


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

5 OCT 13 1996

SENATE
S.B. No. 2142

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 13 provides that:

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. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

To ensure that our nation's youth would fulfill their role in nation-building, the State must protect them from factors detrimental to their development and progress as Filipino citizens.


Our Commission on Population, in its State of the Philippine Population Report 2nd Edition, confirmed that almost 70% of our young people (aged 10-24) have tried drinking alcohol. The percentage is high among the younger male adolescents (10-19 years old) at 93%; for young females, the percentages are increasing – 54% in 1994 and 70% in 2002. The report added that out-of-school or “idle” groups are more prone to drinking.

Apart from being illegal, underage drinking poses a high risk to both the individual and society. Adolescent alcohol abuse has also been linked to drunk driving, suicide, sexual assault, and unprotected or high-risk sex.

Adolescents also are vulnerable to alcohol-induced brain damage, which could contribute to poor performance at school or work. Medical studies show that exposing the brain to alcohol during the period of adolescence may interrupt key processes of brain development, possibly leading to mild cognitive impairment as well as to further escalation of drinking. In addition, youthful drinking is associated with an increased likelihood of developing alcohol abuse or dependence later in life.

On the other hand, American health authorities declare that a child who reaches age 21 without smoking, abusing alcohol or using drugs is virtually certain never to do so. Minimum drinking age laws in the United States have proven to be effective primarily in bringing down fatalities from alcohol-related traffic accidents, saving 21,887 lives since 1975, according to their 2002 statistics.


Although socio-economic factors play a significant role in adolescent alcohol abuse and dependence, it is absolutely necessary for the State to initiate policies to curb alcohol consumption of minors. This bill seeks to nip this problem in the bud by prohibiting the access of minors to alcohol and the establishments that sell them.


MIRIAM DEFENSOR SANTIAGO

THIRTEENTH CONGRESS OF THE REPUBLIC)
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Second Regular Session)

5 OCT 13 2016

SENATE
S.B. No. 2142

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

AN ACT
REGULATING THE ACCESS OF MINORS TO ALCOHOL

Be it enacted by the Senate and the 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 regulating minors’ access to alcohol.

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

(a) “Minors” – shall refer to one who is below 18 years old;

(b) “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;

(c) “Alcoholic beverages” – shall refer to liquor or brew containing alcohol as the active agent.

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

(a) Purchase of alcohol by minors from vendors or other sources.

(b) Purchasing or obtaining alcohol for minors.

(c) Misrepresentation of one's age by presenting false identification or otherwise representing themselves as being of legal purchase age.

(d) Dispensing by any establishment of alcoholic beverages to permit the consumption or possession of any alcoholic beverages by a person under 18 years of age on its premises, no matter who purchased the alcoholic beverages or where they were purchased.

(e) 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.* –

(a) 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.

(b) 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.

(c) Establishments that have violated any of the provisions of this law are subject to a fine of P5,000 for the first offense and P10,000 for a repeated offense. Suspension or revocation of the license of repeat offenders shall be recommended to the appropriate office of the local government unit concerned.

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:

(a) To monitor the enforcement and compliance with this law;

(b) 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;

(c) 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

(d) To make an annual report to Congress on the enforcement of the law.

SECTION 7. *Appropriations.* – To carry out the provisions of this Act, such amount as may be necessary is hereby authorized to be appropriated from the National Treasury. Thereafter, the amount necessary for the continuous operation of the Anti-Underage Drinking Body shall be included in the annual appropriation of the DSWD.

SECTION 8. *Separability Clause.* – If any provision of this Act is held invalid or unconstitutional, the remainder of the Act or the provision not otherwise affected shall remain valid and subsisting.

SECTION 9. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two newspapers of general circulation.

Approved,