

Art. 1 – Civil Code

The law is officially called the **Civil Code of the Philippines**.

Art. 2 – Effectivity of Laws

A law generally takes effect **15 days after complete publication**, unless otherwise provided.

Art. 3 – Ignorance of Law

Not knowing the law is not an excuse for violating it.

Art. 4 – Non-Retroactivity

Laws generally **apply only to the future**, unless the law says otherwise.

Art. 5 – Mandatory/Prohibitory Laws

Acts violating mandatory or prohibitory laws are **void**, unless the law allows them.

Art. 6 – Waiver of Rights

Rights may be waived, **unless the waiver violates law, public policy, morals, or harms another's legal right**.

Art. 7 – Repeal of Laws

A law is repealed only by a **later law**. Disuse does not repeal it. A law contrary to the Constitution is void.

Art. 8 – Judicial Decisions

Court decisions interpreting laws or the Constitution **form part of the Philippine legal system**.

Art. 9 – Duty of Courts

Courts **cannot refuse to decide** simply because the law is silent, unclear, or insufficient.

Art. 10 – Doubt in Interpretation

When there is doubt, it is presumed that the law intends **justice and what is right**.

Art. 11 – Customs

Customs contrary to **law, public order, or public policy** are not recognized.

Art. 12 – Proof of Custom

A custom must be **proven as a fact** according to evidence rules.

Art. 13 – Computation of Time

Year = **365 days**; month = **30 days**; day = **24 hours**. First day is excluded; last day is included.

Art. 14 – Territorial Application

Penal and public safety laws apply to **everyone in Philippine territory**, subject to international law and treaties.

Art. 15 – Personal Laws

Laws on **family rights, status, and legal capacity** bind Filipino citizens even when abroad.

Art. 16 – Property

Property is generally governed by the law of the **country where it is located**. Succession follows the deceased person's **national law**.

Art. 17 – Forms of Acts

The form and formalities of contracts, wills, and public documents generally follow the law of the **place where executed**.

Art. 18 – Special Laws

When the Code of Commerce or special laws have gaps, the **Civil Code supplements them**.

ARTS. 19–36 — HUMAN RELATIONS & CIVIL ACTIONS**Art. 19 – Justice and Good Faith**

Exercise rights and perform duties with **justice, fairness, honesty, and good faith**.

Art. 20 – Violation of Law

Anyone who willfully or negligently causes damage **contrary to law must pay damages**.

Art. 21 – Against Morals

Anyone who intentionally causes injury in a manner contrary to **morals, good customs, or public policy must compensate**.

Art. 22 – Unjust Enrichment

If you receive something **without legal justification at another's expense, return it**.

Art. 23 – Benefit Despite No Fault

Even without fault or negligence, a person who **benefits from an event that damages another's property may be liable**.

Art. 24 – Protection of the Vulnerable

Courts must protect parties who are disadvantaged because of **ignorance, poverty, mental weakness, age, dependence, or disability**.

Art. 25 – Extravagance During Emergency

Courts may stop **thoughtless spending for pleasure or display** during serious public need or emergency.

Art. 26 – Respect for Dignity and Privacy

Everyone must respect another's **dignity, personality, privacy, and peace of mind**.

Art. 27 – Public Officer's Neglect

A public officer who unjustifiably refuses or neglects official duty and causes damage may be **sued for damages**.

Art. 28 – Unfair Competition

Unfair competition through **force, threats, deceit, intimidation, or oppressive methods** gives the injured person a right to sue.

Art. 29 – Acquittal & Civil Action

Even if an accused is acquitted because guilt was not proven **beyond reasonable doubt**, a civil action for damages may still be filed based on **preponderance of evidence**.

Art. 30 – Separate Civil Action

A separate civil action for civil liability from a crime may **continue even without a criminal case**, using civil evidence standards.

Art. 31 – Independent Civil Action

If the civil obligation is **not based on the crime itself**, the civil case may proceed independently of the criminal case.

Art. 32 – Violation of Rights

Anyone who unlawfully violates certain constitutional rights/liberties may be **liable for damages**. Examples: speech, religion, due process, equal protection, privacy, suffrage, and freedom from illegal detention.

Art. 33 – Defamation, Fraud, Physical Injuries

A separate civil action for damages may be filed for **defamation, fraud, or physical injuries**, independent of the criminal case.

Art. 34 – Police Failure to Help

A police officer who refuses/fails to help someone in danger may be **primarily liable**, while the city/municipality is **subsidiarily liable**.

Art. 35 – No Criminal Liability

Even if a person is not criminally liable, a **civil action for damages may still proceed**.

Art. 36 – Prejudicial Question

A **prejudicial question** is an issue that must be resolved first before a criminal case can proceed.

ARTS. 37–51 — PERSONS & JURIDICAL PERSONS

Art. 37 – Juridical Capacity vs. Capacity to Act

Juridical capacity = ability to have rights and obligations.

Capacity to act = ability to perform acts with legal effects.

Art. 38 – Incapacity

Conditions like **minority, insanity, imbecility, deaf-muteness, prodigality, and civil interdiction** can affect capacity to act.

Art. 39 – Limitations on Capacity

Capacity to act may be affected by **age, insanity, penalty, family relations, alienage, absence, insolvency, trusteeship, etc.** It cannot be limited because of religion or political opinion.

Art. 40 – Beginning of Personality

Personality begins at **birth**, but a conceived child is treated as born when favorable to the child, subject to the required conditions.

Art. 41 – Foetus

For civil purposes, a fetus is considered born if **alive upon complete delivery**, subject to the special rule for one with less than seven months' intrauterine life.

Art. 42 – End of Personality

Civil personality ends at **death**. Effects on rights and obligations depend on law, contract, and will.

Art. 43 – Doubt as to Death

If it is uncertain who died first, the person claiming that one died earlier must **prove it**. Without proof, they are presumed to have **died at the same time**.

Art. 44 – Juridical Persons

Juridical persons include the **State, public corporations/entities, and private corporations, partnerships, and associations recognized by law**.

Art. 45 – Laws Governing Juridical Persons

Juridical persons are governed by their **creating/recognizing laws and applicable laws**.

Art. 46 – Powers of Juridical Persons

Juridical persons may **own property, incur obligations, and sue or be sued**, according to law.

Art. 47 – Dissolution

When certain public-interest juridical persons dissolve, their property is disposed of according to **law or their charter**.

Art. 48 – Philippine Citizens

Lists who are considered Philippine citizens, including those recognized under the Constitution,

those with Filipino fathers, qualified persons with Filipino mothers, and those **naturalized by law**.

Art. 49 – Citizenship

Naturalization, loss, and reacquisition of Philippine citizenship are governed by **special laws**.

Art. 50 – Domicile of Natural Persons

A person's domicile is their **habitual residence**.

Art. 51 – Domicile of Juridical Persons

A juridical person's domicile is where its **legal representation is established or where its principal functions are exercised**, unless otherwise provided by law.

SUPER QUICK MEMORY FLOW

1–18 = LAW

→ What laws are, when they take effect, application, interpretation

19–36 = HUMAN RELATIONS

→ How people should act + damages + civil actions

37–51 = PERSONS

→ Capacity → birth/death → juridical persons → citizenship → domicile

This is the **short version to memorize first**, while still retaining the legal thought of each Article.