

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

SECRET
OFFICE OF THE SECRETARY

10 AUG -3 AMO:10

SENATE
S. No. 2304

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution declares that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of general welfare are essential for the enjoyment by all the people of the blessings of democracy.

However, the alarming rise in the incidence of crimes with the use of loose firearms over the years the aforesaid principle. Recent figures from the Philippine National Police (PNP) reveal that the number of loose firearms in the country is at around one million. It also reported that in 2008 alone, 5,999 loose firearms were used in 5,752 crime incidents.

Admittedly, firearms in the hands of irresponsible citizens has brought about insecurity, loss of human lives and damage to property that affect the valuable resources of the country.

It is in this light that this bill seeks to regulate the unlawful possession, manufacture, dealing in, acquisition or disposition, of firearms, ammunition, and instruments used in the manufacture of firearms and ammunition, by amending Presidential Decree No. 1866 as amended by Republic Act No. 8294 and 9516. This measure seeks to provide stiffer penalties for the violation of the same in order to more effectively deter the commission of crimes with the use of firearms. This bill also provides the maximum penalty for violations committed by public officials whether in civilian or in the military, police or law enforcement service, considering

their mandate and sworn duty to preserve the peace and order in society. This bill was originally filed by Sen. Rodolfo G. Biazon in the Fourteenth Congress.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
avr

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1 AN ACT
2 PROVIDING FOR STIFFER PENALTIES FOR CRIMES RELATING TO FIREARMS
3 AND LIGHT WEAPONS, FURTHER AMENDING FOR THE PURPOSE PRESIDENTIAL
4 DECREE NO. 1866, AS AMENDED BY REPUBLIC ACT NO. 8294

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

5 SECTION 1. Section 1 of Presidential Decree No. 1866, as amended by Republic Act
6 No. 8294, is hereby further amended to read as follows:

7 "Section 1. *Unlawful [Manufacture, Sale,] Acquisition[, Disposition]*
8 *or Possession of Firearms, LIGHT WEAPONS or Ammunition [or Instruments*
9 *Used or Intended to be Used in the Manufacture of Firearms or Ammunition].*
10 – The penalty of [*prison correccional*] *PRISION MAYOR* in its [maximum]
11 *MEDIUM* period [and a fine of not less than Fifteen thousand pesos
12 (P15,000)] shall be imposed upon any person who shall unlawfully
13 [manufacture, deal in,] acquire[, dispose,] or possess any [low powered]
14 firearm[, such as rimfire handgun, .380 or .32 and other firearm of similar
15 firepower, part of firearm, ammunition, or machinery, tool or instrument used
16 or intended to be used in the manufacture of any firearm or ammunition:
17 *Provided, That no other crime was committed*]. THE TERM 'FIREARM'
18 REFERS TO ANY HANDHELD OR PORTABLE WEAPON FROM

1 WHICH ANY BULLET, BALL SHOT OR MISSILE OR OTHER DEADLY
2 PROJECTILE MAY BE DISCHARGED BY MEANS OF EXPLOSION,
3 COMBUSTION OR ANY OTHER SIMILAR FORM, OR ANY
4 INSTRUMENT OR IMPLEMENT CAPABLE OF DOING THE SAME.
5 THE TERM INCLUDES, AMONG OTHERS, REVOLVERS AND SELF-
6 LOADING PISTOLS, RIFLES AND CARBINES NOT EXCEEDING
7 CALIBER 7.62 MM WHICH DO NOT HAVE FULLY AUTOMATIC
8 MODE.

9 "THE PENALTY OF *PRISION MAYOR* IN ITS MAXIMUM
10 PERIOD SHALL BE IMPOSED UPON ANY PERSON WHO SHALL
11 UNLAWFULLY ACQUIRE OR POSSESS A CLASS (A) LIGHT
12 WEAPON. CLASS (A) LIGHT WEAPONS REFER TO SELF-LOADING
13 PISTOLS, RIFLES AND CARBINES, SUB-MACHINE GUNS, ASSAULT
14 RIFLES AND LIGHT MACHINE GUNS NOT EXCEEDING CALIBER
15 7.62 MM WHICH HAVE FULLY AUTOMATIC MODE.

16 THE PENALTY OF *RECLUSION PERPETUA* SHALL BE
17 IMPOSED UPON ANY PERSON WHO SHALL UNLAWFULLY
18 ACQUIRE OR POSSESS A CLASS (B) LIGHT WEAPON. CLASS (B)
19 LIGHT WEAPONS REFER TO WEAPONS DESIGNED FOR USE BY
20 TWO (2) OR MORE PERSONS SERVING AS A CREW, OR RIFLES AND
21 MACHINE GUNS EXCEEDING CALIBER 7.62 MM SUCH AS HEAVY
22 MACHINE GUNS, HANDHELD UNDER-BARREL AND MOUNTED
23 GRENADE LAUNCHERS, PORTABLE ANTI-AIRCRAFT GUNS,
24 PORTABLE ANTI-TANK GUNS, RECOILLESS RIFLES, PORTABLE
25 LAUNCHERS OF ANTI-TANK MISSILE AND ROCKET SYSTEMS,

1 PORTABLE LAUNCHERS OF ANTI-AIRCRAFT MISSILE SYSTEMS,
2 AND MORTARS OF A CALIBER OF LESS THAN 100 MM.

3 A LIGHT WEAPON SHALL BE LAWFULLY ACQUIRED OR
4 POSSESSED EXCLUSIVELY BY THE ARMED FORCES OF THE
5 PHILIPPINES (AFP) OR THE PHILIPPINE NATIONAL POLICE (PNP)
6 AND OTHER AUTHORIZED LAW ENFORCEMENT AGENCIES IN THE
7 PERFORMANCE OF THEIR OFFICIAL DUTIES: *PROVIDED*, THAT
8 PRIVATE INDIVIDUALS WHO ALREADY HAVE LICENSES TO
9 POSSESS CLASS (A) LIGHT WEAPONS UPON EFFECTIVITY OF THIS
10 ACT SHALL NOT BE DEPRIVED OF THE PRIVILEGE TO CONTINUE
11 POSSESSING THE SAME AND RENEWING LICENSES THEREOF AND
12 SHALL BE REQUIRED TO COMPLY WITH THE OTHER APPLICABLE
13 PROVISIONS PROVIDED IN THIS ACT.

14 "THE PENALTY OF *RECLUSION TEMPORAL TO RECLUSION*
15 *PERPETUA* SHALL BE IMPOSED IF THREE (3) OR MORE FIREARMS
16 OR CLASS (A) LIGHT WEAPONS OR A COMBINATION THEREOF
17 ARE UNLAWFULLY ACQUIRED OR POSSESSED BY ANY PERSON.

18 WHEN AN UNLICENSED FIREARM OR LIGHT WEAPON IS IN
19 THE POSSESSION OF TWO (2) OR MORE PERSONS WITH *ANIMUS*
20 *POSSIDENDI*, EACH OF THEM SHALL SUFFER THE APPLICABLE
21 PENALTY PROVIDED FOR IN THE PRECEDING PARAGRAPHS:
22 *PROVIDED*, THAT SAID UNLICENSED FIREARM OR LIGHT WEAPON
23 WHEN FOUND IN A VEHICLE, BUILDING OR IN ANY OTHER PLACE,
24 SHALL CONSTITUTE PRESUMPTIVE EVIDENCE OF SUCH
25 POSSESSION, EXCEPT UNDER THE FOLLOWING CIRCUMSTANCES:

1 (A) IF FOUND IN A VEHICLE WHICH IS BEING OPERATED FOR
2 HIRE BY A DULY LICENSED DRIVER IN THE DUE, LAWFUL
3 AND PROPER PURSUIT OF HIS TRADE, THEN SUCH
4 PRESUMPTION SHALL NOT APPLY TO THE DRIVER;

5 (B) IF FOUND WITHIN PREMISES LAWFULLY LEASED AND
6 DULY COVERED BY A CONTRACT, THEN THE
7 PRESUMPTION SHALL NOT APPLY TO THE OWNER OF THE
8 LEASED PREMISES;

9 (C) IF FOUND IN A PUBLIC TRANSPORT, THE PRESUMPTION
10 WILL ONLY APPLY TO SUCH PERSONS HAVING IMMEDIATE
11 CONTROL OVER THE UNLICENSED FIREARM OR LIGHT
12 WEAPON; AND

13 (D) ANY OTHER ANALOGOUS CIRCUMSTANCES.

14 "The penalty of *prision mayor* in its minimum period [and a fine of
15 Thirty thousand pesos (P30,000)] shall be imposed [if the firearm is classified
16 as high powered firearm which includes those with bores bigger in diameter
17 than .38 caliber and .9 millimeter such as caliber .40, .41, .44, .45 and also
18 lesser calibered firearms but considered powerful such as caliber .357 and
19 caliber .22 center-fire magnum and other firearms with firing capability of full
20 automatic and by burst of two or three: *Provided, however,* That no other

3
1 crime was committed by the person arrested.] UPON ANY PERSON WHO
2 SHALL UNLAWFULLY ACQUIRE OR POSSESS AMMUNITION FOR
3 FIREARMS OR LIGHT WEAPONS. THE TERM 'AMMUNITION'
4 REFERS TO LOADED SHELLS FOR RIFLES, MUSKETS, CARBINES,
5 SHOTGUNS, REVOLVERS, PISTOLS AND OTHER FIREARMS OR
6 LIGHT WEAPONS: *PROVIDED*, THAT IF A VIOLATION OF THIS
7 PARAGRAPH IS COMMITTED ON THE OCCASSION OF THE
8 UNLAWFUL AQUISITION OR POSSESSION OF A FIREARM OR LIGHT
9 WEAPON BY THE SAME PERSON, THE VIOLATION OF THIS
10 PARAGRAPH SHALL BE ABSORBED BY THE UNLAWFUL
11 AQUISITION OR POSSESSION OF A FIREARM OR LIGHT WEAPON.

12 "THE PENALTY OF *PRISION MAYOR* IN ITS MINIMUM PERIOD
13 SHALL BE IMPOSED UPON ANY PERSON WHO SHALL
14 UNLAWFULLY ACQUIRE OR POSSESS A MAJOR PART OR
15 COMPONENT OF A FIREARM OR LIGHT WEAPON. THE MAJOR
16 PARTS OR COMPONENTS OF A FIREARM OR LIGHT WEAPON ARE
17 THE BARREL, THE SLIDE, THE CYLINDER, AND THE FRAME OR
18 RECEIVER.

19 "If [homicide or murder is committed with] the use of an unlicensed
20 firearm[, such use of an unlicensed firearm] OR LIGHT WEAPON IS
21 INHERENT IN THE COMMISSION OF A CRIME WHERE THE
22 PENALTY IMPOSABLE IS MORE THAN SIX (6) YEARS AND ONE (1)
23 DAY, IT shall be considered as an aggravating circumstance[.]: *PROVIDED*,
24 THAT IF THE CRIME COMMITTED WITH THE USE OF AN

1 UNLICENSED FIREARM OR LIGHT WEAPON IS PENALIZED BY THE
2 LAW WITH A MAXIMUM PENALTY WHICH IS LOWER THAN THAT
3 PRESCRIBED IN THIS SECTION FOR ILLEGAL POSSESSION OF
4 FIREARM OR LIGHT WEAPON, THE PENALTY FOR ILLEGAL
5 POSSESSION OF FIREARM OR LIGHT WEAPON SHALL BE IMPOSED
6 IN LIEU OF THE PENALTY FOR THE CRIME CHARGED: *PROVIDED,*
7 *FURTHER,* THAT IF THE FIREARM IS USED IN THE COMMISSION OF
8 ALARM AND SCANDAL AS DEFINED IN ARTICLE 155 OF THE
9 REVISED PENAL CODE, THE IMPOSABLE PENALTY SHALL BE
10 PRISION CORRECCIONAL IN ITS MINIMUM PERIOD.

11 "IF ANY OTHER CRIME PUNISHABLE BY THE REVISED
12 PENAL CODE OR OTHER SPECIAL LAW WAS COMMITTED BY THE
13 PERSON ARRESTED WITHOUT USING THE FIREARM OR LIGHT
14 WEAPON, THE VIOLATION OF THIS ACT SHALL BE CONSIDERED
15 AS A DISTINCT AND SEPARATE OFFENSE.

16 "[If the violation of this Section is in furtherance of, or incident to, or
17 in connection with the crime of rebellion or insurrection, sedition, or
18 attempted *coup d' etat*, such violation shall be absorbed as an element of the
19 crime of rebellion, or insurrection, sedition, or attempted *coup d' etat*.]"

20 "The [same] penalty OF *PRISION MAYOR* IN ITS MINIMUM
21 PERIOD TO *PRISION MAYOR* IN ITS MEDIUM PERIOD shall be imposed
22 upon the owner, president, manager, director or other responsible officer of
23 any public or private firm, company, corporation or entity, who shall willfully
24 or knowingly allow any of the firearms OR AMMUNITION owned by such
25 firm, company, corporation or entity to be used by any person or persons

1 found guilty of violating the provisions of the preceding paragraphs, or
2 willfully or knowingly allow any of them to use unlicensed firearms or
3 firearms without any legal authority to be carried outside of their residence in
4 the course of their employment.

5 "The penalty of [*arresto mayor*] *PRISION CORRECCIONAL* AND
6 FINE OF TWENTY THOUSAND PESOS (P20,000.00) shall be imposed
7 upon any person WHO IS LICENSED TO OWN A FIREARM BUT who
8 shall carry [any licensed firearm] THE SAME outside his residence without
9 legal authority therefor."

10 SEC. 2. Section 2 of Presidential Decree No. 1866 is hereby amended to read as
11 follows:

12 "Section 2. [*Presumption of Illegal*] *UNLAWFUL Manufacture, SALE*
13 *OR DISPOSITION of Firearms, LIGHT WEAPONS, [or] Ammunition, OR*
14 *PART/S THEREOF. – THE PENALTY OF RECLUSION TEMPORAL TO*
15 *RECLUSION PERPETUA* SHALL BE IMPOSED UPON ANY PERSON
16 WHO SHALL UNLAWFULLY ENGAGE IN THE MANUFACTURE,
17 SALE OR DISPOSITION OF FIREARMS, LIGHT WEAPONS,
18 AMMUNITION, OR PART/S THEREOF, OR COMPONENTS OR PART/S
19 OF FIREARMS, LIGHT WEAPONS OR AMMUNITION.

20 "THE PENALTY OF *PRISION MAYOR* IN ITS MINIMUM PERIOD
21 TO *PRISION MAYOR* IN ITS MEDIUM PERIOD SHALL BE IMPOSED
22 UPON SUCH LABORER, WORKER OR EMPLOYEE OF A LICENSED
23 FIREARMS MANUFACTURING COMPANY OR LICENSED FIREARMS
24 DEALER WHO SHALL UNLAWFULLY TAKE, SELL OR OTHERWISE

1 DISPOSE OF PARTS OF FIREARMS, LIGHT WEAPONS, OR
2 AMMUNITION WHICH THE COMPANY MANUFACTURES AND
3 SELLS, AND OTHER MATERIALS USED BY THE COMPANY IN THE
4 MANUFACTURE OR SALE OF FIREARMS, LIGHT WEAPONS, OR
5 AMMUNITION. THE BUYER OR THE POSSESSOR OF SUCH STOLEN
6 PARTS OR MATERIALS SHALL SUFFER THE SAME PENALTY AS
7 THE LABORER, WORKER OR EMPLOYEE.

8 "THE PENALTY OF *PRISION MAYOR* SHALL BE IMPOSED
9 UPON ANY PERSON WHO SHALL UNLAWFULLY MANUFACTURE,
10 DEAL IN, ACQUIRE, DISPOSE OF OR POSSESS ANY MACHINERY,
11 TOOL OR INSTRUMENT USED OR INTENDED TO BE USED BY THAT
12 SAME PERSON IN THE MANUFACTURE OF FIREARMS, LIGHT
13 WEAPONS, AMMUNITION, OR MAJOR PART/S THEREOF.

14 "IF THE VIOLATION OR OFFENSE IS COMMITTED BY A
15 CORPORATION, PARTNERSHIP, ASSOCIATION OR OTHER
16 JURIDICAL ENTITIES, THE PENALTY PROVIDED FOR IN THIS
17 SECTION SHALL BE IMPOSED UPON THE DIRECTORS, OFFICERS,
18 EMPLOYEES OR OTHER OFFICIALS OR PERSONS THEREIN WHO
19 KNOWINGLY AND WILLINGLY PARTICIPATED IN THE UNLAWFUL
20 ACT MENTIONED.

21 "The possession of any machinery, tool or instrument used directly in
22 the manufacture of firearms, LIGHT WEAPONS, [or] ammunition, OR
23 MAJOR PART/S THEREOF by any person whose business, [or] employment
24 OR ACTIVITY does not lawfully deal with the [manufacture of firearms or
25 ammunition,] POSSESSION OF SUCH ARTICLE shall be *prima facie*

1 evidence that such article is intended to be used in the unlawful/illegal
2 manufacture of firearms, LIGHT WEAPONS, [or] ammunition, OR PART/S
3 THEREOF.”

4 SEC. 3. Section 5 of Presidential Decree No. 1866, as amended by Republic Act No.
5 8294, is hereby further amended to read as follows:

6 "Section 5. *Tampering of Firearm[']s [Serial Number]*. – ANY
7 MODIFICATION MADE ON A FIREARM THAT SHALL ALTER ITS
8 IDENTITY, INFORMATION OR BALLISTIC CHARACTERISTIC SHALL
9 REQUIRE THE ISSUANCE OF A NEW LICENSE. The penalty of [*prision*
10 *correccional*] *PRISION MAYOR* IN ITS MAXIMUM PERIOD shall be
11 imposed upon any person who shall unlawfully tamper[,] WITH, change,
12 deface or erase the serial number, OR MODIFY THE IDENTITY,
13 INFORMATION OR BALLISTIC CHARACTERISTIC of any firearm.”

14 SEC. 4. Insert a new Section 5-A, 5-B, 5-C, 5-D, 5-E, 5-F, 5-G, 5-H AND 5-I in
15 Presidential Decree No. 1866, as amended, to read as follows:

16 "SECTION 5-A. *REGISTRATION OF AIR, GAS OR SPRING*
17 *OPERATED PISTOLS OR RIFLES*. – AIR, GAS OR SPRING OPERATED
18 PISTOLS OR RIFLES WHICH CAN EXPEL A PROJECTILE AT A SPEED
19 OF AT LEAST ONE HUNDRED FIFTY (150) FEET PER SECOND SHALL
20 BE REGISTERED WITH THE FIREARMS AND EXPLOSIVES DIVISION
21 OF THE PNP WITHIN SIX (6) MONTHS FROM THE EFFECTIVITY OF
22 THIS ACT, OR WITHIN THREE (3) MONTHS FROM THE DATE OF ITS
23 IMPORTATION, MANUFACTURE OR SALE, WHICHEVER COMES
24 LATER. FAILURE TO REGISTER THE SAME WITHIN THE REQUIRED

1 PERIOD SHALL BE PENALIZED BY THE SEIZURE, FORFEITURE AND
2 CONFISCATION OF THE PISTOLS OR RIFLES IN FAVOR OF THE
3 GOVERNMENT.”

4 “SECTION 5-B. *USE OF AN IMITATION FIREARM OR LIGHT*
5 *WEAPON.* – AN IMITATION FIREARM OR LIGHT WEAPON WHICH IS
6 USED IN THE COMMISSION OF A CRIME SHALL BE CONSIDERED
7 AS A REAL FIREARM OR LIGHT WEAPON AND THE PERSON WHO
8 COMMITTED THE CRIME SHALL BE PUNISHED ACCORDING TO
9 SECTION 1 OF THIS ACT. THE TERM ‘IMITATION FIREARM’ REFERS
10 TO ANY AIR, GAS OR SPRING OPERATED GUN, TOY GUN, REPLICA
11 OF A FIREARM OR LIGHT WEAPON, OR OTHER DEVICE THAT IS SO
12 SUBSTANTIALLY SIMILAR IN COLORATION AND OVERALL
13 APPEARANCE TO AN EXISTING FIREARM OR LIGHT WEAPON AS
14 TO LEAD A REASONABLE PERSON TO BELIEVE THAT SUCH
15 IMITATION FIREARM OR LIGHT WEAPON IS A REAL FIREARM OR
16 LIGHT WEAPON: *PROVIDED*, THAT INJURIES CAUSED ON THE
17 OCCASION OF THE CONDUCT OF COMPETITIONS, SPORTS, GAMES,
18 OR ANY RECREATION ACTIVITIES INVOLVING IMITATION
19 FIREARMS OR LIGHT WEAPONS SHALL NOT BE PUNISHABLE
20 UNDER THIS SECTION.”

21 “SECTION 5-C. *FIREARMS, LIGHT WEAPONS OR AMMUNITION*
22 *IN CUSTODIA LEGIS.* – DURING THE PENDENCY OF THE CASE,
23 SEIZED FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S
24 THEREOF, MACHINERY, TOOLS OR INSTRUMENTS SHALL NOT BE
25 DISPOSED OF, ALIENATED OR TRANSFERRED BUT SHALL BE IN

1 THE CUSTODY OF THE COURT OR IN *CUSTODIA LEGIS*: *PROVIDED*,
2 THAT IF THE COURT DECIDES THAT IT HAS NO ADEQUATE MEANS
3 TO SAFELY KEEP THE SAME, THE COURT SHALL AUTHORIZE THE
4 PNP TO HOLD SUCH FIREARMS, LIGHT WEAPONS, AMMUNITION,
5 OR PART/S THEREOF, MACHINERY, TOOLS OR INSTRUMENTS FOR
6 SAFEKEEPING DURING THE PENDENCY OF THE CASE AND TO
7 DELIVER THE SAME TO THE COURT WHEN SO ORDERED:
8 *PROVIDED, FURTHER*, THAT NO BOND SHALL BE ADMITTED FOR
9 THE RELEASE OF THE SAME: *PROVIDED, FINALLY*, THAT ANY
10 VIOLATION HEREOF SHALL BE PUNISHABLE BY *PRISION MAYOR*
11 IN ITS MINIMUM PERIOD TO *PRISION MAYOR* IN ITS MEDIUM
12 PERIOD.”

13 “SECTION 5-D. *CONFISCATION AND FORFEITURE*. – EVERY
14 PENALTY IMPOSED FOR VIOLATION OF THE PROVISIONS OF THIS
15 ACT SHALL CARRY WITH IT THE ACCESSORY PENALTY OF
16 CONFISCATION AND FORFEITURE OF THE FIREARMS, LIGHT
17 WEAPONS, AMMUNITION, OR PART/S THEREOF, MACHINERY,
18 TOOLS OR INSTRUMENTS IN FAVOR OF THE GOVERNMENT.”

19 “SECTION 5-E. *LIABILITY FOR PLANTING OF EVIDENCE*
20 *CONCERNING FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S*
21 *THEREOF*. – THE PENALTY OF *PRISION MAYOR* IN ITS MAXIMUM
22 PERIOD SHALL BE IMPOSED UPON ANY PERSON WHO SHALL
23 WILLFULLY AND MALICIOUSLY INSERT, PLACE, ADD OR ATTACH,
24 DIRECTLY OR INDIRECTLY, THROUGH ANY OVERT OR COVERT
25 ACT, ANY FIREARM, LIGHT WEAPON, AMMUNITION, OR PART/S

1 THEREOF IN THE PERSON, HOUSE, EFFECTS OR IN THE
2 IMMEDIATE VICINITY OF AN INNOCENT INDIVIDUAL FOR THE
3 PURPOSE OF IMPLICATING OR INCRIMINATING HIM/HER OR
4 IMPUTING THE COMMISSION OF ANY VIOLATION OF THE
5 PROVISIONS OF THIS ACT TO SAID INDIVIDUAL: *PROVIDED*, THAT
6 IF THE PERSON FOUND GUILTY HEREIN IS A PUBLIC OFFICER OR
7 EMPLOYEE, HE/SHE SHALL SUFFER THE PENALTY OF *RECLUSION*
8 *TEMPORAL*.”

9 “SECTION 5-F. *ILLEGAL TRANSFER OF FIREARMS*. – IT SHALL
10 BE UNLAWFUL FOR ANY PERSON TO TRANSFER THE POSSESSION
11 OF ANY FIREARM OR AMMUNITION OR ANY PART OF A FIREARM
12 TO ANOTHER PERSON WHO HAS NOT YET OBTAINED OR
13 SECURED THE NECESSARY LICENSE OR PERMIT THEREOF.

14 “THE PENALTY OF *PRISION CORRECCIONAL* SHALL BE
15 IMPOSED UPON ANY PERON WHO SHALL VIOLATE THE
16 PROVISION OF THE PRECEDING PARAGRAPH. IN ADDITION, HE
17 SHALL BE DISQUALIFIED TO APPLY FOR A LICENSE TO POSSESS
18 OTHER FIREARMS AND ALL HIS EXISTING FIREARMS LICENSES,
19 WHETHER FOR PURPOSES OF COMMERCE OR POSSESSION, SHALL
20 BE REVOKED.

21 “ANY PUBLIC OFFICER OR PERSONNEL WHO SHALL
22 REGISTER A FIREARM, KNOWING THAT IT IS STOLEN, SHALL
23 SUFFER THE PENALTY OF *PRISION CORRECCIONAL*.”

1 “SECTION 5-G. FAILURE TO NOTIFY LOST/STOLEN FIREARM
2 AND CHANGE OF ADDRESS. – “THE PENALTY OF ARRESTO
3 MAYOR AND A FINE OF TWENTY THOUSAND PESOS (P20,000.00)
4 SHALL BE IMPOSED UPON ANY LICENSED FIREARM HOLDER
5 WHO FAILS TO REPORT TO THE FIREARMS AND EXPLOSIVE
6 DIVISION OF THE PHILIPPINE NATIONAL POLICE (FED-PNP) THAT
7 HIS/HER FIREARM HAS BEEN LOST OR STOLEN WITHIN A PERIOD
8 OF THIRTY (30) DAYS FROM THE DATE THE FIREARM HAS BEEN
9 DISCOVERED LOST OR STOLEN.”

10 “LIKEWISE, A PENALTY OF ARRESTO MAYOR SHALL BE
11 IMPOSED UPON ANY PERSON HOLDING A VALID FIREARM
12 LICENSE WHO SHALL CHANGE HIS/HER RESIDENCE AND FAILS
13 WITHIN A PERIOD OF THIRTY (30) DAYS FROM SAID TRANSFER TO
14 NOTIFY THE FED-PNP OF SUCH CHANGE OF ADDRESS EITHER
15 PERSONALLY OR BY REGISTERED MAIL.

16 “SECTION 5-H. *ISSUANCE, REVOCATION, CANCELLATION AND*
17 *SUSPENSION OF LICENSE OR PERMIT.* – EVERY FIREARM HAS TO
18 BE REGISTERED WITH THE FIREARMS AND EXPLOSIVES DIVISION
19 OF THE PNP TO BE CONSIDERED LICENSED. THE PNP CHIEF OR HIS
20 AUTHORIZED REPRESENTATIVE SHALL ISSUE LICENSES OR
21 OTHER PERMITS TO ANY QUALIFIED NATURAL OR JURIDICAL
22 PERSON WHO SHALL ACQUIRE, POSSESS, DEAL IN, SELL OR
23 DISPOSE FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S
24 THEREOF. HE MAY ISSUE A PERMIT TO CARRY A FIREARM

1 OUTSIDE OF RESIDENCE TO ANY QUALIFIED PERSON IN
2 MERITORIOUS CASES AS MAY BE DETERMINED BY HIM AND THE
3 IMPLEMENTING RULES AND REGULATIONS TO BE
4 PROMULGATED.

5 “LIKEWISE, ANY PERSON WHO SHALL MANUFACTURE OR
6 REPAIR FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S
7 THEREOF, MACHINERY, TOOLS OR INSTRUMENTS INTENDED TO
8 BE USED IN THE MANUFACTURE OF FIREARMS, LIGHT WEAPONS,
9 AMMUNITION, OR PART/S THEREOF SHALL FIRST SECURE A
10 LICENSE FROM THE PNP CHIEF.

11 “FIREARMS WITH EXPIRED LICENSES WHICH HAVE NOT
12 BEEN RENEWED WITHIN A PERIOD OF SIX (6) MONTHS FROM THE
13 DATE OF EXPIRATION THEREOF SHALL BE SURRENDERED,
14 CONFISCATED OR FORFEITED IN FAVOR OF THE GOVERNMENT
15 AFTER DUE PROCESS. ALL OTHER EXISTING FIREARMS LICENSES
16 OF SUCH HOLDER OF AN UNRENEWED LICENSE SHALL BE
17 SUBSEQUENTLY REVOKED AND SUBJECT FIREARMS SHALL
18 LIKEWISE BE SURRENDERED, CONFISCATED OR FORFEITED IN
19 FAVOR OF THE GOVERNMENT: *PROVIDED*, THAT AN OMISSION TO
20 RENEW THE SAME LICENSE WITHIN A PERIOD OF SIX (6) MONTHS
21 FROM THE DATE OF EXPIRATION ON TWO OCCASIONS SHALL
22 CAUSE THE HOLDER OF THE FIREARM TO BE PERPETUALLY
23 DISQUALIFIED FROM APPLYING FOR ANY FIREARM LICENSE.”

24 “SECTION 5-I. *GROUNDS FOR REVOCATION, CANCELLATION*
25 *OR SUSPENSION OF LICENSE OR PERMIT.* – THE PNP CHIEF OR HIS

1 AUTHORIZED REPRESENTATIVE MAY REVOKE, CANCEL OR
2 SUSPEND A LICENSE OR PERMIT ON THE FOLLOWING GROUNDS:

3 "(A) COMMISSION OF A CRIME INVOLVING A FIREARM
4 WHICH IS PUNISHABLE BY THE REVISED PENAL CODE AND
5 SPECIAL LAWS;

6 "(B) CONVICTION BY A COMPETENT COURT OF A CRIME
7 INVOLVING MORAL TURPITUDE OR ANY OFFENSE WHERE THE
8 PENALTY CARRIES AN IMPRISONMENT OF MORE THAN SIX (6)
9 MONTHS OR A FINE OF AT LEAST ONE THOUSAND PESOS (P1,000);

10 "(C) LOSS OF FIREARM THROUGH NEGLIGENCE;

11 "(D) CARRYING OF FIREARM IN PROHIBITED PLACES;

12 "(E) CARRYING OF FIREARM OUTSIDE RESIDENCE OR
13 WORKPLACE WITHOUT A PERMIT TO CARRY A FIREARM;

14 "(F) UNAUTHORIZED LOAN OF FIREARM TO ANOTHER
15 PERSON;

16 "(G) DISMISSAL FOR CAUSE FROM THE SERVICE, IN CASE
17 OF GOVERNMENT OFFICIALS/EMPLOYEES;

18 "(H) COMMISSION OF ANY OF THE ACTS PENALIZED UNDER
19 REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE
20 COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002;

21 "(I) SUBMISSION OF FALSIFIED DOCUMENTS OR
22 MISREPRESENTATION IN THE APPLICATION TO OBTAIN A
23 LICENSE OR PERMIT; AND

24 "(J) SUCH OTHER GROUNDS WHICH MAY LATER BE
25 SPECIFIED BY THE PNP CHIEF."

1 SEC. 5. *Rules and Regulations.* – The PNP shall issue within ninety (90) days after
2 the approval of this Act, the necessary rules and regulations relating to the administrative
3 aspect of the provisions of this Act.

4 SEC. 6. *Separability Clause.* – If, for any reason, any section or provision of this Act
5 is declared to be unconstitutional or invalid, the other sections or provisions hereof which are
6 not affected thereby shall continue to be in full force and effect.

7 SEC. 7. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, and other
8 issuances or parts thereof which are inconsistent with the provisions of this Act are hereby
9 repealed, amended or modified accordingly.

10 SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in
11 the Official Gazette or in two (2) newspapers of general circulation.

Approved,