



Republic of the Philippines
Philippine Statistics Authority



Registration of Marriage and Dissolution of Marriage in the Philippines

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Outline of Presentation

- ❖ Introduction
- ❖ How to go about getting Married
- ❖ Registration of the Application for Marriage License (AML)
 - ✓ Application, Issuance, Requisites, Validity and Effectivity of Marriage License, Accomplishment/Registration of AML

Outline of Presentation

- ❖ **How to Register Marriage**
- ❖ **When to Register Marriage**
- ❖ **Where to Register Marriage**
- ❖ **Delayed Registration of Marriage**
- ❖ **Out-of-Town Registration of Marriage**
- ❖ **Void and Voidable Marriages**

Introduction

- ❖ Marriage is a special contract of permanent union between a man and woman entered into in accordance with law for the establishment of conjugal and family life.
- ❖ Marriage is the firmest foundation for building a family.

How to go about getting Married?

- ❖ **Couple or contracting parties must first obtain a marriage license**
- ❖ **A valid marriage license is one of the formal requisite of a valid marriage**

Registration of AML

❖ Application

- ❑ where a marriage license is required (Ordinary Marriage), each of the contracting parties shall file separately a sworn application for such license with the proper local civil registrar

Registration of AML

❖ Application

Circumstances under which marriage license is no longer required (Marriage of exceptional character)

- ✓ Article 27- Marriage in Articulo Mortis
- ✓ Article 28 – Marriage in remote place
- ✓ Article 33 – Marriage among Muslims and IPs
- ✓ Article 34 – Marriage of man & woman who lived together for at least 5 years without legal impediment

Registration of AML

❖ Issuance of Marriage License

- a marriage license shall be issued by the Local Civil Registry Office (LCRO) of the city/municipality where either contracting party habitually resides
- The marriage license shall be issued after the completion of the period of publication

Registration of AML

❖ Documents Requested

- Birth certificate or baptismal certificate
- If either of the contracting parties have previous marriage, applicant shall present death cert. of spouse, decree of divorce/annulment or declaration of nullity of previous marriage

Registration of AML

❖ Documents Requested

- Parent's consent for 18-21 yrs old
- Parent's advice for 21-25 yrs old
- Certificate of attendance to pre-marital counseling and family planning
- Certificate of legal capacity (for foreigners)

Registration of AML

❖ Validity and effectivity

- ❑ the license shall be valid in any part of the Philippines for a period of 120 days from the date of issue and shall be deemed automatically cancelled at the expiration of said period if parties have not made use of it.

Registration of AML

❖ Marriage between Filipinos abroad

- ❑ In case of marriage between Filipinos abroad, the issuance of marriage license and the duties of the LCRO and SO with regard to the celebration of marriage shall be performed by the Consul or Vice-Consul

Registration of AML

❖ Accomplishment of Forms (Reminders)

- Duty of the contracting parties to accomplish four (4) copies of the AML for registration
- LCRO shall accept an AML only after the applicants are able to comply with the supporting documents
- The LCRO concerned shall enter all AML filed in a registry book

How to Register Marriage?

- ❖ By law, every marriage solemnized in the Philippines must be registered with the Local Civil Registry Office (LCRO).
- ❖ However, Marriage occurring to Muslims are registered in place where there is Shari'a court. Only in a city/municipality where there is no Shari'a court shall it be reported to LCRO.

How to Register Marriage?

- ❖ The person responsible in reporting the event to the LCRO is the person who solemnized the marriage. In case the Solemnizing Officer (SO)
- ❖ failed to register the marriage, the contracting parties themselves, any interested party or anybody who is in immediate need of the certificate of marriage.
- ❖ Marriages of Filipinos abroad shall be reported to the Philippine Embassy/ Consulate

When to Register marriage?

- ❖ **Ordinary Marriage - time for submission of ordinary marriage is within fifteen (15) days**
- ❖ **Marriage exempt from license requirement or marriage of exceptional character - the prescribed period is thirty (30) days**

Where to Register marriage?

- ❖ Generally accepted principle of registration – the place of occurrence is the place of registration
- ❖ Marriage solemnized while in transit within Phil. territory- registrable at place of destination or usual residence of either party
- ❖ Marriage of Filipino nationals abroad must be reported at the Phil. Embassy or Consulate

Delayed Registration of Marriage

- ❖ **Delayed registration – report of vital event made beyond the reglementary period**
- ❖ **Can still be registered provided it is reported by the interested party to the concerned C/MCR and all supporting papers required are complied with**

Delayed Registration of Marriage

❖ Basic requirement for late or delayed registration of marriage

Filing of affidavit in support to COM

Copy of the submitted AML

Certification of Non-availability of COM

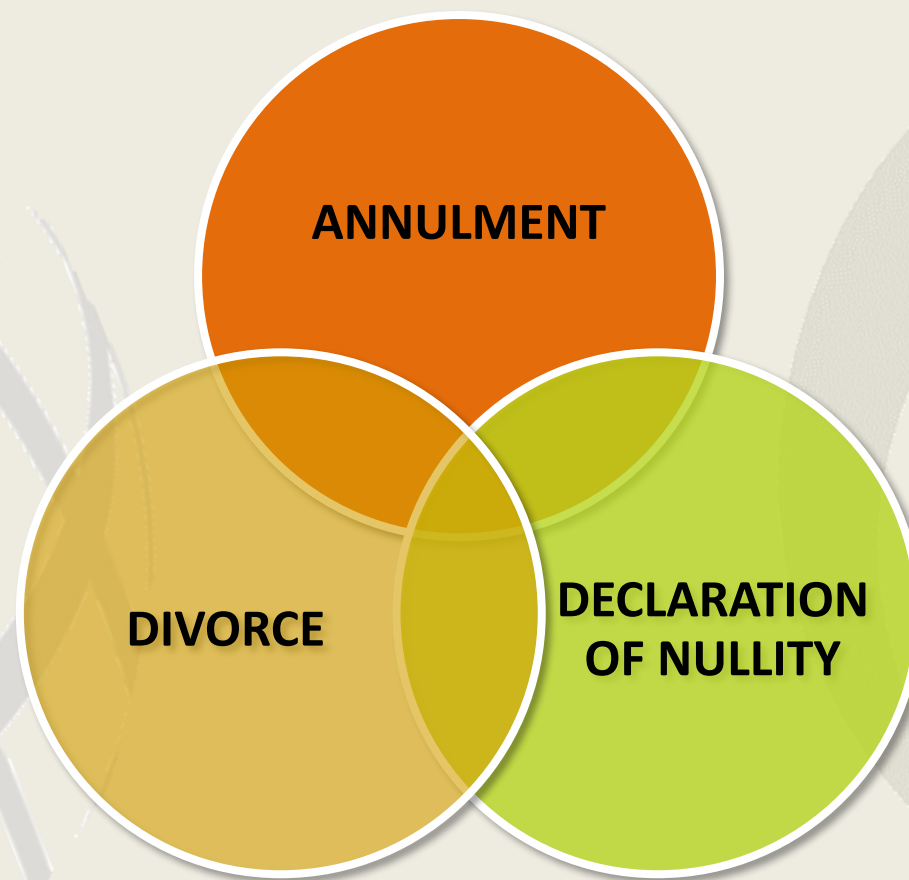
Out-of-town Registration of Marriage

- ❖ **Out-of-town reporting of marriage occurs when the COM is presented to the civil registrar of a city/municipality which is not the place of marriage**
- ❖ **Duty of accepting the COM for out-of-town reporting may also be performed by the Civil Registrar General or by his authorized representatives**

Out-of-town Registration of Marriage

- ❖ **The following requirements shall be complied for Out-of-town reporting:**
 - Party reporting shall execute affidavit attested by at least two (2) witnesses**
 - If the application is for delayed registration, the requirements shall also be complied pursuant to Circular 96-1**
 - Presentation of other supporting papers as maybe required by C/MCR or CRG representative to establish facts of marriage**

Dissolution of Marriage



Dissolution of Marriage

ANNULMENT



- Court proceeding which cancels marital relations between husband and wife
- Applicable only to void marriages or those which are valid from the beginning but can be declared void on various grounds

Marriage Dissolution

DECLARATION OF ABSOLUTE NULLITY OF MARRIAGE

**Grounds for a
Judicial
Declaration of
Nullity of
Marriage**

Absence of essential or formal
requisites of marriage

Grounds enumerated in Article 35 of the
Family Code of the Philippines
(Marriages that are void from the beginning)

Psychological incapacity

Incestuous marriages

Contrary to law or public policy

Dissolution of Marriage

ANNULMENT

Grounds for annulment (Article 45, Family Code fo the Philippines)

01

Fraud

02

Serious Sexually Transmitted Disease

03

Impotence

04

Lack of Parental Consent
(if either party is at least 18 but <21 years old)

05

Consent for Marriage Obtained By Force, Intimidation, or Undue Influence

06

Psychological Incapacity/ Insanity



Marriage Dissolution

Marriage Dissolution – Divorce

DIVORCE



Termination of a marital union of husband and wife but recognizes that the marriage between the parties existed



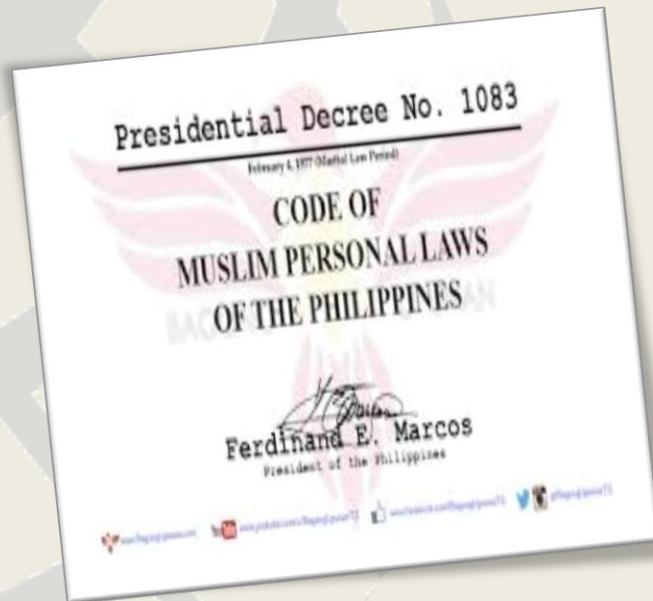
Not allowed in the Philippines but if divorce secured abroad by a non-Filipino and subsequently recognized under Philippine laws



The Code of Muslim Personal Laws specifically recognizes Islamic divorce

Marriage Dissolution

CERTIFICATE OF DIVORCE



Code of Muslim Personal Laws recognizes Islamic divorce, which is to be granted only after all possible means of reconciliation have been exhausted between the spouses

Marriage Dissolution

FOREIGN DECREE OF DIVORCE



The divorce decree granted by a foreign country must first be filed for recognition in the Philippine Regional Trial Court (RTC)



Once the local court recognized the foreign divorce decree, it is registered in the LCRO of the place of jurisdiction of the RTC which granted the petition



A copy of the registered court decree and certificate of finality to the LCRO are provided to where the marriage was registered for annotation in the certificate of marriage

Thank you

