

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

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SENATE
S.B. No. 1420

RECEIVED BY: [Signature]

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

P.D. 1866 which codifies laws on firearms, ammunition, or explosives does not contain any provision to make unlawful for any person to manufacture and sell a firearm which does not have as an integral part a device which prevents a child from discharging the firearm for any reason of strength, dexterity, cognitive skill, or other ability.

This bill seeks to reduce if not eliminate injuries and deaths caused by accidental firearm shootings by children by making safety devices in firearm a condition for their sale or importation.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO *pk*

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CHILD SAFETY FIREARMS ACT

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

SECTION 1. *Short Title.* - This Act may be cited as "Child Safety Firearms Act".

SECTION 2. *Declaration of Policy.* - It is hereby declared to be the policy of the State to reduce injuries and deaths caused by accidental firearm shootings by children. Toward this end, the state shall guarantee the production of child-proof safety firearms or devices.

SECTION 3. *Definition of Terms.* - For purposes of this Act, the term:

(A) "Person" includes any individual, corporation, company, association, firm, partnership or entity.

(B) "Firearm" means (a) any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) any firearm muffler or silencer, or (d) any destructive device.

SECTION 4. *Unlawful Acts.* - It shall be unlawful for a person to manufacture, sell, cause to sell or import a firearm that does not have as an integral part a device or devices that:

(A) prevent a child of less than seven (7) years of age from discharging the firearm by reason of the amount of strength, dexterity, cognitive skill, or other ability required to cause a discharge.

(B) prevent a firearm that has a removable magazine from discharging when the magazine has been removed; and

(C) in the case of a handgun other than a revolver, clearly indicate whether the magazine or chamber contains a round of ammunition.

SECTION 5. *Penalty.* - Any violation of this Act shall be punished with a fine of not less than Fifty Thousand Pesos (P 50,000.00) or imprisonment of not less than three (3) months or both at the discretion of the court. If the offense is committed by a corporation, trust, firm, partnership or association or other entity, the penalty shall be imposed upon the guilty offender upon the guilty officer or officers of such corporation, trust, firm, partnership or entity.

SECTION 6. *Separability Clause.* - If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law of the provision not otherwise affected shall remain valid and subsisting.

SECTION 7. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with, the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved:

FN: 308