

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Constitution Hills, Quezon City

**SEVENTEENTH CONGRESS**  
First Regular Session



**HOUSE BILL NO. 6351**

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Introduced by Hon. HARLIN NEIL J. ABAYON, III

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**EXPLANATORY NOTE**

Recent, ongoing, and contemporary events such as Martial Law in Mindanao, widespread systems failure of the financial technologies of a major local universal bank, Super typhoon Yolanda, flooding brought by Tropical Storm Ondoy, and massive power blackouts have had severe adverse effects.

These fortuitous events resulted in death, serious and critical injury to persons, destruction of public and private property, catastrophe affecting large geographical areas and numerous people, and led to economic or financial ruin or crises.

These events and their ripple effects are not the fault of and are beyond the control of innocents and the unaware, who should therefore not bear any liability or suffer from them.

The Civil Code of the Philippines was enacted on June 18, 1949 or 68 years ago and since then both jurisprudence and technologies have advanced and become more complex, while climate change and global warming have caused extreme weather events and cataclysms. Enactment of this bill into law is timely and forward-looking.

  
HARLIN NEIL J. ABAYON, III  
Representative, AANGAT Tayo

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**AN ACT AMENDING REPUBLIC ACT NO. 386  
ALSO KNOWN AS THE CIVIL CODE OF THE PHILIPPINES BY  
EXPRESSLY PROVIDING A REFINED AND UPDATED DEFINITION OF  
FORTUITOUS EVENTS**

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

SECTION 1. *Short Title.* - This Act shall also be known as "*The Fortuitous  
Events Law*".

Section 2. *Declaration of Policy.* The State is duty-bound to protect its  
citizens from natural and man-made calamities and ease the adverse impact of these  
events. It is this duty that underlies Congress' passage of laws on disaster  
preparedness, crime prevention, consumer protection, public health, and poverty  
alleviation.

Section 3. Article 1174 of Republic Act No. 386 is hereby amended to state:

Article 1174. Except in cases specified by the law, or when it is  
otherwise declared by stipulation, or when the nature of the obligation requires  
the assumption of risk, no person shall be responsible for fortuitous events  
and effects of such events, which, could not be foreseen, or which, though  
foreseen were inevitable.

Fortuitous events include the following:

1. War;
2. Martial Law;
3. Devastating or destructive national emergencies;

4. Natural calamities;
5. Insurrection;
6. Acts of public enemies;
7. Riots;
8. Strikes;
9. Fire;
10. Any law, order, regulation, direction or request of the Philippine Government;
11. Inadvertent or massive, system failure of information; communication, and financial technology systems;
12. Electronic or computer-aided hacking, intrusion, or sabotage; and
13. Other circumstances beyond the control of a party or parties to an agreement.

Section 4. *Separability Clause.* - If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

Section 5. *Repealing Clause.* - All laws, decrees, letters of instruction, executive orders, rules and regulations and other issuances or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

Section 6. *Effectivity.* - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) newspapers of general circulation in the Philippines.

Approved.