



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8630



Introduced by **REPRESENTATIVE CHEENO MIGUEL D. ALMARIO**

EXPLANATORY NOTE

Under the Civil Code, married women are given three options as to the use of surname, namely: (1) her maiden name and surname plus her husband's surname, (2) her maiden name and her husband's surname, or (3) her husband's full name, and prefixing a word indicating that she is his wife, such as "Mrs.". The use of "may" in the provision prior to the 3 choices indicates that the options are neither exclusive nor limited to those enumerated therein.

In fact, the Philippine Commission on Women (PCW) has proactively issued memoranda, such as PWC Memorandum Circular No. 2016-07 and PWC Memorandum Circular No. 2023-04, affirming the existence of another option for married women to use their maiden name. The basis of the memoranda is the ruling laid down by the Supreme Court in the case of *Remo v. Sec. of Foreign Affairs*.¹

Unfortunately, despite these official memoranda and the jurisprudence affirming the availability of such option, there are still instances where some married women who chose to use their maiden name encounter difficulties when dealing with financial institutions.

As such, this bill seeks to put an end to the confusion that is rooted from the ambiguous wordings of Article 370 of the Civil Code by expressly including the option for married women to keep both their maiden first name and surname. This also echoes the ruling of the Supreme Court that a married woman is not prohibited from continuously using her maiden name once married. Verily, when a woman marries, she only changes her civil status, not her name.

Hence, the immediate passage of this bill is earnestly sought.


CHEENO MIGUEL D. ALMARIO
Representative
2nd District, Davao Oriental

¹ G.R. No. 169202, March 5, 2010.



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**AN ACT PROVIDING FOR THE RIGHT MARRIED WOMEN TO RETAIN THEIR
MAIDEN SURNAMES, AMENDING FOR THE PURPOSE ARTICLE 370 OF
REPUBLIC ACT NO. 386, AS AMENDED, OTHERWISE KNOWN AS THE CIVIL
CODE OF THE PHILIPPINES**

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

Section 1. Article 370, Title XIII, Book III of the Republic Act no. 386, as amended, otherwise known as the New Civil Code of the Philippines, is hereby amended as follows:

“Article 370. A married woman may use:

~~[(1) Her maiden first name and surname and add her husband's surname, or~~

~~(2) Her maiden first name and her husband's surname, or~~

~~(3) Her husband's full name, but prefixing a word indicating that she is his wife, such as “Mrs.”]~~

**(1) HER MAIDEN FIRST NAME AND SURNAME, WITH THE PREFIX
“MRS.” TO INDICATE HER MARRIED STATUS;**

**(2) HER MAIDEN FIRST NAME AND SURNAME AND ADD HER
HUSBAND'S SURNAME;**

(3) HER MAIDEN FIRST NAME AND HER HUSBAND'S SURNAME; OR

**(4) HER HUSBAND'S FULL NAME, BUT PREFIXING A WORD
INDICATING THAT SHE IS THE WIFE, SUCH AS “MRS.”**

Section 2. All laws, executive orders, decrees, rules and regulations, or any part thereof inconsistent with the provision of this Act are deemed repealed or modified accordingly.

Section 3. This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,