

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 1291



Introduced by Representative Arthur R. Defensor, Jr.

EXPLANATORY NOTE

This bill entitled, "AN ACT ESTABLISHING ESTATE SETTLEMENT COURTS, GRANTING THEM EXCLUSIVE ORIGINAL JURISDICTION OVER CASES FOR SETTLEMENT OF THE ESTATE OF DECEASED PERSONS, AMENDING BATAS PAMBANSA BILANG 129, AS AMENDED", establishes a focused and specialized court that will take cognizance of all estate settlement cases, to the exclusion of others. This will not necessarily involve the creation of a new branch of Regional Trial Court. Rather, the bill establishes the Estate Settlement Court by designating, as such, an existing Regional Trial Court branch in every highly urbanized city and province. All estate settlement cases in every highly urbanized city and province shall be concentrated in one (1) Regional Trial Court branch. This will achieve the needed undivided attention and focused expertise for the speedy and efficient disposition of estate settlement cases.

Capital in the form of property are tied-up in long winding estate settlement cases. The bill, as a matter of policy, seeks the immediate release of property to commercial circulation, making them available for business transaction, with the end view of generating subjects of taxation and stimulating economic activity.

This bill comes with a parallel initiative, which is the filing of a bill entitled, "AN ACT GRANTING AMNESTY IN ESTATE TAX", indented to encourage the settlement of estates, by the grant of amnesty in estate tax.



ARTHUR R. DEFENSOR, JR.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 1291

Introduced by Representative Arthur R. Defensor, Jr.

AN ACT ESTABLISHING ESTATE SETTLEMENT COURTS, GRANTING THEM EXCLUSIVE ORIGINAL JURISDICTION OVER CASES FOR SETTLEMENT OF ESTATE OF DECEASED PERSONS, AMENDING BATAS PAMBANSA BILANG 129, AS AMENDED.

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

1 Sec. 1. *Title* – This Act shall be known as the “Estate Settlement Court Act”.

2
3 Sec. 2. *Declaration of Policies*. – The State recognizes the need for the speedy
4 disposition of estate settlement cases, for the immediate release of property to
5 commercial circulation, making them available for business transaction, with the end
6 view of generating further subjects of taxation and stimulating economic activity.

7
8 Sec. 3. *Establishment of Estate Settlement Courts*. – There shall be established, by
9 way of designation of a Regional Trial Court branch, an Estate Settlement Court, in
10 every province and highly urbanized city in the country.

11
12 Sec. 4. *Jurisdiction*. – The Estate Settlement Courts shall exercise exclusive
13 original jurisdiction to hear and decide all cases of settlement of estate of deceased
14 persons, regardless of the gross value of the estate.

15
16 Sec. 5. *Appeals*. – Decisions and orders of the Estate Settlement Court shall be
17 appealed in the same manner as appeals from the ordinary Regional Trial Courts.

18
19 Sec. 6. *Rules and Regulations*. – The Supreme Court shall promulgate the
20 necessary rules for the transfer of cases to the Estate Settlement Courts during the
21 transition period, and for the effective implementation of this Act.

22
23 Sec. 7. *Repealing Clause*. – All other laws inconsistent herewith are hereby
24 repealed, amended or modified accordingly.

25

26 Sec. 8. *Effectivity.* - This Act shall take effect fifteen (15) days after its
27 publication in at least two (2) national newspapers of general circulation.
28

29 Approved.