

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL No. ~~4433~~

Introduced by **HONORABLE ANGELO B. PALMONES**

EXPLANATORY NOTE

Marriages often are invalidated because one of the contracting parties is already married unknown to the other party. This results in mental and emotional anguish of the deceived party and the trauma may actually affect him or her for the rest of his/her life. This often happens especially if one of the contracting parties is not from the place where the marriage is officiated and is not well known in the area. To avoid this situation it is necessary to require that both parties intending to contract marriage show as an additional requirement for marriage, a "certificate of no-marriage" from the civil registrar of the respective place of residence of contracting parties.

To safeguard the innocent parties, this Act needs to be enacted soonest.


ANGELO B. PALMONES
Representative, AGHAM Party List

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AN ACT
TO REQUIRE A CERTIFICATE OF NO MARRIAGE AS AN
ADDITIONAL PREREQUISITE FOR CONTRACTING OF
MARRIAGE AMENDING BOTH THE FAMILY CODE AND THE
CIVIL CODE OF THE PHILIPPINES AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress Assembled:

SECTION 1 – Article 53 of the Family Code of the Philippines (EO No. 209) of 1987 as amended is hereby further amended to read as follows:

“Art. 53. No marriage shall be solemnized unless all these requisites are complied with:

(1) xxx,

(2) xxx,

(3) xxx, and

(4) A marriage license, **AND CERTIFICATE OF NO MARRIAGE**, except in a marriage of exceptional character. **THE CERTIFICATE OF NO MARRIAGE SHALL BE ISSUED BY THE CIVIL REGISTRAR OF THE RESPECTIVE MUNICIPALITY WHERE THE PARTY IS A RESIDENT.”**

SECTION 2 – Article 3 of the Civil Code of the Philippines is hereby amended to read as follows.

“Art. 3. The formal requisites of marriage are:

(1) x x x;

(2) A valid marriage license except in the cases provided for in Chapter 2 of this Title AND A CERTIFICATE OF NO MARRIAGE WHICH SHALL BE ISSUED BY THE CIVIL REGISTRAR OF THE RESPECTIVE MUNICIPALITY WHERE THE PARTY IS A RESIDENT; and

SECTION 3 - If any provision of this Act is declared unconstitutional or invalid, the provisions hereof which are not affected shall continue to have force and effect.

SECTION 4 - All laws, decrees, orders, rules or regulations thereof, inconsistent with this Act are hereby modified or repealed accordingly

SECTION 5 - This Act shall take effect on the day following its publication in at least two (2) newspapers of general circulation

Approved: