“SOLEMNIZATION AND REGISTRATION OF MARRIAGES OUTSIDE OF THE PHILIPPINES”

DFA-OPAS ASST. SECRETARY CATALINO R. DILEM JR.
Marriages

Authority to Celebrate Marriage

Article 75 and Article 10 of the Family Code of the Philippines provide that marriage may be solemnized abroad by any consul-general, consul or vice-consul when the marriage is between Filipino citizens.
• The issuance of the marriage license and the duties of the local civil registrar and of the solemnizing officer with regard to the celebration of the marriage shall be performed by the consular officer and later on, after the celebration of the marriage, a Report of Marriage will be issued.
Article 2 of the Family Code provides that no marriage shall be valid unless these essential requisites are present:
Essential Requisites for Marriage

a. Legal Capacity of the contracting parties who must be a male and female; and
b. Consent freely given in the presence of the solemnizing officer.
Article 3 of the Family Code provides that the formal requisites of marriage are:
Formal Requisites of Marriage

a. Authority of the Solemnizing Officer
Formal Requisites of Marriage

b. A valid marriage license, except in a marriage of exceptional character; and
APPLICATION FOR MARRIAGE LICENSE
IN ACCORDANCE WITH ARTICLE 10
OF THE FAMILY CODE OF
THE PHILIPPINES

Name of Contracting Party (Applicant's Name):
1. Age (years):
2. Date of Birth (MM/DD/YYYY):
3. Place of Birth (City/Province/Region):
4. Religion (Christian, Jewish, etc.):
5. Civil Status (Single, Married, Widowed, Divorced):
6. Address (Street, City, Province, Country):
7. Telephone Number:
8. Nationality:
9. Citizenship (Filipino, Philippine, etc.):
10. Father's Name:
11. Mother's Name:
12. Siblings (Names, Ages, Relationships):
13. Any Previous Marriage:
14. Consent Given By:
15. Age at Time of Marriage:
16. Any Previous Divorce:
17. Archdiocese/Government:
18. Approved By:
19. Signature of Applicant:

Signatures of Document:

Attested by the undersigned: Name, Title, Signature.

Approval of Application:

Date:

Signature:

Application for a Certificate of Legal Capacity to Contract Marriage

The Embassy of the Republic of the Philippines
Tokyo, Japan

SIR/MADAM:

I have the honor to apply for a Certificate of Legal Capacity to Contract Marriage, and I hereby declare that:

1. My legal name is ____________________________
   Middle Name(s) (if any)
   Last Name(s) (if any)

2. I am ______ years of age, single, never married.

3. I was born on _________________ at ________________________
   (Place of Birth)

4. My present occupation is _______________________________

5. I am presently residing here in Japan at ____________________________

6. My permanent residence in the Philippines is at ____________________________

7. I intend to marry ____________________________ who is ____________________________
   (Name of prospective spouse)

8. My father's name is ____________________________

9. My mother's name is ____________________________

10. Further, I have no legal impediment to contract marriage under the laws of the Philippines. I hereby renounce any legal impediments to my marriage and declare such.

11. That I am submitting these documents to support this application:
   ( ) Copy of my Passport/Travel Affidavit No. __________________
   ( ) Birth Certificate
   ( ) Certificate of Non-availability of Marriage Record
   ( ) Parental Consent/Advice
   ( ) Certificate of Non-availability of Parental Consent/Advice
   ( ) Two (2) photographs of each applicant and prospective spouse

SUBSCRIBED AND SWORN TO, before me, this ______ day of ____________________________

Signature (Legal)

Document No. __________________
Service No. __________________
Series of __________________
Fee Paid: ¥ 5000
O/R. No. __________________
c. Marriage ceremony which takes place with the appearance of the contracting parties before the solemnizing officer and their personal declaration that they take each other as husband and wife, in the presence of not less than two witnesses of legal age.
Age Requirements

- Pursuant to Art. 5 of the Family Code, only those persons eighteen years of age or over may contract marriage.
Age Requirements

- Pursuant to Art. 14, persons between the ages of eighteen and twenty-one must secure the consent to their marriage of their father, mother, surviving parent or guardian.
Under Art. 15, any contracting party between the ages of twenty-one and twenty-five is obliged to ask his or her parents or guardian for advice upon the intended marriage. If the advice is not obtained or if it be unfavorable, the marriage license shall not be issued until after three months following the completion of the publication of the application therefore.
Report of Marriage

- Records of marriages whether performed by Philippine consular officers or by local religious or civil authorities shall be kept and transmitted to the Philippine Civil Registrar General through the Department.
EMBASSY OF THE REPUBLIC OF THE PHILIPPINES

REPORT OF MARRIAGE

<table>
<thead>
<tr>
<th>NAME OF CONTRACTING PARTIES</th>
<th>HUSBAND</th>
<th>WIFE</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Age/Birth Date</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) Birth Place</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c) Citizenship</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(d) Residence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single/Widowed/Divorced</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FATHER</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Citizenship</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MOTHER</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Citizenship</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WITNESS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WITNESS Residence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PLACE &amp; DATE OF MARRIAGE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NAME &amp; TITLE OF SOLEMNIZING OFFICER</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This marriage was today registered with the Embassy under No. _______ of the Civil Registry Record Book. This report has been executed in triplicate, copy furnished the contracting parties, copy transmitted to the Civil Registrar General through the Department of Foreign Affairs in Manila, and copy placed in the files of this Embassy together with the following supporting documents:

(SEAL)

( ) Copy for Contracting Parties
( ) Copy for CRO through DFA
( ) Copy with Supporting Documents
For Embassy Files Date: .......
Marriage Ceremony in the Post

- Filipinos abroad may request permission to have a marriage ceremony performed in an embassy or consulate. In such cases and when the ceremony is not to be performed by a Philippine consular officer, steps shall be taken to ascertain whether the parties may lawfully marry according to the laws of the host country; and whether local legal requirements for the performance of the marriage ceremony have been complied with.
Marriage Ceremony in the Post

- If any of these requisites is lacking and if the officer has serious doubts about the validity of the marriage, an officer can withhold permission to permit the marriage ceremony to be held in the embassy or consulate.
An officer may, when requested, act as an official witness at a marriage ceremony solemnized by one other than a Philippine Consular Officer provided that one of the contracting parties is a Filipino and that local laws have been observed.
Consular Officers as Witnesses

The officer’s act as a witness of a marriage abroad are strictly limited to:

a. Ascertaining the legal requirements for the ceremony;

b. Being physically present at the marriage ceremony; and

c. Issuing a Report of Marriage (FA Form No. 41), as prescribed
SOLEMNIZATION
OF MARRIAGE
(FOR FILIPINO COUPLES)

NOTE: Both parties have to appear personally at the Embassy
A. Birth Certificate in security paper issued by the National Statistics Office (NSO) authenticated by Authentication Division, DFA Manila (Original & one photocopy)

B. Certificate of Non-Availability of Record of Marriage issued by the National Statistics Office (NSO) (Purpose: For Marriage) authenticated by Authentication Division, DFA Manila (Original & one photocopy)

NOTE: A CENOMAR is valid for only six (6) months from the date of issue by the NSO.
FOR SINGLE FILIPINOS:

C. Original and one (1) photocopy of Authenticated Parental Consent (for applicants aged 18 years and 1 day to 21 years) OR original and one (1) photocopy of Authenticated Parental Advice (for applicants aged 21 years and 1 day to 25 years). The Parental Consent or Advice should indicate the name of the fiance/fiancee and should go through the following:

1. Notary Public;
2. Regional Trial Court; and
3. DFA Manila, Authentication Division
D. Passport (Original & 1 Photocopy of Data Page & Last Page)
NOTE: If Expired Passport/Lost Passport/Mutilated Passport/Passport under an Assumed Name (AKA/Alias)/Passport with Discrepancy (First Name/Middle Name/Last Name/Date of Birth/Place of Birth), applicant has to apply for a new passport prior to acceptance of application for LCCM. (Please see lost passport requirements in Passport Handbook.

E. Two (2) Passport Size Pictures
FOR DIVORCED FILIPINOS
(Only for FSPs that accept marriage application of Divorced Filipinos)

A. Passport
- For female applicants: Present original passport and submit one photocopy of first page, page with amendment to “single name,” and last page bearing name of signing officer.
- For male applicants: Present original passport and submit photocopy of first page and last page

NOTE: If Expired Passport/Lost Passport/Mutilated Passport/Passport under an Assumed Name (AKA/Alias)/Passport with Discrepancy (First Name/Middle Name/Last Name/Date of Birth/Place of Birth), applicant has to apply for a new passport prior to acceptance of application for LCCM. (Please see requirements for the abovementioned passport cases.)
B. If validly divorced, Report of Divorce issued by the Philippine Embassy or Consulate General in the country where the divorce took place. (Original & 1 Photocopy)

C. Birth Certificate in security paper issued by the National Statistics Office (NSO) (Original & 1 Photocopy)

D. Two (2) passport-size pictures

E. In addition, the latest Supreme Court ruling states that a foreign judgment involving Filipinos has to be judicially recognized by filing a petition for judicial recognition of foreign judgment in Philippine courts. The DFA has interpreted this SC edict to include divorce decrees/judgment secured by Filipinos abroad
A. Passport

- For female applicants: Present original passport and submit one photocopy of first page, page with amendment to “single name,” and last page bearing name of signing officer
- For male applicants: Present original passport and submit photocopy of first page and last page

NOTE: If Expired Passport/Lost Passport/Mutilated Passport/Passport under an Assumed Name (AKA/Alias)/Passport with Discrepancy (First Name/Middle Name/Last Name/Date of Birth/Place of Birth), applicant has to apply for a new passport prior to acceptance of application for LCCM. (Please see requirements for the abovementioned passport cases.)
FOR FILIPINOS WHOSE MARRIAGE HAS BEEN ANNULLED:

B. Amended Marriage Contract in security paper issued by the National Statistics Office (NSO) authenticated by Authentication Division, DFA Manila. (Original & 1 Photocopy)

C. Certificate of Finality of Decision and Court Order/Decision authenticated by Authentication Division, DFA Manila (Original & 1 Photocopy)
D. Birth Certificate in security paper issued by the National Statistics Office (NSO) authenticated by Authentication Division, DFA Manila (Original & 1 Photocopy)

E. Two (2) passport-size pictures
For female applicant, under Philippine Law, after the death of the husband, she is required to wait 10 months and 1 day before she can apply for remarriage. (NB: to avoid issues in paternity of an unborn child)

A. Passport

- For female applicants: Present original passport and submit one photocopy of first page, page with amendment to “single name,” and last page bearing name of signing officer
- For male applicants: Present original passport and submit photocopy of first page and last page
NOTE: If Expired Passport/Lost Passport/Mutilated Passport/Passport under an Assumed Name (AKA/Alias)/Passport with Discrepancy (First Name/Middle Name/Last Name/Date of Birth/Place of Birth), applicant has to apply for a new passport prior to acceptance of application for LCCM. (Please see requirements for the abovementioned passport cases.)
FOR WIDOWED FILIPINOS:

B. Death Certificate of Previous Spouse

- *If spouse is a Filipino:* Death Certificate of Previous Spouse in security paper issued by the National Statistics Office (NSO) authenticated by Authentication Division, DFA Manila (Original and 1 photocopy)

- If the deceased spouse is a foreign national, a death certificate from local authorities or any valid document acceptable and normally issued in the host country to indicate the fact of death.
C. If married in the Philippines: Marriage Contract with Previous Spouse in security paper issued by the National Statistics Office (NSO) authenticated by Authentication Division, DFA Manila (Original & 1 Photocopy)

If married in another country: Report of Marriage from the Philippine Embassy/Philippine Consulate General in the country where the marriage took place. (Original & 1 Photocopy)
FOR WIDOWED FILIPINOS:

D. Birth Certificate in security paper issued by the National Statistics Office (NSO) authenticated by Authentication Division, DFA Manila (Original & 1 Photocopy)

E. Two (2) passport-size pictures (with valid passport)
REQUIREMENTS FOR SINGLE FILIPINO MARRYING A FOREIGN NATIONAL

REQUIREMENTS FOR FILIPINO APPLICANTS
FOR SINGLE FILIPINOS:

A. Birth Certificate in security paper issued by the NSO authenticated by Authentication Division, Department of Foreign Affairs (Original & 1 Photocopy)

B. Certificate of Non-Availability of Record of Marriage (Purpose: For Marriage) in security paper issued by the NSO authenticated by Authentication Division, DFA-Manila (Original & 1 Photocopy)

NOTE: The validity of CENOMAR is six (6) months from the date of issue of the NSO.
For Single Filipinos:

B. If 18-20 years old, please provide Authenticated Parental Consent. It should indicate name of fiancee/fiance (Original & 1 Photocopy). If 21-25 years old, please provide Authenticated Parental Advice. It should indicate name of fiancee/fiance (Original & 1 Photocopy), has to pass through the following:

• Notary Public
• Regional Trial Court
• DFA Manila, Authentication Division
D. Valid Passport (Original & 1 Photocopy of Data page & Last Page)
NOTE: If Expired Passport/Lost Passport/Mutilated Passport/Passport under an Assumed Name (AKA/Alias)/Passport with Discrepancy (First Name/Middle Name/Last Name/Date of Birth/Place of Birth), applicant has to apply for a new passport prior to acceptance of application for LCCM. (Please see requirements for the abovementioned passport cases.)

E. Two (2) Passport Size Pictures
FOR DIVORCED FILIPINOS:

A. Passport

- For female applicants: Original & one (1) photocopy of first page, page with amendment to “single name”, and last page.
- For male applicants: Original & one (1) photocopy of first page & last page

NOTE: If Expired Passport/Lost Passport/Mutilated Passport/Passport under an Assumed Name (AKA/Alias)/Passport with Discrepancy (First Name/Middle Name/Last Name/Date of Birth/Place of Birth), applicant has to apply for a new passport prior to acceptance of application for LCCM. (Please see requirements for the abovementioned passport cases.)
FOR DIVORCED FILIPINOS:

B. Report of Divorce (Original & 1 Photocopy) Report of Divorce from the Philippine Embassy in Tokyo/Philippine Consulate General in Osaka or from the Embassy or Consulate in the country where the divorce took place.

C. Birth Certificate in security paper issued by the NSO

D. Two (2) Passport Size Pictures

E. In addition, the latest Supreme Court ruling states that a foreign judgment involving Filipinos has to be judicially recognized by filing a petition for judicial recognition of foreign judgment in Philippine courts. The DFA has interpreted this SC edict to include divorce decrees/judgment secured by Filipinos abroad.
FOR WIDOWED FILIPINOS:

A. Passport
   - For female applicants: Present original passport and submit one photocopy of first page, page with amendment to “single name,” and last page bearing name of signing officer.
   - For male applicants: Original & one (1) photocopy of first page & last page.

NOTE: If Expired Passport/Lost Passport/Mutilated Passport/Passport under an Assumed Name (AKA/Alias)/Passport with Discrepancy (First Name/Middle Name/Last Name/Date of Birth/Place of Birth), applicant has to apply for a new passport prior to acceptance of application for LCCM. (Please see requirements for the abovementioned passport cases.)
FOR WIDOWED FILIPINOS:

B. Death Certificate of Previous Spouse

If spouse is a Filipino:
(Original and 1 photocopy) Death Certificate of Previous Spouse issued by the National Statistics Office (NSO) authenticated by Authentication Division, DFA Manila

If spouse is a Foreign National:
(Original & 1 Photocopy) Death Certificate from the host country or Embassy of his Nationality. The Death Certificate must be in English.
C. If married in the Philippines: Marriage Contract with Previous Spouse issued by the National Statistics Office (NSO) authenticated by Authentication Division, DFA Manila (Original & 1 Photocopy)

If married abroad: Report of Marriage issued by the Respective Philippine Embassy/Philippine Consulate General in country where marriage took place. (Original & 1 Photocopy)
FOR WIDOWED FILIPINOS:

D. Birth Certificate issued by the National Statistics Office (NSO) authenticated by Authentication Division, DFA Manila

E. Two (2) passport-size pictures
A. Passport
   A. For female applicants: Present original passport and submit one photocopy of first page, page with amendment to “single name,” and last page bearing name of signing officer
   B. For male applicants: Present original passport and submit photocopy of first page and last page

NOTE: If Expired Passport/Lost Passport/Mutilated Passport/Passport under an Assumed Name (AKA/Alias)/Passport with Discrepancy (First Name/Middle Name/Last Name/Date of Birth/Place of Birth), applicant has to apply for a new passport prior to acceptance of application for LCCM. (Please see requirements for the abovementioned passport cases.)
FOR FILIPINOS WHOSE MARRIAGE HAS BEEN ANNULLED:

B. Amended Marriage Contract issued by the NSO (Original & 1 Photocopy) has to be authenticated by Authentication Division, DFA Manila

C. Certificate of Finality of Decision and Court Order/Decision (Original & 1 Photocopy) has to be authenticated by Authentication Division, DFA Manila
D. Birth Certificate issued on security paper by the NSO (Original & 1 Photocopy) has authenticated by Authentication Division, DFA Manila

E. Two (2) passport-size pictures
A. Legal Capacity to Contract Marriage from the concerned Embassy or Consulate (Original & 1 Photocopy) The foreign national has to obtain the LCCM from his/her respective Embassy/Consulate. The LCCM must be in English.

B. Passport or Driver’s License or National Health Insurance (Original & 1 Photocopy)

C. Two (2) Passport-Size Pictures

D. Personal Appearance
End of Presentation
Thank you.