

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS

First Regular Session

844
HOUSE BILL NO. _____



Introduced by Hon. Aurelio "Oyie" Matias Umali

EXPLANATORY NOTE

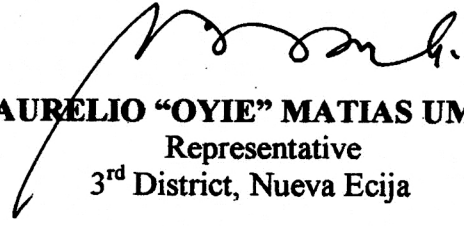
The recent spate of bank robberies which appears to be the handiwork of highly professional criminal syndicates has caused serious apprehensions in the hearts of bank depositors. This is aggravated by the fact that the police authorities appear ineffective, if not helpless, in dealing with these criminal incursions.

While it is true that bank deposits are insured by the government to a limited extent, what is at stake here is the eroding confidence of the public in deposit-taking banks, which, if unchecked, may seriously undermine the banking system. There is therefore the need to assure the bank depositors that their funds are safe and beyond the reach of criminal syndicates.

The proposed bill seeks to help ensure the safety of bank deposits and funds thereby strengthening the operations of banking institutions. It intends to do this by authorizing all banking institutions recognized and accredited by the Bangko Sentral ng Pilipinas (BSP) to provide special security services of their banking activities and operations and to procure and possess firearms for security purposes.

The necessary rules and regulations shall be implemented by the Philippine National Police, having in mind the reason for the law.

In this light, approval of the bill is strongly urged.


AURELIO "OYIE" MATIAS UMALI
Representative
3rd District, Nueva Ecija

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AN ACT
TO HELP INSURE THE SAFETY OF BANK DEPOSITS AND FUNDS
THEREBY STRENGTHENING THE OPERATIONS OF BANKING
INSTITUTIONS AND FOR OTHER PURPOSES

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

Sec. 1. Declaration of Policy. – It is the policy of the State to provide fullest protection to business enterprises in the pursuit of their legitimate concerns. Towards this end, the government shall strive to ensure the safety of business transactions that particularly relate to the handling and transfer of deposits and funds of banking institutions in the country.

Sec. 2. Right to Secure Bank Premises and Possess Firearms. – All banking institutions recognized and accredited by the Bangko Sentral ng Pilipinas (BSP) shall have the right to provide special security services for their banking activities and safeguard such activities and operations.

The term "firearms" shall mean a gun of any caliber designed and intended to be aimed and fired from one hand, which may either be revolvers or automatic or semi-automatic magazine pistols, or any shotgun, rifle of any caliber or any high-powered gun, semi-automatic, most suitable for bank security purposes.

Sec. 3. Limitations and Conditions. – A bank head office or any of its branches shall be allowed to hire any number of security guards of their own or from a security agency who will be allowed to carry or use a maximum of five (5) high-powered firearms only, such as armalite rifles or machine pistols. The others shall be allowed to use lower caliber firearms only.

The Philippine National Police (PNP) shall have the sole authority of issuing the necessary licenses and permit to carry such high powered firearms.

No bank security personnel shall be authorized to carry firearms under this Act unless he is shown to possess the following qualifications:

- a. He must be a college graduate with appropriate security training or its equivalent;
- b. He must belong to a licensed security agency;
- c. He must have passed a medical psychiatric examination.

Sec. 4. Authorized Places. – The right to carry firearm shall be strictly limited to the premises of the bank being secured which shall include the carrying of firearms in going to and returning from one bank branch or office to another as may be necessary in the carrying out of bank activities or operations. In all cases, the bank security personnel shall exercise the highest degree of care in the carrying of firearms.

Sec. 5. Firearms Regulation. – The bank shall maintain a central registry of all firearms and security personnel in its employ covered by this Act and shall submit a periodic annual report thereon to the Philippine National Police, including the procurement, issuance or distribution, loss or transfer of the said firearm.

Sec. 6. Implementing Rules and Regulations. – The Philippine National Police shall promulgate the necessary rules and regulations governing the use and registration of firearms and such matters necessary for the effective implementation of this Act.

Sec. 7. Penalty. – The maximum penalty of imprisonment for twelve (12) years and a fine not exceeding One Hundred Thousand Pesos (P100,000.00) shall be imposed upon the president or branch manager of the banking institution for violation of any provisions of this Act, provided that any firearm used in the commission of any violation of any provision of this Act or any rule or regulation promulgated herewith shall be forfeited in favor of the Philippine National Police.

Sec. 9. Repealing Clause. – All laws, decrees, order, letters of instruction, rules and regulations and other issuances or parts thereof, inconsistent herewith are hereby repealed or modified accordingly.

Sec. 10. Effectivity. – This Act shall take effect fifteen (15) days after publication in at least two (2) newspapers of general circulation.

Approved.