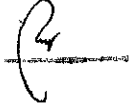


10 OCT 12 P5:14

SENATE

Senate Bill No. 2565

RECEIVED BY



INTRODUCED BY SEN. MANNY VILLAR

EXPLANATORY NOTE

The attached bill seeks to repeal Article 247 of the Revised Penal Code pertaining to the death or physical injuries inflicted under exceptional circumstances.

This bill takes into consideration the fact that death penalty has been abolished in the Philippines in 2006. Therefore, it is time to repeal the provision giving the spouse or parent the right to kill a person. Moreover, the said provision discriminates against women since it provides that the rules shall be applicable also to parents with respect to their daughters under eighteen years of age, and their seducer, while the daughters are living with their parents. It applies exclusively to daughters and not to the sons.

In addition, with the passage of laws like R.A. No. 7610 otherwise known as "Special Protection of Children Against Abuse, Exploitation and Discrimination Act" and R.A. No. 9262 otherwise known as "Anti-Violence Against Women and Their Children Act of 2004", any form of violence against women and children is prohibited.

Immediate approval of this bill is hereby earnestly sought.

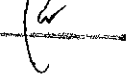


MANNY VILLAR

10 OCT 12 95:17

SENATE

Senate Bill No. 2565

RECEIVED BY 

INTRODUCED BY SEN. MANNY VILLAR

AN ACT
REPEALING ARTICLE 247 OF ACT NO. 3815, ALSO KNOWN AS
THE REVISED PENAL CODE, ON DEATH OR PHYSICAL INJURIES
INFLECTED UNDER EXCEPTIONAL CIRCUMSTANCES

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

SECTION 1. Article 247 of Act No, 3815, also known as the Revised Penal Code is hereby repealed: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 seducer, 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.]

SECTION 2. *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 3. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent with the provision of this Act is hereby repealed, modified, or amended accordingly.

SECTION 4. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,