

REPUBLIC OF THE PHILIPPINES  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
First Regular Session

House Bill No. 5511



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Introduced by Pangasinan Fifth District Representative  
**HON. RAMON V. GUICO III**

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**EXPLANATORY NOTE**

Section 27, Article II of the 1987 Constitution provides that the State recognizes sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. As such the enactment of Executive Order No. 209, otherwise known as the Family Code of the Philippines, as amended by Executive Order No. 227 effectuates the country's policy and commitment to uphold the inviolability of marriage.

Marriage, being a social institution and a special contract, requires utmost protection from the State. Therefore, the State should see to it that the formal and essential requisites of marriage are complied with. Article 14 of Family Code provides that in case either or both of the contracting parties are between the age of eighteen and below the age of twenty one, consent from their father, mother, surviving parent or guardian, or persons having legal charge of them, must be required in addition to the requirements provided for in other articles. However, unlike Article 15 of the Family Code, it is silent in cases where the contracting parties failed to obtain such consent either because of their failure or the refusal of their father, mother, surviving parent or guardian, or persons having legal charge of them to give their consent.

It is perceived that there are marriages entered into by individuals that are against the wishes of their parents or guardian, leading to the alienation of either or both of the contracting parties from their family or to the celebration of the marriage without the former's knowledge. Clearly, the break-up of the family, which is protected by the state, is not the intention of the framers of the Family Code. Hence, in order to avoid such marriages this bill shall amend Article 14 of the Family Code by suspending the issuance of the marriage license in the absence of the consent of the parents or guardians of the contracting parties. To that effect, the local civil registrar is given the authority to withhold the issuance of marriage license in so far as it regards to Article 14.

Indeed, the State can find no stronger anchor than on good, solid, and happy families. The break-up of families weakens our social and moral fabric and, hence, approval of this bill is earnestly sought.

  
**Rep. Ramon V. Guico III**

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AN ACT  
AMENDING EXECUTIVE ORDER NO. 209, OTHERWISE KNOWN AS THE  
FAMILY CODE OF THE PHILIPPINES, AS AMENDED BY EXECUTIVE ORDER  
NO. 227

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

1       **SECTION 1.** Executive Order No. 209, otherwise known as the Family Code of the  
2 Philippines, as amended by Executive Order No. 227, Article 14 is hereby amended to be  
3 read as follows:

4           Article 14. In case either or both of the contracting parties, are between the  
5 ages of eighteen and twenty-one, they shall, in addition to the requirements of the  
6 preceding articles, exhibit to the local civil registrar the consent to their marriage of  
7 their father, mother, surviving parent or guardian, or persons having legal charge of  
8 them, in the order mentioned. Such consent shall be manifested in writing by the  
9 interested party, who personally appears before the proper local civil registrar, or in  
10 the form of an affidavit made in the presence of two witnesses and attested before any  
11 official authorized by law to administer oaths. The personal manifestation shall be  
12 recorded in both applications for marriage license and the affidavit, if one is executed  
13 instead, shall be attached to said applications.

14  
15       **IF THEY DO NOT OBTAIN THE CONSENT REQUIRED IN THIS**  
16 **ARTICLE, THE ISSUANCE OF MARRIAGE LICENSE SHALL BE**  
17 **SUSPENDED. IN CASE OF REFUSAL OF THEIR FATHER, MOTHER,**  
18 **SURVIVING PARENT OR GUARDIAN, OR PERSONS HAVING LEGAL**  
19 **CHARGE OF THEM, BOTH OF THE CONTRACTING PARTIES SHALL**  
20 **STATE UNDER OATH THE CIRCUMSTANCES WHICH SHOW SUCH**  
21 **REFUSAL. THE LOCAL CIVIL REGISTRAR SHALL LIKEWISE STATE**  
22 **UNDER OATH THAT HE ASCERTAINED INABILITY OF THE**  
23 **CONTRACTING PARTIES TO OBTAIN THE CONSENT AS A RESULT OF**  
24 **THE REFUSAL OF THEIR FATHER, MOTHER, SURVIVING PARENT OR**  
25 **GUARDIAN, OR PERSONS HAVING LEGAL CHARGE OF THEM. HE**  
26 **SHALL NOTE DOWN SUCH PARTICULAR IN THE APPLICATION FOR**  
27 **MARRIAGE LICENSE AND SHALL ISSUE SAID LICENSE AFTER THE**  
28 **COMPLETION OF THE PERIOD OF THE PUBLICATION.**  
29



1           **SEC. 2. Separability Clause.** – Any provision of this Act declared as  
2 unconstitutional or invalid, the other parts or provisions hereof which are not affected shall  
3 continue to be in full force and effect.  
4

5           **SEC. 3. Repealing Clause.** – All laws, decrees, orders, rules and regulations or  
6 portions thereof, inconsistent with this Act are hereby repealed or modified accordingly.  
7

8           **SEC. 4. Effectivity.** – This Act shall take effect immediately upon its approval.

*Approved,*