

tions: *Provided, however,* That for any oath or affirmation administered by him, no fee shall be charged or collected.

SEC. 2. This Act shall take effect upon its approval.

Approved, June 17, 1949.

H. No. 2118

[REPUBLIC ACT No. 386]

AN ACT TO ORDAIN AND INSTITUTE THE CIVIL CODE OF THE PHILIPPINES

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

PRELIMINARY TITLE

CHAPTER 1

EFFECT AND APPLICATION OF LAWS

ARTICLE 1. This Act shall be known as the "Civil Code of the Philippines." (n)

ART. 2. Laws shall take effect after fifteen days following the completion of their publication in the *Official Gazette*, unless it is otherwise provided. This Code shall take effect one year after such publication. (1a)

ART. 3. Ignorance of the law excuses no one from compliance therewith. (2)

ART. 4. Laws shall have no retroactive effect, unless the contrary is provided. (3)

GUIDE TO ABBREVIATIONS

Abbreviation	Meaning
n	= New article, section, chapter, or title, not found in the old Civil Code.
a	= Amended. Thus (30a) signifies that article 30 of the old Civil Code has been amended.

A plain number
at the end of
an article. } = An article of the old Civil Code has been entirely preserved. Thus (1095) means that article 1095 of that Code has been entirely preserved.

ART. 2268. Suits between members of the same family which are pending at the time this Code goes into effect shall be suspended, under such terms as the court may determine, in order that a compromise may be earnestly sought, or, in case of legal separation proceedings, for the purpose of effecting, if possible, a reconciliation. (n)

ART. 2269. The principles upon which the preceding transitional provisions are based shall, by analogy, be applied to cases not specifically regulated by them. (Rule 13a)

REPEALING CLAUSE

ART. 2270. The following laws and regulations are hereby repealed:

(1) Those parts and provisions of the Civil Code of 1889 which are in force on the date when this new Civil Code becomes effective;

(2) The provisions of the Code of Commerce governing sales, partnership, agency, loan, deposit and guaranty;

(3) The provisions of the Code of Civil Procedure on prescription as far as inconsistent with this Code; and

(4) All laws, Acts, parts of Acts, rules of court, executive orders, and administrative regulations which are inconsistent with this Code. (n)

Approved, June 18, 1949.

Referred to the Committee on Revision of Laws, on the same day;

Reported (C. Rpt. No. 1026), recommending that it be referred to the Special Committee on Reapportionment of Representative Districts, February 23, 1949;

Referred to the Special Committee on Reapportionment of Representative Districts, March 8, 1949.

(see C.R. 7 F 49 - deliberation)

2118

An Act to ordain and institute the Civil Code of the Philippines.

Introduced by the Committee on Codes with report (C. Rpt. No. 970), recommending its approval with amendments, January 26, 1949;

Passed on second reading, April 22, 1949;

Passed on third reading, April 27, 1949;

Sent to the Senate requesting concurrence, April 28, 1949;

Passed by the Senate with amendments and asks for a conference in case of disagreement having designated as conferees at the same on its part, Senators Tañada, Sanidad, Cabili, Vera, and Mabanag, May 19, 1949;

Disagreed to the amendments of the Senate and accepts the conference, having designated as representatives at the same on its part Congressmen Lim, Roy, Santos Diaz, Perfecto and Singson, May 19, 1949;

Conference Report agreed to by the House, May 19, 1949;

Conference Report agreed to by the Senate, May 19, 1949;

Approved by the President, June 18, 1949;

(Republic Act No. 386)

*June
March 1949*

519
56
602
66

2119 - An Act to amend sections two and eight of the Republic Act Numbered Three hundred and four.

(Re: rank salaries of officers and employees)

Introduced by Congressmen Lim and Clemente, January 26, 1949;

Referred to the Committee on Appropriations, on the same day;

Consolidated with H. No. 2819 as per Committee Report No. 1271.

2120 - An Act for the redemption of emergency currency notes, military scripts and guerilla notes, especially the Montelibano guerilla notes in circulation in the

REPUBLIC ACT NO. 386

**Ordaining and instituting the Civil Code of the Philippines.
(H No. 2118)**

Introduced by the Committee on Codes w/ report (CR No. 970), Jan. 26, 1949,
PCR, p. 29

Passed on second reading, Feb. 7, 1949, PCR, pp. 178-347; Feb. 22, 1949, PCR,
pp. 519-529; Feb. 23, 1949, PCR, pp. 532-548; Feb. 24, 1949, PCR, pp. 563-567;
March 2, 1949, PCR, pp. 607-617; March 4, 1949, PCR, pp. 636-643; 646-652;
March 7, 1949, PCR, pp. 669-680; March 15, 1949, PCR, pp. 789-800; March 16,
1949, PCR, pp. 803-816; March 17, 1949, PCR, pp. 818-827; March 21, 1949,
PCR, pp. 850-861; April 1, 1949, PCR, pp. 1156-1195; April 4, 1949, PCR, pp.
1168-1195; April 5, 1949, PCR, pp. 1336-1348; April 22, 1949, PCR, pp. 1459-
1460 pp. 1208-1235 April 18, 1949, PCR, pp.

Passed on third reading, April 27, 1949, PCR, pp. 1527-1528

Sent to the Senate, April 28, 1949

Passed by the Senate w/ amendments and asked for a bicameral conference in
case of disagreement, May 19, 1949

Disagreed to the amendments of the Senate, May 19, 1949

Conference Report agreed to by the House, May 19, 1949

Conference Report agreed to by the Senate, may 19, 1949

Approved by the President, June 18, 1949

Justo

de Filipinas)
Cuarto Período de Esiones)

SENADO

A C T A No. 60

Miercoles, 27 de abril de 1949

Se abrió la sesión a las 10:35 a. m., en el antiguo edificio de la Legislatura, ocupando el estrado el senador Diokno, por designación del Presidente Interino.

DISPENSACIÓN DE LA LECTURA DE LA LISTA Y DEL ACTA
Y APROBACIÓN DE LA ÚLTIMA

A moción del senador Arranz, se dispensó la lectura de la lista de senadores y la del acta del 26 de abril de 1949, dándose ésta por aprobada.

DESPACHO DE LOS ASUNTOS QUE ESTÁN SOBRE LA MESA
DEL PRESIDENTE

MENSAJES DEL PRESIDENTE DE LA REPÚBLICA

Manila
April 25, 1949

Gentlemen of the Congress:

Pursuant to the provisions of Paragraph (2), Section 21, Article VI, of the Constitution, I hereby certify to the necessity of the immediate enactment of H. No. 2118, entitled: AN ACT TO ORDAIN AND INSTITUTE THE CIVIL CODE OF THE PHILIPPINES.

Respectfully,

(Sgd.) ELPIDIO QUIRINO

The Senate
Congress of the Philippines
Manila

Al Comité de Código Civil.

RESOLUTION

WHEREAS, the proposed Civil Code has numerous and progressive provisions, particularly women's rights;

WHEREAS, the proposed Civil Code has been approved by the House of Representatives;

WHEREAS, the said Code is now in the Senate;

WHEREAS, the inclusion of said Code in the calendar of business of the Senate will expedite its discussion and consideration by said body;

WHEREAS, the approval of the said proposed Civil Code will greatly benefit women and Filipino family relations,

BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Philippine Association of University Women, through its President and other officers, petition the President of the Senate to consider for discussion and approval the proposed Civil Code during the current session of Congress.

Done in the City of Manila, this 3rd day of May, 1949.

UNANIMOUSLY APPROVED:

THE PHILIPPINE ASSOCIATION OF UNIVERSITY WOMEN

(Sgd.) PILAR H. LIM
President

(Sgd.) AMPARO F. GONZALES
Secretary

SENADO

A C T A No. 63

Martes, 3 de mayo de 1949

Se abrió la sesión a las 10:55 a.m., en el antiguo edificio de la Legislatura, ocupando el estrado el senador Osías, por designación del Presidente Interino.

DISPENSACIÓN DE LA LECTURA DE LA LISTA Y DEL ACTA
Y APROBACIÓN DE LA ÚLTIMA

A moción del senador Arranz, se dispensó la lectura de la lista de senadores y la del acta del 29 de abril de 1949, dándose ésta por aprobada.

DESPACHO DE LOS ASUNTOS QUE ESTÁN SOBRE LA MESA
DEL PRESIDENTE

MENSAJE DE LA CÁMARA DE REPRESENTANTES

Manila
April 20, 1949

Mr. President,

I have been directed to inform your honorable body that the House of Representatives on April 27, 1949, passed the following House Bill No. 2118, entitled:

AN ACT TO ORDAIN AND INSTITUTE THE CIVIL CODE OF THE
PHILIPPINES,

in which it requests the concurrence of the Senate.

Very respectfully,

(Sgd.) N. PIMENTEL
Secretary, House of Representatives

The Honorable
The President of the Senate
Manila

Al Comité Especial de Código Civil.

As
Primer Congreso de la República)
de Filipinas :
Cuarto Período de Sesiones)

SENADO

A C T A No. 68

Martes, 10 de mayo de 1949

Se abrió la sesión a las 10:20 a.m., en el antiguo edificio de la Legislatura, ocupando el estrado el senador Osías, por designación del Presidente Interino.

DISPENSACIÓN DE LA LECTURA DE LA LISTA Y DEL ACTA
Y APROBACIÓN DE LA ÚLTIMA

A moción del senador Cuenco, se dispensó la lectura de la lista de senadores y la del acta del 9 de mayo de 1949, dándose ésta por aprobada.

DESPACHO DE LOS ASUNTOS QUE ESTÁN SOBRE LA MESA
DEL PRESIDENTE

MENSAJE DEL PRESIDENTE DE LA REPÚBLICA

Manila
April 9, 1949

Gentlemen of the Senate:

I transmit herewith a certified copy of the Protocol and the accompanying Annex containing the amendments to the Agreements, Conventions and Protocols on Narcotic Drugs concluded at the Hague on 23 January 1912, at Geneva on 11 February 1925 and 19 February 1925, and 13 July 1931, at Bangkok on 27 November 1931, and at Geneva on 26 June 1936, signed at Lake Success, New York, on 11 December 1946, by thirty-six members of the United Nations.

The Philippine representative signed the Protocol with the usual reservation regarding the requirements of Philippine constitutional procedure. Formal acceptance thereof by the Government of the Republic of the Philippines is necessary, which shall be deposited with the Secretary-General of the United Nations. The Protocol provides in Article VII that it shall come into force in respect of each party on the date upon which it has been signed on behalf of that party without reservation as to approval or upon which an instrument of acceptance has been deposited. The amendments will come into force in respect of each Agreement, Convention and Protocol when a majority of the parties thereto have become parties to the present protocol.

OF SECTION NINE HUNDRED AND TWENTY-EIGHT OF THE REVISED ADMINISTRATIVE CODE AND PENALIZING INTENTIONAL VIOLATION THEREOF,

recomendando que sea aprobado sin enmienda.

Al Calendario.

Del Comité de Hacienda (I. S. No. 560 - 1.er C. R. F.), sobre el Proyecto de Ley No. 2644 de la Cámara de Representantes, titulado:

AN ACT AMENDING SECTION TWELVE HUNDRED AND NINETY OF THE REVISED ADMINISTRATIVE CODE, AS AMENDED, SO AS TO EMPOWER THE COMMISSIONER OF CUSTOM TO IMPOSE SURCHARGES NOT EXCEEDING ONE THOUSAND PESOS WITHOUT THE APPROVAL OF THE SECRETARY OF FINANCE,

recomendando que sea aprobado sin enmienda.

Al Calendario.

Del Comité de Relaciones Exteriores (I. S. No. 561 - 1.er C. R. F.), sobre el "Report of the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations", recomendando que el Proyecto de Resolución No. 111 del Senado preparado por dicho Comité sea adoptado sin enmienda.

Al Calendario.

Del Comité Especial de Código Civil (I. S. No. 562 - 1.er C. R. F.), sobre el Proyecto de Ley No. 2118 de la Cámara de Representantes, titulado:

AN ACT TO ORDAIN AND INSTITUTE THE CIVIL CODE OF THE PHILIPPINES,

recomendando que sea aprobado con enmiendas.

Al Calendario.

RETIRACIÓN DE UN INFORME DE COMITÉ

El senador García pidió, y así se acordó, que se retirase del Calendario el Informe del Comité de Educación (I. S. No. 559) sobre el Proyecto de Ley No. 315 del Senado.

CONSIDERACIÓN DEL PROYECTO DE LEY NO. 411 DEL SENADO

La Mesa declaró en orden la consideración, y en sesión del Senado, del Proyecto de Ley No. 411 del Senado, titulado:

As
Primer Congreso de la República)
de Filipinas :
Cuarto Período de Sesiones)

SENADO

A C T A No. 69

Miércoles, 11 de mayo de 1949

Se abrió la sesión a las 10:30 a. m., en el antiguo edificio de la Legislatura, ocupando el estrado el Presidente Protémpore, Hon. Melecio Arranz, por designación del Presidente Interino.

DISPENSACIÓN DE LA LECTURA DE LA LISTA Y DEL ACTA
Y APROBACIÓN DE LA ÚLTIMA

A moción del senador Cuenco, se dispensó la lectura de la lista de senadores y la del acta del 10 de mayo de 1949, dándose ésta por aprobada.

DESPACHO DE LOS ASUNTOS QUE ESTÁN SOBRE LA MESA
DEL PRESIDENTE

MENSAJES DE LA CÁMARA DE REPRESENTANTES

Manila
May 9, 1949

Mr. President:

I have been directed to inform your honorable body that the House of Representatives on May 9, 1949, passed without amendment Senate Bill No. 269, entitled:

AN ACT TO REGULATE THE PRACTICE OF VETERINARY
MEDICINE AND SURGERY IN THE PHILIPPINES.

Very respectfully,

(Sgd.) N. PIMENTEL
Secretary, House of Representatives

The Honorable
The President of the Senate
Manila

Al archivo.

As

- 19 -

cuyo tenor es como sigue:

RESOLUTION DECLARING SENATE FLOOR LEADER, HONORABLE CARLOS P. GARCIA, INNOCENT OF THE CHARGES PREFERRED AGAINST HIM UNDER SENATE RESOLUTION No. 78.

Resolved, That Senate Floor-Leader, Honorable Carlos P. Garcia be, as he hereby is, exonerated from the charges filed against him in the Senate, as recommended in the report of the Special Investigating Committee created by virtue of Resolution No. 78 of the Senate.

Adopted,

Sometido a votación, el precedente proyecto de resolución fué aprobado unánimemente.

ORDEN ESPECIAL

El senador Arranz pidió el señalamiento de una orden especial para que en la sesión del viernes próximo, 13 del actual, se considerasen los siguientes proyectos de ley del Senado Nos. 417, 423, 363, 426, 425, 376, 366, 434, 410 y el Proyecto de Resolución No. 112 de dicho Cuerpo.

No habiendo objeción, así se acordó.

APLAZAMIENTO DEL PROYECTO DE LEY NO. 2118 DE LA CÁMARA DE REPRESENTANTES

A moción del senador García, se acordó que la consideración del Proyecto de Ley No. 2118 de la Cámara de Representantes, titulada: AN ACT TO ORDAIN AND INSTITUTE THE CIVIL CODE OF THE PHILIPPINES, se aplazase hasta nuevo señalamiento.

No habiendo objeción, así se acordó.

LEVANTAMIENTO DE LA SESIÓN

A moción del senador Arranz, levantóse la sesión del Senado hasta el día siguiente, a las diez de la mañana.

Eran las 11:50 a. m.

De todo lo cual doy fe:

CESAR DE LARRAZÁBAL
Secretario Interino del Senado

As
Primer Congreso de la República)
de Filipinas :
Cuarto Período de sesiones)

SENADO

ACTA No. 70

Quevas, 12 de mayo de 1949

Se abrió la sesión a las 10:50 a. m., en el antiguo edificio de la Legislatura, ocupando el estrado el Presidente Protémpore, Hon. Melicio Arranz, por designación del Presidente Interino.

DISPENSACIÓN DE LA LECTURA DE LA LISTA Y DEL ACTA
Y APROBACIÓN DE LA ÚLTIMA

A moción del senador García, se dispensó la lectura de la lista de senadores y la del acta del 11 de mayo de 1949, dándose ésta por aprobada.

DESPECHO DE LOS ASUNTOS QUE ESTÁN SOBRE LA MESA
DEL PRESIDENTE

ENCARGOS DE LA CÁMARA DE REPRESENTANTES

Manila
May 10, 1949

Mr. President:

I have been directed to inform your honorable body that the House of Representatives on May 10, 1949, adopted the following House Joint Resolution No. 7, entitled:

JOINT RESOLUTION ADOPTING THE TRANSLATION BY CIRIO H. PANGANTIBAN AS THE OFFICIAL NATIONAL LANGUAGE TEXT OF THE PHILIPPINE NATIONAL HYMN,

in which it requests the concurrence of the Senate.

Very respectfully,

(Sgd.) N. PIMENTEL
Secretary, House of Representatives

The Honorable
The President of the Senate
Manila

El Comité de Educación.

SEC. 6. The Chief Justice of the Supreme Court is hereby empowered to appoint such administrative assistants and personnel as he may deem necessary to carry out the purposes of this Act. To cover the salaries of such assistants and personnel, and incidental expenses, until the enactment of the next General Appropriation Act, the sum of fifty thousand pesos, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Philippine Treasury not otherwise appropriated.

SEC. 7. All laws and executive orders or regulations, or parts thereof, inconsistent with the provisions of this Act, are hereby repealed, modified or amended to conform with the provisions hereof.

SEC. 8. This Act shall take effect upon its approval.

ORDEN ESPECIAL

El senador García pidió que, mediante orden especial, se señalase para el martes, 17 de mayo próximo, la consideración del Proyecto de Ley No. 2118 de la Cámara de Representantes, titulado:

AN ACT TO ORDAIN AND INSTITUTE THE CIVIL CODE OF THE PHILIPPINES.

No habiendo objeción, así se acordó.

CONTINUACIÓN DE LA CONSIDERACIÓN DEL PROYECTO DE LEY NO. 411 DEL SENADO

La Mesa declaró en orden la continuación de la consideración del Proyecto de Ley No. 411 del Senado, titulado:

AN ACT TO FURTHER REVISE AND AMEND THE REVISED ELECTION CODE.

El senador Diokno, ponente del proyecto, prosiguió con su informe comenzado en sesión anterior, siendo interrogado por los senadores Osías, Francisco y Vera.

(Mientras el senador Diokno rendía su informe el senador Madrigal ocupó el estrado.)

SUSPENSIÓN DE LA SESIÓN

A petición del senador Arranz, se suspendió la sesión por breves minutos.

Eran las 12:05 p. m.

As
Primer Congreso de la República)
de Filipinas :
Cuarto Período de Sesiones)

SENADO

A C T A No. 73

Martes, mayo 17 de 1949

Se abrió la sesión a las 11:30 a. m., en el antiguo edificio de la Legislatura, bajo la presidencia del Presidente Interino, Hon. Mariano J. Cuenco.

DISPENSACIÓN DE LA LECTURA DE LA LISTA Y DEL ACTA
Y APROBACIÓN DE LA ULTIMA

A moción del senador Arranz, se dispensó la lectura de la lista de senadores y la del acta del 16 de mayo de 1949, dándose ésta por aprobada.

DESPACHO DE LOS ASUNTOS QUE ESTÁN SOBRE LA
MESA DEL PRESIDENTE

MENSAJES DEL PRESIDENTE DE LA REPÚBLICA

Manila
May 17, 1949

Gentlemen of the Congress:

It is my deep concern that clean elections shall always be held in this country so that the results thereof may represent the true expression of the popular will. I, therefore, recommend to the Congress the enactment of a law which will give to the Commission on Elections greater powers and responsibility and providing for more effective safeguards for the conduct of such elections so as to fulfill its constitutional mission of insuring free, orderly and honest elections.

A more effective deterrent against violations of the election law is also demanded if we are to profit from our past experiences. The penalties for offenses that violate the purity of the ballot should be increased to the limits consistent with our sense of justice. The oft-repeated practice of padding the electoral census for the purpose of gaining advantage in the election should be dealt with drastically.

CONSIDERACIÓN DEL PROYECTO DE LEY NO. 2118
DE LA CÁMARA DE REPRESENTANTES

La Mesa declaró en orden la consideración, y en sesión del Senado, del Proyecto de Ley No. 2118 de la Cámara de Representantes, titulado:

AN ACT TO ORDAIN AND INSTITUTE THE CIVIL CODE OF THE
PHILIPPINES.

El senador Tañada hizo la ponencia del proyecto, siendo interrogado por los senadores Pendatun y Arranz.

SUSPENSIÓN DE LA SESIÓN

A petición del senador Arranz y no habiendo objeción, se suspendió la sesión por algunos minutos.

Eran las 11:53 a.m.

REANUDACIÓN DE LA SESIÓN

Se reanudó la sesión a las 12:01 p. m.

SUSPENSIÓN DE LA CONSIDERACIÓN DEL PROYECTO
DE LEY NO. 2118 DE LA CÁMARA
DE REPRESENTANTES

A moción del senador Diokno, se acordó que la consideración de este proyecto de ley fuese suspendida hasta la sesión siguiente, a las cuatro de la tarde.

CONTINUACIÓN DE LA CONSIDERACIÓN DEL PROYECTO
DE LEY NO. 2560 DE LA CÁMARA
DE REPRESENTANTES

La Mesa declaró en orden la continuación de la consideración del Proyecto de Ley No. 2560 de la Cámara de Representantes, titulado:

AN ACT PROVIDING FOR THE REDEMPTION OF EMERGENCY AND
GUERRILLA CURRENCY NOTES REGISTERED AND DEPOSIT-
ED UNDER THE PROVISIONS OF REPUBLIC ACT NUMBERED
TWENTY-TWO, APPROPRIATING FUNDS THEREFOR, AND FOR
OTHER PURPOSES.

El senador Cabili rindió la ponencia acerca del proyecto y