

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

SIXTEENTH CONGRESS  
First Regular Session

House Bill No. 1652



---

Introduced by HON. LINABELLE RUTH R. VILLARICA  
4TH DISTRICT, BULACAN

---

EXPLANATORY NOTE

The constitutional provision which seeks to establish fundamental equality of men and women before the law must be realized in existing statute books. It considers women as important partners in the achievement of national development goals. As such they must be treated equally with their male partners in the eyes of the law.

Presently, however, certain provisions of the Family Code are burdened with inequities that directly hamper the realization of this constitutional provision.

This proposed bill enumerates pertinent provisions in the Code which will hinder the effective implementation of gender equality under Section 14, Article II of the Constitution.

These provisions were likewise classified as discriminatory to women in Section 15 of the Implementing Rules and Regulations of the Magna Carta for Women of R.A. No. 9710. Section 12 of this law mandates that the State should review and, if necessary amend and/or repeal existing laws that are discriminatory to women within the period of 3 years from the effectivity of the law on 15 September 2009. Considering the lapse of time since its approval, these laws must now be amended.

Moreover, this will protect and strengthen the institution of marriage and family life.

Bills on this subject were filed during the 15<sup>th</sup> Congress and were referred to the Committee on Women and Gender Equality. Due to time constraints however, no further actions were taken on these bills. This bill is filed for the consideration of the 16<sup>th</sup> Congress.

Support for the enactment of this measure is earnestly requested.

REP. LINABELLE RUTH R. VILLARICA

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

SIXTEENTH CONGRESS  
First Regular Session

House Bill No. **1652**

---

Introduced by HON. LINABELLE RUTH R. VILLARICA  
4TH DISTRICT, BULACAN

---

AN ACT ENSURING THE FULL IMPLEMENTATION OF FUNDAMENTAL EQUALITY  
BEFORE THE LAW OF WOMEN AND MEN, AMENDING FOR THE PURPOSE ARTICLES 14,  
96, 124, 211 AND 225 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 14 of Executive Order No. 209 is hereby amended to read as follows:

Article 14. In case either or both of the contracting parties, not having been emancipated by a previous marriage, are between the ages of eighteen and twenty-one, they shall, in addition to the requirements of the preceding articles, exhibit to the local civil registrar, the consent to their marriage of their father [,] OR mother, surviving parent or guardian, or persons having legal charge of them, in the order mentioned. Such consent shall be manifested in writing by the interested party, who personally appears before the proper local civil registrar, or in the form of an affidavit made in the presence of two witnesses and attested before any official authorized by law to administer oaths. The personal manifestation shall be recorded in both applications for marriage license, and the affidavit, if one is executed instead, shall be attached to said applications.

SEC. 2. Article 96 of Executive Order No. 209 is hereby amended to read as follows:

Article 96. The administration and enjoyment of the community property shall belong to both spouses. [In case of disagreement, the husband's decision shall prevail, subject to recourse to the court by the wife for proper remedy, which must be availed off within five years from the date of the contract implementing such decision.]

XXX

XXX

SEC. 3. Article 211 of Executive Order No. 209 is hereby amended to read as follows:

Article 211. The father and the mother shall jointly exercise parental authority over the persons of their common children. [In case of disagreement, the father's decision shall prevail, unless there is a judicial order to the contrary.]

xxx

xxx

SEC. 4. Article 225 of Executive Order No. 209 is hereby amended to read as follows:

Article 225. The father and the mother shall jointly exercise legal guardianship over the property of the unemancipated common child without the necessity of a court appointment. [In case of disagreement, the father's decision shall prevail, unless there is a judicial order to the contrary.]

xxx

xxx

SEC. 5. *Separability Clause*. - If any provision or part hereof, is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain valid and subsisting.

SEC. 6. *Repealing Clause*. - All laws, decrees, rules and regulations, or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 7. *Effectivity*. - This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,