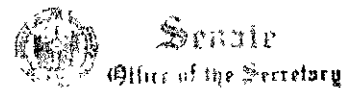


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



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SENATE
S. No. 2495

RECEIVED BY. *Ji*

Introduced by Senator Miriam Defensor Santiago

AN ACT
TO REQUIRE THE CONSUMER PRODUCT SAFETY COMMISSION TO
PRESCRIBE RULES REQUIRING DISTINCTIVE MARKINGS ON TOY AND
LOOK-ALIKE FIREARMS¹

EXPLANATORY NOTE

The Constitution, Article 2, Section 5 provides:

Section 5. The maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

The advent of technology has led to better toys for our children. Unfortunately such technology is being abused by certain persons to perpetrate crimes. Some criminals are able to commit robbery, coercion, and even rape using toy guns that are exact replicas of the gun. Since these are just toy guns, any person can just buy them from any toy store. We need to stop this misuse of toy guns by requiring the toy manufacturers to place distinctive markings that would allow us to easily distinguish a toy gun from a real one. This bill seeks to mandate the Department of Trade and Industry to create an acceptable standard on distinctive marking for toy guns and implement such standards to the toy manufacturers.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
ff

¹ This bill was originally filed during the Fourteenth Congress, Second Regular Session.

Introduced by Senator Miriam Defensor Santiago

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

1 AN ACT
2 TO REQUIRE THE CONSUMER PRODUCT SAFETY COMMISSION TO
3 PRESCRIBE RULES REQUIRING DISTINCTIVE MARKINGS ON TOY AND
4 LOOK-ALIKE FIREARMS

5 SECTION 1. *Short Title.* – This Act shall be known as the “Toy Gun Safety
6 Marking Act”.

7 SECTION 2. *Definition.* – For the purposes of this Act, the term “Look-Alike
8 Firearm” means any imitation of any original firearm which was manufactured, designed,
9 and produced, including toy guns, water guns, replica non-guns, and air-soft guns firing
10 nonmetallic projectiles. Such term does not include any look-alike, non-firing, collector
11 replica of an antique firearm, or traditional BB, paint-ball, or pellet-firing air guns that
12 expel a projectile through the force of air pressure.

13 SECTION 3. *Mandatory Standard for Making Toy Firearms.* – Not later than one
14 year after the date of enactment of this Act, the Department of Trade and Industry (DTI)
15 shall promulgate a final consumer product safety rule that provides for a distinctive
16 marking or device for any toy, look-alike, or imitation firearm to distinguish the look-
17 alike firearm from a firearm. The DTI may waive the requirement of any such marking or
18 device for any toy, look-alike, or imitation firearm that will only be used in the theatrical,
19 movie, or television industry.

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

23 SECTION 5. *Repealing Clause.* - All laws, decrees, orders, proclamation, rules
24 and regulations or parts thereof inconsistent with the provisions of this Act are hereby
25 repealed, amended, or modified accordingly.

26 SECTION 6. *Effectivity Clause.* - This Act shall take effect fifteen days (15) days
27 after its publication in at least two (2) newspapers of general circulation.

Approved,

/mamf27Nov2014