

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

7 AUG 14 1917

SENATE
S. B. No. 1452

RECEIVED BY [Signature]

Introduced by Senator Miriam Defensor Santiago

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."*

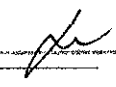
Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
[Signature]

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

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7 AUG 14 P2:07

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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

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

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

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

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14 with the provision of this Act is hereby repealed, modified or amended accordingly.

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

17 Approved,