

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



Senate  
Office of the Secretary

'13 AUG 29 P5:13

SENATE  
S. No. 1447

RECEIVED BY: *jai*

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

Republic Act. No. 7166 has, for its purpose, two laudable intentions: minimize election-related violence and safeguard the sanctity of the ballot by prohibiting the carrying of firearms outside one's residence during the election period. Section 32 of the same law, however, is all-encompassing and has resulted in the unduly restrictive measure of prohibiting even the licensing of firearms during the election period. This goes beyond the legislative intent of the law.

This bill seeks to provide a reasonable remedy by amending Section 32 of R.A. No. 7166 to save affected sectors from its oppressive features.\*

*ccr*  
*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAAGO

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\* This bill was originally filed during the Thirteenth Congress, First Regular Session.

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1 AN ACT  
2 AMENDING SECTION 32 OF REPUBLIC ACT NO. 7166

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

3 SECTION 1. Section 32 of Republic Act No. 7166 is hereby amended to read as follows:

4 "Section 32. *Who May Bear Firearms.* - During the election period, no  
5 person shall bear, carry or transport firearms or other weapons in public places,  
6 including any building, street, park, private vehicles or public conveyances, even  
7 if licensed to possess or carry the same, unless authorized in writing by the  
8 Commission. [The issuance of firearms licenses shall be suspended during the  
9 election period.] **THE FIREARMS AND EXPLOSIVE DIVISION (FED) OF**  
10 **THE PHILIPPINE NATIONAL POLICE SHALL BE ALLOWED TO**  
11 **CONTINUE TO PROCESS AND APPROVE APPLICATIONS FOR**  
12 **LICENSE TO POSSESS FIREARM/S TO QUALIFIED APPLICANTS,**  
13 **ISSUE THE CORRESPONDING LICENSE/S AND PERMIT/S TO**  
14 **TRANSPORT THE FIREARM/S SUBJECT THEREOF FROM ITS**  
15 **STORAGE FACILITIES TO THE PLACE SPECIFIED IN THE**  
16 **APPROVED LICENSE, AND TO AUTHORIZE THE TRANSPORT OF**  
17 **IMPORTED FIREARMS FROM THE WAREHOUSE OF THE BUREAU**  
18 **OF CUSTOMS TO ITS STORAGE FACILITIES.**

19 Only regular members or officers of the Philippine National Police, the  
20 Armed Forces of the Philippines and other enforcement agencies of the  
21 Government who are duly deputized in writing by the Commission for election

1 duty may be authorized to carry and possess firearms during the election period:  
2 Provided, That, when in the possession of firearms, the deputized law  
3 enforcement officer must be: (a) in full uniform showing clearly and legibly his  
4 name, rank and serial number which shall remain visible at all times; and (b) in  
5 the actual performance of his election duty in the specific area designated by the  
6 Commission.”

7 SECTION 2. *Separability Clause.* - If any provision or part thereof 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 3. *Repealing Clause.* - Any law, presidential decree or issuance, executive  
11 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent  
12 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

13 SECTION 4. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its  
14 publication in at least two (2) newspapers of general circulation.

Approved,