

[REPUBLIC ACT NO. 9255, February 24, 2004]

AN ACT ALLOWING ILLEGITIMATE CHILDREN TO USE THE SURNAME OF THEIR FATHER, AMENDING FOR THE PURPOSE ARTICLE 176 OF EXECUTIVE ORDER NO. 209, OTHERWISE KNOWN AS THE "FAMILY CODE OF THE PHILIPPINES"

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

SECTION 1. Article 176 of Executive Order No. 209, otherwise known as the Family Code of the Philippines, is hereby amended to read as follows:

"Article 176. Illegitimate children shall use the surname and shall be under the parental authority of their mother, and shall be entitled to support in conformity with this Code. However, illegitimate children may use the surname of their father if their filiation has been expressly recognized by the father through the record of birth appearing in the civil register, or when an admission in a public document or private handwritten instrument is made by the father. Provided, the father has the right to institute an action before the regular courts to prove non-filiation during his lifetime. The legitime of each illegitimate child shall consist of one-half of the legitime of a legitimate child."

SEC. 2. *Repealing Clause.* — All laws, presidential decrees, executive orders, proclamations, rules and regulations, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 3. *Effectivity Clause.* — This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in two (2) newspaper of general circulation.

Approved,

(Sgd.) FRANKLIN M. DRILON

President of the Senate

(Sgd.) JOSE DE VENECIA JR.

Speaker of the House of Representatives

This Act which is a consolidation of House Bill No. 4437 and Senate Bill No. 2519 was finally passed by the House of Representatives and the Senate on January 21, 2004 and February 4, 2004, respectively.

(Sgd.) OSCAR G. YABES

Secretary of the Senate

(Sgd.) ROBERTO P. NAZARENO

Secretary General House of Representatives

Approved: FEB 24 2004