

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines



18th Congress
First Regular Session
House Bill No. 4054

Introduced by: HON. ARNOLFO "Arnie" A. TEVES, JR.

EXPLANATORY NOTE

This bill seeks to amend the old and obsolete provisions of the RA 8533, otherwise known as the Family Code of the Philippines, more particularly property relations between husband and wife to conform to the changing demands of the time, and in order to promote equality or equity in investments brought about by product the individual or separate labor of each spouse.

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


ARNOLFO "ARNIE" A. TEVES JR.

Republic of the Philippines
THE HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4054

**"AN ACT AMENDING TITLE IV, CHAPTER 1, ARTICLES 74, 75, 76 and 77
OF RA 8533"**

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

Section 1. Section 74 of RA 8533 is amended to read as follows:

"Art. 74. The property relationship between husband and wife shall be governed in the following order:

- (1) By marriage settlements executed before the marriage;
- (2) By the provisions of this Code; and
- (3) By the local custom;
- (4) By the execution of a contract modifying the default or marriage settlement elected before the marriage."

Section 2. Section 75 of RA 8533 is amended to read as follows:

"Art. 75. The future spouses may, in the marriage settlements, 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~~ conjugal partnership of gains as established in this Code shall govern. Said default system of absolute community of property conjugal partnership of gains, however, may be modified by the parties through the execution of an amendatory deed after the marriage, which shall be registered and filed before the local civil registrar concerned and the registry of deeds where newly acquired properties are to recorded."

Section 2. Section 76 of RA 8533 is amended to read as follows:

“Art. 76. In order that any modification in the marriage settlements may be valid, it must be made in writing and duly subscribed the local civil registrar where the marriage is recorded, subject to the provisions of Articles 66, 67, 128, 135 and 136. The modification of marriage settlement shall apply prospectively.”

Section 3. Section 77 of RA 8533 is amended to read as follows:


“Art. 77. The marriage settlements and any modification thereof shall be in writing, signed by the parties and duly executed by the parties. They shall not prejudice third persons unless they are registered in the local civil registry where the marriage contract is recorded as well as in the proper registries of properties.”

Sec. 4. Separability Clause. - If any provision of this Act is declared unconstitutional or otherwise invalid, the validity of the other provisions shall not be affected thereby.

Sec. 5. Repealing Clause. - All laws, decrees, orders, rules and regulations, or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

Sec. 6. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved


ARNOLFO “ ARNIE” A. TEVES JR.

3RD DISTRICT, NEGROS ORIENTAL