

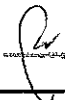
FIFTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

OFFICE OF THE SECRETARY

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SENATE

P.S. RES. NO. 155

RECEIVED BY: 

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INTRODUCED BY SENATOR PIA S. CAYETANO

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A RESOLUTION

DIRECTING THE SENATE COMMITTEE ON YOUTH, WOMEN AND FAMILY RELATIONS TO CONDUCT A REVIEW, IN AID OF LEGISLATION, OF THE PROVISIONS OF THE FAMILY CODE THAT MAY NEED AMENDMENT OR REPEAL GIVEN THE CHANGING TIMES

**Whereas**, the Family Code of the Philippines took effect on 3 August 1988, after publication in the 4 August 1987 issue of the Manila Chronicle, pursuant to Article 257 of the said Code;

**Whereas**, more than two decades have passed since the adoption of the Family Code of the Philippines;

**Whereas**, throughout the years, there have been significant developments in Philippine legislation and jurisprudence which necessitate the review of the provisions of the Family Code;

**Whereas**, Republic Act No. 9710 or the "Magna Carta of Women" makes it the State's responsibility to "take steps to review and, when necessary, amend and/or repeal existing laws that are discriminatory to women within three (3) years from the effectivity of this Act;"

**Whereas**, on August 17, 2010, the Senate Committee on Youth, Women and Family Relations conducted the first of a series of hearings on Senate Resolution No. 64 or "A Resolution Directing the Senate Committee on Youth, Women and Family Relations and Other Appropriate Committees to Conduct a Review, in Aid of Legislation, of Existing Laws which are Considered Discriminatory to Women, Necessitating their Amendment or Repeal Pursuant to the Magna Carta of Women;"

**Whereas**, during the hearing, provisions in the Family Code and other laws which are deemed discriminatory to women were initially identified;

**Whereas**, the identification of these provisions is pursuant to the policy embodied in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), of which the Philippines is a signatory, which is to abolish all discriminatory laws and adopt appropriate legislations prohibiting discrimination against women;

**Whereas**, a number of bills amending several provisions of the Family Code have been filed;

**Whereas**, in addition to the discriminatory provisions, resource persons also pointed out the need to make further amendments and/or repeal of the other provisions of the Family Code, including those involving the cessation of marriages, to codify Supreme Court decisions which though considered part of the law of the land, are

subject to constant change by subsequent decisions by the Supreme Court resulting to a decade's worth of conflicting doctrines and cases, and uncertainty and difficulty in obtaining a clear-cut definition of specific terms;

**Whereas**, there are also several provisions of the Code which run counter to the provisions of recent laws enacted after the Family Code;

**Whereas**, there is a need to review and fill in the gaps or inadequacies of the provisions contained in the Family Code as a result of said developments in Philippine legislation and jurisprudence;

**NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, that the Senate Committee on Youth, Women and Family Relations and other appropriate committees conduct a review, in aid of legislation, of the provisions of the Family Code that may need amendment or repeal given the changing times.

*Adopted,*

  
PIA S. CAYETANO