

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

House Bill No. 5274

Introduced by Representatives
DIOSDADO MACAPAGAL ARROYO and GLORIA MACAPAGAL ARROYO

CHILD SAFETY FIREARMS ACT

EXPLANATORY NOTE

Presidential Decree No. 1866 of 1983 succeeded in codifying Philippine laws on firearms, ammunition, or explosives. It was enhanced and strengthened by the passage of Republic Act No. 9516 in 2007. Despite this, the amended law still lacks a provision which makes unlawful for any person to manufacture or sell firearms which do not have as an integral part a device which prevents a child from discharging the firearm by reason of strength, dexterity, cognitive skill, or other ability.

This bill therefore seeks to reduce if not eliminate injuries and deaths caused by accidental firearm shootings by children by making safety devices in firearms a condition before they can be sold or imported.

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


DIOSDADO MACAPAGAL ARROYO
Second District, Camarines Sur

GLORIA MACAPAGAL ARROYO
Second District, Pampanga

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

SECTION 1. *Short Title.* – This Act shall be called the "Child Safety Firearms Act of 2011."

SECTION 2. *Declaration of Policy.* – It is hereby declared to be the policy of the State to reduce injuries and deaths caused by accidental firearm shootings by children.

Toward this end, the state shall guarantee the production of child-proof safety firearms or devices.

SECTION 3. *Definition of Terms.* – For purposes of this Act the term:

(1) "Person" includes any individual, corporation, company, association, firm, partnerships or entity.

(2) "Firearm" means (a) any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device.

SECTION 4. *Unlawful Acts.* – It shall be unlawful for a person to manufacture, sell, cause to sell or import a firearm that does not have as an integral part a device or devices that:

- (1) prevent a child of less than 7 years of age from discharging the firearm by reason of the amount of strength, dexterity, cognitive skill, or other ability required to cause a discharge.
- (2) prevent a firearm that has a removable magazine from discharging when the magazine has been removed; and
- (3) in the case of a handgun other than a revolver clearly indicate whether the magazine or chamber contains a round of ammunition.

SECTION 5. *Penalty.* – Any violation of this Act shall be punished with a fine of not less than fifty thousand pesos (P50,000.00) or imprisonment of not less than three (3) months or both at the discretion of the court. If the offense is committed by a corporation, trust, firm, partnership or association or other entity, the penalty shall be imposed upon the guilty officer or officers of such corporation, trust, firm, partnership or association or entity.

SECTION 6. *Separability clause.* – If any provision, or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 7. *Repealing Clause.* – Any law presidential decree or issuance, executive order, letter of instruction, administrative order, rule of regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after publication in at least two (2) newspapers of general circulation.

Approved,