


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
FIRST REGULAR SESSION)



Senate
Office of the Secretary

'16 JUL 26 A9:43

SENATE

BY: 

SENATE BILL NO. 889

Introduced by SENATOR JOSEPH VICTOR G. EJERCITO

**AN ACT
ADOPTING THE HIGHER PRESCRIBED PENALTY, INCLUDING DEATH,
OF THE NATIONAL LAW OF AN ALIEN FOUND GUILTY OF
TRAFFICKING DANGEROUS DRUGS AND OTHER SIMILAR
SUBSTANCES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9165,
OTHERWISE KNOWN AS THE "COMPREHENSIVE DANGEROUS DRUGS
ACT OF 2002"**

EXPLANATORY NOTE

Prohibited and dangerous drugs are a bane to society. It is estimated in the United Nations World Drug Report that the Philippines has the highest incidence of use of methamphetamine hydrochloride.

The effects of dangerous drug use are numerous. It can range from the destruction of one's career, family life, and as is always the case, to criminality.

According to the Philippine Center On Transnational Crime, the geographical location of the Philippines consisting of its vast shorelines make it a prime location for importing of drugs by syndicates both local and foreign nationals.

Foreign nationals are not exempted from the operation of the provisions of the laws of the Philippines. In fact, the respect that they should repose upon

the laws and territory of the Philippines is not a matter that should be taken sitting down.

While the penalty of life imprisonment is imposed on the importing and selling of these dangerous drugs, the continuous proliferation of dangerous drugs seems to imply that it has not been a sufficient deterrent. Furthermore, allegedly most of the head of the syndicate connected with violation of the R.A. 9165 had been found to be a non-Filipino citizen.

On July 11, 2016, agents from the Anti-Illegal Drugs Group of the Philippine National Police intercepted a foreign vessel being used to manufacture and ship shabu (methamphetamine hydrochloride). It was found out that four (4) Chinese nationals from Hongkong are manning the said vessel.

It is for this reason that the enactment of this law to provide for additional penalty to foreigners is required because it is necessitated by the times and furthermore, greater respect for the territory of the Philippines by foreigners is a matter that should be observed.



JOSEPH VICTOR G. EJERCITO

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

1 **SECTION 1.** Section 31 of Republic Act No. 9165 is hereby amended to
2 read as follows:

3
4 **"SECTION 31. [Additional] Penalty if Offender is an Alien. -**

5
6 **IF THE VIOLATOR OF ANY OF THE PROVISIONS OF THIS ACT IS AN**
7 **ALIEN, THE PENALTY TO BE IMPOSED SHALL BE THE PENALTY**
8 **PRESCRIBED BY THE ALIEN'S NATIONAL LAW FOR THE ACT**
9 **COMMITTED OR THE PENALTY PRESCRIBED BY THIS WHICHEVER IS**
10 **HIGHER: PROVIDED, THAT IF THE ACT COMMITTED IS NOT**
11 **PUNISHABLE IN THE ALIEN'S NATIONAL LAW, THEN THE**
12 **PROVISIONS OF THIS ACT SHALL APPLY.**

13
14 **"WHERE THE DEATH PENALTY IS NOT IMPOSED BY THE NATIONAL**
15 **LAW OF THE OFFENDER, [I]n addition to the penalties**
16 **prescribed [in] FOR the unlawful act committed, any alien who violates such**

1 provisions of this Act shall, after service of sentence, be deported immediately
2 without further proceedings[, unless the penalty is death].

3 **"THE PENALTY OF DEATH, IF APPLICABLE, SHALL BE IMPOSED**
4 **DESPITE THE PROHIBITION OF THE IMPOSITION OF THE DEATH**
5 **PENALTY IN THE PHILIPPINES."**

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

9
10 *Approved,*