Authority to Use Surname of the Father

ABOUT THE SERVICE

REPUBLIC ACT No. 9255 An Act allowing illegitimate children to use the surname of their father amending for the purpose Article 176 of Executive Order No. 209, otherwise known as "The family Code of the Philippines.

The law applies to illegitimate children whose births are either not yet registered or were previously registered under the surname of the mother whether born before or after the affectivity of R.A. 9255. Specifically, this law applies to illegitimate children born on or after August 3, 1988.

Illegitimate children born on 3 August 1988 to 18 March 2004 may still be acknowledged by the father through an Affidavit of Admission of Paternity (AAP) or Private handwritten Instrument (PHI) but cannot use the surname of the father under R.A. 9255. However, a petition in court may be filed in order that the child can use the surname of the father.

If the child is 6 years old and below, the mother is the one who executes the AUSF pursuant to Art. 213(2) of the Family Code that states, "xxx no child under seven years of age shall be separated from the mother unless the court finds compelling reasons to order otherwise"

For a child 7-17 years old, the child will execute the AUSF with attestation of the mother.

For a child who is of age, he himself will execute the AUSF without need of attestation by the mother.

FEES

AUSF Registration Fee	P 300.00
Acknowledgement of Paternity Fee	400.00
Registration of Public Handwritten Instrument	400.00
Endorsement Fee	300.00
CTC of Legal Instrument	200.00
CTC of Annotated Birth Certificate	150.00
CTC of Un-Annotated Birth Certificate	100.00
Certification Fee	100.00

Department / Office:		**CITY CIVIL REGISTRY OFFICE**		
Classification:		Simple		
Type of Transaction:		G2C - Government to Citizens		
Who may avail		Illegitimate Children		
CHECKLIST OF REQUIREMENTS		**WHERE TO SECURE**		
● Birth Certificate of the child issued by the PSA		● Philippine Statistics Authority (PSA)		
● Valid ID's or Residence Certificate of parents				
● Affidavit of Admission of Paternity (if the child was not acknowledged by the father)		● Notary Public		
● Affidavit to use the surname of the father		● Notary Public		
● Consent of the child, if 18 years old & above (Affidavit stating that he/she is willing to use the surname of his/her father)				
● Private handwritten Instrument (Father)				
CLIENT STEPS	**AGENCY ACTION**	**FEES TO BE PAID**	**PROCESSING TIME**	**PERSON RESPONSIBLE**

1. Presentation of Document Present the required documents to the employee-in-charge (EIC).	2. Examination of Documents. EIC examines the presented documents as to authenticity.		6 minutes	ERLINDA M. BICALDO Administrative Assistant I
3. Payment of fees. Pay the required fees.		See fees above.	5 minutes	Local Revenue Collection Officer CITY TREASURER'S OFFICE
	4. Registration of the Legal Instruments and Annotation to the affected Civil Registry Record. EIC enters the legal instrument in Registry Book, and annotates the same to the affected record.		10 minutes	ERLINDA M. BICALDO Administrative Assistant I
	5. Preparation of endorsement of Annotated birth certificate to PSA. LCR staff prepares the annotated Record. CCR signs the documents.		15 minutes	ERLINDA M. BICALDO Administrative Assistant I MA. MIA B. ORDOÑEZ Assistant Civil Registrar MARIA DOLORES P. DE LOS REYES CGDH I (City Civil Registrar)
	6. Release of Documents. EIC releases the documents to the registry.		1 minute	ERLINDA M. BICALDO Administrative Assistant I
	TOTAL	P	37 minutes	

CITY CIVIL REGISTRY OFFICE
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