

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

First Regular Session

House Bill No. _____ 12

Introduced by **Hon. Rodolfo G. Biazon**

EXPLANATORY NOTE

The 1987 Constitution declares that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of general welfare are essential for the enjoyment by all the people of the blessings of democracy.

However, the alarming rise in the incidence of crimes with the use of loose firearms over the years the aforestated principle. Recent figures from the Philippine National Police (PNP) reveal that the number of loose firearms in the country is at around one million. It also reported that in 2008 alone, 5,999 loose firearms were used in 5,752 crime incidents.

Admittedly, firearms in the hands of irresponsible citizens has brought about insecurity, loss of human lives and damage to property that affect the valuable resources of the country.

It is in this light that this bill seeks to regulate the unlawful possession, manufacture, dealing in, acquisition or disposition, of firearms, ammunition, and instruments used in the manufacture of firearms and ammunition, by amending Presidential Decree No. 1866 as amended by Republic Act No. 8294 and 9516. This measure seeks to provide stiffer penalties for the violation of the same in order to more effectively deter the commission of crimes with the use of firearms. This bill also provides the maximum penalty for violations committed by public officials whether in civilian or in the military, police or law enforcement service, considering their mandate and sworn duty to preserve the peace and order in society.

In view of the foregoing, immediate approval of this measure is earnestly sought.

A handwritten signature in black ink, appearing to read 'Rodolfo G. Biazon', written over a horizontal line.

RODOLFO G. BIAZON
Representative
Lone District, Muntinlupa City

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AN ACT
PROVIDING FOR STIFFER PENALTIES FOR CRIMES RELATING TO
FIREARMS AND LIGHT WEAPONS, FURTHER AMENDING FOR THE PURPOSE
PRESIDENTIAL DECREE NO. 1866, AS AMENDED BY REPUBLIC ACT NO. 8294,
AND FOR RELEVANT PURPOSES"

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

SECTION 1. Section 1 of Presidential Decree No. 1866, as amended by Republic Act No. 8294, is hereby further amended to read as follows:

"Section 1. *Unlawful [Manufacture, Sale,] Acquisition[, Disposition] or Possession of Firearms, **LIGHT WEAPONS** or Ammunition [or Instruments Used or Intended to be Used in the Manufacture of Firearms or Ammunition].* – The penalty of [*prision correccional*] **PRISION MAYOR** in its [maximum] **MEDIUM** period [and a fine of not less than Fifteen thousand pesos (P15,000)] shall be imposed upon any person who shall unlawfully [manufacture, deal in,] acquire[, dispose,] or possess any [low powered] firearm[, such as rimfire handgun, .380 or .32 and other firearm of similar firepower, part of firearm, ammunition, or machinery, tool or instrument used or intended to be used in the manufacture of any firearm or ammunition: *Provided, That no other crime was committed*]. **THE TERM 'FIREARM' REFERS TO ANY HANDHELD OR PORTABLE WEAPON FROM WHICH ANY BULLET, BALL SHOT OR MISSILE OR OTHER**

DEADLY PROJECTILE MAY BE DISCHARGED BY MEANS OF EXPLOSION, COMBUSTION OR ANY OTHER SIMILAR FORM, OR ANY INSTRUMENT OR IMPLEMENT CAPABLE OF DOING THE SAME. THE TERM INCLUDES, AMONG OTHERS, REVOLVERS AND SELF-LOADING PISTOLS, RIFLES AND CARBINES NOT EXCEEDING CALIBER 7.62 MM WHICH DO NOT HAVE FULLY AUTOMATIC MODE.

“THE PENALTY OF *PRISION MAYOR* IN ITS MAXIMUM PERIOD SHALL BE IMPOSED UPON ANY PERSON WHO SHALL UNLAWFULLY ACQUIRE OR POSSESS A CLASS (A) LIGHT WEAPON. CLASS (A) LIGHT WEAPONS REFER TO SELF-LOADING PISTOLS, RIFLES AND CARBINES, SUB-MACHINE GUNS, ASSAULT RIFLES AND LIGHT MACHINE GUNS NOT EXCEEDING CALIBER 7.62 MM WHICH HAVE FULLY AUTOMATIC MODE.

THE PENALTY OF *RECLUSION PERPETUA* SHALL BE IMPOSED UPON ANY PERSON WHO SHALL UNLAWFULLY ACQUIRE OR POSSESS A CLASS (B) LIGHT WEAPON. CLASS (B) LIGHT WEAPONS REFER TO WEAPONS DESIGNED FOR USE BY TWO (2) OR MORE PERSONS SERVING AS A CREW, OR RIFLES AND MACHINE GUNS EXCEEDING CALIBER 7.62 MM SUCH AS HEAVY MACHINE GUNS, HANDHELD UNDER-BARREL AND MOUNTED GRENADE LAUNCHERS, PORTABLE ANTI-AIRCRAFT GUNS, PORTABLE ANTI-TANK GUNS, RECOILLESS RIFLES, PORTABLE LAUNCHERS OF ANTI-TANK MISSILE AND ROCKET SYSTEMS, PORTABLE LAUNCHERS OF ANTI-AIRCRAFT MISSILE SYSTEMS, AND MORTARS OF A CALIBER OF LESS THAN 100 MM.

A LIGHT WEAPON SHALL BE LAWFULLY ACQUIRED OR POSSESSED EXCLUSIVELY BY THE ARMED FORCES OF THE PHILIPPINES (AFP) OR THE PHILIPPINE NATIONAL POLICE (PNP) AND OTHER AUTHORIZED LAW ENFORCEMENT AGENCIES IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES: *PROVIDED*, THAT PRIVATE INDIVIDUALS WHO

ALREADY HAVE LICENSES TO POSSESS CLASS (A) LIGHT WEAPONS UPON EFFECTIVITY OF THIS ACT SHALL NOT BE DEPRIVED OF THE PRIVILEGE TO CONTINUE POSSESSING THE SAME AND RENEWING LICENSES THEREOF AND SHALL BE REQUIRED TO COMPLY WITH THE OTHER APPLICABLE PROVISIONS PROVIDED IN THIS ACT.

"THE PENALTY OF *RECLUSION TEMPORAL* TO *RECLUSION PERPETUA* SHALL BE IMPOSED IF THREE (3) OR MORE FIREARMS OR CLASS (A) LIGHT WEAPONS OR A COMBINATION THEREOF ARE UNLAWFULLY ACQUIRED OR POSSESSED BY ANY PERSON.

WHEN AN UNLICENSED FIREARM OR LIGHT WEAPON IS IN THE POSSESSION OF TWO (2) OR MORE PERSONS WITH *ANIMUS POSSIDENDI*, EACH OF THEM SHALL SUFFER THE APPLICABLE PENALTY PROVIDED FOR IN THE PRECEDING PARAGRAPHS: *PROVIDED*, THAT SAID UNLICENSED FIREARM OR LIGHT WEAPON WHEN FOUND IN A VEHICLE, BUILDING OR IN ANY OTHER PLACE, SHALL CONSTITUTE PRESUMPTIVE EVIDENCE OF SUCH POSSESSION, EXCEPT UNDER THE FOLLOWING CIRCUMSTANCES:

- (A) IF FOUND IN A VEHICLE WHICH IS BEING OPERATED FOR HIRE BY A DULY LICENSED DRIVER IN THE DUE, LAWFUL AND PROPER PURSUIT OF HIS TRADE, THEN SUCH PRESUMPTION SHALL NOT APPLY TO THE DRIVER;
- (B) IF FOUND WITHIN PREMISES LAWFULLY LEASED AND DULY COVERED BY A CONTRACT, THEN THE PRESUMPTION SHALL NOT APPLY TO THE OWNER OF THE LEASED PREMISES;
- (C) IF FOUND IN A PUBLIC TRANSPORT, THE PRESUMPTION WILL ONLY APPLY TO SUCH PERSONS HAVING IMMEDIATE CONTROL OVER THE UNLICENSED FIREARM OR LIGHT WEAPON; AND
- (D) ANY OTHER ANALOGOUS CIRCUMSTANCES.

“The penalty of *prision mayor* in its minimum period [and a fine of Thirty thousand pesos (P30,000)] shall be imposed [if the firearm is classified as high powered firearm which includes those with bores bigger in diameter than .38 caliber and .9 millimeter such as caliber .40, .41, .44, .45 and also lesser calibered firearms but considered powerful such as caliber .357 and caliber .22 center-fire magnum and other firearms with firing capability of full automatic and by burst of two or three: *Provided, however*, That no other crime was committed by the person arrested.] **UPON ANY PERSON WHO SHALL UNLAWFULLY ACQUIRE OR POSSESS AMMUNITION FOR FIREARMS OR LIGHT WEAPONS. THE TERM ‘AMMUNITION’ REFERS TO LOADED SHELLS FOR RIFLES, MUSKETS, CARBINES, SHOTGUNS, REVOLVERS, PISTOLS AND OTHER FIREARMS OR LIGHT WEAPONS: PROVIDED, THAT IF A VIOLATION OF THIS PARAGRAPH IS COMMITTED ON THE OCCASSION OF THE UNLAWFUL AQUISITION OR POSSESSION OF A FIREARM OR LIGHT WEAPON BY THE SAME PERSON, THE VIOLATION OF THIS PARAGRAPH SHALL BE ABSORBED BY THE UNLAWFUL AQUISITION OR POSSESSION OF A FIREARM OR LIGHT WEAPON.**

“THE PENALTY OF *PRISION MAYOR* IN ITS MINIMUM PERIOD SHALL BE IMPOSED UPON ANY PERSON WHO SHALL UNLAWFULLY ACQUIRE OR POSSESS A MAJOR PART OR COMPONENT OF A FIREARM OR LIGHT WEAPON. THE MAJOR PARTS OR COMPONENTS OF A FIREARM OR LIGHT WEAPON ARE THE BARREL, THE SLIDE, THE CYLINDER, AND THE FRAME OR RECEIVER.

“If [homicide or murder is committed with] the use of an unlicensed firearm[, such use of an unlicensed firearm] **OR LIGHT WEAPON IS INHERENT IN THE COMMISSION OF A CRIME WHERE THE PENALTY IMPOSABLE IS MORE THAN SIX (6) YEARS AND ONE (1) DAY, IT shall be considered as an aggravating circumstance[.]: PROVIDED, THAT IF THE CRIME COMMITTED WITH THE USE OF AN UNLICENSED FIREARM OR LIGHT WEAPON IS PENALIZED**

BY THE LAW WITH A MAXIMUM PENALTY WHICH IS LOWER THAN THAT PRESCRIBED IN THIS SECTION FOR ILLEGAL POSSESSION OF FIREARM OR LIGHT WEAPON, THE PENALTY FOR ILLEGAL POSSESSION OF FIREARM OR LIGHT WEAPON SHALL BE IMPOSED IN LIEU OF THE PENALTY FOR THE CRIME CHARGED: *PROVIDED, FURTHER*, THAT IF THE FIREARM IS USED IN THE COMMISSION OF ALARM AND SCANDAL AS DEFINED IN ARTICLE 155 OF THE REVISED PENAL CODE, THE IMPOSABLE PENALTY SHALL BE PRISION CORRECCIONAL IN ITS MINIMUM PERIOD.

“IF ANY OTHER CRIME PUNISHABLE BY THE REVISED PENAL CODE OR OTHER SPECIAL LAW WAS COMMITTED BY THE PERSON ARRESTED WITHOUT USING THE FIREARM OR LIGHT WEAPON, THE VIOLATION OF THIS ACT SHALL BE CONSIDERED AS A DISTINCT AND SEPARATE OFFENSE.

“[If the violation of this Section is in furtherance of, or incident to, or in connection with the crime of rebellion or insurrection, sedition, or attempted *coup d'etat*, such violation shall be absorbed as an element of the crime of rebellion, or insurrection, sedition, or attempted *coup d'etat*.]”

“The [same] penalty **OF PRISION MAYOR IN ITS MINIMUM PERIOD TO PRISION MAYOR IN ITS MEDIUM PERIOD** shall be imposed upon the owner, president, manager, director or other responsible officer of any public or private firm, company, corporation or entity, who shall willfully or knowingly allow any of the firearms **OR AMMUNITION** owned by such firm, company, corporation or entity to be used by any person or persons found guilty of violating the provisions of the preceding paragraphs, or willfully or knowingly allow any of them to use unlicensed firearms or firearms without any legal authority to be carried outside of their residence in the course of their employment.

“The penalty of [*arresto mayor*] **PRISION CORRECCIONAL AND FINE OF TWENTY THOUSAND PESOS (P20,000.00)** shall be imposed upon any person **WHO IS LICENSED TO OWN A FIREARM BUT** who shall carry [any licensed firearm] **THE SAME** outside his residence without legal authority therefor.”.

Sec. 2. Section 2 of Presidential Decree No. 1866 is hereby amended to read as follows:

"Section 2. [*Presumption of Illegal*] **UNLAWFUL Manufacture, SALE OR DISPOSITION of Firearms, LIGHT WEAPONS, [or] Ammunition, OR PART/S THEREOF. – THE PENALTY OF RECLUSION TEMPORAL TO RECLUSION PERPETUA SHALL BE IMPOSED UPON ANY PERSON WHO SHALL UNLAWFULLY ENGAGE IN THE MANUFACTURE, SALE OR DISPOSITION OF FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S THEREOF, OR COMPONENTS OR PART/S OF FIREARMS, LIGHT WEAPONS OR AMMUNITION.**

"THE PENALTY OF PRISION MAYOR IN ITS MINIMUM PERIOD TO PRISION MAYOR IN ITS MEDIUM PERIOD SHALL BE IMPOSED UPON SUCH LABORER, WORKER OR EMPLOYEE OF A LICENSED FIREARMS MANUFACTURING COMPANY OR LICENSED FIREARMS DEALER WHO SHALL UNLAWFULLY TAKE, SELL OR OTHERWISE DISPOSE OF PARTS OF FIREARMS, LIGHT WEAPONS, OR AMMUNITION WHICH THE COMPANY MANUFACTURES AND SELLS, AND OTHER MATERIALS USED BY THE COMPANY IN THE MANUFACTURE OR SALE OF FIREARMS, LIGHT WEAPONS, OR AMMUNITION. THE BUYER OR THE POSSESSOR OF SUCH STOLEN PARTS OR MATERIALS SHALL SUFFER THE SAME PENALTY AS THE LABORER, WORKER OR EMPLOYEE.

"THE PENALTY OF PRISION MAYOR SHALL BE IMPOSED UPON ANY PERSON WHO SHALL UNLAWFULLY MANUFACTURE, DEAL IN, ACQUIRE, DISPOSE OF OR POSSESS ANY MACHINERY, TOOL OR INSTRUMENT USED OR INTENDED TO BE USED BY THAT SAME PERSON IN THE MANUFACTURE OF FIREARMS, LIGHT WEAPONS, AMMUNITION, OR MAJOR PART/S THEREOF.

"IF THE VIOLATION OR OFFENSE IS COMMITTED BY A CORPORATION, PARTNERSHIP, ASSOCIATION OR OTHER JURIDICAL ENTITIES, THE PENALTY PROVIDED FOR IN THIS

SECTION SHALL BE IMPOSED UPON THE DIRECTORS, OFFICERS, EMPLOYEES OR OTHER OFFICIALS OR PERSONS THEREIN WHO KNOWINGLY AND WILLINGLY PARTICIPATED IN THE UNLAWFUL ACT MENTIONED.

“The possession of any machinery, tool or instrument used directly in the manufacture of firearms, **LIGHT WEAPONS**, [or] ammunition, **OR MAJOR PART/S THEREOF** by any person whose business, [or] employment **OR ACTIVITY** does not lawfully deal with the [manufacture of firearms or ammunition,] **POSSESSION OF SUCH ARTICLE** shall be *prima facie* evidence that such article is intended to be used in the unlawful/illegal manufacture of firearms, **LIGHT WEAPONS**, [or] ammunition, **OR PART/S THEREOF**.”

Sec. 3. Section 5 of Presidential Decree No. 1866, as amended by Republic Act No. 8294, is hereby further amended to read as follows:

“Section 5. *Tampering of Firearm*[’s *Serial Number*]. – **ANY MODIFICATION MADE ON A FIREARM THAT SHALL ALTER ITS IDENTITY, INFORMATION OR BALLISTIC CHARACTERISTIC SHALL REQUIRE THE ISSUANCE OF A NEW LICENSE.** The penalty of [*prision correccional*] **PRISION MAYOR** IN ITS MAXIMUM PERIOD shall be imposed upon any person who shall unlawfully tamper[,] **WITH**, change, deface or erase the serial number, **OR MODIFY THE IDENTITY, INFORMATION OR BALLISTIC CHARACTERISTIC** of any firearm.”

Sec. 4. Insert a new Section 5-A, 5-B, 5-C, 5-D, 5-E, 5-F, 5-G, 5-H AND 5-I in Presidential Decree No. 1866, as amended, to read as follows:

“SECTION 5-A. REGISTRATION OF AIR, GAS OR SPRING OPERATED PISTOLS OR RIFLES. – AIR, GAS OR SPRING OPERATED PISTOLS OR RIFLES WHICH CAN EXPEL A PROJECTILE AT A SPEED OF AT LEAST ONE HUNDRED FIFTY (150) FEET PER SECOND SHALL BE REGISTERED WITH THE FIREARMS AND EXPLOSIVES DIVISION OF THE PNP WITHIN SIX (6) MONTHS FROM THE EFFECTIVITY OF THIS ACT, OR WITHIN THREE (3) MONTHS FROM THE DATE OF ITS IMPORTATION, MANUFACTURE OR SALE, WHICHEVER COMES LATER. FAILURE TO REGISTER THE SAME WITHIN THE REQUIRED

PERIOD SHALL BE PENALIZED BY THE SEIZURE, FORFEITURE AND CONFISCATION OF THE PISTOLS OR RIFLES IN FAVOR OF THE GOVERNMENT.”

“SECTION 5-B. *USE OF AN IMITATION FIREARM OR LIGHT WEAPON.* – AN IMITATION FIREARM OR LIGHT WEAPON WHICH IS USED IN THE COMMISSION OF A CRIME SHALL BE CONSIDERED AS A REAL FIREARM OR LIGHT WEAPON AND THE PERSON WHO COMMITTED THE CRIME SHALL BE PUNISHED ACCORDING TO SECTION 1 OF THIS ACT. THE TERM ‘IMITATION FIREARM’ REFERS TO ANY AIR, GAS OR SPRING OPERATED GUN, TOY GUN, REPLICA OF A FIREARM OR LIGHT WEAPON, OR OTHER DEVICE THAT IS SO SUBSTANTIALLY SIMILAR IN COLORATION AND OVERALL APPEARANCE TO AN EXISTING FIREARM OR LIGHT WEAPON AS TO LEAD A REASONABLE PERSON TO BELIEVE THAT SUCH IMITATION FIREARM OR LIGHT WEAPON IS A REAL FIREARM OR LIGHT WEAPON: *PROVIDED*, THAT INJURIES CAUSED ON THE OCCASION OF THE CONDUCT OF COMPETITIONS, SPORTS, GAMES, OR ANY RECREATION ACTIVITIES INVOLVING IMITATION FIREARMS OR LIGHT WEAPONS SHALL NOT BE PUNISHABLE UNDER THIS SECTION.”

“SECTION 5-C. *FIREARMS, LIGHT WEAPONS OR AMMUNITION IN CUSTODIA LEGIS.* – DURING THE PENDENCY OF THE CASE, SEIZED FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S THEREOF, MACHINERY, TOOLS OR INSTRUMENTS SHALL NOT BE DISPOSED OF, ALIENATED OR TRANSFERRED BUT SHALL BE IN THE CUSTODY OF THE COURT OR IN *CUSTODIA LEGIS*: *PROVIDED*, THAT IF THE COURT DECIDES THAT IT HAS NO ADEQUATE MEANS TO SAFELY KEEP THE SAME, THE COURT SHALL AUTHORIZE THE PNP TO HOLD SUCH FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S THEREOF, MACHINERY, TOOLS OR INSTRUMENTS FOR SAFEKEEPING DURING THE PENDENCY OF THE CASE AND TO DELIVER THE SAME TO THE COURT WHEN

SO ORDERED: *PROVIDED, FURTHER*, THAT NO BOND SHALL BE ADMITTED FOR THE RELEASE OF THE SAME: *PROVIDED, FINALLY*, THAT ANY VIOLATION HEREOF SHALL BE PUNISHABLE BY *PRISION MAYOR* IN ITS MINIMUM PERIOD TO *PRISION MAYOR* IN ITS MEDIUM PERIOD."

"SECTION 5-D. *CONFISCATION AND FORFEITURE*. – EVERY PENALTY IMPOSED FOR VIOLATION OF THE PROVISIONS OF THIS ACT SHALL CARRY WITH IT THE ACCESSORY PENALTY OF CONFISCATION AND FORFEITURE OF THE FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S THEREOF, MACHINERY, TOOLS OR INSTRUMENTS IN FAVOR OF THE GOVERNMENT."

"SECTION 5-E. *LIABILITY FOR PLANTING OF EVIDENCE CONCERNING FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S THEREOF*. – THE PENALTY OF *PRISION MAYOR* IN ITS MAXIMUM PERIOD SHALL BE IMPOSED UPON ANY PERSON WHO SHALL WILLFULLY AND MALICIOUSLY INSERT, PLACE, ADD OR ATTACH, DIRECTLY OR INDIRECTLY, THROUGH ANY OVERT OR COVERT ACT, ANY FIREARM, LIGHT WEAPON, AMMUNITION, OR PART/S THEREOF IN THE PERSON, HOUSE, EFFECTS OR IN THE IMMEDIATE VICINITY OF AN INNOCENT INDIVIDUAL FOR THE PURPOSE OF IMPLICATING OR INCRIMINATING HIM/HER OR IMPUTING THE COMMISSION OF ANY VIOLATION OF THE PROVISIONS OF THIS ACT TO SAID INDIVIDUAL: *PROVIDED*, THAT IF THE PERSON FOUND GUILTY HEREIN IS A PUBLIC OFFICER OR EMPLOYEE, HE/SHE SHALL SUFFER THE PENALTY OF *RECLUSION TEMPORAL*."

"SECTION 5-F. *ILLEGAL TRANSFER OF FIREARMS*. – IT SHALL BE UNLAWFUL FOR ANY PERSON TO TRANSFER THE POSSESSION OF ANY FIREARM OR AMMUNITION OR ANY PART OF A FIREARM TO ANOTHER PERSON WHO HAS NOT YET OBTAINED OR SECURED THE NECESSARY LICENSE OR PERMIT THEREOF.

“THE PENALTY OF *PRISION CORRECCIONAL* SHALL BE IMPOSED UPON ANY PERON WHO SHALL VIOLATE THE PROVISION OF THE PRECEDING PARAGRAPH. IN ADDITION, HE SHALL BE DISQUALIFIED TO APPLY FOR A LICENSE TO POSSESS OTHER FIREARMS AND ALL HIS EXISTING FIREARMS LICENSES, WHETHER FOR PURPOSES OF COMMERCE OR POSSESSION, SHALL BE REVOKED.

“ANY PUBLIC OFFICER OR PERSONNEL WHO SHALL REGISTER A FIREARM, KNOWING THAT IT IS STOLEN, SHALL SUFFER THE PENALTY OF *PRISION CORRECCIONAL*.”

“SECTION 5-G. FAILURE TO NOTIFY LOST/STOLEN FIREARM AND CHANGE OF ADDRESS. – “THE PENALTY OF ARRESTO MAYOR AND A FINE OF TWENTY THOUSAND PESOS (P20,000.00) SHALL BE IMPOSED UPON ANY LICENSED FIREARM HOLDER WHO FAILS TO REPORT TO THE FIREARMS AND EXPLOSIVE DIVISION OF THE PHILIPPINE NATIONAL POLICE (FED-PNP) THAT HIS/HER FIREARM HAS BEEN LOST OR STOLEN WITHIN A PERIOD OF THIRTY (30) DAYS FROM THE DATE THE FIREARM HAS BEEN DISCOVERED LOST OR STOLEN.”

“LIKEWISE, A PENALTY OF ARRESTO MAYOR SHALL BE IMPOSED UPON ANY PERSON HOLDING A VALID FIREARM LICENSE WHO SHALL CHANGE HIS/HER RESIDENCE AND FAILS WITHIN A PERIOD OF THIRTY (30) DAYS FROM SAID TRANSFER TO NOTIFY THE FED-PNP OF SUCH CHANGE OF ADDRESS EITHER PERSONALLY OR BY REGISTERED MAIL.

“SECTION 5-H. *ISSUANCE, REVOCATION, CANCELLATION AND SUSPENSION OF LICENSE OR PERMIT*. – EVERY FIREARM HAS TO BE REGISTERED WITH THE FIREARMS AND EXPLOSIVES DIVISION OF THE PNP TO BE CONSIDERED LICENSED. THE PNP CHIEF OR HIS AUTHORIZED REPRESENTATIVE SHALL ISSUE LICENSES OR OTHER PERMITS

TO ANY QUALIFIED NATURAL OR JURIDICAL PERSON WHO SHALL ACQUIRE, POSSESS, DEAL IN, SELL OR DISPOSE FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S THEREOF. HE MAY ISSUE A PERMIT TO CARRY A FIREARM OUTSIDE OF RESIDENCE TO ANY QUALIFIED PERSON IN MERITORIOUS CASES AS MAY BE DETERMINED BY HIM AND THE IMPLEMENTING RULES AND REGULATIONS TO BE PROMULGATED.

“LIKEWISE, ANY PERSON WHO SHALL MANUFACTURE OR REPAIR FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S THEREOF, MACHINERY, TOOLS OR INSTRUMENTS INTENDED TO BE USED IN THE MANUFACTURE OF FIREARMS, LIGHT WEAPONS, AMMUNITION, OR PART/S THEREOF SHALL FIRST SECURE A LICENSE FROM THE PNP CHIEF.

“FIREARMS WITH EXPIRED LICENSES WHICH HAVE NOT BEEN RENEWED WITHIN A PERIOD OF SIX (6) MONTHS FROM THE DATE OF EXPIRATION THEREOF SHALL BE SURRENDERED, CONFISCATED OR FORFEITED IN FAVOR OF THE GOVERNMENT AFTER DUE PROCESS. ALL OTHER EXISTING FIREARMS LICENSES OF SUCH HOLDER OF AN UNRENEWED LICENSE SHALL BE SUBSEQUENTLY REVOKED AND SUBJECT FIREARMS SHALL LIKEWISE BE SURRENDERED, CONFISCATED OR FORFEITED IN FAVOR OF THE GOVERNMENT: *PROVIDED*, THAT AN OMISSION TO RENEW THE SAME LICENSE WITHIN A PERIOD OF SIX (6) MONTHS FROM THE DATE OF EXPIRATION ON TWO OCCASIONS SHALL CAUSE THE HOLDER OF THE FIREARM TO BE PERPETUALLY DISQUALIFIED FROM APPLYING FOR ANY FIREARM LICENSE.”

“SECTION 5-1. *GROUND S FOR REVOCATION, CANCELLATION OR SUSPENSION OF LICENSE OR PERMIT.* – THE PNP CHIEF OR HIS AUTHORIZED REPRESENTATIVE MAY REVOKE, CANCEL OR SUSPEND A LICENSE OR PERMIT ON THE FOLLOWING GROUNDS:

“(A) COMMISSION OF A CRIME INVOLVING A FIREARM WHICH IS PUNISHABLE BY THE REVISED PENAL CODE AND SPECIAL LAWS;

“(B) CONVICTION BY A COMPETENT COURT OF A CRIME INVOLVING MORAL TURPITUDE OR ANY OFFENSE WHERE THE PENALTY CARRIES AN IMPRISONMENT OF MORE THAN SIX (6) MONTHS OR A FINE OF AT LEAST ONE THOUSAND PESOS (P1,000);

“(C) LOSS OF FIREARM THROUGH NEGLIGENCE;

“(D) CARRYING OF FIREARM IN PROHIBITED PLACES;

“(E) CARRYING OF FIREARM OUTSIDE RESIDENCE OR WORKPLACE WITHOUT A PERMIT TO CARRY A FIREARM;

“(F) UNAUTHORIZED LOAN OF FIREARM TO ANOTHER PERSON;

“(G) DISMISSAL FOR CAUSE FROM THE SERVICE, IN CASE OF GOVERNMENT OFFICIALS/EMPLOYEES;

“(H) COMMISSION OF ANY OF THE ACTS PENALIZED UNDER REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002;

“(I) SUBMISSION OF FALSIFIED DOCUMENTS OR MISREPRESENTATION IN THE APPLICATION TO OBTAIN A LICENSE OR PERMIT; AND

“(J) SUCH OTHER GROUNDS WHICH MAY LATER BE SPECIFIED BY THE PNP CHIEF.”

Sec. 5. Rules and Regulations. – The PNP shall issue within ninety (90) days after the approval of this Act, the necessary rules and regulations relating to the administrative aspect of the provisions of this Act.

Sec. 6. Separability Clause. – If, for any reason, any section or provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Sec. 7. Repealing Clause. – All laws, decrees, orders, rules and regulations, and other issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Sec. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,