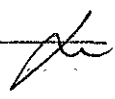


9 MAY 18 P4:06

SENATE
S.B. No. **3251**

RECEIVED BY 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 13 states 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 fulfil their role in nation-building, the State must protect them from factors detrimental to their development and progress as Filipino citizens such as alcohol abuse and dependence.

In United States, recent research revealed that three out of five American teenagers have consumed alcohol on at least one day during the past month. By the time they reach the eighth grade, nearly 50 percent of adolescents in America have had at least one drink, and over 20 percent report having been "drunk". Approximately 20 percent of 8th graders and almost 50 percent of 12th graders have consumed alcohol within the past 30 days.

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.

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 by minors. This bill seeks to nip this problem in the bud by prohibiting young Filipinos access to alcohol, penalize establishments that sell to them and those who aid minors gain access to such drinks.

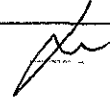
Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
Def

9 MAY 18 P4:06

SENATE
S. B. No. 3251

Introduced by Senator Miriam Defensor Santiago

RECEIVED BY



1 AN ACT
2 TO PROHIBIT THE ACCESS OF MINORS TO ALCOHOL AND PENALIZING
3 ESTABLISHMENTS THAT FURNISH ALCOHOL TO MINORS

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

6 SECTION 1. *Short Title.* -- This Act shall be known as the "Anti-Underage Drinking
7 Act."

8 SECTION 2. *Declaration of Policy* - The State recognizes the vital role of the youth in
9 nation-building and shall promote and protect their physical, moral, spiritual, intellectual and
10 social well-being. Towards this end, the State shall undertake efforts to eliminate alcohol abuse
11 and reduce underage drinking by regulating minors' access to alcohol.

12 SECTION 3. *Definitions.* -- For purposes of this Act, the term:

13 A. MINORS -- shall refer to one who is below 18 years old;

14 B. ALCOHOL - shall refer to ethyl alcohol, ethanol, or spirits of wine including all
15 dilutions, purifications and mixtures thereof, from whatever source by whatever
16 process produced and shall include whisky, brandy, rum gin tequila, and vodka and
17 other similar products or mixtures. It shall also include malt beverages, mixed or
18 fermented liquors, including tuba, basi, tapuy and lambanog;

19 C. ALCOHOLIC BEVERAGES - shall refer to a liquor or brew containing alcohol
20 as the active agent.

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

1 A. The purchase of alcohol by minors from vendors or other sources.

2 B. Purchasing or obtaining alcohol for minors.

3 C. Misrepresentation of one's age by presenting false identification or otherwise
4 represent themselves as being of legal purchase age.

5 SECTION 5. . *Penalties.* -

6 A. Community Service - Any minor who has violated any of the provisions of this
7 act shall be required to render community service. Community service may consist of
8 such acts as being required to appear before school groups to explain the dangers of
9 alcohol abuse. The objective is to require the offenders to provide services that benefit
10 society in a more constructive way and introduce the idea of ethical action into the value
11 system of the perpetrator.

12 Such minor shall then be committed to the care of his father or mother, or nearest
13 relative or family friend or the proper rehabilitation facility if so required.

14 B. Suspension of driver's license for those who permitted unlawful or fraudulent
15 use of their license in connection with any of the violations listed above.

16 C. Establishments that have violated any of the provisions of this law are subject
17 to fines up to P 5,000 for the first offense and P10,000 for a repeated offense. Suspension
18 or revocation of the license of repeat offenders shall be recommended to the appropriate
19 local government unit.

20 SECTION 6. *Creation of the Anti-Underage Drinking Body.* - A body tasked with
21 monitoring the enforcement of this law shall be created. Its chair and members shall be
22 appointed by the President. The body shall have the following powers and duties:

23 A. To monitor the enforcement and compliance with this law;

24 B. To recommend the suspension or revocation of permits for erring establishments.

25 Such recommendations will be submitted to the mayor's office.

26 C. To refer cases to the Department of Social Welfare so that adequate assistance
27 and care may be given to the minor and the minor's parents; and

1 D. To make an annual report to Congress on the enforcement of the law.

2 SECTION 7. *Appropriations.* –The amount necessary for the initial implementation of
3 this Act shall be charged against the appropriations of the Department of Justice under the
4 current General Appropriations Act. Thereafter, such sum as may be necessary for its full
5 implementation shall be included in the annual General Appropriations Act as a distinct and
6 separate item.

7 SECTION 8. *Separability Clause.* – If any provision or part hereof, is held invalid or
8 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
9 valid and subsisting.

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

13 SECTION 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
14 publication in at least two (2) newspapers of general circulation.

15 Approved,

/acs