

## OFFICE OF THE CITY CIVIL REGISTRAR

G/F, New City Hall, Apokon, Tagum City  
Tel: 084-216-9367 Local 111-113/ CP: 0927-531-3475

# 5 Legitimation

(Pursuant to the Family Code  
and RA No. 9858)

### WHAT IS LEGITIMATION?

A remedy in which the child, who is illegitimate, is considered legitimate by virtue of the parents not being disqualified to marry each other at the time when the child was conceived and the fact that they subsequently married each other after the child was born.

### TO WHOM SHALL APPLY?

It shall be applied to all children conceived and born outside of marriage of parents who, at the time of conception of the child, were not disqualified by any impediment to marry each other.

### WHAT ARE THE REQUISITES?

Before a child may be legitimated, the following shall be established:

1. The parents are not disqualified to marry each other by any legal impediments at the time of conception of the child;
2. The child is conceived and born outside a valid marriage; and
3. The parents subsequently enter into a valid marriage.

### WHAT ARE THE REQUIREMENTS?

1. **Birth Certificate** of the child (PSA and Local Copy)
2. **Affidavit of Admission of Paternity** (If the father has not yet acknowledged the child)
3. **Affidavit of Legitimation**
4. **Marriage Certificate** of the parents (PSA or Certified Local Copy)
5. **Certificate of No Marriage (CENOMAR)** of both parents
6. **Express Pouch**, Phil Post Office or **Prepaid Pouch**, private courier (Optional)
7. **Case to case basis:**
  - + **Death Certificate** of the deceased parent
  - + **Affidavit of Surviving Spouse**, if the Affidavit of Legitimation is executed by one parent.
  - + **Court Decision and other pertinent documents** of the annulled or divorced parent
8. **PSA's Application Form-Birth Certificate**
9. **Postal Money Order** (Payment for annotated birth certificate in Security Paper)

**Amount:** P140.00

**Payee:** PSA, Quezon City

**Payor:** Flordeliza J. Zulueta, City Civil Registrar,  
Tagum City

**(Note: If the child was born outside Tagum,  
please submit requirements 1 to 7 only.**

### WHO SHALL EXECUTE THE AFFIDAVIT OF LEGITIMATION?

1. Both parents shall execute a Joint Affidavit of Legitimation.
2. In case one of the parents is dead or presumed dead, the surviving spouse shall execute the Affidavit of Legitimation. The Death Certificate of the deceased parent or the applicable court order shall be required.
3. In case both of the parents died without executing any Affidavit of Legitimation, the child, if of age, or his or her guardian, if the child is a minor, may file a petition for legitimation in court.

### WHERE TO FILE/REGISTER THE AFFIDAVIT OF LEGITIMATION?

As a general rule, the Affidavit of Legitimation shall be filed and registered at the Office of the Civil Registrar of the place where the child was born within thirty (30) days from the date of execution.

In the case the parents had migrated to other place within the Philippines, the Affidavit of Legitimation may be filed with the Office of the Civil Registrar of the place of residence. Such office shall endorse the Affidavit of Legitimation and the other requirements to the Office of the Civil Registrar of the place where the child was born for registration.

### HOW MUCH ARE THE FEES AND CHARGES?

(Please refer FEES at the back.)

### IMPORTANT TIPS/INFORMATION:

1. The **Affidavit of Admission of Paternity** and **Affidavit of Legitimation** shall be notarized by any person authorized by law.
2. If the parents are abroad, the **Affidavit of Admission of Paternity** and/or **Affidavit of Legitimation** shall be executed before and notarized by a Consul General/Consul/Vice Consul of the Philippine Foreign Service Post (PFSP) of the country of residence.
3. If either or both of the parents was/were a minor(s) at the time of conception of the child, the Affidavit of Legitimation shall state the minority of the concerned parent(s) pursuant to RA No. 9858.
4. It is highly recommended that the birth certificate of the child to be legitimated will be initially assessed by the Front Desk Officer (Tables 5, 6 or 7) to properly guide the parents or the child, if of age, on the appropriate remedy or action to be taken, in case there are discrepancies.
5. To avoid inconveniences, parents are advised to process the legitimation of their illegitimate children the soonest possible after their marriage.
6. To avoid complications in the assessment of documents, **FIXERS ARE NOT ALLOWED.**
7. Our office observes "NO-NOON BREAK" Policy.

HOW TO AVAIL OF THE SERVICE:

STEP	APPLICANT/CLIENT	SERVICE PROVIDER	DURATION OF ACTIVITY (Under Normal Circumstances)	PERSON IN-CHARGE	FEE	FORM
1	Get a priority number and wait to be called	Give a priority number and advise client to wait	5 minutes	Ann Janet O. Calzado	No Fees	Priority Number
2	When the priority number is called, go to the Front Desk Officer (Table 5,6 or 7) and present the requirements	Check the documents/ requirements	15 minutes	Nancy B. Balaga Ingrid P. Cabarron	No Fees	Requirements
		Advise client to pay at the City Treasurer's Office-License Division		Editha G. McCartney Odette Lou S. Palen		Billing
3	Go to the City Treasurer's Office-License Division and pay the corresponding fees	Receive payment and issue Official Receipt	5 minutes	City Treasurer's Office Revenue Collection Officer	<b>1. For Children born in Tagum:</b> <i>a) Affidavit of Legitimation only = Php 590.00</i> <i>b) Affidavit of Admission of Paternity and Affidavit of Legitimation= Php 790.00</i> <b>2. For Children born outside Tagum:</b> <i>Affidavit of Admission of Paternity and/or Affidavit of Legitimation= Php 290.00</i> (Note: There will be fees and charges to be paid to the Local Civil Registrar's Office of the birth place. Fees and charges vary depending on their Tax Code.)	Official Receipt
		Advise client to go back to City Civil Registrar's Office				
4	Go back to the City Civil Registrar Office and present original and photocopy of Official Receipt to the Front Desk Officer (Table 5,6 or 7	Check Official Receipt and issue a Claim Stub	5 minutes	Nancy B. Balaga Ingrid P. Cabarron	No Fees	Claim Stub
<b>END OF TRANSACTION</b>						

✚ **For children born in Tagum:** The Affidavit of Legitimation shall be filed and registered at the Civil Registrar's Office, Tagum City within thirty (30) days from the date of execution. The Office shall make the proper annotation in the child's Birth Certificate and applicable registry book. The registered Affidavit of Legitimation and other pertinent documents will be endorsed to the **Civil Registration Service, Philippine Statistics Authority, Quezon City** for the issuance of the annotated Birth Certificate in Security Paper (SECPA) which may be claimed within four (4) months at Table 5, 6 or 7, Regulatory Division, Office of the City Civil Registrar, New City Hall, Tagum City.

✚ **For children born outside Tagum:** The Affidavit of Legitimation and the other pertinent documents will be transmitted to the Civil Registrar's Office of the child's birth place for registration within thirty (30) days from the date of execution and for annotation in the Birth Certificate. The registered Affidavit of Legitimation and other pertinent documents will be endorsed to the **Civil Registration Service, Philippine Statistics Authority, Quezon City** for the issuance of the annotated Birth Certificate in Security Paper (SECPA) which may be available, upon request, at any PSA's Outlet within four (4) months. The Office of the City Civil Registrar, Tagum City can also assist request for annotated Birth Certificate in SECPA from the PSA.

