



HOUSE OF REPRESENTATIVES

H. No. 4828

BY REPRESENTATIVES GARCIA (G.), PRIMICIAS-AGABAS, OAMINAL,
GUTIERREZ, ALPING, BAIOCABE, BELLO (S.), BICHARA, DEFENSOR,
ESCUDERO, KHO AND ROMULO, PER COMMITTEE REPORT NO. 373

AN ACT PROVIDING FOR ADDITIONAL REQUIREMENTS FOR A
MALE FOREIGNER DESIRING TO MARRY A FILIPINA
AMENDING FOR THE PURPOSE ARTICLE 21 OF EXECUTIVE
ORDER NO. 209, OTHERWISE KNOWN AS "THE FAMILY CODE
OF THE PHILIPPINES"

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

1 SECTION 1. Article 21 of Executive Order No. 209, as amended,
2 otherwise known as "The Family Code of the Philippines", is hereby further
3 amended to read as follows:
4 "ART. 21. When either or both of the contracting parties
5 are citizens of a foreign country, it shall be necessary for them
6 before a marriage license can be obtained, to submit a certificate
7 of legal capacity to contract marriage, issued by their respective
8 diplomatic or consular officials. **WHEN THE MALE**
9 **CONTRACTING PARTY IS A FOREIGNER, IN ADDITION TO THE**
10 **CERTIFICATE OF LEGAL CAPACITY, A CERTIFICATE OF GOOD**

1 **MORAL CHARACTER AND A CERTIFICATE OF GAINFUL TRADE,**
2 **BUSINESS, EMPLOYMENT OR OTHER LAWFUL SOURCE OF**
3 **INCOME ISSUED BY HIS DIPLOMATIC OR CONSULAR OFFICIAL,**
4 **MUST BE SUBMITTED BEFORE A MARRIAGE LICENSE CAN BE**
5 **OBTAINED.**

6 “Stateless persons or refugees from other countries shall,
7 in lieu of the [certificate of legal capacity] **CERTIFICATES** herein
8 required, submit an affidavit stating the circumstances showing
9 such capacity to contract marriage.”

10 SEC. 2. The Department of Justice, in coordination with the
11 Department of Foreign Affairs, the Department of Social Welfare and
12 Development, the Department of the Interior and Local Government, the
13 Philippine Commission on Women, the Commission on Filipinos Overseas
14 and the Philippine Statistics Authority shall promulgate the rules and
15 regulations necessary for the implementation of this Act within ninety (90)
16 days from approval thereof.

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

 Approved,

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