

15th CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

'11 JAN 17 P 4:00

RECEIVED BY: 

SENATE

S.B. No. 2636

Introduced by Senator Ramon Bong Revilla, Jr.

EXPLANATORY NOTE

In the Philippines it is disturbing that due to lenient monitoring and implementation, alcohol such as beer and hard drinks can easily be bought in grocery and convenience stores by teenagers. Our law sets the minimum legal drinking age at 18, nevertheless underage drinking is widespread and prevalent. A good number of young people get alcohol from home. If not from their home, they get hold of alcohol from friends or they can discreetly buy for themselves as it is relatively easy for an underage teen in our country to obtain alcohol from stores.

As a result, a number of cases of violence, sexual and drug abuse and suicide among Filipino teenagers have been attributed to drunkenness or alcohol intoxication. For this reason, this is already a growing concern in our society especially on youth behaviors, as well as to the culture of our country.

This bill seeks to guarantee that our nation's youth would carry out their responsibility in building our nation; proscribe minors from drinking alcohol, penalize those who abet them to gain access to alcohol and punish establishments that sell alcohol to minors.

Immediate passage of this bill is highly needed.

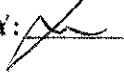


RAMON B. BONG REVILLA, JR.
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**AN ACT PROHIBITING THE ACCESS OF MINORS TO ALCOHOL AND
PENALIZING ESTABLISHMENTS THAT FURNISH ALCOHOL TO MINORS**

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

SECTION 1. *Short Title.* - This Act shall be known as the "Anti-Underage Drinking Act."

SECTION 2. *Declaration of Policy.* - The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. Towards this end, the State shall undertake efforts to eliminate alcohol abuse and reduce underage drinking by prohibiting minors' access to alcohol.

SECTION 3. *Definitions.* - For purposes of this Act, the term-

- (1) "minors" - shall refer to one who is below 18 years old;
- (2) "alcohol" - shall refer to ethyl alcohol, ethanol, or spirits of wine including all dilutions, purifications and mixtures thereof, from whatever source by whatever process produced and shall include whisky, brandy, rum gin tequila, and vodka and other similar products or mixtures. It shall also include malt beverages, mixed or fermented liquors, including tuba, basi, tapuy and lambanog;
- (3) "alcoholic beverages" - shall refer to liquor or brew containing alcohol as the active agent; and
- (4) "establishment" - shall refer to a place used for commercial purposes, such as bars, restaurants, dance clubs, hotels, retail stores, supermarkets, and other places with common business areas.

SECTION 4. *Prohibited Acts* - The following acts are prohibited:

- (1) The purchase of alcohol by minors from vendors or other sources.
- (2) Purchasing or obtaining alcohol for minors.
- (3) Misrepresentation of one's age by presenting false identification or otherwise represent themselves as being of legal purchase age.
- (4) Allowing the consumption or possession of any alcoholic beverages by a person under 18 years of age on an establishment's premises, no matter who purchased the alcoholic beverages or where they were purchased.

- (5) Selling, giving, or otherwise providing alcohol to minors by an establishment which is licensed to sell alcoholic beverages, or for any employee of that licensee, to sell or furnish any alcoholic beverages at any time to a person under 18 years of age.

SECTION 5. Penalties.-

- (1) Any minor who has violated any of the provisions of this act shall be required to render community service. Community service may consist of such acts as being required to appear before school groups to explain the dangers of alcohol abuse. The objective is to require the offenders to provide services that benefit society in a more constructive way and introduce the idea of ethical action into the value system of the perpetrator.

Such minor shall then be committed to the care of his father or mother, or nearest relative or family friend or the proper rehabilitation facility if so required.

- (2) Suspension of driver's license for those who permitted unlawful or fraudulent use of their license in connection with any of the violations listed above.
- (3) Establishments that have violated any of the provisions of this law are subject to fines of ten thousand pesos (P10,000) for the first offense and fifty thousand pesos (P50,000) for a repeated offense. Suspension or revocation of the license of repeat offenders shall be recommended to the appropriate local government unit.

SECTION 6. Creation of the Anti-Underage Drinking Body. - A body tasked with monitoring the enforcement of this law shall be created. It shall be composed of a chair and four (4) members, who shall be appointed by the President. The body shall have the following powers and duties:

- (1) To monitor the enforcement and compliance with this law;
- (2) To recommend the suspension or revocation of permits for erring establishments. Such recommendations will be submitted to the mayor's office, at the licensing office of the local government unit concerned;
- (3) To refer cases to the Department of Social Welfare so that adequate assistance and care may be given to the minor and the minor's parents; and
- (4) To make an annual report to Congress on the enforcement of the law.

SECTION 7. Appropriations. - The amount necessary for the initial implementation of this Act shall be charged against the appropriations of the Department of Social Work and Development (DSWD). Thereafter, such sum as may be necessary for its full implementation shall be included in the annual General Appropriations Act as a distinct and separate item.

SECTION 8. Separability Clause. - If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 9. Repealing Clause. - All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders or rules and regulations, which may be inconsistent with this Act shall be deemed repealed, amended or modified accordingly.

SECTION 10. Effectivity Clause. - This Act shall take effect fifteen (15) days following its publication in two (2) newspapers of general circulation.

Approved,