

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 1740

INTRODUCED BY HON. MARCELINO "MARCY" R. TEODORO

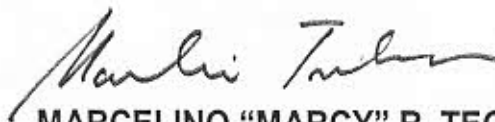
EXPLANATORY NOTE

Section 5, Article II of the 1987 Constitution states that [T]he maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

Thus, in keeping with the above quoted provision, this bill seeks to promote awareness on the importance of maintaining peace and security in public places by requiring mandatory security inspection in shopping malls and other public place.

Specifically, any person entering shopping malls and other public places shall be required to undergo inspection by authorized personnel. Likewise, luggage and other personal belongings shall also be subject to security checks if necessary.

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



MARCELINO "MARCY" R. TEODORO
Representative, 1st District
City of Marikina

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AN ACT
REQUIRING MANDATORY SECURITY INSPECTION AND USE OF OTHER SAFETY
MEASURES IN SHOPPING MALLS AND OTHER PUBLIC PLACES THROUGHOUT
THE COUNTRY

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

SECTION 1. Short Title. - This Act shall be know as the "Inspection and Security Measures Act of 2010"

SECTION 2. Declaration of Policy. - It shall be the policy of the State to promote increased awareness in the importance of maintaining peace and security in public place. Pursuant to this policy, it shall require mandatory security inspection and the performance of other security measures in shopping malls and other public places throughout the country.

SECTION 3. Defination of Terms.- For the purpose of this Act, the term:

- (A) "Public safety awareness campaign " means campaigns, which are conducted. By public safety officers, for the purpose of disseminating information on the importance of maintaining peace and security in public places; it shall also refer to campaigns aimed at providing the public with useful information on how to participate in peace and other programs of the concerned government agencies;
- (B) "Shopping malls" means shopping centers as well as small retail store complexes which are open to the public;
- (C) " Other public places" means places open to the public for purposes such as, but not limited to, recreation and transportation; shall refer to, but not limited to public transportation terminals, museums, parks recreational centers, etc.
- (D) "Mandatory security inspection " means mandatory security measure to protect the safety of the people in public places;

(E) "Other security measures" shall refer to other security measures which shall be necessary to provide security for people in public places;

(F) "Public safety officers" means police officers and other authorized persons to conduct security inspections and effect other security measures;

(G) "Security inspection equipment" means equipment and gadgets necessary for inspection such as, but not limited to portable metal detectors, walk-through detectors, flashlight, etc.

SECTION 4. Mandatory Security Inspection. - Mandatory security inspections shall be conducted in all shopping centers and other public places to ensure the safety of public.

Persons entering shopping malls and other public places shall be required to undergo security inspection to be conducted by the authorized security personnel. Luggage and other personal belongings shall also be subject to security checks if necessary. The authorized security personnel shall necessary security inspection equipment or gadgets.

SECTION 5. Guidelines for Conduct of Security Inspection.- Security inspection should be to a reasonable extent only. With respect to individual inspection, only the outer garment of the individual shall be searched unless detectors indicate possible presence of harmful objects in the possession of the individual. Personal luggage and other belongings shall also be subject to security inspection but limited to the extent allowed under the implementing rules and regulations of this Act.

SECTION 6. Monitoring the Conduct of Security Measures.- The conduct of security inspections shall be periodically monitored by the superiors of the authorized security personnel to ensure the effectiveness of the inspection as well as to ensure that the inspections are conducted according to the implementing rules and regulations.

SECTION 7. Implementing Agency. - The Philippine National Police (PNP) and Department of National Defense (DND), in coordination with the respective local government units, shall be responsible for the implementation of this Act.

SECTION 8. Implementing Rules and Regulations.- The PNP and DND, in coordination with the respective local government units, shall draft implementing rules and regulations (IRR) for this Act within sixty (60) days after its effectivity. The IRR shall provide most importantly the guidelines on how to properly conduct security inspection so as not to violate the right to privacy of every individual. The IRR shall also provide for penalties for owners of establishment who refuse to cooperate with the authorized security personnel in the conduct of the mandatory security inspection and other security measures.

SECTION 9. Separability Clause. - If any provision or part thereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise effected shall remain valid and subsisting.

SECTION 10. Repealing Clause. - Any law, presidential decree or issuance, executive order of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 11. Effectivity Clause. - This Act shall take effect fifteen days after its publication in at least two (2) newspapers of general circulation.

Approved,