

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

TWENTIETH CONGRESS
Second Regular Session

House Bill No. **10105**



Introduced by **Representative JEFFREY SORIANO**

EXPLANATORY NOTE

This bill seeks to reinstitute absolute divorce as an additional legal remedy for marriages that are beyond repair. It does not diminish the institution of marriage; rather, it recognizes that in exceptional circumstances, preserving individual dignity, personal safety, and the best interests of children requires a lawful mechanism for the dissolution of marriage.

Under existing law, the dissolution of marriage is generally limited to annulment, declaration of nullity, or legal separation. These remedies are often expensive, time-consuming, and available only under limited legal grounds. Legal separation, moreover, does not dissolve the marital bond, leaving spouses unable to remarry despite prolonged separation or the complete breakdown of the marital relationship. As a result, many Filipinos remain trapped in failed marriages, exposing themselves and their children to continued emotional, psychological, and economic hardship.

Comparative experience likewise demonstrates that the Philippines remains one of the few jurisdictions that does not generally recognize absolute divorce for its citizens. The absence of this remedy has created legal inequities, particularly for spouses who have long been separated or who are victims of domestic violence, abandonment, or repeated marital misconduct. The availability of divorce in other jurisdictions has shown that legal dissolution, when accompanied by adequate judicial safeguards and child protection measures, provides parties with legal certainty while promoting accountability and orderly settlement of family relations.

This proposed measure provides specific and judicially determinable grounds for divorce, ensures due process before the Family Courts, and establishes safeguards against fraud, coercion, and collusion. It likewise preserves the legitimacy of children, protects their custody and support, provides for spousal support where warranted, governs the equitable distribution of property, and imposes penalties for non-compliance with court-ordered obligations. It further institutionalizes counseling, reconciliation mechanisms, legal assistance, and oversight measures to ensure that divorce remains a remedy of last resort while safeguarding vulnerable family members.

Rather than the perceived weakening of marriage, this bill establishes a comprehensive legal framework for addressing exceptional cases where the marital relationship has irretrievably failed while ensuring that the rights of spouses, children, and third parties remain fully protected.

In view of the foregoing, the immediate approval of this measure is earnestly sought.

A handwritten signature in black ink, appearing to read 'Jeffrey Soriano', is written over the printed name. The signature is stylized with a large, sweeping 'J' and 'S'.

HON. JEFFREY SORIANO

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AN ACT
REINSTITUTING ABSOLUTE DIVORCE AS AN ALTERNATIVE MODE FOR
THE DISSOLUTION OF MARRIAGE

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 “*Absolute Divorce Act*”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to protect marriage as an inviolable social institution and the foundation of the family, while recognizing that certain marriages may have irretrievably broken down beyond reconciliation. Further, the State shall provide a judicial remedy for absolute divorce under clearly defined grounds and procedures, consistent with due process of law, to protect the rights and welfare of the spouses and their children, and allow qualified parties to remarry in accordance with the law.

To this end, the State shall adopt a policy on absolute divorce consistent with the fundamental freedoms guaranteed under the Constitution, the rights guaranteed under Republic Act (RA) No. 9710, otherwise known as the “*The Magna Carta of Women*”, the provisions of the United Nations Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention on the Rights of the Child, and other international human rights instruments to which the Philippines is a party.

SEC. 3. *Guiding Principles.* – The implementation of this Act shall be guided by the following principles:

a. Absolute divorce shall be granted only upon a judicial determination that the marriage has irretrievably broken down under the grounds and procedures prescribed in this Act;

b. Proceedings for absolute divorce shall be accessible, affordable and expeditious, while ensuring due process and the protection of the rights of all

parties;

c. Nothing in this Act shall preclude either spouse from availing of the remedies of legal separation, annulment of marriage, or declaration of nullity of marriage under Executive Order No. 209, otherwise known as "*The Family Code of the Philippines*", as amended;

d. The rights and welfare of spouses, particularly those subjected to abuse, violence, coercive control, or other forms of marital misconduct, shall be protected throughout the proceedings;

e. A sixty (60)-day cooling-off period shall be instituted to afford the parties an opportunity for reconciliation before the proceedings continue;

f. Every decree of absolute divorce shall include provisions for the care, custody, and support of children, protection of their legitime, termination and liquidation of the conjugal partnership of gains or the absolute community, and alimony for the offended spouse; and

g. The State shall continue to strengthen marriage and family life through responsive pre-marital, marital, and family support programs, including counseling and other appropriate interventions.

SEC. 4. *Definition of Terms.* – As used in this Act:

a. Abandonment refers to the act of a spouse leaving the conjugal home without justifiable cause and with a deliberate intention of creating a perpetual separation. The desertion amounts to an absolute cessation of marital relations, rights, and duties. The abandonment may also be physical estrangement or financial desertion;

b. Absolute divorce refers to the judicial dissolution of a marriage or the termination of the bond of matrimony where the spouses return to their status of being single with the right to contract marriage again;

c. Alcoholism refers to excessive consumption of alcoholic beverages at a level that interferes with physical or mental health, and social, family, or occupational responsibilities;

d. Alimony refers to spousal support adjudged in the divorce decree by the proper Family Court in favor of the offended spouse against the offending spouse;

e. Bigamous marriage refers to a second or subsequent marriage contracted before the former marriage has been legally dissolved, or before the absent spouse has been declared presumptively dead by means of a judgment rendered in the proper proceedings;

f. Child refers to a common child of the spouses below eighteen (18) years of age or older but is incapable of taking care of or protecting oneself from abuse, neglect, cruelty, exploitation, and/or discrimination because of physical infirmity or mental disability, and shall include an offspring by legal adoption or one whose custody and care is judicially decreed to be given to a guardian. In the proper cases, a child also refers to an offspring of one of the spouses;

g. Child custody refers to the parental authority and care of a child as decreed by a competent court when the parents of the child are divorced;

h. Child support refers to a method of compensating a parent needing financial support for raising and sheltering a child or children by the other parent who has the means to pay for the expenses associated with child support. The proper Family Court shall determine the amount of support, based on the financial capacity of the parent giving support and the needs of the child or children requiring support pursuant to the provisions of The Family Code of the Philippines;

i. Chronic gambling refers to an impulse control disorder in which a person makes a habitual wagering in games of chance which compromise, disrupt or damage family, work and social relations, and vocational pursuits;

j. Competent court refers to the proper Family Court established under RA No. 8369, otherwise known as the "*Family Courts Act of 1997*", which shall exercise jurisdiction both over the absolute divorce proceeding and the persons of the petitioner and respondent spouses;

k. Court-assisted petitioner refers to a petitioner-spouse who has personal and real properties collectively not exceeding Two million five hundred thousand pesos (Php 2,500,000.00);

l. Domestic or marital abuse refers to violence or aggressive behavior within the home, typically involving the violent abuse of a spouse by the other which may be committed through:

1. Physical violence;
2. Psychological and emotional violence;
3. Sexual violence; or
4. Economic abuse;

m. Drug addiction refers to habitual dependence on a prohibited drug or drugs;

n. Irreconcilable differences refers to the substantial incompatibility of the spouses due to their intransigence or fault by holding on to divergent and divisive behavior resulting in the total breakdown of their marriage which could not be repaired despite earnest efforts to reconcile;

o. Joint petition refers to the legal action filed by both spouses based on the grounds subject to summary judicial proceedings under Section 11 of this Act;

p. Legitime refers to the portion of a parent's estate from which they cannot disinherit their children, without sufficient legal cause;

q. Marital infidelity refers to the extramarital sexual relations of a spouse, which shall include having or bearing a child with a third party;

r. Offended spouse refers to the spouse who is aggrieved or innocent as found by the proper Family Court;

s. Offending spouse refers to the spouse found by the Family Court to have given the cause or reason for the divorce;

t. Overseas Filipinos refers to Filipino migrant workers, other Filipino nationals, and their dependents abroad or as defined under Section 3 of Republic Act No. 8042, otherwise known as the "*Migrant Workers and Overseas Filipinos Act of 1995*", as amended;

u. Psychological incapacity refers to the condition provided for in Article 36 of The Family Code of the Philippines which warrants the nullification of a marriage;

v. Separation refers to the absolute cessation of marital relations, duties, and rights, with the intention of perpetually living apart;

w. Sex reassignment surgery refers to the procedure by which a person's physical appearance and function of primary sex characteristics are altered to resemble that of the identified or preferred gender;

x. Summary judicial proceedings refer to an expeditious manner of resolving a petition for divorce without regard to technical rules and the petitioner is given the option to be assisted by a lawyer. The proper Family Court may allow presentation of evidence ex parte as warranted by circumstances. The decision shall be immediately final and executory;

y. Support refers to the amount indispensable for sustenance, shelter, clothing, medical care, education, and other allied needs, consistent with the financial capacity and social standing of the family;

z. Transgender refers to a person whose gender identity or expression differs from what is typically associated with the sex at birth; and

aa. Transsexual refers to a person who emotionally and psychologically feels that one belongs to the opposite sex, and who opts for a transition from one sex to another through the use of hormones or surgical procedure.

SEC. 5. *Grounds for Absolute Divorce.* – A petition for absolute divorce may be filed on any of the following grounds:

a. Any of the following acts or circumstances:

1. 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 by the 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 (6) years, even if pardoned;

5. Drug addiction, habitual alcoholism, or chronic gambling of the respondent;

6. The respondent's persistent refusal or inability to fulfill the essential obligations of marriage arising from sexual incompatibility or concealment existing prior to or during the marriage;

7. Contracting by the respondent of a subsequent bigamous marriage, whether in the Philippines or abroad;

8. Marital infidelity, sexual perversion, or having a child with another person other than one's spouse during the subsistence of the marriage, except where a child is conceived through assisted reproductive technology with the mutual agreement of the spouses, or where the wife bears a child after being a victim of rape;

9. Attempt by the respondent against the life of the petitioner, a common child, or a child of the petitioner;

10. Abandonment of petitioner by the respondent without justifiable cause for more than one (1) year; or

11. Other forms of domestic or marital abuse as defined under Section 4 of this Act.

b. The existence of any of the following circumstances:

1. A decree of legal separation has been final and executory for at least two (2) years;

2. The spouses have lived separately in fact for at least five (5) years immediately preceding the filing of the petition, and reconciliation is highly improbable;

3. Psychological incapacity of either spouse under Article 36 of The Family Code of the Philippines, whether such incapacity existed at the time of the celebration of the marriage or arose thereafter;

4. One (1) spouse undergoes sex reassignment surgery or legally transitions to a gender different from that assigned at birth, resulting in the irretrievable breakdown of marriage; or

5. Irreconcilable differences as defined in Section 4 of this Act.

c. Any of the grounds for annulment of marriage under Article 45 of The Family Code of the Philippines.

The grant of absolute divorce based on domestic or marital abuse or violation of RA No. 9262, otherwise known as the "*Anti-Violence against Women and their Children Act of 2004*", shall be without prejudice to the prosecution of the offending or errant spouse under the said Act.

SEC. 6. *Civil Recognition of a Valid Foreign Divorce.* – A valid foreign divorce secured by either the alien or Filipino spouse has the effect of a divorce under this Act without going through the judicial process. Said foreign divorce must be authenticated by the Philippine Consul in or proximate to the foreign country where it was secured, and subsequently registered with the proper Civil Registry Office in the Philippines or the Office of the Philippine Consul abroad where the Filipino spouse is residing.

SEC. 7. *Valid Canonical or Church Dissolution, or Declaration of Nullity of Marriage.* – A marriage which is nullified or dissolved by the proper matrimonial tribunal of the Roman Catholic Church or any other recognized religious sector denomination may be recognized by the proper Family Court upon verification that the requirements of this Act have been complied with.

SEC. 8. *Prescription of Action.* – A petition for absolute divorce shall be filed with the proper Family Court by the petitioner or joint petitioners within ten (10) years from the occurrence or discovery of the cause for divorce or from the effectivity of the Absolute Divorce Act, whichever comes later.

SEC. 9. *Procedure for Obtaining Absolute Divorce.* – The following rules shall govern petitions for absolute divorce:

a. The filing of a verified petition before the proper Family Court by either the petitioner-spouse or joint petitioner-spouses, as the case may be, shall commence the proceedings for absolute divorce.

b. Except as otherwise provided in this Act, the procedures governing petitions for legal separation, annulment of marriage, and declaration of nullity of marriage under The Family Code of the Philippines, as amended, and the applicable Rules of Court shall apply suppletorily; *Provided*, That they are consistent with this Act.

c. The court shall determine the existence of the grounds for absolute divorce based on competent and credible evidence. No decree of absolute divorce shall be granted solely on the basis of a stipulation of facts or a confession of judgment.

d. Upon approval of an application to litigate as a court-assisted petitioner, the Family Court shall:

1. Waive the payment of filing fees and other litigation costs;

2. Appoint a counsel *de officio*; and

3. When necessary, assign accredited social workers, psychologists, psychiatrists, or other qualified professionals to assist the petitioner, the court, and the children of the parties; without cost to the petitioner.

e. The petition shall identify all known creditors of the spouses, including creditors of the absolute community of property or conjugal partnership of gains and the separate creditors of either spouse. Such creditors shall be notified of the proceedings, and the court shall adopt measures to protect their lawful interests.

f. The public prosecutor shall investigate whether the petition is attended by collusion between the spouses or whether either spouse has been coerced into filing or consenting the petition, and shall submit a report to the proper Family Court within sixty (60) days from the filing of petition.

SEC. 10. *Overseas Filipinos.* – Petitions filed by overseas Filipinos shall be given priority in the scheduling of hearings. The proper Family Court shall set the reception of evidence, upon the availability of the petitioners, for not more than two (2) consecutive days.

SEC. 11. *Summary Judicial Proceedings.* – The following grounds for absolute divorce may be subject to summary judicial proceedings as defined in Section 4 of this Act:

- a. When the spouses have been separated *de facto* for at least five (5) years;
- b. When one of the spouses has contracted a bigamous marriage;
- c. When the spouses have been legally separated by judicial decree for at least two (2) years;
- d. When one of the spouses has been sentenced to imprisonment for at least six (6) years, even if subsequently pardoned; or
- e. When one of the spouses has undergone a sex reassignment surgery or has transitioned into another sex.

A petition under this section may be filed individually or jointly by the concerned spouses.

SEC. 12. *Mandatory Sixty-Day Cooling-Off Period.* – Except for grounds under summary judicial proceedings or those involving acts of violence against women and their children under RA No. 9262, or an attempt against the life of the other spouse, a common child, or a child of the petitioner, the proper Family Court shall observe a mandatory sixty (60)-day cooling-off period from the filing of the petition to afford the parties an opportunity for reconciliation.

If the parties fail to reconcile upon the expiration of the cooling-off period, the court shall immediately proceed with the trial and render judgment within one (1) year from the expiration.

SEC. 13. *Waiver of Expert Testimony.* – Expert testimony shall be dispensed with, unless the proper Family Court decides that such testimony is indispensable in deciding the petition for divorce.

SEC. 14. *Effects of Absolute Divorce.* – A decree of absolute divorce shall have the following effects:

- a. The marriage is dissolved and the divorced spouses shall have the right to contract marriage again;
- b. The proper Family Court shall determine the custody of the minor children, visitation rights, child support, and parental authority in accordance with the best interests of the child and the pertinent provisions of the Family Code of the Philippines. In no case shall custody be awarded to the offending spouse when the divorce is granted on any of the grounds under Section 5(a) (1), (2), (4), (5), (7), (8), (9), and (10) of this Act; *Provided, That* in a subsequent

divorce of a previously divorced spouse, the custody of the children may be granted to the spouse with lesser number of children, subject to the discretion of the Family Court;

c. Unless otherwise agreed upon in a marriage settlement, the conjugal partnership of gains or the absolute community shall be dissolved and liquidated in accordance with The Family Code of the Philippines. The Court shall order the delivery of the presumptive legitime of the common children and ensure the protection thereof in accordance with law. The partition and distribution of the properties of the spouses, including the delivery of the children's presumptive legitime, shall be recorded in the appropriate civil registry and registry of deeds and shall not prejudice third (3rd) persons acting in good faith;

d. During the pendency of the divorce proceedings, the spouses shall remain solidarily liable for obligations incurred for family expenses;

e. In addition to the equal share in the assets of the absolute community or conjugal partnership, the offended spouse who is not gainfully employed shall be entitled to spousal support or alimony from the offending spouse in accordance with this Act and the pertinent provisions of The Family Code of the Philippines. The amount and duration of support shall be determined by the court after considering the needs of the obligee and the financial capacity of the obligor: *Provided*, That such support shall cease upon the remarriage of the recipient or upon such other grounds as may be provided by law;

f. The offended spouse may revoke donations made in favor of the offending spouse, as well as the designation of the latter as a beneficiary in any insurance policy, even if such designation be stipulated as irrevocable. Such revocation shall not prejudice the rights of third (3rd) persons acquired in good faith;

g. The effects of the decree on intestate succession, testamentary disposition, donations, and insurance beneficiaries in accordance with The Family Code of the Philippines and other applicable laws shall be observed;

h. The legitimate or adopted children of divorced parents shall retain their legal status and legitimacy. A child conceived or born within three hundred (300) days after the filing of a petition for absolute divorce shall be considered legitimate, unless the ground for divorce is the marital infidelity of the wife; and

i. After the filing of the petition for divorce, the spouses shall be entitled to live separately. The court shall appoint a competent third party as administrator to manage the absolute community or conjugal partnership property during the pendency of the divorce proceedings in order to prevent dissipation of the common properties. Prior to the discharge of the administrator's functions and duties, the administrator shall post a surety

bond approved by the proper Family Court. The administrator shall have the same powers and duties as those of a guardian under the Rules of Court.

SEC. 15. *Support for Children.* – The proper Family Court shall determine and award child support pursuant to the pertinent provisions of The Family Code of the Philippines, taking into primary consideration the best interests of the child.

In determining the amount of support, the proper Family Court shall consider the needs of the child and the financial capacity of the parents. Upon application of either party, the proper Family Court may order an increase or decrease in the amount of support upon showing of a substantial and material change of circumstances.

When the obligor is an overseas Filipino, the court shall furnish the Department of Migrant Workers, where applicable and permitted by law, and the overseas Filipino's employer with a copy of the order awarding child support for appropriate action.

SEC. 16. *Custody and Support Pendente Lite.* – During the pendency of the petition and in the absence of adequate provisions in a written agreement between the spouses, the proper Family Court, upon application of either party, issue orders for:

- a. Spousal support;
- b. Custody and support of the common children; and
- c. Visitation rights of the noncustodial parent.

In issuing such orders, the court shall give the paramount consideration to the best interests of the children, as well as their choice of the parent with whom they wish to remain, in accordance with The Family Code of the Philippines.

SEC. 17. *Award for Damages.* – The proper Family Court may, as warranted by evidence, award actual, moral, and exemplary damages as provided for under the Civil Code of the Philippines to the offended spouse against the offending spouse.

SEC. 18. *Conversion of Pending Petitions.* – Parties who have pending petitions under Articles 36, 45, and 55 of The Family Code of the Philippines may convert their petitions to an action for absolute divorce under this Act without paying filing fees.

SEC. 19. *Reconciliation During the Pendency of the Divorce Proceedings.* – If the spouses agree to reconcile during the pendency of the divorce proceedings or before the finality of judgment of divorce, a corresponding joint manifestation under oath duly signed by them shall be filed with the same court where the petition for absolute divorce was filed.

Upon hearing of the joint manifestation and the court finds it in order, the petition for divorce shall be dismissed.

SEC. 20. *Reconciliation After the Finality of a Divorce Decree.* – After a divorce decree has become final and executory, the former spouses may reconcile and restore their marital relationship only by contracting a new marriage in accordance with The Family Code of the Philippines, as amended. Such reconciliation shall not affect the finality of the divorce decree, nor the rights and obligations that have accrued thereunder.

SEC. 21. *Guidelines for Reconciliation.* – Reconciliation under this Act shall be governed by the following:

a. Any reconciliation during the pendency of the divorce proceedings or after the finality of the divorce decree shall uphold the best interests of the children and protect the rights and welfare of the spouses;

b. The proper Family Court shall determine whether to approve a joint manifestation of reconciliation after considering all relevant evidence and ensure that such reconciliation is voluntary and free from fraud, force, intimidation;

c. In petitions involving acts of violence against women and their children under RA No. 9262, or an attempt against the life of the offended spouse, a common child, or a child of the offended spouse, the court shall exercise due discretion in determining whether reconciliation serves the best interests of the parties and their children;

d. The reconciling spouses shall submit a verified plan of reconciliation under oath which shall include the following:

1. The arrangements for the custody, support, and welfare of their children, where applicable;

2. The settlement of their property relations, if necessary; and

3. The names and addresses of all known creditors whose interests may be affected by the reconciliation;

e. The joint manifestation and verified plan of reconciliation shall be furnished to the creditors identified therein, and the court shall ensure that their lawful interests are adequately protected; and

f. Any order approving the reconciliation shall be registered in the proper registry of deeds, without prejudice to the rights of creditors or third (3rd) persons not notified of the proceedings.

SEC. 22. *Penalties.* – A spouse who is a party to a petition for absolute divorce and who is found by the court to have used threats or coercion to compel the other spouse in filing the petition, and spouses who are guilty of collusion, shall be punished with imprisonment of five (5) years and a fine of Three hundred thousand pesos (Php 300,000.00).

Any offending spouse in default of providing the required spousal support or alimony and child support under this Act shall be charged with contempt of court and be imposed a fine of:

- a. Fifty thousand pesos (Php 50,000.00) for the first default;
- b. One hundred thousand pesos (Php 100,000.00) for the second default; and
- c. Two hundred thousand pesos (Php 200,000.00) each for the third and succeeding defaults.

The offending spouse found guilty of indirect contempt of court shall be punished with imprisonment thereupon until the obligation for spousal and/ or child support has been paid.

SEC. 23. *Options.* – The concerned spouse shall have the option to file a petition for dissolution of marriage, annulment of marriage, or legal separation under Articles 36, 45, and 55, respectively, of The Family Code of the Philippines or a petition or joint petition for absolute divorce under this Act.

SEC. 24. *Appeals.* – Within fifteen (15) calendar days from receipt of the decree of absolute divorce, any of the spouses may file an appeal with the Court of Appeals under the pertinent provisions of the Rules of Court.

A motion for execution pending appeal may be issued by the Court of Appeals upon application of the appellee. Moreover, the Court of Appeals may dismiss an appeal forthwith once it finds the same frivolous.

SEC. 25. *Community-Based Pre-Nuptial and Post-Matrimonial Programs and Activities.* – The National Government shall, through the DSWD, implement community-based pre-nuptial, reconciliatory phase or cooling-off counseling, and post-matrimonial programs and activities aimed at strengthening the marital and family life of Filipinos.

These social welfare interventions, which will protect the stability of Filipino families, shall be instituted by the DSWD in provinces, cities, and clusters of municipalities in the entire country, while observing the local cultures and customs that are prevalent in each locality.

SEC. 26. *Community-Based Women's Desk.* – The frontline desk in every barangay established under RA No. 9710, otherwise known as "*The Magna Carta of*

Women”, shall be readily available and easily accessible to provide support and assistance to victims, especially women, of all forms of abuse and acts of violence identified under the said Act and those provided for under RA No. 9262.

SEC. 27. *Attorney’s Fees.* – In petitions with no court-assisted petitioner, the attorney’s fees, inclusive of acceptance fee, appearance fees, and success fee, shall not exceed Fifty thousand pesos (Php 50,000.00) for the entire proceedings. However, the petitioner and counsel can mutually agree on a higher rate of attorney’s fees.

SEC. 28. *Creation of More Positions of Public Attorneys and Family Courts.* – The Department of Justice (DOJ) is authorized to create the necessary additional positions for public attorneys under the Public Attorney’s Office to advocate for court-assisted petitioners.

In the discretion of the Supreme Court, more Family Courts may be created to adjudicate petitions for absolute divorce.

SEC. 29. *Congressional Oversight Committee on the Absolute Divorce Act.* – There is hereby created a Congressional Oversight Committee (COC) composed of five (5) members each from the Senate and the House of Representatives. The members of the Senate and the House of Representatives shall be appointed by the Senate President and the Speaker, respectively, with at least one (1) member representing the Minority.

The COC shall be headed by the respective Chairpersons of the Committee on Health and Demography of the Senate and the Committee on Population and Family Relations of the House of Representatives. The Secretariat of the COC shall come from the existing Secretariat personnel of the Senate and the House of Representatives committees concerned.

The COC shall monitor and ensure the effective implementation of this Act, recommend the necessary remedial legislation or administrative measures, and conduct a review of this Act every five (5) years from its effectivity. The COC shall perform such other duties and functions as may be necessary to attain the objectives of this Act.

SEC. 30. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be sourced from the savings of the DSWD for the current fiscal year, and the subsequent amounts necessary for the full implementation of this Act shall be included in the subsequent annual General Appropriation Act.

SEC. 31. *Implementing Rules and Regulations.* – The DSWD shall, as lead agency, together with the DOJ, the Philippine Commission on Women (PCW), and the National Youth Commission (NYC), in consultation with at least two (2) representatives from women’s organizations with proven track record in women and gender rights advocacy to be identified by the PCW, and two (2) representatives from children’s organizations with proven track record in child rights advocacy to

be identified by the NYC, promulgate the implementing rules and regulations within sixty (60) days after the effectivity of this Act.

SEC. 32. *Separability Clause.* – If any portion or provision of this Act is declared invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

SEC. 33. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 34. *Effectivity.* – This Act shall take effect fifteen days (15) after its publication in the Official Gazette or in a national newspaper of general circulation.

Approved,