


14 DEC -1 AIO 58

SENATE  
Senate Bill No. 2479

RECEIVED BY: 

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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**AN ACT  
PUNISHING THE ACT OF UNDERAGE TATOOING AND BODY PIERCING**

**EXPLANATORY NOTE**

Tattoo is a not a mere art; it is a part of our rich culture. In pre-Hispanic era, tattoos embody rank, power and accomplishments. Some even believe that they have magical or healing qualities. In modern times, tattoo has generally become a form of art, an expression of one's self, and even manifestation of one's dedication, love, belief, or faith in One Being or one person.

Its acceptance by the society and popularity continues to grow that an annual national exposition of tattoo artists and enthusiasts dubbed as "Dutdutan" has been going on for several years already.

The operations of "Tonsorial and Beauty Establishments" which includes tattooing and skin piercing establishments, is regulated by the Presidential Decree No. 856 otherwise known as the "Code on Sanitation of the Philippines. Despite this, the risks and dangers of tattoo are still present. The United States Food and Drug Administration (US FDA) explained the risks involved or primary complications that can result from tattooing, as follows:

1. Infection brought about by unsterile tattooing equipment and needles, contaminated tattoo inks and unhygienic tattoo artist;
2. Removal problems which includes high cost, tedious repetitive treatments and inevitable scars;
3. Allergic reactions;
4. Granulomas or "nodules that may form around material that the body perceives as foreign, such as particles of tattoo pigment;
5. Keloid formation;
6. Magnetic Resonance Imaging (MRI) complications, although rare, such as swelling or burning in the affected areas when undergoing MRI.

Apart from these health risks, there are social concerns about tattooing and body piercing such us indifference of some employers to persons with such marks, conditions before donating blood, and the like.

It is important, therefore, that the person who desires to get a tattoo or have a body pierce understands all its risks and repercussions. It is even more

important that said person is aware of and will demand for the required sanitation requirements in the procedure. The least that the State can do to ensure this is to prevent minors, or those who have not yet reached the age of discernment, from having a tattoo or body pierce. This bill, therefore, proposes to provide protection both to minors and to tattoo artists.

This measure was introduced by Senator Manny Villar in the 15<sup>th</sup> Congress but was not enacted into law.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



**JINGGOY EJERCITO ESTRADA**  
Senator

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SENATE

Senate Bill No. 2479

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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AN ACT  
PUNISHING THE ACT OF UNDERAGE TATOOING AND BODY PIERCING

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

1 **SECTION 1.** *Declaration of Policy.* – The State recognizes the vital role of the  
2 youth in nation-building and shall promote and protect their physical, moral,  
3 spiritual, intellectual and social well-being.  
4

5  
6 **SEC. 2.** *Definition of Terms.* – As used herein, the following shall mean:  
7

8 (a) “Body piercing” – the creation of an opening in the body, excluding the  
9 ear, for the purpose of inserting jewelry or other decoration;  
10

11 (b) “Tattoo” – to fix an indelible mark or figure upon the body by inserting a  
12 pigment under the skin or by producing scars;  
13

14 (c) “Minor” – a person younger than eighteen (18) years of age;  
15

16 (d) “Personal identification” – valid driver’s license or other picture  
17 identification card that expressly states that the person is eighteen (18)  
18 years of age or older.  
19

20  
21 **SEC. 3.** A person is guilty of unlawful body piercing or tattooing of a minor if he  
22 performs or offers to perform a body piercing or tattooing:  
23

- 24 a. upon a minor;  
25 b. without receiving the consent of the minor’s parent or legal guardian; and,  
26 c. for remuneration or in the course of a business or profession.  
27

28  
29 **SEC. 4.** *Exception.* – A person is not guilty if the person:  
30

- 31 a. had no actual knowledge of the minor’s age; and,  
32 b. reviewed, recorded and has maintained a personal identification for the  
33 minor prior to performing an unlawful body piercing or unlawful tattooing.  
34

1 **SEC. 5. *Person Liable.*** –  
2

- 3 a. the person who performed or offered to perform a body piercing or  
4 tattooing to the minor; and,  
5 b. the owner or operator of a business in which a violation occurs  
6

7  
8 **SEC. 6. *Penalty.*** – Any person guilty of violating this Act shall suffer the penalty  
9 of two (2) years to six (6) years imprisonment and a fine of not less than Twenty  
10 Thousand Pesos (P20,000.00).  
11

12  
13 **SEC. 7. *Separability Clause.*** – If for any reason, any provision of this Act is  
14 declared invalid or unconstitutional, the remaining provisions not affected thereby  
15 shall continue to be in full force and effect.  
16

17  
18 **SEC. 8. *Repealing Clause.*** – Any law, presidential decree, executive order, or  
19 issuance, rules and regulations inconsistent with this Act is hereby repealed or  
20 modified accordingly.  
21

22  
23 **SEC. 9. *Effectivity Clause.*** – This Act shall take effect after fifteen (15) days  
24 following its complete publication in the Official Gazette or in two (2) newspapers  
25 of general circulation.  
26

27  
28  
29  
30  
31 *Approved,*