CORRECTION OF ENTRIES IN THE CIVIL REGISTRY (BIRTH CERTIFICATE, MARRIAGE CERTIFICATE, DEATH CERTIFICATE, (REPORT OF BIRTH, REPORT OF MARRIAGE, AND REPORT OF DEATH)

How to correct entries in the Civil Registry

Correction of entries in the Civil Registry records in the Philippines may be done through the following:

- For correction of clerical errors by filing a petition for the correction of clerical error either with:
 - The Office of the Local Civil Registrar in the Philippines where the vital event was registered, or at
 - The Philippine Embassy or Consulate / Consulate General with consular jurisdiction over their place of residence (e.g., The Philippine Embassy in Berne for the Cantons of Switzerland – except Geneva and Vaud and Liechtenstein)
- For correction of entries that are not clerical errors by filing a petition for special proceedings with the competent court in the Philippines. Applicants are advised to secure the services of a lawyer in the Philippines for this. For related information on judicial recognition of foreign decrees in the Philippines, please view this.

What is a clerical error in the civil registry records

Section 2 of the Republic Act (RA) No. 9048 as amended by RA 10172 states that:

"(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, mistake in the entry of day and month in the date of birth or the sex of the person 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, or status of the petitioner."

How to initiate the process

<u>Petition/s for clerical correction/s</u> of details in the Civil Registry records are processed following the procedures and requirements of <u>Republic Act (RA) No. 9048</u> as amended by <u>RA 10172</u> and its Implementing Rules and Regulations (<u>IRR</u>).

The said laws authorized the City or Municipal Local Civil Registrar (LCR) or the Consul General to correct clerical or typographical errors appearing in the Civil Register without the need of a Judicial Order.

At the Philippine Embassies or Consulates / Consulates General, the applicant must execute an Affidavit expressing his/her intent to amend the clerical error in his/her civil registry record filed in the Philippine Statistics Authority.

The Affidavit must be supported by the following documents:

- A certified true machine copy of the certificate / or report (either of birth or marriage)
 of the page of the registry book containing the entry or entries sought to be
 corrected or changed. Note that a Philippine Statistics Authority (PSA)authenticated copy of the certificate to be amended is required. Copies can be
 requested online from the PSA website.
- 2. At least two (2) public or private documents showing the correct entry or entries upon which the correction or change shall be based,
- 3. Other documents such as baptismal certificate, school records, Philippine-issued IDs bearing the correct spelling of your given names,
- 4. A police clearance or a certification that the petitioner of the document has no pending administrative, civil or criminal case, or no criminal record, which shall be obtained from either of the following:
 - a. Employer, if employed,
 - b. National Bureau of Investigation (NBI) and/or Philippine National Police, or
 - c. From the Police Authorities of the Canton where the petitioner resides
- 5. Affidavit of publication from the publisher and a copy of the newspaper clipping indicating the clerical details to be corrected as they appear in the Philippine civil registry record and the changes to be made and the reason for such changes

The template of the <u>Affidavit</u> may be downloaded from the <u>Notarials webpage</u> of the Embassy. Client may also wish to seek the services of a lawyer in Switzerland to execute the affidavit for them and have it notarized by a local Notary office where they reside prior to presentation at the Embassy for its <u>Notarization</u>.

Additional Information

For more information on the petition to amend clerical errors in the Civil Register, please view the following weblinks:

- 1. RA 10172
 - a. PSA https://psa.gov.ph/civilregistration/civil-registration-laws/republic-act-no-10172
 - b. Official Gazette https://www.officialgazette.gov.ph/2012/08/15/republic-act-no-10172/

- 2. RA 9048
- 3. IRR of RA 10172
 - a. PSA site https://psa.gov.ph/civilregistration/civil-registration-laws/republic-act-no-10172-implementing-rules-and-regulations
 - b. Official Gazette https://www.officialgazette.gov.ph/2012/10/24/irr-nso-administrative-order-no-1-s-2012/

Concerned clients intending to submit a petition before the Embassy for the correction of clerical error are advised that the Embassy shall not accept a petition unless <u>all</u> requirements and supporting documents are complied with by the petitioner, including the three (3) copies of the petition/Affidavit and the documents listed above.

For clients based in the Cantons of Geneva and Vaud, please contact the Philippine Consulate General in Geneva. Their contact details are as follows:

The Philippine Consulate General in Geneva Address: Allee David-Morse 14, 1202 Geneva

Email: genevapcg.consular@dfa.gov.ph Website: https://genevapcg.dfa.gov.ph/

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