



Senate
Office of the Secretary

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

'13 JUL -3 P12:23

SENATE
S. No. 325

RECEIVED BY: *ja*

Introduced by SENATOR PIA S. CAYETANO

EXPLANATORY NOTE

The governor, as the "father of the province," looks after the general welfare of the inhabitants of component cities and municipalities of the province.

As the chief executive of the provincial government, the governor's powers, duties and functions as stated in chapter 3, Article One, Section 465 of the Local Government Code (LGC) are similar to those exercised by the municipal or city mayor with minor exceptions, such as the authority to solemnize marriages. The LGC grants mayors the authority to solemnize marriages within' their jurisdiction. No similar power, however, is granted to the governor.

As such, this bill seeks to grant the governor the same power to solemnize marriages to enable him/her to be of better service to his/her constituents.

P. S. Cayetano
SENATOR PIA S. CAYETANO


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AN ACT
AMENDING EXECUTIVE ORDER NO. 209, OTHERWISE KNOWN AS THE
FAMILY CODE OF THE PHILIPPINES AND FOR OTHER PURPOSES

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

SECTION 1. Article 7 of the Family Code of the Philippines is hereby amended to read as follows:

"Art. 7 Marriage may be solemnized by:

- (1) Any incumbent member of the judiciary within the court's jurisdiction;
- (2) Any priest, rabbi, imam, or minister of any church or religious sect duly authorized by his church or religious sect and registered with the civil register general, acting within the limits of the written authority granted him by his church or religious sect and provided that at least one of the contracting parties belongs to the solemnizing officer's church or religious sect;
- (3) Any ship captain or airplane chief only in the cases mentioned in Article 31;
- (4) Any military commander of a unit to which a chaplain is assigned, in the absence of the latter, during a military operation, likewise only in the cases mentioned in Article 32; [or]
- (5) Any consul-general, consul or vice-consul in the case provided in Article 10; OR
- (6) ANY PROVINCIAL GOVERNOR, WITHIN HIS/HER JURISDICTION. "

SECTION 2. Article 8 of the Family Code of the Philippines is hereby amended to read as follows:

"Art. 8. The marriage shall be solemnized publicly in the chambers of the judge or in open court, in the church, chapel or temple, or in the office of the consul-general, consul or vice-consul, OR PROVINCIAL GOVERNOR as the case may

be, and not elsewhere, except in cases of marriages contracted at the point of death or in remote places in accordance with Art. 29 of this code, or where both of the parties request the solemnizing officer in writing in which case the marriage may be solemnized at a house or place designated by them in a sworn statement to that effect. "

SECTION 3. Repealing Clause. - All laws, decrees, executive orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 4. Effectivity. - This Act shall take effect fifteen (15) days after its complete publication in the official gazette or in at least two (2) newspapers of general publication.

Approved,