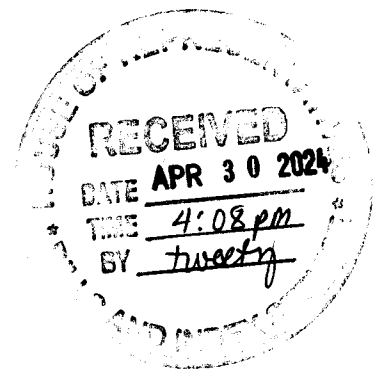




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



Nineteenth Congress
Second Regular Session

HOUSE BILL NO. 10309

Introduced by **Representative MA. VICTORIA CO-PILAR**

EXPLANATORY NOTE

“Best interests of the child” is a legal principle often cited in cases involving the determination of what is most beneficial to a child. This principle connotes the totality of the circumstances and conditions that are most congenial to the survival, protection, and feelings of security of the child.

Since the effectivity of the Civil Code in the 1950s, we encounter the terms ‘legitimate child’ and ‘illegitimate child’. These terms were adopted in the 1980s when the Family Code was enacted. A legitimate child is a child conceived or born during the marriage of the parents, or those conceived as a result of artificial insemination of the wife with the sperm of the husband or of a donor or both. An illegitimate child, on one hand, is a child conceived and born outside a valid marriage.

There is a stigma on the use of the term ‘illegitimate child’ when referring to a person born to unmarried parents. As explained by the Supreme Court in one case, there is a derogatory connotation in the term ‘illegitimate’ and thus, it was substituted with the term ‘nonmarital’.

With this, the author intends to reflect this interpretation by the High Court and thereby seeks to amend the relevant laws such as the Family Code and the Civil Code, among others.

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



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HOUSE BILL NO. 10309

Introduced by **Representative MA. VICTORIA CO-PILAR**

AN ACT
RECLASSIFYING LEGITIMATE AND ILLEGITIMATE CHILD INTO
MARITAL AND NONMARITAL CHILD, RESPECTIVELY, THEREBY
AMENDING THE PERTINENT PROVISIONS OF THE CIVIL CODE, THE
FAMILY CODE, AND OTHER RELEVANT LAWS

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

1 **Section 1.** Provisions of the Civil Code, the Family Code, and other relevant laws
2 that use the term “legitimate child” and “illegitimate child” are hereby amended
3 to reclassify the terms as “marital child” and “nonmarital child”, respectively.

4

5 **Section 2.** This Act shall have retroactive effect.

6

7 **Section 3.** This Act shall take effect fifteen (15) days after its publication in the
8 Official Gazette or in a newspaper of general circulation.

9

10 **Approved,**