



Ref. No. 04CRD00-062

October 18, 2004

**OFFICE OF THE CIVIL REGISTRAR GENERAL
MEMORANDUM CIRCULAR 04-12**

To : All Local Civil Registrars, Officers-in-Charge

**From : 
CARMELITA N. ERICTA
Civil Registrar General**

**Subject : Clarification on the Scope of Public Documents under
Republic Act No. 9255**

Under Rule 2.1 of Administrative Order No. 1, series of 2004 (*Implementing Rules and Regulations of Republic Act No. 9255*), public document is defined as "affidavits of recognition executed by the father such as the Affidavit of Admission of Paternity or the Affidavit of Acknowledgement".

The definition of public document as provided by the Supreme Court, however, is not limited to the two affidavits mentioned. Specifically, a public document is a document the execution of which a person in authority or notary public takes part (*Bermejo vs. Barrios*, 31 SCRA 764). In addition, the Rules of Court (Section 19, Rule 132) also provided examples of public documents. Annex A of this circular provides a list of examples of public document.

For purposes of R.A. No. 9255, the definition of public document is hereby changed to include those enumerated in Annex A, provided that in such document, the paternity of the father to the child is clearly shown.

For your information and guidance.

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

Public Documents

Section 19, Rule 132, Rules of Court

1. Written official acts, or records of the official acts of the sovereign authority, official bodies and tribunals, and public officers, whether of the Philippines or of a foreign country;
2. Documents acknowledged before a notary public, except last wills and testaments; and
3. Public records, kept in the Philippines, of private documents required by law to be entered therein.

Supreme Court Rulings

1. Any instrument notarized by a notary public or a competent public official with the solemnities required by law.
2. Blank forms prepared by the Auditor of the Philippines in accordance with Act. 90 of the Philippine Commission.
3. Official receipts prescribed by the governments to be issued upon receipts of money for public purposes.
4. A cash book of a public official in which entries are made of account of public moneys received.
5. An official receipt printed in accordance with standard forms.
6. A copy of the record of possessory information, the original of which was filed in the registry of property, partakes of the character of a judicial proceeding and of a public document.
7. Legislative acts.
8. Civil service examination papers are public documents because they form part of the documents on the files of the civil service.
9. A cedula or certificate.
10. Certificate of land registration.
11. Personnel information sheet of the NBI.
12. All documents acknowledged by a notary public and certified to by him are considered public document in this jurisdiction.
13. Transcript of stenographic notes taken during a hearing by an official court stenographer.
14. Pleadings filed in court.
15. Index cards of the civil service containing data about a civil service employee, including his passing of the civil service, his appointments, service records.
16. All records of the civil register.