

Reference No. 23CRS02-07-7860

## MEMORANDUM CIRCULAR NO. 2023-16

TO : ALL CITY/MUNICIPAL CIVIL REGISTRARS,  
OFFICERS-IN-CHARGE, PHILIPPINE FOREIGN  
SERVICE POSTS OFFICIALS AND STAFF, PSA  
OFFICIALS AND CONCERNED PERSONNEL

SUBJECT : Extension for the Local Civil Registrars to Accept  
Locally Notarized Affidavits in Lieu of Certificates of  
Legal Capacity to Contract Marriage

Date : 31 July 2023

On 26 June 2023, the Philippine Statistics Authority issued Memorandum Circular No. 2023-15 which expressly provides that:

*“Due to the Coronavirus disease-2019 (Covid-19) pandemic, the Philippine Statistics Authority (PSA) issued Memorandum Circular (MC) Nos. 2021-04 dated 26 March 2021, 2021-07 dated 12 May 2021, and 2022-12 dated 10 May 2022. These MCs allow the local or Philippine Notarization of Affidavits in lieu of Certificates of Legal Capacity to Contract Marriage issued by the different foreign embassies in the Philippines, specifically the United States of America, United Kingdom, Canada, and Australia.*

*With the ease in the restrictions brought about by Covid-19 nationwide, onsite transactions with the foreign embassies and consular offices in the Philippines are now allowed.*

*In view of this, the PSA hereby revokes its aforementioned issuances allowing local notarization of Affidavits in Lieu of Certificates of Legal Capacity to Contract Marriage. Further, it is hereby required that the said affidavits/certifications be in the*



PSA Complex, East Avenue, Diliman, Quezon City, Philippines 1101  
Telephone: (632) 8938-5267  
[www.psa.gov.ph](http://www.psa.gov.ph)

*format prescribed and notarized directly by the diplomatic or consular officials of the concerned embassy.*

**Local Civil Registrars are directed to accept locally notarized Affidavits until 31 July 2023.**” (Emphasis and underscoring supplied)

The Public Health Emergency throughout the Philippines due to COVID-19 was lifted in accordance with Proclamation No. 297 series of 2023 dated 21 July 2023. However, upon implementation of the said PSA Memorandum Circular No. 2023-15, the embassies of the United States of America, United Kingdom, Canada and Australia in the Philippines requested for an extension of the acceptability of locally notarized Affidavits by the respective Local Civil Registrars. This is to give the embassies more time to prepare for the implementation of their operations in connection to the issuance of Certificates pursuant to Article 21 of the Family Code of the Philippines (Executive Order No. 209 series of 1987) to wit:

*Art. 21. When either or both of the contracting parties are citizens of a foreign country, **it shall be necessary for them before a marriage license can be obtained, to submit a certificate of legal capacity to contract marriage, issued by their respective diplomatic or consular officials.***

*Stateless persons or refugees from other countries shall, in lieu of the certificate of legal capacity herein required, submit an affidavit stating the circumstances showing such capacity to contract marriage.*

In view of this, Local Civil Registrars are directed to accept locally notarized Affidavits until 31 October 2023. After the lapse of the said period, citizens from the above cited countries who wish to obtain marriage license in the Philippines shall be required to comply with Article 21 of the Family Code of the Philippines.

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For your information and strict compliance.



**CLAIRE DENNIS S. MAPA, PhD**

Undersecretary

National Statistician and Civil Registrar General

  
CSM/MBG/EFA/ECQ/RDF