



REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY

Reference No 18CRS00-17920

MEMORANDUM CIRCULAR No. 2018- 18

TO : ALL CITY/MUNICIPAL CIVIL REGISTRARS
THE GENERAL PUBLIC

SUBJECT : Additional Requirement in the Application for Marriage License if One/Both of the Contracting Parties was/were Previously Married

DATE : 14 December 2018

Notwithstanding the procedural and documentary requirements laid down in the Application for Marriage License expressed in the pertinent provisions of the Family Code of the Philippines, as amended, Rules 47, 48 and 49 of OCRG Administrative Order No. 1, Series of 1993 (Implementing Rules and Regulations of Act No. 3753 and Other Laws on Civil Registration), OCRG Circular No. 93-2 (Certificate of Legal Capacity to Contract Marriage Shall be Issued by the Foreigner's Diplomatic or Consular Officials), OCRG Memorandum Circular No. 2006-1 (CENOMAR as a Requirement for the Issuance of Marriage License), OCRG Memorandum Circular No. 2008-05 (Submission of Applications for Marriage License), and other pertinent OCRG issuances, all City/Municipal Civil Registrars are ~~to~~ require the contracting parties applying for a marriage license, if one or both of them was/were previously married but such marriage was terminated by virtue of a court decision, the additional presentation and submission of the original or certified photocopy of the **Judicial Decree of Absolute Divorce, Judicial Decree of Annulment, or Judicial Decree of Nullity of Marriage**, as the case may be, in compliance with Article 13 of the Family Code of the Philippines, as amended, and Administrative Matter No. 02-11-10-SC of the Supreme Court.

It is to be the duty and responsibility of the City/Municipal Civil Registrar to verify whether the submitted Judicial Decree is genuine and authentic before the Application for Marriage License is to be registered and distributed to the proper parties.

Unlike the Decision of the Court and the Certificate of Finality of the Decision of the Court, this Judicial Decree is issued by the court only after (1) the registration of the entry of judgment granting the petition for declaration of nullity of marriage in the concerned civil registry office, (2) the registration of the approved partition and distribution of the properties of the spouses at the concerned office of the register of deeds, and (3) the delivery of the children's presumptive legitimes in cash, property, or sound securities.



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[Handwritten signatures]

Continuation of Reference No 18CRS00-17920 (Additional Requirement in the Application for Marriage License if One/Both of the Contracting Parties was/were Previously Married)

This Memorandum Circular is to take effect immediately unless sooner revoked or modified accordingly.

For your guidance and strict compliance.

Lisa Grace S. Bersales

LISA GRACE S. BERSALES, Ph.D.

Undersecretary

National Statistician and Civil Registrar General


DAS/SRGT/MBG/SRADA