

**[ REPUBLIC ACT NO. 9048, March 22, 2001 ]**

**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 Consulate 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 provision of laws on civil registration.
6. "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.

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 petitions 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 changed 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 the 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,