

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
First Regular Session

HOUSE OF REPRESENTATIVES
H.B. No. **5848**



Introduced by Representative H. Harry L. Roque Jr.

AN ACT
AMENDING EXECUTIVE ORDER NO. 209, ALSO KNOWN AS
THE FAMILY CODE OF THE PHILIPPINES, ARTICLE 18

EXPLANATORY NOTE

Executive Order No. 209 or the Family Code of the Philippines, Article 18,
provides:

ARTICLE 18. In case of any impediment known to the local civil registrar or brought to his attention, he shall note down the particulars thereof and his findings thereon in the application for marriage license, but shall nonetheless issue said license after the completion of the period of publication, unless ordered otherwise by a competent court at his own instance or that of any interested party. No filing fee shall be charged for the petition nor a corresponding bond required for the issuance of the order.

The provision mandates the local civil registrar to note down his findings that an impediment to the marriage exists in the application for the marriage license. However, the law does not provide for the attachment of the application when the license is issued. As a result, marriages to which there is an impediment may be solemnized.

This bill seeks to prevent a situation wherein the solemnizing officer celebrates the marriage event with the existence of an impediment that renders the marriage void.¹



H. HARRY L. ROQUE JR.

¹ This bill was originally filed by Senator Miriam Defensor Santiago during the Sixteenth Congress, Second Regular Session.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
First Regular Session

HOUSE OF REPRESENTATIVES
H.B. No. **5848**

Introduced by Representative H. Harry L. Roque Jr.

AN ACT
AMENDING EXECUTIVE ORDER NO. 209, ALSO KNOWN AS
THE FAMILY CODE OF THE PHILIPPINES, ARTICLE 18

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

1 SECTION 1. The Family Code, Article 18 is hereby amended to read as
2 follows:

3 ARTICLE 18. In case of any impediment known to the local civil
4 registrar or brought to his attention, he shall note down the particulars
5 thereof and his findings thereon in the application for marriage license,
6 but shall nonetheless issue said license **WITH THE**
7 **CORRESPONDING APPLICATION ATTACHED** after the
8 completion of the period of publication, unless ordered otherwise by a
9 competent court at his own instance or that of any interested party. No
10 filing fee shall be charged for the petition nor a corresponding bond
11 required for the issuance of the order.

12 SECTION 2. *Repealing Clause.* – All laws, decrees, orders, and issuances, or
13 portions thereof, which are inconsistent with the provisions of this Act, are hereby
14 repealed, amended or modified accordingly.

1 SECTION 3. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
2 after its publication in the *Official Gazette* or in two (2) newspapers of general
3 circulation.

Approved,