

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



Senate
Office of the Secretary

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SENATE
S. No. 1203

RECEIVED BY: *ji*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Graffiti vandalism is a serious problem that affects the entire country, and has a considerable impact on our public spaces. Research suggests that graffiti vandalism can create the perception in the public that "tagged" areas are unsafe, and can contribute to the deterioration of the quality of life in certain neighborhoods.

Tagging and graffiti is not simply a nuisance activity. It is an invasion of private and public property that is intimidating and antisocial. The majority of the graffiti in our communities cannot be considered art. It is mindless scrawl that causes great financial and emotional costs that the perpetrators care nothing about.

Graffiti vandalism is not only committed by bored individuals. It can have links to gang territoriality and other forms of juvenile delinquency that form the basis of future more serious offending.

This bill prohibits any act of vandalism.*

miriam defensor santiago
MIRIAM DEFENSOR SANTIAGO
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* This bill was originally filed in the Fourteenth Congress, Second Regular Session.



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1 AN ACT
2 PROHIBITING VANDALISM AND IMPOSING PENALTIES THERETO

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

3 SECTION 1. *Short Title.* – This Act shall be cited as the “Anti-Vandalism Act.”

4
5 SECTION 2. *Definition.* – For purposes of this Act, “spray can” means a container (made
6 of any material or materials that—

7 (a) contains paint, dye, ink, or some other pigment; and

8 (b) is so designed that the pigment it contains can be propelled from it (whether by a
9 compressed or liquefied gas, or by mechanical means).

10 SECTION 3. *Graffiti Vandalism, Tagging, Defacing.* – A person is liable to
11 imprisonment of not less than one (1) year or a fine of not less than Ten Thousand Pesos
12 (₱10,000.00), if he or she damages or defaces any building, structure, road, tree, property, or
13 other thing by writing, drawing, painting, spraying, or etching on it, or otherwise marking it—

14 (a) without lawful authority; and

15 (b) without the consent of the occupier or owner or other person in lawful control.

16 SECTION 4. *Sale of Spray Cans to People Under 18 Years of Age Prohibited.* – A person
17 who sells a spray can to a person under the age of 18 years is liable to a fine not exceeding Ten
18 Thousand Pesos (₱10,000.00).

19 In any proceedings for an offence under this section, it is a defense if the defendant
20 proves that at the time when the spray can was sold to the minor, the buyer was enrolled at a

1 school or institution and the spray can was sold to the buyer to enable him or her to undertake the
2 work of his or her course at the school or institution, or to complete an assignment or project for
3 the school or institution.

4 SECTION 5. *Separability Clause.* – If any provision or part thereof is held invalid or
5 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
6 valid and subsisting.

7 SECTION 6. *Repealing Clause.* – Any law, presidential decree or issuance, executive
8 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
9 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

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

Approved,