REQUIREMENTS FOR LEGAL CAPACITY TO CONTRACT MARRIAGE

A Filipino marrying a foreigner in China is required to obtain a Certificate of Legal Capacity to Contract Marriage from the Consulate to be presented to the Chinese authorities.

To obtain the certificate, the applicant should first secure from the Philippines the following documents:

1. Original copy, together with one (1) copy of Authenticated Birth Certificate, which has to pass through:

   A. Philippine Statistics Authority
   B. Department of Foreign Affairs (Authentication Section)

2. Original copy, together with one (1) copy of Certificate of Non-Availability of Record of Marriage, which has to pass through:

   A. Philippine Statistics Authority
   B. Department of Foreign Affairs (Authentication Section)

3. Original copy, together with one (1) copy of Authenticated Parental Consent (if an applicant is from 18-20 years old), or Original copy, together with one (1) copy of Authenticated Parental Advice (if an applicant is from 21-25 years old) which has to pass through:

   A. Notary Public
   B. Regional Trial Court
   C. Department of Foreign Affairs (Authentication Section)

Additional Requirements (Documents have to pass through the Department of Foreign Affairs for authentication):

1. Court Order and Certificate of Finality - If either or both parties were previously married and the marriage was annulled or declared null and void, such party or parties must secure a court order annulling or declaring the previous marriage as null and void and such order must be duly authenticated by DFA.
2. PSA Marriage contract of previous marriage with annotation on annulment.
3. If widow/widower, copy of authenticated PSA Death Certificate of former spouse.

Once these documents are obtained, submit these together with the following:

1. Duly Accomplished Form No. O5 for Legal Capacity to Contract Marriage (Forms available at the Consulate)
2. Copy of the Passport Data page of both parties
3. Fee: RMB180

PROCESSING TIME: THREE (3) TO FIVE (5) WORKING DAYS