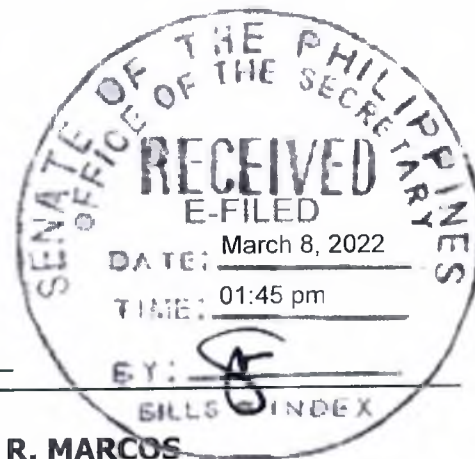


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* )

SENATE

S.B. No. 2510



Introduced by **SENATOR IMEE R. MARCOS**

**AN ACT REMOVING AS ABSOLUTORY CAUSE THE SUBSEQUENT MARRIAGE OF THE OFFENDED PARTY TO THE OFFENDER IN CASES OF RAPE, THEREBY EXTINGUISHING CRIMINAL LIABILITY, AMENDING FOR THIS PURPOSE ARTICLE 344 AND REPEALING ARTICLE 266-C OF ACT NO. 3815, OTHERWISE KNOWN AS THE REVISED PENAL CODE, AS AMENDED, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Article II, Section 14 of the 1987 Constitution provides that "[t]he State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men."

While we have enacted several laws seeking to protect the rights of women, such as Republic Act No. 9710 or "*The Magna Carta of Women*", many of them still become targets of gender-related crimes.

Based on the data from the PNP CIRAS, as of 7 January 2022, a total of eight thousand four hundred and sixty (8,460) rape cases were filed for the period covering January-December of 2021, two thousand and fifty-six (2,056) of which were filed by women, while six thousand four hundred and four (6,404) cases were committed against children.

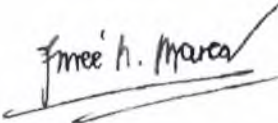
Worse, under our existing laws, marriage of the offended party to the offender in cases of rape is considered as an absolute cause, which means that the criminal

liability shall be extinguished and there shall be no penalty to be imposed against the offender.

This antiquated provision is not in consonance with our commitment to uphold the rights of women and also serves as a convenient excuse that indirectly reinforces forced marriages. In order to uphold a woman's dignity, they should be allowed to solely decide on matters pertaining to their body, their life, and their future.

As such, this bill seeks to finally rectify this error by amending the decades-old provision of the Revised Penal Code and, in effect, shall delete as absolatory cause the marriage of the offended party to the offender in cases of rape, as well as crimes against chastity, seduction, abduction, and acts of lasciviousness.

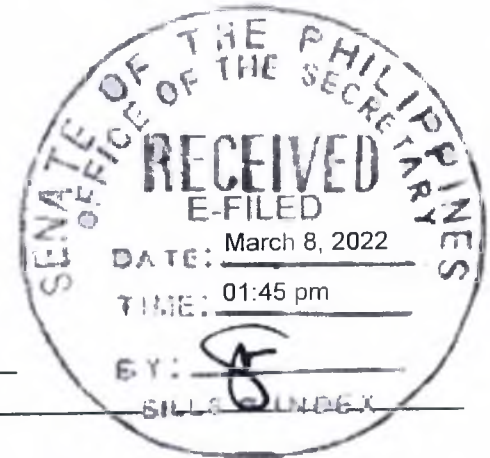
For the foregoing reasons, the passage of this bill is earnestly sought.

  
**IMEE R. MARCOS**

EIGHTEENTH CONGRESS OF THE )  
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*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

1           **SECTION 1.** Article 266-C of Act No. 3815, otherwise known as the Revised  
2 Penal Code, extinguishing the crime of rape by subsequent valid marriage between the  
3 offender and the offended party, is hereby repealed.

4  
5           **SEC. 2.** Article 344 of the same Act is hereby amended to read as follows:

6  
7                   "Article 344. *Prosecution of the crimes of adultery, concubinage,*  
8 *seduction, abduction, rape and acts of lasciviousness.* - The crimes of  
9 adultery and concubinage shall not be prosecuted except upon a  
10 complaint filed by the offended spouse.

11                   The offended party cannot institute criminal prosecution without  
12 including both the guilty parties, if they are both alive, nor, in any case,  
13 if he shall have consented or pardoned the offenders.

1           The offenses of seduction, abduction, rape or acts of  
2 lasciviousness, shall not be prosecuted except upon a complaint filed by  
3 the offended party or her parents, grandparents, or guardian, nor, in  
4 any case, if the offender has been expressly pardoned by the above  
5 named persons, as the case may be.

6           ~~[In cases of seduction, abduction, acts of lasciviousness and  
7 rape, the marriage of the offender with the offended party shall  
8 extinguish the criminal action or remit the penalty already imposed upon  
9 him. The provisions of this paragraph shall also be applicable to the co-  
10 principals, accomplices and accessories after the fact of the above-  
11 mentioned crimes.]”~~

12  
13           **SEC. 3. Repealing Clause.** – All laws, decrees, executive orders, rules and  
14 regulations that are inconsistent with the provisions of this Act are hereby repealed or  
15 modified accordingly.

16  
17           **SEC. 4. Effectivity.** – This Act shall take effect fifteen (15) days following its  
18 complete publication in the *Official Gazette* or in a newspaper of general circulation.

*Approved,*