

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4142



Introduced by **Hon. EDUARDO R. GULLAS**

EXPLANATORY NOTE

This bill seeks to allow legitimation of children conceived and born outside of wedlock to parents who are either below eighteen years of age at the time of conception or birth of the child, amending for the purpose, Article 177 of the Family Code.

Article 177 of the Family Code provides:

"Only children conceived and born of wedlock of parents who, at the time of the conception of the former, were not disqualified by any impediment to marry each other may be legitimated."

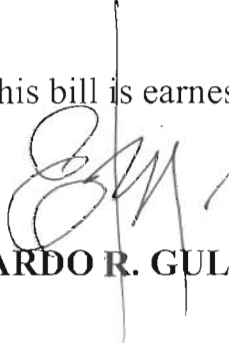
Impediments referred to by the provision above-cited include prior existing valid marriage of any one or both contracting parties, minority, incestuous and bigamous marriages and marriages considered void by reason of public policy under Articles 37 and 38, respectively, of the same Code.

Under the present law, a child born to any or both parents below eighteen years of age can never be legitimated. The only way to put the child in the same status as a legitimate child is through adoption. This process is tedious, costly and requires considerable length of time before the end is achieved.

The parents of a child who were prohibited from marrying each other only by reason of minority and who are otherwise capacitated to marry each other, and whose love has withstood the pressure of society by marrying each other upon reaching the age of majority should be commended. What better way to reward the parents than to have their child legitimated by their subsequent marriage? By doing so, the stigma of being known as an illegitimate child would be erased and this would tremendously help children similarly situated grow normally in a judgmental society like ours.

Moreover, the illegitimate child born before his parents reached the age of majority would now be in the same legal standing and have the same successional rights as his full-blood siblings who are the fortunate enough to have been conceived and born after their parents reached the age of majority and have contracted marriage.

In view of the foregoing, early approval of this bill is earnestly sought.



EDUARDO R. GULLAS

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AN ACT
ALLOWING LEGITIMATION TO CHILDREN BORN OUTSIDE OF
WEDLOCK OF PARENTS WHO WERE DISQUALIFIED TO
MARRY EACH OTHER BY REASON OF MINORITY, AMENDING
FOR THE PURPOSE, ARTICLE 177 OF THE FAMILY CODE.

Be it resolved by the Senate and the House of Representatives in Congress assembled:

SECTION 1. Article 177 of Executive Order No. 209 otherwise known as the "Family Code of the Philippines" is hereby amended to read as follows:

"Article 177. Only children conceived and born outside of wedlock of parents who, at the time of the conception of the former, were not disqualified by any impediment to marry each other may be legitimated [.]: PROVIDED, THAT THE MINORITY OF EITHER OR BOTH PARENTS SHALL NOT SERVE AS AN IMPEDIMENT FOR THEIR CHILDREN TO BE LEGITIMATED AFTER EITHER OR BOTH PARENTS HAVE REACHED THE AGE OF MAJORITY AND SUBSEQUENTLY MARRY EACH OTHER ".

SEC. 2 This Act shall take effect fifteen (15) days after publication in at least two (2) national newspapers of general circulation.

Approved,