




SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Third Regular Session )

'16 JAN 11 P3 50

SENATE  
S. No. 3055

RECEIVED BY: 

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Introduced by Senator Miriam Defensor Santiago

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AN ACT  
AMENDING EXECUTIVE ORDER NO. 209, OTHERWISE KNOWN AS THE  
FAMILY CODE OF THE PHILIPPINES, ARTICLES 221 AND 236

EXPLANATORY NOTE

The Family Code of the Philippines does not extend the liability to children or wards between eighteen and twenty one years of age. It merely provides for the civil liability of the parents and other persons, exercising parental authority, for the injuries and damages caused by the acts or omissions of their unemancipated children.

Hence, this bill seeks to amend Executive Order No. 209, otherwise known as The Family Code of the Philippines, Articles 221 and 236.

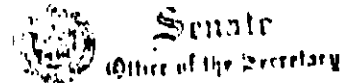
This bill is a product of the public hearings conducted by the Committee on Constitutional Amendments, Revision of Codes and Laws during the Tenth Congress.<sup>1</sup>

  
MIRIAM DEFENSOR SANTIAGO  
SP

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<sup>1</sup> This bill was originally filed during the Fourteenth Congress, First Regular Session and refiled during the Fifteenth Congress, First Regular Session.

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

1 SECTION 1. The Family Code, Article 221, is hereby amended to read as follows:

2 Art. 221. Parents and other persons exercising parental authority  
3 shall be civilly liable for [~~the injuries and damages~~] **DELICT AND**  
4 **QUASI-DELICT** caused by [~~the acts or omissions of~~] their unemancipated  
5 children living in their company and under their parental authority subject  
6 to the appropriate defenses provided by law.

7 **THE SAME LIABILITY EXTENDS TO CHILDREN OR**  
8 **WARDS BETWEEN EIGHTEEN AND TWENTY-ONE YEARS OF**  
9 **AGE; PROVIDED THAT THEY CONTINUE TO LIVE WITH THEIR**  
10 **PARENTS OR REMAIN IN THE COMPANY AND UNDER THE**  
11 **AUTHORITY OF THEIR GUARDIANS, AS THE CASE MAY BE.**  
12 **THE LIABILITY OF PARENTS AND GUARDIANS IN THIS CASE**  
13 **SHALL ONLY BE SUBSIDIARY.**

1 SECTION 2. Article 236 of the same Code is also hereby amended to read as  
2 follows:

3 Art. 236. Emancipation shall terminate parental authority over the  
4 person and property of the child who shall then be qualified and responsible  
5 for all acts of civil life, save the exceptions established by existing laws in  
6 special cases.

7 Contracting marriage shall require parental consent until the age of  
8 twenty-one.

9 ~~[Nothing in this Code shall be construed to derogate from the duty or~~  
10 ~~responsibility of parents and guardians for children and wards below~~  
11 ~~twenty-one years of age mentioned in the second and third paragraphs of~~  
12 ~~Article 2180 of the Civil Code.]~~

13 SECTION 3. *Repealing Clause.* – All laws, decrees, orders, and issuances, or  
14 portions thereof, which are inconsistent with the provisions of this Act, are hereby  
15 repealed, amended or modified accordingly.

16 SECTION 4. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after  
17 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

/lml26Nov2015