



REPUBLIC OF THE PHILIPPINES

PHILIPPINE STATISTICS AUTHORITY

Reference No. CRMD-2020-09-1208

MEMORANDUM CIRCULAR NO. 2020- 25

TO : ALL CITY/MUNICIPAL CIVIL REGISTRARS/OICs,
ALL PHILIPPINE FOREIGN SERVICE POST
OFFICIALS, AND STAFF

SUBJECT : Reiterating the Rules on the Contents of the Affidavit
of Legitimation

DATE : 22 September 2020

It has come to the attention of this Office that certain Local Civil Registry Offices register Affidavit of Legitimation (AOL) by subsequent marriage of the parents lacking the statement or declaration expressing the minority of either mother or father, or both, at the time of the conception of the child, only indicating below the title of the legal instrument this phrase: “(Pursuant to RA 9858, children born to minor parent)”.

Please be reminded of Rule 4.2 (Contents of the Affidavit of Legitimation) of OCRG Administrative Order No. 1, Series of 2010 [*Rules and Regulations Governing the Implementation of Republic Act No. 9858 (An Act Providing for the Legitimation of Children Born to Parents Below Marrying Age, Amending for this Purpose the Family Code of the Philippines, as Amended)*], to wit:

“4.2 Contents of the Affidavit of Legitimation

The Affidavit of Legitimation shall contain the following:

4.2.1 the names of the parents and place of residence;

4.2.6 the date and place when such marriage was solemnized;



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- 4.2.3 *the name of the officer who officiated the marriage;*
- 4.2.4 *the name of the child to be legitimated;*
- 4.2.5 *the date and place when the child was born;*
- 4.2.6 *a statement that at the time when the child was conceived, the aforesaid parents were not disqualified by any impediment to marry each other except age, and that they subsequently entered into a valid marriage; and*
- 4.2.7 *a statement that by virtue of the subsequent marriage, the said child is now legitimated.”*
(Emphasis and underlining ours.)

Thus, absence of any expressed statement or declaration as to the minority of either the father or the mother, or both, if applicable, will result to a Feedback to be issued requiring the concerned parents to jointly execute a Supplemental Affidavit of Legitimation declaring the minority of the concerned parent during the conception of the child, duly subscribed by an authorized official, to be attached to the certified photocopy of the previously-registered AOL. The City/Municipal Civil Registrar, prior to the registration of the legal instrument, is to compute the age of both parents at the time of the conception of the child to determine whether the Affidavit requires the statement or declaration of such minority, if applicable. This can be done by calculating the age of both parents based on the entries as to their date of birth as indicated in their submitted copy of their Certificate of Marriage in relation to the date of birth of the child.

For your guidance, and strict compliance.



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Undersecretary
National Statistician and Civil Registrar General