

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

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 1840

INTRODUCED BY HON. MARCELINO "MARCY" R. TEODORO

EXPLANATORY NOTE

It is often said that the best way to know what the future looks like is to observe what the youth are doing, especially the little children. If this is the gauge, then the future of our country seems bleak. If we look around us, we can see that more and more of our young people are being drawn to numerous and various kinds of vices, such as alcoholic drinks and cigarette smoking. Indeed, as early as their pre-teen years, young people begin these harmful vices and habits. Some start as early as their elementary years.

The bigger dilemma with these vices aside from being health hazard is that they often lead to other problems of far-reaching effects and long-term impact. Numerous studies in psychology and psycho-social behavior have established that alcoholism and cigarette-smoking have a negative impact on the psychology, personality and character-building of young people. These habits and vices have a direct correlation with the inculcation among the young individuals of anti-social behavior and violent tendencies, lack of sense of duty and sense of responsibility. As such, the State must adopt a policy of reducing, if not totally eradicating access by minors to alcoholic beverages and cigarettes.

This bill seeks to criminalize the sale and use of alcoholic drinks and cigarettes by minors. In particular, the following activities shall be prohibited:

- a. To sell or entertain the purchase of cigars, cigarettes or any tobacco product and alcoholic or intoxicating liquor and beverage to minors;
- b. To cause a minor to purchase cigars, cigarettes or any tobacco product and alcoholic or intoxicating liquor or beverage;
- c. The smoking of cigars, cigarettes or any tobacco product and the consumption of alcoholic or intoxicating liquor or beverage by a minor; and
- d. The sale of cigars, cigarettes or any tobacco products and alcoholic or intoxicating liquor or beverage by a minor.

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
PROHIBITING THE SALE OF CIGARS, CIGARETTES AND ALCOHOLIC
OR INTOXICATING LIQUORS OR BEVERAGES TO MINORS

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

SECTION 1. *Short Title.* --This Act shall be known and cited as the "Minors' Protection from Vices Act."

SECTION 2. *Declaration of Principles.* – The Philippine Constitution provides in Section 13, Article II that "the State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual and social well-being." Pursuant thereto, it shall be unlawful to expose minors, in any manner detrimental them, to tobacco products and alcohol beverages or intoxicating liquors.

SECTION 3. *Prohibited Acts* -.The following shall be prohibited under this Act:

- a. To sell or entertain the purchase of cigars, cigarettes or any tobacco product and alcoholic or intoxicating liquor and beverage to minors;
- b. To cause a minor to purchase cigars, cigarettes or any tobacco product and alcoholic or intoxicating liquor or beverage;
- c. The smoking of cigars, cigarettes or any tobacco product and the consumption of alcoholic or intoxicating liquor or beverage by a minor; and
- d. The sale of cigars, cigarettes or any tobacco products and alcoholic or intoxicating liquor or beverage by a minor.

SECTION 4. *Penalties.* - Any person above 18 years old or any business entity violating the prohibited acts as prescribed in Section 3 of this Act shall suffer the penalty of imprisonment of not less than 3 days but not more than one (1) month, or a fine of not less than One thousand pesos (P 1,000.00) but not more than Twenty-five thousand pesos (P 25,000.00), or both upon the discretion of the court. Foregoing penalties shall apply in addition to the revocation of the license to operate a business and closure of establishment connected with the selling of cigars, cigarettes or any tobacco product and alcoholic or intoxicating liquor.

If the violation of any provisions of this Act is committed by a corporation, partnership, association or similar entity, the president, general manager or most senior officers shall be held liable for the offense.

For violations of (c) and (d) of Section 3 of this Act, Republic Act 9344 otherwise known as the Juvenile Justice and Welfare Act of 2006 shall apply.

SECTION 5. *Repealing Clause.* - All laws, presidential decrees, executive orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 6. *Separability Clause.* – If any part of provision of this Act shall be held unconstitutional or invalid, other provisions hereof which are not affected hereby shall continue to be in full force and effect.

SECTION 7. *Effectivity.* --This act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,