Mr. Speaker:

The Committee on Revision of Laws to which was referred House Bill No. 347, introduced by Reps. Xavier Jesus “XJ” D. Romualdo, Rogelio "Ruel" D. Pacquiao and Joy Myra S. Tambunting, entitled:

“AN ACT
REPEALING ARTICLE 891 OR THE RESERVA TRONCAL OF REPUBLIC ACT NO. 386, OTHERWISE KNOWN AS THE CIVIL CODE OF THE PHILIPPINES”

has considered the same and recommends that the attached House Bill No. 10372, entitled:

“AN ACT
REPEALING THE RESERVA TRONCAL PROVISION UNDER ARTICLE 891 OF REPUBLIC ACT NO. 386, AS AMENDED, OTHERWISE KNOWN AS THE NEW CIVIL CODE OF THE PHILIPPINES”


Respectfully submitted,

CHERYL P. DELOSO-MONTALLA
Chairperson
Committee on Revision of Laws

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10372
(In Substitution of House Bill No. 347)

Introduced by REPS. XAVIER JESUS “XJ” D. ROMUALDO, ROGELIO "RUEL" D. PACQUIAO, JOY MYRA S. TAMBU NTING, RUFUS B. RODRIGUEZ, LAWRENCE “LAW” H. FORTUN, TYRONE D. AGABAS, ARLENE D. BROSAS, GABRIEL H. BORDADO, JR. AND CHERYL P. DELOSO-MONTALLA

AN ACT
REPEALING THE RESERVA TRONCAL PROVISION UNDER ARTICLE 891 OF REPUBLIC ACT NO. 386, AS AMENDED, OTHERWISE KNOWN AS THE NEW CIVIL CODE OF THE PHILIPPINES

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

SECTION. 1. Article 891, Section 5, Chapter 2, Title IV, Book III of Republic Act No. 386, as amended, otherwise known as the New Civil Code of the Philippines, is hereby repealed.

[Art. 891. The ascendant who inherits from his descendant any property which the latter may have acquired by gratuitous title from another ascendant, or a brother or sister, is obliged to reserve such property as he may have acquired by operation of law for the benefit of relatives who are within the third degree and who belong to the line from which said property came.]

SEC. 2. All laws, acts, presidential decrees, executive orders, presidential proclamations, issuances, rules and regulations or parts thereof which are contrary to or inconsistent with any of the provisions of this Act are hereby repealed, amended, or modified accordingly.
SEC. 3. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,
House Bill No. 10372
(In Substitution of House Bill No. 347)

AN ACT
REPEALING THE *RESERVA TRONCAL* PROVISION UNDER ARTICLE 891 OF REPUBLIC ACT NO. 386, AS AMENDED, OTHERWISE KNOWN AS THE *NEW CIVIL CODE OF THE PHILIPPINES*


*Committee Referral:* COMMITTEE ON REVISION OF LAWS
*Committee Chairperson:* REP. CHERYL P. DELOSO-MONTALLA

OBJECTIVES:

- To simplify and update the law on succession involving properties reserved by operation of law to certain relatives of the decedent;
- To discourage the confinement of property within a certain family for generations, which is inconsistent with the principle on the socialization of property ownership;
- To eliminate the hindrance to development and transferability of property; and
- To prevent unnecessary or protracted litigation caused by uncertainty in ownership which results in elaborate rules, intricate distinctions and different interpretations by legal practitioners and commentators.

KEY PROVISION:

- Repeals the provision on *reserva troncal* under the Civil Code which provides that the ascendant who inherits from his or her descendant any property which the latter may have acquired by gratuitous title from another ascendant, or a brother...
or sister, is obliged to reserve such property as he or she may have acquired by operation of law for the benefit of relatives who are within the third degree and who belong to the line from which said property came.

RELATED LAWS:

- Article 891, Section 5, Chapter 2, Title IV, Book III of Republic Act No. 386, otherwise known as the New Civil Code of the Philippines;