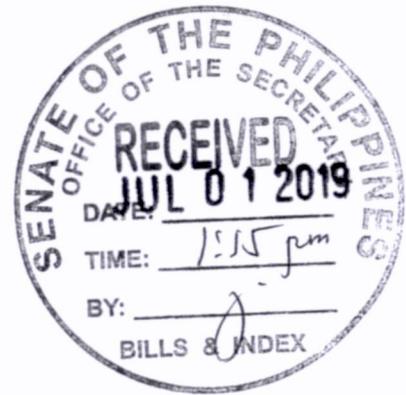


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

SENATE

S. B. No. 56



Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
AFFORDING STATUS TO A DESERTED OR ABANDONED CHILD WITH
UNKNOWN PARENTS

EXPLANATORY NOTE

"The apple doesn't fall far from the tree." This oft-quoted adage likewise finds great relevance on matters relating to the status, condition and legal capacity of a child as these are heavily dependent on the parents. The fact of a child's legitimacy, citizenship and the manner by which the child may conduct himself in society are dictated to the most extent by the status of the child's parents. A child of married parents is legitimate while those born out of wedlock are illegitimate. Children of Filipino parents are natural citizens of the Philippines. These matters may readily be discerned not only because there are laws governing the same, but also most importantly, the identities of the parents are established.

But how about infants left to be found in the doors of churches and trash cans, which have been common nowadays? It has been unfair for them to be left to fend for themselves at a very young age and worse, much of the opportunities related with status may not be available to them. In fact, with the current legal framework, foundlings remain to be non-citizens or stateless unless they undergo naturalization proceedings. Their legitimacy or illegitimacy remains in limbo unless they are adopted in accordance with law. The net effect of this is that a whole array of rights and entitlements under our Civil Code, Family Code and other relevant laws is unavailable to foundlings just because their nationality and legitimacy remain undetermined.

This measure seeks to fill in the gap in our laws and correct the inequities that beset foundlings in the aspect of status, condition and legal capacity.

Early passage of this bill is earnestly sought.

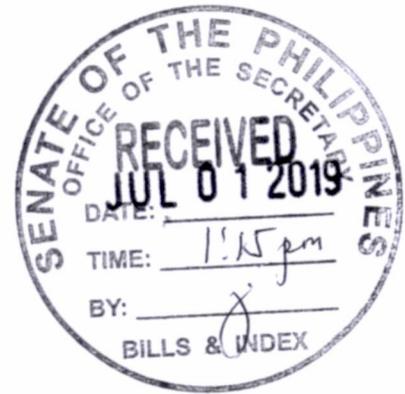


MANUEL "LITO" M. LAPID
Senator

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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*Be it enacted by the Senate and the House of Representatives of the Philippines
in Congress assembled:*

1 **Section 1.** This Act shall be known as the "Foundling Recognition Act".

2
3 **Section 2.** For purposes of this Act, a foundling shall be a deserted or abandoned
4 child or infant where the identities of both parents are unknown. The founder shall be a
5 person of legal age who discovered the deserted or abandoned child. Status shall refer
6 to the relationship of the child with the community including but not limited to legitimacy
7 and citizenship.

8
9 **Section 3.** For all legal intents and purposes, a foundling shall be recognized
10 as the legitimate child of the founder from the time of his birth, provided that the foundling
11 has lived and depended with the founder until the foundling reaches the age of
12 majority; and provided further that the founder and the foundling have conducted as
13 and made known themselves to be parent and child in their community. If the founder is
14 married at the time the foundling was discovered, the foundling shall be considered the
15 legitimate child of the founder and his spouse.

16
17 **Section 4.** The Department of Social Welfare and Development, Department of
18 Justice and the Philippine Statistics Authority are hereby directed to promulgate the
19 necessary rules and regulations for the efficient implementation of this Act
20

1 **Section 5. Separability Clause.** If any provision or part of this Act is declared
2 invalid or unconstitutional, other provisions that are not affected thereby shall continue to
3 be in full force and effect.

4
5 **Section 6. Repealing Clause.** All laws, orders, rules and regulations, or parts
6 thereof that are inconsistent with the provisions of this Act are hereby modified or
7 repealed accordingly.

8
9 **Section 7. Effectivity Clause.** This Act shall take effect fifteen (15) days after its
10 publication in the Official Gazette or in at least two (2) newspapers of general circulation.

11
12
13
14

Approved,