



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SEVENTEENTH CONGRESS

Second Regular Session

HOUSE BILL NO. 6027



Introduced by

REPRESENTATIVES TEDDY BRAWNER BAGUILAT, JR., RODEL M. BATOCABE, ARLENE D. BROSAS, ARIEL B. CASILAO, FRANCE L. CASTRO, NANCY A. CATAMCO, PIA S. CAYETANO, EMMI A. DE JESUS, SARAH JANE I. ELAGO, GWENDOLYN F. GARCIA, ANA CRISTINA SIQUIAN GO, EDCEL C. LAGMAN, PANTALEON D. ALVAREZ, ANTONIO L. TINIO, CARLOS ISAGANI T. ZARATE

**AN ACT
PROVIDING FOR GROUNDS FOR THE
DISSOLUTION OF A MARRIAGE**

EXPLANATORY NOTE

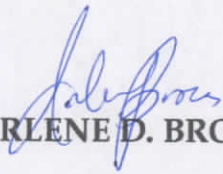
While Executive Order No. 209 or the Family Code of the Philippines provides for grounds for the termination of marriage, this process of annulment is extremely adversarial in nature and is very expensive. This does not only escalate the conflict between the spouses but also affect the well-being of their common child/ren.


This bill intends to ease the access to legal processes to terminate a marriage while at the same time preserves the chance for a post-marriage scenario that allows a peaceful and productive co-existence between the former spouses which is beneficial to the family.

In view of the foregoing, the approval of this Bill is earnestly sought.

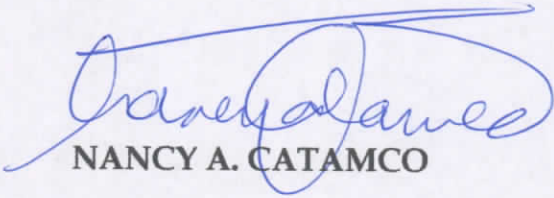

TEDDY BRAWNER BAGUILAT, JR.


RODEL M. BATOCABE

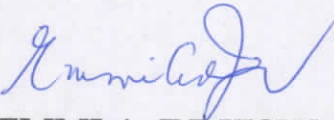

ARLENE D. BROSAS



ARIEL B. CASILAO


FRANCE L. CASTRO

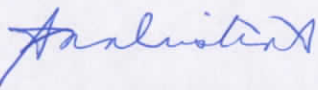

NANCY A. CATAMCO


PIA S. CAYETANO

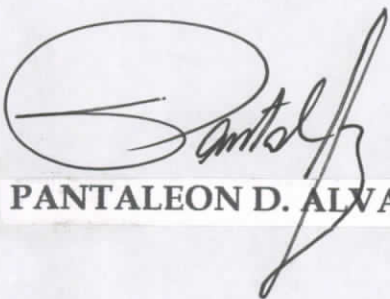

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**AN ACT
PROVIDING FOR GROUNDS FOR THE
DISSOLUTION OF A MARRIAGE**

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

SECTION 1. *Dissolution of Marriage.* - A marriage may be dissolved based on irreconcilable differences, or severe and chronic unhappiness, of the spouses which shall have caused the irreparable breakdown of the marriage.

A verified petition for dissolution of marriage on either of these bases may be filed by one or both parties to a marriage together with a joint plan for parenthood over their common children in cases of a joint petition. Said joint plan must provide for the support, parental authority, custody, and living arrangements of the common children. The court shall ensure its enforcement and shall review the plan on an annual basis or as often as possible should the need arise.

All creditors of the absolute community or of the conjugal partnership of gains, as well as the personal creditors of the spouse, shall be listed in the petition and notified of the filing thereof. The court shall take measures to protect the creditors and other persons with pecuniary interest.

Should the court determine that there exists irreconcilable differences or severe and chronic unhappiness, and in cases of a joint petition, where the joint plan for parenthood is sufficient to protect the rights and interests of the common children, the court shall grant the petition. And in the absence thereof, the court shall determine the best parenthood plan that will protect the rights and interests of the common children.

The continuation of the marriage despite the existence of the grounds enumerated in the immediately preceding this Section shall be conclusively presumed prejudicial to the welfare of the family and, most of all, the interest of the children.

SEC. 2. *Support and Custody over the Common Children.* - In case of dissolution of the marriage, matters relating to support of the common children and the exercise of parental authority over them, which includes custody, shall be based on the joint plan for parenthood unless the court, with the best interest of the children in mind, deem it necessary to provide otherwise.

SEC. 3. *Termination of the Property Regime.* - The termination of the marriage shall result into the dissolution of the property regime through the applicable process provided for in Executive Order No. 209, otherwise known as the Family Code, as amended (hereinafter referred to as "the Family Code"), depending on the property regime of the marriage.

Further, upon the finality of the dissolution of marriage, the obligation of the persons formerly married to each other to mutually support each other shall cease.

SEC. 4. *Penalty Provision.* - A spouse, who is a party to such joint petition, who is found by the court to have used threats or coercion to compel his or her spouse into filing the joint petition against his or her will, shall be punished with imprisonment of not less than five (5) years and a fine not exceeding two hundred thousand Pesos (Php 200,000.00).

SEC. 5. *Separability Clause.* - If any part of provision of this Act be considered as invalid or unconstitutional, the remaining parts not affected shall remain valid and in full effect.

SEC. 6. *Repealing Clause.* - All laws, decrees, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 7. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,