

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 2481

INTRODUCED BY HON. MARCELINO "MARCY" R. TEODORO

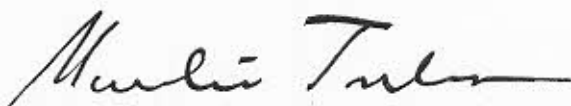
EXPLANATORY NOTE

The Family Code of the Philippines as enacted precisely to address issues surrounding marriage, and the family and more importantly to protect and promote the welfare and interest of children, through provisions that are vigilant over the granting of their rights, status and privileges.

Unfortunately, when Executive Order No. 209 was enacted there was an omission in Article 73. The omission totally varied the provision, its application and effects. As it now stands, Article 73 departs from the intent of the framers of the Family Code.

This bill seeks to restore in Article 73 the original language proposed and approved by the Code Commission as found in the 8 November 1986 Committee Meeting Minutes. It also seeks to restore a thoroughly studied provision which best serves the needs of our countrymen

Hence, immediate enactment of this bill is hereby sought.



MARCELINO "MARCY" R. TEODORO

Representative, 1st District
City of Marikina

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 2481

INTRODUCED BY HON. MARCELINO "MARCY" R. TEODORO

AN ACT
AMENDING EXECUTIVE ORDER NO 209 ALSO KNOWN AS THE FAMILY
CODE, ARTICLE 73, ON THE CHARGE AGAINST THE COMMUNITY
PROPERTY OF AN OBLIGATION OF A SPOUSE WHO PRACTICES A
PROFESSION

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

SECTION 1. The Family Code as amended, Article 73 is hereby amended to read as follows:

"Art. 73. Either spouse may exercise any legitimate profession, occupation, business or activity without the consent of of the other. The latter may object only valid, serious and moral grounds.

In case of disagreement, the court shall decide whether or not:

- (1) The objection is proper and
- (2) Benefit has occurred to the family prior to the objection or hereafter. If the benefit accrued prior to the objection, the resulting obligation shall be enforced against the COMMUNITY PROPERTY. IF BENEFIT ACCRUED THEREAFTER, SUCH OBLIGATION SHALL BE ENFORCED AGAINST THE separate property of the spouse who had not obtained consent.

The foregoing provision shall not prejudice the rights of the creditors who acted in good faith. (117a)."

SECTION 2. Separability Clause. - If any rprovision or part hereof is held invalid or unconstitutional, the remainder of the law or provision not otherwise affected shall remain valid and subsisting.

SECTION 3. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provision of this Act is hereby repealed, modified or amended accordingly.

SECTION 4. Effectivity Clause.- This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation .

Approved.