



REPUBLIC OF THE PHILIPPINES
PHILIPPINE STATISTICS AUTHORITY

Reference No. 20CRS02-06-1053

MEMORANDUM CIRCULAR NO. 2020-13

TO : ALL CITY/MUNICIPAL CIVIL REGISTRARS
(C/MCRs)

SUBJECT : Guidelines in Annotating the Certificate of Marriage of the Parties to the Subsequent Marriage when the Absent Spouse in the First Marriage Reappeared

DATE : 06 July 2020

Under Article 42 of the Family Code of the Philippines, it expressly provides that:

“Art. 42. The subsequent marriage referred to in the preceding Article shall be automatically terminated by the recording of the affidavit of reappearance of the absent spouse, unless there is a judgment annulling the previous marriage or declaring it void ab initio.”

A sworn statement of the fact and circumstances of reappearance shall be recorded in the civil registry of the residence of the parties to the subsequent marriage at the instance of any interested person, with due notice to the spouse of the subsequent marriage and without prejudice to the fact of reappearance being judicially determined in case such fact is disputed.”

To carry-out the purpose of the abovementioned provision of the law and reflect the same to the affected civil registry document, the following guidelines shall be observed:

1. At the instance of any interested person, the Local Civil Registry Office (LCRO) of the city or municipality where the parties to the subsequent marriage are residing shall record the Affidavit of Reappearance on the appropriate book of registry, and assign a separate registry number;



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2. Once recorded, the registering LCRO shall issue a Certificate of Registration of the Affidavit of Reappearance, and forward the same together with a certified photocopy of the Affidavit of Reappearance, and Notice of Reappearance to Parties to the Subsequent Marriage to the LCRO where the subsequent marriage was registered for proper annotation by the City/Municipal Civil Registrar;
3. Upon receipt of the Certificate of Registration of the Affidavit of Reappearance, certified photocopy of the Affidavit of Reappearance, and certified photocopy of the Notice of Reappearance to Parties to the Subsequent Marriage by the LCRO where the subsequent marriage was registered, the latter shall reflect the following annotation on the Certificate of Marriage:

"The marriage entered into by (Name of the Husband) and (Name of Wife) celebrated on (Date of Marriage) in (Place of Marriage) is hereby terminated pursuant to Article 42 of the Family Code of the Philippines"

4. Then, the annotated and unannotated Certificate of Marriage, certified photocopy of the Certificate of Registration of the Affidavit of Reappearance, certified photocopy of the Affidavit of Reappearance, and certified photocopy of the Notice of Reappearance to Parties to the Subsequent Marriage shall be forwarded by the LCRO where the subsequent marriage was registered to the Office of the Civil Registrar General, through the Philippine Statistics Authority-Civil Registration Service, for evaluation and processing.

For your information strict compliance.



DENNIS S. MAPA, Ph.D.

Undersecretary

National Statistician and Civil Registrar General