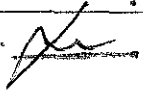


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SENATE

COMMITTEE REPORT NO. 6

RECEIVED BY: 

Submitted jointly by the Committees on Youth, Women and Family Relations; and Constitutional Amendments, Revision of Codes and Laws on

OCT 12 2010

Re: Senate Bill No. 480

Recommending its approval with amendments

Sponsors: Senators Cayetano (P.) and Defensor Santiago

**MR. PRESIDENT:**

The Committees on Youth, Women and Family Relations; and Constitutional Amendments, Revision of Codes and Laws to which were referred Senate Bill No. 480, introduced by Senator Ejercito Estrada, entitled:

**“AN ACT  
AMENDING EXECUTIVE ORDER NO. 209 ALSO KNOWN AS  
THE FAMILY CODE OF THE PHILIPPINES, ARTICLE III”**

have considered the same and have the honor to report it back to the Senate with the recommendation that it be approved with the following amendments:

1. On page 1, Section 1, transpose ARTICLE III after the period and insert the phrase OF EXECUTIVE ORDER NO. 209, OTHERWISE KNOWN AS; and on the same line, change the capital “T” in the article “The” into lower case, so that Section 1 shall now read as “Article III of

*Executive Order No. 209 otherwise known as the Family Code, is hereby amended to read as follows"*

2. On the same page, the title of the bill shall be amended to read as follows, "AN ACT AMENDING ARTICLE III OF EXECUTIVE ORDER NO. 209 OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES"

Respectfully submitted,

  
PIA S. CAYETANO  
Chairperson

Committee on Youth, Women and Family Relations

**MIRIAM DEFENSOR SANTIAGO**

Chairperson

Committee on Constitutional Amendments, Revision of Codes and Laws

  
**LOREN B. LEGARDA**

Vice-Chair

Committee on Youth, Women and  
Family Relations

  
**MANNY VILLAR**

Vice-Chairman,

Committee on Youth, Women and  
Family Relations

Members:

  
**EDGARDO J. ANGARA**

  
**MANUEL "LITO" M. LAPID**

  
**GREGORIO B. HONASAN II**

**FERDINAND R. MARCOS, JR.**

**ANTONIO "SONNY" F. TRILLANES IV**

  
**JUAN MIGUEL F. ZUBIRI**

  
**FRANKLIN M. DRILON**

**PANFILO M. LACSON**

  
**FRANCIS N. PANGILINAN**

Respectfully submitted,

  
PIA S. CAYETANO  
Chairperson

Committee on Youth, Women and Family Relations

**MIRIAM DEFENSOR SANTIAGO**

Chairperson

Committee on Constitutional Amendments, Revision of Codes and Laws

  
**LOREN B. LEGARDA**  
Vice-Chair  
Committee on Youth, Women and  
Family Relations

**MANNY VILLAR**  
Vice-Chairman,  
Committee on Youth, Women and  
Family Relations

Members:

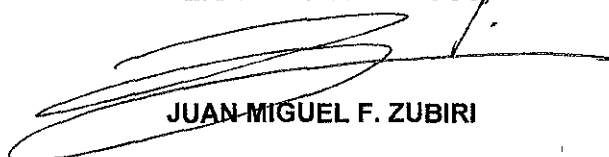
  
**EDGARDO J. ANGARA**

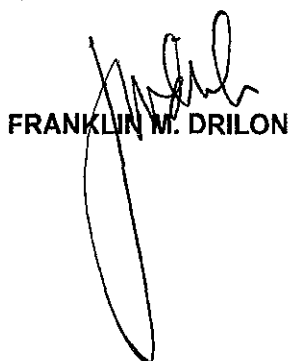
  
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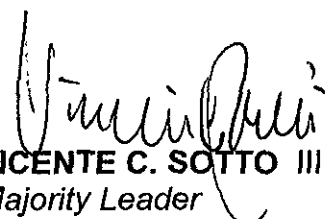
**PANFILO M. LACSON**

**FRANCIS N. PANGILINAN**

Ex-Officio Members:



**JINGGOY EJERCITO ESTRADA**  
*President Pro-Tempore*



**VICENTE C. SOTTO III**  
*Majority Leader*




**ALAN PETER "COMPANERO" S. CAYETANO**  
*Minority Leader*

**HON. JUAN PONCE ENRILE**  
*President*  
Senate of the Philippines

SENATE

Senate Bill No. 480

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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EXPLANATORY NOTE

The Family Code, Article III, provides that, a "spouse of age" has the right to dispose exclusive properties without the consent of the other spouse. This provision is superfluous. Article 234 as amended by R A. No. 6908 lowered the age of majority to eighteen (18) years, which is the age of emancipation and the age when a person may legally enter into a contract of marriage. The Family Code, Article 236 provides that "emancipation shall terminate parental authority over the person and property of the child who shall then be qualified and responsible for all acts of civil life, save the exceptions established by existing laws in special cases".

This bill replaces the term "spouse of age" with the more accurate term "either spouse," since a spouse must necessarily be of age.

Hence, the immediate passage of this bill is earnestly sought.



JINGGOY EJERCITO ESTRADA  
Senator

FIFTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

OFFICE OF THE SECRETARY

10 JUL -7 AM '11

SENATE

Senate Bill No. 480

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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AN ACT  
AMENDING EXECUTIVE ORDER NO. 209 ALSO KNOWN AS THE FAMILY  
CODE OF THE PHILIPPINES, ARTICLE III

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

**SECTION 1.** The Family Code, Article 111 is hereby amended to read as  
follows:

“Art III. [A spouse of age] EITHER SPOUSE may  
mortgage, encumber alienate or otherwise dispose of his  
or her exclusive property [,without the consent of the  
other spouse and appear alone in court to litigate with  
regard to the same.]

**SEC. 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.

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

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

Approved,