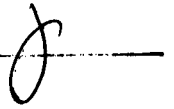


SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )

'18 MAY 22 P5:35

**SENATE**  
S. No. 1815

RECEIVED BY \_\_\_\_\_



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Introduced by Senator Paolo Benigno "Bam" A. Aquino IV

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**AN ACT**  
**RECOGNIZING THE ANNULMENT OF MARRIAGE BY A RELIGIOUS SECT BY**  
**AMENDING ARTICLE 36 OF EXECUTIVE ORDER NO. 209, OTHERWISE**  
**KNOWN AS "THE FAMILY CODE OF THE PHILIPPINES, AS AMENDED**

EXPLANATORY NOTE

With the process of annulment being both tedious and expensive, it has become a privilege for the rich rather than the right of every Filipino citizen.

Acceptance fees alone cost at least 80,000 pesos, while pleading fees, appearance fees and psychological fees can be even more expensive. Not to mention, the cost for legal counsel.

Apart from the financial burden, seeking annulment is also a tiring, cumbersome and time-consuming process.

Given this, the proposed measure aims to simplify annulment procedures by recognizing an annulment of marriage by any church or religious sect upon order of a competent court.

Although not known by many, the Catholic Church introduced reforms in 2015 to streamline and hasten their annulment procedures. Pope Francis also stated that the annulment procedure should be free.

Taking a cue from the Catholic Church and the Pope himself, the Philippines must take steps to improve its laws on annulment, beginning with the recognition of religious annulments.

While the sanctity of marriage should be respected, and a loving and healthy family environment remains a priority, we must ensure that none of our laws discriminate against our underprivileged countrymen.

Let us ensure that every Filipino has equal access to annulment procedures, regardless of financial capacity.

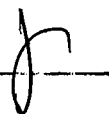
In view of the foregoing, the passage of this bill is earnestly sought.

A handwritten signature in black ink, reading "Bam Aquino". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

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

1 Section 1. Article 36 of Executive Order No. 209, otherwise known as "The  
2 Family Code of the Philippines," as amended by Republic Act No. 8533, is further  
3 amended to read as follows:

4 "Article 36. A marriage contracted by any party who, at the time of the  
5 celebration, was psychologically incapacitated to comply with the  
6 essential marital obligations of marriage, shall likewise be void even if  
7 such capacity becomes manifest only after its solemnization.

8 **SUBSEQUENTLY, SHOULD THE MARRIAGE BE ANNULLED BY A**  
9 **CHURCH OR RELIGIOUS SECT TO WHICH EITHER SPOUSE**  
10 **BELONGED TO AT THE TIME OF MARRIAGE, SUCH ANNULMENT**  
11 **SHALL BE RECOGNIZED UPON ORDER OF A COMPETENT**  
12 **COURT.**

13

14 **THE COURTS SHALL NOT BE A TRIER OF FACTS AND WILL**  
15 **DEFER TO THE APPRECIATION AND EVALUATION OF THE**  
16 **CHURCH OR RELIGIOUS SECT OF THE EVIDENCE PRESENTED**

1           **ON THE ISSUE OF MARRIAGE. ONLY THE EXISTENCE OF**  
2           **ANNULMENT LAWS OF THE CHURCH OR RELIGIOUS SECT AND**  
3           **THE VALIDITY OF OBTAINING SUCH DECREE BY AN**  
4           **AUTHORIZED CHURCH OR RELIGIOUS SECT SHALL BE PROVEN**  
5           **IN COURTS IN ORDER FOR A RECOGNITION TO BE GRANTED.**

6  
7           **IN ALL CASES OF ANNULMENT OR DECLARATION OF**  
8           **ABSOLUTE NULLITY OF MARRIAGE, THE DECISION OF THE**  
9           **REGIONAL TRIAL COURT SHALL BE FINAL UNLESS THERE IS**  
10          **GRAVE ABUSE OF DISCRETION AMOUNTING TO LACK OR**  
11          **EXCESS OF JURISDICTION.”**

12           *Sec. 2. Separability Clause.* — If any provision of this Act is declared invalid or  
13          unconstitutional, the other provisions hereof which are not affected thereby shall  
14          continue to be in full force and effect.

15           *Sec. 3. Repealing Clause.* — Any law, presidential decree or issuance,  
16          executive order, letter of instruction, administrative order, rule or regulation contrary  
17          to or inconsistent with any provision of this Act is hereby repealed or modified  
18          accordingly.

19           *Sec. 4. Effectivity.* — This Act shall take effect fifteen (15) days after its  
20          publication in the Official Gazette or a newspaper of general circulation.

          Approved,