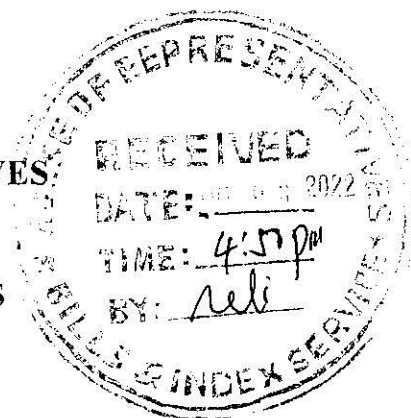




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session



House Bill No. **3157**

Introduced by **HON. JOSEPHINE VERONIQUE "Jaye" R. LACSON - NOEL**
HON. FLORENCIO GABRIEL G. NOEL

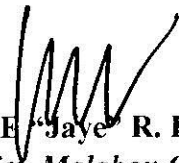
EXPLANATORY NOTE

The Constitution, in one of its State policies, declares that it "recognizes the role of women in nation-building, and shall ensure the **fundamental equality before the law of women and men**". This principle seems to be lacking in our otherwise archaic Revised Penal Code (RPC), evident in the distinction in the penalties between adultery and concubinage.

Adultery under Article 333 of the RPC "is committed by any married woman who shall have sexual intercourse with a man not her husband and by the man who has carnal knowledge of her knowing her to be married, even if the marriage be subsequently declared void". It shall be punished by ***prision correccional* in its medium and maximum periods**. Meanwhile, concubinage under Article 334 of the RPC is committed by "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**."

While both are crimes against chastity and are relatively one version of the other, there is blatant inequality between the crime committed by the married woman (adultery) and that of the married man (concubinage). This bill seeks to equalize the footing between the two by lowering the penalty of the crime of adultery at par with the penalty for the crime of concubinage.

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


JOSEPHINE VERONIQUE "Jaye" R. LACSON - NOEL
Lone District, Malabon City


FLORENCIO GABRIEL G. NOEL
An Waray Party-list



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HON. FLORENCIO GABRIEL G. NOEL

AN ACT
LOWERING THE PENALTY FOR ADULTERY, AMENDING FOR THE PURPOSE
ARTICLE 333 OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE
REVISED PENAL CODE

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

SECTION 1. Article 333 of Act No. 3815 (Revised Penal Code), is hereby amended to read as follows:

"Article 333. Who are guilty of adultery. - Adultery is committed by any married woman who shall have sexual intercourse with a man not her husband and by the man who has carnal knowledge of her knowing her to be married, even if the marriage be subsequently declared void.

Adultery shall be punished by **prision correccional in its minimum and medium periods**.

If the person guilty of adultery committed this offense while being abandoned without justification by the offended spouse, the penalty next lower in degree than that provided in the next preceding paragraph shall be imposed."

SECTION 2. Separability Clause. - If any of the sections or provisions of this Act is held invalid, all other provisions not affected thereby shall remain valid.

SECTION 3. Repealing Clause. - All laws, decrees, issuances, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

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

Approved,