

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2225



Introduced by Representative Ma. Rene Ann Lourdes G. Matibag

**AN ACT AMENDING ARTICLE 211 OF EXECUTIVE ORDER NO. 209, SERIES OF 1987,
OR THE FAMILY CODE OF THE PHILIPPINES**

EXPLANATORY NOTE

According to the 1987 Constitution, the State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development. The State shall defend the right of spouses to found a family in accordance with their religious convictions and the demands of responsible parenthood, and the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development.

Parental authority is governed by the Family Code of the Philippines, which was drafted in 1987. Under Section 211 of the Code, any disagreements between father and mother shall be judicially resolved in favor of the father.

However, economic realities and growing social consciousness have put the wisdom behind this provision in question. As more mothers enter the workforce, their contribution to family resources have also increased. There is also a growing recognition of women's rights, and the rights of mothers with respect to family decisions involving their children.

It should also be worth noting that there have been rarely any judicial decisions resolving disagreements between fathers and mothers. These matters should not be put to courts in the first place, which potentially clogs the dockets, and diminishes the privacy of certain family matters. This bill seeks to remedy this situation by deleting the sentence in Section 211 of the Code resolving disagreements in favor of fathers in court.

Considering the rationale stated above, passage of this bill is earnestly sought.


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

SECTION 1. – Article 211 of Executive Order No. 209, Series of 1987, or the Family Code of the Philippines is hereby amended as follows:

“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.~~]”

SEC. 2. Separability Clause. – If for any reason, any part or provision of this Act is declared invalid or unconstitutional, the other parts or provisions not affected shall remain in full force and effect.

SEC. 3. Repealing Clause. – All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 4. Effectivity. - This Act shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or a newspaper of general circulation.

Approved,