

[PRESIDENTIAL DECREE NO. 1083]

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

Art. 16. *Capacity to contract marriage.* – (1) Any Muslim male at least fifteen years of age and any Muslim female of the age of puberty or upwards and not suffering from any impediment under the provisions of this Code may contract marriage. A female is presumed to have attained puberty upon reaching the age of fifteen.

(2) However, the *Shari'a* District Court may, upon petition of a proper *wali*, order the solemnization of the marriage of a female who though less than fifteen but not below twelve years of age, has attained puberty.

(3) Marriage through a *wali* by a minor below the prescribed ages shall be regarded as betrothal and may be annulled upon the petition of either party within four years after attaining the age of puberty, provided no voluntary cohabitation has taken place and the *wali* who contracted the marriage was other than the father or paternal grandfather.

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 of *Shari'a* Circuit Court or any person designated by the judge, should the proper *wali* refuse without justifiable reason, to authorize the solemnization.

Art. 19. *Place of solemnization.* – Marriage shall be solemnized publicly in any mosque, office of the *Shari'a* judge, office of the District or Circuit Registrar, residence of the bride or her *wali*, or at any other suitable place agreed upon by the parties.

Art. 20. *Specification of dower.* – The amount or value of the dower may be fixed by the contracting parties (*marh-musamma*) before, during, or after the celebration of the marriage. If the amount or the value thereof has not been so fixed, a proper dower (*marh-mithl*) shall, upon petition of the wife, be determined by the court according to the social standing of the parties.

Art. 21. *Payment of dower.* – Subject to the stipulation of the parties, the dower may be fully or partially paid before, during, or after the marriage. the property or estate of the husband shall be liable for the unpaid dower, or any part thereof.

Art. 26. *Prohibition due to fosterage (tahrim-birrada'a).* – (1) No person may validly contract marriage with any woman who breastfed him for at least five times within two years after his birth.

(2) The prohibition on marriage by reason of consanguinity shall likewise apply to persons related by fosterage within the same degrees, subject to exception recognized by Muslim law.

Art. 27. *By a husband.* – Notwithstanding the rule of Islamic law permitting a Muslim to have more than one wife but one wife unless he can deal with them with equal companionship and just treatment as enjoined by Islamic law and only in exceptional cases.

Art. 28. *By widow.* – No widow shall contract a subsequent marriage unless she has observed an *'idda* of four months and ten days counted from the date of the death of her husband. If at that time the widow is pregnant, she may remarry within a reasonable time after delivery. In such case, she shall produce the corresponding death certificate.

Art. 29. *By divorce.* – (1) No woman shall contract a subsequent marriage unless she has observed an *'idda* of three monthly courses counted from the date of divorce. However, if she is pregnant at the time of the divorce, she may remarry only after the delivery.

(2) Should a repudiated woman and her husband reconcile during her *'idda*, he shall have a better right to take her back without need of a new marriage contract.

(3) Where it is indubitable that the marriage has not been consummated when the divorce was affected, no *'idda* shall be required.

Art. 30. *Marriage after three talag.* (1) Where a wife has been thrice repudiated (*talag bain lubra*) on three different occasions by her husband, he cannot remarry her without unless she shall have remarried another person who divorces her after consummation of the intervening marriage and the expiration of the *'idda*.

(2) No solemnizing officer shall perform the subsequent marriage mentioned in the preceding paragraph unless he has ascertained that there was no collusion among the parties.

Art. 35. *Rights and obligations of the husband.* – The husband shall fix the residence of the family. The court may exempt the wife from living with her husband on any of the following grounds :

- (a) Her dower is not satisfied in accordance with the stipulations; or
- (b) The conjugal dwelling is not in keeping with her social standing or is, for any person, not safe for the members of the family or her property.

Art. 36. Rights and obligations of the wife. – (1) The wife shall dutifully manage the affairs of the household. She may purchase things necessary for the maintenance of the family, and the husband shall be bound to reimburse the expenses, if he has not delivered the proper sum.

(2) The wife cannot, without the husband's consent, acquire any property by gratuitous title, except from her relatives who are within the prohibited degrees in marriage.

(3) The wife may, with her husband's consent, exercise any profession or occupation or engage in lawful business which is in keeping with Islamic modesty and virtue. However, if the husband refuses to give his consent on the ground that his income is sufficient for the family according to its social standing or his opposition is based on serious and valid grounds, the matter shall be referred to the Agama Arbitration Council.

(4) The wife shall have the right to demand the satisfaction of her *mahr*.

(5) Unless otherwise stipulated in the marriage settlements, the wife retain ownership and administration of her exclusive property.

(6) The wife shall be entitled to an equal and just treatment by the husband.

Art. 40. Ante-nuptial property. – The wife shall not lose ownership and administration of all properties brought by her to the marriage in the absence of any written agreement to the contrary, and she may dispose of the same by deed or otherwise even without the consent of her husband.

Art. 41. Exclusive property of each spouse. – The following shall be the exclusive property of each spouse :

- (a) Properties brought to the marriage by the husband or the wife;
- (b) All income derived by either spouse from any employment, occupation or trade;
- (c) Any money or property acquired by either spouse during marriage by lucrative title;
- (d) The dower (*mahr*) of the wife and nuptial gifts to each spouse;
- (e) Properties acquired by right of redemption, purchase or exchange of the exclusive property of either; and
- (f) All fruits of properties in the foregoing paragraphs.

Art. 44. Right to sue and be sued. – The wife may, independently of the husband, sue or be sued in the following cases :

- (a) When the litigation is between husband and wife;
- (b) If the suit concerns her exclusive property;
- (c) If the litigation is incidental to her profession, occupation or business;
- (d) If the litigation concerns the exclusive property of the husband, the administration of which has been transferred to her; or
- (e) Such other appropriate cases as may be followed by the general principles of Islamic law and other laws.

Art. 45. Definition and forms. – Divorce is the formal dissolution of the marriage bond in accordance with this Code to be granted only after the exhaustion of all possible means of reconciliation between the spouses. It may be effected by:

- (a) Repudiation of the wife by the husband (*talag*);
- (b) Vow of continence by the husband (*ila*);
- (c) Injurious assanilation of the wife by the husband (*zihar*);
- (d) Act of imprecation (*li'an*);
- (e) Redemption by the wife (*khul'*);
- (f) Exercise by the wife of the delegated right to repudiate (*tafwid*); or
- (g) Judicial decree (*faskh*).

Art. 46. *Divorce by talag.* – (1) A divorce by *talag* may be effected by the husband in a single repudiation of his wife during her non-menstrual period (*tuhr*) within which he has totally abstained from carnal relation with her. Any number of repudiations made during one *tuhr* shall constitute only one repudiation and shall become irrevocable after the expiration of the prescribed *'idda*.

(2) A husband who repudiates his wife, either for the first or second time, shall have the right to take her back (*ruju*) within the prescribed *'idda* by resumption of cohabitation without need of a new contract of marriage. Should he fail to do so, the repudiation shall become irrevocable (*Talag bain sugra*).

Art. 47. *Divorce by Ila.* – Where a husband makes a vow to abstain from any carnal relations (*ila*) with his wife and keeps such *ila* for a period of not less than four months, she may be granted a decree of divorce by the court after due notice and hearing.

Art. 48. *Divorce by zihar.* – Where the husband has injuriously assimilated (*zihar*) his wife to any of his relatives within the prohibited decrees of marriage, they shall mutually refrain from having carnal relation until he shall have performed the prescribed expiation. The wife may ask the court to require her husband to perform the expiation or to pronounce a regular *talag* should he fail or refuse to do so, without prejudice to her right of seeking other appropriate remedies.

Art. 49. Divorce by *li'an*. – Where the husband accuses his wife in court of adultery, a decree of perpetual divorce may be granted by the court after due hearing and after the parties shall have performed the prescribed acts of imprecation (*li'an*).

Art. 50. Divorce by *khul'*. – The wife may, after having offered to return or renounce her dower or to pay any other lawful consideration for her release (*khul'*) from the marriage bond, petition the court for divorce. The court shall, in meritorious cases and after fixing the consideration, issue the corresponding decree.

Art. 51. Divorce by *tafwid*. – If the husband has delegated (*tafwid*) to the wife the right to effect a *talag* at the time of the celebration of the marriage or thereafter, she may repudiate the marriage and the repudiation would have the same effect as if it were pronounced by the husband himself.

Art. 52. Divorce by *faskh*. – The court may, upon petition of the wife, decree a divorce by *faskh* on any of the following grounds:

- (a) Neglect or failure of the husband to provide support for the family for at least six consecutive months;
- (b) Conviction of the husband by final judgment sentencing him to imprisonment for at least one year;
- (c) Failure of the husband to perform for six months without reasonable cause his marital obligation in accordance with this code;
- (d) Impotency of the husband;
- (e) Insanity or affliction of the husband with an incurable disease which would make the continuance of the marriage relationship injurious to the family;
- (f) Unusual cruelty of the husband as defined under the next succeeding article;  
or
- (g) Any other cause recognized under Muslim law for the dissolution of marriage by *faskh* either at the instance of the wife or the proper *wali*.

Art. 53. *Faskh* on the ground of unusual cruelty. – A decree of *faskh* on the ground of unusual cruelty may be granted by the court upon petition of the wife if the husband:

- (a) Habitually assaults her or makes her life miserable by cruel conduct even if this does not result in physical injury;
- (b) Associates with persons of ill-repute or leads an infamous life or attempts to force the wife to live an immoral life;

- (c) Compels her to dispose of her exclusive property or prevents her from exercising her legal rights over it;
- (d) Obstructs her in the observance of her religious practices; or
- (e) Does not treat her justly and equitably as enjoined by Islamic law.

Art. 54. *Effects of irrevocable talag or faskh.* – A *talag* or *faskh*, as soon as it becomes irrevocable, shall have the following effects:

- (a) The marriage bond shall be severed and the spouses may contract another marriage in accordance with this Code;
- (b) The spouses shall lose their mutual rights of inheritance;
- (c) The custody of children shall be determined in accordance with Article 78 of this Code;
- (d) The wife shall be entitled to recover from the husband her whole dower in case the *talag* has been affected after the consummation of the marriage, or one-half thereof if effected before its consummation;
- (e) The husband shall not be discharged from his obligation to give support in accordance with Article 67; and
- (f) The conjugal partnership, if stipulated in the marriage settlements, shall be dissolved and liquidated.

Art. 55. *Effects of other kinds of divorce.* – The provisions of the article immediately preceding shall apply to the dissolution of marriage by *ila*, *zihar*, *li'an* and *khul'*, subject to the effects of compliance with the requirements of the Islamic law relative to such divorces.

## Section 2. 'Idda

Art. 56. *'Idda defined.* – 'Idda is the period of waiting prescribed for a woman whose marriage has been dissolved by death or by divorce the completion of which shall enable her to contract a new marriage.

Art. 57. *Period.* – (1) Every wife shall be obliged to observe 'idda as follows:

- (a) In case of dissolution of marriage by death, four months and ten days counted from the death of her husband;

- (b) In case of termination of marriage by divorce, for three monthly courses; or
- (c) In case of a pregnant woman, for a period extending until her delivery.

(1) Should the husband die while the wife is observing *'idda* for divorce, another *'idda* for death shall be observed in accordance with paragraph 1(a).

Art. 60. *Children of subsequent marriage.* – Should the marriage be dissolved and the wife contracts another marriage after the expiration of her *'IDDA*, the child born within six months from the dissolution of the prior marriage shall be presumed to have been conceived during the former marriage, and if born thereafter, during the latter.

Art. 61. *Pregnancy after dissolution.* – If, after the dissolution of marriage, the wife believes that she is pregnant by her former husband, she shall, within thirty days from the time she became aware of her pregnancy, notify the former husband or his heirs of that fact. The husband or his heirs may ask the court to take measures to prevent a simulation of birth.

Art. 62. *Rights of legitimate child.* – A legitimate child shall have the right:

- (a) To bear the surnames of the father and of the mother;
- (b) To receive support from the father or, in his default, from his heirs in accordance with Articles 65 and 68; and
- (c) To share in the legitimate (*furud*) and other successional rights which this Code recognizes in his favor.

Art. 63. *Acknowledgement by father.* – Acknowledgement (*igra*) of a child by the father shall establish paternity and confer upon each the right inherit from the other exclusively in accordance with Article 94, provided the following conditions are complied with:

- (a) The acknowledgement is manifested by the father's acceptance in public that he is the father of the child who does not impugn it; and
- (b) The relations does not appear impossible by reason of disparity in age.

Art. 64. *Adoption.* – No adoption in any form shall confer upon any person the status and rights of a legitimate child under Muslim law except that said person may receive a gift (*hiba*).

Art. 67. *Support for wife and infant.* – (1) The wife shall be entitled to support during the marriage. In cases of divorce (*talag*), her right shall be extended up to the

expiration of the *'idda*. However, in case the wife is pregnant at the time of the separation, she shall be entitled to support until delivery.

- (2) Any divorced nursing mother who continues to breastfeed her child for two years shall be entitled to support until the time of weaning.

Art. 68. Support between ascendants and descendants shall be obliged to support each other in the order in which they are called to succeed by intestacy the person who has a right to claim support.

Art. 69. *Payment.* – (1) The obligation to support shall be demandable from the time the recipient needs it for maintenance, but it shall not be paid except from the date it is extrajudicially demanded.

- (3) Payment shall be made daily, weekly or monthly in advance, and when the recipient dies, his heirs shall not be obliged to return what he had received in advance.

- (4) If the recipient is the wife, the rule established in the foregoing paragraph shall apply even though the marriage is dissolved.

Art. 75. *Effects upon property of children.* – (1) The father, or in his absence the mother, shall be the legal administrator of the property of the child under parental authority. If the property is worth more than five thousand pesos, the father or the mother shall give a bond to be approved by the court.

- (2) The court may appoint a guardian (*wasi*) in the absence of one who is natural or testamentary.

Art. 77. *Extinguishment of parental authority.* – (1) Parental authority terminates upon the death of the parents or the child, or upon emancipation.

- (3) Subject to Article 78, the widowed mother who contracts a subsequent marriage shall lose parental authority and custody over all children by the deceased husband, unless the second husband is related to them within the prohibited degrees of consanguinity.

- (4) The court may deprive a person of parental authority or suspend the exercise thereof if he treats his children with excessive harshness, gives them corrupting or immoral orders and counsel. or abandons them.

Art. 78. *Care and custody.* – (1) The care and custody of children below seven years of age whose parents are divorced shall belong to the mother or, in her absence, to the maternal grandmother, the paternal grandmother, the sister and aunts. In their default, it shall devolve upon the father and the nearest paternal relatives. The minor above seven years of age but below the age of puberty may choose the parent with whom he wants to stay.



(2) The unmarried daughter who has reached the age of puberty shall stay with the father; the son, under the same circumstances, shall stay with the mother.

Art. 79. *Guardian for marriage (wali)*. – The following persons shall have authority to act as guardian for marriage (*wali*) in the order of precedence:

- (a) Father;
- (b) Paternal grandfather;
- (c) Brother and other paternal relatives;
- (d) Paternal grandfather's executor or nominee; or
- (e) The court.

Art. 80. *Guardian of minor's property*. – The following persons shall exercise guardianship over the property of minors in the order of precedence:

- (a) Father;
- (b) Father's executor or nominee;
- (c) Paternal grandfather;
- (d) Paternal grandfather's nominee;
- (e) The court.

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 statement thereof with the Circuit Registrar in whose records that divorce was previously entered.

Art. 94. *Succession from acknowledging person*. – Without prejudice to the order of succession of heirs, mutual rights of inheritance shall obtain:

- (a) Between the acknowledging father and the acknowledged child; and
- (b) Between the kinsman acknowledged through another person and the acknowledged.

Art. 95. *Succession by illegitimate child*. – A child who was the cause of the mother's having been divorced by *li'an* shall have mutual rights of succession only with the mother and her relatives.

Art. 96. *Succession between divorced persons*. – (1) The husband who divorces his wife shall have mutual rights of inheritance with her while she is observing her *'idda*. After the expiration of the *'idda*, there shall be no mutual rights of succession between them.

- (2) The husband who, while in a condition of death-illness, divorces his wife shall not inherit from her, but she shall have the right to succeed him even after the expiration of her *'idda*.

Art. 98. *Succession by absentee.* – The share of an heir who is missing or otherwise absent at the time of the death of the decedent shall be reserved:

- (a) Until he reappears and claims it;
- (b) Until he is proven dead; or
- (c) Until the lapse of ten years after which he shall be presumed dead by decree of the court.

Art. 99. *Order of succession.* – The heirs of a decedent shall inherit in the following order:

- (a) Sharers (*ashab-ul-furud*) shall be entitled to fixed shares;
- (b) Residuaries (*ashab-ul-mirath*) shall be entitled to the residue;
- (c) In the absence of the foregoing, the distant kindred (*dhaw-ul-arham*) who are blood relatives but are neither sharers nor residuaries; and
- (d) In default of the above, the acknowledged kinsman, universal legatee, or the public treasury (*bait-ul-mal*), in that order.

Art. 107. *Bequest by operation of law.* – Should the testator die without having made a bequest in favor of any child of his son who predeceased him, or who simultaneously dies with him, such child shall be entitled to one-third of the share that would have pertained to the father if he were alive. The parent or spouse, who is otherwise disqualified to inherit in view of Article 93(c), shall be entitled to one-third of what he or she would have received without such disqualification.

Art. 110. Who are sharers. – The following persons shall be entitled to the inheritance as sharers to the extent set forth in the succeeding articles:

- (a) The husband, the wife;
- (b) The father, the mother, the grandfather, the grandmother;
- (c) The daughter and the son's daughter in the direct line;
- (d) The full sister, the consanguine sister, the uterine sister and the uterine brother;

Art. 111. *Share of surviving husband.* – The husband surviving together with a legitimate child or a child of the decedent's son shall be entitled to one-fourth of the hereditary estate; should there be no such descendants, he shall inherit one-half of the estate.

Art. 112. *Share of surviving wife.* – The wife surviving together with a legitimate child or a child of the decedent's son shall be entitled to one-eighth of the hereditary estate; in the absence of such descendants, she shall inherit one-fourth of the estate.

Art. 113. *Share of surviving father.* – The father succeeding together with the legitimate son of a decedent or a son of the decedent's son shall be entitled, as sharer, to one-sixth of the hereditary estate. the father who succeeds together with a legitimate daughter of the decedent or a daughter of the decedent's son shall inherit, as sharer, one-sixth of the inheritance without prejudice to his share as residuary.

Art. 114. *Share of surviving mother.* – The mother succeeding as sharer together with the child or a child of the decedent's son, or with two or more brothers or sisters of the decedent, shall be entitled to one-sixth of the hereditary estate. Should she survive without any such descendant or with only one brother or sister, she shall inherit one-third of the estate.

Art. 115. *Share of paternal grandfather.* – The paternal grandfather succeeding together with the child of the decedent or, in default thereof, with his descendants in the direct male line however, distant, shall be entitled to one-sixth of the hereditary estate. Should he survive with any sharer other than the brothers or sisters of the decedent, he shall be entitled to one-sixth without prejudice to his right as a residuary.

Art. 116. *Share of paternal grandmother.* – The paternal grandmother succeeding in default of the mother, father, or intermediate grandfather of the decedent shall be entitled, as sharer, to one-sixth of the hereditary estate

Art. 117. *Share of surviving daughter.* – (1) If the decedent leaves no son but one daughter, the latter shall be entitled to inherit, as sharer, one-half of the hereditary estate. Two or more daughters shall share equally two-thirds thereof. Should one or more daughters survive with one or more sons of the decedent, the latter shall be entitled to double the share of the former.

(2) Should a lone daughter of the decedent survive together with his son's daughter, the two-thirds share shall be divided between them, one-half thereof to pertain to the former and one-sixth of the latter.

Art. 118. *Share of son's daughter.* – The son's daughter shall, in the absence of any child of the decedent, be entitled to one-half of the hereditary state. Two or more daughters of the decedent's son shall share the two-thirds of the estate *per capita*.

Art. 119. *Share of full sister.* – Should the decedent leave neither descendant, father, nor full brother, the full sister shall be entitled as sharer to the extent of one-half of the hereditary estate. Two or more full sisters shall inherit two-thirds of the estate *per capita*.

Art. 120. *Share of consanguine sister.* – Should the decedent leave neither descendant, full brother, nor full sister, the consanguine sister shall be entitled to one-half of the hereditary estate. Two or more consanguine sisters shall inherit two-thirds of the estate *per capita*.

Art. 121. *Share of uterine brother or sister.* – The share of a uterine brother or sister shall be one-sixth of the hereditary estate should there be no surviving descendant, father, paternal grandfather, or full brother and sister of the decedent. Two or more uterine brothers or sisters shall inherit one-third of the estate *per capita*.

Art. 122. *Participation of full brother.* – (1) One or more full brothers or sisters surviving together, or one or more consanguine brothers or sisters surviving together, shall participate in the hereditary estate, a brother to inherit double the share of a sister.

(2) The provision of the next succeeding article notwithstanding, the full brother shall, if nothing is left for him after the distribution of shares and he survives with uterine brothers, participate with the latter in the one-third of the hereditary estate *per capita*.

Art. 125. *Residuaries in their own right.* – The following persons are residuaries in their own right:

- (a) Male descendants of the decedent in the direct line, however distant in degree;
- (b) Male ascendants of the decedent in the direct line, however distant in degree;
- (c) Full-blood or consanguine brothers of the decedent and their male descendants, however, distant in degree; and
- (d) Full-blood or consanguine paternal uncles of the decedent and their male descendants, however distant in degree.

Art. 126. *Residuaries in another's right.* – The following persons shall succeed as residuaries in another's right:

- (a) Daughters surviving with the son of the decedent;
- (b) Son's daughters surviving with their own brothers;
- (c) Full sisters surviving with their full brothers; and
- (d) Consanguine sisters surviving with their consanguine brothers.

Art. 127. *Residuaries together with another.* – Full-blood or consanguine sisters, surviving with daughters of the decedent or with the son's daughters, however, distant in degree from the decedent, are residuaries together with another.

Art. 128. *Preference among residuaries.* – Preference among residuaries shall be governed by the following rules:

- (a) The residuary nearer in degree shall be preferred to the more remote of the same class.

- (b) The residuary with full-blood relationship shall be preferred to those of the half-blood of the same degree of relationship in the same class.
- (c) The residuaries of the same class, degree and blood relationship shall share equally, subject to the rule of the male having a share double that of the female in proper cases.

Art. 131. Relatives included. – Distant kindred includes the following :

- (a) The daughter's children and the children of the son's daughter and their descendants;
- (b) The excluded grandfather and the excluded grandmother;
- (c) The sister's children, the brother's daughters, the sons of the uterine brothers, and their descendants; and
- (d) The paternal aunts, the uterine uncles and the maternal aunts and uncles.

Art.161. Divorce by *talag* and *tafwid*. – (1) Any Muslim male who has pronounced a *talag* shall, without delay, file with the Clerk of Court of the *Shari'a* Circuit Court of the place where his family resides a written notice of such fact and the circumstances attended thereto, after having served a copy thereof to the wife concerned. The *talag* pronounced shall not become irrevocable until after the expiration of the prescribed *'idda*. The notice filed shall be conclusive evidence that *talag* has been pronounced.

- (2) Within seven days from the receipt of notice, the Clerk of Court shall require each of the parties to nominate a representative. The representatives shall be appointed by the Court to constitute, together with the Clerk of Court as Chairman, an Agama Arbitration Council. The Agama Arbitration Council shall submit to the Court a report on the result of the arbitration, on the basis of which and such other evidence as may be allowed, the Court shall issue the corresponding order.
- (3) The provisions of this article shall be observed should the wife exercise *tafwid*.

Art. 162. Subsequent marriages. -- Any Muslim husband desiring to contract a subsequent marriage shall, before so doing, file a written notice thereof with the Clerk of Court of the *Shari'a* Circuit court of the place where his family resides. Upon receipt of said notice, the Clerk shall serve a copy thereof to the wife or wives. Should any of them object, an Agama Arbitration Council shall be constituted in accordance with the provisions of paragraph (2) of the preceding article. If the Agama Arbitration Council fails to obtain the wife's consent to the proposed marriage, the Court shall, subject to Article 27, decide whether or not to sustain her objection.

Art. 182. Marriage before expiration of *'idda*. – Any widow or divorced woman who, having been married under Muslim law or under this code, contracts another marriage before the expiration of the prescribed *'idda* shall suffer the penalty of a fine not exceeding five hundred pesos.

DONE in the City of Manila this 4<sup>th</sup> day of February in the year of Our Lord nineteen hundred and seventy-seven.