

COMMITTEE REPORT NO. 838 RECEIVED BY 

Submitted Jointly by the Committees on Public Order and Illegal Drugs; Justice and Human Rights; and National Defense and Security on FEB 02 2010.

Re: S. No: 3584, prepared by the Committees.

Recommending its approval in substitution of Senate Bill Nos. 48, 234, 278, 662, 666, 1684, 1724, 2044 and 3375, taking into consideration Senate Bill No. 655, 1231, 1752, 2045 and 2679, Proposed Senate Resolution No. 221, and House Bill No. 6776.

Sponsors: Senators Honasan, <sup>W</sup> and Biazon

MR. PRESIDENT:

The Committees on Public Order and Illegal Drugs; Justice and Human Rights; and National Defense and Security to which were referred Senate Bill No. 48, introduced by Senator Lacson, entitled:

**“AN ACT  
DEFINING THE CRIME OF FIREARMS SMUGGLING, PROVIDING  
PENALTIES THEREFOR AND FOR OTHER PURPOSES”;**

Senate Bill No. 234, introduced by Senator Biazon, entitled:

**“AN ACT  
PENALIZING THE SELLING OF FIREARMS, AMMUNITION OR  
EXPLOSIVES OR ANY PARTS OR COMPONENTS USED IN THE  
MANUFACTURE OF FIREARMS, AMMUNITION OR EXPLOSIVES TO THE  
ENEMIES OF THE STATE, IMPOSING PENALTIES THEREFOR AND FOR  
OTHER PURPOSES”;**

Senate Bill No. 278, introduced by Senator Pimentel Jr., entitled:

**“AN ACT  
TO REGULATE THE CARRYING OF FIREARMS, PROVIDE PENALTIES  
FOR ITS VIOLATION AND FOR OTHER PURPOSES”;**

Senate Bill No. 662, introduced by Senator Ejercito Estrada, entitled:

**“AN ACT  
IMPOSING STIFFER PENALTIES FOR GOVERNMENT OFFICIALS AND  
EMPLOYEES AND OFFICERS AND MEMBERS OF POLICE AGENCIES AND  
THE ARMED FORCES AND PENALIZING ‘PLANTING’ OF EVIDENCE,  
INCORPORATING SECTION 7-A INTO PRESIDENTIAL DECREE NO. 1866,  
AS AMENDED, ENTITLED ‘CODIFYING 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 AND IMPOSING STIFFER PENALTIES FOR CERTAIN VIOLATIONS THEREOF AND FOR RELEVANT PURPOSES”;**

Senate Bill No. 666, introduced by Senator Ejercito Estrada, entitled:

**“AN ACT  
REGULATING THE SALE, DELIVERY OR DISPOSITION OF ANY KIND OF FIREARM, AMMUNITION, OR EXPLOSIVES TO CERTAIN TYPES OF PERSONS AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF”;**

Senate Bill No. 1684, introduced by Senator Defensor Santiago, entitled:

**“AN ACT  
REGULATING THE SALE, DELIVERY OR DISPOSITION OF ANY KIND OF FIREARM, AMMUNITION, OR EXPLOSIVES TO CERTAIN TYPES OF PERSONS AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF”;**

Senate Bill No. 1724, introduced by Senator Defensor Santiago, entitled:

**“AN ACT  
TO PROHIBIT CERTAIN FIREARMS ESPECIALLY USEFUL TO TERRORISTS”;**

Senate Bill No. 2044, introduced by Senator Villar, entitled:

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

and Senate Bill No. 3375, introduced by Senator Trillanes IV, entitled:

**“AN ACT  
AMENDING THE PROVISIONS OF PRESIDENTIAL DECREE NO. 1866, ENTITLED ‘CODIFYING THE LAWS ON ILLEGAL/UNLAWFUL POSSESSION, MANUFACTURE, DEALING IN, ACQUISITION OR DISPOSITION OF FIREARMS, AMMUNITIONS OR INSTRUMENTS USED IN THE MANUFACTURE OF FIREARMS AND AMMUNITION, AND IMPOSING STIFFER PENALTIES FOR CERTAIN VIOLATIONS THEREOF, AS AMENDED BY REPUBLIC ACT NOS. 8294 AND 9516”;**

taking into consideration Senate Bill No. 655, introduced by Senator Ejercito Estrada, entitled:

**“AN ACT  
PROHIBITING THE MANUFACTURE AND SALE OF IMITATION FIREARMS”;**

Senate Bill No. 1231, introduced by Senator Gordon, entitled:

**“AN ACT  
REGULATING THE POSSESSION, LICENSING, MANUFACTURE AND SALE OF FIREARMS AND AMMUNITION THROUGH THE CREATION OF FIREARMS REGULATORY BOARD, IMPOSING TAXES AND FEES THEREON, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF”;**

Senate Bill No. 1752, introduced by Senator Defensor Santiago, entitled:

**“AN ACT  
PROHIBITING THE MANUFACTURE AND SALES OF IMITATION FIREARMS”;**

Senate Bill No. 2045, introduced by Senator Villar, entitled:

**“AN ACT  
REGULATING THE MANUFACTURE AND SALE OF GUN REPLICAS  
PROVIDING PENALTIES THEREOF AND FOR OTHER PURPOSES”;**

Senate Bill No. 2679, introduced by Senator Defensor Santiago, entitled:

**“AN ACT  
TO REQUIRE THE CONSUMER PRODUCT SAFETY COMMISSION TO  
PRESRIIBE RULES REQUIRING DISTINCTIVE MARKINGS ON TOY AND  
LOOK-ALIKE FIREARMS”;**

Proposed Senate Resolution No. 221, introduced by Senator Villar, entitled:

**“RESOLUTION  
URGING THE SENATE COMMITTEES ON PUBLIC ORDER AND ILLEGAL  
DRUGS; AND TRADE AND COMMERCE TO CONDUCT AN INQUIRY, IN AID  
OF LEGISLATION, ON THE PROLIFERATION OF ALMOST REAL-LIFE  
TOY GUNS, SUBSTANDARD PRODUCTS AND OTHER SUBSTANTIALLY  
IMMINENT INJURIOUS GOODS THAT ENDANGER THE LIVES AND  
SECURITY OF PEOPLE WITH THE END-IN-VIEW OF TIGHTENING THE  
IMPLEMENTATION OF RELEVANT LAWS AND FORMULATING  
REMEDIAL MEASURES NEEDED TO ADDRESS THE SAME”;**

and House Bill No. 6776, introduced by Representatives Antonino, Romualdo, Cuenco, Codilla, Del Mar, Lazatin, Bagatsing, Ablan, Cua (J.), Fuentebella, Pancrudo, Teodoro, Villarosa, Dueñas and San Luis, entitled:

**“AN ACT  
PROVIDING FOR STIFFER PENALTIES FOR CRIMES RELATING TO  
FIREARMS AND LIGHT WEAPONS, FURTHER AMENDING FOR THE  
PURPOSE PRESIDENTIAL DECREE NO. 1866, AS AMENDED, ENTITLED  
‘CODIFYING 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,  
AND IMPOSING STIFFER PENALTIES FOR CERTAIN VIOLATIONS  
THEREOF, AND FOR RELEVANT PURPOSES”;**

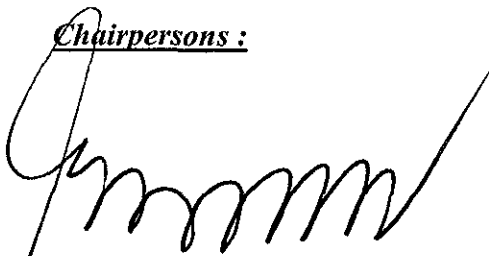
have considered the same and have the honor to report them back to the Senate with the recommendation that the attached bill, Senate Bill No. 3584, prepared jointly by the Committees, entitled:

**“AN ACT  
PROVIDING FOR STIFFER PENALTIES FOR CRIMES RELATING TO  
FIREARMS AND LIGHT WEAPONS, FURTHER AMENDING FOR THE  
PURPOSE PRESIDENTIAL DECREE NO. 1866, AS AMENDED BY REPUBLIC  
ACT NO. 8294, AND FOR RELEVANT PURPOSES”;**

be approved in substitution of Senate Bill Nos. 48, 234, 278, 662, 666, 1684, 1724, 2044 and 3375, taking into consideration Senate Bill No. 655, 1231, 1752, 2045 and 2679, Proposed Senate Resolution No. 221, and House Bill No. 6776, with Senators Lacson, Biazon, Pimentel Jr., Ejercito Estrada, Defensor Santiago, Villar, Trillanes IV, Gordon, <sup>and</sup> Honasan <sup>and</sup> <sup>as</sup> as authors.

Respectfully submitted,

Chairpersons :



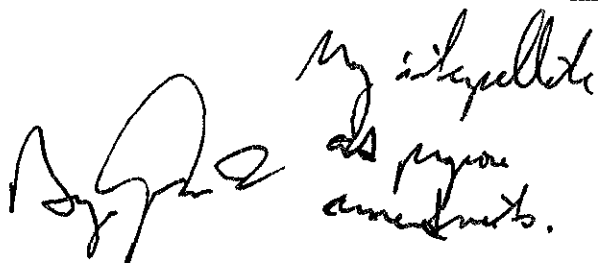
**GREGORIO B. HONASAN II**  
Committee on Public Order and Illegal Drugs  
Member, Committee on Justice and Human Rights  
Member, Committee on National Defense and Security



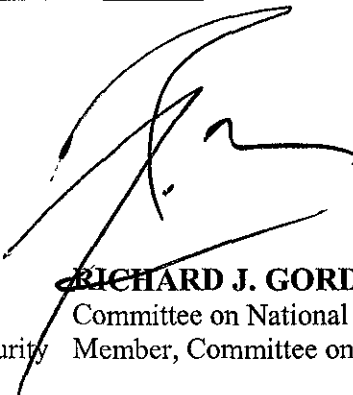
**FRANCIS "CHIZ" G. ESCUDERO**  
Committee on Justice and Human Rights  
Member, Committee on National Defense and Security

**RODOLFO G. BIAZON**  
Committee on National Defense and Security  
Member, Committee on Public Order and Illegal Drugs  
Member, Committee on Justice and Human Rights

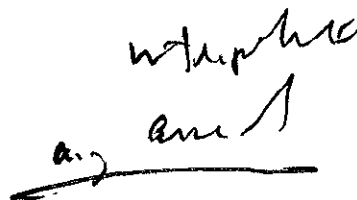
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**BENIGNO S. AQUINO III**  
Committee on Justice and Human Rights  
Member, Committee on National Defense and Security



**RICHARD J. GORDON**  
Committee on National Defense and Security  
Member, Committee on Public Order and Illegal Drugs



Members :

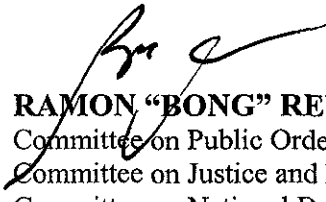


**MANUEL "LITO" M. LAPID**  
Committee on Public Order and Illegal Drugs  
Committee on National Defense and Security

**PANFILO M. LACSON**  
Committee on Public Order and Illegal Drugs  
Committee on National Defense and Security



**M.A. MADRIGAL**  
Committee on Public Order and Illegal Drugs  
Committee on Justice and Human Rights  
Committee on National Defense and Security

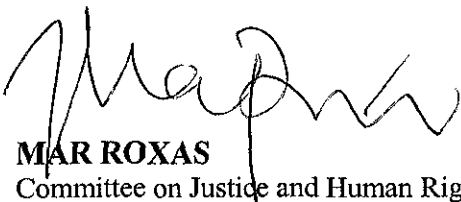


**RAMON "BONG" REVILLA JR.**  
Committee on Public Order and Illegal Drugs  
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Committee on National Defense and Security



**ALAN PETER "COMPAÑERO" S. CAYETANO**  
Committee on Public Order and Illegal Drugs  
Committee on Justice and Human Rights  
Committee on National Defense and Security

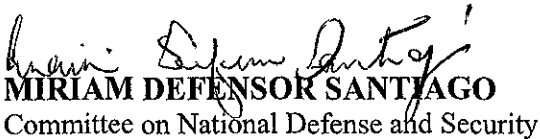
**FRANCIS PANGILINAN**  
Committee on Public Order and Illegal Drugs  
Committee on Justice and Human Rights  
Committee on National Defense and Security



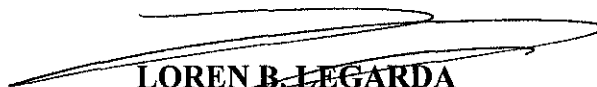
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Committee on National Defense and Security



**LOREN B. LEGARDA**  
Committee on National Defense and Security



**JOKER P. ARROYO**  
Committee on National Defense and Security

**"COMPAÑERA" PIA S. CAYETANO**  
Committee on National Defense and Security



**MANNY VILLAR**  
Committee on National Defense and Security

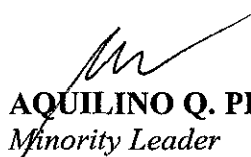
Ex - Officio Members :



**JINGCOY EJERCITO ESTRADA**  
*President Pro-Tempore*



**JUAN MIGUEL F. ZUBIRI**  
*Majority Leader*



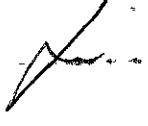
**AQUILINO Q. PIMENTEL, JR.**  
*Minority Leader*

**Hon. JUAN PONCE ENRILE**  
*President*  
Senate of the Philippines  
Pasay City

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SENATE

S. No. 3584

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(In substitution of S. Nos. 48, 234, 278, 662, 666, 1684, 1724, 2044 and 3375, taking into consideration S. No. 655, 1231, 1752, 2045 and 2679, P.S.R. No. 221, and H. No. 6776)

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Prepared by the Committees on Public Order and Illegal Drugs; Justice and Human Rights; and National Defense and Security with Senators Lacson, Biazon, Pimentel Jr., Ejercito Estrada, Defensor Santiago, Villar, Trillanes IV, Gordon and Honasan as authors

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**AN ACT  
PROVIDING FOR STIFFER PENALTIES FOR CRIMES RELATING TO FIREARMS  
AND LIGHT WEAPONS, FURTHER AMENDING FOR THE PURPOSE  
PRESIDENTIAL DECREE NO. 1866, AS AMENDED BY REPUBLIC ACT NO.  
8294, AND FOR RELEVANT PURPOSES"**

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

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

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

1 MEANS OF EXPLOSION OR PERCUSSION OR ANY INSTRUMENT  
2 OR IMPLEMENT WHICH HAS BEEN CONVERTED TO BE  
3 CAPABLE OF DOING THE SAME. THE TERM INCLUDES, AMONG  
4 OTHERS, REVOLVERS AND SELF-LOADING PISTOLS, RIFLES  
5 AND CARBINES NOT EXCEEDING CALIBER 7.62 MM WHICH DO  
6 NOT HAVE FULLY AUTOMATIC MODE.

7 "THE PENALTY OF *PRISION MAYOR* IN ITS MAXIMUM  
8 PERIOD SHALL BE IMPOSED IF THREE (3) OR MORE FIREARMS  
9 ARE UNLAWFULLY ACQUIRED OR POSSESSED BY ANY  
10 PERSON.

11 "THE PENALTY OF *PRISION MAYOR* IN ITS MAXIMUM  
12 PERIOD SHALL BE IMPOSED UPON ANY PERSON WHO SHALL  
13 UNLAWFULLY ACQUIRE OR POSSESS A LIGHT WEAPON. THE  
14 TERM 'LIGHT WEAPON' REFERS TO A WEAPON DESIGNED FOR  
15 USE BY TWO (2) OR MORE PERSONS SERVING AS A CREW,  
16 SELF-LOADING PISTOLS, RIFLES AND CARBINES, SUB-  
17 MACHINE GUNS, ASSAULT RIFLES AND LIGHT MACHINE GUNS  
18 NOT EXCEEDING CALIBER 7.62 MM WHICH HAVE FULLY  
19 AUTOMATIC MODE, OR RIFLES AND MACHINE GUNS  
20 EXCEEDING CALIBER 7.62 MM. THE TERM INCLUDES, AMONG  
21 OTHERS, HEAVY MACHINE GUNS, HANDHELD UNDER-BARREL  
22 AND MOUNTED GRENADE LAUNCHERS, PORTABLE ANTI-  
23 AIRCRAFT GUNS, PORTABLE ANTI-TANK GUNS, RECOILLESS  
24 RIFLES, PORTABLE LAUNCHERS OF ANTI-TANK MISSILE AND  
25 ROCKET SYSTEMS, PORTABLE LAUNCHERS OF ANTI-  
26 AIRCRAFT MISSILE SYSTEMS, AND MORTARS OF A CALIBER  
27 OF LESS THAN 100 MM. A LIGHT WEAPON SHALL BE  
28 LAWFULLY ACQUIRED OR POSSESSED EXCLUSIVELY BY THE  
29 ARMED FORCES OF THE PHILIPPINES (AFP) OR THE PHILIPPINE  
30 NATIONALPOLICE (PNP) AND OTHER AUTHORIZED LAW  
31 ENFORCEMENT AGENCIES: *PROVIDED*, THAT PRIVATE  
32 INDIVIDUALS WHO ALREADY HAVE LICENSES TO POSSESS  
33 LIGHT WEAPONS UPON EFFECTIVITY OF THIS ACT SHALL NOT  
34 BE DEPRIVED OF THE PRIVILEGE TO CONTINUE POSSESSING  
35 THE SAME AND RENEWING LICENSES THEREFOR BASED ON  
36 THE SOLE GROUND THAT THESE LICENSES ARE FOR LIGHT  
37 WEAPONS.



1           “IF THE EVIDENCE, WHETHER TESTIMONIAL,  
2           DOCUMENTARY OR OBJECT, SHOULD PROVE THAT AN  
3           UNLICENSED FIREARM OR LIGHT WEAPON IS IN THE  
4           POSSESSION OF TWO (2) OR MORE PERSONS WITH *ANIMUS*  
5           *POSSIDENDI* OR INTENT TO POSSESS THE FIREARM OR LIGHT  
6           WEAPON, EACH OF THEM SHALL SUFFER THE APPLICABLE  
7           PENALTY PROVIDED IN THE PRECEDING PARAGRAPHS.

8           “The penalty of *prision mayor* in its minimum period [and a fine  
9           of Thirty thousand pesos (P30,000)] shall be imposed [if the firearm is  
10          classified as high powered firearm which includes those with bores  
11          bigger in diameter than .38 caliber and .9 millimeter such as caliber  
12          .40, .41, .44, .45 and also lesser calibered firearms but considered  
13          powerful such as caliber .357 and caliber .22 center-fire magnum and  
14          other firearms with firing capability of full automatic and by burst of two  
15          or three: *Provided, however,* That no other crime was committed by the  
16          person arrested.] **UPON ANY PERSON WHO SHALL UNLAWFULLY**  
17          **ACQUIRE OR POSSESS AMMUNITION FOR FIREARMS OR LIGHT**  
18          **WEAPONS. THE TERM ‘AMMUNITION’ REFERS TO LOADED**  
19          **SHELLS FOR RIFLES, MUSKETS, CARBINES, SHOTGUNS,**  
20          **REVOLVERS, PISTOLS AND OTHER FIREARMS OR LIGHT**  
21          **WEAPONS: PROVIDED, THAT IF A VIOLATION OF THIS**  
22          **PARAGRAPH IS COMMITTED ON THE OCCASSION OF THE**  
23          **UNLAWFUL AQUISITION OR POSSESSION OF A FIREARM OR**  
24          **LIGHT WEAPON BY THE SAME PERSON, THE VIOLATION OF**  
25          **THIS PARAGRAPH SHALL BE ABSORBED BY THE UNLAWFUL**  
26          **AQUISITION OR POSSESSION OF A FIREARM OR LIGHT**  
27          **WEAPON.**

28          “THE PENALTY OF *PRISION MAYOR* IN ITS MINIMUM  
29          PERIOD SHALL BE IMPOSED UPON ANY PERSON WHO SHALL  
30          UNLAWFULLY ACQUIRE OR POSSESS A MAJOR PART OR  
31          COMPONENT OF A FIREARM OR LIGHT WEAPON. THE MAJOR  
32          PARTS OR COMPONENTS OF A FIREARM OR LIGHT WEAPON  
33          ARE THE BARREL, THE SLIDE, THE CYLINDER, AND THE FRAME  
34          OR RECEIVER.

35          “[If homicide or murder is committed with] [t]The use of an  
36          unlicensed firearm[, such use of an unlicensed firearm] **OR LIGHT**  
37          **WEAPON IN THE COMMISSION OF A CRIME PUNISHABLE BY**

1 THE REVISED PENAL CODE OR OTHER SPECIAL LAWS shall be  
2 considered as an aggravating circumstance[.]: **PROVIDED, IF THE**  
3 **CRIME COMMITTED WITH THE USE OF AN UNLICENSED**  
4 **FIREARM OR LIGHT WEAPON IS PENALIZED BY THE LAW WITH**  
5 **A MAXIMUM PENALTY WHICH IS LOWER THAN THAT**  
6 **PRESCRIBED IN THIS SECTION FOR ILLEGAL POSSESSION OF**  
7 **FIREARM OR LIGHT WEAPON, THE PENALTY FOR ILLEGAL**  
8 **POSSESSION OF FIREARM OR LIGHT WEAPON SHALL BE**  
9 **IMPOSED: PROVIDED, FURTHER, IF THE CRIME COMMITTED**  
10 **WITH THE USE OF AN UNLICENSED FIREARM OR LIGHT**  
11 **WEAPON IS PENALIZED BY THE LAW WITH A MAXIMUM**  
12 **PENALTY WHICH IS EQUAL TO THAT IMPOSED UNDER THIS**  
13 **SECTION FOR ILLEGAL POSSESSION OF FIREARM OR LIGHT**  
14 **WEAPON, THE PENALTY OF PRISION MAYOR IN ITS MINIMUM**  
15 **PERIOD SHALL BE IMPOSED IN ADDITION TO THE PENALTY**  
16 **FOR THE CRIME OF WHICH HE/SHE IS FOUND GUILTY.**

17 "IF ANY OTHER CRIME PUNISHABLE BY THE REVISED  
18 PENAL CODE OR OTHER SPECIAL LAW WAS COMMITTED BY  
19 THE PERSON ARRESTED WITHOUT USING THE FIREARM OR  
20 LIGHT WEAPON, THE VIOLATION OF THIS ACT SHALL BE  
21 CONSIDERED AS A DISTINCT AND SEPARATE OFFENSE.

22 "If the violation of this [Section] ACT is in furtherance of, or  
23 incident to, or in connection with the crime of rebellion or insurrection,  
24 [sedition,] or attempted *coup d'etat*, such violation shall be absorbed  
25 as an element of the crime of rebellion, or insurrection, [sedition,] or  
26 attempted *coup d'etat*.

27 "The [same] penalty **OF PRISION MAYOR IN ITS MINIMUM**  
28 **PERIOD TO PRISION MAYOR IN ITS MEDIUM PERIOD** shall be  
29 imposed upon the owner, president, manager, director or other  
30 responsible officer of any public or private firm, company, corporation  
31 or entity, who shall willfully or knowingly allow any of the firearms **OR**  
32 **AMMUNITION** owned by such firm, company, corporation or entity to  
33 be used by any person or persons found guilty of violating the  
34 provisions of the preceding paragraphs, or willfully or knowingly allow  
35 any of them to use unlicensed firearms or firearms without any legal  
36 authority to be carried outside of their residence in the course of their  
37 employment.

1           “The penalty of [*arresto mayor*] **PRISION CORRECCIONAL**  
2           **AND FINE OF TWENTY THOUSAND PESOS (P20,000)** shall be  
3           imposed upon any person **WHO IS LICENSED TO OWN A FIREARM**  
4           **BUT** who shall carry [any licensed firearm] **THE SAME** outside his  
5           residence without legal authority therefor.”

6           Sec. 2. Section 2 of Presidential Decree No. 1866 is hereby amended to read  
7           as follows:

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

19           “THE PENALTY OF *PRISION MAYOR* IN ITS MINIMUM  
20           PERIOD TO *PRISION MAYOR* IN ITS MEDIUM PERIOD SHALL BE  
21           IMPOSED UPON SUCH LABORER, WORKER OR EMPLOYEE OF A  
22           LICENSED FIREARMS MANUFACTURING COMPANY OR  
23           LICENSED FIREARMS DEALER WHO SHALL UNLAWFULLY  
24           TAKE, SELL OR OTHERWISE DISPOSE OF PARTS OF FIREARMS,  
25           LIGHT WEAPONS, OR AMMUNITION WHICH THE COMPANY  
26           MANUFACTURES AND SELLS, AND OTHER MATERIALS USED  
27           BY THE COMPANY IN THE MANUFACTURE OR SALE OF  
28           FIREARMS, LIGHT WEAPONS, OR AMMUNITION. THE BUYER OR  
29           THE POSSESSOR OF SUCH STOLEN PARTS OR MATERIALS  
30           SHALL SUFFER THE SAME PENALTY AS THE LABORER,  
31           WORKER OR EMPLOYEE.

32           “THE PENALTY OF *PRISION MAYOR* SHALL BE IMPOSED  
33           UPON ANY PERSON WHO SHALL UNLAWFULLY  
34           MANUFACTURE, DEAL IN, ACQUIRE, DISPOSE OF OR POSSESS  
35           ANY MACHINERY, TOOL OR INSTRUMENT USED OR INTENDED  
36           TO BE USED BY THAT SAME PERSON IN THE MANUFACTURE

1 OF FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S  
2 THEREOF.

3 "IF THE VIOLATION OR OFFENSE IS COMMITTED BY A  
4 CORPORATION, PARTNERSHIP, ASSOCIATION OR OTHER  
5 JURIDICAL ENTITIES, THE PENALTY PROVIDED FOR IN THIS  
6 SECTION SHALL BE IMPOSED UPON THE DIRECTORS,  
7 OFFICERS, EMPLOYEES OR OTHER OFFICIALS OR PERSONS  
8 THEREIN WHO KNOWINGLY AND WILLINGLY PARTICIPATED IN  
9 THE UNLAWFUL ACT MENTIONED.

10 "The possession of any machinery, tool or instrument used  
11 directly in the manufacture of firearms, **LIGHT WEAPONS**, [or]  
12 ammunition, **OR PART/S THEREOF** by any person whose business,  
13 [or] employment **OR ACTIVITY** does not lawfully deal with the  
14 [manufacture of firearms or ammunition,] **POSSESSION OF SUCH**  
15 **ARTICLE** shall be *prima facie* evidence that such article is intended to  
16 be used in the unlawful/illegal manufacture of firearms, **LIGHT**  
17 **WEAPONS**, [or] ammunition, **OR PART/S THEREOF**."

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

20 "Section 5. *Tampering of Firearm*[']s [Serial Number]. – **ANY**  
21 **MODIFICATION MADE ON A FIREARM THAT SHALL ALTER ITS**  
22 **IDENTITY, INFORMATION OR BALLISTIC CHARACTERISTIC**  
23 **SHALL REQUIRE THE ISSUANCE OF A NEW LICENSE.** The  
24 penalty of [*prision correccional*] **PRISION MAYOR IN ITS MAXIMUM**  
25 **PERIOD** shall be imposed upon any person who shall unlawfully  
26 tamper[,] **WITH**, change, deface or erase the serial number, **OR**  
27 **MODIFY THE IDENTITY, INFORMATION OR BALLISTIC**  
28 **CHARACTERISTIC** of any firearm."

29 Sec. 4. Insert a new Section 5-A, 5-B, 5-C, 5-D, 5-E, 5-F, 5-G and 5-H in  
30 Presidential Decree No. 1866, as amended, to read as follows:

31 "**SECTION 5-A. REGISTRATION OF AIR, GAS OR SPRING**  
32 **OPERATED PISTOLS OR RIFLES. – AIR, GAS OR SPRING**  
33 **OPERATED PISTOLS OR RIFLES WHICH CAN EXPEL A**  
34 **PROJECTILE AT A SPEED OF AT LEAST ONE HUNDRED FIFTY**  
35 **(150) FEET PER SECOND SHALL BE REGISTERED WITH THE**  
36 **FIREARMS AND EXPLOSIVES DIVISION OF THE PNP WITHIN SIX**  
37 **(6) MONTHS FROM THE EFFECTIVITY OF THIS ACT, OR WITHIN**

1 THREE (3) MONTHS FROM THE DATE OF ITS IMPORTATION,  
2 MANUFACTURE OR SALE, WHICHEVER COMES LATER.  
3 FAILURE TO REGISTER OF THE SAME WITHIN THE REQUIRED  
4 PERIOD SHALL BE PENALIZED BY THE SEIZURE, FORFEITURE  
5 AND CONFISCATION OF THE PISTOLS OR RIFLES IN FAVOR OF  
6 THE GOVERNMENT.”

7 “SECTION 5-B. *USE OF AN IMITATION FIREARM OR LIGHT*  
8 *WEAPON.* – AN IMITATION FIREARM OR LIGHT WEAPON WHICH  
9 IS USED IN THE COMMISSION OF A CRIME SHALL BE  
10 CONSIDERED AS A REAL FIREARM OR LIGHT WEAPON AND  
11 THE PERSON WHO COMMITTED THE CRIME SHALL BE  
12 PUNISHED ACCORDING TO SECTION 1 OF THIS ACT. THE TERM  
13 ‘IMITATION FIREARM’ REFERS TO ANY AIR, GAS OR SPRING  
14 OPERATED GUN, TOY GUN, REPLICA OF A FIREARM OR LIGHT  
15 WEAPON, OR OTHER DEVICE THAT IS SO SUBSTANTIALLY  
16 SIMILAR IN COLORATION AND OVERALL APPEARANCE TO AN  
17 EXISTING FIREARM OR LIGHT WEAPON AS TO LEAD A  
18 REASONALBE PERSON TO BELIEVE THAT SUCH IMITATION  
19 FIREARM OR LIGHT WEAPON IS A REAL FIREARM OR LIGHT  
20 WEAPON.”

21 “SECTION 5-C. *FIREARMS, LIGHT WEAPONS OR*  
22 *AMMUNITION IN CUSTODIA LEGIS.* – DURING THE PENDENCY  
23 OF THE CASE, SEIZED FIREARMS, LIGHT WEAPONS,  
24 AMMUNITION, OR PART/S THEREOF, MACHINERY, TOOLS OR  
25 INSTRUMENTS SHALL NOT BE DISPOSED OF, ALIENATED OR  
26 TRANSFERRED BUT SHALL BE IN THE CUSTODY OF THE  
27 COURT OR IN *CUSTODIA LEGIS: PROVIDED,* THAT IF THE  
28 COURT DECIDES THAT IT HAS NO ADEQUATE MEANS TO  
29 SAFELY KEEP THE SAME, THE COURT SHALL AUTHORIZE THE  
30 PNP TO HOLD SUCH FIREARMS, LIGHT WEAPONS,  
31 AMMUNITION, OR PART/S THEREOF, MACHINERY, TOOLS OR  
32 INSTRUMENTS FOR SAFEKEEPING DURING THE PENDENCY OF  
33 THE CASE AND TO DELIVER THE SAME TO THE COURT WHEN  
34 SO ORDERED: *PROVIDED, FURTHER,* THAT NO BOND SHALL BE  
35 ADMITTED FOR THE RELEASE OF THE SAME: *PROVIDED,*  
36 *FINALLY,* THAT ANY VIOLATION HEREOF SHALL BE

1 PUNISHABLE BY *PRISION MAYOR* IN ITS MINIMUM PERIOD TO  
2 *PRISION MAYOR* IN ITS MEDIUM PERIOD.”

3 “SECTION 5-D. *CONFISCATION AND FORFEITURE*. –  
4 EVERY PENALTY IMPOSED FOR VIOLATION OF THE  
5 PROVISIONS OF THIS ACT SHALL CARRY WITH IT THE  
6 ACCESSORY PENALTY OF CONFISCATION AND FORFEITURE  
7 OF THE FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S  
8 THEREOF, MACHINERY, TOOLS OR INSTRUMENTS IN FAVOR OF  
9 THE GOVERNMENT.”

10 “SECTION 5-E. *LIABILITY FOR PLANTING OF EVIDENCE*  
11 *CONCERNING FIREARMS, LIGHT WEAPONS, AMMUNITION, OR*  
12 *PART/S THEREOF*. – THE PENALTY OF *PRISION MAYOR* IN ITS  
13 MAXIMUM PERIOD SHALL BE IMPOSED UPON ANY PERSON  
14 WHO SHALL WILLFULLY AND MALICIOUSLY INSERT, PLACE,  
15 ADD OR ATTACH, DIRECTLY OR INDIRECTLY, THROUGH ANY  
16 OVERT OR COVERT ACT, ANY FIREARM, LIGHT WEAPON,  
17 AMMUNITION, OR PART/S THEREOF IN THE PERSON, HOUSE,  
18 EFFECTS OR IN THE IMMEDIATE VICINITY OF AN INNOCENT  
19 INDIVIDUAL FOR THE PURPOSE OF IMPLICATING OR  
20 INCRIMINATING HIM/HER OR IMPUTING THE COMMISSION OF  
21 ANY VIOLATION OF THE PROVISIONS OF THIS ACT TO SAID  
22 INDIVIDUAL: *PROVIDED*, THAT IF THE PERSON FOUND GUILTY  
23 HEREIN IS A PUBLIC OFFICER OR EMPLOYEE, HE/SHE SHALL  
24 SUFFER THE PENALTY OF *RECLUSION TEMPORAL*.”

25 “SECTION 5-F. *ILLEGAL TRANSFER OF FIREARMS*. – IT  
26 SHALL BE UNLAWFUL FOR ANY PERSON TO TRANSFER THE  
27 POSSESSION OF ANY FIREARM OR AMMUNITION OR ANY PART  
28 OF A FIREARM TO ANOTHER PERSON WHO HAS NOT YET  
29 OBTAINED OR SECURED THE NECESSARY LICENSE OR PERMIT  
30 THEREOF.

31 “THE PENALTY OF *PRISION CORRECCIONAL* SHALL BE  
32 IMPOSED UPON ANY PERON WHO SHALL VIOLATE THE  
33 PROVISION OF THE PRECEDING PARAGRAPH. IN ADDITION, HE  
34 SHALL BE DISQUALIFIED TO APPLY FOR A LICENSE TO  
35 POSSESS OTHER FIREARMS AND ALL HIS EXISTING FIREARMS  
36 LICENSES, WHETHER FOR PURPOSES OF COMMERCE OR  
37 POSSESSION, SHALL BE REVOKED.

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

4           “SECTION 5-G. *ISSUANCE, REVOCATION, CANCELLATION*  
5 *AND SUSPENSION OF LICENSE OR PERMIT*. – EVERY FIREARM  
6 HAS TO BE REGISTERED WITH THE FIREARMS AND  
7 EXPLOSIVES DIVISION OF THE PNP TO BE CONSIDERED  
8 LICENSED. THE PNP CHIEF OR HIS AUTHORIZED  
9 REPRESENTATIVE SHALL ISSUE LICENSES OR OTHER PERMITS  
10 TO ANY QUALIFIED NATURAL OR JURIDICAL PERSON WHO  
11 SHALL ACQUIRE, POSSESS, DEAL IN, SELL OR DISPOSE  
12 FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S  
13 THEREOF. HE MAY ISSUE A PERMIT TO CARRY A FIREARM  
14 OUTSIDE OF RESIDENCE TO ANY QUALIFIED PERSON IN  
15 MERITORIOUS CASES AS MAY BE DETERMINED BY HIM AND  
16 THE IMPLEMENTING RULES AND REGULATIONS TO BE  
17 PROMULGATED.

18           “LIKEWISE, ANY PERSON WHO SHALL MANUFACTURE  
19 OR REPAIR FIREARMS, LIGHT WEAPONS, AMMUNITION, OR  
20 PART/S THEREOF, MACHINERY, TOOLS OR INSTRUMENTS  
21 INTENDED TO BE USED IN THE MANUFACTURE OF FIREARMS,  
22 LIGHT WEAPONS, AMMUNITION, OR PART/S THEREOF SHALL  
23 FIRST SECURE A LICENSE FROM THE PNP CHIEF.

24           “FIREARMS WITH EXPIRED LICENSES WHICH HAVE NOT  
25 BEEN RENEWED WITHIN A PERIOD OF SIX (6) MONTHS FROM  
26 THE DATE OF EXPIRATION THEREOF SHALL BE  
27 SURRENDERED, CONFISCATED OR FORFEITED IN FAVOR OF  
28 THE GOVERNMENT AFTER DUE PROCESS. ALL OTHER  
29 EXISTING FIREARMS LICENSES OF SUCH HOLDER OF AN  
30 UNRENEWED LICENSE SHALL BE SUBSEQUENTLY REVOKED  
31 AND SUBJECT FIREARMS SHALL LIKEWISE BE SURRENDERED,  
32 CONFISCATED OR FORFEITED IN FAVOR OF THE  
33 GOVERNMENT: *PROVIDED*, THAT AN OMISSION TO RENEW THE  
34 SAME LICENSE WITHIN A PERIOD OF SIX (6) MONTHS FROM  
35 THE DATE OF EXPIRATION ON TWO OCCASIONS SHALL CAUSE  
36 THE HOLDER OF THE FIREARM TO BE PERPETUALLY  
37 DISQUALIFIED FROM APPLYING FOR ANY FIREARM LICENSE.”

1           **“SECTION 5-H. GROUNDS FOR REVOCATION,**  
2           **CANCELLATION OR SUSPENSION OF LICENSE OR PERMIT. –**  
3           **THE PNP CHIEF OR HIS AUTHORIZED REPRESENTATIVE MAY**  
4           **REVOKE, CANCEL OR SUSPEND A LICENSE OR PERMIT ON THE**  
5           **FOLLOWING GROUNDS:**

6           **“(A) COMMISSION OF A CRIME INVOLVING A FIREARM**  
7           **WHICH IS PUNISHABLE BY THE REVISED PENAL CODE AND**  
8           **SPECIAL LAWS;**

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

14           **“(C) LOSS OF FIREARM THROUGH NEGLIGENCE;**

15           **“(D) CARRYING OF FIREARM IN PROHIBITED PLACES;**

16           **“(E) CARRYING OF FIREARM OUTSIDE RESIDENCE OR**  
17           **WORKPLACE WITHOUT A PERMIT TO CARRY A FIREARM;**

18           **“(F) UNAUTHORIZED LOAN OF FIREARM TO ANOTHER**  
19           **PERSON;**

20           **“(G) DISMISSAL FOR CAUSE FROM THE SERVICE, IN**  
21           **CASE OF GOVERNMENT OFFICIALS/EMPLOYEES;**

22           **“(H) COMMISSION OF ANY OF THE ACTS PENALIZED**  
23           **UNDER REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE**  
24           **COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002;**

25           **“(I) SUBMISSION OF FALSIFIED DOCUMENTS OR**  
26           **MISREPRESENTATION IN THE APPLICATION TO OBTAIN A**  
27           **LICENSE OR PERMIT; AND**

28           **“(J) SUCH OTHER GROUNDS WHICH MAY LATER BE**  
29           **SPECIFIED BY THE PNP CHIEF.”**

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

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



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

4            *Sec. 6. Effectivity.* – This Act shall take effect fifteen (15) days after its  
5 publication in the Official Gazette or in two (2) newspapers of general circulation.

6            Approved,