

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 9935



Introduced by **Representative Ryan S. Recto**

EXPLANATORY NOTE

This proposed measure seeks to uphold the State's constitutional duty to defend and protect its citizens, particularly women and children, from violence and abuse that destroy the very foundation of familial harmony. As a necessary consequence of an abusive and traumatic marriage, this bill shifts the focus entirely toward protecting the victim-survivor considering how there is absolutely no reason for them to remain legally bound to a union that has turned violent.

According to data gathered by the World Health Organization (WHO) in the years 2000 to 2023, 25.8% of women (roughly 682 million), from the ages 15 to 49, have suffered from physical or sexual intimate partner violence at least once in their lifetime. Even with the legal safeguards under Republic Act (R.A.) No. 9262, otherwise known as the "Anti-Violence Against Women and Their Children Act of 2004", violence against women appears to be one of the country's most pervasive social problems that rattles and disturbs familial relationships.

This piece of legislation inserts a new Article into Executive Order No. 209, otherwise known as the Family Code of the Philippines, explicitly mandating that when a spouse is convicted by final judgment of any of the crimes of violence enumerated under Section 5 of R.A. No. 9262, the marriage contracted by the offending spouse shall be automatically dissolved. Furthermore, it mandates that the convicted husband's entire share in the conjugal partnership or community property will be forfeited in favor of his wife and children.

The bill also inserts a new section into the Anti-Violence Against Women and Their Children Act of 2004 that mandates the dissolution of a marriage upon the conviction of the accused. The resulting dissolution of the marriage will legally carry the exact same effects as a formal annulment under the Family Code of the Philippines.

This measure does not attempt to diminish the sanctity of marriage, but rather it recognizes that the country has the duty to protect the lives of its citizens by providing these victims of abuse a way out, especially for those trapped in abusive marital unions. In this way, the State actively prioritizes the safety, dignity and recovery of the survivor over the preservation of an abusive partnership.

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



Ryan S. Recto
Representative
6th District, Batangas

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AN ACT
DECLARING VIOLENCE AGAINST WOMEN AND CHILDREN AS AN
AUTOMATIC GROUND FOR MARRIAGE DISSOLUTION, AMENDING FOR THE
PURPOSE EXECUTIVE ORDER NO. 209, OTHERWISE KNOWN AS THE
FAMILY CODE OF THE PHILIPPINES, AND REPUBLIC ACT NO. 9262,
OTHERWISE KNOWN AS THE ANTI-VIOLENCE AGAINST WOMEN AND THEIR
CHILDREN ACT OF 2004

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

1 SECTION 1. A new article, to be known as Article 45-A, is hereby inserted after
2 Article 45 of Executive Order No. 209, otherwise known as the Family Code of the
3 Philippines, to read as follows:

4
5 **"SEC. 45-A. CONVICTION OF THE CRIMES UNDER SECTION**
6 **5 OF ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN**
7 **ACT OF 2004. – WHEN A HUSBAND IS CONVICTED BY FINAL**
8 **JUDGMENT OF ANY OF THE CRIMES OF VIOLENCE ENUMERATED**
9 **UNDER SECTION 5 OF REPUBLIC ACT NO. 9262, OTHERWISE**
10 **KNOWN AS THE 'ANTI-VIOLENCE AGAINST WOMEN AND THEIR**
11 **CHILDREN ACT OF 2004,' THE MARRIAGE HE CONTRACTED SHALL**
12 **BE AUTOMATICALLY DISSOLVED, CARRYING THE SAME EFFECTS**
13 **AS ANNULMENT UNDER THIS CODE AND WHATEVER SHARE HE**
14 **HAS IN THE COMMUNITY OF PROPERTY OR CONJUGAL**
15 **PARTNERSHIP, SHALL BE FORFEITED IN FAVOR OF HIS WIFE AND**
16 **CHILDREN, IF ANY."**

17
18 Sec. 2. A new section is hereby inserted after Sec. 6 of Republic Act No. 9262,
19 otherwise known as the Anti-Violence Against Women and Their Children Act of 2004,
20 and shall read as follows:

21
22 **"SEC. 7. DISSOLUTION OF MARRIAGE. – AS A RESULT OF**
23 **THE CONVICTION OF THE ACCUSED, THE MARRIAGE BETWEEN**

1 **HIM AND THE OFFENDED SPOUSE SHALL BE ORDERED**
2 **DISSOLVED AND SHALL HAVE THE SAME EFFECTS AS AN**
3 **ANNULMENT OF MARRIAGE UNDER EO NO. 209, OTHERWISE**
4 **KNOWN AS THE FAMILY CODE OF THE PHILIPPINES.”**
5

6 Sec. 3. *Separability Clause.* – If any provision of this Act is declared
7 unconstitutional or invalid, such parts or portions not affected thereby shall remain in
8 full force and effect.
9

10 Sec. 4. *Repealing Clause.* – Executive Order No. 209 and Republic Act No. 9262
11 are hereby amended. All other laws, ordinances, orders, rules, regulation and other
12 issuances or parts thereof which are inconsistent with this Act are hereby repealed,
13 amended or modified accordingly.
14

15 Sec. 5. *Effectivity.* – This Act shall take effect fifteen (15) days following its
16 publication in at least two (2) newspapers of general circulation or in the Official
17 Gazette.
18

19 *Approved,*