

SENATE
S. No. **2640**

RECEIVED _____

Introduced by Senator Miriam Defensor Santiago

AN ACT
TO PROHIBIT THE PURCHASE, OWNERSHIP, OR POSSESSION OF ENHANCED BODY
ARMOR BY CIVILIANS

EXPLANATORY NOTE

The Constitution, Article 2 provides:

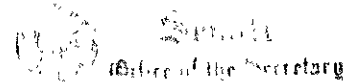
SEC. 4. The prime duty of the Government is to serve and protect the people....

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

In the Philippines, military-grade or enhanced body armor is increasingly being used by criminals to commit robberies and other crimes, and in gun battles with the police. Military-grade body armor emboldens criminals to commit crimes and attack civilians, as the armor protects them from law enforcement ammunitions.

This bill will prohibit the purchase, ownership, or possession of enhanced body armor by civilians; and ensure that only law enforcement, firefighters, and other public officers authorized by the State will have access to enhance body armor in carrying out their duties.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
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SENATE
S. No. 2640

RECEIVED BY: J.

Introduced by Senator Miriam Defensor Santiago

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

1 AN ACT
2 TO PROHIBIT THE PURCHASE, OWNERSHIP, OR POSSESSION OF ENHANCED BODY
3 ARMOR BY CIVILIANS

4 SECTION 1. *Short Title.* – This Act may be cited as the “Responsible Body Armor
5 Possession Act.”

6 SECTION 2. *Definition.* – The term “enhanced body armor” means body armor,
7 including a helmet or shield, the ballistic resistance of which meets or exceeds the ballistic
8 performance of military-grade armor, determined using standards specified by the Secretary of
9 National Defense.

10 SECTION 3. *Ban on Purchase, Ownership, or Possession of Enhanced Body Armor by*
11 *Civilians; Exception.* – (a) Except as provided in subsection (b), it shall be unlawful for any
12 person to purchase, own, or possess enhanced body armor.

13 (b) Subsection (a) shall not apply to purchase, ownership, or possession by or under
14 the authority of the Philippine government, or any department, agency, or political subdivision of
15 the Philippine government.

16 (c) Body armor that was lawfully possessed by any civilian prior to the effectivity of
17 this Act shall be turned over to the Department of National Defense pursuant to guidelines issued
18 by the Secretary of National Defense.

1 SECTION 4. *Penalties.* – Whoever violates this Act shall be fined not less than Twenty
2 Thousand Pesos (₱20,000.00) but not more than One Hundred Thousand Pesos (₱100,000.00), or
3 imprisoned for not less than five (5) but not more than ten (10) years, or both.

4 SECTION 5. *Implementing Rules and Regulations.* – Within sixty (60) days from
5 effectivity of this Act, and after public consultations, the Secretary of National Defense shall
6 promulgate the necessary rules and regulations to implement this Act.

7 SECTION 6. *Separability Clause.* – If any provision, or part hereof, 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 7. *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 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication
14 in at least two (2) newspapers of general circulation.

Approved,

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