

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO. 2931

Introduced by **REPRESENTATIVE AUDREY KAY T. ZUBIRI**

AN ACT
REMOVING THE SUBSEQUENT MARRIAGE OF THE OFFENDER TO THE OFFENDED PARTY AS A CAUSE TO EXTINGUISH CRIMINAL LIABILITY, AMENDING FOR THIS PURPOSE ARTICLE 266-C OF THE REVISED PENAL CODE, AS AMENDED, AND ARTICLES 89 AND 344 THEREOF

EXPLANATORY NOTE

Section 14, Article II of the 1987 Constitution recognizes the role of women in nation building, and the fundamental equality before the law of women and men.

Over the years, the State has enacted laws for the protection of women and end violence against women such as Republic Act No. 9262 or the “Anti-Violence Against Women and their Children Act (Anti-VAWC)”, Republic Act No. 9710 or the “Magna Carta of Women” and Republic Act No. 11313 or the “Safe Spaces Act”.

Despite these measures, however, the Revised Penal Code of the Philippines, under Articles 266-C and 344, still allows the extinguishment of criminal liability or remission of penalties in cases of rape, seduction, abduction, and acts of lasciviousness if the offender subsequently marries the offended party which perpetuates impunity, reinforcing harmful gender stereotypes, and denying justice to survivors of sexual violence.

According to the 2024 Philippine Statistics Authority Fact Sheet¹, there are a total of 13,213 reported cases of rape, violence against women, acts of lasciviousness and other forms of violence against women to the Philippine National Police. This growing number of victims

¹<https://psa.gov.ph/sites/default/files/phdsd/Violence%20Against%20Women%202024%20Fact%20Sheet%20on%20Women%20and%20Men.pdf>

are often forced into marriage under outdated social norms of protecting their reputation or as a form of reparation to the victim's family.

Marriage is an inviolable social institution and the foundation of a family. It should never be used as a shield to escape punishment for heinous crimes. The notion that tying the victim to her offender in a legal and social union can somehow "right the wrong" or undo the trauma caused by the offense is incompatible with modern principles of human rights, gender justice, and victim protection.

This proposed measure seeks to repeal the archaic and discriminatory provisions under Articles 266-C, 89, and 344 of the Revised Penal Code that extinguish or reduce criminal liability for sexual offenses through marriage. By doing so, it affirms the fundamental rights of women to dignity, justice, and freedom from violence.

The passage of this bill is in line with the Philippines' obligations under international instruments such as the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and reflects our national commitment to ending all forms of violence and exploitation against women and girls.

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


AUDREY KAY T. ZUBIRI
Representative, 3rd District of Bukidnon

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AMENDING FOR THIS PURPOSE ARTICLE 266-C OF THE REVISED PENAL
CODE, AS AMENDED, AND ARTICLES 89 AND 344 THEREOF

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

1 **SECTION 1.** Article 266-C of Act No. 3815, as amended, otherwise known as the
2 Revised Penal Code, extinguishing criminal liability of the offender in the crime of rape by
3 subsequent valid marriage to the offended party, is hereby repealed.

4
5 **SEC. 2.** Article 89 of Act No. 3815, otherwise known as the Revised Penal Code, is
6 hereby amended to read as follows:

7
8 “Article 89. How criminal liability is totally extinguished. - Criminal liability is
9 totally extinguished:

10
11 1. By the death of the convict, as to the personal penalties and as to pecuniary
12 penalties, liability therefor is extinguished only when the death of the offender
13 occurs before final judgment.

14
15 2. xxx

16
17 3. xxx
18

1 ~~[7. By the marriage of the offended woman, as provided in Article 344 of this~~
2 ~~Code.]~~

3
4 **SEC. 3.** Article 344 of Act No. 3815, as amended, otherwise known as the Revised
5 Penal Code, is hereby amended to read as follows

6
7 “Article 344. Prosecution of the crimes of adultery, concubinage, seduction,
8 abduction, rape and acts of lasciviousness. – The crimes of adultery and
9 concubinage shall not be prosecuted except upon a complaint filed by the offended
10 spouse.

11
12 The offended party cannot institute criminal prosecution without including both
13 guilty parties, if they are both alive, nor in any case, if he shall have consented or
14 pardoned the offenders.

15
16 The offenses of seduction, abduction, rape or acts of lasciviousness, shall not be
17 prosecuted except upon a complaint filed by the offended party or her parents,
18 grandparents, or guardian, nor, in any case, if the offender has been expressly
19 pardoned by the above-named persons, as the case may be.

20
21 ~~[In cases of seduction, abduction, acts of lasciviousness and rape, the marriage of~~
22 ~~the offender with the offended party shall extinguish the criminal action or remit~~
23 ~~the penalty already imposed upon him. The provisions of this paragraph shall also~~
24 ~~be applicable to the co-principals, accomplices and accessories after the fact of the~~
25 ~~above-mentioned crimes.]~~

26
27 **SEC. 4. Repealing Clause.** - All other laws, decrees, orders, and issuances, or portions
28 thereof, which are inconsistent with the provisions of this Act, are hereby repealed, amended,
29 or modified accordingly.

30
31 **SEC. 5. Effectivity.** - This Act shall take effect fifteen (15) days after its complete
32 publication in the Official Gazette or in a newspaper of general circulation.

Approved,