

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

17th Congress
Second Regular Session

HOUSE BILL NO. **7529**



Introduced by: **HON. LORNA C. SILVERIO**

EXPLANATORY NOTE

This measure aims to simplify the re-acquisition of the maiden surname of a woman and eliminate the tedious, costly and unnecessary court processes which one has to undergo before reverting back. The language of the law in Article 370 of the Civil Code uses the word "may use", pertaining to the woman's annexation of the husband's surname which is permissive only and that the usage of the same is only an option and is not mandatory, therefore violating no existing law if she opts to retain her maiden surname. But Philippine culture dictates, that once you get married, it is customarily to adapt the husband's surname automatically and symbolizes the union per se. This bill can pave the way for further realization that women have all the right to exercise their choice which can be more favorable and convenient to them.

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


LORNA C. SILVERIO

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AN ACT ALLOWING WOMEN TO REVERT TO THEIR MAIDEN SURNAME,
ESTABLISHING A PROCEDURE FOR REVERSION AND APPROPRIATING FUNDS
THEREFOR

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

SEC 1. Title. This Act shall be known as the "Reversion to Maiden Name Act".

SEC 2. Declaration of State Policy. The State shall value the dignity and independence of women and guarantees full respect for their freedom of choice of surname. Hence, the State shall provide a method for reversion to maiden name to fully empower women to be truly independent in their social and economic affairs.

SEC 3. Authority to Record a Reversion to Maiden Name. No entry in a civil register shall be changed or corrected without a judicial order, except as provided in this Act and under Republic Act No. 9048.

SEC 4. Who may file the Petition and Where. A woman who is or was validly married may file a verified petition for reversion to her maiden name before the local civil registry office of the city or municipality where her record is kept.

SEC 5. Grounds for Reversion to Maiden Name. The petition for reversion to maiden name may be allowed in any of the following cases:

- (1) After a marriage has been judicially declared null and void or after its annulment;
- (2) After a judicial declaration of legal separation: *Provided*, That there has been no manifestation of reconciliation filed with the court;
- (3) After a judicial declaration of separation of property: *Provided*, That there has been no subsequent decree reviving the old property regime between the spouses;
- (4) If the spouses stipulated in their marriage settlement that a regime of separation of properties shall govern their property relations;
- (5) If the petitioner has been de facto separated from or abandoned by her husband for a period of not less than ten (10) years; or

- (6) If the petitioner's husband may be presumed dead pursuant to the circumstances, periods and conditions set forth in the Civil Code of the Philippines and the Rules of Court.

SEC 6. Petitions for Declaration of Nullity, Annulment and Legal Separation. A prayer for reversion to one's maiden name may be included in the following petitions:

- (1) Petition for declaration of nullity of a marriage;
- (2) Petition for annulment of marriage;
- (3) Petition for legal separation; and
- (4) Petition for judicial declaration of separation of property.

SEC 7. Responsible Agencies. The Civil Registrar, the Department of Justice, the Department of Foreign Affairs and the Office of the Supreme Court Administrator shall, in coordination with such other concerned agencies, issue the necessary rules and regulations for the effective implementation of this Act.

SEC 8. Appropriations. Such amounts necessary for the effective implementation of this Act shall be included in the General Appropriations Act of the year following this enactment.

SEC 9. Repealing Clause. All executive orders, laws, and department orders and parts thereof contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC 7. Effectivity. This Act shall take after fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,

