

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



Senate
Office of the Secretary

'13 AUG 29 P5:08

SENATE
S. No. 1438

RECEIVED BY: *ja*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Civil Code, Article 781, provides:

The inheritance of a person includes not only the property and the transmissible rights and obligations existing at the time of his death but also those which have accrued thereto since the opening of the succession.

The provision has no significance. Even without this provision, those fruits and accessions of inherited properties which accrue after the death of the decedent will still belong to the heirs who inherit the properties. The acquisition of these fruits and accessions by the heirs is no longer through succession, but as owners of the properties to which they accrue.

Article 781 should be repealed because it serves no purpose and adds confusion to the law on succession.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

act

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

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1 AN ACT
2 REPEALING ARTICLE 781 OF REPUBLIC ACT NO. 386, ALSO KNOWN AS THE "CIVIL
3 CODE OF THE PHILIPPINES", ON THE GROUND OF SUPERFLUITY

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

4 SECTION 1. *Repealing Clause.* - Article 781 of Republic Act No. 386, also known as
5 the "Civil Code of the Philippines," is hereby repealed.

6 Any law, presidential decree or issuance, executive order, letter of instruction,
7 administrative order, rule, or regulation contrary to or inconsistent with this Act is hereby
8 repealed, modified, or amended accordingly.

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

Approved,