

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

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SENATE
S. B. No. **1615**

RECEIVED BY: _____

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Presidential Decree No. 1866 which codifies laws on firearms, or explosives does not contain any provision to make it unlawful for any person to manufacture, import, sell, ship, deliver, possess, transfer, or receive firearms that are not detectable by metal detectors used by police and military authorities.

The manufacture, importation and sale of such undetectable firearms contribute to the ever increasing crime rate in the country. If these undetectable firearms will not be prohibited, metal detectors, more particularly those being used in airports for public security and safety, will be of no purpose at all.

This bill seeks to reduce if not totally eliminate the crimes and the resulting deaths and injuries through the use of such undetectable firearms.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

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AN ACT
TO PROHIBIT CERTAIN FIREARMS ESPECIALLY USEFUL TO TERRORISTS

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

SECTION 1. *Short Title.* – This Act may be cited as the “Undetectable Firearms Act.”

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to protect public security and safety by prohibiting certain firearms especially useful to terrorists.

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

(1) “Major component” means with respect to a firearm, the barrel, the slide or cylinder, or the frame or receiver of the firearm;

(2) “Firearm” does not include the frame or receiver of any such weapon;

(3) “Security Exemplar” means an object, to be fabricated at the direction of the Secretary of National Defense, that is—

(a) constructed of, during the 12-month period beginning on the date of the enactment of this Act; and

(b) suitable for testing and calibrating metal detectors.

SECTION 4. *Prohibitions.* – It shall be unlawful for any person to manufacture, import, sell, ship, deliver, possess, transfer, or receive and firearm—

(1) that, after the removal of grips, stocks and magazines, is not detectable as the Security Exemplar, by walk-through metal detectors calibrated and operated to detect the Security Exemplar;

(2) any major component of which, when subjected to inspection by the types of x-ray machines commonly used at airports, does not generated an image that accurately depicts the shape of the component.

SECTION 5. *Penalty.* – Any violation of this Act shall be punished with a fine of not less than Fifty Thousand Pesos (P50, 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 officer or officers of such corporation, trust, firm, partnership or association or entity.

SECTION 6. *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 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule and regulation contrary to, or inconsistent with the provisions of this Act, is hereby repealed, modified, or amended accordingly.

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

Approved.