

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
1st Regular Session

HOUSE BILL NO. 2804

Introduced by **HON. JOSEPH EMILIO A. ABAYA**

EXPLANATORY NOTE

When one scans the pages of newspapers or listens to news reports, one would be appalled at the number of killings committed almost everyday by gun owners. One is thus forced to think at the value we ascribe to human life – it is valued no more than that of game birds, the life of which are usually snuffed by raging bullets of whimsical hunters.

Without delving deeper into the implication of such killings, however, one would realize that the same speaks well of how persons irresponsibly exercise the privilege of owning, possessing and using their licensed firearms. It is thus another strong argument for leaving one's gun at home unless he is a law enforcer on duty. A would-be killer may have a permit to carry his gun, but had he left his gun at home, he would have no means to shoot another person.

The Inquirer editorial in 2003, concerning the senseless killing of an Atenean law graduate, Jose Ramos Llamas, says it well in arguing for the total gun ban. It stated: "(t)he impulse slaying is one of the rising number of cases of killings or shootings over minor traffic incidents. Surely, a human life is much more important and much more valuable than a dented fender, a damaged motorcycle or a bruised ego."

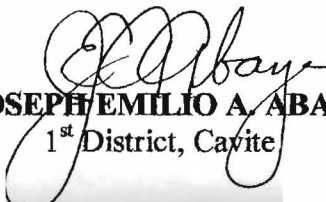
Indeed, the list of slain victims involved in simple traffic altercations is long. We have Eldon Maguan who was shot in 1993 by Rolito Go, Maureen Hultman who was shot by Claudio Teehankee, Jr., and Reynaldo Cantos, a jeepney driver, who was shot by Col. Alfonso Bernate, an officer of the Armed Forces of the Philippines. They now belong to the statistics of senseless deaths.

Clearly, however, such senseless killings would not have been committed had their killers not been allowed to bring their guns outside their homes. It is said that the carrying of guns outside one's home is evident of the machismo culture prevalent in our society.

Something has to be urgently done. If it is hard and probably would take time to redefine the machismo culture, at least, we policymakers need to adopt a measure to curb its condemnable expression – that of carrying guns outside the owner's home.

Further, the privilege to possess a licensed firearm is for the protection of the possessor while he is at home – to successfully repel a possible aggressor or intruder into the privacy and sanctity of his home, and not something to show-off to his fellow while on the road.

Adoption of this bill is, thus, earnestly sought.


JOSEPH EMILIO A. ABAYA
1st District, Cavite

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AN ACT
REGULATING THE POSSESSION OF LICENSED FIREARMS AND THE
CARRYING THEREOF OUTSIDE OF RESIDENCE AND FOR OTHER
PURPOSES.

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

Section 1. Firearms Regulation. – Any person may possess and keep firearms inside his residence provided that permit to possess the same has been properly secured.

Section 2. Prohibition on the Carrying of Firearms. – It shall be unlawful for any person to carry firearms outside his residence or workplace without being issued a permit to carry the licensed firearms by the Philippine National Police.

Section 3. Persons Allowed to Carry Licensed Firearms Outside their Homes. – Only the following persons are allowed to carry their licensed firearms outside their homes:

1. Law enforcers which include authorized members and officials of the Philippine National Police, Jail Management and Penology, and Armed Forces of the Philippines who are in the actual performance of duty and in uniform showing clearly and legibly their name, rank and serial number which shall remain visible at all times;
2. Members and officers of the Police Force or Security Force of the Bureau of Customs, Philippine Ports Authority, Export Processing Zones and Airports, and guards of the Bureau of Prisons and Provincial, City or Municipal Jails while in the actual performance of duty and in uniform showing clearly and legibly their name, rank and serial number which shall remain visible at all times;
3. Regular agents of the National Bureau of Investigation (NBI), the Criminal Investigation Service (CIS), the Narcotics Command, the Intelligence Service of the AFP (ISAFP), the Sheriffs Office of the various courts while in the actual performance of duty;
4. Licensed security guards while on duty and inside or within the immediate premises of their places of duty, or when escorting the transfer of cash and other valuables; and