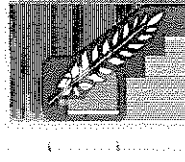




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Reference 04NSO00-136

July 27, 2004

**OFFICE OF THE CIVIL REGISTRAR GENERAL  
MEMORANDUM CIRCULAR NO. 04-09**

**TO** : All Local Civil Registrars

**FROM** :   
CARMELITA N. ERICTA  
Civil Registrar General jk

**SUBJECT** : Clarification of Rule 6 (*When to Register*),  
Administrative Order No. 1, Series of 2004

Rule 6 of the Administrative Order No. 1, Series of 2004 provides that the reglementary period within which a public document such as the affidavit of acknowledgment, affidavit of admission of paternity and affidavit to use the surname of the father should be registered within 20 days from the date of execution. This is in consonance with Rule 64 of Administrative Order No. 1, Series of 1993 (*Implementing Rules and Regulations of Act. No. 3753 and Other Laws on Civil Registration*). Beyond the said reglementary period, the registration of such legal instruments is considered delayed.

While the corresponding 20-day rule for registering said legal instruments is clearly provided in Rule 64, the said IRR is silent on the procedures for delayed registration, or those submitted for registration 20 days after the date of execution of the legal instrument.

In the 1975 Manual of Civil Registration, Section E of Chapter VIII explicitly provides procedures for delayed registration as follows:

**E. Delayed Registration of Other Registrable Documents**

*The reglementary periods for the other registrable documents are given in Chapter VII, Section F. Like the entries for the delayed registration of births, deaths and marriages, those for the other registrable documents: namely, documents of legitimation, acknowledgment of natural children,*

*voluntary emancipation, election of Philippine citizenship, etc., the entries on the appropriate civil registers for these documents should be made in red ink and whenever a certified transcript or copy thereof is issued, the fact of the delay should be stated in the transcript or copy.*

*In addition to the requirements that are to be met when the registration is done on time, the party concerned or the interested party shall be required to execute and file an affidavit in support thereof stating the facts and giving the reasons for the delay.*

*Any report of delayed registration which was denied or rejected by the Local Civil Registrar (LCR) may be appealed to the Office of the Civil Registrar General for reconsideration.*

Given that Section E above is not inconsistent with the current procedures, for purposes of implementing Rule 6 of the Administrative Order No. 1, Series of 2004, the same shall be followed.

For your information and guidance.

cc: Civil Registration Department  
All NSO Regional Directors and Provincial Statistics Officers  
File