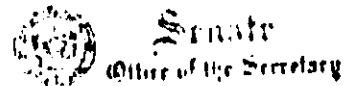


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



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SENATE
S. No. 3022

RECEIVED BY: *J*

Introduced by Senator Miriam Defensor Santiago

AN ACT
REQUIRING MANDATORY SECURITY INSPECTION AND USE OF OTHER
SAFETY MEASURES IN SHOPPING MALLS AND OTHER PUBLIC PLACES
THROUGHOUT THE COUNTRY

EXPLANATORY NOTE

Peace and order and security against insurgents and terrorists are very important for the country. These are preconditions to economic growth and equitable development. It is therefore incumbent upon the government to guarantee public safety and national security.

In the year 2006, crime volume decreased by 8.39% while street crimes declined by 42%. At the same time, kidnapping was reduced by 50% and drug cases went down by 52%. This decrease in crime rate can be traced to the efforts of adopting and institutionalizing effective mechanisms to counter crime and lawlessness through the partnership of the central government and local government units throughout the country.

This bill seeks to ensure the implementation of schemes to promote security and peace and order.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
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¹ This bill was originally filed during the Thirteenth Congress, Third Regular Session.

1 (C) "Other public places" means places open to the public for purposes such as,
2 but not limited to, recreation and transportation; shall refer to, but not limited to public
3 transportation terminals, museums, parks, recreational centers, etc.

4 (D) "Mandatory security inspection" means mandatory security measures to
5 protect the safety of the people in public places;

6 (E) "Other security measures" shall refer to other security measures which shall
7 be necessary to provide security for people in public places;

8 (F) "Public safety officers" means police officers and other authorized persons
9 to conduct security inspections and effect of other security measures;

10 (G) "Security inspection equipment" means equipments and gadgets necessary
11 for inspection such as, but not limited to portable metal detectors, walk-through detectors,
12 flashlight, and other security devices.

13 SECTION 4. *Mandatory Security Inspection.* – Mandatory security inspections
14 shall be conducted in all shopping centers and other public places to ensure the safety of
15 the public. Persons entering shopping malls and other public places shall be required to
16 undergo security inspection to be conducted by the authorized security personnel.
17 Luggage and other personal belongings shall also be subject to security checks if
18 necessary. The authorized security personnel shall use the necessary security inspection
19 equipment or gadgets.

20 SECTION 5. *Guidelines for Conduct of Security Inspection.* – Security inspection
21 should be to a reasonable extent only. With respect to individual inspection, only the
22 outer garment of the individual shall be searched unless detectors indicate possible
23 presence of harmful objects in the possession of the individual. Personal luggage and
24 other belongings shall also be subject to security inspection but limited to the extent
25 allowed under the implementing rules and regulations of this Act.

1 SECTION 6. *Monitoring the Conduct of Security Measures.* – The conduct of
2 security inspections shall be periodically monitored by the superiors of the authorized
3 security personnel to ensure the effectiveness of the inspection as well as to ensure that
4 the inspections are conducted according to the implementing rules and regulations.

5 SECTION 7. *Implementing Agency.* – The Philippine National Police (PNP) and
6 Department of National Defense (DND), in coordination with the respective local
7 government units, shall be responsible for the implementation of this Act.

8 SECTION 8. *Implementing Rules and Regulations.* – The PNP and DND, in
9 coordination with their respective local government units, shall draft implementing rules
10 and regulations (IRR) for this Act within sixty (60) days after its effectivity. The IRR
11 shall provide most importantly the guidelines on how to properly conduct security
12 inspections so as not to violate the right to privacy of every individual. The IRR shall also
13 provide for penalties for owners of establishment who refuse to cooperate with the
14 authorized security personnel in the conduct of the mandatory security inspection and
15 other security measures.

16 SECTION 9. *Separability Clause.* – If any provision or part hereof, is held
17 invalid or unconstitutional, the remainder of the law or the provision not otherwise
18 affected shall remain valid and subsisting.

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

1 **SECTION 11. *Effectivity Clause.* – This Act shall take effect fifteen (15) days**
2 **after its publication in at least two (2) newspapers of general circulation.**

3 **Approved,**

ersmg/25Nov2015