

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3721

Introduced by Representative Linabelle Ruth R. Villarica
4th District, Bulacan

EXPLANATORY NOTE

Section 14 Article II of the 1987 Constitution states: "The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men."

However, this fundamental equality before the law between men and women is proved inutile because of certain provisions of our laws which favor men over women.

Article 334 of the Revised Penal Code on Concubinage punishes marital infidelity. Yet one sexual intercourse with a woman not his wife will not necessarily subject the husband to concubinage. The offended wife must prove that it was done under scandalous circumstances. The provision would make it appear that marital infidelity is not a wrong in itself. The provision therefore must be corrected by way of legislative amendment.

In view of the foregoing, the approval of this bill is earnestly sought.



REP. LINABELLE RUTH R. VILLARICA

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**AN ACT SIMPLIFYING THE ACTS CONSTITUTING CONCUBINAGE
AMENDING FOR THIS PURPOSE ARTICLE 334 OF
THE REVISED PENAL CODE OF THE PHILIPPINES**

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

SECTION 1. Article 334 of the Revised Penal Code is hereby amended as follows:

Art. 334. *Concubinage*. — Any husband who shall keep a mistress [in the conjugal dwelling], or shall have sexual intercourse [, under scandalous circumstances,] with a woman who is not his wife, or shall cohabit with her in any [other] place, shall be punished by prision correccional in its minimum and medium periods.

The concubine shall suffer the penalty of destierro.

SECTION 2. *Repealing Clause*. All laws, executive orders, presidential decrees, proclamations, rules, regulations, issuances, and enactments or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 3. *Effectivity*. This Act shall take effect after fifteen (15) days from its complete publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,