


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



23 MAY -9 A10 :37

SENATE
S. No. 2158

RECEIVED BY: 

Introduced by SENATOR RAMON BONG REVILLA, JR.

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

EXPLANATORY NOTE

According to existing jurisprudence, "a married woman has the option, but not a duty, to use the surname of the husband." Therefore, upon marriage, married women have the option to continuously use her maiden name or:

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."

However, the Supreme Court has declared that such enumeration is permissive rather than obligatory. This measure upholds the right of married women to retain their maiden surnames even after marriage and provides married women options in the surname that they may use after marriage.

In view of further realizing equal protection, the passage of this measure is highly recommended.



RAMON BONG REVILLA, JR.

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REPUBLIC ACT NO. 386, AS AMENDED, OTHERWISE KNOWN AS THE NEW
CIVIL CODE OF THE PHILIPPINES**

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

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

4 "ART. 370. A married woman may use:

5 [~~(1) Her maiden first name and surname and add her husband's surname, or~~
6 ~~(2) Her maiden first name and her husband's surname, or~~
7 ~~(3) Her husband's full name, but prefixing a word indicating that she is his wife,~~
8 ~~such as "Mrs."~~]

9

- 10 **(1) MAIDEN FIRST NAME AND SURNAME;**
11 **(2) MAIDEN FIRST NAME AND SURNAME AND ADD HER**
12 **HUSBAND'S NAME;**
13 **(3) MAIDEN FIRST NAME AND HER HUSBAND'S SURNAME; OR**
14 **(4) HUSBAND'S FULL NAME, BUT PREFIXING A WORD INDICATING**
15 **THAT SHE IS HIS WIFE, SUCH AS "MRS"."**

16

1 Sec. 2. *Repealing Clause.* – Any law, presidential decree or issuance, executive
2 order, letter of instruction, administrative order, rule, or regulation contrary to, or
3 inconsistent with, the provisions of this Act are hereby repealed, modified, or amended
4 accordingly.

5 Sec. 3. *Effectivity.* – This Act shall take effect fifteen (15) days after its
6 publication either in the *Official Gazette* or in at least two (2) newspapers of general
7 circulation in the Philippines.

Approved,