

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

'04 AUG 10 P 4:28

S.B. No. SENATE
1680

RECEIVED BY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 14, provides that the State shall ensure the fundamental equality before the law of women and men.

In accordance with the Constitutional mandate, this bill seeks to amend Act No. 3815 (The Penal Code), Article 310, by eliminating gender discrimination.


This bill is a product of the public hearings conducted by the Committee on Constitutional Amendments, Revision of Codes and Laws during the last Congress.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO *[Signature]*

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AN ACT
DEGENDERIZING THE PENAL CODE, ARTICLE 247

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

SECTION 1. The Penal Code, Article 247, is amended to read as follows:

Article 247. Death or Physical Injuries Under Exceptional Circumstances.
Any legally married person who, having surprised his or HER spouse in act of committing sexual intercourse with another person, shall kill any of them or both in act or immediately thereafter, or shall inflict upon them any serious physical injury, shall suffer the penalty of *destierro*.

These rules shall be applicable, under the same circumstances, to parents with respect to the CHILDREN under eighteen years of age and their seducers, while the CHILDREN are living with their parents.

Any person who shall promote or facilitate prostitution of his or HER SPOUSE or CHILD or shall otherwise have consented to the infidelity of the other spouse shall not be entitled to the benefits of this article.

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administrative order, rule or regulation contrary to or inconsistent with, the provision of this Act is hereby repealed, modified or amended accordingly.

SECTION 3. *Effectivity Clause.* - This Act shall effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,