

EIGHTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



'19 JUL -1 P 6 :00

SENATE
S.B. NO. 116

RECEIVED

Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT
ALLOWING WOMEN TO REVERT TO THEIR MAIDEN SURNAME,
ESTABLISHING A PROCEDURE FOR REVERSION AND APPROPRIATING
FUNDS THEREFORE

EXPLANATORY NOTE

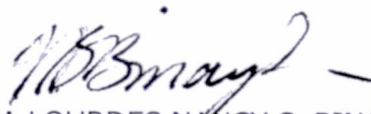
Article II, Section 14 of the 1987 Philippine Constitution provides:

"Section 14. The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men."

In accordance with the Constitution this measure removes the difficult, costly, and unnecessary court processes that women have to endure in order to revert to their maiden name. In lieu of this measure, the following is proposed:

- (1) In instances of legal separation, annulment or declaration of nullity of their marriage, the women's right to revert to her surname must be facilitated;
- (2) To provide for a procedure for a woman's choice to revert to her maiden name, the Office of the Civil Registrar, the Department of Justice, the Department of Finance, the Supreme Court and other concerned agencies will be empowered; and
- (3) To change or correct entries in the civil register without a judicial order by expanding the scope of the civil registrar's authority.

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

A handwritten signature in black ink, appearing to read 'ML Binay', with a horizontal line extending to the right.

MARIA LOURDES NANCY S. BINAY
Senator

SENATE
S.B. NO. 116

Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT
ALLOWING WOMEN TO REVERT TO THEIR MAIDEN SURNAME,
ESTABLISHING A PROCEDURE FOR REVERSION AND APPROPRIATING
FUNDS THEREFORE

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

1 Section 1. *Title.* – This Act shall be known as the “*Reversion to Maiden*
2 *Name Act*”.

3
4 Sec. 2. *Declaration of Policy.* – The State shall value the dignity and
5 independence of women and guarantees full respect for their freedom of choice
6 of surname. Hence, the State shall provide a method for reversion to maiden
7 name to fully empower women to be truly independent in their social and
8 economic affairs.

9
10 Sec. 3. *Authority to Record a Reversion to Maiden Name.* – No entry in a
11 civil register shall be changed or corrected without a judicial order, except as
12 provided in this Act and under Republic Act No. 9048

13
14 Sec. 4. *Who May File the Petition and Where.* – A woman who is or was
15 validly married may file a verified petition for reversion to her maiden name
16 before the local civil registry office of the city or municipality where her record is
17 kept.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Sec. 5. *Grounds for Reversion to Maiden Name.* – The petition for reversion to maiden name may be allowed in any of the following cases:

- (1) After a marriage has been judicially declared null and void or after its annulment;
- (2) After a judicial declaration of legal separation: *Provided*, That there has been no manifestation of reconciliation filed with the court;
- (3) After a judicial declaration of separation of property: *Provided*, That there has been no subsequent decree reviving the old property regime between the spouses;
- (4) If the spouses stipulated in their marriage settlement that a regime of separation of properties shall govern their property relations;
- (5) If the petitioner has been *de facto* separated from or abandoned by her husband for a period of not less than ten (10) years; or
- (6) If the petitioner’s husband may be presumed dead pursuant to the circumstances, periods and conditions set forth in the Civil Code of the Philippines and the Rules of Court.

Sec. 6. *Petitions for Declaration of Nullity, Annulment and Legal Separation.* – A prayer for reversion to one’s maiden name may be included in the following petitions:

- (1) Petition for declaration of nullity of a marriage;
- (2) Petition for annulment of a marriage;
- (3) Petition for legal separation; and
- (4) Petition for judicial declaration of separation of property.

1

2 Sec. 7. *Responsible Agencies.* – The Civil Registrar, the Department of
3 Justice, the Department of Foreign Affairs and the Office of the Supreme Court
4 Administration shall, in coordination with such other concerned government
5 agencies, issue the necessary rules and regulations for the effective
6 implementation of this Act.

7

8 Sec. 8. *Funding.* – Such amounts necessary for the effective
9 implementation of this Act shall be included in the general appropriations act of
10 the year following this enactment.

11

12 Sec. 9. *Repealing Clause.* – All executive orders, laws and department
13 orders and parts thereof contrary to or inconsistent with the provisions of this
14 Act are hereby repealed or modified accordingly

15

16 Sec. 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its
17 publication in the Official Gazette or in at least two newspapers of general
18 circulation.

Approved,