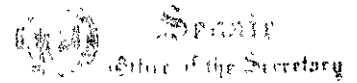


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



15 JAN 28 P4:18

SENATE
S. No. **2591**

BY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

AN ACT
PROVIDING FOR THE PROPER USE, HANDLING, AND STORAGE OF PEPPER
SPRAYS IN SCHOOLS

EXPLANATORY NOTE

The Constitution, Article, Section 5 states:

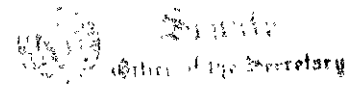
The maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

The Philippine National Police Directorate for Investigation and Detective Management (DIDM) reported an increase in crime rate from January to May 2014. According to the DIDM, the total number of crime reported was at 289,198 compared to 245,347 last year. It was also recently reported by various media that there has been an increasing trend in reported rape cases. In 2013, the DIDM data tallied as much as 7,409 reported rape incidents, or one every 72 minutes. With the increase in number of reported crime in the country, it is imperative for people, especially those who are most vulnerable, such as women and children, to protect themselves from criminal predators.

The use of pepper spray is considered a reasonable precaution against apprehended danger. There are no laws against the possession or use of pepper spray in the Philippines. However, some universities and schools prohibit students from bringing pepper spray as means to defend themselves. In fact, these universities consider pepper spray as a weapon that could merit a disciplinary sanction for its possession on school grounds.

This bill intends to provide for the regulation and storage of pepper sprays in schools.


MIRIAM DEFENSOR SANTIAGO
78



95 JAN 28 P4:18

SENATE
S. No. 2591

RECEIVED

Introduced by Senator Miriam Defensor Santiago

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

1 AN ACT
2 PROVIDING FOR THE PROPER USE, HANDLING, AND STORAGE OF PEPPER
3 SPRAYS IN SCHOOLS

4 SECTION 1. *Short Title.* – This Act shall be known as the “Pepper Spray in
5 Schools Regulation Act.”

6 SECTION 2. *Definition of Terms.* – As used in this Act, the term:

7 (A) “Pepper spray” shall mean a pocket-sized spray device which contains and
8 releases a chemical or organic substance which is intended to produce temporary physical
9 discomfort or disability through being vaporized or otherwise dispensed in the air or any
10 like device containing tear gas, pepper spray or similar disabling lachrymatory agent as
11 oleoresin capsicum spray (OC), OC gas, and capsicum spray.

12 (B) “School” shall mean secondary and tertiary educational institutions.

13 SECTION 3. *Requirement for bringing pepper spray to school.* – Schools shall
14 allow students to bring pepper spray to school upon a written request from the parent or
15 guardian.

16 SECTION 4. *Storage.* The school, together with the Department of Education
17 (DepEd) or the Commission on Higher Education (CHED) and the Philippine National
18 Police (PNP) shall create guidelines for the proper storage and handling of pepper sprays
19 brought by students.

1 SECTION 5. *Information Campaign.* It shall be mandatory for the school to have
2 an information campaign on the proper use, handling, and disposal of pepper spray. The
3 DepEd or CHED, in consultation with the PNP, shall create and issue guidelines to
4 schools with regard to the responsible use of pepper spray as a means of self-defense, and
5 other necessary information.

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

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

13 SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
14 its publication in at least two (2) newspapers of general circulation.

Approved,

/mamt14January2015