

FIFTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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SENATE
OFFICE OF THE SECRETARY

10 JUL -8 P3 58

SENATE
S.B. No. 1042

RECEIVED BY

INTRODUCED BY SEN. MANNY VILLAR

EXPLANATORY NOTE

Presidential Decree No. 1866 codifies the laws on illegal/unlawful possession, manufacture, dealing in, acquisition or disposition, of firearms, ammunition or explosives or instruments used in the manufacture of firearms, ammunition or explosives. It also imposes stiffer penalties for certain violations thereof and for relevant purposes.

However, this law does not contain any provision that makes 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.

If these non-detectable firearms will not be prohibited, metal detectors particularly those used in airports and seaports will be of no purpose at all for the public's security and safety.

Moreover, the unchecked proliferation of such non-detectable firearms will be especially useful to terrorists in aiding them to perpetrate their terroristic activities.

As such, this proposed measure seeks to prohibit the manufacture, importation, sale, shipping, delivery, possession, transfer and receipt of such non-detectable firearms.

The immediate enactment of this bill is hereby sought.


MANNY VILLAR

FIFTEENTH CONGRESS OF THE)
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10 JUL -8 7:35 PM

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**AN ACT
PROHIBITING NON-DETECTABLE FIREARMS,
PROVIDING PENALTIES THEREOF AND FOR OTHER PURPOSES**

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

1 **SECTION 1. Short Title.** – This Act shall be known as the “Non-Detectable
2 Firearms Act”.

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

6 **SECTION. 3. Definition of Terms.** – For purposes of this Act, the following
7 terms are defined:

8 a) “major component” means with respect to a firearm, the barrel, the slide or
9 cylinder, to the frame or receiver of the firearms;

10 b) “firearm” does not include the frame or receiver of any such weapon;

11 c) “security exemplar” means an object, to be fabricated at the direction of the
12 Secretary of National Defense, that is—

13 1) constructed of, during the 12-month period beginning on the date of
14 the enactment of this Act; and

15 2) suitable for testing and calibrating metal detectors.

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

18 a) that, after the removal of grips, stocks and magazines, is not detectable as
19 the security exemplar, by walk-through metal detectors calibrated and
20 operated to detect the security exemplar;

21 b) any major component of which, when subjected to inspection by the type of x-
22 ray machines commonly used at airports, does not generate an image that
23 accurately depicts the shape of the component.

1 **SECTION. 5. *Penalties.*** – Any person found violating the provisions of this Act
2 shall be penalized with a fine of not less than One Hundred Thousand Pesos
3 (P100,000.00) or an imprisonment of not less than six (6) months, or both at the
4 discretion of the court. If the offense is committed by a corporation, trust, firm,
5 partnership or association or other entity, the penalty shall be imposed upon the guilty
6 officer or officers of such corporation, trust, firm, partnership or association or entity.

7 **SECTION. 6. *Repealing Clause.*** – All laws, decrees, orders, rules and
8 regulations or part thereof inconsistent with the provisions of this Act are hereby
9 repealed or modified accordingly.

10 **SECTION. 7. *Effectivity.*** – This Act shall take effect 15 days after its complete
11 publication in at least two (2) newspapers of general circulation.

12 Approved,