



HOUSE OF REPRESENTATIVES

H. No. 6307

BY REPRESENTATIVES RODRIGUEZ (R.), RODRIGUEZ (M.), TEODORO,
ALVAREZ (A.), ARAGO, DEL MAR AND PRIMICIAS-AGABAS, PER
COMMITTEE REPORT NO. 2225

AN ACT ESTABLISHING THE LIABILITY OF THE ABSOLUTE
COMMUNITY OR CONJUGAL PARTNERSHIP FOR AN
OBLIGATION OF A SPOUSE WHO PRACTICES A PROFESSION
AND THE CAPABILITY OF EITHER SPOUSE TO DISPOSE OF
AN EXCLUSIVE PROPERTY WITHOUT THE CONSENT OF THE
OTHER SPOUSE, AMENDING FOR THE PURPOSE ARTICLES 73
AND 111 OF EXECUTIVE ORDER NO. 209, ALSO KNOWN AS
THE FAMILY CODE OF THE PHILIPPINES

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

1 SECTION 1. Article 73 of the Family Code, as amended, is hereby
2 further amended to read as follows:

3 “Art. 73. Either spouse may exercise any legitimate
4 profession, occupation, business or activity without the consent of
5 the other. The latter may object only on valid, serious, and moral
6 grounds.

7 “In case of disagreement, the court shall decide whether or not:

8 “(1) The objection is proper, and

9 “(2) Benefit has accrued to the family prior to the objection
10 or thereafter. If the benefit accrued prior to the objection, the

1 resulting obligation shall be enforced against THE COMMUNITY
2 PROPERTY. IF THE BENEFIT ACCRUED THEREAFTER, SUCH
3 OBLIGATION SHALL BE ENFORCED AGAINST the separate property
4 of the spouse who has not obtained consent.

5 "The foregoing provisions shall not prejudice the rights of
6 creditors who acted in good faith."

7 SEC. 2. Article 111 of the Family Code, as amended, is hereby further
8 amended to read as follows:

9 "Art. 111. [A spouse of age] EITHER SPOUSE may mortgage,
10 encumber, alienate or otherwise dispose of his or her exclusive
11 property[, without the consent of the other spouse, and appear
12 alone in court to litigate with regard to the same]."

13 SEC. 3. *Separability Clause.* - If any provision or part hereof is
14 held invalid or unconstitutional, the remainder of the law or the provision not
15 otherwise affected shall remain valid and subsisting.

16 SEC. 4. *Repealing Clause.* - Any law, presidential decree or
17 issuance, executive order, letter of instruction, administrative order, rule or
18 regulation contrary to or inconsistent with the provisions of this Act is hereby
19 repealed, modified or amended accordingly.

20 SEC. 5. *Effectivity Clause.* - This Act shall take effect fifteen (15)
21 days after its publication in at least two (2) newspapers of general circulation.

Approved,

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