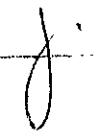


SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Third Regular Session )

Office of the Secretary

15 NOV -3 15:58

SENATE  
S.B. No. 3000

APPROVED BY: 

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Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

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**AN ACT AMENDING REPUBLIC ACT NO. 10591, OTHERWISE KNOWN AS AN ACT PROVIDING FOR A COMPREHENSIVE LAW ON FIREARMS AND AMMUNITION AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF**

**Explanatory Note**

Recently, outbound passengers have been apprehended at the Ninoy Aquino International Airport (NAIA) and have fallen victim to the tanim-bala (planting bullets) scam.

A 65-year old woman on her way to Singapore to watch her nephew play soccer<sup>1</sup>, a 56-year old domestic helper bound for Hong Kong to go back to work<sup>2</sup>, and an 18-year old choir member on her way to South Korea for a competition<sup>3</sup> were some of the victims of the scandal.

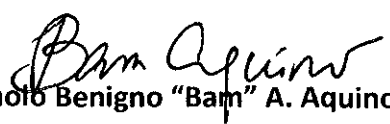
Activities that jeopardize the safety and security of the public are clearly unacceptable. We must build a secure, orderly, and just nation for our tourists, foreign and local investors, and, most importantly, our own citizens.

Clearly, a scam that is unsupportive of our efforts to raise government service standards for the Filipino people should be stopped immediately. As investigations have been ordered, it is also imperative to look at policy proposals and interventions that fully address the issue.

The Iwas Tanim Bala Bill aims to decriminalize acquisition, possession and carriage of three bullets or less in the country and shall not constitute as a criminal offense under this Act. The measure also aims to make security efforts more efficient and to enable security stakeholders to focus on real and grave threats.

Let us continue refining our policies into those that will truly serve our people, especially the common Filipino, and effectively continue the fight to eradicate lawlessness in the country.

In view of the foregoing, the approval of the bill is earnestly sought.

  
Senator Paolo Benigno "Bam" A. Aquino IV

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<sup>1</sup> Yap, DJ, Andrade, Jeanette, 2 November 2015. Philippine Daily Inquirer. "Ouster of Airport Execs in 'Tanim-Bala' Pressed. Accessed last 3 November 2015 via <http://newsinfo.inquirer.net/736160/ouster-of-airport-execs-in-tanim-bala-pressed>.  
<sup>2</sup> Dizon, Nikko. 1 November 2015. Philippine Daily Inquirer. "Aquino Orders Probe of 'Tanim Bala' Racket Amid Outcry. Accessed last 3 November 2015 via <http://newsinfo.inquirer.net/736010/aquino-orders-probe-of-tanim-bala-racket-amid-outcry#ixzz3qNtNBRVS>  
<sup>3</sup> CNN Philippines. 3 November 2015. "Choir Conductor Narrates 'Tanim Bala' Incident. Accessed last 3 November 2015 via <http://cnnphilippines.com/videos/2015/11/02/Choir-conductor-narrates-tanim-bala-incident.html>.

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

- 1 Section 1. Section 28 is hereby amended to read as follows:
- 2 "SEC. 28. Unlawful Acquisition, or Possession of Firearms and Ammunition. – The  
3 unlawful acquisition, possession of firearms and ammunition shall be penalized as  
4 follows:
- 5 (a) The penalty of prision mayor in its medium period shall be imposed upon any person  
6 who shall unlawfully acquire or possess a small arm;  
7
- 8 (b) The penalty of reclusion temporal to reclusion perpetua shall be imposed if three (3)  
9 or more small arms or Class-A light weapons are unlawfully acquired or possessed by  
10 any person;
- 11 (c) The penalty of prision mayor in its maximum period shall be imposed upon any  
12 person who shall unlawfully acquire or possess a Class-A light weapon;
- 13 (d) The penalty of reclusion perpetua shall be imposed upon any person who shall,  
14 unlawfully acquire or possess a Class-B light weapon;
- 15 (e) The penalty of one (1) degree higher than that provided in paragraphs (a) to (c) in  
16 this section shall be imposed upon any person who shall unlawfully possess any firearm  
17 under any or combination of the following conditions:  
18 (1) Loaded with ammunition or inserted with a loaded magazine;  
19 (2) Fitted or mounted with laser or any gadget used to guide the shooter to hit the  
20 target such as thermal weapon sight (TWS) and the like;  
21 (3) Fitted or mounted with sniper scopes, firearm muffler or firearm silencer;  
22 (4) Accompanied with an extra barrel; and  
23 (5) Converted to be capable of firing full automatic bursts.
- 24 (f) The penalty of prision mayor in its minimum period shall be imposed upon any  
25 person who shall unlawfully acquire or possess a major part of a small arm;

1 (g) The penalty of prison mayor in its minimum period shall be imposed upon any  
2 person who shall unlawfully acquire or possess ammunition for a small arm or Class-A  
3 light weapon. If the violation of this paragraph is committed by the same person  
4 charged with the unlawful acquisition or possession of a small arm, the former violation  
5 shall be absorbed by the latter; **PROVIDED THAT, MERE POSSESSION OF NOT MORE**  
6 **THAN THREE (3) BULLETS SHALL NOT CONSTITUTE AS A CRIMINAL OFFENSE UNDER**  
7 **THIS ACT;**

8 (h) The penalty of prison mayor in its medium period shall be imposed upon any person  
9 who shall unlawfully acquire or possess a major part of a Class-A light weapon;

10 (i) The penalty of prison mayor in its medium period shall be imposed upon any person  
11 who shall unlawfully acquire or possess ammunition for a Class-A light weapon. If the  
12 violation of this paragraph is committed by the same person charged with the unlawful  
13 acquisition or possession of a Class-A light weapon, the former violation shall be  
14 absorbed by the latter; **PROVIDED THAT, MERE POSSESSION OF NOT MORE THAN**  
15 **THREE (3) BULLETS SHALL NOT CONSTITUTE AS A CRIMINAL OFFENSE UNDER THIS**  
16 **ACT;**

17 (j) The penalty of prison mayor in its maximum period shall be imposed upon any  
18 person who shall unlawfully acquire or possess a major part of a Class-B light weapon;  
19 and

20 (k) The penalty of prison mayor in its maximum period shall be imposed upon any  
21 person who shall unlawfully acquire or possess ammunition for a Class-B light weapon. If  
22 the violation of this paragraph is committed by the same person charged with the  
23 unlawful acquisition or possession of a Class-B light weapon, the former violation shall  
24 be absorbed by the latter; **PROVIDED THAT, MERE POSSESSION OF NOT MORE THAN**  
25 **THREE (3) BULLETS SHALL NOT CONSTITUTE AS A CRIMINAL OFFENSE UNDER THIS ACT.**

26 Sec 2. Separability Clause. – If any provision of this Act is held unconstitutional, other  
27 provisions not affected thereby shall remain valid and binding.

28 Sec 3. Repealing Clause.- All laws, decrees. Ordinances and rules inconsistent with the  
29 provisions of this Act are hereby modified or repealed accordingly.

30 Sec 4. Effectivity Clause.- This Act shall take effect fifteen (15) days after the completion  
31 of its publication in the Official Gazette or in at least two (2) national newspapers of  
32 general circulation.

33 Approved,