



Republic of the Philippines  
**House of Representatives**  
Quezon City, Metro Manila

Twentieth Congress  
First Regular Session

HOUSE BILL NO. 6079



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**Introduced by Representatives Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Andrew Julian K. Romualdez and Jude A. Acidre**

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**AN ACT**  
**PROVIDING FOR THE SAFETY AND PROTECTION OF THE UNBORN CHILD AND OTHER PURPOSES**

**EXPLANATORY NOTE**

Article II, Section 12 of the 1987 Constitution provides that the State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It further provides that the State shall also equally protect the life of the mother and the life of the unborn from conception.

Thus, this bill seeks to define the unborn child and when life begins. Further, it provides that the unborn child possesses human rights and that the life of the unborn child is of utmost priority. In addition, it guarantees the protection and safety of the unborn, more particularly against abortifacients. This protection extends from conception as it is when life has been deemed to have begun.

The grant of rights to an unborn child aligns with the principle of protecting all human life and ensuring the potential for future human rights. It provides a legal framework for protecting the unborn from harm, which can influence a wide range of legal and social issues, including ethical considerations of reproductive choices.

Granting rights to the unborn acknowledges that a human life exists and deserves protection before birth.

Finally, we recognize Rep. Gus Tambunting of the Second District of Parañaque for filing a similar bill in the Nineteenth Congress.

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



**FERDINAND MARTIN G. ROMUALDEZ**



**YEDDA MARIE K. ROMUALDEZ**



**ANDREW JULIAN K. ROMUALDEZ**



**JUDE A. ACIDRE**



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

**SECTION 1. Short Title.** - This Act shall be known as the “Protection of the Unborn Child Act”.

**SECTION 2. Declaration of Policy.** - As stated in Article II, Section 12, of the Philippine Constitution: The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception. The natural and primary right and duty of parents in the rearing of the youth for civic

efficiency and the development of moral character shall receive the support of the Government.

It recognizes the Filipino family including the unborn child as the foundation of the nation and pledges to strengthen its solidarity and actively promote its total development. It recognizes the right to life as the most fundamental right of all without and from which all other rights become meaningless.

The Constitutional and natural right to life and protection of the unborn child is an absolute value and norm that cannot be repealed by ordinary legislation, now or in the future.

**SECTION 3. Objectives.** - The following are the objectives of this bill:

- a) This act aims to promote the safety, protection, and welfare of the unborn child from the moment of conception and during all stages of development while inside the mother's womb;
- b) It acknowledges the unborn child as a human being with human personality and extends the mantle of legal protection to the child from the moment of conception;
- c) It ensures that the delivery of health services to the mother during pregnancy shall be done without prejudice to the unborn child;
- d) It promotes and advances the maturity of the unborn child as a welcome addition and asset to the family; and
- e) It aims to enhance the health of the mother by avoiding means that may adversely affect the viability of the unborn child in all stages of its maturity.

**SECTION 4. Definition of Terms.** - For purposes of this Act, the following terms shall be defined as follows:

- a) Unborn - refers to a child at any stage of existence and development beginning from the union of the sperm and the egg until the birth stage.
- b) Conception / Fertilization - refers to the precise moment the sperm fertilizes the egg, which is when a new life is formed distinct in his/her existence and genetic make-up from both the father and the mother.
- c) Implantation - refers to that stage of the development of human life that takes place around five days after fertilization when the fertilized egg is implanted in the ovum.
- d) Fetal development- refers to the scientifically established development process of the beginning of human life from the union of the sperm and egg until the birth of the child that at no point during this time we could say that this was not a human life, with the changes occurring between fertilization, implantation, a six-week embryo, a six-month fetus until birth.
- e) Abortion - any act or practice whether done intentionally or unintentionally, such as through pilot (or abdominal massage) administration of certain medicines or herbal concoctions, suction, hysterectomy saline injection, various formulations of the Morning After Pill or Levonorgestrel or other similar means or device, and substances whether used singly or in

combination with other substances, that cause or recklessly endanger or result in injury, damage, expulsion, interference in the natural development of the fetus, or death of the unborn child.

- f) Abortive acts - abortion practiced by the woman herself or by her parents; abortion practiced by a physician or midwife dispensing abortive; any pharmacist who, without the proper prescription from a physician, dispenses abortive; as it is illegal in the Philippines and is penalized as a crime under the Revised Penal Code (Acts. 256-259).
- g) Abortifacient - any device, medicine, substance, or practice which may damage, injure, interfere or recklessly endanger or cause the expulsion or death of the unborn child.
- h) Human Personality - refers to the status that is gained and attached to the unborn child from the moment of conception.
- i) Parental right - refers to the right of parents to give consent when minors are involved in any decision or disposition relating to the unborn at any stage of development.

**SECTION 5. Human Rights of the Unborn Child.** - The unborn child shall possess and enjoy all human rights that are conferred to other persons by law; it shall be entitled first and foremost to the right to life, safety and protection while still in the mother's womb.

**SECTION 6. Protection Against Abortive Acts.** - The unborn child shall be protected from abortive acts including the use, administration, dispensing, injection, or delivery by whatever means of substances, medicines in any form or practices such as massages, which are hereby declared as abortifacients which cause may recklessly endanger or expose the unborn child to damage, injury or death, whether committed by the mother, a physician or other person, intentionally or not, without consent of the mother or committed with or without violence.

**SECTION 7. The extent of Protection.** - The unborn child shall be protected from the moment of conception from all outside intervention, including, but not limited to, an intentional intervention that could be medically considered abortive whether through chemicals, surgical or abdominal massage, during the natural process of growth of the fertilized ovum.

**SECTION 8. Parental Rights and State Power Over the Unborn Child.** - The rights of parents of a minor with an unborn child shall be superior to that of the state in all instances involving the safety, protection, and welfare of the unborn child and the mother, and shall not be affected by social stigma, laws, regulations, government policy considerations, health, racial or religious concerns.

**SECTION 9. Prohibited Acts and Penalties.** - The acts constituting abortion, intentional abortion, and similar acts as the same are defined and penalized in Arts. 255 to 259 of the Revised Penal Code and shall constitute and be deemed as prohibited acts under this Act but the same shall be penalized with penalties that are one degree higher than those provided for in the said laws.

**SECTION 10. Penalties.** - The proper city or municipal court shall exercise jurisdiction over violations of this Act the accused who is found guilty shall be sentenced to imprisonment ranging from one (1) month to six (6) months or a fine ranging from Ten Thousand Pesos (P10,000.00) to Fifty Thousand Pesos (P50,000.00) or both such fine and imprisonment at the discretion of the court. If the offender is a juridical person, the penalty shall be imposed upon the president, treasurer, secretary, or any responsible officer. An offender who is an alien shall, after service of sentence, be deported immediately without further proceedings by the Bureau of Immigration. An offender who is a public officer or employee shall suffer the accessory penalty of dismissal from the government service.

Violators of this Act shall be civilly liable to the offended party in a such amount at the discretion of the proper court.

**SECTION 11. Separability Clause.** - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

**SECTION 12. Repealing Clause.** - All other laws, decrees, orders, issuances, rules, and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

**SECTION 13. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette of in a newspaper of national circulation.

Approved,

