



10th NATIONAL CONVENTION OF SOLEMNIZING OFFICERS



"Pilipinong Rehistrado, Matatag na Kinabukasan ay Sigurado."

23-25 May 2017

Atrium, Limketkai Mall

Lapasan, Cagayan de Oro City

Highlights of Day 2

Session 3 - Administrative Orders on Marriages

Registration of Marriage Contracted Under Islamic Law

Atty. Maqtahar L. Manulon, Regional Director, PSA-Regional Statistical Service Office (RSSO) XII, presented and discussed "The Registration of Marriage Contracted Under Islamic Law."

He reported that the customs and traditions, rites and practices have long been recognized under the Philippine legal system and as such a special procedure of registration of Muslim marriages has been adopted since 1993. He stressed on the need to come up with sets of indicators that will measure the level of completeness of registration by class of events for special sectors of the society such as the Muslim Filipinos.

He also emphasized that in cases where there is no Shari'a Circuit Court, marriages among Muslim Filipinos shall be registered at the LCRO where the marriage was celebrated with the annotation that the marriage is in accordance with PD 1083 both in the Certificate of Marriage and in the Register of Marriages.

He concluded his presentation with a message on the need to sustain the gains and to do more to attain not only 100 percent level of registration but also equally important is the consistency, accuracy and the quality of registration of Muslim marriages.



Atty. Maqtahar L. Manulon, Regional Director PSA RSSO XII



Dir. Leni R. Rioflorido of PSA RSSO IV-B

Indigenous Peoples Marriages: The MIMAROPA Experience

A paper entitled "Indigenous Peoples Marriages: The MIMAROPA Experience" was presented by Regional Director Leni R. Rioflorido of PSA-Regional Statistical Service Office IV-B.

RD Rioflorido described "MIMAROPA as naturally the destination of choice" as its mantra is home to various Indigenous Peoples (IP) and Indigenous Cultural Community (ICC).

Her discussion focused on the Implementation of Administrative Order No. 3 series of 2004 in the light of the registration of IP marriages in the region and the respective roles of the PSA and its partners. She also provided a detailed report on the projects of the PSA-MIMAROPA to guarantee a proactive stance of the Provincial Statistical Offices with IP communities in their respective jurisdiction.

Session 4 - Emerging Issues on Marriages

Reformed Process of Declaration of Nullity of Marriage in the Roman Catholic Church

Monsignor Rey Manuel Monsanto of the Archdiocese of Cagayan de Oro extensively discussed his paper on the "Reformed Process of Declaration of Nullity of Marriage in the Roman Catholic Church." He made it clear that there is no divorce in the Roman Catholic Church but only a declaration of marriage as null and void from the very start ("*Matrimonium Nullum Ab Initio*").

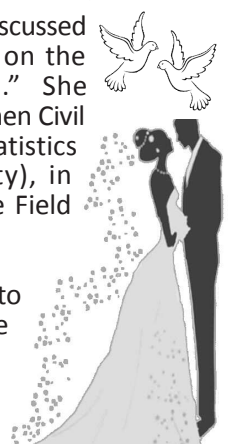
Moreover, he also emphasized on the canonical concepts of a valid marriage. Thus, a Catholic marrying before a non-Catholic minister is null and void, but the civil marriages of baptized non-Catholics can be considered by the church as sacramental and therefore valid. The declaration of nullity of marriage under special process involves Documentary,

Administrative and Judicial proceedings wherein the Diocesan Bishop is the Judge.

Issuance of Certificate of Registration on the Authority to Solemnize Marriage (CRASM)

Regional Director Cynthia Perdiz of RSSO V discussed the "Issuance of Certificate of Registration on the Authority to Solemnize Marriage (CRASM)." She acknowledged the dynamic role done by the then Civil Registration Department of the National Statistics Office (now Philippine Statistics Authority), in decentralizing the issuance of CRASM to the Field Offices in 2006.

She also shared her endeavour to review and to revisit the issuance of CRASM that included the issues in the enactment of the Implementing Rules and Regulations and the corresponding actions taken by PSA. Her presentation also covered the use of Decentralized Solemnizing Officers' Information System as well as the issues and concerns from different RSSOs and recommendations to improve the system and services of PSA.



Msgr. Rey Manuel S. Monsanto of the Archdiocese of Cagayan de Oro



Dir. Cynthia L. Perdiz, of PSA RSSO V

Session 5 – Rules and Procedures on Claims of Benefits

Four major government agencies providing assistance to veterans and military personnel, police personnel, retired employees from both the government service and private companies shared their expertise on the Rules and Procedures on Claims of Benefits.

Frontline Services Chief of the Government Service Insurance System in Cagayan de Oro City, Aniceta Jabiguero, Vice President Edwin Alo of the Social Security System in Northern Mindanao, Supervising Veterans Assistance Officer and Head of Field Services Extension Office 10 of the Philippine Veterans Affairs Office Luisa Revecho and SPO2 Bobby Lestojas from the Police Retirement and Benefits Unit of Camp Alagar, CDO shared information on the retirement packages, disability and

death benefits that qualified beneficiaries and dependents may avail of as well as the paper and documentary requirements.

In all of the above agencies, the importance of the presentation of copies of civil registry documents from the PSA including the Certificate of No Marriage and Advisory of Marriage were emphasized in determining the eligibility of qualified dependents/beneficiaries. In the absence of such, birth, marriage and death documents coming from the local civil registrars can also be accepted provided it can be supported with other documents.

Participants were likewise invited to visit the respective official websites of the offices of the paper presenters for more details.

Session 6 - Statistics on Marriage and Dissolution



UP Associate Professor Maria Midea Kabamalan and Ms. Marjorie Villaver, Supervising Statistical Specialist of the PSA Vital Statistics Division

Trends and Patterns of International Marriages: A View from the Philippines

Ms. Marjorie Villaver, Supervising Statistical Specialist of the PSA Vital Statistics Division, Civil Registration Service presented a paper on "Trends and Patterns of International Marriages: A View from the Philippines" which she co-authored with Director Maria Midea Kabamalan of the UPPI.

Cohabitation, Poverty and the Law

Director and Associate Professor of the University of the Philippines - Population Institute (UPPI) Dr. Maria Midea Kabamalan, presented her study entitled "Cohabitation, Poverty, and the Law." She reported that cohabitation or living together without a formal marriage is increasing in the Philippines.

Director Kabamalan explained that the three scenarios on the social context of cohabitation: 1) as a part of a marriage process wherein couples are already engaged and they live together as husband and wife prior to the actual marriage; 2) the elements of the wedding and some traditional practices push people to cohabit such as the requirement of a wedding ceremony and big reception; and 3) the requirements of a formal marriage pose constraints to other couples that it makes the law as the "culprit" on why many Filipinos resorted to cohabitation. She further noted that the "lack of money" is embedded in each of these cultural and institutional scenarios why some cohabit or live-in.

The report presented were based on the results of the interviews of 25 cohabiting men and women ages 15 to 24 years old.

In her presentation, she described the trends and patterns of marriage of Filipino nationals with foreign nationals and compared these with the trends and patterns among couples who are both Filipinos. Ms. Villaver used the 2006-2015 data from the registered marriages of Filipino nationals and foreign nationals in her study.

According to Ms. Villaver marriage migrations involving nationals of East and Southeast Asia, that included the Philippines as the sending country rapidly increased. She also reported that marriage rates in the Philippines have been stable for a long period of time but a decline in the last decade has been observed. There is a slight imbalance in the marriage market, with fewer men than women in the prime marriageable ages.

Her presentation ended with a conclusion that marriage migrations will likely persist given the new modes of meeting possible spouses such as via the internet, marriage bureau, etc.

Status of Annulment and Divorces in the Philippines

PSA Deputy National Statistician for Civil Registration and Central Support Office Estela T. De Guzman presented a paper entitled "Annulment and Divorce Statistics" which is about statistical data on marriages in the country dissolved by annulment, declaration of absolute nullity, Islamic divorce, and foreign decree of divorce.

DNS De Guzman reported on the kinds of marriage dissolution, trends from 1968 to 2016, number of years of marital union before dissolution and timespan of registration after approval of marriage dissolution.

She also noted that "based on civil registry records from 1968 to present, a total of 14,264 cases of marriage dissolutions were processed". The most common grounds for dissolution is the declaration of absolute nullity of marriage which accounted for 84 percent of the total, followed by Islamic divorce with 9 percent, foreign decree of divorce with 6 percent, and annulment with only 1 percent.

She concluded her presentation with the information that the PSA is currently revising the Certificate of Marriage in consultation with other stakeholders to be able to get more information on the husband and wife for future studies. The revision is being done along with other civil registry forms and is being targeted for implementation by next year, at the earliest. She further added that PSA is also looking into the standardization of the Report of Marriage by Philippine Consular Offices abroad.



NS and CRG Lisa Grace S. Bersales and DNS CRCSO Estela T. De Guzman

PSS Initiatives towards Monitoring the SDG and Asia Pacific CRVS Decade Indicators

National Statistician and Civil Registrar General Lisa Grace S. Bersales presented the initiatives of the Philippine Statistical System in monitoring the Sustainable Development Goal (SDG) and Asia-Pacific Civil Registration and Vital Statistics (CRVS) Decade indicators. NS Bersales highlighted the 2030 agenda for sustainable development which consists of 17 goals, 169 targets, and 262 indicators by 2030. The goal of the SDG is "Better data, better lives" which according to her means that all statistical offices of the countries should be able to provide data to be used for policy development and planning with the aim to improve the lives of its citizens by 2030. She added that this is a big challenge to the PSS to provide disaggregated data at the national, regional, provincial down to the local levels at city/municipal or barangay levels. She cited for example, poverty indicators which should be available at the city/municipal levels.

NS Bersales reported that a PSA Board Resolution has already approved the adoption of the initial list of SDG indicators for Philippines. She also discussed the potential sources of indicators for SDG which can be derived from civil registration and vital statistics system such as the maternal mortality rate, neonatal mortality rate, and under five mortality rate.

The NS and CRG concluded her presentation by enjoining all solemnizing officers, civil registrars, mayors, barangay officials and secretaries to work together in order to give better lives to the people.

Session 7 - Existing Laws on Marriage



Atty. Renan E. Ramos

Jurisprudence on Marriages

Justice Renan E. Ramos, Assistant Solicitor General of the Office of the Solicitor General, discussed some of the Supreme Court "Jurisprudence on Marriages" officiated by Judges and Mayors.

In his discussion, he highlighted the case of *Navarro v. Domagto* in 1996 wherein the Judge officiated the wedding outside of his jurisdiction that resulted to the irregularity of the marriage. Although it will not affect the validity of the marriage, it may subject the officiating official to administrative liability.

He also mentioned that while the solemnizing officer is not duty bound to investigate whether or not there is irregularity in the issuance of the marriage license, the same, however, may be rebutted when there are glaring pieces of evidence to prove otherwise. He cited the case of *Office of the Court Administrator v. Judge Necessario*, A.M. No. MTJ-07-1691, April 2, 2013.

RA 9048/RA10172 Related to Marriage

Atty. Maribeth C. Pilimpinas, Assistant National Statistician, Finance and Administrative Service of PSA reported that the petition for corrections of Certificate of Marriage (COM) from September 2001 to April 2017 numbered 218,349, while the number of annotated COM from January 2005 to April 2017 had 293,400.



Atty. Maribeth C. Pilimpinas

Several parts of the certificate of marriage were also tackled, where the second part that is the certification portion is not covered for correction under RA 9048 because this is deliberately executed by the contracting parties and the SO before the registration of the COM. With regards to the COMs for Muslim Filipinos and Indigenous People, the same have attachments and may also be a subject for correction under RA 9048.



PSA recognizes Ms. Lanie A. Castanares, Municipal Civil Registrar of Datu Abdullah Sangki, Maguindanao as Outstanding Public Official and Employee for the CRVS Campaign on Muslim and Indigenous Community. She is also a Dangal ng Bayan Presidential awardee in 2016.

The final part of the presentation explained the common issues of corrections and the reason why some petitions were impugned. In this regard the PSA will continue to conduct trainings and will assure to meet the goal of preventing errors in the registration of birth, marriage and death certificates.

Last Session - Marriage Registration Operation Processes and Procedures

Marriage Registration Operation Processes and Procedures

OIC of the Civil Register Management Division, Civil Registration Service, Marizza B. Grande presented "Marriage Registration Operation Processes and Procedures" in behalf of Assistant National Statistician Editha R. Orcilla.

She discussed the concepts related to marriage registration; the process and the requirements for issuance of the Certificate of Marriage and annotated Certificate of Marriage. She differentiated the processes of registration of marriages solemnized 1) under the Civil Law/Church; 2) under PD 1083 (Muslim Personal Laws); and, 3) Marriage of the Indigenous Peoples (IPs).

Delayed registration process and supplemental report were also discussed.



Ms. Marizza B. Grande



Atty. Revelyn C. Abdulwahim

Updates on Marriage Laws

Atty. Revelyn Cayetano-Abdulwahim represented Atty. Lourdines C. Dela Cruz, PSA Director of Legal Service in presenting the paper entitled "Updates on Marriage Laws". The paper presentation highlighted three topics, namely: 1) Decriminalization of Premature Marriage, 2) Civil Status of a Filipino who was Divorced by the Alien Spouse, and 3) Status of Multiple Marriages.

Premature marriage is a crime committed by any widow who shall marry within three hundred and one (301) days from the date of the death of her husband, or before having delivered if she shall have been pregnant at the time of his death. This is defined and punished under Article 351 of the Revised Penal Code of the Philippines. But, this is now decriminalized by virtue of Republic Act No. 10655.

On the Civil Status of a Filipino who was Divorced by the Alien Spouse, it was emphasized that a divorce decree obtained abroad requires judicial recognition before it is given effect under Philippine jurisdiction. It was clarified, however, through Memorandum Circular No. 2017-02 that a judicial recognition of the decree of foreign divorce is no longer required for purposes of remarriage if the foreign spouse is already deceased.

With regards to Multiple Marriages, PSA Office Memorandum No. 2016-032 issued on 17 March 2016, reiterated the established presumption that a marriage is binding and valid. Thus, a marriage though void still needs a judicial declaration of such fact.