Makalintal Castro is a former Filipino who is now a naturalized American citizen. He came back to the Philippines to marry her girlfriend, *Carmen Napkil Santos*, sometime in 1999 but after a month of stay, *Roberto* returned to USA. *Carmen* was left behind, and gave birth to her first child sometime in June 2000. In the birth certificate of her child, the citizenship of the father (Item 14), *Filipino* was entered when it should be *American*.

Can this be considered a clerical error? The answer is no. It falls squarely within the prohibition of Section 2(3) of R.A. No. 9048 which provides that no correction must involve the change of nationality of the petitioner. The problem shall be resolved in the regular court.

Section 10. PLACE OF BIRTH

Case 10.1. The place of birth was different from the geographic identification of the birth certificate. The geographic identification indicates to be place (city/municipality and province) where the event is registered. It should be consistent with item 4 (place of birth) that contains information about the hospital, city/municipality and province. When the geographic identification is different from the place of birth, something must be wrong. Either the geographic identification or the place of birth was wrongly entered.

²⁸. This error may happen in birth or marriage certificate

Example:

Joan Dee Supnet was born at the Philippine General Hospital, which is located at Taft Avenue, Manila. In her birth certificate, the geographic identification shows Manila (City/Municipality) and Metro Manila (Province). However, in item 4 (Place of birth), the entries were: PGH (hospital), San Juan (City/Municipality) and Metro Manila (Province).

This error can be corrected under R.A. No. 9048 as clerical or typographical. PGH, by public knowledge, is not in San Juan but in Manila.

Case 10.2. The place of birth was correctly entered but registered in a wrong place.

Rosario Marquez San Juan was born at San Marcelino General Hospital, San Marcelino, Zambales, as shown in Item 4 of her birth certificate. The birth was supposed to be registered at the LCRO of San Marcelino, Zambales, but as it turned out, it was registered at the LCRO of Sta. Cruz, Zambales. In the geographic identification, the province was entered as "Zambales", and the municipality as "Sta. Cruz", when it should have been "Zambales" and "San Marcelino", respectively.

The error in this case is the geographic identification, which, as a rule, should be consistent with the place of birth and place of registration. Can this error be corrected under R.A. No. 9048? The answer is yes. However, the birth certificate should first be physically transferred from Sta. Cruz to San Marcelino. After the transfer, the petition to correct the geographic identification can be filed with the LCRO of San Marcelino, or with the LCRO of Sta. Cruz under the concept of "migrant petitioner".

Section 11. OTHER ERRORS IN THE BIRTH CERTIFICATE

Case 11.1. Errors in the other parts of the birth certificate, other than those previously discussed, such as those concerning religion, occupation, title or position, type of birth, birth order, Dumber of children, and others can be considered clerical or typographical error depending heavily on the justification of the petitioner and papers supporting the petition.

Case 11.2. No error of any kind shall be corrected at the back page of the birth certificate. Technically, all entries at the back page are part of legal instruments, hence, no correction is allowed.

Section 12. OTHER CASES CONCERNING ERRORS IN RECORDING SURNAMES

Case 12.1. Doubt as to what is the correct spelling of surname

Example:

He claims that the correct spelling of his surname is *Corpus* and not *Corpuz* as recorded in his birth certificate. He also alleges that although there are more families in the municipality having surname spelled as *Corpuz*, his family' is one of the few whose surname is spelled *Corpus*.

When he filed a petition for correction of the spelling of his surname from *Corpuz* to *Corpus*, he submitted his supporting papers consisting of his authenticated birth certificate, school records, baptismal certificate and driver's license. The petition was denied by the MCR on the ground that the petition involved change of surname, which is not covered by R.A. No. 9048.

He appealed the decision of the MCR to the CRG on the ground of newly discovered evidence. On appeal, the petitioner submitted the following supporting papers: (1) birth certificate and marriage certificate of his parents showing his father's surname as *Corpus*; (2) Certificate of Land Transfer showing his paternal grandfather's surname as *Corpus*; and (3) 2 birth certificates of his elder brother and sister showing their registered surname as *Corpus*.

On appeal, the decision of the MCR was reversed by the CRG with comments that the MCR cannot be faulted on his decision because he acted only on the basis of the supporting papers submitted to him. With the new supporting papers submitted by the petitioner in his appeal, the CRG was convinced that a clerical error was committed in recording the surname of the petitioner as *Corpuz* instead of *Corpus*. Such has been proven by the petitioner with convincing and concrete proofs that his ascendants and elder brother and sister were all surnamed *Corpus* and not *Corpuz*.

(NOTE: In a case like this, where almost similar surnames are by public knowledge correctly spelled in either way, such as *Corpus* and *Corpuz*, or *Domingues* and *Dominguez*, or *Cereno* and *Sereno*, or *Melanio* and *Melano*, the best evidence to prove "wrong spelling" shall consist of documents from ascendants showing how their surname was correctly spelled. Otherwise, if the petition is not supported with appropriate documents;"it will be denied on the ground that it is a change of surname which is beyond the authority granted by R.A. No. 9048 to the C/MCRs. (Other examples of such surname are *Gutierrez* and *Gutierrez*, *Marcos* and *Markus*, *Tenorio* and *Tinorio*, *Cortes* and *Cortez*, and others.)

Case 12.2. Surname with unattached prefix.

Example:

There are many surnames with unattached prefix such as *de Guzman, delos Reyes, del Prado, dela Cruz, San Agustin*, and others, although, even without those prefixes, the surnames are also used by many, such as *Guzman, Reyes, Prado, Cruz, Agustin* and others.

In one municipality, so many families are surnamed *Castro*, but there are some families using *de Castro*. Still in the same municipality, there are other families using the surname *Decastro*.

In one case, *Manuel Flores de Castro* complained to the MCR because in the birth certificate of his first child, his child's last name was entered as *Castro* while his second child was surnamed as *Decastro*. The MCR advised *Manuel* to file petition for change of surname of the children with the regular court as the same cannot be done under R.A. No. 9048. Was the MCR correct?

It is submitted that the advice of the MCR is not correct. The error in entering the surname of the two children are considered clerical within the meaning of R.A. No. 9048 because this can be corrected by reference to other existing record, which in this case is the birth certificate of the father, showing his surname as *de Castro*, which by law, should also be the surname of his legitimate children. This is not a case of change of surname of the children, because what the father wants to do is just to correct the wrong spelling from *Castro* and *De castro* to *de Castro*.

Chapter 4 FIRST NAME OR NICKNAME

Article 376 of the Civil Code provides that *No person can change his name or surname without a judicial authority*. This was amended by Section 1 of R.A. No. 9048 which provides:

Section 1. Authority to correct clerical or typographical error and change of first name or nickname. - No entry in a civil register shall be changed or corrected without a judicial order, except for clerical or typographical errors and change of first name or nickname which can be corrected or changed by the concerned city or municipal civil registrar or consul general in accordance with the provisions of this Act and its implementing rules and regulations.

Change of name under judicial authorization is governed by Rule 103 of the Revised Rules of Court. Under Sec. 1 of said rule: *A person desiring to change his name shall present the petition to the Court of First Instance²⁹ of the province in which he resides, or in the City of Manila, to the Juvenile and Domestic Relations Court³⁰*

With the amendment made by R.A. No. 9048, a person desiring to change his first name does not need to file the petition with the Regional Trial Court. The petition shall now be filed with the LCRO of the city or municipality where the record sought to be corrected or changed is kept. Section 3 of R.A. No. 9048 provides:

Section 3. Who may file the petition and where. - Any person having direct and personal interest in the correction of a clerical or typographical error in an entry and/or change of first name or nickname in the civil register may file, in person, a verified petition with the local civil registry office of the city or municipality where the record being sought to be corrected or changed is kept.

In case the petitioner has already migrated to another place in the country and it would not be practical for such party, in terms of transportation expenses, time and effort to appear in person before the local civil registrar keeping the documents to be corrected or changed, the petition may be filed, in person, with the local civil registrar of the place where the interested party is presently residing or domiciled. The two (2) local civil registrars concerned will then communicate to facilitate the processing of the petition.

A change of name is a privilege³¹ and not a matter of right, therefore, before a person can be authorized to change his name (given him either in his birth certificate or civil registry), he must show proper or reasonable cause or any compelling reason, which may justify such change. Otherwise, the request should be denied.³²

It is hereby stressed also that a change of first name under R.A. No. 9048 applies only to the first name of the child in the birth certificate. If the petition is for change of first name in civil registry documents other than the birth certificate, the petition shall not be granted.

Although it was not expressly stated under Section 2(6) and Section 4 (See footnote 5) of R.A. No. 9048³³, it should be understood clearly that such first name is one that is recorded in the civil register, and not in any other records. Thus, in one case³⁴, the court said that only the name recorded in the Civil Registry may be changed.

²⁹ Now, Regional Trial Court

³⁰ Now, Regional Trial Court

³¹ Go vs. Republic, L-31760, May 25, 1977

³² Ong Peng Dan vs. Republic, 102 Phil. 468

³³ Section 2(6) of RA. No. 9048 provides that "First Name" refers to a name or a nickname given to a person which may consist of one or more names in addition to the middle and last names.

³⁴ Pabellar vs. Republic, L-27298, March 4, 1976

In other cases³⁵, the Supreme Court said that strictly speaking, the real name of a person is that given him in the Civil Register, not the name by which he was baptized in his Church or by which he has been known in the community or which he has adopted.

Under Section 4 of R.A. No. 9048, there are three (3) grounds for changing the first name or nickname. Anyone of the following grounds may be sufficient for an interested party to change his first name:

1. The first name is ridiculous, tainted with dishonor, or extremely difficult to write or pronounce;
2. The new first name has been habitually and continuously used by the petitioner and he has been publicly known by that first name in the community; or
3. The change of first name will avoid confusion.

Whatever ground is relied upon for the change of first name, the petitioner should be able to justify or prove it. For example, the petitioner should not merely state that his first name is ridiculous. He must convince the *CIMCR* why his name is ridiculous, and shall submit proof to substantiate his claim or allegation. By a mere allegation that his first name is ridiculous will not be sufficient, and the petition shall be disapproved. For the guidance of all parties concerned, the grounds are herein illustrated.

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First ground

The petitioner finds the first name or nickname to be ridiculous, tainted with dishonor or extremely difficult to write or pronounce.

Case 1. The first name is ridiculous.

Example:

For reason unknown to him, his parents, *Adelaida Dominguez Purissima* and *Dominador Angeles Santos*, registered him with the name *Lucifer Purissima Santos*. Actually, "Lucifer" means "morning star" in Latin. Sometimes, it is referred to as the planet Venus when appearing as the morning star. However, to many, "Lucifer" is a devil's name, a fallen rebel archangel. Because of this, *Lucifer Purissima Santos* becomes object of laughter. In countless occasions, people twitted him as the "devil man".

³⁵ Chomi vs. Local Civil Registrar, 99 Phil. 1004; Jayroe S. Tan vs. Republic, L-16384, April 26, 1962

Tired of being ridiculed, he now wants to change his first name to *Luisito*. He can do this under R.A. No. 9048.

In this case, it should be considered that a first name may appear ridiculous to others while it may not be so to some. To the petitioner, he may consider his first name as ridiculous, while to the MCR such first name is not ridiculous. To avoid conflict on the possible contrasting perception of what is and what is not a ridiculous first name, the MCR shall rely heavily on the supporting papers, including third party testimony, in deciding the petition without regard as to what he believes is a ridiculous first name.

Case 2. The first name is tainted with dishonor.

Example:

Felix Cruz de Guzman is a businessman who owns several manufacturing companies, and a member of several business and professional associations. However, he has three namesakes who have criminal records with NBI and PNP. The first namesake was convicted of rape with homicide, who escaped from detention; the second with acts of lasciviousness; and the third with murder. In many occasions, he experienced difficulty of getting clearance from either or both NBI and PNP. In fact, when he applied passport for the first time, he was subjected to further investigation because one of his namesakes was one of the blacklisted individuals who have a "hold departure order".

Felix Cruz de Guzman wants to change his first name from *Felix* to *Felixberto*. Can he do it under R.A. No. 9048? Yes, he can do it provided he can support his allegation with convincing and concrete proofs that indeed, his first name is tainted with dishonor, like a certification from NBI concerning his namesakes, a copy of the "hold departure order" from Bureau of Immigration, and others.

Case 3. The first name is extremely difficult to write or pronounce.³⁶

Her mother is very fond of long names. In fact, her elder sister's first name consists of 19 letters. In her case, her name is *Mirasoledardanellamorenacacharel* which consists of 32 letters. She now wants her first name to be changed to *Joy*.

In another case, a mother gave a first name to her first son consisting of first names of several well-known personalities in show business. Thus, the son had this first name: *Fernando Joseph Paquito Marlon Robin Carlos Rogelio*. Because of the difficulty of writing very long compound name, he wants his first name to be changed to *Gil*.

³⁶ In one case, the spouses Yvonne P. Causapin and Amalia T. Maquirang attempted to register their child with a first name consisting of 2,222 letters. The case was elevated to the Secretary of Justice for an opinion whether or not the CCR of Manila could enter in the civil register a "weird" name of a child which because of its length could not be read and most likely, may cause inconvenience not only to the child itself but also to other people with whom the child may transact business in the future. In answer, the Secretary of Justice said: *Names are given for purposes of identity, to distinguish one from the others, and convenience not only of the child but more importantly, of*

In both cases, the first names are extremely difficult to write or pronounce because of their length. The affected individuals can have their first names changed under R.A. No. 9048.

Second ground

The new first name or nickname has been habitually and continuously used by the petitioner and he has been publicly known by that first name or nickname in the community.

Case 1. Habitual and continuous use of the first name to be adopted.

Example 1:

Maricel Limon dela Guardia is now 22 years old. She finished college and is now a professional nurse. Because of an opportunity to work abroad, she applied for a passport. As a supporting document to her application for passport, she obtained her birth certificate from NSO. She was surprised to find out that her registered first name is different from what she' is presently using. In her birth certificate, her first name was recorded as *Ma. Cecilia*. Because of this inconsistency

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the people dealing with the child, today and in the future. The proposed name, comprising of more than two thousand (2000) letters, could not be read and will certainly cause inconvenience and confusion to the public, the government and its agents. Serious consequences may likewise arise in the future involving the identity of the child Thus, defeating the very purpose for which names are adopted The Secretary further said: *This Department, after a careful examination of the query, has reservations as to the legality of authorizing the registration of such name in the civil register.* (Opinion No. 10, S. 1999, Secretary of Justice, January 20, 1999).

Example 2:

He has been using the name *Anthony Celies Moriones* since childhood. All his school records from elementary to college, including his employment records, show his name as *Anthony Celles Moriones*. Lately, when he requested his birth certificate from OCRG in connection with his application for passport, he found out that his registered name was *Marc Anthony Celles Moriones*. The Passport Division refused to issue to him a passport under the name *Anthony Celles Moriones*.

As he needed the passport very badly, he applied for change of his first name from *Marc Anthony* to *Anthony* on the ground that he has habitually and continuously used the latter first name since childhood. Will his petition be considered appropriate under R.A. No. 9048? The answer is yes, provided he should be able to support his allegation with convincing and concrete proofs that he has been using *Anthony* since childhood.

If she does want to change her first name from *Ma. Cecilia* to *Maricel*, she can do so under R.A. No. 9048. She should submit as many supporting papers as these are available to her in order to convince the *CIMCR* that the first name she wants to adopt has been habitually and continuously used by her.

Case 2. The petitioner has been publicly known by that first name or nickname in the community.

Example:

His name is *Baby James Encarnacion Cruz*. He is now 45 years old, and has been very popular with his first name as *Baby James*. In fact, he used that first name very effectively in politics. He was elected as municipal mayor when he was 25 years old, and now he is a governor. Everybody calls him *Baby James*, formally and informally. When he got married, that name was also entered in his marriage certificate.

Lately, he received an invitation to attend an international convention in USA. For his travel abroad, he now needs his birth certificate to apply for a passport and a US visa. Much to his surprise, his first name in his birth certificate is not *Baby James* but *Jimmy Boy*. As he has been publicly known in the community as *Baby James*, he can have his registered first name, *Jimmy Boy*, changed in accordance with R.A. No. 9048.

Third ground

The change will avoid confusion.

Case 1. Petitioner's present first name creates confusion.

Example:

Here is a case of two neighbors in barangay San Guillermo. They have the same first name *Milagros*, same middle initial, *A*, and same last name *Monteja*. The middle name of the first woman is *Aguilar* while the second woman has *Arguendo*. Both women usually write their name as *Milagros A. Monteja*. It so happened that in barangay San Guillermo, there is no house number that could guide the postman in delivering mails. Consequently, a letter intended for *Milagros Aguilar Monteja* is sometimes delivered to *Milagros Arguendo Monteja*, or otherwise. The postman cannot be faulted because both women are using *Milagros A. Monteja*.

To avoid further confusion, *Milagros Aguilar Monteja* decides to have her first name changed to *Carmela*. She can do this under R.A. No. 9048.

Important notes in connection with the change of first name:

Section 5 of R.A. No. 9048 requires that the petition for change of first name shall be published at least once a week for 2 consecutive weeks in a newspaper of general circulation. In connection with this publication, care should be taken with regard to the first name to be published. If a wrong name is published, the publication, even with an affidavit from the publisher, is not considered compliance with the requirement of Section 5 of R.A. No. 9048.

In one case, a petition for change of name was disapproved by the Supreme Court because of the failure to comply with the requirement of publication. The Supreme Court said: *Petitions for a change of name are proceedings in rem. Therefore, strict compliance with the requirements of publication is essential, for it is by such means that the Court acquires jurisdiction. If the petitioner's name is spelled "Jayme ", but the published order spells it as "Jaime" the error is substantial because the publication did not correctly identify the party to said proceedings. The difference of one letter in a name may indeed mean the distinction of identities of different persons.* (Jayme S. Tan vs. Republic, L-16384, April 26, 1962)³⁷

When a petition for change of first name is granted by the C/MCR, and such decision is affirmed by the CRG, the former shall carry out the decision by annotating the fact of change of first name in the successful petitioner's birth certificate. No original entry shall be physically erased, canceled, changed or obliterated in the birth certificate. The successful petitioner shall not be issued any amended birth certificate. This is in line with a decision³⁸ of the Supreme Court: *If a change of name is authorized, the original entry must not be erased or canceled. The proper way would be to make the proper marginal corrections or annotations.*³⁹

³⁷ Civil Code of the Philippines Annotated, Edgardo L. Paras, 11th Edition, 1984, Vol. 1, p. 827.

³⁸ Go vs. Republic, L-20 160, Nov. 29, 1965.

³⁹ Civil Code of the Philippines Annotated, Edgardo L. Paras, 11th Edition, 1984, Vol. 1, p. 827

Chapter 5 FILING AND PROCESSING OF PETITION

Section 1. FORM OF THE PETITION

The petition, whether it be for correction of clerical error or for a change of first name, should be accomplished properly and in the prescribed form. Section 5 of R.A. No. 9048 and Rule 8 of Administrative Order No.1, S. 2001 require that the petition should be in the form of an affidavit, hence, it should be subscribed and sworn to before a person authorized to administer oath.

The petition may be subscribed and sworn to before any of the following persons:

1. Notary public
2. Mayor
3. Incumbent members of the judiciary
4. Clerks of Court
5. C/MCRs
6. Consular Officials (Consul General, Consul, Vice Consul)
7. Other persons or officers authorized by law

For the purpose of uniformity, all kinds of forms, including the petition, which are necessary for the effective implementation of R.A. No. 9048 are designed and devised by the CRG. Chapter 6 discusses in detail what these forms are and illustrates how they should be properly accomplished.

Improperly and incompletely accomplished form may be a ground of disapproving or denying the petition.

Section 2. CONTENTS OF THE PETITION

Basically, the petition must contain the following facts or information:

1. Merits of the petition.

This is the justification of the petition. The petitioner must be able to present convincingly his reason or reasons of filing the petition, stressing therein the particular law upon which the petition is based. A petition which is bereft of merits shall be denied or disapproved.

2. Competency of the petitioner

In the law of evidence, competency is the presence of those characteristics, or the

absence of those disabilities, which render a witness legally fit and qualified to give testimony in a court of justice.

Under Section 5 of R.A. No. 9048, as well as, under Rule 8 of Administrative Order No.1, S. 2001, it is emphasized that the petition shall show affirmatively that the petitioner is competent to testify. Otherwise, if the petitioner is not competent to testify on matters stated in his petition, as when the petitioner is a minor, the petition may be denied or disapproved.

Furthermore, under R.A. No. 9048, the petitioner must have direct and personal interest in the correction of clerical error in an entry or change of first name in the civil register. A person is considered to have "direct and personal interest" when he is the owner of the record, or the owner's spouse, children, parents, brothers, sisters, grandparents, guardian or any other person duly authorized by law or by the owner of the record sought to be corrected or changed.

When a person is a minor or physically or mentally incapacitated, the petition may be filed on his behalf by his spouse, or any of his children, parents, brothers, sisters, grandparents, guardians, or persons duly authorized by law.

3. Erroneous entry to be corrected and proposed correction; first name to be changed and the proposed new first name.

When the petition is for correction of clerical error, the petition shall specifically cite the alleged error by expressly indicating the number of item of information in a particular civil registry document, and the proposed correction to be made. Example: *First name in Item 1 (name) in the Certificate of Live Birth was misspelled as "Jayme" It should be corrected to "Jaime"*.

The same rule applies when. the petition is for change of first name. The petitioner shall cite the first name to be changed, and the proposed first name to be adopted by him.

Failure to comply with this basic requirement could be fatal as the petition may be denied or disapproved on the ground of non-compliance with the requirement of form and substance.

Section 3. SUPPORTING PAPERS FOR CORRECTION OF CLERICAL OR TYPOGRAPHICAL ERROR

The petition shall not be processed unless the petitioner supports it with the required documents. The supporting documents should be authentic and genuine, otherwise, the petition shall be denied or disapproved pursuant to Rule 5.8 of Administrative Order No.1, S. 2001. The following supporting documents are admissible as basic requirements:

1. Certified machine copy of the certificate containing the alleged erroneous entry or entries.

For the petitioner to exactly point out the alleged clerical error in his record, it is necessary that he should attach to his petition a copy of such record. This supporting document shall serve also as an evidence that the vital event was registered, and that the alleged clerical error is in a civil registry document and not elsewhere. The certificate may be requested from the LCRO where the vital event was registered. In a case where the LCRO does not have the certificate anymore, the same shall be requested from the OCRG. In an extreme case where both LCRO and the OCRG do not have copy of the needed certificate, a machine copy of the page of the registry book containing the alleged clerical error shall be requested from the LCRO⁴⁰.

In no case shall a petition be accepted without this supporting document.

2. Not less than 2 public or private documents upon which the correction shall be based

Section 5(2) of R.A No. 9048 and Rule 8.1.2. of Administrative Order No.1, S. 2001 require the submission of at least 2 public or private documents showing the correct hence, the petitioner can submit as many public or private documents to support his petition. Examples of these documents are the following:

- 2.1. Baptismal certificate
- 2.2. Voter's affidavit
- 2.3. Employment record
- 2.4. GSIS record
- 2.5. SSS record
- 2.6. Medical record
- 2.7. Business record
- 2.8. School record
- 2.9. Driver's license
- 2.10. Insurance
- 2.11. Civil registry records of ascendants
- 2.12. Land Titles
- 2.13. Certificate of Land Transfer
- 2.14. Bank Passbook
- 2.] 5. NBI/Police Clearance
- 2.16. And others

⁴⁰ Some say that the reproduction of the page of the registry book may violate the confidentiality clause because not only the information about the petitioner is reproduced but also about other persons. This is not so because said information shall not be disclosed to the public, but shall be used by the same *C/MCR* keeping the records. The reproduction of the page of the registry book is necessary in the administrative proceedings before the *C/MCR* in connection with the implementation of RA. No. 9048. If reproduction of such page is prevented due to such confidentiality clause, the purpose for which RA. No. 9048 was enacted shall be defeated

3. Notice or certification of posting

Posting of the petition is required under Section 6 of R.A. No. 9048 and Rule 9 of Administrative Order No.1, S. 2001.

At the time of submitting the petition to the *CIMCR*, this supporting document is not available yet. It will become available ten (10) days after the acceptance of the petition by the *CIMCR*. The petitioner need not worry about this supporting document as it will be attached to the petition by the concerned *CIMCR* after the lapse of the ten-day posting period.

4. Other documents

Depending on the nature of the clerical error to be corrected, the petitioner may submit other relevant documents to the *C/MCR* to further ensure the approval of his petition. On the other hand, the *C/MCR* may also require other documents in addition to what had already been submitted by the petitioner.

Section 4. SUPPORTING PAPERS FOR CHANGE OF FIRST NAME

No petition for change of first name shall be accepted unless the petitioner submits the following required supporting papers.

1. All documents, which are required to be submitted by the petitioner for the correction of clerical error, shall be submitted also by the petitioner for change of first name.

2. Clearance from authorities

Those with criminal record or those with pending administrative, civil or criminal case are prohibited from changing their first name.

In relation to Article 376 of the Civil Code which provides that no person can change his name or surname without judicial authority, Justice E. Paras cited several cases in his book⁴¹:

No person can change his name or surname without judicial approval. This is particularly true when he has a criminal record, in which case he obviously desires to obliterate said unsavory record. The mere fact that he has for a time been using a different

⁴¹ Civil Code of the Philippines Annotated, E. Paras, 11th Edition, Volume 1, pp. 824-825

name and has become known by it, does not, of itself constitute proper and reasonable justification to legally authorize a change of name for him (Ong Peng Oan vs. Republic, 102 Phil. 468; Ong Te vs. Republic, L-15549, June 30, 1962).

If there are prior criminal convictions, it is the court's duty to consider carefully the consequences of the change of name, and to deny the same unless weighty reasons are shown. The state indeed has an interest in the names borne by individuals and entities for the purpose of identification; and it is a legal truism that a change of name is a privilege, and not a matter of right (Ong Peng Oan vs. Republic, 102 Phil. 468).

Therefore, a petitioner for change of first name shall be required to submit clearances from the following authorities:

- 2.1. Employer, if employed
- 2.2. National Bureau of Investigation
- 2.3. Philippine National Police
- 2.4. Other such clearances as may be required by the concerned **C/MCR**

In a case where the petition is filed on behalf of another person, the clearances to be submitted shall not be for the petitioner but for the person being represented by the petitioner. If the person represented is a minor aged less than 15, such clearances shall be complied with only if required by the **CIMCR**.

3. Proof of publication

The petition for a change of first name is required to be published in a newspaper of general circulation at least once a week for two (2) consecutive weeks. Failure to publish the petition could mean denial or disapproval of the petition. As proofs of the publication, the petitioner is required to submit the following:

- 3.1. Affidavit of publication from the publisher
- 3.2. Copy of the newspaper clipping

Section 5. POSTING AND PUBLICATION

Subsection 1. Posting

Posting the petition means bringing it to the notice or attention of the public by affixing it to a wall or bulletin board in a conspicuous place.

Both petitions for correction of clerical error and for change of first name are required to be posted by the concerned **C/MCR**, CG or D/CR.

As a rule, the petition shall be posted for ten (10) consecutive days after the *CIMCR* finds the petition and its supporting documents sufficient in form and substance. The *CIMCR* shall not start posting the petition unless the petitioner submits the complete supporting documents.

The place of posting must be conspicuous and accessible to the general public so that the purpose of constructive notice to the whole world shall be served.

For the purpose of counting the ten-day posting period, the *CIMCR* shall exclude the date of acceptance. For example, the petition is accepted on 01 August 2001. The *CIMCR* shall post the petition on 02 August 2001 and the ten-day posting period shall start to run on this date. Thus, the ten-day posting period shall be from 02 August 2001 until 11 August 2001.⁴²

The rule is different in the case of a migrant petitioner where posting of the petition shall be done twice. The first posting shall be done by the PRCR in his own office. After the lapse of the 10-day posting period, the PRCR shall send the petition to the RKCR. Upon receipt of the petition, the RKCR shall post it again for another ten (10) days in his office. If the RKCR, for example, received the petition from the PRCR on 27 August 2001, the start of the posting period shall be on 28 August 2001 and shall end on 06 September 2001.

In a case where the vital event occurred and was registered in the Philippines, and the concerned party is now a resident or domiciled in a foreign country, posting shall be done twice. The first posting shall be done in that foreign country, and the second posting shall be done in the city/municipality in the Philippines where the record sought to be corrected is kept. The case is similar to the concept of a "migrant petitioner".

In another case where the vital event occurred in a foreign country and was registered with the Philippine Consulate, and the concerned party is still a resident or domiciled in that foreign country, posting shall be done only at the concerned Philippine Consulate. If the concerned party is now a resident or domiciled in the Philippines, the concept of a "migrant petitioner" shall apply.

Subsection 2. Publication

Publication is the process of advertising the petition in a newspaper of general circulation as a means of giving notice to the general public or rendering it accessible to public scrutiny.

As provided under Section 5 of R.A. No. 9048 and Rule 9 of the implementing rules and regulations, the petition for change of first name shall, in addition to posting, be published at least once a week for two (2) consecutive weeks in a newspaper of general circulation. As proof of publication, the petitioner shall submit to the MCR a clipping of the publication and an affidavit of publisher of the newspaper where the publication was made.

⁴² The start of the posting must always be a working day

The newspaper publisher may not accept for publication the petition from the petitioner without an order from authority. Hence, the concerned *C/MCR* or CG shall prepare R.A. 9048 Form 10.1 (Notice for Publication) which the petitioner shall submit to the newspaper publisher.

In the case of a migrant petitioner where the petition is for a change of first name, the publication of the petition in a newspaper of general and national circulation shall be done only once. A copy of the newspaper clipping and the affidavit of the publisher shall be submitted to the PRCR. The PRCR shall not send the petition and supporting papers to the RKCR without the proofs of publication consisting of the newspaper clipping and the affidavit of publisher.

However, in a case where the birth occurred and was registered in the Philippines, and the concerned party is now a resident of a foreign country, publication shall be done twice. The first publication shall be done in the country of residence, and the second publication at the city/municipality where the birth was registered. The Consul General, acting in his capacity as PRCR shall not send the petition to the RKCR without the proofs of publication consisting of the newspaper clipping and the affidavit of the publisher.

In a case where the birth occurred in a foreign country and was registered with the Philippine Consulate, and the concerned party is still a resident or domiciled in that foreign country, publication shall be done only once in that country. However, if the concerned party is now a resident or domiciled in the Philippines, the concept of "migrant petitioner" shall apply.

Subsection 3. Effect of publication of the petition earlier filed with the regular court but subsequently withdrawn by the petitioner for the purpose of filing the same with the *C/MCR*.

Prior to the effectivity of R.A. No. 9048, there were petitions filed with the regular courts. Some of these petitions involving change of first name maybe dismissed by the regular courts upon motion by the interested parties. As a matter of Rules of Court, petitions of this kind are required to be published once a week for three consecutive weeks in a newspaper of general circulation.

The issue raised in this case is whether or not such previous publication, which was made in connection with the petition earlier filed with the regular court and subsequently dismissed upon motion of the petitioner, can be regarded as compliance of the publication requirement under R.A. No. 9048 in case the petitioner decides to file the same petition with the *CIMCR*.

In a meeting held on 16 August 2001 which was attended by representatives of the UP Law Center, PACR, IRR Technical Working Group, the Committee on Manual of Instructions, the majority decision was to consider the previous publication as compliance with the

publication requirement of RA. No. 9048, provided that the following requisites are complied with:

1. The previous publication was made in less than three (3) months prior to the filing of the petition with the *C/MCR* as evidenced by the affidavit of the publisher and the clipping of the newspaper;

2. The order of the court dismissing the petition and a copy of the motion to withdraw the petition shall be submitted to the *C/MCR* to prevent the possibility of "forum shopping"⁴³. The reason for dismissal by the court should be based on the motion for withdrawal of the petition by the petitioner and not for other causes.

Section 6. WHO MAY FILE PETITION

Whether it is for correction of clerical or typographical error, or for change of first name, the petition may be filed by a person of legal age who must have a direct and personal interest in the correction of the error or in the change of first name in the civil register.

A person is considered of legal age when he is eighteen years old and above. Thus, a minor (less than eighteen years old) cannot by himself file a petition, either for correction of clerical or typographical error or for change of his first name.

The following persons are considered to have a direct and personal interest in the correction of clerical error or change of first name:

1. Owner of the record that contains the error to be corrected or first name to be changed;
2. Owner's spouse, children, parents, brothers, sisters, grandparents, guardian, or any other person duly authorized by law or by the owner of the document sought to be corrected.

Can a lawyer file the petition on behalf of the owner of the document? The answer is yes, provided that the lawyer is properly authorized by the owner of the document who himself must be of legal age, mentally and physically capacitated. The authorization shall be in the form of special power of attorney.

⁴³ Forum shopping is illegal. It occurs when a party attempts to have his action tried in particular court or jurisdiction where he feels he will receive the most favorable judgment or verdict.

In a case where a person is a minor or physically or mentally incapacitated, the petition may be filed on his behalf by his spouse, or any of his children, parents, brothers, sisters, grandparents, guardians, or persons duly authorized by law.

The law does not make distinction with regard to "children", "parents", "brothers" "sisters" and "grandparents". Thus "children" may . . . refer to legitimate or illegitimate children or step-children; "parents" could be natural or biological or adoptive parents; "brothers" and "sisters" could be full or half-blood or step brothers and sisters; and "grandparents" could be paternal or maternal grandparents, of the owner of the record to be corrected or record that contains the first name to be changed.⁴⁴

Section 7. WHERE TO FILE PETITION

The general rule is that petition shall be filed with the LCRO where the record containing the clerical error to be corrected or first name to be changed is recorded and kept. Included in this general rule is the case of the Office of the Clerk of Shari'a Court where records of divorces, revocations of divorces, conversions to Islam, and some Muslim marriages are registered and kept.

There are two exceptions to the general rule. The first one refers to a migrant within the Philippines, and the second one refers to the migrant outside the Philippines. The following cases illustrate the two exceptions.

Case 1. Migrant within the Philippines

When a person had already migrated to another place within the Philippines, and it would not be practical for such person, in terms of transportation cost, time and effort, to appear personally before the *C/MCR* of the place where his vital event was registered, he may file his petition with the *CIMCR* of the place where he is presently residing or domiciled. For this purpose, the *CIMCR* of the place where his vital event was registered is referred to as Record-Keeping Civil Registrar (RKCR), and the *CIMCR* of the place where he is presently residing or domiciled is Petition-Receiving Civil Registrar (PRCR).

Example:

Margarita Abundo Acorda was born in Tacloban City. After her graduation in college, she found a job in Laoag City where she has now a family. Lately, she found out, when she applied for passport, that her first name in her birth certificate was entered as *Margarina*. She wants to avail of R.A. No. 9048.

⁴⁴ In this case, there is no need for special power of attorney. A minor or physically or mentally incapacitated cannot authorize one with special power of attorney.

In this case, *Margarita* does not need to personally return to Tacloban City just for the purpose of filing her petition for correction of the misspelling of her first name. She can file her petition with the LCRO of Laoag City.

The MCR of Laoag City is the PRCR while the MCR of Tacloban City is the RKCR.

Case 2. The vital event of a Filipino or foreigner occurred and was registered in the Philippines. Later, the Filipino migrated to another country, or the foreigner returned to his own country.

Example:

Carmencita Moreno Sampaga was born in Quezon City. When she was 7 years old, she with her parents migrated to USA. While in USA, she shortened her name to *Carmen*. *Carmencita* is now 25 years old, and wants to change her first name to *Carmen*. In this case, *Carmencita* can file her petition with the Philippine Consulate in USA nearest to her residence. The Consul General acting in his capacity as PRCR shall send the petition to the LCRO of Quezon City. The CCR of Quezon City is the RKCR.

Case 3. The vital event of a Filipino occurred in a foreign country and was registered with the Philippine Consulate. The Filipino is now a naturalized citizen and is a resident of that foreign country.

Example:

Gregorio Cruz Herrera migrated to USA. After a year, he married an American girl. Being a Filipino, he registered his marriage with the Philippine Consulate. Lately, he discovered in the Report of Marriage prepared by the Philippine Consulate that his last name was spelled *Herera*. His record of marriage is kept at the OCRG. In this case, *Gregorio* shall file his petition for correction of his misspelled last name with the Consul General who shall render the decision in spite of the fact that his record is kept at the OCRG. The CRG does not render decision on the original petition.

Case 4. The vital event of a Filipino occurred in a foreign country and was registered with the Philippine Consulate. The Filipino returned to the Philippines where she is presently residing.

Example:

Juan Serapio Batongbakal and *Conchita Lim Paragas* are husband and wife. While working in Singapore for 5 years, they had a child whom they named *Leah Paragas Batongbakal*. Being Filipinos, they reported the birth of *Leah* to the Philippine Consulate for registration. The family is now back to the Philippines and is presently settled in San Juan, Metro Manila. *Leah* is about to enter Grade 1. As the birth certificate is required for enrollment, *Conchita* requested

a copy of her child's birth certificate from OCRG, only to find out that the last name of her child was entered as *Botongbakal* in stead of *Batongbakal*. *Conchita* wants to correct the spelling of her child's last name.

Conchita may file her petition with the MCR of San Juan, Metro Manila where she is presently residing or domiciled. The MCR of San Juan, Metro Manila shall send the petition to the Philippine Consulate in Singapore. The Consul General shall render the decision.

In this case, the MCR of San Juan, Metro Manila is the PRCR while the Consul General in Singapore is the RKCR.

Section 8. FEES

The CIMCR and the D/CR are authorized to collect from every petitioner the following rates of filing fees:

1. One thousand pesos (P1,000.00) for the correction of clerical error
2. Three thousand pesos (P3,000.00) for the change of first name

The amount of filing fee is uniform for all LCROs and Shari'a Courts. The reason for this is for one C/MCR to know how much he will collect for the other C/MCR in the case of a migrant petitioner. If the fee is not uniform, the PRCR may not be able to know how much he will collect for the RKCR.

Example:

Candido Suarez Barreto was born at Masinloc, Zambales but is now a resident of Basco, Batanes. When he requested for a copy of his birth certificate from NSO, he found out that his last name was spelled *Baretto* in stead of *Barreto*. He then filed his petition for the correction of the spelling of his last name with the MCR of Basco, Batanes (PRCR). As a rule, the PRCR shall collect the filing fee on behalf of the MCR of Masinloc, Zambales (RKCR). With a uniform rate of filing fee for all LCROs, the PRCR immediately knows how much to collect for the RKCR. When the filing fee is not uniform, it is necessary for the PRCR to ask first the RKCR how much to collect. This will cause unnecessary inconvenience and delay, not only between the two MCRs but also to the petitioner.

In the case of a petition filed with the CG, the amount of fees is also uniform for all Philippine Consulates. The fees are the following:

1. Fifty U.S. dollars (\$50.00) for the correction of clerical or typographical error
- . One hundred fifty U.S. dollars (\$150.00) for the change of first name

A migrant petitioner shall pay the following additional service fees to the PRCR. This service fee shall accrue to the local treasury of the PRCR.

1. Five hundred pesos (P500.00) for correction of clerical or typographical error

2. One thousand pesos (P1,000.00) for change of first name

When the petition is required to be sent to a CG or to a Philippine Consulate, the petitioner shall shoulder the cost of shipping all the documents in addition to the service fee which the PRCR shall collect. However, when the CG is the PRCR, and the petition and supporting papers are required to be sent to the RKCR in the Philippines, the Secretary of Foreign Affairs shall determine how much a CG or Philippine Consulate shall collect as service fee.

The following are important rules which every CIMCR, CG or D/CR should take note:

1. The PRCR shall collect from every petitioner the service fee and the filing fee. The service fee shall accrue to the local treasury of his LGD, while the filing fee shall be transmitted to the RKCR, together with the petition and supporting papers. For the service fee, the PRCR shall issue the official receipt to the petitioner, and for the filing fee, it is sufficient to issue the temporary or provisional receipt. The RKCR shall be the one to issue the official receipt upon receiving the filing fee.

2. When the petitioner files a petition for correction of clerical error, simultaneously with a petition for change of first name, involving the same document, the petitioner shall pay only the amount corresponding to the fee for change of first name.

Example:

Maryrose Rosal Flores found her first name recorded in her birth as *Maria Rosario* and her last name spelled as *Elores*. Since childhood, she has been using the name *Maryrose Rosal Flores*. She therefore files one petition for the change of her first name from *Maria Rosario* to *Maryrose*, and another petition to correct the spelling of her last name from *Elores* to *Flores*. In this case, even if two different kinds of petition are filed, the **C/MCR** collect only the maximum amount of P3,000.00 corresponding to the filing fee for the change of first name.

3. Regardless of the number of clerical errors to be corrected, only P1,000 shall be collected if only one document is involved.

Example:

Dominador Ducut Datuin found his last name recorded in his birth certificate as *Datuni*. In the same document, his place of birth was recorded as *Pampanga* (representing city/municipality) and *Magalang* (representing province) when by public knowledge, *Pampanga* is the province and *Magalang* is the municipality. Dominador wants to avail

of the privilege granted under R.A. No. 9048 by filing a petition to correct the two clerical errors in his birth certificate. In this case, even if there are two errors to be corrected in one petition, the MCR of *Magalang* shall collect only P1,000.00 as filing fee because the petition involves only one document.

4. Only one document shall be the subject of a petition even if there are various clerical errors to be corrected. Conversely, if there are several documents to be corrected, there should also be several petitions corresponding to the number of documents. Hence, the filing fee to be collected shall correspond to the number of petitions filed.

Example:

Cristina Chua Golez has five children. In the birth certificate of her eldest child, the child's last name was entered *Goles*. In the birth certificate of another child, the mother's first name was entered as *Cristiana*. In the third birth certificate, the mother's middle name was spelled *Choa*. In this case, there are three (3) birth certificates containing three (3) different clerical errors. If *Cristina* wants to correct the clerical errors in the three (3) documents, she should file three (3) separate petitions and shall pay the filing fees amounting to P3,000.00.

Section 9. AVAILMENT OF THE PRIVILEGE AND EFFECT OF APPROVING PETITION FOR CHANGE OF FIRST NAME

Section 3 of R.A. No. 9048 provides that all petitions for the correction of clerical or typographical errors and/or change of first names or nicknames may be availed of only once. For the purpose of implementing the law, Rules 7 and 12 of Administrative Order No.1, S. 2001 were promulgated. These Rules provide:

Rule 7. Availment of the privilege. - The correction of clerical or typographical error shall be availed of only once with respect to a particular entry or entries in the same civil registry record. However, with regard to the change of first name or nickname in the birth certificate, the privilege shall be availed of only once subject to Rule 12 hereunder.

Rule 12. Effect of approving the petition for change of name. - When the petition for a change of first name is approved by the CIMCR or CG or DICR and such decision has not been impugned by the CRG, the change shall be reflected in the birth certificate by way of marginal annotation. In case there are other civil registry records of the same person which are affected by such change, the decision of approving the change of first name in the birth certificate, upon becoming final and executory, shall be sufficient to be used as a basis in changing the first name of the same person in his other affected records without need for filing a similar petition. In such a case, the successful

petitioner shall file a request in writing with the concerned CIMCR, CG or DICR to make such marginal annotation, attaching thereto a copy of the decision.

Case 1. Correction of clerical error shall be availed of only once with respect to a particular entry or entries in the same civil registry record.

Example:

Cristina Supnet Sanchez found her name in her birth certificate recorded as *Cristian Supnet Sanchez*. She had the spelling of her first name corrected in October, 2001 under R.A. No. 9048 from *Cristian* to *Cristina*. In December 2002, *Cristina* filed again a petition to correct the spelling of her first name alleging that the true spelling of her name is not *Cristina* but *Christian*. Will she be allowed to have the spelling of her first name corrected twice? The answer is no. Rule 7 says that the correction of clerical error shall be availed of only once with respect to a particular entry in the same civil registry record.

Case 2. Change of first name in the birth certificate shall be availed of only once.

Example:

Liza Dacayo San Juan discovered in her birth certificate that her registered first name was *Elizabeth*. Accordingly, she filed a petition in October 2001 to change her first name from *Elizabeth* to *Liza*. The petition was granted, and since then, she has been using *Liza* as her legal first name. When she got married in January 2002, her husband started calling her *Liz*, and everybody was calling and addressing her by that first name. In December 2002, she filed again another petition to change her first name from *Liza* to *Liz*. Will her second petition be approved? The answer is no, because Rule 7 provides that change of first name shall be availed of only once.

Case 3. Change of first name shall be availed of only once subject to Rule 12. Under Rule 12, the decision granting change of first name in the birth certificate, upon becoming final and executory, shall be sufficient to be used as the basis in changing the first name of the same person in his other affected records.

Example:

His registered first name is *Luisito*, a name that appears in his birth certificate, his marriage certificate and the birth certificates of his 2 children. However, since childhood, he was known in his barangay as *Luis*. In fact, that first name appears in his business license to operate a gasoline station, in his driver's license, and in his voter's affidavit. He then filed a petition to change his first name from *Luisito* to *Luis*. His petition was granted. Inasmuch as the first name *Luisito* still appears in his marriage certificate and the birth certificates of his 2 children, does he need to file again several petitions to change his first name in these affected records? The answer is no. Rule 12

expressly provides that in case there are other civil registry records of the same person which are affected by such change, the decision of approving the change of first name in the birth certificate, upon becoming final and executory, shall be sufficient to be used as a basis in changing the first name of the same person in his other affected records without need for filing a similar petition. In such a case, the successful petitioner shall file a request in writing with the concerned *CIMCR*, CG or D/CR to make such marginal annotation in his marriage certificate, attaching thereto a copy of the decision. In the case of the birth certificates of his two (2) children, each of them, if already of age, may file the request in writing for the marginal annotation in their respective birth certificate. If still minor, *Luis* or his spouse may file the request in writing with the concerned *CIMCR* or CG.

Case 4. The first name of a person was correctly entered in his birth certificate but erroneously entered in his other records.

Example 1:

The principle is that a change of first name under R.A. No. 9048 applies only to the first name of the child recorded in the birth certificate. If the petition is for change of first name in civil registry documents other than the birth certificate, the petition shall not be granted. Here is the example to illustrate the principle.

Her name is *Preciosa Guinto Diamante*. This is the name she has been using since childhood, and the same name appears in her birth certificate. However, the first name recorded in her marriage certificate was *Precy*. Does she need to file a petition for change of her first name in her marriage certificate? The answer is no. What she should file is a petition for correction of clerical error committed in writing her first name in her marriage certificate. The recording of her name in her marriage certificate is regarded as clerical error within the meaning of R.A. No. 9048 because such error can be corrected by reference to other existing record of the petitioner, which in this case, is the petitioner's own birth certificate showing her legal name as *Preciosa* and not *Precy*.

Thus, in this case, the conclusion is that whenever the first name of the person appearing in his birth certificate is not consistently written in his other civil registry records such as his marriage certificate, or death certificate, in case the person is already dead, and it is claimed that the first name in the birth certificate is the correct name of the person, the errors committed in entering the first name in other civil registry records are considered merely as clerical, and therefore, the petition to be filed shall be for correction of a clerical error and not for change of first name.

Example 2:

Here is a woman with different names in different civil registry records. In her own birth

certificate, her first name was recorded as *Nerrisa* (take note of the spelling). In her marriage certificate, her first name was entered as *Nerissa Carmencita* (take note of the wrong spelling and the additional first name). However, in the birth certificates of her children, her first name as a mother was entered as *Carmencita*. What should the woman do to have all these records consistent with regard to her first name?

The woman preferred to maintain the use of her first name in her birth certificate, which is *Nerrisa*. Therefore, applying the principle enunciated in Example 1, she should file a petition for correction of clerical error in her first name appearing in her marriage certificate and in the birth certificates of her children.

Section 10. PROCESSING OF THE PETITION

The petition shall be processed in accordance with Rule 5 of Administrative Order No.1, S. 2001. The *CIMCR*, as well as the CG and D/CR insofar as applicable, shall strictly observe the procedures.

Subsection 1. What receiving clerk should do

1. The receiving clerk of the LCRO shall have a logbook for recording all incoming and outgoing petitions, taking into consideration the name of the petitioner, nature of the petition, and supporting documents submitted by the petitioner.
2. The receiving clerk shall examine the petition only with regard to the completeness of entries. If there are portions of the petition, which should be filled up but are left blank, the clerk shall advise the petitioner to provide the necessary information.
3. The receiving clerk shall also examine the supporting documents as to completeness and sufficiency. For example, in the petition for correction of clerical error or for change of first name, the basic requirements are certified machine copy of the certificate or of the page of the registry book, and at least two (2) public or private documents showing the correct entry upon which the correction or change shall be based. If there are lacking supporting documents, the receiving clerk shall advise the petitioner to provide them prior to recording the petition in his logbook.⁴⁵
4. The receiving clerk shall determine whether or not the record containing the clerical error to be corrected or first name to be changed is part of the civil register of the city or municipality.
5. If the record is part of the civil register of the city or municipality, the receiving clerk shall advise the petitioner to pay at the Treasurer's Office the required filing fee of P1,000.00 for correction of clerical error, or P3,000.00 for change of first name.

⁴⁵ For discussion on what supporting papers are required, please refer to Section 3 and Section 4 of this Chapter.

6. If the record is part of the civil register of another city or municipality, the rule on migrant petitioner shall apply, hence, the receiving clerk shall advise the petitioner to pay the service fee of P500.00 for correction of clerical error, or P1,000.00 for change of first name. The receiving clerk shall advise also the petitioner to buy Postal Money Order in the amount of P1,000.00 for correction of clerical error, or P3,000.00 for change of first name, payable to the LCRO of that other city or municipality.⁴⁶
7. The receiving clerk shall get the official receipt and attach it to the petition.
8. At this stage, the receiving clerk shall now record the receipt of the petition in his logbook as mentioned in No.1, Sub-section 1.
9. The receiving clerk shall prepare the Record Sheet form. The Record Sheet is actually a loose leaf form where the following information are recorded:
 - 9.1. Petition number
 - 9.2. Name of petitioner
 - 9.3. Type of petition
 - 9.4. Date of petition
 - 9.5. Date of receipt
 - 9.6. Entry sought to be corrected or name to be changed
 - 9.7. Correction or change to be made
 - 9.8. Action taken or decision
10. The receiving clerk shall prepare the Notice For Posting, attach it to the petition for signature by the *C/MCR*.
11. The receiving clerk shall attach the accomplished Record Sheet form to the petition, submit all papers to the *CIMCR*, and advise the petitioner to see the *CIMCR* for interview.

Subsection 2. What C/MCR should do

1. Upon receipt of the petition from the receiving clerk, the *CIMCR* shall sign the Notice For Posting and order the petition to be posted for ten(10) consecutive days in his bulletin board
2. When the petition is for change of first name, the *CIMCR* shall prepare or cause the preparation of R.A. 9048 Form 10.1 (Notice for Publication) and advise the petitioner to have the petition published in a newspaper of general circulation at least once a week for two (2) consecutive weeks. The *C/MCR* shall advise also the petitioner to submit to him three (3) copies of the Affidavit of Publisher and clippings of the newspaper showing the published petition.

⁴⁶ In a case where the RKCR is the CG, the petitioner shall be required to pay the filing fee in the form of international postal money order payable to the Philippine Consulate, or to effect payment by means of bank fund transfer through a bank to be designated by the Department of Foreign Affairs.

3. The *C/MCR* shall advise the petitioner when to come back to his office for the decision. In case the petitioner is a migrant individual, the PRCR shall advise said petitioner about the applicable procedures. Thus, if the petition is filed by a migrant petitioner, the PRCR shall observe strictly the rules governing such kind of petition.
4. As a rule, the *CIMCR* shall act on the petition within five (5) working days after the completion of the ten-day posting period if the petition is for correction of clerical error. When the petition is for change of first name, the *C/MCR* shall render the decision within five (5) working days after the completion of the ten-day posting period and receipt of the proofs of publication from the petitioner, consisting of the Affidavit of Publisher and newspaper clippings.
5. The *CIMCR* shall render his decision using a prescribed form in triplicate copies. The decision shall either be for approval or disapproval of the petition.
6. When the decision is for approval, the *C/MCR* shall indicate therein clearly the entry sought to be corrected or the first name sought to be changed, and the corresponding correction or change made. The *C/MCR*, within five (5) working days after the date of his decision approving the petition, shall transmit said decision together with records of proceedings to the OCRG.
7. When the decision is for disapproval, the *C/MCR* shall indicate clearly why the petition cannot be granted, and shall advise the petitioner of his two options, which are: (a) to appeal the decision to the CRG within ten (10) working days from receipt of the decision, or (b) file the appropriate petition with the proper court.
8. When the decision becomes final and executory, that is, after receipt of the CRG decision, or the CRG failed to impugn the decision within the prescribed period, or the petitioner failed to make his appeal within the prescribed period, the *CIMCR* shall prepare the Certificate of Finality and shall carry out or implement the decision.⁴⁷

⁴⁷ See Section 14 of this Chapter concerning preparation of Certificate of Finality .

Subsection 3. What CRG should do

1. Notify by fastest means the *CIMCR* or CG or D/CR of his receipt of the latter's decision approving the petition for correction of clerical error or for change of first name⁴⁸
2. Either impugn (reverse or modify) or approve (affirm) the decision of the *CIMCR* or CG or D/CR within ten (10) working days after receipt of the decision.
3. Notify the *CIMCR* or CG or D/CR of his action on the decision not later than ten (10) working days from the date of impugning or approving the decision⁴⁹
4. Render decision on the appeal within thirty (30) calendar days after receipt thereof, and shall transmit such decision to the concerned *CIMCR* or CG or D/CR within ten (10) working days after the date of the decision.⁵⁰

Subsection 4. Disapproval of petition

The petition for correction of clerical error shall be disapproved by the *CIMCR* based on any of the following grounds:

1. The supporting documents are not authentic and genuine;
2. The *CIMCR* has personal knowledge that a similar petition is filed or pending in court;
3. The petition involves the same entry in the same document, which was previously corrected or changed under R.A. No. 9048;
4. The petition involves the change of the status, sex, age or nationality of the petitioner or of any person named in the document; or
5. Such other grounds as the *CIMCR* may consider.

⁴⁸ The CRG may use telegram, fax, text messaging, telephone, e-mail and other available means of communication to notify the concerned *CIMCR*, CG or D/CR.

⁴⁹ Same. In case the *CIMCR*, CG or D/CR does not receive the notice or decision within the prescribed period, he or she should exert effort to verify it from CRG directly or through the concerned Regional Director or Provincial Statistics Officer.

⁵⁰ Same.

In the case of change of first name, the petition shall be disapproved based on any of the following grounds:

1. The supporting documents are not authentic and genuine;
2. The CIMCR has personal knowledge that a similar petition is filed or pending in court;
3. The petition involves the same entry in the same document, which was previously corrected or changed under R.A. No. 9048;
4. The first name sought to be changed is neither ridiculous, nor tainted with dishonor nor extremely difficult to write or pronounce;
5. The new first name sought to be adopted has not been habitually and continuously used by the petitioner, and he has not been publicly known by that first name in the community; or
6. There is no confusion to be avoided or created with the use of the registered first name of the petitioner.

Section 11. IMPUGNING THE DECISION

All decisions of the CIMCR (or CG or D/CR) approving the petition for correction of clerical error or change of first name shall be subject to impugment by the CRG. This is a power vested upon the CRG by Section 7 of R.A. No. 9048.

The power to impugn means that the CRG can oppose or challenge the decision of the CIMCR as being not in accordance with R.A. No. 9048 and its implementing rules and regulations.

Under Rule 11 of Administrative Order No.1, S. 2001, the CRG may impugn the decision of the *C/MCR* based on any of the following grounds:

1. The error is not clerical or typographical;
2. The correction of an entry in the civil register is substantial or controversial as it involves the change of age, sex, nationality or civil status of a person;
3. The petition for correction of clerical or typographical error was not posted, or the petition for change of first name was not published in a newspaper of general circulation;

4. The basis used in changing the first name does not fall under any of the following grounds:

- 4.1. The name is ridiculous, tainted with dishonor or extremely difficult to write or pronounce;
- 4.2. The new first name has been habitually and continuously used by the petitioner and he has been publicly known by that first name in the community;
- or
- 4.3. The change of first name will avoid confusion.

5. The *CIMCR* does not have authority to take cognizance of the case.

The CRG may also impugn the decision of the *CIMCR* on some other grounds such as the petition lacks sufficiency in form and substance, or the petition is not supported with relevant documents, and others.

In a case where the decision of the *CIMCR* was subsequently impugned by the CRG, meaning that the decision of the *CIMCR* approving the petition was later reversed by the CRG, the adversely affected petitioner shall have fifteen (15) working days from receipt of the CRG's decision to file motion for reconsideration, or to file the appropriate petition with the proper court at his own convenient time. If the petitioner chooses to file motion for reconsideration with the CRG, the CRG shall render the decision within thirty (30) calendar days after receipt of the motion for reconsideration, and such decision shall be formal and executory. For the purpose of filing the motion for reconsideration, the only available ground for the petitioner would be a newly discovered evidence.

Section 12. APPEAL

When the petition for correction of clerical error or for change of first name is denied or disapproved by the *C/MCR* (or *CG* or *D/CR*), the petitioner shall have two options. One of his options is to appeal the decision of the *CIMCR* to CRG within ten (10) working days from receipt of the decision.

The following guidelines shall be strictly observed by all concerned parties:

- 1. The adversely affected petitioner shall file the notice of appeal to the concerned *CIMCR* within ten (10) working days after the receipt of the latter's decision.

The decision of the *CIMCR* disapproving the petition shall become final and executory when the adversely affected petitioner does not exercise his right to appeal within the prescribed period. To stop the running of the period within which the decision shall become final and executory, it is necessary that the adversely affected petitioner shall

file a notice of appeal to the concerned *CIMCR*. While on appeal, the decision cannot become formal and executory.

There are cases where the *CIMCR* shall encourage the adversely affected petitioner to make an appeal to the CRG. One of these cases is when the alleged clerical error is not one of those listed and illustrated in Chapter 3 as within the scope of R.A. No. 9048. In this case, the CRG shall study the recommendation of *CIMCR*, and if necessary, the CRG shall seek the opinion of the Secretary of Justice whether or not the alleged clerical error can be corrected under R.A. No. 9048.

2. The *CIMCR* shall, within five (5) working days after the receipt of the notice of appeal from the petitioner, submit the petition and all supporting documents to CRG.

To prevent the possibility of the documents being tampered with by interested party or parties, the *CIMCR* shall not allow just anybody to hand carry the documents to CRG, except by his trusted liaison, provided that the documents are sealed in an envelope or similar sealed container. When the LCRO- is in a distant place from the OCRG, it is safer to send the documents by means of the conventional postal service system or by commercial messenger services.

3. The CRG shall render decision on the appeal within thirty (30) calendar days after receipt thereof. The decision of the CRG shall be transmitted to the concerned *CIMCR* within ten (10) working days after the date of the decision. Within ten (10) working days after receipt of the decision, the *CIMCR* shall notify the petitioner and shall carry out the decision.

4. When the petitioner fails to seasonably file the appeal, the decision of the *CIMCR* disapproving the petition shall become final and executory, and the only option left for the petitioner shall be to file the appropriate petition with the proper court.

5. The petitioner may file the appeal to the CRG on any of the following grounds:

5.1. A new evidence is discovered, which when presented, shall materially affect, alter, modify or reverse the decision of the *C/MCR*;

5.2. The denial of the *CIMCR* is erroneous or not supported with evidence; or

5.3. The denial of the *CIMCR* IS done with grave abuse of authority or discretion.

Section 13. SENDING OF PETITION AND SUPPORTING PAPERS TO CRG

Under Section 5 of R.A. No. 9048 and Rule 8.4 of Administrative Order No.1, S. 2001, the petition and its supporting papers shall be filed in three (3) copies to be distributed as follows:

First copy	to the concerned <i>CIMCR</i> , CG or D/CR
Second copy	to the OCRG
Third copy	to the petitioner

In effect, there will be two (2) copies of the petition and supporting papers that will be left with the *CIMCR*. These two (2) copies are his copy and the OCRG copy.

Within five (5) working days after the date of his decision approving the petition, the *CIMCR* shall send the following documents to the CRG:

1. Two (2) copies of the petition form containing his decision; and
2. One (1) copy of each supporting documents submitted by the petitioner.

The decision of the CRG, whether affirming or impugning the decision of the *CIMCR* shall be entered in the two (2) copies of the petition" form. One (1) copy of the petition form containing the CRG's decision shall be sent back to the concerned *CIMCR* as his basis in preparing the Certificate of Finality ..

In case his decision is disapproval of the petition, the *CIMCR* shall wait for the petitioner to file the Notice of Appeal within the prescribed period before sending the OCRG copy. When the petitioner opts to appeal, the *CIMCR* shall send the OCRG within five (5) working days after date of receipt of the Notice of Appeal, the following:

1. One (1) copy of the Notice of Appeal
2. Two (2) copies of the Appeal form
3. One (1) copy of the Petition form containing his decision
4. One (1) copy of each supporting papers submitted by the petitioner for the original petition
5. One (1) copy of each supporting papers submitted by the petitioner in connection with his appeal

The CRG shall enter his decision in the two (2) copies of the Appeal form. One copy shall be retained by him, and the other copy shall be sent back to the *CIMCR* within ten (10) working days after the date of his decision as the latter's basis in preparing the Certificate of Finality. When the petitioner does not opt to exercise his option to appeal by allowing the prescribed period of appeal to lapse, the *CIMCR* shall send to OCRG within five (5) working days from the date his decision becomes final and executory, the following:

1. One (1) copy of the Petition form containing his decision
2. One (1) copy of each supporting papers submitted by the petitioner
3. One (1) copy of the Certificate of Finality

All required documents to be sent to OCRG shall be addressed to:

Hon. CARMELITA N. ERICTA
Civil Registrar General

Attn.: Atty. MARIBETH C. PILIMPINAS
Chief, Legal Services Division
National Statistics Office
Sta. Mesa, Manila

Subject: R.A. No. 9048

In sum, the CRG and the *CIMCR* shall have the same sets of the petition, supporting papers, certificate of finality, and appeal form.

Section 14. PREPARATION OF THE CERTIFICATE OF FINALITY

The Certificate of Finality shall be prepared and issued by the *CIMCR* as a prerequisite of carrying out his decision or that of the CRG in case of appeal. It shall be issued in the following instances:

1. When the CRG had rendered his decision to affirm or impugn the decision of the *CIMCR* approving the petition, and such decision was received by or was communicated with the *CIMCR*;
2. When the CRG had failed to impugn the decision of the *CIMCR* within the prescribed period, and such failure to impugn was known to the *CIMCR* after verification with the CRG; or
3. When the CRG had rendered his decision on appeal or on reconsideration, and such decision was received by or was communicated with the *CIMCR*.

In no case, however, shall the *CIMCR* prepare and issue Certificate of Finality without actually receiving the decision of the CRG, or without actually receiving notice of such decision.

It should be noted that the CRG is given ten (10) working days after the receipt of the decision of the *CIMCR* within which to take action (affirm or impugn) on said decision. After the lapse of that 10-working day period, he is also given another ten (10) working days within which to notify the *CIMCR* of the action he has taken on the decision. If the *CIMCR* does not receive the notice or decision of the CRG within the ten-working day period, the *CIMCR* shall verify it from the OCRG. It would be only after verification when the *CIMCR* shall prepare the Certificate of Finality.

To facilitate communication between the *CIMCR* and OCRG, three landline telephones and one fax machine are proposed to be installed at the Legal Services Division of the National Statistics Office in Sta. Mesa, Manila. Once installed, the OCRG shall circularize the telephone and fax numbers to all *C/MCRs*.

Section 15. ANNOTATION ON THE AFFECTED DOCUMENTS

Whenever a petition for correction of clerical error or petition for a change of first name is approved by the *CIMCR*, and such approval was not impugned by the CRG, the concerned *CIMCR* shall annotate the affected certificate and the corresponding page of the registry book.

In making the annotation, the following facts should be clearly stated:

1. The approved correction or change of first name
2. Petition number
3. Date when the petition was approved by the *CIMCR*
4. Date when the petition was affirmed by CRG

Example 1: (correction of clerical error)

Date of birth is hereby corrected from "31 February 1989" to "21 February 1989" pursuant to Petition No. CCE-0011-2001, approved by MCR on 15 October 2001 and affirmed by CRG on 26 October 2001 in accordance with R.A. No. 9048.

(Signature of MCR over his printed name)'

Example 2: (change of first name)

Child's first name "Maria Rosanna" is hereby changed to "Maryrose" pursuant to Petition No. CFN-0009-2001, approved by MCR on 01 October 2001 and affirmed by CRG on 10 October 2001 in accordance with RA. No. 9048.

(Signature of MCR over his printed name)

No original entry or entries in the affected record shall be physically erased, obliterated, crossed-out or modified, and no amended record shall be issued to the successful petitioner or to any interested party.

When requested by the successful petitioner, a certification may be issued in the form of machine or photo copy of the original certificate or in a transcript form using LCR Form 1 A, or LCR Form 2A, or LCR Form 3A, as the case may be. In any case, the certification shall also bear annotation similar to what was made on the original document.

Chapter 6 PROPER FILLING UP OF FORMS

Section 1. INTRODUCTION

For the convenience of everybody and for the effective implementation of R.A. No. 9048, the OCRG designed and devised all the necessary forms. No forms other than what are prescribed by the OCRG shall be used. This is to ensure uniformity in the implementation of R.A. No. 9048

The petition forms (Forms 1.1, 1.2, 2.1, 2.2., 2.3, 2.4, 2.5, 2.6, 3.1, and 3.2) for correction of clerical error is designed to accommodate three (3) clerical errors to be corrected. If there are more than three errors to be corrected in the same document, additional petition forms shall be accomplished by the petitioner. Although done in several forms, the petition shall be considered only one, and the same petition number shall be used for all the petition forms.

Example:

In the birth certificate of *Magdalena Carpio Dominguez*, several clerical errors were noted. Her first name was entered as *Magdelina* instead of *Magdalena*; her father's last name was entered as *Domingez* instead of *Dominguez*; her mother's maiden last name was entered as *Dominguez* instead of *Carpio*; and her date of birth which was entered as *31 February 1967* instead of *21 February 1967*.

In this case, where there are four (4) clerical errors in her birth certificate, *Magdalena* shall file only one (1) petition, and pay only P1,000.00, but shall prepare two (2) petition forms (R.A. 9048 Form 1.1).

For the numbering of the two (2) petition forms, please refer to Section 2(7) of this Chapter.

The OCRG prescribes the following forms:⁵¹

R.A. 9048 Form 1.1. Petition for correction of clerical error in the Certificate of Live Birth at the LCRO

R.A. 9048 Form 1.2. Petition for correction of clerical error in the Certificate of Live Birth at the Philippine Consulate

R.A. 9048 Form 2.1. Petition for correction of clerical error in the Certificate of Marriage at the LCRO

⁵¹ These forms shall not be supplied by the OCRG. They shall be reproduced by the *C/MCR*, *CG* or *O/CR* and shall be made available to interested parties. In reproducing them, care should be taken so as not to miss, alter or modify any item of information.

R.A. 9048 Form 2.2. Petition for correction of clerical error in the Certificate of Marriage at the Philippine Consulate

R.A. 9048 Form 2.3. Petition for correction of clerical error in the Certificate of Marriage at the Shari'a Court

R.A. 9048 Form 2.4. Petition for correction of clerical error in the Certificate of Divorce at the Shari'a Court

R.A. 9048 Form 2.5. Petition for correction of clerical error in the Statement of Revocation of Divorce at the Shari'a Court

R.A. 9048 Form 2.6 .. Petition for correction of clerical error in the Certificate of Conversion to Islam at the Shari'a Court

R.A. 9048 Form 3.1. Petition for correction of clerical error in the Certificate of Death at the LCRO

R.A. 9048 Form 3.2. Petition for correction of clerical error in the Certificate of Death at the Philippine Consulate

R.A. 9048 Form 4.1. Petition for change of first name at the LCRO

R.A. 9048 Form 4.2. Petition for change of first name at the Philippine Consulate

R.A. 9048 Form 5.1. Notice of Appeal at the LCRO

R.A. 9048 Form 5.2. Notice of Appeal at the Philippine Consulate

R.A. 9048 Form 5.3. Notice of Appeal at the Shari'a Court

R.A. 9048 Form 6.1. Appeal at the LCRO

R.A. 9048 Form 6.2. Appeal at the Philippine Consulate

R.A. 9048 Form 6.3. Appeal at the Shari'a Court

R.A. 9048 Form 7. Motion for Reconsideration

R.A. 9048 Form 8.1. Notice for Posting at the LCRO

R.A. 9048 Form 8.2. Notice for Posting at the Philippine Consulate

- The petitioner shall underline either "I", "He" or "She" whichever is applicable.
4. Enter "x" in the appropriate box or boxes.

Example: (a portion of Form No. 1.1)

I am the petitioner seeking correction of the clerical error in:

a) **0 my Certificate of Live Birth**

b) **0 the Certificate of Live Birth of _____ who is my**
(complete name of owner)

(relation of owner to the petitioner)

The petitioner shall enter "x" in either box "a" or box "b" whichever is applicable.

5. All forms have a heading, which contains the geographic location of the office. Depending on what office the petition is filed, the heading varies.⁵²

Example:

In Form 1.2 (Petition for correction of clerical error in the Certificate of Live Birth at the Philippine Consulate), it is necessary that the petitioner should state clearly the City, State and Country where the Philippine Consulate is located.

6. In the *scilicet* portion or "statement of the venue" (part of the form marked "SS"), enter the city/municipality and the province where the form was subscribed and sworn to.

Example: (a portion of Form No. 1.1)

Republic of the Philippines)
Quezon City) SS

7. Enter the "Petition No." in the appropriate space. The petition number is a unique number, which is used as a means of identification to distinguish one petition from the other. It shall consist of 13 alphanumeric characters in the following format:

CCE-NNNN-YYYY

CFN-NNNN- YYYY

where

CCE	refers to correction of clerical error
CFN	refers to change of first name
NNNN	refers to a number representing the sequential order of receiving the petition
YYYY	refers to the year of filing the petition

⁵² In the case of migrant petitioner, all headings of forms shall be that of the RKCR

Thus, "CCE-0003-200 1" means "3rd petition for correction of clerical error in 2001", and "CFN-0001-200 I" means "1st petition for change of first name in 2001".

In a case where more than one petition forms (R.A. 9048 Form 1.1) are prepared and filed to correct several clerical errors in one document, as illustrated in Section 1 of this Chapter, there shall be an alpha suffix for each number assigned to the petition form.

Using the same example in Section 1, there shall be two (2) petition forms to be prepared by *Magdalena Carpio Dominguez*:

First petition form to correct the spelling of her first name from *Magdalena* to *Magdalena*; spelling of her father's last name from *Domingez* to *Dominguez*; and to correct her mother's maiden last name from *Dominguez* to *Carpio* (Petition No. CCE-0001-200 I-A)

Second petition form to correct her date of birth from 31 *February* 1967 to 21 *February* 1967 (Petition No. CCE-0001- 2001-B)

Please take note that the two (2) petition forms have actually the same petition number, which is *Petition No. CCE-0001- 2001*. The two (2) petition forms, however, are distinguished from each other by the alpha suffixes *A*, and *B*.

8. In any form where a name is required, the first name, middle name and last name, in that order, shall be entered.

Example: (a portion of Form 11.1)

Name of Petitioner Ciriaco Bulaklakin Rosal
(first) (middle) (last)

9. In any form where a signature is required, facsimile signature or mere initials are not acceptable. It should be done with a fresh signature. If the party is illiterate, right hand thumb mark will do.

Example:

ANTONIO C. ESCOBAR
Municipal Civil Registrar

10. In entering the date, the following format shall be observed: "day month year."

Example: (a portion of Form No. 12)

Date rendered: 05 October 2001

- 11 In all forms for petition for correction of clerical error, it is necessary to identify clearly the particular item of information⁵³ in the document to be corrected and the proposed correction. The data shall be entered in the appropriate spaces.

Example: (a portion of Form No. 1.1)

Item No.	Description	From	To
1	First name of the child	Florentiano	Florentino

12. The reason or reasons for filing the petition are asked in all forms of petition for correction of clerical error. State the reasons very briefly but clearly. If the space provided in the form is not sufficient, the petitioner may use additional sheet of paper, which must be properly identified and attached to the petition.

Example: (a portion of Form 1.1)

5. The facts/reasons for filing this petition are the following: (Use additional sheets, if necessary.)

Since childhood. I have been using my first name spelled as "Florentino ". All my records (school records. employment records. baptismal certificate. etc.) show my first name as "Florentino". I. therefore. request that my first name in my birth certificate be corrected from "F/Florentiano" to "Florentino ".

13. The petition for correction of clerical error or for change of first name requires submission of various supporting documents. Enumerate and describe briefly these supporting papers in the space provided in the petition form.

Example: (a portion of Form No. 4.1)

⁵³ Some registration forms do not have item numbers, hence, the item number required in the petition form should be marked "not applicable".

6. I submit the following documents to support this petition: *(Use additional sheets, if necessary.)*

a) Certificate of Live Birth issued by OCRG-NSO on 05 September 2001

b) True Copy of Voter's Affidavit issued by COMELEC on 11 September 2001

c) Transcript of Records issued by UST on 03 March 2000

d) Clearance from employer (ABC Corp.) that I have no pending administrative case as of 01 October 2001

e) NBI clearance issued on 25 September 2001

j) PNP clearance issued on 25 September 2001

14. All the possible grounds for changing first name are given in the petition form. Each ground is preceded by a box. Enter "x" in as many boxes as are necessary and applicable to the petitioner. In a separate sheet of paper which shall be attached to the petition form, the petitioner shall explain or justify the ground or grounds upon which the change of first name are relied upon. The attachment shall be identified with the petition by means of a petition number.

Example: (a portion of Form 4.1)

5. The grounds for filing this petition are the following: *(Ground selected should be explained justified in a separate sheet of paper to be attached to this form.)*

- a) **The first name is extremely difficult to write or pronounce;**
- b) **I have/He/She has habitually used _____ and I am/he/she is publicly known in the community with that first name;**
- c) **The first name is tainted with dishonor;**
- d) **The first name is ridiculous;**
- e) **The first name causes confusion;**

Suppose the petitioner selected letter "a" and the corresponding box was marked "x". This means that the petitioner's first name is extremely difficult to write or pronounce. In a separate sheet of paper, the petitioner's explanation or justification could be:

"I am filing this petition because my first name is too long and extremely difficult to write. My first name is Santissimonicorrabarrantini, consisting of 27 letters. Every time I accomplish some forms, I encounter difficulty of writing my long first name because the space for my name is usually small to accommodate 27 letters. Even my friends have difficulty of addressing me. In many instances, people abbreviate my first name to Santy. I therefore request that my first name be changed to Santy.

15. The decision shall be brief but must be able to appraise the petitioner of what action has been taken on the petition (or appeal), why the action was taken, and the basis upon which the action was taken.

Example: (a portion of Form No. 1.1)

ACTION TAKEN BY C/MCR

(Provide the basis for the action taken.)

Granted

Denied

The petitioner, having been able to prove convincingly that he has been using his first name spelled as "Santia!o" as shown by documentary evidences he submitted to this Office. the petition to correct the spelling of his first name in the Certificate of Live Birth bearing registry number 90-475 from "Santiano" to "Santia!o". being a clerical e"or within the meaning of R.A. No. 9048. is hereby GRANTED.

16. The owner of the document may not necessarily be the petitioner. In a case where the petitioner is other than the owner of the document, it is required in the petition to state the relation of the document owner to the petitioner. The relation should be clearly stated such as: "Wife", "Husband", "Daughter", "Son", and so forth. It should be the relation of the owner to the petitioner, and not relation of the petitioner to the owner.

Example: (a portion of Form No. 4.1)

I. b) 0 the Certificate of Live Birth of Jose Cruz Aquino who is my son
(Complete name or owner) (relation or owner to the petitioner)

17. In Form No.6 (Appeal), it is necessary for the petitioner to state clearly his ground or grounds for appealing the decision to the CRG. There are only three grounds for appeal provided under Rule 14 of Administrative No.1, S. 2001, hence, the petitioner should not base his appeal on grounds other than in the list.

Example: (a portion of Form No.6)

Grounds for appeal: (Use additional sheets, if necessary.)

I hereby appeal the decision of MCR Helen C. Ignacio who disapproved my petition to correct the year of birth of my child from "2002" to "2001" on the ground that such decision was erroneous. The MCR relied on the provision of Section 2(3) which provides among others that no correction must involve the chance of age. I submit that I do not intend to change the age of my child. The e"or is visible to the eyes and obvious to the understanding because the year "2002" is a future year considering that I filed my petition on 05 October 2001. My child was born on 03 March 2001 and not 03 March 2002 which is a future date.

18. In almost all forms, the type and nature of petition is asked. In giving the information, please specify also the object of the petition.

Example:

Type and nature of petition: *Correction of spelling of the child's last name from "Velasques" to "Velasquez",*

Another example:

Type and nature of petition: *Change of first name from "Lauriano" to "Laura."*

19. Whether the petition is for correction of clerical error or change of first name, the successful petitioner is not entitled to the issuance of an amended document. The fact of correction of clerical error, or change of first name shall only be annotated on the affected document.

Example:

Isabel Centeno Gomez was successful in her petition to correct the spelling of her last name in her birth certificate from *Gomes* to *Gomez*. The MCR granted her petition. The CRG did not impugn the MCR's decision. In this case, the fact of correction of the spelling of her last name shall be merely annotated in her birth certificate. The annotation may be worded as follows: *Last name of the child is hereby corrected from "Gomes" to "Gomez" pursuant to Petition No. CCE-0005-2001, approved by the CCR on 15 October 2001 and affirmed by the CRG on 29 October 2001 in accordance with RA 9048.*

Another example:

Arthur Gotoc Lim petitioned for the change of his first name from *Arturo* to *Arthur*. The petition was granted by MCR Carlos de Jesus whose decision was affirmed by the CRG. The marginal annotation may be worded as follows: *Child's first name "Arturo" is hereby changed to "Arthur" pursuant to Petition No. CFN-0003-2001, approved by the MCR on 15 October 2001 and affirmed by the CRG on 29 October 2001 in accordance with R.A. 9048.*

Section 3. CASES TO ILLUSTRATE ACCOMPLISHMENT OF FORMS

Case 1. Correction of clerical error was approved by the CIMCR and affirmed by the CRG.

As a requirement for her graduation in college, *Editha Sacdalan Lara* requested a copy of her birth certificate from NSO. She was surprised, however, to find out that her first name was spelled *Edita* in her birth certificate.

Consequently, her father, *Cipriano T. Lara*, filed the petition on her behalf on 11 October 2001 with the LCRO of Bansud, Oriental Mindoro where she was born.

The petition was approved by the MCR whose decision was affirmed by the CRG.

(NOTE: The following pages show the forms used and how they were accomplished.)

Republic of the Philippines
Local Civil Registry Office
Province Oriental Mindoro
City/Municipality: Bansud

Republic of the Philippines)
Bansud, Oriental Mindoro) S.S.

Petition No. CCE-0025-2001

PETITION FOR CORRECTION OF CLERICAL ERROR
IN THE CERTIFICATE OF LIVE BIRTH

I, Cipriano Tenorio Lara, of legal age, Filipino, and a
(complete name of petitioner) (nationality)

resident of Pag-asa, Bansud, Oriental Mindoro
(complete address)

after having been duly sworn to in accordance with law, hereby declare that:

1. I am the petitioner seeking correction of the clerical error in:

a) 0 my Certificate of Live Birth

b) 0 the Certificate of Live Birth of Edita Sacdalan Lara, who is my
(complete name of owner)

daughter
(relation of owner to the petitioner)

2. I/He/She was born on 01 June 1973 at Bansud,
(date of birth) (city/municipality)

Oriental Mindoro, Philippines
(province) (country)

3. The birth was recorded under registry number 73-115

4. The clerical error to be corrected is:

Item No.	Description	From	To
1	First name of the child	Edita	Editha

5. The facts/reasons for filing this petition are the following: {Use additional sheets, if necessary.}

My daughter has been using her first name spelled as "Editha" since her childhood. In order for her birth certificate, where her first name was spelled "Edita", to be consistent with all her other records, this petition is hereby filed to correct the spelling from "Edita" to "Editha".

6. I submit the following documents to support this petition: (Use additional sheets, if necessary.)

- a) Birth certificate issued by OCRG-NSO in Manila
- b) Baptismal certificate issued by Sf. Francis Parish Church
- c) Form 148 (Report of Rating) issued by DECS. Region IV
- d) SSS Form 1 (Membership Form)

7. I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with an)' Local Civil Registry Office (LCRO), Courts or other Philippine Consulate or Embassy.

8. I am filing this petition at the LCRO of Bansud, Oriental Mindoro
(city/municipality) (province)

in accordance with R.A. No. 9048 and its implementing rules and regulations.

CIPRIANO T. LARA
Signature over printed name of petitioner

VERIFICATION

I, Cipriano T. Lara, the petitioner, hereby certify that the allegations therein are true and correct to the best of my knowledge and belief.

Cipriano T. Lara
Signature over printed name of petitioner,

SUBSCRIBED AND SWORN to before me this 10th day of October, 2001 in the city/municipality of Bansud, petitioner exhibiting his Community Tax Certificate No. 445789, issued at Bansud Oriental Mindoro on 02 January 2001 ..

Atty. OSCAR M PALAGANAS
Administering Officer

Doc No. 356
Page No. 22
Book No. 121
Series of 2001

For C/MCR use only

ACTION TAKEN BY THE C/MCR

(Provide the basis for the action taken.)

Granted **Denied**

Having! found the petition meritorious of consideration. the herein petitioner having! been able to substantiate his claim that his daughter's first name was erroneously spelled in the latter's birth certificate. the petition is hereby granted. The first name of the child "Edita" in the birth certificate bearing registry number 93-115 is hereby corrected to "Editha .

24 October 2001

Date

MA. MERCEDES S. ZALDIVAR

Municipal Civil Registrar

For CRG use only.

ACTION TAKEN BY CRG

(Provide the basis for the action taken.)

Affirmed **Impugned**

Having found the decision of MCR Ma. Mercedes S. Zaldivar to be in accordance with R.A. No. 9048 and its implementing rules and regulations. the decision to correct the spelling of the child's first name in the birth certificate bearing registry number 93-115 from "Edita" to "Editha" is hereby AFFIRMED.

15 November 2001

Date

CARMELITA N. ERICTA

Civil Registrar General

Republic of the Philippines
Local Civil Registry Office
Province: Oriental Mindoro
City/Municipality: Bansud

NOTICE FOR POSTING

The public is hereby notified that Cipriano Tenorio Lara
(Complete name of petitioner)

has filed with this Office a petition for correction of the spelling of the first name of
(Type or nature of petition)

"Edita" to "Editha" **in the** Certificate of Live Birth
(Type of document)

of EDITA SACDALAN LARA.
(Complete name of document owner)

Any person claiming interest or may be adversely affected by said petition may, within ten (10) calendar days, file his written opposition with this Office.

Date: 12 October 2001

MA. MERCEDES S. ZALDIVAR
Municipal Civil Registrar

RA. 9048 Form 9.1

Republic of the Philippines
Local Civil Registry Office
Province: Oriental Mindoro
City/Municipality: Bansud

CERTIFICATE OF POSTING

This is to certify that Petition No. CCE-0025-2001 dated 11 October 2001 filed by Cipriano Tenorio Lara for the correction spelling of the child's first name from "Edita" to "Editha" in the Certificate of Live Birth of Edita Sacdalan Lara under civil registry no. 73-115 has been posted for ten (10) consecutive days from 12 October 2001 to 21 at the Municipal Hall Bulletin Board in accordance with Section 6 of R.A. No. 9048.

Issued at the Local Civil Registry Office, Bansud Oriental Mindoro this 22nd day of October 2001.

MA. MERCEDES S ZALDIVAR
Municipal Civil Registrar

Republic of the Philippines
Province: Oriental Mindoro
City/Municipality: Bansud

Petition No. : CCE-0025-2001
Date of filing : 11 October 2001
Name of petitioner : Cipriano Tenorio Lara
Type of document : Certificate of Live Birth
Owner of the document : Edita Sacdalan Lara
Nature & type of petition : Correction of clerical error in the spelling of the first name from "Edita" to "Editha"

CERTIFICATE OF FINALITY

TO WHOM IT MAY CONCERN:

This is to certify that the decision of this Office dated 24 October 2001 in the above Petition for correction of clerical error in the Certificate of Live Birth of Edita Sacdalan Lara as recorded in the attached Record Sheet has become final and executory.

Issued at the Local Civil Registry Office of Bansud, Oriental Mindoro this 10th day of December, 2001.

MA. MERCEDES S. ZALDIVAR
Municipal Civil Registrar

RECORD SHEET

Petition No. CCE-0025-2001 *Type of Petition:* Correction of clerical error

Date of receipt: 11 October 2001 *Date of Posting:* Date of Posting: 12-21 October 2001

Complete name of petitioner: Cipriano Tenorio Lara

Complete name of document owner: Edita Sacdalan Lara

Type of document: Certificate of Live Birth **Registry No.** 93-115

Items for correction/change:

- a) **Item No:** 1
- b) **Description** Name of the child
- c) **From** Edita
- d) **To** Editha

Decision on petition:

C/MCR CG or D/CR

Granted Denied **Date rendered:** 24 October 2001

CRG

Affirmed Impugned **Date rendered:** 15 November 2001

Decision of CRG on appeal

Affirmed Reversed **Date rendered:** _____

Decision of CRG on reconsideration

Granted Denied **Date rendered:** _____

Certificate of Finality issued on: 10 December 2001

Remarks: The MCR approved the correction of the spelling of the first name from Edita" to "Editha". The decision of/he MCR was affirmed by the CRG.

Ma. Mercedes S. Saldivar
Municipal Civil Registrar

Case 2. Correction of clerical error was denied by CIMCR and affirmed by CRG

Laiza Ann C. Ramos was born at Cagayan de Oro on 29 June 1965. She now resides in Quezon City. She planned to go abroad but when she requested her birth certificate from OCRG, what was issued to her was the birth certificate of her twin sister, *Laiza Mae C. Ramos*. *Re verification* was done but no birth certificate in the name of *Laiza Ann C. Ramos* was found in the archive.

Laiza Ann made verification at the LCRO of Cagayan de Oro City but again, found nothing about her record of birth. What she found was the birth certificate of *Laiza Mae* whom she claimed to have died 2 days after their date of birth. Left with no alternative, *Laiza Ann* applied for delayed registration of her birth.

However, the CCR questioned her application for delayed registration of her birth. The CCR did not find any indication in the birth certificate of *Laiza Mae* that they (*Laiza Mae* and *Laiza Ann*) were born twins. Contrary to what *Laiza Ann* alleged that she is the twin sister of *Laiza Mae* was the fact that in Item 5a (Type of Birth) in the latter's birth certificate, the entry was "single". As a remedy, the CCR recommended that Item 5a be corrected first from "single" to "twin" .

Laiza Ann, therefore, filed a petition to correct Item 5a in her alleged twin sister's birth certificate from "single" to "twin" on 28 September 2001. To support her petition, she submitted to the CCR the following documents: (1) Affidavit of her grandmother, Rodelia Diaz, declaring that *Laiza Ann* and *Laiza Mae* were born twins, and that *Laiza Ann's* mother died when the former was ten years old; (2) *Laiza Ann's* baptismal certificate; (3) Birth certificates of *Laiza Ann's* younger brothers, *Efren* and *Miguel*, and of her eldest brother, *Joselito*.

On 19 October 2001, the CCR rendered a decision denying *Laiza Ann's* petition on the ground of insufficiency of proof that *Laiza Ann* and *Laiza Mae* were born twins.

On 25 October 2001, *Laiza Ann* appealed the CCR's decision to the CRG on the ground of newly discovered evidence. The "newly discovered evidence" referred to by *Laiza Ann* was her father's (Jacinto D. Ramos) affidavit declaring that he was present during the delivery of *Laiza Ann* and *Laiza Mae* and during the burial of the latter.

On 23 November 2001, the CRG rendered the decision affirming the earlier decision of the CCR denying the petition on the ground of insufficiency of proof On 10 December 2001, the CCR prepared the Certificate of Finality.

(NOTE: The forms to be illustrated in this case shall only be Form 5.1 [Notice of Appeal] and Form 6.1 [Appeal]. The other forms supposed to be used in this case had been illustrated in Case 1. The following pages illustrate how Form 5.1 and Form 6.1 should be accomplished.)

RA 9048 Form No. 5.1 (LCRO)

Republic of the Philippines
Local Civil Registry Office
Province: Misamis Oriental
City/Municipality: Cagavan de Oro City

NOTICE OF APPEAL

Petitioner-Appellant Laiza Ann C. Ramos Petition No. CCE-OOO 1-200 1
Title: Correction of clerical error
Date: 25 October 2001

Petitioner-Appellant respectfully gives notice that he/she is appealing to the Civil Registrar General the decision dated 19 October 200 1 of C/MCR Leo C. Wabe
(complete date) (complete name of C/MCR)

of Cagayan de Oro City, Misamis Oriental, who denied the petition for correction
(City/Municipality) (province)
of the type of birth from "single" to "twin" in the Certificate of Live Birth of
(type and nature of petition) (type of document)

a) *herein Petitioner-Appellant*

b) Laiza Mae C. Ramos *who is my twin sister*
(complete name of owner) (relation of owner to petitioner)

A copy of the decision of the above-named C/MCR was received by the Petitioner-Appellant on the 23rd day of October 2001.

LAIZA ANN C. RAMOS.
Signature over printed name of Petitioner-Appellant

Republic of the Philippines
Local Civil Registry Office
Province: Misamis Oriental
City/Municipality: Cagayan de Oro City

APPEAL

Petition No

Petitioner-Appellant: Laiza Ann C. Ramos Petition No: CCE-0001-2001
Title: Correction of clerical error in the Certificate of Live Birth
Date: 25 October 2001

I, Laiza Ann C. Ramos, petitioner-appellant hereby appeal the decision
(complete name of petitioner-appellant)

rendered on 19 October 2001 by C/MCR Leo C. Wabe denying the
(date) (complete name of C/MCR)
petition for correction of the type of birth from "single" to "twin" in
(type and nature of petition)

- a) my not applicable
- b) the Certificate of Live Birth of
(type of document)
Laiza Mae C. Ramos who is my twin sister
(complete name of owner) (relation of owner to petitioner)

I received from the above-named CIMCR a copy of the decision on the 23rd day of October 2001.

Grounds for appeal: (Use additional sheets, if necessary.)

I hereby appeal the decision of CCR Leo C. Wabe who disapproved my petition to correct in the birth certificate of my deceased twin sister the entry in Item 5a (Type of Birth) from "single" to "twin" on the ground of newly discovered evidence. It was only lately that my father executed an affidavit that he witnessed the birth of Laiza Mae and me, and that he witnessed also the burial of Laiza Mae. I hereby submit this affidavit as newly discovered evidence to support my appeal. Wherefore, I pray that this appeal be given due course in accordance with RA. No. 9048 and its implementing rules and regulations.

Wherefore, I pray that this appeal be given due course in accordance with R.A. No.9048 and its implementing rules and regulation.

LAIZA ANN C. RAMOS
Signature over printed name of Petitioner-Appellant

VERIFICATION

I, Laiza Ann C. Ramos, petitioner-appellant, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

LAIZA ANN C. RAMOS
Signature over printed name of petitioner-appellant

SUBSCRIBED AND SWORN to before me this 24h day of October 2001 in the city/municipality of Cagayan de Oro, province of Misamis Oriental, petitioner exhibiting his Community Tax Certificate No. - 01166745 issued at Cagayan de Oro City on 26 March 2001.

ATTY.. LUIS T.LIM
Administering Officer

Doc. No. 457
Page No. 90
Book No. 5
Series of 2001

For CRG use only

ACTION TAKEN BY THE CRG
(Provide the basis for the action taken.)

Affirmed **Reversed**

On appeal, the decision of CCR Leo C. Wabe and the documentary evidences submitted by the petitioner-appellant were carefully examined by this office. There was nothing in the evidences that can support the allegation that the herein petitioner-appellant and Laiza Mae were born twins, except those affidavits from the petitioner-appellants grandmother and father, which were not corroborated by other documents, and therefore, self-serving. Due to insufficiency of evidence to prove that herein petitioner-appellant and Laiza Mae were born twins, the decision of CCR Leo C. Wabe is hereby AFFIRMED.

CARMELITA N. ERICTA
Civil Registrar General

Case 3. Change of first name was disapproved by C/MCR and affirmed by the CRG.

Mirasol Santos Elorin and *Joey Cruz Estrada* were married in 1997. They are residents of San Juan, Metro Manila where the famous "champion of the poor", President Joseph E. Estrada is also a resident. *Mirasol* and *Joey* were among those "poor" who were beneficiaries of the housing program of the government under the President Estrada. As a sign of gratitude to the President, *Mirasol* and *Joey* named their first son, who was born on 26 December 1999, as *Joseph Elorin Estrada*. With an initial middle name, the son's name is *Joseph E. Estrada*.

Lately, President Joseph E. Estrada was deposed. He was not able to finish his term, and he was accused of several crimes, notably, "plunder". Everyday, the case of the former president was the headline in newspapers, subject of talk show in TV and radio, and practically, everybody was talking and discussing about it.

With this development, *Mirasol* and *Joey* changed their mind, and wanted to change the first name of their child from *Joseph* to *Joselito* on the ground that the full name of their child, which is *Joseph E. Estrada* is tainted with dishonor.

The mother, *Mirasol*, filed the petition with the MCR, and submitted the following supporting papers: (1) birth certificate of the child, (2) their marriage certificate, (3) baptismal certificate of the child, (4) several clippings from newspapers concerning the case of the former president. To justify her petition, she attached a note saying that because of the very adverse publicity concerning the former president who is a namesake of her son, her son's first name is being tainted with dishonor, and that she does not like her son to be object of laughter in the future.

The petition was published in a newspaper of general circulation on September 3 and 9, and thereafter, the MCR rendered a decision denying the petition on the ground that the supporting papers are not sufficient to prove that the first name of the child is tainted with dishonor. The MCR added that the former president is still being tried for the alleged crimes he committed while in office, and under the law, still enjoys the presumption of innocence. The MCR concluded that even if the former president is convicted, such conviction does not necessarily mean that the child's first name is tainted with dishonor, otherwise, all those persons having the first name of *Joseph* would be filing petition for change of their first name. To distinguish the child's name from that of the former president, the child shall use his full middle name as *Elorin* in stead of using only the initial *E*, thus his full name should be written as *Joseph Elorin Estrada* in stead of *Joseph E. Estrada*.

Not satisfied with the decision of the MCR, *Mirasol* appealed to the CRG on the ground that the denial of the MCR is erroneous or not supported with evidence.

On appeal, the CRG affirmed the decision of the MCR. Aside from reiterating the reasons for the denial of the MCR, the CRG added that the fact of a name being tainted with dishonor be experienced personally by the person himself and not by others. The CRG went on commenting that the filing of petition was premature as their child is still too young and innocent to know and experience how a name is tainted with dishonor.

(NOTE: The appropriate forms to be used in this case are illustrated in the following pages.)

Republic of the Philippines
Local Civil Registry Office
Province: Metro Manila
City/Municipality: San Juan

Republic of the Philippines)
San Juan, Metro Manila)SS

Petition No. CFN-OO10-200 1

PETITION FOR CHANGE OF FIRST NAME

I, Mirasol E. Estrada, of legal age, Filipino, and a resident of 48 Tan St. Malaki Subdivision, San Juan, Metro Manila, after having been duly sworn to in accordance
(complete name of petitioner) (nationality/citizenship) (complete address)

with law, hereby declare that:

1) I am the petitioner seeking the change of first name in:

- a) my Certificate of Live Birth
- b) the Certificate of Live Birth of Joseph Elorin Estrada who is my son,
(complete name of owner) (relation of owner to the petitioner)

2) I/He/She was born on 26 December 1999 at San Juan, Metro Manila, Philippines
(date of birth) (city/municipality) (province) (country)

3) The birth was recorded under registry number 99-2467

4) The first name to be changed is from Joseph to Joselito.

5) The grounds for filing this petition are the following: (Ground selected should be explained/justified in a separate sheet of paper to be attached to this form.)

- a) The first name is extremely difficult to write or pronounce;
- b) I have/He/She has habitually and continuously _____ used and I/he/she is publicly known in the community with that first name;
- c) The first name is tainted with dishonor;
- d) The first name is ridiculous;
- e) The first name causes confusion;

6) I submit the following documents to support this petition: (Use additional sheets, if necessary.)

- a) Birth certificate of Joseph Elorin Estrada
- b) My marriage certificate
- c) Baptismal certificate of Joseph Elorin Estrada
- d) Several clippings from newspapers concerning former President Joseph E. Estrada

7) I have not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.

8) I have/He/She has no pending criminal, civil or administrative case in any court or any quasi-judicial body.

9) I am filing this petition at the LCRO of San Juan, Metro Manila
(city/municipality) (province)

in accordance with RA. No. 9048 and its implementing rules and regulations.

MIRASOL E. ESTRADA
Signature over printed name of petitioner

VERIFICATION

I, Mirasol Elorin Estrada, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

MIRASOL E. ESTRADA
Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this 1st day of August 2000 in the city/municipality of San Juan, MM. petitioner exhibiting his Community Tax Certificate No. 398456 issued at San Juan, Metro Manila on 23 February 2001

Atty. JOSE FERNANDEZ
Administering Officer

Doc. No. 976
Page No. 58
Book No. 011
Series of 2001

For C/MCR use only

ACTION TAKEN BY THE C/MCR
(Provide the basis for the action taken.)

Granted **Denied**

The petition to change the first name of the child from "Joseph" to "Joselito" is hereby denied on the ground that the supporting papers are insufficient to prove that the chi/d's first name is tainted with dishonor; that the former president is still being tried for his alleged crimes while in office; that under the law, the former Ilresident still enjoys the Ilresumption of innocence; that even if the former Ilresident is convicted such conviction does not necessarily mean that the child's first name is tainted with dishonor, otherwise, all persons with first name "Joseph" would file petition for change of their first name. It is hereby recommended that in order to distinguish the child from that of the former president, the child shall use his fully spelled middle name "Elorin", thus his full name shall be "Joseph Elorin Estrada" and not "Joseph E. Estrada". The petition is hereby DENIED

Date: 14 September 2001

EPIFANIO V. MODESTO
City/Municipal Civil Registrar

For CRG use only

ACTION TAKEN BY CRG
(Provide the basis for the action taken.)

Affirmed **Impugned**

Date: _____

Civil Registrar General

Payment of filing fee (Please attach copy of the official receipt.)

O.R No. 789065
Amount paid P3,000.00
Date paid 28 August 2001

Republic of the Philippines
Local Civil Registry Office
Province: Metro Manila
City/Municipality: San Juan

NOTICE FOR POSTING

The public is hereby notified that Mirasol E. Estrada has filed with this
(complete name of petitioner)
Office a petition for change of first name of her son from "Joseph" to "Joselito" in
(type and nature of petition)
the Certificate of Live Birth of Joseph Elorin Estrada
(type of document) (complete name of document owner)

Any person claiming interest or may be adversely affected by said petition may within ten (10) calendar days file his written opposition with this Office.

Date: 01 September 2001

Epifanio V. Modesto
City/Municipal Civil Registrar

Republic of the Philippines
Local Civil Registry Office
Province: Metro Manila
City/Municipality: San Juan

CERTIFICATE OF POSTING

This is to certify that Petition No. CFN-0010-2001 dated 28 August 2001 filed by
Mirasol E. Estrada for the change of first name from "Joseph" to "Joselito" in
(complete name of petitioner) (type and nature of petition)
the Certificate of Live Birth of Joseph Elorin Estrada under civil
(type of document) (complete name of owner)
registry no. 99-2467 has been posted for ten (10) consecutive days from 01 September 2001
(date)
to 10 Se/September 2001 at Municipal Hall of San Juan in compliance with Section
(date) (place of posting)
6 of RA. No. 9048.

Issued at the LCRO of San Juan, Metro Manila this 11th day of September 2001.

Epifanio V. Modesto
City/Municipal Civil Registrar

Republic of the Philippines
Local Civil Registry Office
Province: Metro Manila
City/Municipality: San Juan

NOTICE FOR PUBLICATION

In compliance with Section 5 of RA. Act No. 9048, a notice is hereby served to the public that

Mirasol E. Estrada has filed with this Office a petition for change of first
(complete name of the petitioner)
name from "Joseph" to "Joselito" in the
(first name to be changed) (new first name to be adopted)
birth certificate of Joseph Elorin Estrada who was born on 26 December /999
(complete name of document owner) (complete date of birth)
at San Juan, Metro Manila and whose parents are Joey Cruz Estrada
(place of birth) (name of father)
and Mirasol Santos Elorin
(name of mother)

Any person adversely affected by said petition may file his written opposition with this Office not later than 14 September 2001.

Epifanio V. Modesto
City/Municipal Civil Registrar

Republic of the Philippines
Local Civil Registry Office
Province: Metro Manila
City/Municipality: San Juan

NOTICE OF APPEAL

Petitioner-Appellant: Mirasol E. Estrada *Petition No. CFN-OO 10-2001*
Title: Change of first name
Date: 18 September 2001

Petitioner-Appellant respectfully gives notice that he/she is appealing to the Civil Registrar General the decision dated 14 September 2001 of C/MCR Epifanio V. Modesto
(complete date) (complete name of C/MCR)
of San Juan, Metro Manila, who denied the petition for change of
(City/Municipality) (province)
first name from "Joseph" to "Joselito" in the Certificate of Live Birth of
(type and nature of petition) (type of document)

- a) herein Petitioner-Appellant
- b) Joseph Elorin Estrada who is my son
(complete name of owner) (relation of owner to petitioner)

A copy of the decision of the above-named C/MCR was received by the Petitioner-Appellant on the 15th day of September 2001.

Mirasol E. Estrada
Signature over printed name of Petitioner-Appellant

Republic of the Philippines
Local Civil Registry Office
Province: Metro Manila
City/Municipality: San Juan

APPEAL

Petitioner-Appellant: Mirasol E. Estrada *Petition No. CFN-001O-2201*
Title: Change of first name
Date: 19 September 2001

I, Mirasol E. Estrada, petitioner-appellant hereby appeal the decision
(complete name of petitioner -appellant)
rendered on 14 September 2001 by C/MCR Epifanio V Modesto denying the
(date) (complete name of C/MCR)
petition for for change of first name from "Joseph" to "Joselito" in
(type and nature of petition)

a) my not applicable
(type of document)

b) the Certificate of Live Birth of
(type of document)
Joseph Elorin Estrada who is my son
(complete name of owner) (relation of owner to petitioner)

I received from the above-named CIMCR a copy of the decision on the 15th day of
September 2001.

Grounds for appeal: *(Use additional sheets, if necessary.)*

i hereby appeal the decision rendered by MCR Epifanio V Modesto of San Juan, Metro Manila on 14 September 2001 denying my petition to change the first name of my son from "Joseph" to "Joselito" on the woud that said decision was erroneously rendered and was not supported with evidence. it is now a public knowledge that the former president's name is tainted with dishonor. and the CIMCR knows this also. I appeal that my son's first name be changed from "Joseph" to "Joselito " to prevent the possibility of my son being the object of laughter in the future.

Wherefore, I pray that this appeal be given due course in accordance with RA. No. 9048 and its implementing roles and regulations.

Mirasol E. Estrada
Signature over printed name of Petitioner-Appellant

VERIFICATION

I, Mirasol E. Estrada, petitioner-appellant, hereby certify that, the allegations herein are true and correct to the best of my knowledge and belief.

Mirasol E. Estrada
Signature over printed name of petitioner-appellant

SUBSCRIBED AND SWORN to before me this 19th day of September 2000
in the city/municipality of San Juan, province of Metro Manila petitioner
exhibiting his Community Tax Certificate No. 398456 issued at San Juan, Metro Manila on 23
February 2001

Atty. ROMEO L. LIM
Administering Officer

Doc. No. 237
Page No. 20
Book No. 05
Series of2 001

For CRG use only:

ACTION TAKEN BY THE CRG
(Provide the basis for the action taken.)

Affirmed Reversed

This office hereby fully agrees with the findings of the MCR that the supporting papers are not sufficient to prove the allegation of the petitioner that her child's first name is tainted with dishonor. Besides, the fact of a name being tainted with dishonor be felt or experienced personally by the person himself and not by others. While the mother who is the petitioner on behalf of her child may be perceiving that the first name of her child is tainted with dishonor, it may not be so for the child when he grows up to maturity. The filing of petition was premature as her child is till too young and innocent to know, feel and experience how a name is tainted with dishonor. The decision of the MCR denying the petition to change the first name from "Joseph" to "Joselito " is hereby AFFIRMED.

Date: 01 October 2001

CARMELITA N. ERICTA
Civil Registrar General

RA Form No. 11.1 (LCRO)

Republic of the Philippines
Local Civil Registry Office
Province: Metro Manila
City/Municipality: San Juan

Petition No. CFN-0010-2001
Date of filing 28 August 2001
Name of petitioner Mirasol E. Estrada
Type of document Certificate of Live Birth
Owner of the document Joseph Elorin Estrada
Nature and type of petition Change of first name from "Joseph" to "Joselito"

CERTIFICATE OF FINALITY

To whom it may concern:

This is to certify that the decision of this Office dated 14 September 2001 in the
(date of the decision)

above-mentioned petition for change of first name from "Joseph" to "Joselito"

(type and nature of petition)

of Mirasol E Estrada as recorded in the attached Record Sheet has become final
(complete name of petitioner)

and executory.

Issued at the Local Civil Registry Office of San Juan, Metro Manila this day 15th of
October 2001

Epifanio V. Modesto
City/Municipal Civil Registrar

Copy furnished:
Civil Registrar General

RA Form No. 12

RECORD SHEET

Petition No. CFN-00IO-2201 Date of Receipt: 28 August 2001

Posting period: 1-10 September 2001 Publication period: 3 & 9 September 2001

Type of petition: Change of first name from "Joseph" to "Joselito"

Petitioner's name: Mirasol E. Estrada

Document owner's name: Joseph Elorin Estrada

Type of document: Certificate of Live Birth Registry No. 99-2467

Clerical errors to be corrected First name to be changed:

- a) Item No. 1
- b) Description First name of the child
- c) From Joseph
- d) To Joselito

DECISION ON PETITION

By CIMCR, CG or D/CR:

Granted Denied Date rendered: 14 September 2001

By CRG

Affirmed Impugned Date rendered: not applicable

By CRG on Appeal (if any)

Affirmed Reversed Date rendered: 01 October 2001

By CRG on Reconsideration (if any)

Granted Denied Date rendered: not applicable

Certificate of Finality issued on 05 October 2001

Remarks:

The petition to change the first name from "Joseph" to "Joselito" was disapproved by the MCR. The decision of the MCR was affirmed by the CRG.

Epifanio V. Modesto
C/MCR, CO, or D/CR

Case 4. Change of first name was not granted by the CIMCR. CRG reversed the decision of CIMCR on appeal.

Craulou Sacman Sandoval is an American-Filipino mestizo. His mother is *Linda Boone Sacman* (an American), and his father is *Roberto Cruz Sandoval* (a Filipino). The family has been residing in San Marcelino, Zambales for more than 10 years now. *Craulou* is now 8 years old and is studying at the San Marcelino Elementary School, in San Marcelino, Zambales.

Actually, the child's first name, *Craulou* is pronounced *cre-yo-lo* but there are times when his classmates and playmates tease or twit him by pronouncing his name and calling him *siraulo*, which means "crazy" in local dialect. A child as he is, he felt ridiculed and insulted when he is called *siraulo*. In fact, when he was in grade one, his classroom teacher who did not know how to correctly pronounce his name called him also *siraulo*, and he became object of laughter in the class.

One day, *Craulou* had a fight with a classmate who kept on calling him *siraulo*. In that fight, he sustained a cut on his head, bruise on his body, and was not able to come to class for one week. Because of this incident, the parents had to file a petition to change the first name of their son.

On 01 October 2001, *Roberto* filed petition with the MCR of San Marcelino, Zambales praying for the change of first name of his son from *Craulou* to *Marlon* on the ground that the present first name is ridiculous.

To support his petition, *Roberto* submitted the following supporting papers: (1) birth certificate of his son, (2) marriage certificate, (3) affidavit of the school principal narrating some incidents in the school where *Craulou* was seen crying because of the classmates teasing him *siraulo*, and (4) baptismal certificate of his son. *Roberto* also submitted his justification and explanation why he is filing the petition on behalf of his minor son.

The petition was posted by the MCR at the Municipal Hall Bulletin Board from October 4 to 13, 2001. The same petition was published at the Manila Bulletin on 5 and 12 October 2001.

On 16 October 2001, the MCR rendered a decision denying the petition on the ground of insufficiency of evidence to prove that the first name of the child is ridiculous. The MCR added that the affidavit of the school principal was not corroborated by other evidence, and that it is normal for children to be teasing each other.

Roberto was not satisfied with how the MCR decided on his petition. Upon receipt of the MCR's decision on 18 October 2001, he immediately filed a Notice of Appeal. On

22 October 2001, the MCR forwarded the petition and all pertinent papers to the CRG. The CRG received the appealed decision on 26 October 2001.

In his appeal to CRG, *Roberto* cited the following grounds: (1) that the MCR's decision was erroneous; (2) that the MCR mis appreciated the affidavit of the school principal; and (3) newly discovered evidence consisting of a medical certificate from San Marcelino General Hospital where the son was treated after a fight with a classmate, and sworn testimonies of several school teachers witnessing so many occasions where his son was ridiculed not only by his classmates but some school teachers.

On appeal, the CRG rendered a decision on 31 October 2001, reversing the decision of the MCR. The CRG said that the MCR miscalculated the risk by which the child may possibly face or encounter upon reaching maturity. If at this stage, the child who is only 7 years old is resenting to be called *siraulo/o*, and he is engaging to a fight anyone who will call him with that name, the child will not be relieved of any trouble unless his first name is changed.

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Marcelino

Republic of the Philippines)
San Marcelino, Zambales)SS
)
SS 'Petition No. CFN-0003-200 1

Petition No. CFN-0003-200 1

PETITION FOR CHANGE OF FIRST NAME

I, Roberto Cruz Sandoval, of legal age, Filipino,
(complete name of petitioner) (nationality/citizenship)
and a resident of 2 Dacayo St., San Guillermo, San Marcelino, Zambales
(complete address)
after having been duly sworn to in accordance with law, hereby declare that:

1) I am the petitioner seeking the change of first name in:

- a) my Certificate of Live Birth
- b) the Certificate of Live Birth of Craulou Sacman Sandoval
(complete name of owner)

who is my son
(relation of owner to the petitioner)

2) I/He/She was born on 09 July 1994 at San Marcelino,
(date of birth) (city/municipality)
Zambales, Philippines
(province) (country)

3) The birth was recorded under registry number 94-546

4) The first name to be changed is from Craulou to Marlon

5) The grounds for filing this petition are the following: *(Ground selected should be explained/justified in a separate sheet of paper to be attached to this form.)*

- a) The first name is extremely difficult to write or pronounce;
- b) I have/He/She has habitually and continuously used and I/he/she is publicly known in the community with that first name;
- c) The first name is tainted with dishonor;
- d) The first name is ridiculous;
- e) *The first name causes confusion;*

6) I submit the following documents to support this petition: *(Use additional sheets, if necessary.)*

a) Craulou's birth certificate

b) Marriage certificate of the parents

c) School principal's affidavit

d) Baptismal certificate of Craulou

7) I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.

8) I have/He/She has no pending criminal, civil or administrative case in any court or any quasi-judicial body.

9) I am filing this petition at the LCRO of San Marcelino Zambales
(city/municipality) (province)

in accordance with RA. No. 9048 and its implementing rules and regulations.

Roberto Cruz Sandoval
Signature over printed name of petitioner

VERIFICATION

I, Roberto Cruz Sandoval, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

Roberto Cruz Sandoval
Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this 1st day of October 2001 in the city/municipality of San Marcelino, petitioner exhibiting his Community Tax Certificate No. 02301345 issued at San Marcelino on 20 February 2001

Doc. No. 398
Page No. 64
Book No. 05
Series of 2001

Atty. Ferdinand M. Santos
Administering Officer

=====

For C/MCR use only

ACTION TAKEN BY THE C/MCR
(Provide the basis for the action taken.)

Granted Denied

The petition to change the first name of "Craulou" to "Marlon" is hereby DENIED on the wound of insufficiency of evidence to prove that the fist name "Craulou" is ridiculous. The affidavit of the school principal was not corroborated by other evidences, and that it is normal for children to be teasing each other.

Date: 18 October 2001

Antonio Escobar
City/Municipal Civil Registrar

For CRG use only

ACTION TAKEN BY CRG
(Provide the basis for the action taken.)

Affirmed Impugned

Date: _____

Civil Registrar General

Payment of filing fee (please attach copy of the official receipt.)

O.R No. 334236
Amount paid P3,000.00
Date paid 01 October 2001

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Marcelino

NOTICE FOR POSTING

The public is hereby notified that Roberto Cruz Sandoval has filed with this
(complete name of petitioner)
Office a petition for change of first name of his son from "Craulou" to "Mar/on" in
(type and nature of petition)
the Certificate of Live Birth of Craulou Sacman Sandoval
(type of document) (complete name of document owner)

Any person claiming interest or may be adversely affected by said petition may within ten (10) calendar days file his written opposition with this Office.

Date: 04 October 2001

Antonio Escobar
City/Municipal Civil Registrar

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Marcelino

CERTIFICATE OF POSTING

This is to certify that Petition No. CFN-0003-2001 dated 01 October 2001 filed by Roberto Cruz Sandoval for the change of first name of his son from "Craulou" to "Mar/on" In (complete name of petitioner) (type and nature of petition)
the Certificate of Live Birth of Craulou Sacman Sandoval under civil (type of document) (complete name of owner)
registry no. 94-546 - has been posted for ten (10) consecutive days from 04 October 2001 to 13 October 2001 at Municipal Hall of San Marcelino in compliance with Section (date) (place of posting)

6 of RA. No. 9048.

Issued at the LCRO of San Marcelino this 15th day of October 2001.

Antonio Escobar
City/Municipal Civil Registrar

RA Form No. 10.1 (LCRO)

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Marcelino

NOTICE FOR PUBLICATION

In compliance with Section 5 of R.A. Act No. 9048, a notice is hereby served to the public that

Roberto Cruz Sandoval has filed with this Office a petition for change of first
(complete name of the petitioner)
name from Craulou to Marlon in the
birth certificate of Craulou Sacman Sandoval who was born on 26 March 1993
(complete name of document owner) (complete date of birth)
at San Marcelino, Zambales and whose parents are Roberto Cruz Sandoval
(place of birth) (name of father)
and Linda Boone Sacman
(name of mother)

Any person adversely affected by said petition may file his written opposition with this Office not later than 15 October 2001.

Antonio Escobar
City/Municipal Civil Registrar

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Marcelino

NOTICE OF APPEAL

Petitioner-Appellant: Roberto Cruz Sandoval *Petition No.* CFN-0003-2001
Title: Change of first name
Date: 18 October 2001

Petitioner-Appellant respectfully gives notice that he/she is appealing to the Civil Registrar General the decision dated 16 October 2001 of C/MCR Antonio Escobar
(complete date) (complete name of C/MCR)
of San Marcelino, Zambales, who denied the petition for change of first name of my
(City/Municipality) (province)
son from "Craulou" to "Marlon" in the Certificate of Live Birth of
(type and nature of petition) (type of document)

- a) herein Petitioner-Appellant
- b) Craulou Sacman Sandoval who is my son
(complete name of owner) (relation of owner to petitioner)

A copy of the decision of the above-named CJMCR was received by the Petitioner-Appellant on the 18th day of October 2001.

Roberto Cruz Sandoval
Signature over printed name of Petitioner-Appellant

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Marcelino

APPEAL

Petitioner-Appellant: Roberto Cruz Sandoval *Petition No.* CFN-0003-2001
Title: Change of first name
Date : 18 October 2001

of
I, Roberto Cruz Sandoval, petitioner-appellant hereby appeal the decision
(complete name of petitioner -appellant)
rendered on 16 October 2001 by MCR Antonio Escobar denying the
(date) (complete name of C/MCR)
petition for change of first name of "Craulou" to "Marlon" in
(type and nature of petition)
a) my not applicable
(type of document)
b) the Certificate of Live Birth of
(type of document)
Craulou Sacman Sandoval who is my son
(complete name of owner) (relation of owner to petitioner)

I received from the above-named CIMCR a copy of the decision on the 18th day of October 2001.

Grounds for appeal: *(Use additional sheets, if necessary.)*

I hereby appeal the decision of the MCR of San Marcelino, Zambales, denying my petition for the change of first name of my son from "Craulou" to "Marlon" on the following grounds: (1) the decision was erroneous; (2) the MCR mis appreciated the affidavit of the school principal; and (3) newly discovered evidence consisting of a medical certificate from San Marcelino General Hospital where my son was treated after a fight with a classmate, and sworn testimonies of several school teachers witnessing so many occasions where my son was ridiculed not only by his classmates but some school teachers.

Wherefore, I pray that this appeal be given due course in accordance with RA. No. 9048 and its implementing rules and regulations.

Roberto Cruz Sandoval
Signature over printed name of Petitioner-Appellant

VERIFICATION

I, Roberto Cruz Sandoval, petitioner-appellant, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

Roberto Cruz Sandoval
Signature over printed name of petitioner-appellant

SUBSCRIBED AND SWORN to before me this 18th day of October 2001 in the city/municipality of San Marcelino , province of Zambales , petitioner exhibiting his Community Tax Certificate No. 02301345 issued at San Marcelino, Zambales on 20 February 2001 .

Atty. Santiago C. Marcilla
Administering Office

Doc. No. 758
Page No 97
Book No. 07
Series of 2001

For CRG use only:

ACTION TAKEN BY THE CRG
(Provide the basis for the action taken.)

Affirmed Reversed

The MCR miscalculated the risk by which the child may possibly face upon reaching maturity. If at this stage, the child who is only 8 years old is resenting to be called "siraulo ", and he is engaging to a fight any one who will call him with that name, the child will not be relieved of any trouble unless his first name is changed. The MCR, however, was right that the school principal 's affidavit narrating some incidents in the school where Craulou was seen credible because of the classmates teasing him, was not corroborated by other evidences. This deficiency had been cured by the petitioner, who, on appeal, submitted medical certificate from a hospital where the son was treated after a fight with a classmate, and morn statements of several school teachers witnessing so many occasions where his son was ridiculed not only by his classmates but some school teachers. Therefore, the decision of the MCR is hereby REVERSED. The first name of the child "Craulou" is hereby changed to "Marlon".

Date: 31 October 2001

Carmelita N. Ericta
Civil Registrar General

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Marcelino

Petition No. CFN-0003-2001
Date of filing OJ October 2001
Name of petitioner Roberto Cruz Sandoval
Type of document Certificate of Live Birth
Owner of the document Craulou Sacman Sandoval
Nature and type of petition Change of first name from "Craulou" to "Marlon"

CERTIFICATE OF FINALITY

To whom it may concern:

This is to certify that the decision of this Office dated 16 October 2001 in the
(date of the decision)
above-mentioned petition for change of first name from "Craulou" to "Mar/on"
(type and nature of petition)
of Roberto Cruz Sandoval as recorded in the attached Record Sheet has become final
(complete name of petitioner)
and executory.

Issued at the Local Civil Registry Office of San Marcelino, Zambales this 3rd day of November
2001.

Antonio Escobar
City/Municipal Civil Registrar

Copy furnished:
Civil Registrar General

RECORD SHEET

Petition No. CFN-0003-2001 Date of Receipt: 01 October 2001

Posting period: 04-13 October 2001 Publication period: 5 & 12 October 2001

Type of petition: Change of first name from "Craulou" to "Marlon"

Petitioner's name: Roberto Cruz Sandoval

Document owner's name: Craulou Sacman Sandoval

Type of document: Certificate of Live Birth Registry No. 94-546

Clerical errors to be corrected First name to be changed:

- a) Item No. 1
- b) Description Name of child
- c) From Craulou
- d) To Marlon

DECISION ON PETITION

By CIMCR, CG or D/CR:

Granted Denied Date rendered: 16 October 2001

By CRG

affirmed Impugned Date rendered: not applicable

By CRG on Appeal (if any)

Affirmed Reversed Date rendered: 31 October 2001

By CRG on Reconsideration (if any)

Granted Denied Date rendered: not applicable

Certificate of Finality issued on 03 November 2001

Remarks:

The CMCR denied the petition at the first instance but the decision was reversed by the CRG on appeal by the petitioner, hence, the first name of the child. "Craulou" is hereby changed to "Marlon"

Antonio Escobar
CIMCR, CG, or D/CR

Case 5. Correction of clerical error was approved by C/MCR but impugned by the CRG

Since her childhood, she has been using the name *Josette Sto. Domingo Arenas*. She is now 26 years old. Because she appears too young for her age, the CCR (Ms. Gloria Pagdilao) of Manila, where she is residing, required her to submit her birth certificate in connection with her application for marriage license. When she requested a copy of her birth certificate from the local civil registry office of Quezon City where she was born, she was surprised to find out that her recorded first name was not *Josette* but *Josefa*.

She claimed that there was a misspelling of her first name, and therefore, filed a petition to correct her misspelled name from *Josefa* to *Josette*. The CCR (Mr. Ramon Matabang) accepted the petition on 01 October 2001. The CCR posted the petition starting 02 October 2001.

To support her petition, she submitted to the CCR the following: (1) baptismal certificate; (2) birth certificate; (3) SSS membership form; (4) voter's affidavit; (5) official ID card from her employer; and (6) transcript of record from the Far Eastern University. On 13 October 2001, the CCR of Quezon City rendered a decision approving the correction of the spelling of the petitioner's first name from *Josefa* to *Josette*.

On 16 October 2001, the CCR forwarded the petition, all supporting papers and the decision to CRG. The CRG received the papers on 18 October 2001.

On 21 October 2001, the CRG impugned the decision of the CCR. In impugning the decision, the CRG said that the petition was not appropriate. The proper petition should be for change of first name and not to correct a clerical error of misspelling.

Republic of the Philippines
 Local Civil Registry Office
 Province: Metro Manila
 City/Municipality: Quezon City

Republic of the Philippines)
Quezon City, MM)SS

Petition No. CCE-0098-2001

**PETITION FOR CORRECTION OF CLERICAL ERROR
 IN THE CERTIFICATE OF LIVE BIRTH**

I, Josette Sto. Domingo Arenas, of legal age, Filipino,
(complete name of petitioner) (nationality/citizenship)

and a resident of 3232 R Magsaysay Blvd. Sta. Mesa, Manila
(complete address)

after having been duly sworn to in accordance with law, hereby declare that:

1) I am the petitioner seeking correction of the clerical error in:

a) my Certificate of Live Birth

b) the Certificate of Live Birth of not applicable
(complete name of owner)

who is my not applicable
(relation of owner to the petitioner)

2) I/He/She was born on 06 December 1975 at Quezon City
(date of birth) (city/municipality)

Metro Manila, Philippines
(province) (country)

3) The birth was recorded under registry number 75-2645

4) The clerical error to be corrected is:

Item No. Description From To

Item No	Description	From	To
1	First name of the child	Josefa	Josette

5) The facts/reasons for filing this petition are the following: (Use additional sheets, if necessary.)
I have been using my first name spelled as "Josette ". but in my birth certificate, it was spelled as "Josefa". All
my records are in my name "Josette" and not in "Josefa". I pray that the spelling of my first name in my birth
certificate be corrected from "Josefa" to "Josette ".

6) I submit the following documents to support this petition: (Use additional sheets, if necessary.)

- a) Baptismal certificate
- b) Birth certificate
- c) SSS membership form
- d) Voter's affidavit
- e) Official ID card from employer
- f) Transcript of record from Far Eastern University

7) I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.

8) I am filing this petition at the LCRO of Quezon City, Metro Manila
(city/municipality) (province)

in accordance with RA. No. 9048 and its implementing rules and regulations.

Joseette Sto. Domingo Arenas

Signature over printed name of petitioner

VERIFICATION

I, Joseette Sto. Domingo Arenas, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

Joseette Sto. Domingo Arenas

Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this 1st day of October 2001 in the city/municipality of Quezon City, petitioner exhibiting his Community Tax Certificate No. 0967568 issued at Manila on 15 February 2000.

Atty. Crispulo T. Mendigorin

Administering Officer

Doc. No. 647
Page No. 26
Book No. 05
Series of 2001

For CIMCR use only

ACTION TAKEN BY THE CIMCR

(Provide the basis for the action taken.)

Granted **Denied**

Finding the petition sufficient in form and substance, the petition is hereby GRANTED. The first name of the herein petitioner spelled in her birth certificate as "Josefa" is hereby corrected to "Joseette", in accordance with R.A. No. 9048.

Date: 15 October 2001

Ramon M Matabang

City/Municipal Civil Registrar

For CRG use only

ACTION TAKEN BY CRG

(Provide the basis for the action taken.)

Affirmed **Impugned**

After a careful review of the petition and the decision of the CCR, the finding of this Office is that the petition is not appropriate. There is no clerical error to correct within the meaning of R.A. No. 9048. As recorded in the petitioner's birth certificate, the first name "Josefa" was perfectly spelled. What the petitioner wanted is actually to change her first name in her birth certificate from "Josefa" to "Joseette". Being done with inappropriate petition, the decision of the CCR is hereby IMPUGNED, and the petitioner is hereby advised to file the appropriate petition for change of her first name.

Date: 22 October 2001

Carmelita N. Ericta

Civil Registrar General

Payment of filing fee (Please attach copy of the official receipt.)

O.R No. 045988
Amount paid Pl,000.00
Date paid 01 October 2001

RA Form No. 8.1 (LCRO)

Republic of the Philippines
Local Civil Registry Office
Province: Metro Manila
City/Municipality: Quezon City

NOTICE FOR POSTING

The public is hereby notified that Josette Sto. Domingo Arenas has filed with this
(complete name of petitioner)

Office a petition for correction of the spelling of her name from "Josefa" to "Josette"
in

(type and nature of petition)

the Certificate of Live Birth of Josefa Sto. Domingo Arenas
(type of document) (complete name of document owner)

Any person claiming interest or may be adversely affected by said petition may within ten (10) calendar days file his written opposition with this Office.

Date: 02 October 2001

Ramon M Matabang
City/Municipal Civil Registrar

RA Form No. 9.1 (LCRO)

Republic of the Philippines
Local Civil Registry Office filed by
Province: Metro Manila
City/Municipality: Quezon City

CERTIFICATE OF POSTING

This is to certify that Petition No. CCE-0098-2001 dated 01 October 2001 filed by
Josette Sto. Domingo Arenas for the correction of spelling of first name from "Josefa" to "Josette" in
(complete name of petitioner) (type and nature of petition)
the Certificate of Live Birth of Josefa Sto. Domingo Arenas under civil
(type of document) (complete name of owner)
registry no. 75-2645 has been posted for ten (10) consecutive days from 2 October 2001
(date)
to 11 October 2001 at City Hall of Quezon City in compliance with Section
(date) (place of posting)

6 of R.A. No. 9048.

Issued at the LCRO of Quezon City this 12th day of October 2001.

Ramon M. Matabang
City/Municipal Civil Registrar

Republic of the Philippines
Local Civil Registry Office
Province: Metro Manila
City/Municipality: Quezon City

Petition No. CCE-0098-2001
Date of filing 01 October 2001
Name of petitioner Josette Sto. Domingo Arenas
Type of document Certificate of Live Birth
Owner of the document Josefa Sto. Domingo Arenas
Nature and type of petition Correction of clerical error in the spelling of first name from "Josefa" to "Josette".

To whom it may concern:

CERTIFICATE OF FINALITY

To whom it may concern:

This is to certify that the decision of this Office dated 15 October 2001 in the
(date of the decision)
above-mentioned petition for correction of spelling of first name from "Josefa" to "Josette"
(type and nature of petition)
of Josette Sto. Domingo Arenas as recorded in the attached Record Sheet has become final and
(complete name of petitioner)
executory.

Issued at the Local Civil Registry Office of Quezon City this 5th day of November 2001 .

Ramon M Matabang
City/Municipal Civil Registrar

Copy furnished:
Civil Registrar General

RECORD SHEET

Petition No. CCE-0098-2001 Date of Receipt: 01 October 2001

Posting period: 02-11 October 2001 Publication period: not applicable

Type of petition: Date of Receipt: Correction of spelling of first name from "Josefa to Josette"

Petitioner's name: Josette Sto. Domingo Arenas

Document owner's name: Josefa Sto. Domingo Arenas

Type of document: Certificate of Live Birth Registry No. 752645

Clerical errors to be corrected/First name to be changed:

- a) Item No. 1
- b) Description Name of child
- c) From Josefa
- d) To Josette

DECISION ON PETITION

By C/MCR, CG or D/CR:

Granted Denied

Date rendered: 15 October 2001

By CRG

Affirmed Impugned

Date rendered: 22 October 2001

By CRG on Appeal (if any)

Affirmed Reversed

Date rendered: not applicable

By CRG on Reconsideration (if any)

Granted Denied

Date rendered: not applicable

Certificate of Finality issued on 05 November 2001

Remarks:

The CCR wanted the request of the petitioner to correct the spelling of her name in her birth certificate from "Josefa" to "Josette" but the CCR's decision was impugned by the CRG on the ground that the petition should have been a petition for change of first name and not for correction of clerical error.

Ramon M. Matabang
CIMCR, CG, or D/CR

Case No.6. Correction of clerical error was not granted by CIMCR. Decision of CIMCR was reversed by the CRG.

His birth certificate showed his full name as *Jose Lito Jr. Cruz Mendicant*. His parents were *Joselito Roces Mendiola* and *Susana Mendigorin Cruz*. However, since childhood, he has been using *Joselito Jr. Cruz Mendiola*. This name was shown in all his records.

Joselito who is now 23 years old and a civil engineer by profession, filed a petition to correct the misspelling of his first name from *Jose Lito* to *Joselito* with the MCR of San Narciso, Zambales where he was born. He submitted the following supporting papers to the MCR: (1) birth certificate; (2) driver's license; (3) PRC license as civil engineer; and (4) Diploma from University of Santo Tomas.

The MCR accepted the petition on 01 October 2001, and had it posted for ten days starting on 02 October 2001.

On 15 October 2001, the MCR rendered a decision denying the petition on the ground that there was no clerical error to correct in the first name of the petitioner. The MCR added that the petition should be petition for change of first name.

Unsatisfied with the decision of the MCR, the petitioner filed a notice to the MCR on 16 October 2001 that he will appeal the decision to the CRG. The MCR sent all papers to the CRG on 18 October 2001.

These papers were received by the CRG on 25 October 2001. On 02 November 2001, the CRG rendered a decision reversing the decision of the MCR. In reversing the decision of the MCR, the CRG said that the MCR failed to consider the fact that the petitioner is a *Jr.* The first name of the petitioner's father as shown in his birth certificate is spelled as one word, *Joselito*, and it was not disputed that the father's first name was not misspelled. Because of the fact that the petitioner is a *Jr.*, he must have the spelling of his first name the same as that of his father which is *Joselito* and not *Jose Lito*.

Republic of the Philippines
 Local Civil Registry Office
 Province: Zambales
 City/Municipality: San Narciso

Republic of the Philippines)
Olongapo City)SS

**PETITION FOR CORRECTION OF CLERICAL ERROR
 IN THE CERTIFICATE OF LIVE BIRTH**

I, Joselito Jr. Cruz Mendiola, of legal age, Filipino
(complete name of petitioner) (nationality/citizenship)

and a resident of 147 East Bajac Bajac. Olongapo City
(complete address)

after having been duly sworn to in accordance with law, hereby declare that:

- 1) I am the petitioner seeking correction of the clerical error in:
 a) my Certificate of Live Birth
 b) the Certificate of Live Birth of _____
(complete name of owner)
 who is my _____
(relation of owner to the petitioner)

2) I/He/She was born on 08 March 1978 at San Narciso
(date of birth) (city/municipality)
Zambales, Philippines
(province) (country)

3) The birth was recorded under registry number 78263

4) The clerical error to be corrected is:
 Item No. Description From To

Item No.	Description	From	To
1	First name of the child	Jose-Lito	Joselito

5) The facts/reasons for filing this petition are the following: *(Use additional sheets. if necessary.)*
I have been using my first name "Jose lito " since my childhood. but my birth certificate showed my first name as "Jose Lito ". I wish that my first name in my birth certificate be consistent with all my other records.

- 6) I submit the following documents to support this petition: *(Use additional sheets. if necessary.)*
 a) Birth certificate
 b) Driver's license
 c) PRC license as Civil Engineer
 d) Diploma from University ,Sto.Tomas

7) I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.

8) I am filing this petition at the LCRO of San Narciso, Zambales
(city/municipality) (province)

in accordance with RA. No. 9048 and its implementing rules and regulations.

Joselito Jr. Cruz Mendiola
Signature over printed name of petitioner

VERIFICATION

I, Joselito Jr. Cruz Mendiola, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

Joselito Jr. Cruz Mendiola
Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this 1st day of October 2001 in the city/municipality of Olongapo City, petitioner exhibiting his Community Tax Certificate No. 089786 issued at Olongapo City on 25 January 2001.

Atty. Federico G. Guadiz
Administering Officer'

Doc. No. 327
Page No. 49
Book No. 07
Series of 2001

For C/MCR use only

ACTION TAKEN BY THE CIMCR
(Provide the basis for the action taken.)

Granted Denied

The petition is hereby DENIED on the ground that there was no clerical error to correct in the first name of the petitioner. The petitioner should file petition for change of first name in stead of petition for correction of clerical error in the spelling of his name.

Date: 15 October 2001

Edilberto Abad
City/Municipal Civil Registrar

For CRG use only

ACTION TAKEN BY CRG
(Provide the basis for the action taken.)

Affirmed Impugned

Date: _____

Civil Registrar General

Payment of filing fee (Please attach copy of the official receipt.)

O.R No. 323464
Amount paid P 1000.00
Date paid 01 October 2001

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Narciso

NOTICE FOR POSTING

The public is hereby notified that Joselito Jr. Cruz Mendiola has filed with this
(complete name of petitioner)
Office a petition for correction of spelling of his first name from "Jose Lito" to "Joselito" in
(type and nature of petition)
the Certificate of Live Birth of Jose Lito Jr. Cruz Mendiola
(type of document) (complete name of document owner)

Any person claiming interest or may be adversely affected by said petition may within ten (10) calendar days file his written opposition with this Office.

Date: 02 October 2001

Edilberto Abad
City/Municipal Civil Registrar

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Narciso

CERTIFICATE OF POSTING

This is to certify that Petition No. CCE-0012-2001 dated 01 October 2001 filed by Joselito Jr. Cruz Mendiola for the correction of spelling from "Jose Lito" to "Joselito" in (complete name of petitioner) (type and nature of petition) the Certificate of live Birth of Jose Lito Jr. Cruz Mendiola under civil (type of document) (complete name of owner) registry no. 78-263 has been posted for ten (10) consecutive days from 02 October 2001 (date) to 11 October 2001 at Municipal Hall of San Narciso in compliance with Section (date) (place of posting) 6 of R.A. No. 9048.

Issued at the LCRO of San Narciso this 12th day of October 2001.

Edilberto Abad
City/Municipal Civil Registrar

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Narciso

NOTICE OF APPEAL

Petitioner-Appellant: Joselito Jr. Cruz Mendiola Petition No. CCE-00J2-2001
Title: Correction of clerical error
Date: 17 October 2001

Petitioner-Appellant respectfully gives notice that he/she is appealing to the Civil Registrar General the decision dated 15 October 2001 of C/MCR Edilberto Abad
(complete date) (complete name of C/MCR)
of San Narciso, Zambales, who denied the petition for correction of spelling of first
(City/Municipality) (province)
name from "Jose Lito" to "Joselito" in the Certificate of Live Birth of
(type and nature of petition) (type of document)

- a) herein Petitioner-Appellant
- b) not applicable who is my not applicable
(complete name of owner) (relation of owner to petitioner)

A copy of the decision of the above-named C/MCR was received by the Petitioner-Appellant on the 16th day of October 2001.

Joselito Jr. Cruz Mendiola
Signature over printed name of Petitioner-Appellant

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Narciso

APPEAL

Petitioner-Appellant: Joselito Jr. Cruz Mendiola Petition No. CCE-0012-2001
Title: Correction of clerical error
Date: 17 October 2001

I, Joselito Jr. Cruz Mendiola, petitioner-appellant hereby appeal the decision
(complete name of petition of appellant)
rendered on 15 October 2001 by CIMCR Edilberto Abad denying the
(date) (complete name of C/MCR)
petition for correction of spelling of first name from "Jose Lito" to "Joselito" in
(type and nature of petition)

- a) my Certificate of Live Birth
(type of document)
- b) the not applicable of
(type of document)
not applicable who is my not applicable
(complete name of owner) (relation of owner to petitioner)

I received from the above-named CIMCR a copy of the decision on the 14th day of October 2001.

Grounds for appeal: (Use additional sheets, if necessary.)

I hereby appeal the decision of the MCR in the above-mentioned petition on the wound that the MCR committed a serious mistake in not considering that a "Junior" should have a spelling of his name the same as that of the father. I am a junior but the spelling of my name is different from my father as shown in my birth certificate. I am not asking to change my first name but only to correct its spelling.

Wherefore, I pray that this appeal be given due course in accordance with RA No. 9048 and its implementing rules and regulations.

Joselito Jr. Cruz Mendiola
Signature over printed name of Petitioner-Appellant

VERIFICATION

I, Joselito Jr. Cruz Mendiola, petitioner-appellant, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

Joselito Jr. Cruz Mendiola
Signature over printed name of petitioner-appellant

SUBSCRIBED AND SWORN to before me this 16th day of October 2001 in the city/municipality of Olongapo City, province of Zambales, petitioner exhibiting his Community Tax Certificate No. 089786 issued at Olongapo City on 25 January 2001.

Atty. Jose Maria G. Valenzuela
Administering Officer

Doc. No. 389
Page No. 24
Book No. 12
Series of 2001

For **CRG** use only:

ACTION TAKEN BY THE CRG
(Provide the basis for the action taken.)

Affirmed Reversed

The decision of the MCR in the above-mentioned petition is hereby REVERSED. The MCR failed to consider the fact that the petitioner is a "Junior". The first name of the petitioner's father as shown in his birth certificate is spelled as one word. "Joselito ", and it was not disputed that the father's first name was not misspelled Because of the fact that the petitioner is a Junior, he must have the spelled of his first name the same as that of his father which is "Joselito" and not "Jose Lito ". The first name of the child should have been a one word name but erroneously entered as a compound first name which is a clerical error within the meaning of R.A. No. 9048.

Date: 02 November 2001

Carmelita N. Ericta
Civil Registrar General

RA Form No. 11.1 (LCRO)

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Narciso

Petition No. CCE-OO12-2001
Date of filing 01 October 2001
Name of Petitioner Joselito Jr. Cruz Mendiola
Type of document Certificate of Live Birth
Owner of the document Jose Lito Jr. Cruz Mendiola
Nature and type of petition Correction of clerical error in the spelling of first name from "Jose Lito" to "Joselito"

CERTIFICATE OF FINALITY

To whom it may concern:

This is to certify that the decision of this Office dated 15 October 2001 in the
(date of the decision)
above-mentioned petition for correction of spelling of first name from "Jose Lito" to "Joselito"
(type and nature of petition)
of Joselito Jr. Cruz Mendiola as recorded in the attached Record Sheet has become final and executory.
(complete name of petitioner)

Issued at the Local Civil Registry Office of San Narciso, Zambales this 5th day of November 2001.

Edilberto Abad
City/Municipal Civil Registrar

Copy furnished:
Civil Registrar General

RECORD SHEET

Petition No. CCE-DO12-2001 Date of Receipt: 01 October 2001

Posting period: 2-11 October 2001 Publication period: not applicable

Type of petition: Correction of spelling of first name from "Jose Lito" to "Joselito"

Petitioner's name: Joselito Jr. Cruz Mendiola

Document owner's name: Jose Lito Jr. Cruz Mendiola

Type of document: Certificate of Live Birth Registry No. 78-263

Clerical errors to be corrected/First name to be changed:

- a) Item No. 1
- b) Description Name of child
- c) From Jose Lito
- d) To Joselito

DECISION ON PETITION

By C/MCR, CG or D/CR:

Granted Denied Date rendered: 15 October 2001

By CRG

Affirmed Impugned Date rendered: not applicable

By CRG on Appeal (if any)

Affirmed Reversed Date rendered: 02 November 2001

By CRG on Reconsideration (if any)

Granted Denied Date rendered: not applicable

Certificate of Finality issued on 05 November 2001

Remarks:

The petition was for the correction of clerical error in recording the first name in the birth certificate from "Jose Lito" to "Joselito ". It was denied by the MCR. but on appeal by the petitioner, the CRG reversed the decision of the MCR. Thus the recorded first name of the petitioner is hereby corrected from "Jose Lito" to "Joselito ".

Edilberto Abad
C/MCR, CG, or D/CR

Case 7. Change of first name was granted by CIMCR, and affirmed by the CRG.

All his friends and almost all people in barangay La Paz, San Marcelino, Zambales where he was born, call him *Manny Ignacio Ragadio*. He never had the opportunity to go to school, but her mother who died 11 years ago taught him to write and read his name as *Manny Ignacio Ragadio*. *Manny* was already 25 years old, and although illiterate, found a job in a construction company, ABC Engineering Construction Corporation.

In July 2001, the construction company was awarded a bid to construct an irrigation dam in Papua New Guinea, and *Manny* was one of those construction workers to be sent in that country. As he needed passport and visa, he obtained his birth certificate from OCRG but found out that his officially recorded name was *Manuel Ignacio Ragadio*. He referred his problem to his aunt, *Rosario Ragadio delos Reyes*, who was a COMELEC clerk.

In due time, *Rosario*, acting on a special power of attorney from *Manny*, filed the petition with the MCR of San Marcelino, Zambales..To support the petition, *Rosario*, submitted the following documents to the MCR: (1) special power of attorney; (2) birth certificate of *Manny*; (3) Company ID card of *Manny*; and (4) voter's affidavit.

The MCR accepted the petition on 01 October 2001, and had it posted for ten (10) consecutive days starting on 02 October 2001. The petition was published on 3 and 10 October 2001 by the Philippine Star, a newspaper of general circulation. On 16 October 2001, the MCR rendered a decision granting the change of first name from *Manuel* to *Manny*. The MCR submitted all papers to the OCRG on 18 October 2001 which the CRG received on 22 October 2001.

On 23 October 2001, the CRG rendered a decision affirming the decision of the MCR. The decision of the CRG was received by the MCR on 25 October 2001. The MCR prepared the certificate of finality on 26 October 2001.

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Marcelino

Republic of the Philippines)
Ologapo City)SS

Petition No. CFN-0005-2001

PETITION FOR CHANGE OF FIRST NAME

I, Rosario Ragadio delos Reyes, of legal age, Filipino.
(complete name of petitioner) (nationality/citizenship)

and a resident of 456 West Bajac Bajac. Olongapo City
(complete address)

after having been duly sworn to in accordance with law, hereby declare that:

1) I am the petitioner seeking the change of first name in:

- a) my Certificate of Live Birth
- b) the Certificate of Live Birth of Manuel Ignacio Ragadio
(complete name of owner)

who is my nephew
(relation of owner to the petitioner)

2) I/He/She was born on 08 April 1976 at San Marcelino
(date of birth) (city/municipality)
Zambales, Philippines
(province) (country)

3) The birth was recorded under registry number 76-437

4) The first name to be changed is from Manuel to Manny

5) The grounds for filing this petition are the following: *(Ground selected should be explained/justified in separate sheet of paper to be attached to this form)*

- a) The first name is extremely difficult to write or pronounce;
- b) I have/He/She has habitually and continuously used Manny and I/he/she is publicly known in the community with that first name;
- c) The first name is tainted with dishonor;
- d) The first name is ridiculous;
- e) The first name causes confusion;

6) I submit the following documents to support this petition: *(Use additional sheets, if necessary)*

- a) Special order of attorney
- b) Birth certificate
- c) Company ID card
- d) Voter's affidavit
- e) Clearances from employer. NBI and PNP

7) I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.

8) I have/He/She has no pending criminal, civil or administrative case in any court or any quasi-judicial body.

9) I am filing this petition at the LCRO of San Marcelino, Zambales
(city/municipality) (province)

in accordance with RA. No. 9048 and its implementing rules and regulations.

Rosario Ragadio delos Reyes
Signature over printed name of petitioner

VERIFICATION

I, Rosario Ragadio delos Reyes, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

Rosario Ragadio delos Reyes
Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this 1st day of October 2001 in the city/municipality of Olongapo City, petitioner exhibiting his Community Tax Certificate No. 587643 issued at Olongapo City on 10 January 2001.

Atty. Ciriaco M Magaspac
Administering Officer

Doc. No. 745
Page No. 38
Book No. 12
Series of 2001

For C/MCR use only

ACTION TAKEN BY THE C/MCR
(Provide the basis for the action taken)

Granted **Denied**

Finding the petition sufficient in form and substance, the same is hereby GRANTED. The first name of the petitioner in his birth certificate is hereby changed from "Manuel" to "Manny".

Date: 16 October 2001

Antonio Escobar
City/Municipal Civil Registrar

For CRG use only

ACTION TAKEN BY CRG
(Provide the basis for the action taken)

Affirmed **Impugned**

Finding the decision of the MCR in the above-mentioned petition to be in accordance with R.A. No. 9048, the same is hereby AFFIRMED. The first name of the petitioner, as herein represented by Rosario Ragadio delos Reyes, is hereby changed from "Manuel" to "Manny".

Date: 23 October 2001

Carmelita N. Ericta
Civil Registrar General

Payment of filing fee (please attach copy of the official receipt.)

O.R No. 109142
Amount paid P3,000.00
Date paid 01 October 2001
RA Form No. 8.1 (LCRO)

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Marcelino

NOTICE FOR POSTING

The public is hereby notified that Rosario Ragadio delos Reyes has filed with this
(complete name of petitioner)
Office a petition for change of first name of "Manuel" to "Manny" in
(type and nature of petition)
the Certificate of Live Birth of Manuel Ignacio Ragadio
(type of document) (complete name of document owner)

Any person claiming interest or may be adversely affected by said petition may within ten (10) calendar days file his written opposition with this Office.

Date: 02 October 2001

Antonio Escobar
City/Municipal Civil Registrar

RA Form No. 9.1 (LCRO)

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Marcelino

CERTIFICATE OF POSTING

This is to certify that Petition No. CFN-0005-2001 dated 01 October 2001 filed by Rosario Ragadio delos Reyes for the change of first name from "Manuel" to "Manny"
(complete name of petitioner) (type and nature of petition)
the Certificate of Live Birth of Manuel Ignacio Ragadio under civil
(type of document) (complete name of owner)
registry no. 76-437 has been posted for ten (10) consecutive days from 02 October 2001
(date)
to 11 October 2001, at Municipal Hall of San Marcelino in compliance with Section
(date) (place of posting)
6 of RA. No. 9048.

Issued at the LCRO of San Marcelino, Zambales this 12th day of October 2001.

Antonio Escobar
City/Municipal Civil Registrar

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Marcelino

NOTICE FOR PUBLICATION

In compliance with Section 5 of RA. Act No. 9048, a notice is hereby served to the public that

Rosario Ragadio delos Reyes has filed with this Office a petition for change of first
(complete name of the petitioner)

name from Manuel to Manny in the
(first name to be changed) (new first name to be adopted)

birth certificate of Manuel Ignacio Ragadio who was born on 03 June 1976
(complete name of document owner) (complete date of birth)

at San Marcelino, Zambales and whose parents are Mariano Abalos Ragadio
(place of birth) (name of father)

and Concepcion Bernales Ignacio.
(name of mother)

Any person adversely affected by said petition may file his written opposition with this Office not

later than 11 October 2001.

Antonio Escobar
City/Municipal Civil Registrar

RA Form No. 11.1 (LCRO)

Republic of the Philippines
Local Civil Registry Office
Province: Zambales
City/Municipality: San Marcelino

Petition No. CFN-0005-200J
Date of filing 01 October 2001
Name of petitioner Rosario Ragadio delos Reyes
Type of document Certificate of Live Birth
Owner of the document Manuel Ignacio Ragadio
Nature and type of petition Change of first name from "Manuel" to "Manny"

CERTIFICATE OF FINALITY

To whom it may concern:

This is to certify that the decision of this Office dated 16 October 2001 in the
(date of the decision)
above-mentioned petition for change of first name from "Manuel" to "Manny"
(type and nature of petition)
of Rosario Ragadio delos Reyes as recorded in the attached Record Sheet has become final and
(complete name of petitioner)
executory.

Issued at the Local Civil Registry Office of San Marcelino, Zambales this 26th day of October
2001.

Antonio Escobar
City/Municipal Civil Registrar

**Copy furnished:
Civil Registrar General**

RECORD SHEET

Petition No. CFN-0005-2001 Date of Receipt: 01 October 2001

Posting period: 02-11 October 2001 Publication period: 3 & 10 October 2001

Type of petition: Change of first name from "Manuel" to "Manny"

Petitioner's name: Rosario Ragadio delos Reyes

Document owner's name: Manuel Ignacio Ragadio

Type of document: Certificate of Live Birth Registry No. 76-437

Clerical errors to be corrected First name to be changed:

- a) Item No. 1
- b) Description Name of child
- c) From Manuel
- d) To Manny

DECISION ON PETITION

By C/MCR, CG or D/CR:

Granted Denied Date rendered: 16 October 2001

By CRG

Affirmed Impugned Date rendered: 23 October 2001

By CRG on Appeal (if any)

Affirmed Reversed Date rendered: not applicable

By CRG on Reconsideration (if any)

Granted Denied Date rendered: not applicable

Certificate of Finality issued on 26 October 2001

Remarks:

The MCR granted the petition for change of name of "Manuel" to "Manny ". The decision of the MCR was affirmed by the CRG.

Antonio Escobar
CIMCR, CG, or D/CR

Appendix 1

FORMS

Republic of the Philippines
 Local Civil Registry Office
 Province: _____
 City/Municipality: _____

Republic of the Philippines)
 _____)SS

Petition No. _____

**PETITION FOR CORRECTION OF CLERICAL ERROR
 IN THE CERTIFICATE OF LIVE BIRTH**

I, _____, of legal age, _____
(complete name of petitioner) (nationality/citizenship)
 and a resident of _____
(complete address)
 after having been duly sworn to in accordance with law, hereby declare that:

1) I am the petitioner seeking correction of the clerical error in:
 a) my Certificate of Live Birth
 b) the Certificate of Live Birth of _____
(complete name of owner)
 who is my _____
(relation of owner to the petitioner)

2) I/He/She was born on _____ at _____
(date of birth) (city/municipality)
 _____,
(province) (country)

3) The birth was recorded under registry number _____

4) The clerical error(s) to be corrected is (are):

Item No.	Description	From	to

5) The facts/reasons for filing this petition are the following: *(Use additional sheets, if necessary.)*
 For error No. 1: _____

 For error No. 2: _____

 For error No. 3: _____

6) I submit the following documents to support this petition: *(Use additional sheets, if necessary.)*
 a) _____
 b) _____

- c) _____
- d) _____
- e) _____

7) I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.

8) I am filing this petition at the LCRO of _____, _____
(city/municipality) (province)
 in accordance with R.A. No. 9048 and its implementing rules and regulations.

 Signature over printed name of petitioner

VERIFICATION

I, _____, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief..

 Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this _____ day of _____
 in the city/municipality of _____, petitioner exhibiting his Community Tax Certificate
 No. _____ issued at _____ on _____

 Administering Officer

Doc. No. _____
 Page No. _____
 Book No. _____
 Series of _____

For C/MCR use only

ACTION TAKEN BY THE C/MCR ON ERROR NO.1

(provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE CIMCR ON ERROR NO.2

(Provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE CIMCR ON ERROR NO.3
(Provide the basis for the action taken.)

Granted **Denied**

Date: _____

City/Municipal Civil Registrar

For CRG use only

ACTION TAKEN BY CRG ON ERROR NO.1
(Provide the basis for the action taken.)

Affirmed **Impugned**

ACTION TAKEN BY CRG ON ERROR NO.2
(Provide the basis for the action taken.)

Affirmed **Impugned**

ACTION TAKEN BY CRG ON ERROR NO.3
(Provide the basis for the action taken.)

Affirmed **Impugned**

Date: _____

Civil Registrar General

Payment of filing fee (Please attach copy of the official receipt.)

O.R. No. _____
Amount paid _____
Date paid _____

Republic of the Philippines
 Philippine Consulate
 City/State: _____
 Country: _____

_____) Petition No. _____
 _____) SS

**PETITION FOR CORRECTION OF CLERICAL ERROR
 IN THE CERTIFICATE OF LIVE BIRTH**

I, _____ of legal age, _____
 (complete name of petitioner) (nationality/citizenship)
 and a resident of _____
 (complete address)

after having been duly sworn to in accordance with law, hereby declare that:

1) I am the petitioner seeking correction of the clerical error in:

- a) my Certificate of Live Birth
- b) the Certificate of Live Birth of _____
 (complete name of owner)
 who is my _____
 (relation of owner to the petitioner)

2) I/He/She was born on _____ at _____
 (date of birth) (city/municipality)
 _____, _____
 (province) (country)

3) The birth was recorded under registry number _____

4) The clerical error(s) to be corrected is (are):

Item No.	Description	From	To

5) The facts/reasons for filing this petition are the following: *(Use additional sheets. if necessary.)*

For error No.1:

For error No. 2:

For error No. 3:

6) I submit the following documents to support this petition: *(Use additional sheets. if necessary.)*

- a) _____
- b) _____
- c) _____
- d) _____

e) _____
7) I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.

8) I am filing this petition at the Office of the Consul General of _____
(City /State/country)
in accordance with RA. No. 9048 and its implementing rules and regulations.

Signature over printed name of petitioner

VERIFICATION

I, _____, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this _____ day of _____
in the city/municipality of _____ petitioner exhibiting his Passport No _____.
issued at _____ on _____.

Administering Officer

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

For CG use only

ACTION TAKEN BY THE CONSUL GENERAL ON ERROR NO.1

(Provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE CONSUL GENERAL ON ERROR NO.2

(Provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE CONSUL GENERAL ON ERROR NO.3

(Provide the basis for the action taken.)

Granted **Denied**

Date: _____

Consul General

For CRG use only

ACTION TAKEN BY CRG ON ERROR NO.1

(Provide the basis for the action taken.)

Affirmed Impugned

ACTION TAKEN BY CRG ON ERROR NO.2

(Provide the basis for the action taken.)

Affirmed Impugned

ACTION TAKEN BY CRG ON ERROR NO.3

(Provide the basis for the action taken.)

Affirmed Impugned

Date: _____

Civil Registrar General

Payment of filing fee (Please attach copy of the official receipt.)

O.R No. _____

Amount paid _____

Date paid _____

Republic of the Philippines
Local Civil Registry Office

Province: _____
City/Municipality: _____

Republic of the Philippines)S
_____)S

Petition No. _____

**PETITION FOR CORRECTION OF CLERICAL ERROR
IN THE CERTIFICATE OF MARRIAGE**

I, _____, of legal age, _____
(complete name of petitioner) (Nationality/citizenship)
and a resident of _____
(complete address)

after having been duly sworn to in accordance with law, hereby declare that:

1) I am the petitioner seeking correction of the clerical error in:

- a) my certificate of Marriage entered into with _____
(complete name of spouse)
 - b) the Certificate of Marriage of _____
(complete name of husband or wife)
- who is my _____
(relation of owner to the petitioner)

2) I/He/She contracted marriage on _____ at _____
(date of marriage) (city/municipality)
_____, _____
(province) (country)

3) The marriage was recorded under registry number _____

4) The clerical error(s) to be corrected is (are):

Item	Description	From	To

5) The facts/reasons for filing this petition are the following: *(Use additional sheets. if necessary.)*

For error No. 1: _____

For error No.2: _____

For error No.3: _____

6) I submit the following documents to support this petition: *(Use additional sheets. if necessary.)*

- a) _____
- b) _____

- c) _____
- d) _____
- e) _____

7) I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.

8) I am filing this petition at the LCRO of _____, _____
(city/municipality) (province)
 in accordance with R.A. No. 9048 and its implementing rules and regulations.

 Signature over printed name of petitioner

VERIFICATION

I, _____, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

 Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this _____ day of _____
 in the city/municipality of _____ petitioner exhibiting his Community Tax Certificate
 No. _____ issued at _____ on _____.

 Administering Officer

Doc. No. _____
 Page No. _____
 Book No. _____
 Series of _____

For **C/MCR** use only

ACTION TAKEN BY THE C/MCR ON ERROR NO.1

(Provide the basis for the action taken.)

- Granted** **Denied**

ACTION TAKEN BY THE CIMCR ON ERROR NO.2

(Provide the basis for the action taken.)

- Granted** **Denied**

ACTION TAKEN BY THE CIMCR ON ERROR NO.3

(Provide the basis for the action taken.)

Granted **Denied**

Date: _____

Municipal Civil Registrar

For CRG use only

ACTION TAKEN BY CRG ON ERROR NO.1

(Provide the basis for the action taken.)

Affirmed **Impugned**

ACTION TAKEN BY CRG ON ERROR NO.2

(Provide the basis for the action taken.)

Affirmed **Impugned**

ACTION TAKEN BY CRG ON ERROR NO.3

(Provide the basis for the action taken.)

Affirmed **Impugned**

Date: _____

Civil Registrar General

Payment of filing fee (Please attach copy of the official receipt.)

O.R No. _____

Amount paid _____

Date paid _____

Republic of the Philippines
 Philippine Consulate
 City/State: _____
 Country: _____

_____))
 _____)SS

Petition No. _____

**PETITION FOR CORRECTION OF CLERICAL ERROR
 IN THE CERTIFICATE OF MARRIAGE**

I, _____, of legal age, _____
 (complete name of petitioner) (nationality/citizenship)

and a resident of _____
 (complete address)

after having been duly sworn to in accordance with law, hereby declare that:

1) I am the petitioner seeking correction of the clerical error in:

a) my Certificate of Marriage entered into with _____
 (complete name of spouse)

b) the Certificate of Marriage of _____ who is my _____
 (complete name of owner) (relation of owner to petitioner)

2) I/He/She contracted marriage on _____ at _____
 (date of marriage) (city/municipality)

_____, _____
 (province) (country)

3) The marriage was recorded under registry number _____

4) The clerical error(s) to be corrected is (are):

Item No.	Description	From	To

5) The facts/reasons for filing this petition are the following: *(Use additional sheets, if necessary.)*

For error No.1: _____

For error No.2: _____

For error No.3: _____

6) I submit the following documents to support this petition: *(Use additional sheets, if necessary.)*

- a) _____
- b) _____
- c) _____
- d) _____

e) _____
 7) I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.
 8) I am filing this petition at the Office of the Consul General of _____
 (City/State/Country)
 in accordance with RA. No. 9048 and its implementing rules and regulations.

 Signature over printed name of petitioner

VERIFICATION

I, _____, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief..

 Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this _____ day of _____
 in the city/municipality of _____, petitioner exhibiting his Passport No. _____
 issued at _____ on _____.

 Administering Officer

Doc. No. _____
 Page No. _____
 Book No. _____
 Series of _____

For CG use only

ACTION TAKEN BY THE CONSUL GENERAL ON ERROR NO.1

(Provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE CONSUL GENERAL ON ERROR NO.2

(Provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE CONSUL GENERAL ON ERROR NO.3

(Provide the basis for the action taken.)

Granted Denied

Date: _____

Consul General

For CRG use only

ACTION TAKEN BY CRG ON ERROR NO.1

(Provide the basis for the action taken.)

Affirmed Impugned

ACTION TAKEN BY CRG ON ERROR NO.2

(Provide the basis for the action taken.)

Affirmed Impugned

ACTION TAKEN BY CRG ON ERROR NO.3

(Provide the basis for the action taken.)

Affirmed Impugned

Date: _____

Civil Registrar General

Payment of filing fee (Please attach copy of the official receipt.)

OR No. _____

Amount paid _____

Date paid _____

RA 9048 Form No. 2.3 (Shari'a Court)
 (Devised 10 Oct. 2001)

Republic of the Philippines
 District/Circuit Shari'a Court
 Province: _____
 City/Municipality: _____

Republic of the Philippines)
 _____)SS

Petition No. _____

**PETITION FOR CORRECTION OF CLERICAL ERROR
 IN THE CERTIFICATE OF MARRIAGE**

I, _____, of legal age, _____
(complete name of petitioner) (nationality/citizenship)

and a resident of _____
(complete address)

after having been duly sworn to in accordance with law, hereby declare that:

1) I am the petitioner seeking correction of the clerical error in:

a) my Certificate of Marriage entered into with _____
(complete name of spouse)

b) the Certificate of Marriage of _____ who is my _____
(complete name of owner) (relation of owner to petitioner)

2) I/He/She contracted marriage on _____ at _____
(date of marriage) (city/municipality)
 _____, _____
(province) (country)

3) The marriage was recorded under registry number _____

4) The clerical error(s) to be corrected is (are):

Item No.	Description	From	To

5) The facts/reasons for filing this petition are the following: *(Use additional sheets, if necessary.)*

For error No. 1: _____

For error No. 2: _____

For error No.3: _____

6) I submit the following documents to support this petition: *(Use additional sheets, if necessary.)*

- a) _____
- b) _____
- c) _____
- d) _____
- e) _____

7) I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.

8) I am filing this petition at the Office of the Clerk of the Shari'a Court of _____
(city/municipality)

_____ in accordance with RA. No. 9048 and its implementing rules and regulations.
(province)

Signature over printed name of petitioner

VERIFICATION

I, _____, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief..

Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this _____ day of _____

in the city/municipality of _____, petitioner exhibiting his Community Tax Certificate No. _____ issued at _____ on _____.

Administering Officer

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

For D/CR use only

ACTION TAKEN BY THE D/CR ON ERROR NO.1

(Provide the basis for the action taken)

Granted **Denied**

ACTION TAKEN BY THE D/CR ON ERROR NO.2

(Provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE D/CR ON ERROR NO.3

(Provide the basis for the action taken)

Granted **Denied**

Date: _____

District/Circuit Registrar

For CRG use only

ACTION TAKEN BY CRG ON ERROR NO.1

(Provide the basis for the action taken.)

Affirmed Impugned

ACTION TAKEN BY CRG ON ERROR NO.2

(provide the basis for the action taken.)

Affirmed Impugned

ACTION TAKEN BY CRG ON ERROR NO.3

(provide the basis for the action taken)

Affirmed Impugned

Date: _____

Civil Registrar General

Payment of filing fee (Please attach copy of the official receipt.)

O.R No. _____

Amount paid _____

Date paid _____

Republic of the Philippines
 District/Circuit Shari'a Court
 Province: _____
 City/Municipality: _____

Republic of the Philippines)
 _____SS)

Petition No. _____

**PETITION FOR CORRECTION OF CLERICAL ERROR
 IN THE CERTIFICATE OF DIVORCE**

I, _____, of legal age, _____
(complete name of petitioner) (nationality/citizenship)

and a resident of _____
(complete address)

after having been duly sworn to in accordance with law, hereby declare that:

1) I am the petitioner seeking correction of the clerical error in my Certificate of Divorce which was recorded under registry no. _____.

2) I contracted marriage with _____ on _____
(name of spouse)(date of marriage)
 at _____, _____, _____
(city/municipality) (province) (country)

3) The marriage was recorded under registry number _____

4) The clerical error(s) to be corrected is (are):

Item No.	Description	From	To

5) The facts/reasons for filing this petition are the following: *(Use additional sheets, if necessary.)*

For error No. 1: _____

For error No.2: _____

For error No.3: _____

6) I submit the following documents to support this petition: *(Use additional sheets, if necessary.)*

- a) _____
- b) _____
- c) _____
- d) _____
- e) _____

7) I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.

8) I am filing this petition at the Office of the Clerk of the Shari'a Court of _____
(city/municipality)
_____ in accordance with R.A. No. 9048 and its implementing rules and regulations.
(province)

Signature over printed name of petitioner

VERIFICATION

I, _____, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief..

Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this _____ day of _____
in the city/municipality of _____, petitioner exhibiting his Community Tax Certificate
No. _____ issued at - _____ on _____

Administering Officer

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

For D/CR IIR only

ACTION TAKEN BY THE D/CR ON ERROR NO.1

(Provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE D/CR ON ERROR NO.2

(Provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE D/CR ON ERROR NO.3

(Provide the basis for the action taken.)

Granted **Denied**

Date: _____

District/Circuit Registrar

For CRG use only

ACTION TAKEN BY CRG ON ERROR NO.1

(Provide the basis for the action taken.)

Affirmed Impugned

ACTION TAKEN BY CRG ON ERROR NO.2

(Provide the basis for the action taken.)

Affirmed Impugned

ACTION TAKEN BY CRG ON ERROR NO.3

(Provide the basis for the action taken.)

Affirmed Impugned

Date: _____

Civil Registrar General

Payment of filing fee (Please attach copy of the official receipt.)

OR No. _____

Amount paid _____

Date paid _____

Republic of the Philippines
 District/Circuit Shari'a Court
 Province: _____
 City/Municipality: _____

Republic of the Philippines ,)
 _____) SS

Petition No. _____.

**PETITION FOR CORRECTION OF CLERICAL ERROR
 IN THE STATEMENT OF REVOCATION OF DIVORCE**

I, _____, of legal age, _____
(complete name of petitioner) (nationality/citizenship)

and a resident of _____
(complete address)

after having been duly sworn to in accordance with law, hereby declare that:

1) I am the petitioner seeking correction of the clerical error in my Statement of Revocation of Divorce which was recorded under registry no. _____.

2) I contracted marriage with _____ on _____
(name of spouse) (dale of marriage)
 at _____, _____, _____
(city/municipality) (province) (country)

3) The marriage was recorded under registry number _____.

4) I and my spouse, _____, got divorced on _____
(name of spouse) (dale of divorce)

and our Certificate of Divorce was recorded under registry No. _____.

5) The clerical error(s) to be corrected is (are):

Item No.	Description	From	To

6) The facts/reasons for filing 'this petition are the following: *(Use additional sheets, if necessary.)*

For error No.1: _____

For error No.2: _____

For error No.3: _____

7) I submit the following documents to support this petition: *(Use additional sheets, if necessary.)*

a) _____

b) _____

c) _____
d) _____
e) _____

8) I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.

9) I am filing this petition at the Office of the Clerk of the Shari'a Court of _____
(city/municipality)

_____ in accordance with RA. No. 9048 and its implementing rules and regulations.
(province)

Signature over printed name of petitioner

VERIFICATION

I, _____, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this _____ day of _____
in the city/municipality of _____, petitioner exhibiting his Community Tax Certificate
No. _____ issued at _____ 011 _____

Doc. No. _____

Page No. _____

Book No. _____

Series of _____

Administering Officer

For D/CR use only

ACTION TAKEN BY THE D/CR ON ERROR NO.1

(Provide the basis for the action taken.)

Granted

Denied

ACTION TAKEN BY THE D/CR ON ERROR NO.2

(Provide the basis for the action taken.)

Granted

Denied

ACTION TAKEN BY THE D/CR ON ERROR NO.3

(Provide the basis for the action taken.)

Granted

Denied

Date: _____

District/Circuit Registrar

For CRG use only

ACTION TAKEN BY CRG ON ERROR NO.1

(Provide the basis for the action taken.)

Affirmed

Impugned

ACTION TAKEN BY CRG ON ERROR NO.2

(provide the basis for the action taken.)

Affirmed

Impugned

ACTION TAKEN BY CRG ON ERROR NO.3

(Provide the basis for the action taken.)

Affirmed

Impugned

Date: _____

Civil Registrar General

Payment of filing fee (Please attach copy of the official receipt.)

O.R. No. _____
Amount paid _____
Date paid _____

Republic of the Philippines
 District/Circuit Shari'a Court
 Province: _____
 City/Municipality: _____

Republic of the Philippines)
 _____)SS

Petition No. _____

**PETITION FOR CORRECTION OF CLERICAL ERROR
 IN THE CERTIFICATE OF CONVERSION TO ISLAM**

I, _____, of legal age, _____
(complete name of petitioner) (nationality/citizenship)

and a resident of _____
(complete address)

after having been duly sworn to in accordance with law, hereby declare that:

- 1) I am the petitioner seeking correction of the clerical error in my Certificate of Conversion to Islam which was recorded under registry no. _____.
- 2) I embraced Islamic faith on _____.
(date of conversion)
- 3) The clerical error(s) to be corrected is (are):

Item No.	Description	From	To.

4) The facts/reasons for filing this petition are the following: *(Use additional sheets, if necessary.)*

For error No.1: _____

For error No.2: _____

For error No.3: _____

5) I submit the following documents to support this petition: *(Use additional sheets, if necessary.)*

- a) _____
- b) _____
- c) _____
- d) _____

6) I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.

7) I am filing this petition at the Office of the Clerk of the Shari'a Court of _____
(city/municipality)

_____ in accordance with R.A. No. 9048 and its implementing rules and regulations.
(province)

Signature over printed name of petitioner

VERIFICATION

I, _____, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this _____ day of _____ in the city/municipality of _____, petitioner exhibiting his Community Tax Certificate No. _____ issued at _____ on _____.

Administering Officer

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

For D/CR use only

ACTION TAKEN BY THE O/CR ON ERROR NO.1

(Provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE D/CR ON ERROR NO.2

(Provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE O/CR ON ERROR NO.3

(Provide the basis for the action taken.)

Granted **Denied**

Date: _____

District/Circuit Registrar

For CRG use only

ACTION TAKEN BY CRG ON ERROR NO. 1

(Provide the basis for the action taken.)

Affirmed Impugned

ACTION TAKEN BY CRG ON ERROR NO.2

(Provide the basis for the action taken.)

Affirmed Impugned

ACTION TAKEN BY CRG ON ERROR NO.3

(Provide the basis for the action taken.)

Affirmed Impugned

Date: _____

Civil Registrar General

Payment of filing fee (Please attach copy of the official receipt.)

O.R. No. _____

Amount paid _____

Date paid _____

Republic of the Philippines
 Local Civil Registry Office
 Province: _____
 City/Municipality: _____

Republic of the Philippines)
 _____)SS

Petition No. _____

**PETITION FOR CORRECTION OF CLERICAL ERROR
 IN THE CERTIFICATE OF DEATH**

I, _____, of legal age, _____,
 (complete name of petitioner) (nationality/citizenship)
 and a resident of _____
 (complete address)
 after having been duly sworn to in accordance with law, hereby declare that:

1) I am the petitioner seeking correction of the clerical error in the Certificate of Death of
 _____ who is my _____
 (complete name of deceased) (relation of deceased to the petitioner)

2) He/She died on _____ at _____
 (date of death) (city/municipality)
 _____,
 (province) (country)

3) The death was recorded under registry number _____.

4) The clerical error(s) to be corrected is (are):

Item No.	Description	From	To.

5) The facts/reasons for filing this petition are the following: *(Use additional sheets. if necessary.)*

For error No. 1: _____

For error No. 2: _____

For error No. 3: _____

6) I submit the following documents to support this petition: *(Use additional sheets. if necessary.)*

- a) _____
- b) _____
- c) _____
- d) _____

e) _____
7) I have not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.
8) I am filing this petition at the LCRO of _____, _____ (city/municipality) _____ (province)
in accordance with RA. No. 9048 and its implementing rules and regulations.

Signature over printed name of petitioner

VERIFICATION

I, _____, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this _____ day of _____
in the city/municipality of _____, petitioner exhibiting his Community Tax Certificate No. _____ issued at _____ 011 _____

Administering Officer

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

For C/MCR use only

ACTION TAKEN BY THE CIMCR ON ERROR NO.1

(Provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE CIMCR ON ERROR NO.2

(Provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE CIMCR ON ERROR NO.3
(Provide the basis for the action taken.)

Granted **Denied**

Date: _____

City/Municipal Civil Registrar

For CRG use Daly

ACTION TAKEN BY CRG ON ERROR NO.1
(Provide the basis for the action taken.)

Affirmed **Impugned**

ACTION TAKEN BY CRG ON ERROR NO.2
(Provide the basis for the action taken.)

Affirmed **Impugned**

ACTION TAKEN BY CRG ON ERROR NO.3
(Provide the basis for the action taken.)

Affirmed **Impugned**

Date: _____

Civil Registrar General

Payment of filing fee (Please attach copy of the official receipt.)

O.R .No. _____
Amount paid _____
Date paid _____

Republic of the Philippines
 Philippine Consulate
 City/State: _____
 Country: _____

_____))
 _____)SS

Petition No. _____

**PETITION FOR CORRECTION OF CLERICAL ERROR
 IN THE CERTIFICATE OF DEATH**

I, _____, of legal age, _____
 (complete name of petitioner) (nationality/citizenship)
 and a resident of _____
 (complete address)
 after having been duly sworn to in accordance with law, hereby declare that:

1) I am the petitioner seeking correction of the Clerical error in the Certificate of Death of
 _____ who is my _____
 (complete name of deceased) (relation of deceased to the petitioner)

2) He/She died on _____ at _____
 (date of death) (city/municipality)
 _____,
 (province) (country)

3) The death was recorded under registry number _____

4) The clerical error(s) to be corrected is (are):

Item No.	Description	From	To

5) The facts/reasons for filing this petition are the following: *(Use additional sheets, if necessary.)*

For error No.1: _____

For error No. 2: _____

For error No.3: _____

6) I submit the following documents to support this petition: *(Use additional sheets, if necessary.)*

- a) _____
- b) _____
- c) _____
- d) _____
- e) _____

7) I have not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.

8) I am filing this petition at the Philippine Consulate of _____
(City/State/Country)
in accordance with RA. No. 9048 and its implementing rules and regulations.

Signature over printed name of petitioner

VERIFICATION

I, _____, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this _____ day of _____
in the city/municipality of _____ petitioner exhibiting his Passport No. _____
issued at _____ on _____.

Administering Officer

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

For CG use only

ACTION TAKEN BY THE CG ON ERROR NO.1

(Provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE CG ON ERROR NO.2

(Provide the basis for the action taken.)

Granted **Denied**

ACTION TAKEN BY THE CG ON ERROR NO.3

(Provide the basis for the action taken.)

Granted **Denied**

Date: _____

Consul General

For CRG use only

ACTION TAKEN BY CRG ON ERROR NO. 1

(Provide the basis for the action taken.)

Affirmed Impugned

ACTION TAKEN BY CRG ON ERROR NO.2

(Provide the basis for the action taken.)

Affirmed Impugned

ACTION TAKEN BY CRG ON ERROR NO.3

(Provide the basis for the action taken.)

Affirmed Impugned

Date: _____

Civil Registrar General

Payment of filing fee (please attach copy of the official receipt.)

O.R. No. _____
Amount paid _____
Date paid _____

RA 9048 Form No. 4.1. (LCRO)

Republic of the Philippines
Local Civil Registry Office
Province: _____
City/Municipality: _____

Republic of the Philippines)
_____) SS

Petition No. _____

PETITION FOR CHANGE OF FIRST NAME

I, _____, of legal age, _____
(complete name of petitioner) (nationality/citizenship)

and a resident of _____
(complete address)

after having been duly sworn to in accordance with law, hereby declare that:

1) I am the petitioner seeking the change of first name in:

a) my Certificate of Live Birth

b) the Certificate of Live Birth of _____
(complete name of owner)

who is my _____
(relation of owner to the petitioner)

2) I/He/She was born on _____ at _____
(date of birth) (city/municipality)

_____, _____
(province) (country)

3) The birth was recorded under registry number _____

4) The first name to be changed is from _____ to _____

5) The grounds for filing this petition are the following: *(Ground selected should be explained/justified in a separate sheet of paper to be attached to this form.)*

a) The first name is extremely difficult to write or pronounce;

b) I have/He/She has habitually and continuously used _____ and I/he/she is publicly known in the community with that first name

c) The first name is tainted with dishonor;

d) The first name is ridiculous;

e) The present first name causes confusion;

6) I submit the following documents to support this petition: *(Use additional sheets, if necessary.)*

- a) _____
- b) _____
- c) _____
- d) _____

7) I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar petition is pending with any LCRO, Court or Philippine Consulate.

8) I have/He/She has no pending criminal, civil or administrative case in any court or any quasi. judicial body.

9) I am filing this petition at the LCRO of _____, _____
(city/municipality) (province)
in accordance with R.A. No. 9048 and its implementing rules and regulations.

Signature over printed name of petitioner

VERIFICATION

I, _____, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this _____ day of _____
in the city/municipality of _____, petitioner exhibiting his Community Tax Certificate
No. _____ issued at _____ on _____.

Administering Officer

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

For C/MCR use only

ACTION TAKEN BY THE CIMCR

(Provide the basis for the action taken.)

Granted **Denied**

Date: _____

City/Municipal Civil Registrar

For CRG use only

ACTION TAKEN BY CRG

(Provide the basis for the action taken.)

Affirmed **Impugned**

Date: _____

Civil Registrar General

Payment of filing fee (please attach copy of the official receipt.)

O.R. No. _____

Amount paid _____

Date paid _____

RA 9048 Form No. 4.2 (Phil. Consulate)

Republic of the Philippines
Philippine Consulate
City/State: _____
Country: _____

_____)
_____)SS

Petition No. _____

PETITION FOR CHANGE OF FIRST NAME

I, _____, of legal age, _____
(complete name of petitioner) (nationality/citizenship)
and a resident of _____
(complete address)

after having been duly sworn to in accordance with law, hereby declare that:

1) I am the petitioner seeking the change of first name in:

a) my Certificate of Live Birth

b) the Certificate of Live Birth of _____
(complete name of owner)

who is my _____
(relation of owner to the petitioner)

2) I/He/She was born on at _____,
(date of birth) (city/municipality)

3) The birth was recorded under registry number _____
(province) (country)

4) The first name to be changed is from _____ to _____

5) The grounds for filing this petition are the following: *(Ground. selected should be explained/justified in a separate sheet of paper to be attached to this form.)*

a) The first name is extremely difficult to write or pronounce;

b) I have/He/She has habitually and continuously used _____ and I/he/she is publicly known in the community with that first name;

c) The first name is tainted with dishonor;

d) The first name is ridiculous;

e) The first name causes confusion;

6) I submit the following documents to support this petition: *(Use additional sheets. if necessary.)*

- a) _____
- b) _____
- c) _____
- d) _____

7) I have/He/She has not filed any similar petition and that, to the best of my knowledge, no other similar

petition is pending with any LCRO, Court or Philippine Consulate.

8) I have/He/She has no pending criminal, civil or administrative case in any court or quasi-judicial body.

9) I am filing this petition at the Philippine Consulate of _____
(City/State/Country)

in accordance with RA. No. 9048 and its implementing rules and regulations.

Signature over printed name of petitioner

VERIFICATION

I, _____, the petitioner, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief

Signature over printed name of petitioner

SUBSCRIBED AND SWORN to before me this _____ day of _____
in the city/municipality of _____ petitioner exhibiting his Passport
No. _____ issued at _____ - on _____

Administering Officer

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

For CG use only

ACTION TAKEN BY THE CG
(Provide the basis for the action taken.)

Granted **Denied**

Date: _____

Consul General

For CRG use only

ACTION TAKEN BY CRG
(Provide the basis for the cu:don taken.)

Affirmed **Impugned**

Date: _____

Civil Registrar General

Payment of filing fee (please attach copy of the official receipt.)

O.R. No. _____

Amount paid _____

Date paid _____

Republic of the Philippines
Local Civil Registry Office
Province: _____
City/Municipality: _____

NOTICE OF APPEAL

Petitioner-Appellant: _____ Petition No. _____
Title: _____
Date: _____

Petitioner-Appellant respectfully gives notice that he/she is appealing to the Civil Registrar
General the decision dated _____ of C/MCR _____
(complete date) (complete name of C/MCR)
of _____, _____ who denied the petition for _____
(City/Municipality) (province)
_____, in the _____ of
(type and nature of petition) (type of document)

- a) herein Petitioner-Appellant
- b) _____ who is my _____
(complete name of owner) (relation of owner to petitioner)

A copy of the decision of the above-named C/MCR was received by the Petitioner-Appellant on
the _____ day of _____

Signature over printed name of Petitioner-Appellant

RA 9048 Form No. 5.2 (Phil. Consulate)

Republic of the Philippines
Philippine Consulate
City/State: _____
Country: _____

NOTICE OF APPEAL

Petitioner-Appellant: _____ Petition No. _____
Title: _____
Date: _____

Petitioner-Appellant respectfully gives notice that he/she is appealing to the Civil Registrar
General the decision dated _____ of Consul General _____
(complete date) (complete name of CG)
of _____, _____, who denied the petition for _____
(City/State) (Country)
_____ in the _____ of
(type and nature of petition) (type of document)

- a) herein Petitioner-Appellant
- b) _____ who is my _____
(complete name of owner) (relation of owner to petitioner)

A copy of the decision of the above-named Consul General was received by the Petitioner- Appellant on
the _____ day of _____.

Signature over printed name of Petitioner-Appellant

RA 9048 Form No. 5.3 (Shari'a Court)

Republic of the Philippines
District/Circuit Shari'a Court
Province: _____
City/Municipality: _____

NOTICE OF APPEAL

Petitioner-Appellant: _____ Petition No. _____
Title: _____
Date: _____

Petitioner-Appellant respectfully gives notice that he/she is appealing to the Civil Registrar General the decision dated _____ of District/Circuit Registrar _____ of _____, _____ who denied the petition for _____ in the _____ of _____

(complete date) (complete name of D/CR)
(city/municipality) (province)
(type and nature of petition) (type of document)

a) herein Petitioner-Appellant

b) _____ who is my _____

(complete name of owner) (relation of owner to petitioner)

A copy of the decision of the above-named District/Circuit Registrar was received by the Petitioner-Appellant on the _____ day of _____.

Signature over printed name of Petitioner-Appellant

Republic of the Philippines
Local Civil Registry Office
Province: _____
City/Municipality: _____

APPEAL

Petitioner-Appellant: _____ Petition No. _____
Title: _____
Date: _____

I, _____, petitioner-appellant hereby appeal the decision
(complete name of petitioner-appellant)
rendered on _____ by C/MCR denying the _____
(date) (complete name of C/MCR)
petition for _____ in
(type and nature of petition)

- a) my _____
(type of document)
- b) the _____ of
(type of document)
_____ who is my _____
(complete name of owner) (relation of owner to petitioner)

I received from the above-named C/MCR a copy of the decision on the _____ day of _____

Grounds for appeal: *(Use additional sheets, if necessary.)*

Wherefore, I pray that this appeal be given due course in accordance with RA No. 9048 and its implementing rules and regulations.

Signature over printed name of Petitioner-Appellant

VERIFICATION

I, _____, petitioner-appellant, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

Signature over printed name of petitioner-appellant

SUBSCRIBED AND SWORN to before me this _____ day of _____
in the city/municipality of _____ province of _____
petitioner exhibiting his Community Tax Certificate No. _____ issued at _____
_____ on _____

Administering Officer

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

For CRG use only:

ACTION TAKEN BY THE CRG
(provide the basis for the action taken.)
 Affirmed **Reversed**

Date: _____

Civil Registrar General

RA 9048 Form No. 6.2 (Phil. Consulate)

Republic of the Philippines
Philippine Consulate
City/State: _____
Country: _____

APPEAL

Petitioner-Appellant: _____ Petition No. _____
Title: _____
Date: _____

I, _____, petitioner-appellant hereby appeal the decision
(complete name of petitioner-appellant)
rendered on _____ by Consul General _____ denying the
(date) (complete name of CG)
petition for _____ in
(type and nature of petition)

a) my _____
(type of document)

b) the - _____ of
(type of document)
_____ who is my _____
(complete name of owner) (relation of owner to petitioner)

I received from the above-named Consul General a copy of the decision on the _____ day
of _____.

Grounds for appeal: *(Use additional sheets, if necessary.)*

Wherefore, I pray that this appeal be given due course in accordance with RA. No. 9048 and its implementing rules and regulations.

Signature over printed name of Petitioner-Appellant

VERIFICATION

I, _____, petitioner-appellant, hereby certify that the
allegations herein are true and correct to the best of my knowledge and belief.

SUBSCRIBED AND SWORN to before me this _____ day of _____

Signature over printed name of petitioner -appellant

in the city/municipality of _____, province of _____
petitioner exhibiting his Passport No. _____ issued at _____
_____ on _____.

Administering Officer

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

For CRG use only:

ACTION TAKEN BY THE CRG
(provide the basis for the action taken.)

Affirmed Reversed

Date: _____

Civil Registrar General

RA 9048 Form No. 6.3 (Shari's Court)

Republic of the Philippines
District/Circuit Shari'a Court
Province: _____
City/Municipality: _____

APPEAL

Petitioner-Appellant: _____ Petition No. _____
Title: _____
Date: _____

I, _____, petitioner-appellant hereby appeal the decision
(complete name of petitioner -appellant)
rendered on _____ by District/Circuit Registrar _____ denying the
(date) (complete name of D/CR)
petition for in _____
(type and nature of petition)

- a) my _____
(type of document)
- b) the _____ of
(type of document)
_____ who is my _____
(complete name of owner) (relation of owner to petitioner)

I received from the above-named District/Circuit Registrar a copy of the decision on the
_____ day of _____

Grounds for appeal: *(Use additional sheets if necessary.)*

Wherefore, I pray that this appeal be given due course in accordance with RA. No. 9048 and its implementing rules and regulations.

Signature over printed name of Petitioner-Appellant

VERIFICATION

I, _____, petitioner-appellant, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

Signature over printed name of petitioner-appellant

SUBSCRIBED AND SWORN to before me this _____ day of _____
in the city/municipality of _____, province of _____
petitioner exhibiting his Community Tax Certificate No. _____ issued at _____
_____ on _____

Administering Officer

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

For CRG use only:

ACTION TAKEN BY THE CRG
(Provide the basis for the action taken.)
 Affirmed **Reversed**

Date: _____

Civil Registrar General

Republic of the Philippines
OFFICE OF THE CIVIL REGISTRAR GENERAL
National Statistics Office
Manila

Petitioner: _____ Petition No. _____
Title: _____
Date: _____

MOTION FOR RECONSIDERATION

I, _____, the petitioner, hereby appeal to the Civil Registrar
(complete name of petitioner)
General to reconsider his decision in impugning the decision of C/MCR _____
(complete name of C/MCR)
who granted the petition for the _____
(type and nature of the petition)
in

- a) my _____
(type of document)
- b) the _____ of _____
(type of document) (complete name of document owner)
who is my _____
(relation of owner to the petitioner)

and hereby respectfully aver that:

1. On _____, I received the decision of the above-named C/MCR
(complete date)
granting my petition. The above-mentioned decision of the C/MCR was impugned by the
CRG on _____ on the following grounds
(complete date)

2. I received the copy of the CRG's decision on _____
(complete date)

WHEREFORE, I pray for the reversal of the CRG's decision and for the reconsideration of my
motion on the following grounds: _____

Signature over printed name of petitioner

VERIFICATION

I, _____, petitioner-appellant, hereby certify that the allegations herein are true and correct to the best of my knowledge and belief.

(Signature over printed name of petitioner-appellant)

SUBSCRIBED AND SWORN to before me this _____ day of _____ in the city/municipality of _____, province of _____ petitioner exhibiting his Community Tax Certificate No. _____ issued at _____ on _____.

Administering Officer

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

ACTION TAKEN BY THE CRG
(Provide the basis for the action taken.)
 Granted **Denied**

Date: _____

Civil Registrar General]

Copy furnished;
CIMCR
CG
DCR

RA Form No. 8.1 (LCRO)

Republic of the Philippines
Local Civil Registry Office
Province: _____
City/Municipality: _____

NOTICE FOR POSTING

The public is hereby notified that _____ has filed with this
(complete name of petitioner)
Office a petition for _____ in
(type and nature of petition)
the _____ of _____
(type of document) (complete name of document owner)

Any person claiming interest or may be adversely affected by said petition may within ten (10) calendar days file his written opposition with this Office.

Date: _____

City/Municipal Civil Registrar

RA Form No. 8.2 (Phil. Consulate)

Republic of the Philippines
Philippine Consulate
City/State: _____
Country: _____

NOTICE FOR POSTING

The public is hereby notified that _____ has filed with this
(complete name of petitioner)
Office a petition for _____ in
(type and nature of petition)
the _____ of _____
(type of document) (complete name of document owner)

Any person claiming interest or may be adversely affected by said petition may within ten (10) calendar days file his written opposition with this Office.

Date: _____

Consul General

RA Form No. 8.3 (Shari'a Court)

Republic of the Philippines
District/Circuit Shari'a Court
Province: _____
City/Municipality: _____

NOTICE FOR POSTING

The public is hereby notified that _____ has filed with this
(complete name of petitioner)
Office a petition for _____ in
(type and nature of petition)
the _____ of _____
(type of document) (complete name of document owner)

Any person claiming interest or may be adversely affected by said petition may within ten (10) calendar days file his written opposition with this Office.

Date: _____

District/Circuit Registrar

RA Form No. 9.1 (LCRO)

Republic of the Philippines
Local Civil Registry Office
Province: _____
City/Municipality: _____

CERTIFICATE OF POSTING

This is to certify that Petition No. _____ dated _____ filed by
_____ for the _____ in
(complete name of petitioner) (type and nature of petition)
the _____ of _____ under civil
(type of document) (complete name of owner)
registry no. _____ has been posted for ten (10) consecutive days from _____
(date)
to _____ at _____ in compliance with Section
(date) (place of posting)
6 of RA. No. 9048.
Issued at the LCRO of _____ this _____ day of _____

City/Municipal Civil Registrar

RA Form No. 9.2 (Phil. Consulate)

Republic of the Philippines
Philippine Consulate
City/State: _____
Country: _____

CERTIFICATE OF POSTING

This is to certify that Petition No. _____ dated _____ filed by
_____ for the _____ in
(complete name of petitioner) (type and nature of petition)
the _____ of _____ under civil
(type of document) (complete name of owner)
registry no. _____ has been posted for ten (10) consecutive days from _____
(date)
to _____ at _____ in compliance with Section
(date) (place of posting)
6 of R.A. No. 9048.

Issued at the Philippine Consulate of _____ this _____ day of
_____.

Consul General

RA Form No. 9.3 (Shari'a Court)

Republic of the Philippines
District/Circuit Shari'a Court
Province: _____
City/Municipality: _____

CERTIFICATE OF POSTING

This is to certify that Petition No. _____ dated _____ filed by
_____ for the _____ in
(complete name of petitioner) , (type and nature of petition)
the _____ of _____ under civil
(type of document) (complete name of owner)
registry no. _____ has been posted for ten (10) consecutive days from _____
(date)
to _____ at _____ in compliance with Section
(date) (place of posting)
6 of R.A. No. 9048.

Issued at the District/Circuit Shari'a Court of _____ this _____
day of _____

District/Circuit Registrar

RA Form No. 10.1 (LCRO)

Republic of the Philippines
Local Civil Registry Office
Province: _____
City/Municipality: _____

NOTICE FOR PUBLICATION

In compliance with Section 5 of R-A. Act No. 9048, a notice is hereby served to the public that

_____ has filed with this Office a petition for change of first
(complete name of the petitioner)
name from _____ to _____ in the
(first name to be changed) (new first name to be adopted)
birth certificate of _____ who was born on _____
(complete name of document owner), (complete date of birth)
at _____ and whose parents are _____
(place of birth) (name of father)
and _____
(name of mother)

Any person adversely affected by said petition may file his written opposition with this Office not later than _____

City/Municipal Civil Registrar

RA Form No. 10.2 (Phil. Consulate)

Republic of the Philippines
Philippine Consulate
City/State: _____
Country: _____

NOTICE FOR PUBLICATION

In compliance with Section 5 of RA. Act No. 9048, a notice is hereby served to the public that

_____ has filed with this Office a petition for change of first
(complete name of the petitioner)
name from _____ to _____ in the
(first name to be changed) (new first name to be adopted)
birth certificate of _____ who was born on _____
(complete name of document owner) (complete date of birth)
at _____ and whose parents are _____
(place of birth) (name of father)
and _____
(name of mother)

Any person adversely affected by said petition may file his written opposition with this Office not
later than _____

Consul General

RA Form No. 11.1 (LCRO)

Republic of the Philippines
Local Civil Registry Office
Province: _____
City/Municipality: _____

Petition No. _____
Date of filing: _____
Name of petitioner: _____
Type of document: _____
Owner of the document: _____
Nature and type of the petition: _____

CERTIFICATE OF FINALITY

To whom it may concern:

This is to certify that the decision of this Office dated _____ in the
(date of the decision)
above-mentioned petition for _____
(type and nature of petition)
of _____ as recorded in the attached Record Sheet has
(complete name of petitioner)

become final and executory.

Issued at the Local Civil Registry Office of _____ this
_____ day of _____.

City/Municipal Civil Registrar

Copy furnished:
Civil Registrar General

RA Form No. 11.2 (Phil. Consulate)

Republic of the Philippines
Philippine Consulate
City/State: _____
Country: _____

Petition No. _____
Date of filing: _____
Name of petitioner: _____
Type of document: _____
Owner of the document: _____
Nature and type of the petition: _____

CERTIFICATE OF FINALITY

To whom it may concern:

This is to certify that the decision of this Office dated _____ in the
(date of the decision)
above-mentioned petition for _____
(type and nature of petition)
of _____ as recorded in the attached Record Sheet has
(complete name of petitioner)
become final and executory.

Issued at the Philippine Consulate of _____ this
_____ day of _____.

Consul General

Copy furnished:
Civil Registrar General

RA Form No. 11.3 (Shari'a Court)

Republic of the Philippines
District/Circuit Shari'a Court
Province: _____
City/Municipality: _____

Petition No. _____
Date of filing: _____
Name of petitioner: _____
Type of document: _____
Owner of the document: _____
Nature and type of the petition: _____

CERTIFICATE OF FINALITY

To whom it may concern:

This is to certify that the decision of this Office dated _____ in the
(date of the decision)
above-mentioned petition for _____
(type and nature of petition)
of _____ as recorded in the attached Record Sheet has
(complete name of petitioner)
become final and executory.

Issued at the District/Circuit Shari'a Court of _____ this
_____ day of _____

District/Circuit Registrar

Copy furnished:
Civil Registrar General

RA Form No. 12

RECORD SHEET

Petition No. _____ Date of Receipt: _____

Posting period: _____ Publication period: _____

Type of petition: _____

Petitioner's name: _____

Document owner's name: _____

Type of document: _____ Registry No. _____

Clerical error to be corrected/First name to be changed:

- a) Item No. _____
- b) Description: _____
- c) From: _____
- d) To: _____

DECISION ON PETITION

By CIMCR, CG or, D/CR:

Granted Denied Date rendered: _____

By CRG

Affirmed Impugned Date rendered: _____

By CRG on Appeal (if any)

Affirmed Reversed Date rendered: _____

By CRG on Reconsideration (if any)

Granted Denied Date rendered: _____

Certificate of Finality issued on _____

Remarks:

CIMCR, CG, or D/CR

Appendix 2

R.A No. 9048

H. No. 9797
S. No. 2159

Republic of the Philippines
Congress of the Philippines
Metro Manila

Eleventh Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-fourth day of July,
two thousand

[REPUBLIC ACT NO. 9048]

AN ACT AUTHORIZING THE CITY OR MUNICIPAL CIVIL REGISTRAR OR THE CONSUL GENERAL TO CORRECT A CLERICAL, OR TYPOGRAPHICAL ERROR IN AN ENTRY AND/OR CHANGE OF FIRST NAME OR NICKNAME IN THE CIVIL REGISTER

WITHOUT NEED OF A JUDICIAL ORDER, AMENDING FOR THIS PURPOSE ARTICLES 376 AND 412 OF THE CIVIL CODE OF THE PHILIPPINES.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled.

SECTION 1. *Authority to Correct Clerical or Typographical Error and Change of First Name or Nickname.* - No entry in a civil register shall be changed or corrected without a judicial order, except for clerical or typographical errors and change of first name or nickname which can be corrected or changed by the concerned city or municipal civil registrar or consul general in accordance with the provisions of this Act and its implementing rules and regulations.

SEC. 2. *Definition of Terms.* - As used in this Act, the following terms shall mean:

- (1) "City or municipal civil registrar" refers to the head of the local civil registry office of the city or municipality, as the case may be, who is appointed as such by the city or municipal mayor in accordance with the provisions of existing laws.
- (2) "Petitioner" refers to a natural person filing the petition and who has direct and personal interest in the correction of a clerical or typographical error in an entry or change of first name or nickname in the civil register.
- (3) "Clerical or typographical error" refers to a mistake committed in the performance of

clerical work in writing, copying, transcribing or typing an entry in the civil register that is harmless and innocuous, such as misspelled name or misspelled place of birth or the like which is visible to the eyes or obvious to the understanding, and can be corrected or changed only by reference to other existing record or records: *Provided, however,* That no correction must involve the change of nationality, age, status or sex of the petitioner.

- (4) "Civil register" refers to the various registry books and related certificates and documents kept in the archives of the local civil registry offices, Philippine Consulates and of the Office of the Civil Registrar General.
- (5) "Civil registrar general" refers to the administrator of the National Statistics Office which is the agency mandated to carry out and administer the provisions of laws on civil registration.
- (6) "First name" refers to a name or nickname given to a person which may consist of one or more names in addition to the middle and last names.

SEC. 3. *Who May File the Petition and Where.* - Any person having direct and personal interest in the correction of a clerical or typographical error in an entry and/or change of first name or nickname in the civil register may file, in person, a verified petition with the local civil registry office of the city or municipality where the record being sought to be corrected or changed is kept.

In case the petitioner has already migrated to another place in the country and it would not be practical for such party, in terms of transportation expenses, time and effort to appear in person before the local civil registrar keeping the documents to be corrected or changed, the petition may be filed, in person, with the local civil registrar of the place where the interested party is presently residing or domiciled. The two (2) local civil registrars concerned will then communicate to facilitate the processing of the petition.

Citizens of the Philippines who are presently residing or domiciled in foreign countries may file their petition, in person, with the nearest Philippine Consulates.

The petition filed with the city or municipal civil registrar or the consul general shall be processed in accordance with this Act and its implementing rules and regulations.

All petitions for the correction of clerical or typographical errors and/or change of first names or nicknames may be availed of only once.

SEC. 4. *Grounds for Change of First Name or Nickname.* - The petition for change of first name or nickname may be allowed in any of the following cases:

- (1) The petitioner finds the first name or nickname to be ridiculous, tainted with

dishonor or extremely difficult to write or pronounce;

(2) The new first name or nickname has been habitually and continuously used by the petitioner and he has been publicly known by that first name or nickname in the community; or

(3) The change will avoid confusion.

SEC. 5. Form and Contents of the Petition. - The petition shall be in the form of an affidavit, subscribed and sworn to before any person authorized by law to administer oaths. The affidavit shall set forth facts necessary to establish the merits of the petition and shall show affirmatively that the petitioner is competent to testify to the matters stated. The petitioner shall state the particular erroneous entry or entries which are sought to be corrected and/or the change sought to be made.

The petition shall be supported with the following documents:

(1) A certified true machine copy of the certificate or of the page of registry book containing the entry or entries sought to be corrected or changed;

(2) At least two (2) public or private documents showing the correct entry or entries upon which the correction or change shall be based; and

(3) Other documents which the petitioner or the city or municipal civil registrar, or the consul general may consider relevant and necessary for the approval of the petition.

In case of change of first name or nickname, the petition shall likewise be supported with the documents mentioned in the immediately preceding paragraph. In addition, the petition shall be published at least once a week for two (2) consecutive weeks in a newspaper of general circulation. Furthermore, the petitioner shall submit a certification from the appropriate law enforcement agencies that he has no pending case or no criminal record.

The petition and its supporting papers shall be filed in three (3) copies to be distributed as follows: first copy to the concerned city or municipal civil registrar, or the consul general; second copy to the Office of the Civil Registrar General; and the third copy to the petitioner.

SEC. 6. Duties of the City or Municipal Civil Registrar or the Consul General. - The city or municipal civil registrar or the consul general to whom the petition is presented shall examine the petition and its supporting documents. He shall post the petition in a conspicuous place provided for that purpose for ten (10) consecutive days after he finds the petition and its supporting documents sufficient in form and substance.

The city or municipal civil registrar or the consul general shall act on the petition and shall render a decision not later than five (5) working days after the completion of the posting and/or publication requirement. He shall transmit a copy of his decision together with the records of the proceedings to the Office of the Civil Registrar General within five (5) working days from the date of the decision.

SEC. 7. Duties and Powers of the Civil Registrar General. - The civil registrar general shall, within ten (10) working days from receipt of the decision granting a petition, exercise the power to impugn such decision by way of an objection based on the following grounds:

- (1) The error is not clerical or typographical;
- (2) The correction of an entry or entries in the civil register is substantial or controversial as it affects the civil status of a person; or
- (3) The basis used in changing the first name or nickname of a person does not fall under Section 4.

The civil registrar general shall immediately notify the city or municipal civil registrar or the consul general of the action taken on the decision. Upon receipt of the notice thereof, the city or municipal civil registrar or the consul general shall notify the petitioner of such action.

The petitioner may seek reconsideration with the civil registrar general or file the appropriate petition with the proper court.

If the civil registrar general fails to exercise his power to impugn the decision of the city or municipal civil registrar or of the consul general within the period prescribed herein, such decision shall become final and executory.

Where the petition is denied by the city or municipal civil registrar or the consul general, the petitioner may either appeal the decision to the civil registrar general or file the appropriate petition with the proper court.

SEC. 8. Payment of Fees. - The city or municipal civil registrar or the consul general shall be authorized to collect reasonable fees as a condition for accepting the petition. An indigent petitioner shall be exempt from the payment of the said fee.

SEC. 9. Penalty Clause. - A person who violates any of the provisions of this Act shall, upon conviction, be penalized by imprisonment of not less than six (6) years but not more than twelve (12) years, or a fine of not less than Ten thousand pesos (P10,000.00) but not more than One hundred thousand pesos (P100,000.00), or both, at the discretion of the court.

In addition, if the offender is a government official or employee, he shall suffer the penalties provided under civil service laws, rules and regulations.

SEC. 10. *Implementing Rules and Regulations.* - The civil registrar general shall, in consultation with the Department of Justice, the Department of Foreign Affairs, the Office of the Supreme Court Administrator, the University of the Philippines Law Center and the Philippine Association of Civil Registrars, issue the necessary rules and regulations for the effective implementation of this Act not later than three (3) months from the effectivity of this law.

SEC. 11. *Retro activity Clause.* - This Act shall have retroactive effect insofar as it does not prejudice or impair vested or acquired rights in accordance with the Civil Code and other laws.

SEC. 12. *Separability Clause.* - If any portion or provision of this Act is declared void or unconstitutional, the remaining portions or provisions thereof shall not be affected by such declaration. '

SEC. 13. *Repealing Clause.* - All laws, decrees, orders, rules and regulations, other issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 14. *effectivity Clause.* - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved.

(Sgd.) **AQUILINO Q. PIMENTEL, JR**
President of the Senate

(Sgd.) **FELICIANO BELMONTE, JR.**
*Speaker of the House
of Representatives*

This Act which is a consolidation of House Bill No. 9797 and Senate Bill No. 2159 was finally passed by the House of Representatives and the Senate on February 7, 2001 and February 8, 2001, respectively.

(Sgd.) **LUTGARDO B. BARBO**
Secretary of the Senate

(Sgd.) **ROBERTO P. NAZARENO**
*Secretary General
House of Representatives*

Approved: March 22,2001

(Sgd.) **GLORIA MACAPAGAL-ARROYO**
President of the Philippines

A true copy:
Carlito B. Lalicon
Director III, Civil Registration Department
National Statistics Office
21 September 2001

ADMINISTRATIVE ORDER NO.1, SERIES OF 2001

**Implementing Rules and
Regulations
of R.A. No. 9048**

Republic of the Philippines
OFFICE OF THE CIVIL REGISTRAR GENERAL
National Statistics Office
Manila

ADMINISTRATIVE ORDER NO.1, SERIES OF 2001

Subject:

**RULES AND REGULATIONS GOVERNING THE
IMPLEMENTATION OF REPUBLIC ACT NO. 9048**

Pursuant to Section 10 of R.A. No. 9048, which took effect on 22 April 2001, the following rules and regulations are hereby promulgated for the information, guidance and compliance of all concerned parties.

PRELIMINARY STATEMENT

Article 376 of the Civil Code provides that *"No person can change his name or surname without judicial authority."* Article 412 of the same Code provides that *"No entry in a civil register shall be changed or corrected, without a judicial order."*

Republic Act No. 9048 amended Articles 376 and 412. Section 1 of this amendatory law provides: *"No entry in a civil register shall be changed or corrected without a judicial order, except for clerical or typographical errors and change of first name or nickname which can be corrected or changed by the concerned city or municipal civil registrar or consul general in accordance with the provisions of this Act and its implementing rules and regulations. "*

As provided under Section 10 of Republic Act No. 9048, the Civil Registrar General promulgated these rules and regulations, in consultation with the representatives from the Department of Justice, Department of Foreign Affairs, Office of the Supreme Court Administrator, University of the Philippines Law Center and Philippine Association of Civil Registrars.

IMPLEMENTING RULES AND REGULATIONS

Rule 1. *Authority to correct clerical or typographical error and to change first name or nickname.* - The City/Municipal Civil Registrar, Consul General, including the Clerk of the Shari'a Court in his capacity as District or Circuit Registrar of Muslim Marriages, Divorces, Revocations of Divorces and Conversions, are hereby authorized to correct clerical or typographical error and to change first name or nickname in the civil register.

Rule 2. *Definition of terms.* - As used in this Order, the following terms shall mean:

- 2.1. City or Municipal Civil Registrar (CIMCR) - Refers to the head of the local civil registry office (LCRO) of the city or municipality, as the case may be, who is appointed by the city or municipal mayor in accordance with the provisions of existing laws.
- 2.2. Consul General (CG) - Refers to an official of the Department of Foreign Affairs who has been issued the consular commissions by the President and/or the Secretary of Foreign Affairs. In a foreign service establishment of the Philippines where there is no Consul General, the civil registration function and duties herein provided for the Consul General shall be exercised and performed by the Consul or Vice Consul who should be similarly issued consular commissions

by the President and/or the Secretary of Foreign Affairs.

- 2.3. District/Circuit Registrar (D/CR) - Refers to the Clerk of the Shari'a District or Circuit Court acting in the performance of its civil registration function with regard to Muslim Marriages, Divorces, Revocations of Divorces and Conversions under Title VI, Book Two of Presidential Decree No. 1083 which is otherwise known as the *Code of Muslim Personal Laws*.
- 2.4. Civil Registrar General (CRG) - Refers to the Administrator of the National Statistics Office (NSO) which is the agency mandated to carry out and administer the provisions of laws on civil registration.
- 2.5. Local Civil Registry Office (LCRO) - Refers to an office or department in the city or municipal government that is mandated to perform civil registration function.
- 2.6. Petitioner - Refers to a natural person filing the petition and who has direct and personal interest in the correction of a clerical or typographical error in an entry or change of first name or nickname in the civil register.
- 2.7. Indigent Petitioner - Refers to a destitute, needy and poor individual who is certified as such by the social welfare and development office of the city/municipal government.
- 2.8. Clerical or typographical error - Refers to a mistake committed in the performance of clerical work in writing, copying, transcribing or typing an entry in the civil register that is harmless and innocuous, such as misspelled name or misspelled place of birth or the like, which is visible to the eyes or obvious to the understanding, and can be corrected or changed only by reference to other existing record or records: *Provided, however*, That no correction must involve the change of nationality, age, status or sex of the petitioner.
- 2.9. **First name** - Refers to the name or nickname given to a person which may consist of one or more names in addition to the middle and last names.
- 2.10. **Civil Register** - Refers to the various registry books and related certificates and documents kept in the archives of the LCROs, Philippine Consulates, Office of the Civil Registrar General, and Shari' a District/Circuit Courts.
- 2.11. **Newspaper of general circulation** - Refers to a newspaper that is published for the dissemination of local news and general information; that has a bona fide subscription list of paying subscribers; and that is published at regular intervals.
- 2.12. **Record-keeping civil registrar (RKCR)** - Refers to the CIMCR in whose archive is kept the record, which contains the error to be corrected or the first name to be changed. This term shall be used only in cases involving migrant petitioner.
- 2.13. **Petition-receiving civil registrar (PRCR)** - Refers to the CIMCR of the city or municipality where the petitioner resides or is domiciled and who receives the petition on behalf of the RKCR in the case of migrant petitioner.
- 2.14. **Migrant petitioner (MP)** - Refers to a petitioner whose present residence or domicile is different from the place where the civil registry record to be corrected was registered.
- 2.15. **Spouse** - Refers to one's legal wife or legal husband.

2.16. **Guardian** - Refers to a person lawfully invested with the power, and charged with the duty, of taking care of the person and managing the property and rights of another person, who, for defect of age, understanding, or self-control, is considered incapable of administering his own affairs. This term may refer also to those who, under Article 216 of the Family Code, are authorized to exercise substitute parental authority over the child in default of parents or a judicially appointed guardian.

These persons are the following:

- 2.16.1. The surviving grandparent, as provided in Article 214 of the Family Code.
- 2.16.2. The oldest brother or sister, over twenty-one years of age, unless unfit or disqualified;
and
- 2.16.3. The child's actual custodian, over twenty-one years of age, unless unfit or disqualified.

Rule 3. *Who may file the petition.* - Any person of legal age, having direct and personal interest in the correction of a clerical or typographical error in an entry and/or change of first name or nickname in the civil register, may file the petition. A person is considered to have direct and personal interest when he is the owner of the record, or the owner's spouse, children, parents, brothers, sisters, grandparents, guardian, or any other person duly authorized by law or by the owner of the document sought to be corrected: *Provided, however,* That when a person is a minor or physically or mentally incapacitated, the petition may be filed on his behalf by his spouse. or any of his children, parents, brothers, sisters, grandparents, guardians, or persons duly authorized by law.

Rule 4. *Where to file the petition.* - The verified petition may be filed, in person, with the LCRO of the city or municipality or with the Office of the Clerk of the Shari'a Court, as the case may be, where the record containing the clerical or typographical error to be corrected, or first name to be changed, is registered.

When the petitioner had already migrated to another place within the Philippines and it would not be practical for such party, in terms of transportation expenses, time and effort to appear in person before the RKCR, the petition may be filed, in person, with the PRCR of the place where the migrant petitioner is residing or domiciled.

Any person whose civil registry record was registered in the Philippines, or in any Philippine Consulate, but who is presently residing or domiciled in a foreign country, may file the petition, in person, with the nearest Philippine Consulate, or in accordance with Rule 3.

Rule 5. *Processing of the petition.* - The *CIMCR* shall:

- 5.1. Examine the petition as to completeness of requirements and supporting documents as required under Rule 8.
- 5.2. Determine whether or not the civil registry document, which is the subject of the petition, forms part of the civil register of his office. If it is part of the civil register of his office, he shall assume jurisdiction, otherwise, Rule 6 shall apply.
- 5.3. Receive the petition upon payment of the prescribed fees by the petitioner.
- 5.4. Ensure that posting or publication requirement is complied with in accordance with Rule 9.
- 5.5. Investigate and consider any third party intervention to the petition.
- 5.6. Enter all petitions in the appropriate record book, as may be prescribed by the CRG, indicating therein, among others, the following information:

- 5.6.1. Petition number
- 5.6.2. Name of petitioner
- 5.6.3. Type of petition'
- 5.6.4. Date of petition
- 5.6.5. Date of receipt
- 5.6.6. Entry sought to be corrected/changed
- 5.6.7. Correction/Change made
- 5.6.8. Action taken or decision

5.7. Act on the petition within five (5) working days after the completion of the posting and/or publication requirement. In case the CIMCR, CG or *D/CR* approves the petition, he shall render his decision in a prescribed form in triplicate copies, indicating therein the entry sought to be corrected or the first name to be changed in the civil register, and the corresponding correction or change made.

5.8. Deny the petition for correction of clerical or typographical error based on any of the following grounds:

- 5.8.1. The supporting documents are not authentic and genuine.
- 5.8.2. The CIMCR has personal knowledge that a similar petition is filed or pending in court or in any other LCRO.
- 5.8.3. The petition involves the same entry in the same document, which was previously corrected or changed under this Order.
- 5.8.4. The petition involves the change of the status, sex, age or nationality of the petitioner or of any person named in the document.
- 5.8.5. Such other grounds as the CIMCR may deem not proper for correction.

5.9. In the case of petition for change of first name or nickname, the *CIMCR* shall deny the petition based on any of the following grounds, in addition to Rule 5.8.1 to Rule 5.8.3:

- 5.9.1. The first name or nickname sought to be changed is neither ridiculous, nor tainted with dishonor nor extremely difficult to write or pronounce.
- 5.9.2. The new first name or nickname sought to be adopted has not been habitually and continuously used by the petitioner, and he has not been publicly known by that first name or nickname in the community.
- 5.9.3. There is no confusion to be avoided or created with the use of the registered first name or nickname of the petitioner.
- 5.10. Record the decision in the appropriate record book as mentioned in Rule 5.6, and shall transmit said decision together with the records of proceedings to the OCRO within five (5) working days after the date of decision.

Insofar as applicable, Rule 5 shall be observed also by the CO and *D/CR*.

Rule 6. Procedures for migrant petitioner. - When the petition is for or from a person who is a resident or domiciled in a place different from the place where the document sought to be corrected was registered, the following procedures shall be observed:

6.1. The PRCR shall perform the following:

- 6.1.1. Examine the petition as to completeness of requirements and supporting documents as required under Rule 8.
- 6.1.2. Receive the petition upon payment by the petitioner of prescribed fees as required under Rule 18.
- 6.1.3. Ensure that posting or publication of the petition as required under Rule 9 is complied with.
- 6.1.4. Endorse the petition and its supporting documents, including the filing fee in postal money order or in any other mode of payment to the RKCR.

6.2. The RKCR shall perform the following:

- 6.2.1. Examine the petition as to completeness of requirements and supporting documents as required under Rule 8 and as transmitted by the PRCR.
- 6.2.2. Observe the procedures under Rule 5.5 to Rule 5.9.

Insofar as applicable, Rule 6 shall be observed also by the CO and D/CR.

Rule 7. *Availment of the privilege.* - The correction of clerical or typographical error shall be availed of only once with respect to a particular entry or entries in the same civil registry record. However, with regard to the change of first name or nickname in the birth certificate, the privilege shall be availed of only once subject to Rule 12 hereunder.

Rule 8. *Form and content of the petition.* - The petition shall be in the prescribed form of an affidavit, subscribed and sworn to before any person authorized by law to administer oath. The affidavit shall set forth facts necessary to establish the merits of the petition and shall show affirmatively that the petitioner is competent to testify to the matters stated. The petitioner shall state the particular erroneous entry or entries sought to be corrected or the first name sought to be changed, and the correction or change to be made.

8.1. The petition for the correction of clerical or typographical error shall be supported with the following documents:

- 8.1.1. A certified true machine copy of the certificate or of the page of the registry book containing the entry or entries sought to be corrected or changed;
- 8.1.2. At least two (2) public or private documents showing the correct entry or entries upon which the correction or change shall be based;
- 8.1.3. Notice or certification of posting;

8.1.4. Other documents which the petitioner or the *CIMCR*, or the CG, or D/CR may consider relevant and necessary for the approval of the petition.

8.2. In case of change of first name or nickname, the petition shall be supported with the following documents and shall comply with the following requirements:

8.2.1. Documents required under Rule 8.1.

8.2.2. A clearance or a certification that the owner of the document has no pending administrative, civil or criminal case, or no criminal record, which shall be obtained from the following:

8.2.2.1. Employer, if employed

8.2.2.2. National Bureau of Investigation

8.2.2.3. Philippine National Police

8.2.3. Affidavit of publication from the publisher and a copy of the newspaper clipping.

8.3. The *CIMCR*, CG or D/CR shall not accept a petition unless all requirements and supporting documents are complied with by the petitioner.

8.4. The petition and its supporting documents shall be filed in three (3) copies, and upon acceptance, shall be distributed as follows:

8.4.1. First copy to the concerned *CIMCR*, CG or D/CR

8.4.2. Second copy to the OCRG; and

8.4.3. Third copy to the petitioner.

Rule 9. Posting and publication of the petition. - The petition shall be posted by the concerned *CIMCR*, CG or D/CR in a conspicuous place provided for that purpose for ten (10) consecutive days after he finds the petition and its supporting papers sufficient in form and substance.

For a change of first name, the petition shall, in addition to the above-stated posting requirements, be published at least once a week for two (2) consecutive weeks in a newspaper of general circulation. As proof of publication, the petitioner shall attach to the petition a clipping of the publication and an affidavit of publication from the publisher of the newspaper where publication was made.

In the case of migrant petitioner, the petition shall be posted first at the office of the PRCR for ten (10) consecutive days before sending it to the RKCR. Upon receipt, the RKCR shall post again the petition in his office for another ten (10) consecutive days. When the petition is for a change of first name, the migrant petitioner shall publish the petition in a newspaper of general and national circulation.

In the case where a person's civil registry record or records were registered in the Philippines or in any of the Philippine Consulates,- but the person presently resides or is domiciled in a foreign country, posting and/or publication, as the case may be, shall be done in the place where the petition is filed and in the place where the record sought to be corrected is kept.

Rule 10. Duties of the *CIMCR* - The *CIMCR* shall have the following duties:

10.1. Examine the petition and its supporting documents.

- 10.2. If necessary, conduct investigation by interviewing and asking probing questions to the petitioner.
- 10.3. Post the petition in a conspicuous place provided for that purpose for ten (10) consecutive days after he finds the petition and its supporting documents sufficient in form and substance.
- 10.4. Act on the petition and render a decision not later than five (5) working days after the completion of the posting and/or publication requirement.
- 10.5. Transmit a copy of the decision together with the records of the proceedings to the OCRG within five (5) working days after the date of the decision.
- 10.6. Perform such other duties and functions as may be necessary to carry out the provisions of R.A. No. 9048.

Insofar as applicable, the CO and the *D/CR* shall perform the duties of the CIMCR as provided for under this Rule.

Rule 11. Duties and powers of the CRG. - The CRG shall have the following duties and powers:

- 11.1. Impugn the decision of the CIMCR or CO or *D/CR* within ten (10) working days after receipt of the decision granting the petition based on any of the following grounds:
 - 11.1.1. The error is not clerical or typographical.
 - 11.1.2. The correction of an entry in the civil register is substantial or controversial as it involves the change of the age, sex, nationality or civil status of a person.
 - 11.1.3. The petition for correction of clerical or typographical error was not posted, or the petition for change of first name was not published as required under Rule 9.
 - 11.1.4. The basis used in changing the first name or nickname of the person does not fall under any of the following circumstances:
 - 11.1.4.1. The name or nickname is ridiculous, tainted with dishonor or extremely difficult to write or pronounce.
 - 11.1.4.2. The new first name or nickname has been habitually and continuously used by the petitioner and he has been publicly known by that first name or nickname in the community.
 - 11.1.4.3. The change of first name or nickname will avoid confusion.
 - 11.1.5. The *CIMCR* does not have authority to take cognizance of the case.
- 11.2. Notify the *CIMCR* or *the-C/O* or the *D/CR* of the action taken on the decision not later than ten (10) working days from the date of impugning or approving the decision.
- 11.3. Act on all appeals or reconsideration duly filed by the petitioner.
- 11.4. Devise or cause to be devised the forms necessary or required for the effective implementation of this Order.
- 11.5. Perform such other duties and functions as may be necessary to carry out the provisions of R.A. No. 9048.

Rule 12. *Effect of approving the petition for change of name.* - When the petition for a change of first name is approved by the *C/MCR* or *CG* or *D/CR* and such decision has not been impugned by the *CRG*, the change shall be reflected in the birth certificate by way of marginal annotation. In case there are other civil registry records of the same person which are affected by such change, the decision of approving the change of first name in the birth certificate, upon becoming final and executory, shall be sufficient to be used as basis in changing the first name of the same person in his other affected records without need for filing a similar petition. In such a case, the successful petitioner shall file a request in writing with the concerned *CIMCR*, *CG* or *D/CR* to make such marginal annotation, attaching thereto a copy of the decision.

Rule 13. *Effect of denying the petition.* - Where the petition is not granted by the *CIMCR*, *CO* or *D/CR*, as the case may be, the petitioner may either appeal the decision to the *CRG* within ten (10) working days from receipt of the decision, or file the appropriate petition with the proper court. In case the petitioner opts to appeal the decision to the *CRG*, the latter shall render decision within thirty (30) calendar days after receipt of the appeal. The *CRO* shall furnish the *CIMCR*, *CO* or *D/CR* a copy of the decision not later than ten (10) working days after the date of the decision.

Rule 14. *Appeal.* - When the petition is denied by the *CIMCR*, the petitioner may appeal the decision to the *CRG*, in which case, the following guidelines shall be observed:

14.1. The adversely affected petitioner shall file the notice of appeal to the concerned *C/MCR* within ten (10) working days after the receipt of the latter's decision.

14.2. The *CIMCR* shall, within five (5) working days after the receipt of the notice of appeal from the petitioner, submit the petition and all supporting documents to the *CRG*.

14.3. The *CRG* shall render decision on the appeal within thirty (30) calendar days after receipt thereof. The decision of the *CRG* shall be transmitted to the concerned *CIMCR* within ten (10) working days after the date of the decision. Within ten (10) working days after receipt of the decision, the *CIMCR* shall notify the petitioner and shall carry out the decision.

14.4. When the petitioner fails to seasonably file the appeal, the decision of the *CIMCR* disapproving the petition shall become final and executory, and the only option left for the petitioner shall be to file the appropriate petition with the proper court.

14.5. The petitioner may file the appeal to the *CRG* on any of the following grounds:

14.5.1. A new evidence is discovered, which when presented, shall materially affect, alter, modify or reverse the decision of the *CIMCR*.

14.5.2. The denial of the *CIMCR* is erroneous or not supported with evidence.

14.5.3. The denial of the *CIMCR* is done with grave abuse of authority or discretion.

Insofar as applicable, Rule 14 shall be observed in the case of a petition denied by the *CG* or *D/CR*.

Rule 15. *Failure of the CRG to impugn.* - If the *CRG* fails to impugn the decision of the *CIMCR*, *CG* or

D/CR within ten (10) working days after receipt of the decision granting the petition, such decision shall become final and executory.

Rule 16. *Effect of impugning the decision.* - Where the decision of the CIMCR, CG or D/CR is impugned by the CRG, the petitioner may appeal the decision by way of reconsideration with the latter within fifteen (15) working days from receipt of the decision and shall be based only on the ground of new evidence discovered, or file the appropriate petition with the proper court. The decision which shall be rendered by the CRG within thirty (30) calendar days after receipt of the appeal shall be final and executory.

Rule 17. *Recording, filing and retrieval of decision.* - The CRG shall prescribe the proper recording, filing and retrieval system of the decisions.

Rule 18. *Authority to collect filing and other fees.* - The CIMCR or the D/CR is hereby authorized to collect from every petitioner a filing fee in the amount of one thousand pesos (P1,000.00) for the correction of clerical or typographical error, and three thousand pesos (P3,000.00) for change of first name or nickname. An indigent petitioner as defined under Rule 2.7, shall be exempt from the payment of said fee.

In the case of a petition filed with the CG, a filing fee of fifty U.S. dollars (\$50.00) or its equivalent value in local currency for the correction of clerical or typographical error, and one hundred fifty U.S. dollars (\$150.00) or its equivalent value in local currency for the change of first name, shall be collected.

In the case of a migrant petitioner for correction of clerical or typographical error, there shall be a service fee of five hundred pesos (P500.00) to be collected by the PRCR. In case the petition is for change of first name, the service fee is one thousand pesos (P1,000.00). The service fee shall accrue to the city or municipal government of the PRCR. The PRCR shall also collect the filing fee from the migrant petitioner, which shall be in the form of postal money order or other form of payment which shall be payable to and transmitted to the RKCR, together with the petition and supporting documents.

When the petitioner files petition for correction of clerical or typographical error, simultaneously, with a petition for change of first name, and the same document is involved, the petitioner shall pay only the amount corresponding to the fee for the petition for change of first name.

The local legislative body shall ratify the fees herein prescribed upon effectivity of this Order. Prior to ratification by the local legislative body, all fees collected in connection with this Order shall go to the LCRO trust fund: *Provided, however,* That the fees prescribed herein shall be uniform in all cities and municipalities in the country, and in all Philippine Consulates.

Rule 19. *Penalty Clause.* - A person who violates any of the provisions of RA. No. 9048 and of this Order shall, upon conviction, be penalized by imprisonment of not less than six (6) years but not more than twelve (12) years, or a fine of not less than ten thousand pesos (P10,000.00) but not more than one hundred thousand pesos (P100,000.00), or both, at the discretion of the court. In addition, if the offender is a government official or employee, he shall suffer the penalties provided under existing civil service laws, rules and regulations.

Rule 20. *Periodic review.* - The Civil Registrar General may call for periodic review of the IRR as may be necessary.]

Rule 21. *Retro activity clause.* - This Order shall have retroactive effect insofar as it does not prejudice or impair vested or acquired rights in accordance with the Civil Code and other laws.

Rule 22. *Separability clause.* - If any portion or provision of this Order is declared void or

unconstitutional, the remaining portions or provisions thereof shall not be affected by such declaration.

Rule 23. *Repealing clause.* - All circulars, memoranda, rules and regulations or parts thereof inconsistent with the provisions of this Order are hereby repealed or modified accordingly.

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Rule 24. *Effectivity clause.* - This Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

APPROVED this 24th day of July 2001.

For the Office of the Civil Registrar General:

(Sgd.) CARMELIT AN. ERICT A

In consultation with:

For the Department of Justice:

(Sgd.) ANTONIO A. ABANILLA

For the Department of Foreign Affairs:

(Sgd.) FRANKLIN M. EBDALIN

For the Office of the Supreme Court Administrator:

(Sgd.) WILHELMINA D. GERONGA

For the University of the Philippines Law Center:

(Sgd.) GISELLA DIZON-REYES

For the Philippine Association of Civil Registrars:

(Sgd.) RAMON M. MATABANG

A TRUE COPY

Director Carlito B. Lalicon
Civil Registration Department
National Statistics Office
15 September 2001