



USEC. ANTONIO A. GALLARDO
 Presidential Legislative Liaison Office
 Senate of the Philippines
 GSIS Bldg., Financial Center
 Diokno Blvd., Pasay City

Dear Undersecretary Gallardo:


This is relative to **Senate Bill No. 1373 (Committee Report No. 52)** entitled: **An Act Protecting Children by Prohibiting and Declaring Child Marriage As Illegal and Providing Programs and Penalties Thereof or "Prohibiting and Declaring Child Marriage As Illegal"**, authored by Senator Risa Hontiveros, which is pending on Second Reading.

The Department of Social Welfare and Development supports the proposed measure. However, may we reiterate our comments to **Sec. 7 – Legal Effect of Child Marriage** in so far as the relevance of **Art. 55** and the applicability of **Art. 39 of the Family Code** to this Section, and to revisit this Section in relation to **Chapter Two of Presidential Decree No. 1083** or the **Code of Muslim Personal Law** or the **Philippine Shari'a Law**, for the Bill's enhancement.

Attached is a copy of our **Official Position Paper on Senate Bill No. 162**, which was received by the **Senate Committee on Women, Children, Family Relations and Gender Equality** on 20 January 2020.

Please be assured of our active participation in the future deliberations of this bill.

Very truly yours,


ROLANDO JOSELITO D. BAUTISTA
 Secretary
 Date: MAR 12 2020



Honorable RISA HONTIVEROS
Chairperson
Committee on Women, Children, Family Relations & Gender Equality
Senate of the Philippines
Pasay City

Dear Senator Hontiveros:

The Department of Social Welfare and Development (DSWD) supports Senate Bill No. 162 entitled: An Act Protecting Children by Prohibiting and Declaring Child Marriage as Illegal, and Imposing Penalties Thereof, introduced by the Chairperson, which seeks to address the serious impacts of child, early and forced marriages (CEFM) to women and girls' health and development, prevent and respond to violence against women and girls, and lower its severe social and economic outcomes, fulfil the Philippine's commitment to International Agreements, and strengthen implementation of national laws that safeguard the rights of women and girls.

To contribute to the bill's enhancement, we are recommending the following:

1. Sec. 5 – Legal Effect of Child Marriage


- 1.1 To validate the relevance of Art. 55 of the Family Code to this Section since it deals with grounds for legal separation.
- 1.2 To validate the applicability of Art. 39 of the Family Code to this Section since it does not provide for an action for annulment. Instead, it provides for an action for the declaration of absolute nullity of marriage.
- 1.3 To revisit this Section in relation to Chapter Two of Presidential Decree (PD) No. 1083 or the Code of Muslim Personal Law or the Philippine Shari'a Law relative to the criminalization of Solemnizing Officers and parents or guardians who solemnized, facilitated and consented to a child marriage.

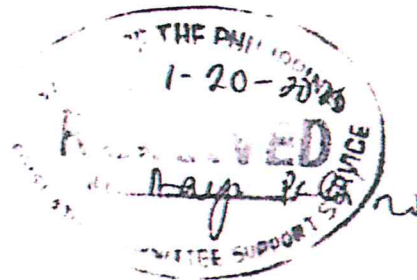
2. Other Comments:


- 2.1 To consult with champions from the Muslim community, and organizations advocating to end child marriage who recommend raising the Muslim marrying age to 18 years old; and
- 2.2 To add a Section on Penalties for Violators.

For the Committee's consideration.

Very truly yours,


ROLANDO JOSELITO D. BAUTISTA
Secretary
Date: January 16, 2020



Received by: 
Faustina Godoy JMF-2
LLSSC