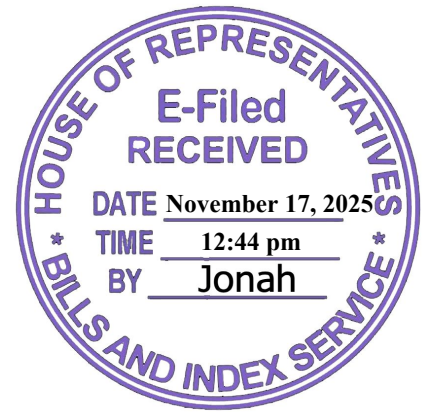


TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES
HOUSE BILL No. 6031

INTRODUCED BY HON. RICARDO S. CRUZ, JR.

EXPLANATORY NOTE

Article II, Section 14 of the Constitution guarantees the fundamental equality of women and men before the law. As a signatory to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Philippines is likewise committed to eliminating discrimination in all matters relating to marriage and family relations.

As a party to the 2030 Agenda for Sustainable Development, the Philippines remains steadfast in its commitment to achieving the Sustainable Development Goals (SDGs), in particular: SDG 5 (Gender Equality); SDG 10 (Reduced Inequalities) and SDG 16 (Peace, Justice and Strong Institutions).

The Philippines is frequently ranked among the most gender-equal countries globally according to the annual Gender Gap Report published by the World Economic Forum, marking an improvement in its global standing on gender parity¹. To further advance the Philippines' standing, there is a need to review, repeal, and update discriminatory laws against women.

Several provisions in the Family Code and the Revised Penal Code, however, still reflect outdated patriarchal norms that undermine the rights and voices of women in the family and in society. Laws with provisions that are discriminatory against women are relics from the past, and must be amended or repealed.

The Philippine Commission on Women (PCW) has consistently called for the review of discriminatory laws against women². During the 2025 National Women's

¹ Celis, A. (2025). PH rises to 20th in Giobai Gender Gap Report
<https://malaya.conn.ph/news/national-news/ph-rises-to-20th-in-global-gender-gap-report/>

² Philippine Commission on Women. (2020). Ensuring Women's Equal Rights in Marriage and Family Relations' Amending Articles 14, 19, 124, 211 and 225 of the Family Code of the Philippines
<https://pcw.gov.ph/ensuring-womens-equal-rights-in-marriage-and-family-relations-amending-articles-14-19-124-211-and-225-of-the-family-code-of-the-philippines/>

Month Celebration, the PCW highlighted the need to challenge deeply rooted gender norms and biases that continue to marginalize women³.

Periodic review of discriminatory provisions against women in various existing laws is necessary to ensure that the rights of women, as guaranteed by the Constitution, are upheld. This will enable the active participation of women and encourage their significant contributions to our national development.

This bill seeks to amend these provisions to ensure equal treatment of spouses in marriage, equal parental authority, equitable choice in surnames, and gender-neutral standards for offenses relating to marital fidelity. These amendments are part of the broader effort to realize its constitutional mandate to protect and promote gender equality as well as its commitment under international human rights law.

In line with the policy adopted by its original proponent Senator Pia S. Cayetano, this bill therefore serves as a counterpart measure. It is for the reasons stated above that the passage of this measure is earnestly sought.


RICARDO S. CRUZ, JR.

³ Philippine Commission on Women. (2025). 2025 National Women's Month Celebration
E<https://pcw.gov.ph/2025-national-womens-month-celebration/>

TWENTIETH CONGRESS OF THE)
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HOUSE OF REPRESENTATIVES
HOUSE BILL No. 6031

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AN ACT
PROMOTING GENDER EQUALITY BY AMENDING DISCRIMINATORY PROVISIONS AGAINST WOMEN, AMENDING FOR THE PURPOSE ARTICLES 14, 96, 124, 211, AND 225 OF THE FAMILY CODE, REPEALING ARTICLES 247, 333, AND 334 OF THE REVISED PENAL CODE, AND ADDING NEW ARTICLES TO THE REVISED PENAL CODE, AND FOR OTHER PURPOSES

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

Section 1. *Declaration of Policy.* – It is hereby declared the policy of the State to recognize and uphold the role of women in nation-building and to ensure the fundamental equality of women and men before the law. In line with this, Section 12 of Republic Act No. 9710, or the “Magna Carta of Women”, explicitly provides that the State shall take steps to review and, when necessary, amend and/or repeal existing laws that are discriminatory to women. Towards this end, the State shall eliminate all forms of discrimination against women, both in law and in practice, to ensure that the development of the Filipino family is founded on principles of fairness, inclusivity, and equal treatment.

Sec. 2. Article 14 of the Family Code is hereby further amended to read as follows:

“Art. 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. 3. Article 96 of the Family Code is hereby further amended to read as follows:

“Art. 96. The administration and enjoyment of the community property shall belong to both spouses jointly. In case of disagreement, **THE ISSUES SHALL BE REFERRED TO A MUTUALLY AGREED THIRD-PARTY MEDIATOR FOR RESOLUTION OR TO A COMPETENT COURT, WHICH SHALL BE RESOLVED EXPEDITIOUSLY THROUGH A SUMMARY PROCEEDING. NEITHER SPOUSE SHALL HAVE A SUPERIOR DECISION-MAKING POWER OVER THE OTHER** [the husband's decision shall prevail, subject to recourse to the court by the wife for proper remedy, which must be availed of within five years from the date of the contract implementing such decision.]

In the event that one spouse is incapacitated or otherwise unable to participate in the administration of the common properties, the other spouse may assume sole powers of administration. These powers do not include disposition or encumbrance without authority of the court or the written consent of the other spouse. In the absence of such authority or consent, the disposition or encumbrance shall be void. However, the transaction shall be construed as a continuing offer on the part of the consenting spouse and the third person, and may be perfected as a binding contract upon the acceptance by the other spouse or

authorization by the court before the offer is withdrawn by either or both offerors.”

Sec. 4. Article 124 of the Family Code is hereby further amended to read as follows:

“Art. 124. The administration and enjoyment of the conjugal partnership shall belong to both spouses jointly. In case of disagreement, **THE ISSUES SHALL BE REFERRED TO A MUTUALLY AGREED THIRD-PARTY MEDIATOR FOR RESOLUTION OR TO A COMPETENT COURT, WHICH SHALL BE RESOLVED EXPEDITIOUSLY THROUGH A SUMMARY PROCEEDING. NEITHER SPOUSE SHALL HAVE A SUPERIOR DECISION-MAKING POWER OVER THE OTHER** [the husband's decision shall prevail, subject to recourse to the court by the wife for proper remedy, which must be availed of within five years from the date of the contract implementing such decision.]

In the event that one spouse is incapacitated or otherwise unable to participate in the administration of the conjugal properties, the other spouse may assume sole powers of administration. These powers do not include disposition or encumbrance without authority of the court or the written consent of the other spouse. In the absence of such authority or consent, the disposition or encumbrance shall be void. However, the transaction shall be construed as a continuing offer on the part of the consenting spouse and the third person, and may be perfected as a binding contract upon the acceptance by the other spouse or authorization by the court before the offer is withdrawn by either or both offerors.”

Sec. 5. Article 211 of the Family Code is hereby further amended to read as follows:

“Art. 211. The father and the mother shall jointly exercise parental authority over the persons of their common children. In case of disagreement, **THE ISSUES SHALL BE REFERRED TO A MUTUALLY**

AGREED THIRD-PARTY MEDIATOR FOR RESOLUTION OR TO A COMPETENT COURT, WHICH SHALL BE RESOLVED EXPEDITIOUSLY THROUGH A SUMMARY PROCEEDING, AND ENSURING THAT ANY DECISION SHALL REDOUND TO THE BEST INTEREST OF THE CHILD. NEITHER SPOUSE SHALL HAVE A SUPERIOR DECISION-MAKING POWER OVER THE OTHER [the father's decision shall prevail, unless there is a judicial order to the contrary].

Children shall always observe respect and reverence towards their parents and are obliged to obey them as long as the children are under parental authority.”

Sec. 6. Article 225 of the Family Code is hereby further amended to read as follows:

“Art. 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 ISSUES SHALL BE REFERRED TO A MUTUALLY AGREED THIRD-PARTY MEDIATOR FOR RESOLUTION OR TO A COMPETENT COURT, WHICH SHALL BE RESOLVED EXPEDITIOUSLY THROUGH A SUMMARY PROCEEDING, AND ENSURING THAT ANY DECISION SHALL REDOUND TO THE BEST INTEREST OF THE CHILD. NEITHER SPOUSE SHALL HAVE A SUPERIOR DECISION-MAKING POWER OVER THE OTHER** [the father's decision shall prevail, unless there is a judicial order to the contrary].

Where the market value of the property or the annual income of the child exceeds P50,000, the parent concerned shall be required to furnish a bond in such amount as the court may determine, but not less than ten *per centum* (10%) of the value of the property or annual income, to guarantee the performance of the obligations prescribed for general guardians.

A verified petition for approval of the bond shall be filed in the proper court of the place where the child resides, or, if the child resides in a foreign country, in the proper court of the place where the property or any part thereof is situated.

The petition shall be docketed as a summary special proceeding in which all incidents and issues regarding the performance of the obligations referred to in the second paragraph of this Article shall be heard and resolved.

The ordinary rules on guardianship shall be merely suppletory except when the child is under substitute parental authority, or the guardian is a stranger, or a parent has remarried, in which case the ordinary rules on guardianship shall apply.”

Sec. 7. Article 247 of the Revised Penal Code is hereby repealed.

[“Art. 247. *Death or Physical Injuries Inflicted Under Exceptional Circumstances.* — Any legally married person who, having surprised his spouse in the act of committing sexual intercourse with another person, shall kill any of them or both of them in the act or immediately thereafter, or shall inflict upon them any serious physical injury, shall suffer the penalty of *destierro*.

If he shall inflict upon them physical injuries of any other kind, he shall be exempt from punishment.

These rules shall be applicable, under the same circumstances, to parents with respect to their daughters under eighteen years of age, and their seducers, while the daughters are living with their parents.

Any person who shall promote or facilitate the prostitution of his wife or daughter, or shall otherwise have consented to the infidelity of the other spouse shall not be entitled to the benefits of this article.”]

Sec. 8. Articles 333 and 334 of the Revised Penal Code are hereby repealed, and replaced by the following.

[“Art. 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 *prisión correccional* in its medium and maximum 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.”]

[“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 *prisión correccional* in its minimum and medium periods.

The concubine shall suffer the penalty of *destierro*.”]

“ART. 333. WHO ARE GUILTY OF MARITAL INFIDELITY. - ANY MARRIED PERSON WHO ENGAGES IN SEXUAL INTERCOURSE OR MAINTAINS A ROMANTIC OR SEXUAL RELATIONSHIP WITH A PERSON OTHER THAN THEIR LEGAL SPOUSE SHALL BE GUILTY OF MARITAL INFIDELITY AND SHALL SUFFER THE PENALTY OF PRISION CORRECCIONAL IN ITS MINIMUM PERIOD.

THE SAME PENALTY SHALL BE IMPOSED ON THE THIRD PARTY WHO KNOWINGLY MAINTAINS OR ENGAGES IN A ROMANTIC OR SEXUAL RELATIONSHIP WITH A PERSON WHO IS LEGALLY MARRIED.

IF THE OFFENSE CAUSES IRREPARABLE BREAKDOWN OF THE MARRIAGE OR THE FAMILY, OR RESULTS IN MENTAL OR EMOTIONAL DISTRESS TO THE OFFENDED SPOUSE, THE PENALTY SHALL BE PRISION CORRECCIONAL IN ITS MAXIMUM PERIOD.”

"ART. 334. *PRESCRIPTION OF MARITAL INFIDELITY.* - THE PROSECUTION FOR MARITAL INFIDELITY MAY BE INITIATED ONLY UPON THE COMPLAINT OF THE OFFENDED SPOUSE, AND MAY NOT BE INSTITUTED AFTER THE LAPSE OF FIVE (5) YEARS FROM THE DISCOVERY OF THE OFFENSE. FORGIVENESS OR CONDONATION BY THE OFFENDED SPOUSE PRIOR TO THE FILING OF THE CASE SHALL EXTINGUISH CRIMINAL LIABILITY.

Sec. 9. *Implementing Rules and Regulations.* – The Department of Justice and the Philippine Commission on Women shall promulgate the necessary implementing rules and regulations within 90 days from the effectivity of this Act.

Sec. 10. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

Sec. 11. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent with the provisions of this Act is hereby repealed or modified accordingly.

Sec. 12. *Effectivity Clause.* – This Act shall take effect fifteen (15) days following its complete publication in the Official Gazette or a newspaper of general circulation.

Approved,