




Ref. No. 03CRD001-024
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27 May 2003

Memorandum

To : All City / Municipal Civil Registrars

Subject : Annotations Arising from Cases of Legitimation

From : 
Carmelita N. Ericta
Civil Registrar General

It has been observed that annotations arising from cases of legitimation are not correctly followed. In some cases, the City / Municipal Civil Registrar (C/MCR) issue new birth certificates, while others issued amended ones.

To reiterate, the proper procedure of annotations arising from cases of legitimation are contained in Rule 66, paragraph 5 and 6, of Administrative Order No. 1, series of 1993.

" (5) The original family name of the child as appearing in the Register of Births **shall not** be erased or deleted, but in the "Remarks" space shall be written "Legitimation by Subsequent Marriage" indicating the family name which the child shall bear by virtue of the legitimation, also giving reference to the entry number in the Register of Legal Instruments." (*italics supplied*)

" (6) When the interested party requests a copy of the birth certificate of a legitimated child, a certified copy of the Certificate of Live Birth bearing the annotation "Legitimated by Subsequent Marriage on (date of marriage) at (place of marriage)" or a certified transcription using standard form from the Register of Births bearing the effects of legitimation and the same annotation indicated in the certified true copy, shall be issued."

For example, Cynthia Q. dela Torre bore a child out of wedlock on January 11, 1990. The father's child is Joseph C. Padilla. At the time of the birth of the child, both were capacitated to marry. The child, while illegitimate, was acknowledged by his father. In January 1, 2000, Cynthia and Joseph entered into a valid marriage with each other in Manila. An affidavit of legitimation was executed and filed.

The original birth certificate of Carlo Q. dela Torre shall contain the annotation "*Legitimated by subsequent marriage on January 1, 2000 at Manila*". A certified true copy issued will contain this annotation. Should a transcription be requested, the father's name and date of marriage may be reflected, but the annotation above must still be indicated.

For your information and guidance.