

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

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SENATE  
S.B. No. 1549

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

The Civil Code, Article 1991, provides:

Article 1991. The depositor's heir who in good faith may have sold the thing which he did not know was deposited, shall only be bound to return the price he may have received or to assign his right of action against the buyer in case the price has not been paid by him.

The law incorrectly uses the term "depositor." It was intended to apply here the depositary dies and the thing deposited is left with his heir who sells it in good faith. It limits the heir's liability to the depositor.

To give Article 1991 its desired effect, "depositor's" must be replaced with depositary's."

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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SENATE  
OFFICE OF THE SECRETARY

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AN ACT  
AMENDING REPUBLIC ACT NO. 386, ALSO KNOWN AS THE  
CIVIL CODE OF THE PHILIPPINES ARTICLE 1991

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

SECTION 1. The Civil Code, Article 1991, is hereby amended to read as follows:

“Article 1991 The (depositor’s) DEPOSITARY’S heir ho in good faith my have sold the thing which he did not know was deposited, shall only be bound to return the price he may have received or to assign his right of action against the buyer in case the price has not been paid by him.”

SECTION 2. *Separability Clause* – If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or provision not otherwise affected shall remain valid and subsisting.

SECTION 3. *Repealing Clause* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provision of this Act is hereby repealed, modified or amended accordingly.

SECTION 4. *Effectivity Clause* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.