

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 1578

Introduced by Hon. **PABLO JOHN F. GARCIA**

EXPLANATORY NOTE

Although marriage is an institution that the State is interested in, it is also a religious act. In fact, for the predominant Catholic of our country, it is a sacrament and marriage is not considered valid insofar as Catholics are concerned unless celebrated in accordance with the solemnities of the church. Marriage, therefore, is an element in the exercise of religious freedom. So logically, if the marriage, insofar as the contracting parties are concerned, is validated by the laws of the Church, then it necessarily follows that by the same laws, such marriage can also be invalidated or annulled.

The law recognizes as valid a marriage solemnized in accordance with the laws of the church. In other words, the State respects the laws of the church. To give full force and effect to this principle of State recognition of the law of the church, it is but proper, if not logical that the state must also respect the annulment of a marriage that results from application of church laws. This holds true to all other established churches or religions.

In this connection, it is noteworthy that ever since the adoption of the New Civil Code; the state recognizes Muslim divorces or dissolutions of marriages in accordance with the Muslim law. Under the principle of equality before the law, if Muslim divorces are legalized, there could be no serious objections to recognizing the annulment of a marriage by a church or by any other established and duly recognized religious denomination.

In view of the foregoing, the early passage of this bill is earnestly urged.


PABLO JOHN F. GARCIA

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AN ACT
LEGALIZING CHURCH ANNULMENT OR DISSOLUTION OF CERTAIN MARRIAGES
AND FOR OTHER PURPOSES

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

Section 1. Whenever a marriage, duly and legally solemnized by a priest, minister, imam, rabbi, or presiding elder of an established church or religion in the Philippines is subsequently annulled or dissolved in a final judgment or decree by said church or religion, in accordance with the canons or precepts of the latter, the said annulment or dissolution shall be recognized and given full force and effect in the Philippines.

Sec. 2. The final judgment or decree of annulment or dissolution referred to in the next-preceding section shall be recorded in the appropriate civil registry, within thirty (30) days from issuance of said final judgment or decree of annulment or dissolution.

Sec. 3. Any act or provision of law inconsistent this Act is hereby repealed.

Sec. 4. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,