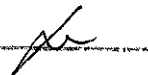


FOURTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
First Regular Session )

7 SEP -3 20 1952

SENATE  
S. No. 1520

RECEIVED BY: 

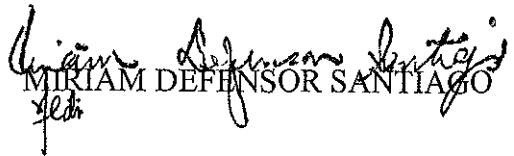
Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

In the case of *Exconde v. Capuno*, 101 Phil 843, the Supreme Court ruled that the provision of Article 2180 of the Civil Code applies only to institutions of arts and trades and, therefore, the teachers and the head of academic educational institution cannot be held liable for the negligent acts of its students.

There is no substantial difference between institution of arts and trades and academic educational institutions insofar as concerns the proper supervision and vigilance over their pupils or students. Academic teachers are not exempt from the duty of watching that their students do not commit a tort to the detriment of third persons, so long as they are in the position to exercise authority and supervision over their students.

Considering the dissenting opinion of former Justice J.B.L. Reyes and the proliferation of not only institutions of arts and trade but also academic education institutions, there would be no sound reason for limiting Article 2180 of the Civil Code to teachers of arts and trades only. Hence, this bill seeks to include academic educational institutions under the coverage of Article 2180.\*


  
MIRIAM DEFENSOR SANTIAGO

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

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

7 SEP -3 P 3:52

SENATE  
S. No. 1520

RECEIVED BY: 

---

Introduced by Senator Miriam Defensor Santiago

---

1 AN ACT  
2 AMENDING REPUBLIC ACT NO. 386, OTHERWISE KNOWN AS THE CIVIL CODE,  
3 ARTICLE 2180, TO INCLUDE ACADEMIC EDUCATIONAL INSTITUTIONS

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

6 SECTION 1. Article 2180 of Republic Act No. 386, otherwise known as the Civil Code  
7 of the Philippines is hereby amended to read as follows:

8 "Article 2180. The obligation imposed by Article 2176 is demandable not  
9 only for one's own acts or omissions, but also for those persons for whom one is  
10 responsible.

11 The father, and in case of his death or incapacity, the mother is responsible  
12 for the damages caused by the minor children who live in their company.

13 Guardians are liable for damages caused by the minors or incapacitated  
14 persons who are under their authority and live in their company.

15 The owners and managers of an establishment or enterprise are likewise  
16 responsible for damages caused by their employees in the service of the branches  
17 in which the latter are employed or on the occasion of their function.

18 Employers shall be liable for the damages caused by their employees and  
19 household helpers acting within the scope of their assigned tasks, even though the  
20 former are not engaged in any business or industry.

21 The State is responsible in like manner when it acts through a special  
22 agent, but not when the damage has been caused by the official to whom the task  
23 done properly pertains, in which case, what is provided in Article 2176 shall be  
24 applicable.

1           Lastly, teachers or heads of establishments of arts and trades OR  
2           ACADEMIC EDUCATIONAL INSTITUTIONS shall be liable for damages  
3           caused by their pupils and students or apprentices, so long as they remain in their  
4           custody.

5           The responsibility treated of in this article shall cease when the persons  
6           herein mentioned prove that they observed all the diligence of a good father of a  
7           family to prevent damage.”

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

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

13          Approved,