



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
*Third Regular Session*



**COMMITTEE REPORT NO. 1295**

Submitted by the Committee on Revision of Laws on October 11, 2021

Re : House Bill No. 10372

Recommending its approval in substitution of House Bill No. 347

Sponsors : Representatives Cheryl P. Deloso-Montalla and Xavier Jesus "XJ" D. Romualdo

**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"**

be approved in substitution of House Bill No. 347 with Reps. Xavier Jesus "XJ" D. Romualdo, Rogelio "Ruel" D. Pacquiao, Joy Myra S. Tambunting, Rufus B. Rodriguez, Lawrence "Law" H. Fortun, Tyrone D. Agabas, Arlene D. Brosas, Gabriel H. Bordado, Jr. and Cheryl P. Deloso-Montalla as authors thereof.

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. TAMBUNTING, 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:*

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3 the Philippines, is hereby repealed.

4

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

11

12           **SEC. 2.** All laws, acts, presidential decrees, executive orders, presidential  
13 proclamations, issuances, rules and regulations or parts thereof which are  
14 contrary to or inconsistent with any of the provisions of this Act are hereby  
15 repealed, amended, or modified accordingly.

1           **SEC. 3.** This Act shall take effect fifteen (15) days after its       publication  
2    in the *Official Gazette* or in a newspaper of general circulation.  
3           Approved,

# House of Representatives Committee Affairs Department

## FACT SHEET

### 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***

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

*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;