

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL No. 7017



Introduced by Honorable Representative
SARAH JANE I. ELAGO (Gabriela Women's Party)
RENEE LOUISE M. CO (Kabataan Partylist)
ANTONIO L. TINIO (ACT Teachers Partylist)

**AN ACT EXPANDING THE GROUNDS FOR LEGAL SEPARATION,
AMENDING FOR THE PURPOSE ARTICLE 55 OF THE FAMILY CODE
OF THE PHILIPPINES**

EXPLANATORY NOTE

Legal separation is one of the existing tools under Executive No. 209, or the Family Code of the Philippines, as amended, to sever the marital obligations. It will not dissolve the marriage, yet it will give a sort of relief to the aggrieved party. Women who are suffering from an abusive spouse can opt to use this legal remedy to get out of an atrocious relationship.

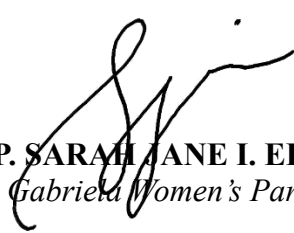
Amending certain provisions on legal separation will give women and their children additional State protection consistent with Republic Act (RA) No. 9262, otherwise known as the Anti-Violence against Women and their Children Act of 2004. Domestic violence against women is still a prevalent problem in Philippine society. The Philippine National Police (PNP) cited a Women and Children Protection Center (WCPC) report, which highlighted that from August 26 to November 25, 2025, 6,883 cases of violence against women and children were recorded, with 2,144 cases under RA No. 9262.¹ While this does not reflect the true number of domestic violence cases in the Philippines, it does not negate the existence of abuse in the home and the vulnerability of women who are forced to stay in the relationship because of marital obligations.

¹ <https://newsinfo.inquirer.net/2146826/nearly-7000-vawc-cases-logged-from-aug-to-nov>

This measure proposes to amend Article 55 (1), (5), (6), (8), and (9) under the grounds for legal separation. Amendment to Article 55 (1) is to consider not only the number of times violence is perpetrated but also the severity or gravity of the violence committed. Amendments to Article 55 (5), (6) and (8) are additional grounds related to and equated to the previously considered marriage offenses. Meanwhile, the amendment to Article 55 (9) adds threat by one of the spouses to the life of their legal or biological children as basis for filing a case for legal separation.

It is with hope that this measure be considered, consistent with the Magna Carta of Women, in order to attain substantive protection and enhancement of the right of all Filipinos to human dignity.

The urgent passage of this bill is earnestly sought.



REP. SARAH JANE I. ELAGO
Gabriela Women's Party



REP. RENEE LOUISE M. CO
Kabataan Partylist



REP. ANTONIO L. TINIO
ACT Teachers Partylist

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

SECTION 1. Article 55 of the Family Code of the Philippines is hereby amended to read as follows:

"Article 55. A petition for legal separation may be filed on any of the following grounds:

- (1) SERIOUS PHYSICAL OR SEXUAL VIOLENCE, repeated physical violence or grossly abusive conduct directed against the petitioner, a common child, or a child of the petitioner;
- (2) Physical violence or moral pressure to compel the petitioner to change religious or political affiliation;
- (3) Attempt of respondent to corrupt or induce the petitioner, a common child, or a child of the petitioner, to engage in prostitution, or connivance in such corruption or inducement;
- (4) Final judgment sentencing the respondent to imprisonment of more than six years, even if pardoned;
- (5) Drug addiction, habitual alcoholism OR EXCESSIVE GAMBLING of the respondents;
- (6) Lesbianism, homosexuality, OR BISEXUALITY of the respondent;

- (7) Contracting by the respondent of a subsequent bigamous marriage, whether in the Philippines or abroad;
- (8) MARITAL [Sexual] infidelity or perversion OR HAVING A CHILD WITH ANOTHER PERSON OTHER THAN ONE'S SPOUSE DURING THE MARRIAGE, EXCEPT UPON THE MUTUAL AGREEMENT OF THE SPOUSES, A CHILD IS BORN TO THEM BY *IN VITRO* OR A SIMILAR PROCEDURE OR WHEN THE WIFE BEARS A CHILD AFTER HAVING BEEN A VICTIM OF RAPE;
- (9) Attempt by the respondent against the life of the petitioner, A COMMON CHILD OR A CHILD OR THE PETITIONER;
- (10) Abandonment of petitioner by respondent without justifiable cause for more than one year. xxx"

SECTION 2. This Act shall take effect immediately upon approval.

Approved,