

# Presidential Decree No. 1083

## Code of Muslim Personal Laws

A decree to ordain and promulgate a code recognizing the system of Filipino Muslim laws, codifying Muslim personal laws and providing for its administration and for other purposes.

### Chapter Two Marriage (Nikah)

#### Sec. 1. Requisites of Marriage.

##### **Art. 18. Authority to solemnize marriage – Marriage may be solemnized:**

- a. By the proper wali of the woman to be wedded;
- b. Upon authority of the proper wali, by any person who is competent under Muslim Law to solemnize marriage; or
- c. By the judge of the Shari'a District Court or Shari'a Circuit Court or any person, designated by the judge, should the proper wali refuse without justifiable reason to authorize the solemnization.

### Title VI- Civil Registry

#### Chapter One – Registry of Marriage, Divorce and conversions

**ART. 81. District Registrar-** The clerk of Court of the Shari'a District Court shall, in addition to his regular functions, act as District Registrar of Muslim Marriage, Divorce, Revocation of Divorces and Conversions within the territorial jurisdiction of said court. The Clerk of Court of the Shari'a Circuit court shall act as Circuit Registrar of Muslim Marriages, Divorces, Revocations of Divorces, and Conversions within his jurisdiction.

**ART. 82. Duties of District Registrar-** Every District Registrar shall exercise supervision over Circuit Registrars in every Shari'a District. He shall, in addition to an entry book, keep and copies of certificates of marriage, divorce, revocation of divorce and conversion sent to him by the Circuit Registrars in separate general registers. He shall send copies in accordance with Act No. 3753 as amended, to the office of the Civil registrar-General.

**ART. 83. Duties of Circuit Registrars** – Every Circuit Registrar shall:

- a. File every certificate of marriage (which shall specify the nature and amount of the dower agreed upon), divorce or revocation of divorce and conversion and such other documents presented to him for registration;

- b. Compile said certificate monthly, prepare and send any information required of him by the District Registrar;
- c. Register conversions involving Islam;
- d. issue certified transcript or copies of any certificate or document registered upon payment of the required fees;
- e. Send to the District Registrar during the first ten days of each month a copy of the entries made during the previous month;
- f. Index the same for easy reference and identification in case any information is required; and
- g. Administer oaths, free of charge for civil registry purposes.

**ART. 84. Cancellation or Correction of Entry** – Any entry in the District or Circuit Register may, upon verified petition of any interested party, be corrected upon order of the Shari'a District Court, subject to the provisions of the Rules of Court. Every Registrar shall be civilly responsible for any unauthorized alteration made in the registry to any person suffering damage thereby. However, the Registrar may exempt himself from such liability if he proves that he has taken every reasonable precaution to prevent the unlawful alteration.

**ART. 85. Registration of Revocation of Divorce** – Within seven days after the revocation of a divorce by ruju, the husband shall with the wife's written consent, file a sworn statement thereof with the Circuit Registrar in whose records the divorce was previously entered.

**ART. 86. Legal Effects of Registration** – The books making up the registry of marriage, divorce, revocation of divorce, conversion, shall be other documents thereto shall be considered public documents and shall be prima facie evidence of the facts therein contained. However, nothing herein provided shall affect the intrinsic validity or invalidity of the acts registered.

**ART. 87. Applicability of Other Civil Registry Laws** – To the extent not inconsistent with the provisions of this Code, the provisions of other registry laws governing other civil registrars shall be observed by district or circuit registrars.

## **Chapter Two – Other Act Affecting Civil Status**

**ART. 88. Where Registered** – All other acts, events, or judicial decree affecting civil status not mentioned in Chapter One of this Title shall be recorded in the existing civil registry of the city or municipality in accordance WITH SPEC

