

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

19 JUL 21 1958

SENATE  
S. No. 1845

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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 in this instance the depositary who 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."\*

*ccr* *Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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\* This bill was originally filed during the Thirteenth Congress, First Regular Session.

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1 AN ACT  
2 AMENDING REPUBLIC ACT NO. 386, ALSO KNOWN AS THE CIVIL CODE,  
3 ARTICLE 1991, ON REPLACING THE WORD "DEPOSITOR'S" WITH "DEPOSITARY'S"  
4 IN ORDER FOR THE LAW TO REFLECT ITS INTENDED MEANING

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

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

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

10 SECTION 2. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
11 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent  
12 with the provision of this Act is hereby repealed, modified or amended accordingly.

13 SECTION 3. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
14 publication in at least two (2) newspapers of general circulation.

Approved,