

**[ 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this Act are hereby repealed or modified accordingly.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