

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

OFFICE OF THE CLERK

10 JUL -6 P4:59

SENATE

Senate Bill No. 454

RECEIVED BY



---

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

---

**EXPLANATORY NOTE**

When Executive Order No. 209, also known as the Family Code of the Philippines was enacted, there was an omission in Article 73. This omission totally varied the provision, its application and effects. As it now stands, Article 73 departs from the intent of the framers of the Family Code.

This bill seeks to restore in Article 73, the original language proposed and approved by the Code Commission as found in the 8 November 1986 Committee Meeting Minutes. It also seeks to restore a thoroughly studied provision which best serves the needs of our countrymen.

In view of the foregoing, immediate approval of this proposed measure is earnestly solicited.



JINGGOY EJERCITO ESTRADA  
Senator

10 JUL -6 P4 59

SENATE

Senate Bill No. 454

RECEIVED BY



---

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

---

AN ACT  
AMENDING EXECUTIVE ORDER NO. 209, ALSO KNOWN AS THE FAMILY  
CODE OF THE PHILIPPINES, ARTICLE 73

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

**SECTION 1.** The Family Code as amended, Article 73 is hereby amended  
to read as follows:

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

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

- (1) The objection is proper; and
- (2) Benefit has accrued to the family prior to the objection or  
thereafter. If the benefit accrued prior to the objection, the resulting  
obligation shall be enforced against the COMMUNITY PROPERTY.  
IF BENEFIT ACCRUED THEREAFTER, SUCH OBLIGATION  
SHALL BE ENFORCED AGAINST THE separate property of the  
spouse who has not obtained consent.

The foregoing provisions shall not prejudice the rights of creditors  
who acted in good faith. (117A)”

**SEC. 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contrary to or inconsistent with, the provisions of this Act is hereby repealed  
modified or amended accordingly.

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

**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,*