

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

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 1638



INTRODUCED BY: HON. GWENDOLYN F. GARCIA

EXPLANATORY NOTE

It has become public knowledge that some of the foreigners coming to the Philippines in order to marry Filipino women are vagabonds or social and moral derelicts in their own country and whose real motive for marriage is only to take advantage and exploit our women by making our women work for them and worse, by sending them to prostitution and other degrading and dehumanizing occupations.

The exploitation of our Filipino women, thru the so-called mail-order or pen-pal, facebook, website made, and other internet made marriages, has not only caused untold miseries and suffering to our Filipino women but it has also brought dishonor and disgrace to Filipino womanhood.

The attached bill is intended to protect our Filipino women from these undesirable foreigners by requiring the prospective husband to provide himself with a certificate of good moral character and a certificate that he has a gainful trade, business or employment, to be issued by his country's diplomatic or consular official, in addition to the usual certificate of legal capacity.

In view of the foregoing, approval hereof is earnestly sought.


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AN ACT

PROVIDING FOR ADDITIONAL REQUIREMENTS FOR MALE CITIZENS OR SUBJECTS OF A FOREIGN COUNTRY DESIRING TO MARRY A FILIPINA THEREBY AMENDING ARTICLE 21 OF THE EXECUTIVE ORDER NO. 209 OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES

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

SECTION 1. Section 21 of Executive Order No. 209, as amended, otherwise known as the Family Code of the Philippines is hereby further amended to read as follows:

"Art. 21. When either or both of the contracting parties are citizens or subjects of a foreign country, it shall be necessary, before a marriage license can be obtained, to provide themselves with a certificate of legal capacity to contract marriage, to be issued by their respective diplomatic or consular officials. **HOWEVER, WHEN ONE PARTIES IS A MALE CITIZEN OR SUBJECT OF A FOREIGN COUNTRY DESIRING TO MARRY A FEMALE CITIZEN OF THE PHILIPPINES, IN ADDITION TO THE CERTIFICATE OF LEGAL CAPACITY, THE FOREIGN SUBJECT OR CITIZEN SHALL PROVIDE HIMSELF WITH A CERTIFICATE OF GOOD MORAL CHARACTER AND A CERTIFICATE THAT HE HAS A GAINFUL TRADE, BUSINESS OR EMPLOYMENT, TO BE ISSUED BY HIS DIPLOMATIC OR CONSULAR OFFICIAL, BEFORE A MARRIAGE LICENSE CAN BE OBTAINED.**"

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

SECTION 2. The Department of Justice, in coordination with the Department of Foreign Affairs, Department of Social Welfare and Development, Department of Interior and Local Government, Philippine Commission on Woman, Commission of Overseas and Philippine Statistics Authority shall

promulgate the rules and regulations necessary for the implementation of this Act within (90) days from approval.

SECTION 3. This Act shall take effect after (15) days following its publication in the Official Gazette or in newspaper of general circulation.

Approved,