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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



THIRTEENTH CONGRESS

First Regular Session

House Bill No. 729

Introduced by REP. JUDY J. SYJUCO

EXPLANATORY NOTE

The tragic September 11, 2001 attack at the World Trade Center, New York City shocks the whole world. It constantly reminds us of a grim reality---terrorists means business and the aggression have left hundreds of people dead.

Terrorist aggression is a serious matter that proves its resolution to invade the civil order and the rule of law of every nation, before and after the September 11 attack.

Hijacking, as a form of terrorist aggression, is becoming prevalent and daring. In most documented cases, aircraft personnel are usually caught flatfooted in these situations. Pilots need to be able to defend the cockpit with lethal force against assailants who boarded the aircraft. A weapon is another piece of emegency equipment that may be pulled out as demanded by a situation.

This proposed measure seeks to allow and authorize pilots to carry a firearm in the cockpit as part of the aircraft's emergency gadgets. The Department of Transportation and Communication in coordination with the Philippine Air Force Aviation Security Command shall establish and implement a program to deputized qualified pilots of passenger aircraft as enforcement officers to defend the flight decks of aircraft of air carriers engaged in air transportation or intrastate air transportation against acts of criminal violence or air piracy and hijacking.

In view of the foregoing, immediate passage of this bill is earnestly sought.

JUDY J. SYJUCO

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AN ACT
ALLOWING PILOTS TO POSSESS FIREARM IN THE AIRCRAFT COCKPIT AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6235 OTHERWISE KNOWN AS THE "ANTI-HIJACKING LAW" AND FOR OTHER PURPOSES

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

SECTION 1. Declaration of Principle – It is declared as the principle of the State that the prime duty of the Government is to serve and protect the people. The Government may call upon the people to defend the State. It is likewise declared that 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.

SECTION 2. A new section and its provisions is hereby inserted to Republic Act No. 6235 to be read as follows:

SECTION 9. XXX

SECTION 10. Authority of Pilots to Carry a Firearm. The pilots are hereby authorized to carry and possess a firearm inside the cockpit as part of the aircraft's emergency equipment.

(a) Program – The Department of Transportation and Communication in coordination with the Philippine Air Force Aviation Security Command shall establish and implement a program to deputized qualified pilots of passenger aircraft as enforcement officers to defend the flight decks of aircraft of air carriers engaged in air transportation or intrastate air transportation against acts of criminal violence or air piracy and hijacking.

(b) Qualification of Pilots – Under the program, a qualified pilot is a pilot of an aircraft engaged in air transportation or intrastate air transportation who:

1) Is employed by an air carrier;

2) Has demonstrated to the satisfaction of the Department of Transportation and Communication (DOTC) and the Philippine Air Force Aviation Security Command fitness to be a deputized law enforcement officer;

3) Has been subject of an employment investigation including a criminal history record check.

(c) Training, Supervision and Equipment – The Department of Transportation and Communication (DOTC) and the Philippine Air Force Aviation Security Command shall provide training, supervision and equipment necessary for the qualified pilot to be a deputized law enforcement officer.

SECTION 11. XXX

SECTION 3. Section 5 of R.A. No. 6235 is hereby amended to be read as follows:

SECTION 5. As used in this Act ---

(1) "Pilot" shall mean an individual responsible for the operation of an aircraft.

(2) "Explosive" XXX

(3) XXX

(4) XXX

(5) XXX

SECTION 4. This Act shall take effect after fifteen (15) days following its publication in two newspapers of general circulation. The publication shall not be later than seven (7) days after approval hereof.

Approved,