Committee Report No. 1335

Submitted by the Committee on Revision of Laws on November 22, 2021

Re: House Bill No. 10528

Recommending its approval in substitution of House Bill No. 8672

Sponsors: Representatives Cheryl P. Deloso-Montalla and Rufus B. Rodriguez

Mr. Speaker:

The Committee on Revision of Laws to which was referred House Bill No. 8672, introduced by Rep. Rufus B. Rodriguez, entitled:

"AN ACT

Providing for the regime of conjugal partnership of gains as the governing regime in the absence of a marriage settlement or when the regime agreed upon is void, amending for the purpose Articles 75 and 147 of Title IV of Executive Order No. 209, as amended by Executive Order No. 277, otherwise known as "the family code of the Philippines"

has considered the same and recommends that the attached House Bill No. 10528, entitled:

"AN ACT

Providing for the regime of conjugal partnership of gains as the governing property regime in the absence of a marriage settlement or when the regime agreed upon is void, amending for the purpose Article 75 of Title IV of Executive Order No. 209, as amended, otherwise known as "the family code of the Philippines"

be approved in substitution of House Bill No. 8672 with Reps. Rufus B. Rodriguez, Ron P. Salo, Lawrence "Law" H. Fortun, Pablo John F. Garcia, Gabriel H. Bordado, Jr., Mario
Vittorio "Marvey" A. Mariño and Cheryl P. Deloso-Montalla as authors thereof.

Respectfully submitted,

CHERYL P. DELOSO-MONTALLA
Chairperson
Committee on Revision of Laws

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City
AN ACT
PROVIDING FOR THE REGIME OF CONJUGAL PARTNERSHIP OF GAINS AS THE GOVERNING PROPERTY REGIME IN THE ABSENCE OF A MARRIAGE SETTLEMENT OR WHEN THE REGIME AGREED UPON IS VOID, AMENDING FOR THE PURPOSE ARTICLE 75 OF TITLE IV OF EXECUTIVE ORDER NO. 209, AS AMENDED, OTHERWISE KNOWN AS “THE FAMILY CODE OF THE PHILIPPINES”

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

SECTION 1. Article 75 of Title IV of Executive Order No. 209, as amended, otherwise known as “The Family Code of the Philippines” is hereby amended to read as follows:

“Art. 75. The future spouses may, in the marriage settlements, EITHER IN A SEPARATE DOCUMENT OR AS PROVIDED FOR IN THEIR APPLICATION FOR MARRIAGE LICENSE OR IN THE MARRIAGE LICENSE ITSELF agree upon the regime of absolute community, conjugal partnership of gains, complete separation of property, or any other regime. In the absence of a marriage settlement, or when the regime agreed upon is void, the [system of absolute community of property] PROPERTY REGIME OF CONJUGAL PARTNERSHIP OF GAINS as established in this Code shall govern.”

SEC. 2. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,
AN ACT
PROVIDING FOR THE REGIME OF CONJUGAL PARTNERSHIP OF GAINS AS THE GOVERNING PROPERTY REGIME IN THE ABSENCE OF A MARRIAGE SETTLEMENT OR WHEN THE REGIME AGREED UPON IS VOID, AMENDING FOR THE PURPOSE ARTICLE 75 OF TITLE IV OF EXECUTIVE ORDER NO. 209, AS AMENDED, OTHERWISE KNOWN AS “THE FAMILY CODE OF THE PHILIPPINES”

Introduced by: REPS. RUFUS RODRIGUEZ, RON P. SALO, LAWRENCE “LAW” H. FORTUN, PABLO JOHN F. GARCIA, GABRIEL H. BORDADO, JR., MARIO VITTORIO “MARVEY” A. MARIÑO AND CHERYL P. DELOSO-MONTALLA

Committee Referral: COMMITTEE ON REVISION OF LAWS
Committee Chairperson: REP. CHERYL P. DELOSO-MONTALLA

OBJECTIVES:
- To simplify the process of ownership and succession of property;
- To rationalize the effects of marital property regime with other Civil Code and Family Code provisions;
- To avoid property disputes between and among the family members.

KEY PROVISION:
- Replaces the property regime of absolute community property with the conjugal partnership of gains in cases when there is an absence of a marriage settlement, or when the regime agreed upon is void.

RELATED LAWS:
- Article 75 Title IV of Executive Order No. 209, otherwise known as “The Family Code of the Philippines”