

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
Second Regular Session



COMMITTEE REPORT NO. 1508

Submitted by the Committee on Public Order and Safety on 11 NOV 2011

Re : House Bill No. 5484

Recommending its approval in substitution to House Bill Nos. 12, 116, 868, 2616, 2898, 3408, 3501 and Petition 001

Sponsors: Representatives Pablo John F. Garcia, Rodolfo W. Antonino, Romeo M. Acop
Rodolfo G. Biazon and Pedro P. Romualdo

Mr. Speaker:

The Committee on Public Order and Safety, to which were referred:

House Bill No. 12, introduced by Representative Rodolfo G. Biazon, entitled:

"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";

House Bill No. 116, introduced by Representative Pedro P. Romualdo, entitled:

"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 ENTITLED 'CODIFYING THE LAWS ON ILLEGAL/UNLAWFUL POSSESSION, MANUFACTURE, DEALING IN, ACQUISITION OR DISPOSITION OF FIREARMS, AMMUNITION OR EXPLOSIVES OR INSTRUMENTS USED IN THE MANUFACTURE OF FIREARMS, AMMUNITION OR EXPLOSIVES, AND IMPOSING STIFFER PENALTIES FOR CERTAIN VIOLATIONS THEREOF, AND FOR RELEVANT PURPOSES'";

House Bill No. 868, introduced by Representative Rodolfo G. Biazon, entitled:

"AN ACT PENALIZING THE SELLING OF FIREARMS, AMMUNITION OR EXPLOSIVES OR ANY PARTS OR COMPONENTS USED IN THE MANUFACTURE OF FIREARMS, AMMUNITION OR EXPLOSIVES TO THE ENEMIES OF THE STATE, IMPOSING PENALTIES THEREFOR AND FOR OTHER PURPOSES";

House Bill No. 2616, introduced by Representative Joseph Emilio A. Abaya, entitled:

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

House Bill No. 2898, introduced by Representative Romeo M. Acop, entitled:

"AN ACT FURTHER AMENDING PRESIDENTIAL DECREE NO. 1866, AS AMENDED BY REPUBLIC ACTS NOS. 8294 AND 9516, BY PROVIDING FOR STIFFER PENALTIES FOR CRIMES RELATING TO FIREARMS, LIGHT WEAPONS AND AMMUNITIONS, AND FOR OTHER PURPOSESEXplosives, AND IMPOSING STIFFER PENALTIES FOR CERTAIN VIOLATIONS THEREOF, AND FOR RELEVANT PURPOSES";

House Bill No. 3408, introduced by Representative Rodolfo W. Antonino, entitled:

"AN ACT PROVIDING FOR A COMPREHENSIVE LAW ON FIREARMS AND AMMUNITION, PENALIZING VIOLATIONS THEREOF, AND REPEALING PRESIDENTIAL DECREE NO. 1866 AND REPUBLIC ACT NO. 8294";

House Bill No. 3501, introduced by Representative Juan C. Ponce-Enrile Jr., entitled:

"AN ACT CODIFYING THE PERTINENT PROVISIONS OF THE REVISED ADMINISTRATIVE CODE OF 1917, PRESIDENTIAL DECREE 1866 AND REPUBLIC ACT 8294, REGULATING THE OWNERSHIP, POSSESSION, LICENSING, MANUFACTURE AND TRADE OF FIREARMS AND EXPLOSIVES AND FOR OTHER PURPOSES A.K.A. FIREARMS AND EXPLOSIVES ACT OF YEAR 2010"; and

Petition 001 Introduced by the Pro-Life Philippines Foundation, Inc., Alyansang Bayanihan ng mga Magsasaka, Manggagawang-Bukid at Mangangisda (ABA), Ang Kapatiran Party, et al Through "Indirect Initiative", Sections 3(B) And 11 Of R.A. 6735 (The Initiative and Referendum Act), entitled:

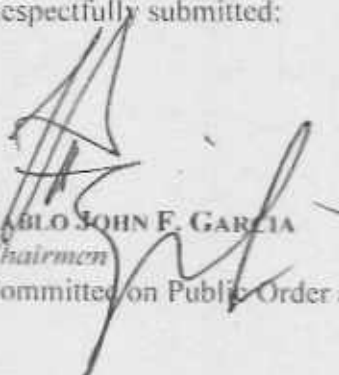
"AN ACT TO REGULATE THE BEARING OF FIREARMS AND DEADLY WEAPONS IN PUBLIC PLACES, PROVIDE PENALTIES FOR ITS VIOLATION, PROVIDE GENERAL AMNESTY AND FINANCIAL REWARD FOR VOLUNTARY SURRENDER AND DECOMMISSIONING OF THE SAME AND APPROPRIATE FUNDS THEREFOR, AND FOR OTHER PURPOSES"

has considered the same and recommends that the attached House Bill No. 5484, entitled:

"AN ACT
PROVIDING FOR A COMPREHENSIVE REGULATION OF FIREARMS,
LIGHT WEAPONS AND AMMUNITIONS PENALIZING VIOLATIONS
THEREFOR AND REPEALING FOR THE PURPOSE PRESIDENTIAL
DECREE NUMBERED EIGHTEEN HUNDRED SIXTY-SIX"

be approved in substitution of House Bill Nos. 12, 116, 868, 2616, 2898, 3408, 3501 and Petition 001 with Representatives Rodolfo G. Biazon, Pedro P. Romualdo, Joseph Emilio A. Abaya, Romeo M. Acop, Rodolfo W. Antonino, Juan C. Ponce-Enrile Jr., Pro-Life Philippines Foundation Inc., Alyansang Bayanihan ng mga Magsasaka, Mangagawang Bukid at Mangangisda (ABA), Pablo John F. Garcia, Leopoldo N. Bataoil, Marcelino R. Teodoro, Jeci A. Lapus, Mel Senen S. Sarmiento and Ang Kapatiran Party as authors thereof.

Respectfully submitted:


PABLO JOHN F. GARCIA

Chairman

Committee on Public Order and Safety

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Fifteenth Congress
Second Regular Session

House Bill No. 5434

Introduced by: Reps. Rodolfo G. Biazon, Pedro P. Romualdo, Joseph Emilio A. Abaya, Romeo M. Acop, Rodolfo W. Antonino, Juan C. Ponce-Enrile Jr., Pro-Life Philippines Foundation Inc., Alyansang Bayanihan ng mga Magsasaka, Mangagawang Bukid at Mangangisda (ABA), Pablo John F. Garcia, Leopoldo N. Bataoil, Marcelino R. Teodoro, Jeci A. Lapus, Mel Senen S. Sarmiento and Ang Kapatiran Party

AN ACT PROVIDING FOR A COMPREHENSIVE REGULATION OF FIREARMS,
LIGHT WEAPONS AND AMMUNITION, PENALIZING VIOLATIONS THEREOF AND
REPEALING FOR THE PURPOSE PRESIDENTIAL DECREE NUMBERED EIGHTEEN
HUNDRED SIXTY-SIX

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

ARTICLE I

TITLE, DECLARATION OF POLICY AND DEFINITION OF TERMS

SECTION 1. *Short Title.* - This act shall be known as the "Comprehensive Firearms, Light Weapons and Ammunition Regulation Act of 2011".

SEC. 2. *Declaration of State Policy.* - It is the policy of the State to maintain peace and order and protect the people against violence. Towards this end, the State shall provide for a comprehensive law regulating the ownership, possession, carrying, manufacture, dealing in and importation of firearms, ammunition, or parts thereof, in order to provide legal support to law enforcement agencies in their campaign against crime, stop the proliferation of illegal firearms or weapons and the illegal manufacture of firearms or weapons, ammunition and parts thereof.

SEC. 3 - *Definition of Terms As Used in This Act -*

a) *Accessories* refer to parts of a firearm or light weapon for purposes of embellishment thereof which may enhance or increase the operational efficiency or accuracy of a firearm or light weapon but will not constitute any major or minor internal parts thereof such as, but not limited to laser scope, telescopic sight and sound suppressor or silencer;

b) *Ammunition* refers to a complete unfired unit consisting of a bullet, gunpowder, cartridge case and primer or loaded shell for use in any firearm;

c) *Antique firearm* refers to any : a) firearm which was manufactured at least seventy-five (75) years prior to the current date but not including replicas; b) firearm which is certified by the National Museum of the Philippines to be curio or relic of museum interest; and c) any

1 other firearm which derive a substantial part of their monetary value from the fact that they are
2 novel, rare, bizarre or because of their association with some historical figure, period or event;

3
4 d) *Arms smuggling* refers to the import, export, acquisition, sale, delivery, movement or
5 transfer of firearms, light weapons, their parts and components and ammunition, from or across
6 the territory of one country to that of another country if any one of these countries concerned
7 does not authorize any of the transaction mentioned in accordance with its domestic law;

8
9 e) *Authority to import* refers to a document issued by the Chief of the Philippine
10 National Police (PNP), authorizing the importation of firearm or its parts, ammunition and
11 other components;

12
13 f) *Confiscated firearm or light weapon* refers to a firearm or light weapon that is
14 taken into custody by the Armed Forces of the Philippines (AFP), PNP, National Bureau of
15 Investigation (NBI), Philippine Drug Enforcement Agency (PDEA), and all other law
16 enforcement agencies by reason of their mandate and must be necessarily reported or turned-
17 over to Firearms and Explosives Office (FEO,) of the PNP;

18
19 g) *Dealer* refers to any person, legal entity, corporation, partnership or business
20 entity duly licensed by the FEO to engage in the business of buying and selling ammunition,
21 firearm light weapons or parts thereof, at wholesale or retail basis;

22
23 h) *Demilitarized firearm* refers to a firearm deliberately made incapable of
24 performing its main purpose of firing a projectile;

25
26 i) *Duty Detail Order* refers to a document issued by the juridical entity or employer
27 wherein the details of the disposition of firearm is spelled-out thus indicating the name of the
28 employee, the firearm information, the specific duration and location of posting or assignment
29 and the authorized bonded firearm custodian for the juridical entity to whom such firearm is
30 turned-over after the lapse of the order;

31
32 j) *Engaged in the business* refers to a person, legal entity, corporation or partnership
33 which devotes time, attention, and labor to manufacture, repair, buy or sell firearms or light
34 weapons or parts thereof or ammunition as a regular course of trade or business with the
35 principal objective of livelihood and profit through sale or distribution of the same;

36
37 k) *Firearms Information Management System (FIMS)* refers to the compilation of
38 all data of firearms information of ownership and disposition for record purposes;

39
40 l) *Firearm* refers to any handheld or portable weapon that expels or is designed to
41 expel a bullet, shot, slug or any projectile, which is discharged by means of expansive force of
42 gases from burning gunpowder or other form of combustion or any similar instrument or
43 implement;

44
45 For purposes of this Act, the frame or receiver is considered a firearm;

46
47 m) *Forfeited firearm or light weapon* refers to firearm or light weapon that is
48 subject to forfeiture by reason of court order as accessory penalty or the disposition by FEO of
49 firearms considered as abandoned, surrendered, confiscated or revoked in compliance with
50 existing rules and regulations;

other firearm which derive a substantial part of their monetary value from the fact that they are novel, rare, bizarre or because of their association with some historical figure, period or event;

d) *Arms smuggling* refers to the import, export, acquisition, sale, delivery, movement or transfer of firearms, light weapons, their parts and components and ammunition, from or across the territory of one country to that of another country if any one of these countries concerned does not authorize any of the transaction mentioned in accordance with its domestic law;

e) *Authority to import* refers to a document issued by the Chief of the Philippine National Police (PNP), authorizing the importation of firearm or its parts, ammunition and other components;

f) *Confiscated firearm or light weapon* refers to a firearm or light weapon that is taken into custody by the Armed Forces of the Philippines (AFP), PNP, National Bureau of Investigation (NBI), Philippine Drug Enforcement Agency (PDEA), and all other law enforcement agencies by reason of their mandate and must be necessarily reported or turned-over to Firearms and Explosives Office (FEO,) of the PNP;

g) *Dealer* refers to any person, legal entity, corporation, partnership or business entity duly licensed by the FEO to engage in the business of buying and selling ammunition, firearm light weapons or parts thereof, at wholesale or retail basis;

h) *Demilitarized firearm* refers to a firearm deliberately made incapable of performing its main purpose of firing a projectile;

i) *Duty Detail Order* refers to a document issued by the juridical entity or employer wherein the details of the disposition of firearm is spelled-out thus indicating the name of the employee, the firearm information, the specific duration and location of posting or assignment and the authorized bonded firearm custodian for the juridical entity to whom such firearm is turned-over after the lapse of the order;

j) *Engaged in the business* refers to a person, legal entity, corporation or partnership which devotes time, attention, and labor to manufacture, repair, buy or sell firearms or light weapons or parts thereof or ammunition as a regular course of trade or business with the principal objective of livelihood and profit through sale or distribution of the same;

k) *Firearms Information Management System (FIMS)* refers to the compilation of all data of firearms information of ownership and disposition for record purposes;

l) *Firearm* refers to any handheld or portable weapon that expels or is designed to expel a bullet, shot, slug or any projectile, which is discharged by means of expansive force of gases from burning gunpowder or other form of combustion or any similar instrument or implement;

For purposes of this Act, the frame or receiver is considered a firearm;

m) *Forfeited firearm or light weapon* refers to firearm or light weapon that is subject to forfeiture by reason of court order as accessory penalty or the disposition by FEO of firearms considered as abandoned, surrendered, confiscated or revoked in compliance with existing rules and regulations;

1 n) *Gun Club* refers to an organization duly registered and accredited in good
2 standing by the FEO which is established for the purpose of propagating responsible and safe
3 gun ownership, appreciation and use of firearms by its members, for the purpose of sport and
4 shooting competition, self-defense and collection purposes;

5
6 o) *Gunsmith* refers to any person, legal entity, corporation, partnership or business
7 duly licensed by the FEO to engage in the business of repairing firearms, light weapons and
8 other weapons or constructing or assembling firearms and weapons from finished or
9 manufactured parts thereof on per order basis and not in commercial quantities or of making
10 minor parts for the purpose of repairing or assembling said firearms or weapons;

11
12 p) *Imitation firearm* refers to a replica of a firearm or light weapon, or other device
13 that is so substantially similar in coloration and overall appearance to an existing firearm or light
14 weapon as to lead a reasonable person to believe that such imitation firearm or light weapon is a
15 real firearm or light weapon;

16
17 q) *Importer* refers to any person, legal entity, corporation, partnership or business
18 duly licensed by the FEO to engage in the business of importing or bringing ammunition and
19 firearms or light weapons or parts thereof into the territory of the Republic of the Philippines for
20 purposes of sale or distribution under the provisions of this Act;

21
22 r) *Licensed citizen* refers to any Filipino duly accorded with a license to possess
23 or to carry firearms outside of the residence and complies with qualifications set forth in this
24 Act;

25
26 s) *Licensed juridical entity* refers to corporations, organizations, businesses
27 including security agencies and local government units which are licensed to own and possess
28 firearms in accordance with this Act;

29
30 t) *Light weapon* refers to any firearm mounted with 20 millimeter rifled barrel or
31 grenade launchers not exceeding 40 millimeter, or weapons designed for use by two or more
32 persons serving as crew, or those which may be carried and used by a single person which shall
33 include belt-FEO submachine guns, light and heavy machine guns, and portable anti-aircraft
34 and anti-tank guns, recoilless rifles, portable launchers of anti-aircraft missile systems, grenade
35 launchers, and the like;

36
37 u) *Long certificate of registration* refers to a document issued to government
38 agencies or offices or government-owned or controlled corporations for firearms to be used by
39 their officials and employees, excluding security guards;

40
41 v) *Loose firearm* refers to an unregistered firearm, an obliterated or altered
42 firearm, firearm which has been lost or stolen, illegally manufactured firearms, registered
43 firearms in the possession of an individual other than the licensee and those with revoked
44 licenses in accordance with the rules and regulations;

45
46 w) *Major part or components of a firearm or light weapons* refer to the barrel, slide,
47 cylinder and the bolt assembly. The term also includes any part or kit designed and intended for
48 use in converting a semi-automatic burst to a full automatic firearm;

49
50 x) *Manufacturer* refers to any person, legal entity, corporation, or partnership duly
51 licensed by the FEO, PNP to engage in the business of manufacturing ammunition and firearms,

1 light weapons or parts thereof for purposes of sale or distribution;

2
3 y) *Minor parts of a firearm* refer to the parts of the firearm other than the major
4 parts which are necessary to effect and complete the action of expelling a projectile by way of
5 combustion, except those classified as accessories;

6
7 z) *Obliterated or altered firearm* refers to any firearm which serial number has
8 been intentionally modified, obliterated or altered without authority;

9
10 aa) *Permit to Carry Firearm Outside of Residence* refers to a written authority
11 issued to a licensed person by the Chief, PNP which entitles such person to carry his registered
12 or lawfully issued firearm outside of the residence for the duration and purpose specified in the
13 authority;

14
15 bb) *Permit to Transport Firearm* refers to a written authority issued to a person or
16 entity by the Chief, PNP or by a PNP Regional Director or which entitles such person or entity
17 to transport particular firearm from and to a specific location, within the duration and purpose
18 in the authority;

19
20 cc) *Residence* refers to the place of abode of the licensed citizen as indicated in the
21 license;

22
23 dd) *Shooting Range* refers to a sports facility established for the purpose of firearms
24 training and skills development, firearm testing, as well as for sport and competition shooting
25 either for the exclusive use of its members or open to the general public, duly registered and
26 accredited in good standing by the FEO;

27
28 ee) *Small Arms* refer to firearm or weapon intended to be primarily designed for
29 individual use or that which is generally considered to mean a weapon intended to be fired from
30 the hand or shoulder such as:

31
32 (1) handgun which is a firearm intended to be fired from the hand, which includes:

33
34 (i) a pistol which is a hand-operated firearm having a chamber integral with or
35 permanently aligned with the bore which may be self loading; and

36
37 (ii) a revolver which is a hand-operated firearm with a revolving cylinder
38 containing chambers for individual cartridges.

39
40 (2) rifle which is a shoulder firearm or designed to be fired from the shoulder that
41 can discharge a bullet through a rifled barrel by different actions of loading,
42 which may be classified as lever, bolt, self-loading or automatic and by different
43 modes of discharge;

44
45 (3) shotgun which is a weapon designed, made and intended to fire a number of ball
46 shots or a single projectile through a smooth bore by the action or energy from
47 burning gunpowder;

48
49 ff. *Sports shooting competition* refers to a defensive, precision or practical sport
50 shooting competition duly authorized by the FEO; and
51

gg. *Thermal Weapon Sight* refers to a battery operated, un-cooled thermal imaging device which amplifies available thermal signatures so that the viewed scene becomes clear to the operator which is used to locate and engage targets during daylight and from low light to total darkness and operates in adverse conditions such as light rain, light snow, and dry smoke or in conjunction with other optical and red dot sights

ARTICLE II

OWNERSHIP AND POSSESSION OF FIREARMS

SEC. 4. *Standards and Requisites for Issuance of and Obtaining a License to Own and Possess Firearms.* - In order to acquire a license to own and possess a firearm or firearms and ammunition the applicant must be a Filipino citizen, at least twenty-one (21) years old, has a police clearance and has gainful work, occupation or business or has filed an income tax return (ITR) for the preceding year as proof of income, profession, business or occupation.

In addition, the applicant shall submit the following certification issued by appropriate authorities attesting that :

- a) the applicant has not been convicted of any crime involving moral turpitude;
- b) the applicant has passed the psychiatric test administered by a PNP accredited psychologist or psychiatrist;
- c) the applicant has passed the drug test conducted by an accredited and authorized drug testing laboratory or clinic; and
- d) the applicant has passed a gun safety seminar which is administered by the PNP or a registered and authorized gun club; and has filed in writing the application to possess a registered firearm which shall state the personal circumstances of the applicant.

For purposes of this Act, an acquittal in, or permanent dismissal of, the criminal case before the courts shall qualify the individual to acquire a license.

The applicant shall pay the reasonable licensing fees as may be provided in the implementing rules and regulation of this Act.

SEC. 5. *Ownership of Firearms and Ammunitions by a Juridical Entity.* - A juridical person may be issued a regular license to own and possess firearms and ammunition under the following conditions:

- a) it is duly registered with the Securities and Exchange Commission (SEC);
- b) it is current, operational and a continuing concern;
- c) it has completed and submitted all its reportorial requirements to the SEC; and
- d) it has paid all its income taxes for the year;

The application shall be made in the name of the juridical person represented by

1 its president or any of its main officers as duly authorized in a board resolution:
2 *Provided, That* the officer applying for the juridical entity shall possess all the
3 qualifications required of a citizen applying for a license to possess firearms. Officers
4 eligible to represent the juridical person shall include the vice-president, treasurer, and
5 board secretary.

6
7 Security agencies and local government units shall be included in this category of
8 licensed holders but shall be subject to additional requirements as may be issued by the
9 implementing rules issued by the Chief, PNP.

10
11 **SEC. 6. *Ownership of Firearms by the National Government.*** - All government-owned
12 firearms shall be registered with the FEO in the name of the government office or agency.

13
14 **SEC. 7. *Carrying of Firearms Outside of Residence or Place of Business.*** - A permit
15 to carry a firearm outside of residence may be issued by the Chief, PNP or the duly authorized
16 representative to any qualified person in such circumstances wherein they are under actual
17 threat or their lives are in imminent danger due to the nature of their profession, occupation or
18 business.

19
20 **ARTICLE III**
21 **REGISTRATION AND LICENSING**

22 **SEC. 8. *Authority to Issue License.*** - The Chief, PNP through the FEO, shall have the
23 sole authority to issue licenses to qualified individuals and to cause the registration of firearms.

24
25 **SEC. 9 *License Issued to Individuals.*** - Subject to applicable rules and regulations
26 and upon compliance with the requirements and payment of reasonable fees, an individual may
27 be issued the appropriate license to possess and own firearms under the following categories:

- 28
29 a. Type 1 license - allows a citizen to own and possess a maximum of two (2)
30 registered firearms;
31 b. Type 2 license - allows a citizen to own and possess a maximum of five (5)
32 registered firearms;
33 c. Type 3 license - allows a citizen to own and possess a maximum of ten (10)
34 registered firearms;
35 d. Type 4 license - allows a citizen to own and possess a maximum of fifteen (15)
36 registered firearms; and
37 e. Type 5 license - allows a citizen to own and possess more than fifteen (15)
38 registered firearms such as certified and licensed gun collectors.

39
40 For Types 1 to 5 licenses, a vault or a secure container for the safekeeping of firearms
41 shall be required. For Types 3 to 5 licenses, the citizen must comply with the inspection and
42 bond requirements.

43
44 **SEC. 10. *License to Possess Ammunition.*** - The licenses granted to qualified citizens
45 as provided in the preceding section shall include the license to possess ammunition as
46 authorized by the FEO.

47
48 **SEC. 11. *Firearms That May Be Registered.*** - Only small arms may be registered by
49 licensed citizens for ownership, possession and concealed carry.
50

1 A light weapon shall be lawfully acquired or possessed exclusively by the AFP, the PNP
2 and other law enforcement agencies authorized by the President in the performance of their
3 duties.

4
5 **SEC. 12. *Registration of Firearms.*** - The licensed citizen shall register the firearms so
6 purchased with the designated regulatory service of the PNP for firearms in accordance with the
7 type of license such licensed citizen possesses. A certificate of registration of the firearm shall
8 be issued upon payment of reasonable fees.

9
10 For purposes of this Act, registration refers to the application, approval, record-keeping
11 and monitoring of firearms with the FEO in accordance with the type of license issued to any
12 person under Section 9 of this Act.

13
14 **SEC. 13. *License Issued to Public Officers.*** - Except for the registration and the
15 issuance of card registrations for firearms supplied by the government, the provisions on
16 licensing and possession of licensed firearms shall not apply to law enforcement agencies,
17 soldiers and members of the Armed Forces of the Philippines, the National Bureau of
18 Investigation, the Philippine National Police, the Bureau of Jail Management and Penology, the
19 Bureau of Corrections, as well as the President and Vice President of the Republic of the
20 Philippines, Senators and Representatives of the House of Congress, Justices of the Supreme
21 Court and the Court of Appeals, judges of lower courts, prosecutors and officials of the
22 Department of Justice, Cabinet Secretaries, governors, and mayors, members of the Bureau of
23 Customs Police, Philippine Ports Authority Security Forces, Airport Security, and Export
24 Processing Zones Authority Police Force, University of the Philippines Police Force, when such
25 firearms are issued in connection with their work and service to the government;

26
27 All appropriate offices of government agencies, including the Armed Forces of the
28 Philippines, must maintain a list of firearms, including ballistics, which must be submitted to
29 the FEO. Any discrepancy in the list submitted shall be considered as negligence in the
30 performance of official duties.

31 Provincial governors, members of the sangguniang panlalawigan, mayors, members of
32 the sangguniang panglunsod or sangguniang bayan, and barangay chairpersons shall each be
33 allowed to carry one (1) registered firearm within their territorial jurisdiction and during their
34 incumbency. In case of suspension of such public officials during their incumbency by any
35 competent authority, their entitlement to carry their firearms within their respective territorial
36 jurisdiction shall be suspended during such period.

37
38 Members of the judiciary and prosecutors of the Department of Justice (DOJ) shall be
39 allowed to carry one (1) registered firearm.

40
41 **SEC. 14. *Issuance of License to Manufacture or Deal In Firearms and Ammunition.***
42 - Any person who shall manufacture or deal in firearms, ammunition or parts thereof, or
43 instruments and implements used or intended to be used in the manufacture of firearms, parts of
44 firearms, or ammunition, shall submit the application for a license to:

- 45 a. the Secretary of the Department of Interior and Local Government in the case of an
46 application for a license to manufacture, import and export firearms; and
47 b. the Chief, PNP in the case of a license to deal in firearms and firearms parts,
48 ammunition, and gun repair stating the amount of capitalization for manufacture or

1 cost of the purchase and sale of said articles intended to be transacted by such
2 applicant, and the types of arms, ammunition or implements which the applicant
3 intends to manufacture or purchase and sell under the license applied for, and such
4 additional information as may be especially requested by the Secretary of the DILG
5 or the Chief, PNP.

6 The Secretary of DILG or the Chief, PNP may approve or disapprove such application
7 based on the prescribed guidelines. In case of approval, the application shall indicate the amount
8 of the bond to be executed by the applicant and the period of time by which said license shall be
9 effective, unless sooner revoked by their authority.

10
11 Upon approval of the license to manufacture or otherwise deal in firearms by the
12 Secretary of DILG or the Chief, PNP as the case may be, the same shall be transmitted to the
13 FEO who shall issue the license in accordance with the approved terms and conditions, upon the
14 execution and delivery by the applicant of the required bond conditioned upon the faithful
15 compliance on the part of the licensee to the laws and regulations relative to the business
16 licensed.

17
18 SEC. 15. *Scope of License to Manufacture Firearms and Ammunitions.* - The license
19 to manufacture authorizes the manufacture and assembly of firearms, ammunitions, spare parts
20 and accessories, ammunition components, and reloading of ammunitions, within sites, areas, and
21 factories reflected therein. The Secretary of Interior of the Interior and Local Government shall
22 approve such license.

23
24 The license to manufacture shall also include:

- 25
26 a. the license to deal in or sell all the items covered by the license such as parts,
27 firearms or ammunition and components;
28
29 b. the authority to subcontract the manufacturing of parts and accessories necessary for
30 the firearms which the manufacturer is licensed to manufacture;
31
32 c. for services rendered without new parts being manufactured, e.g. machining, the
33 service provider shall be governed by the license of the contracting manufacturer;
34 and
35
36 d. the authority to import machinery, equipment, and firearm parts and ammunition
37 components for the manufacture thereof. Firearm parts and ammunition components
38 to be imported shall, however, be limited to those authorized to be manufactured as
39 reflected in the approved license to manufacture. The Import Permit shall be under
40 the administration of the PNP.
41

42 A licensed manufacturer of ammunition shall be entitled to import various
43 reference firearms needed to test the ammunition manufactured under the license to
44 manufacture. A licensed manufacturer of firearms shall also be entitled to import various
45 firearms for reference, test and evaluation for manufacture of similar types of firearms
46 covered by the License to Manufacture.

47
48 An export permit shall be necessary to export manufactured parts or finished
49 products of firearms and ammunition. The export of firearms and ammunition shall be
50 under the administration of the PNP.

SEC. 16. *Scope of License to Deal In Firearms and Ammunition.* - The license to deal in firearms and ammunition, which shall be issued by the Chief, PNP, authorizes the purchase, sale and general business in handling firearms and ammunition, spare parts, components, and reloading machine. The authority to import authorizes the importation of firearms, ammunition and spare parts. The license to deal in or sell ammunition and firearm shall be necessary to engage in the said business and shall be separate from the license to manufacture and authority to import and export the same.

SEC. 17. *License and Scope of License for Gunsmiths.* - The license for gunsmith shall allow the grantee to repair firearms, light weapons and other weapons. The license shall include customization of firearms from finished or manufactured parts thereof on per order basis and not in commercial quantities. The license for gunsmith shall be issued by the Chief, PNP.

SEC. 18. *Firearms for Use in Sports and Competitions.* - A licensed citizen shall apply for a permit to transport registered firearm to and from the firing range and competition sites as may be warranted.

SEC. 19. *Renewal of Licenses and Registration.*- All types of license to possess firearms shall be renewed every two (2) years. Failure to renew shall cause the revocation of the license to possess the registered firearm. The registration of the firearm shall be renewed every four (4) years. Failure to renew the registration of the licensed firearm after six (6) months from the date of expiration shall cause the revocation of the license of the firearm. The said firearm shall be confiscated or forfeited in favor of the government after due process and shall cause the holder of the firearm to be perpetually disqualified from applying for any firearm license.

SEC. 20. *Inspection and Inventory* - The Chief, PNP or the authorized representative shall require the submission of reports and inspect or examine the inventory and records of a licensed manufacturer, dealer or importer of firearms and ammunition during reasonable hours.

ARTICLE IV
ACQUISITION, DEPOSIT OF FIREARMS, ABANDONED, DEMILITARIZED AND
ANTIQUE FIREARMS

SEC. 21. *Acquisition or Purchase and Sale of Firearms and Ammunition.* - Firearms and ammunition may only be purchased from authorized dealers, importers or local manufacturers and may be transferred or sold only from a registered owner to another qualified person.

SEC. 22. *Deposit of Firearms by Persons Arriving From Abroad.* - A person arriving in the Philippines who is legally in possession of any firearm or ammunition not covered by a Philippine license shall deposit the same upon written receipt with the Collector of Customs for delivery to the FEO for safekeeping or for the issuance of a permit to transport if the person is a competitor in a sport shooting competition. If the importation of the same is allowed and the party in question desires to obtain a domestic firearm license, the same should be undertaken in accordance with the provisions of this Act. If no license is desired or leave to import is not granted, the firearm or ammunition in question shall remain in the custody of the FEO until otherwise disposed of in accordance with law.

SEC. 23. *Return of Firearms to Owner upon Departure from the Philippines.* Upon the departure from the Philippines of any person whose firearm or ammunition is in the custody of the FEO, the same shall, upon timely request, be delivered to the person through the

1 Collector of Customs. In the case of a participant in a local sport shooting competition, the
2 firearm must be presented to the Collector of Customs before the same is allowed to be loaded
3 on board the carrier on which the person is to board.

4
5 SEC. 24. *Safekeeping of Firearms and Ammunition.* - Any licensee may deposit a
6 registered firearm to the FEO or any Police Regional Office for safekeeping. Reasonable fees
7 for storage shall be imposed.

8
9 SEC. 25. *Surrendered Firearms.* - Firearms with expired registration shall be
10 surrendered to the FEO or Police Regional Office and such firearms shall be retained by the
11 police custodian pending renewal of the registration: *Provided*, That administrative fines shall be
12 imposed for the period of expiration of the registration prior to the surrender of the firearms. If
13 the period of expiration of the registration exceeds six (6) months from the date of expiration
14 and the licensee of the firearms failed to surrender the firearms, the provision of Section 19 of
15 this Act shall apply.

16
17 SEC. 26. *Abandoned Firearms and Ammunition.* - Any firearm or ammunition
18 deposited with the FEO pursuant to any provision of this Act shall be deemed to have been
19 abandoned by the owner or the authorized representative if any one of them failed to reclaim the
20 same within five (5) years or failed to advise the FEO of the disposition to be made for the
21 purpose. Thereafter, the FEO may dispose of the firearm after compliance with the established
22 requirements for the disposition of the same.

23
24 SEC. 27. *Death or Disability of Licensee.* - Upon the death or legal disability of the
25 holder of a firearm license, it shall be the duty of the nearest relative, legal representative, or
26 other person who shall knowingly come into possession of such firearm or ammunition, to
27 deliver the same to the FEO or Police Regional Office, and such firearm and ammunition shall
28 be retained by the police custodian pending the issuance of a license thereof in accordance with
29 the law. The failure to deliver the firearm or ammunition after six (6) months from the death or
30 legal disability of the licensee shall be subject to applicable rules provided in this Act.

31
32 SEC. 28. *Antique Firearm.* - Any person who possesses an antique firearm shall
33 register the same and secure a collector's license from the FEO. Proper storage of antique
34 firearms shall be strictly imposed. Non-compliance with this provision shall be considered as
35 illegal possession of firearm as penalized in this Act.

36 37 ARTICLE V 38 PENAL PROVISIONS

39
40 SEC. 29. *Unlawful, Acquisition, or Possession of Firearms, Light Weapon and*
41 *Ammunition.* The penalty of *reclusion temporal* in its minimum period shall be imposed upon
42 any person who shall unlawfully acquire or possess a firearm.

43
44 The penalty of *reclusion temporal* in its medium period to its maximum period shall be
45 imposed upon any person who shall unlawfully possess any firearm under any or combination
46 of the following conditions:

- 47
48 a) loaded with ammunition or inserted with a loaded magazine;
49 b) fitted or mounted with laser or any gadget used to guide the shooter to hit the target
50 such as thermal weapon sight (TWS) and the like;
51 c) fitted or mounted with sniper scopes, firearm muffler or firearm silencer;

- d) accompanied with an extra barrel;
- e) converted to be in any type such as pistol to rifle; and
- f) converted to be fired semi-automatic or full automatic.

The penalty of *prision mayor* in its maximum period shall be imposed if the offender is a public official or employee or a member of the law enforcement agencies.

The penalty of *reclusion temporal* to *reclusion perpetua* shall be imposed if three (3) or more firearms are unlawfully acquired or possessed by any person.

The penalty of *reclusion perpetua* shall be imposed upon any person who shall unlawfully acquire or possess light weapon.

The penalty of *prision correccional* in its maximum period shall be imposed upon any person who shall unlawfully acquire or possess ammunition for firearms. If the violation of this paragraph is committed by the same person who is charged with unlawful acquisition or possession of a firearm, the former shall be absorbed by the latter offense.

The penalty of *prision mayor* in its minimum period shall be imposed upon any person who shall unlawfully possess a major part or component of a firearm.

The penalty of *prision mayor* in its minimum period shall be imposed upon any person who shall unlawfully acquire or possess ammunition for light weapon. If the violation of this paragraph is committed by the same person charged with the unlawful acquisition or possession of light weapon, the former shall be absorbed by the latter.

That the penalty of *prision mayor* in its maximum period shall be imposed upon any person who shall unlawfully possess a major part or component of a light weapon.

The penalty of *prision mayor* in its minimum period shall be imposed upon any person who shall unlawfully acquire or possess armor-piercing ammunition, incendiary ammunition, and tracer ammunition or any combination thereof, including bullets containing high explosives not exceeding 20 millimeters.

SEC. 30. Use of Loose Firearm in the Commission of a Crime. - If a loose firearm or light weapon as defined in Section 3 of this Act is used 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 a special aggravating circumstance.

If the crime committed with the use of a loose firearm or light weapon is penalized by law with a maximum penalty lower than six (6) years and one (1) day, the penalty to be imposed shall be *prision mayor* in its maximum period.

When a crime is committed with the use of a loose firearm or light weapon by two (2) or more persons who have acted together, the maximum penalty for the offense committed shall be imposed.

If the crime is committed by the person without using the firearm or light weapon unlawfully possessed or acquired, the violation of this Act shall be considered as a distinct and separate offense.

1 SEC. 31. *Liability of Juridical Person* .- The penalty of *prision mayor* in its minimum
2 to *prision mayor* in its medium period shall be imposed upon the owner, president, manager,
3 director or other responsible officer of any public or private firm, company, corporation or entity
4 who shall willfully or knowingly allow any of the firearms owned by such firm, company,
5 corporation or entity to be used by any person or persons found guilty of violating the provisions
6 of the preceding paragraph, or willfully or knowingly allow any of them to use unregistered
7 firearm or firearms without any legal authority to be carried out outside of their residence in the
8 course of their employment.

9
10 SEC. 32. *Absence of Permit to Carry Outside of Residence* .- The penalty of *prision*
11 *correccional* and a fine of Ten Thousand Pesos (P10,000) shall be imposed upon any person
12 who is licensed to own a firearm but who shall carry the registered firearm outside of residence
13 without any legal authority.

14
15 SEC. 33. *Unlawful Manufacture, Importation, Sale or Disposition of Firearm, Light*
16 *Weapon or Ammunition, or Parts Thereof, Machinery, Tool or Instrument Used or Intended*
17 *to be Used in the Manufacture of Firearm, Light Weapon, Ammunition or Parts Thereof* .-
18 The penalty of *reclusion temporal* to *reclusion perpetua* shall be imposed upon any person who
19 shall unlawfully engage in the manufacture, importation, sale or disposition of firearm, light
20 weapon or ammunition, or major parts of firearm, light weapon or ammunition, or machinery,
21 tool or instrument used or intended to be used by the same person in the manufacture of firearm,
22 light weapon, ammunition, or major parts thereof.

23
24 If the dealer, manufacturer or importer violates the requirements in the permit such as
25 using recycled indentors license, purchase orders, end-user certificates and such instances not
26 provided for in Section 40 of this Act, such dealer, manufacturer or importer shall be perpetually
27 disqualified to apply for a permit, in addition to the imposable penalty of *reclusion temporal* or
28 fine equivalent to three times (3x) the value of the manufactured, imported, sold or disposed
29 goods, or both fine and imprisonment.

30
31 The possession of any machinery, tool or instrument used directly in the manufacture of
32 firearms, light weapons, ammunition, or major parts thereof by any person whose business or
33 activity does not lawfully deal with the manufacture of such article, shall be *prima facie*
34 evidence that such article is intended to be used in the unlawful or illegal manufacture of
35 firearms, light weapons, ammunition, or parts thereof.

36
37 The penalty of *reclusion temporal* shall be imposed upon any laborer, worker or
38 employee of a licensed firearms dealer who shall unlawfully take, sell or otherwise dispose of
39 parts of firearm, light weapon or ammunition which the company manufactures and sells, and
40 other materials used by the company in the manufacture or sale of firearms, light weapons or
41 ammunitions. The buyer or possessor of such stolen parts or materials shall suffer the same
42 penalty as the laborer, worker or employee.

43
44 If the violation or offense is committed by a corporation, partnership, association or other
45 juridical entity, the penalty provided for in this section shall be imposed upon the directors,
46 officers, employees or other officials or persons therein who knowingly and willingly
47 participated in the unlawful act.

48
49 SEC. 34. *Arms Smuggling* .- The penalty of *reclusion perpetua* shall be imposed upon
50 any person who shall engage or participate in arms smuggling as defined in this Act.
51

1 SEC. 35. *Obliteration or Alteration of Firearms Identification.* - The penalty of
2 *prision correccional* to *prision mayor* in its minimum period shall be imposed upon any person
3 who shall obliterate or alter without authority the name of the maker, model, or serial number,
4 slide, frame or receiver and bolt assembly, including its individual or peculiar identifying
5 characteristics essential in forensic examination of a firearm or light weapon.

6
7 The PNP shall place this information, including its individual or peculiar identifying
8 characteristics into the database of integrated firearms identification system of the PNP Crime
9 Laboratory for future use and identification of a particular firearm.

10
11 Possession of any firearm or light weapon with an obliterated or altered identification
12 shall be penalized with *prision correccional* in its minimum period.

13
14 SEC. 36. *Use of an Imitation Firearm or Light Weapon.* - An imitation firearm or
15 light weapon used in the commission of a crime shall be considered a real firearm or light
16 weapon as defined in this Act and the person who committed the crime shall be punished in
17 accordance with this Act.

18
19 SEC. 37. *In Custodia Legis.* - During the pendency of any case filed for any violation of
20 the provisions of this Act, seized firearms, light weapons, ammunition, or parts thereof,
21 machinery, tools or instruments shall remain in the custody of the court. If the court decides that
22 it has no adequate means to safely keep the same, the court shall issue an order to turn over to
23 the PNP Crime Laboratory such firearm, light weapon, ammunition, or parts thereof, machinery,
24 tools or instruments in its custody during the pendency of the case and to produce the same to
25 the court when so ordered. No bond shall be admitted for the release of the firearm, light
26 weapon, ammunition or parts thereof, machinery, tool or instrument. Any violation of this
27 Section shall be punishable by *prision mayor* in its minimum period to *prision mayor* in its
28 medium period.

29
30 SEC. 38. *Confiscation and Forfeiture.* - The imposition of penalty for any violation of
31 this Act shall carry with it the accessory penalty of confiscation and forfeiture of the firearm,
32 light weapon, ammunition, or parts thereof, machinery, tool or instrument in favor of the
33 government which shall be disposed of in accordance with law.

34
35 SEC. 39. *Liability for Planting Evidence.* - The penalty of *prision mayor* in its
36 maximum period shall be imposed upon any person who shall willfully and maliciously insert,
37 place, and or attach, directly or indirectly, through any overt or covert act, any firearm, light
38 weapon or ammunition, or parts thereof in the person, house, effects, or in the immediate
39 vicinity of an innocent individual for the purpose of implicating or incriminating the person, or
40 imputing the commission of any violation of the provisions of this Act to said individual. If the
41 person found guilty under this paragraph is a public officer or employee, such person shall
42 suffer the penalty of *reclusion perpetua*.

43
44 SEC. 40. *Grounds for Revocation, Cancellation or Suspension of License or Permit.* -
45 The Chief, PNP or the authorized representative may revoke, cancel or suspend a license or
46 permit on the following grounds:

47
48 a) Commission of a crime or offense involving the firearm, light weapon, ammunition,
49 or major parts thereof;

50
51 b) Conviction by a crime involving moral turpitude or any offense where the penalty

1 carries an imprisonment of more than six (6) years;

2
3 c) Loss of the firearm, light weapon, ammunition, or any parts thereof through
4 negligence;

5
6 d) Carrying of the firearm, light weapon, ammunition, or major parts thereof outside of
7 residence or workplace without the proper permit to carry the same;

8
9 e) Carrying of the firearm, light weapon, ammunition, or major parts thereof in
10 prohibited places;

11
12 f) Dismissal for cause from the service in case of government official and employee;

13
14 g) Commission of any of the acts penalized under Republic Act No. 9165 otherwise
15 known as the *Comprehensive Dangerous Drugs Act of 2002*;

16
17 h) Submission of falsified documents or misrepresentation in the application to obtain a
18 license or permit; and,

19
20 i) Non-compliance of reportorial requirements; and

21
22 j) by virtue of a court order.

23
24 SEC. 41. *Failure to Notify Lost or Stolen Firearm or Light Weapon* - A fine of Ten
25 Thousand Pesos (P10,000.00) shall be imposed upon any licensed firearm holder who fails to
26 report to the FEO within a period of thirty (30) days that the subject firearm has been lost or
27 stolen from the date of discovery of loss.

28
29 Likewise, a fine of Five Thousand Pesos (P5,000.00) shall be imposed upon any person
30 holding a valid firearm license who shall change residence or office address other than indicated
31 in the license card and fails within a period of thirty (30) days from said transfer to notify the
32 FEO of such change of address.

33
34 SEC. 42. *Illegal Transfer/Registration of Firearms*. - It shall be unlawful to transfer
35 possession of any firearm to any person who has not yet obtained or secured the necessary
36 license or permit thereof.

37
38 The penalty of *prision correccional* shall be imposed upon any person who shall violate
39 the provision of the preceding paragraph. In addition, the person shall be disqualified to apply
40 for a license to possess other firearms and all other existing firearms licenses whether for
41 purposes of commerce or possession, shall be revoked. If government-issued firearms, light
42 weapons, ammunition or major parts of firearms or light weapons are unlawfully disposed, sold
43 or transferred by any law enforcement agent or public officer to private individuals, the penalty
44 of *reclusion temporal* shall be imposed.

45
46 Any public officer or employee or any person who shall facilitate the registration of a
47 firearm through fraud, deceit, misrepresentation or submission of falsified documents shall
48 suffer the penalty of *prision correccional*.

49
50 ARTICLE VI
51 FINAL PROVISIONS

1
2 SEC. 43. *Firearms Records Repository.* - The FEO shall be the sole repository of all
3 firearms records to include imported and locally manufactured firearms, light weapons and
4 ammunition. Within one (1) year upon approval of this Act, all military and law enforcement
5 agencies, government agencies, LGUs and GOCCs shall submit an inventory of all their
6 firearms, light weapons and ammunition to the PNP.
7

8 SEC. 44. *Final Amnesty.* - Persons in possession of unregistered firearms and holders
9 of expired license or unregistered firearms shall register and renew the same through the Final
10 General Amnesty within six (6) months from the promulgation of the implementing rules and
11 regulations of this Act. During the interim period of six (6) months, no person applying for
12 license shall be charged of any delinquent payment accruing to the firearm subject for
13 registration. The Philippine National Police shall conduct an intensive nation-wide campaign
14 to ensure that the general public is properly informed of the provisions of this Act.
15

16 SEC. 45. *Implementing Rules and Regulations.* - Within one hundred twenty (120)
17 days after the effectivity of this Act, the Chief of the Philippine National Police, in consultation
18 with representatives from the firearms industry and from the non-government organizations,
19 shall formulate the necessary rules and regulations for the effective implementation of this Act
20 to be published in at least two (2) national papers of general circulation.
21

22 SEC. 46. *Separability Clause.* - If any provision of this Act or any part hereof is held
23 invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall
24 remain valid and subsisting.
25

26 SEC. 47. *Repealing Clause.* - This Act repeals all the provisions of Presidential Decree
27 No. 1866 relative to firearms and ammunition and all other laws, executive orders, letters of
28 instruction, issuances, circulars, administrative orders, rules or regulations that are inconsistent
29 therewith.
30

31 SEC. 48. *Effectivity.* - This Act shall take effect fifteen (15) days after publication in a
32 newspaper of nationwide circulation.
33
34

35 Approved.

FACT SHEET

House Bill No.

5484

(In substitution to HB Nos. 12, 116, 868, 2616, 2898, 3408, 3501 and PET 001)
As approved by the Committee

**AN ACT PROVIDING FOR A COMPREHENSIVE REGULATION OF
FIREARMS, LIGHT WEAPONS AND AMMUNITIONS PENALIZING
VIOLATIONS THEREFOR AND REPEALING
FOR THE PURPOSE PRESIDENTIAL DECREE NUMBERED EIGHTEEN
HUNDRED SIXTY-SIX**

Introduced by : REPS. RODOLFO G. BIAZON, PEDRO P. ROMUALDO, JOSEPH EMILIO A. ABAYA, ROMEO M. ACOP, RODOLFO W. ANTONINO, JUAN C. PONCE-ENRILE JR., PRO-LIFE PHILIPPINES FOUNDATION INC., ALYANSANG BAYANIHAN NG MGA MAGSASAKA, MANGAGAWANG BUKID AT MANGINGISDA (ABA), PABLO JOHN F. GARCIA, LEOPOLDO N. BATAOIL, MARCELINO R. TEODORO, JECI A. LAPUS, MEL SENEN S. SARMIENTO AND ANG KAPATIRAN PARTY

Committee Referral: **COMMITTEE ON PUBLIC ORDER AND SAFETY**
Committee Chairperson: **REP. PABLO JOHN F. GARCIA**

OBJECTIVES:

- To provide legal support to law enforcement agencies in their campaign against crime; and
- To minimize the proliferation of illegal firearms or weapons and the illegal manufacture of firearms or weapons, ammunition and parts thereof.

KEY PROVISIONS:

- Provides for a comprehensive law regulating the ownership, possession, carrying of, manufacture, importation of and dealing in of firearms, light weapons and ammunition, or parts thereof;
- Limits the ownership and possession of a firearm or firearms and ammunition to Filipino citizens upon compliance with the qualifications and requirements stipulated in Section 4, Article II of this Act;
- Mandates that a domestic corporation may be issued a regular license to own and possess firearms and ammunition upon compliance with the standards and requirements set for individuals, provided it complies with additional conditions set forth in Section 5, Article II of this Act ;

- Requires all government-owned firearms to be registered with the FEO, PNP, in the name of the government office or agency;
- Mandates that in meritorious cases, the Chief, PNP or his duly authorized representative may issue a permit to carry a firearm outside of residence to any qualified person;
- Stipulates that the Chief, PNP shall have the sole authority to issue licenses through the FEO, to qualified individuals;
- Mandates that a light weapon shall be lawfully acquired or possessed exclusively by the AFP, the PNP and other law enforcement agencies authorized by the President in the performance of their duties;
- Requires a licensed citizen to register firearms with the designated firearms regulatory service of the PNP in accordance with the type of license the citizen possesses;
- Prescribes the appropriate types of licenses according to the corresponding number of registered firearm/s a citizen shall be allowed to own and possess, including the license to possess ammunition as authorized by the FEO,PNP, subject to applicable rules and regulations and upon compliance with the requirements and payment of reasonable fees;
- Mandates that any individual who wants to acquire a license to manufacture firearms, parts of firearms or ammunition, or instruments or implements used or intended to be used in the manufacture of firearms, parts of firearms, or ammunition shall apply with the Secretary of the DILG;
- Mandates that any individual who wants to acquire a license to deal in firearms and firearms parts and ammunition shall apply with the Chief, PNP;
- Mandates the renewal of all types of licenses to possess firearms every two (2) years and the registration of the firearms every four (4) years;
- Imposes the following stiffer penalties upon any person committing the following violations:
 - Penalty of *prision mayor* in its maximum period for the crime of unlawful possession or acquisition of firearms if the offender is a public official or employee or a member of the law enforcement agencies;
 - Penalty of *reclusion temporal* to *reclusion perpetua* for the unlawful acquisition or possession of three (3) or more firearms;
 - Penalty of *reclusion perpetua* for the crime of unlawful acquisition or possession of light weapons;

- Penalty *prision correccional* in its maximum period for the unlawful acquisition or possession of ammunition for firearms or light weapons;
 - Penalty of *prision mayor* in its minimum period for the unlawful acquisition or possession of armor-piercing ammunition, incendiary ammunition, and tracer ammunition or any combination thereof, including bullets containing high explosives not exceeding 20mm;
 - Penalty of *prision mayor* in its medium period for the unlawful acquisition or possession of ammunition for light weapons exceeding 20mm containing high explosive;
 - Penalty of *prision correccional* and a fine of Ten Thousand Pesos (P10,000.00) for carrying a licensed firearm outside of residence without legal authority;
 - Penalty of *reclusion temporal* to *reclusion perpetua* for unlawfully engaging 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;
 - Penalty of *reclusion temporal* and/or a fine equivalent to three times (3x) the value of the manufactured, imported, sold or disposed goods shall be imposed upon any dealer, manufacturer or importer who violates the requirements in the permit; and
 - Penalty of *reclusion temporal* for theft and unlawful sale or disposition of parts of firearms, light weapons or ammunitions including any other material used by a licensed firearms company in the manufacture or sale of firearms, light weapons or ammunitions, by any laborer, worker or employee of that company and the buyer of such stolen items shall suffer the same penalty;
- Mandates that 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, employment or activity does not lawfully deal with the 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;
 - Imposes the penalty of *reclusion perpetua* upon any person who engages or participates in arms smuggling;
 - Imposes the penalty of *prision correccional* to *prision mayor* in its minimum upon any person who unlawfully obliterates or alters the name of the maker, model, serial number, slide, frame or receiver and bolt assembly, including its peculiar identifying characteristics essential in forensic examination of a firearm or light weapon;
 - Provides that firearms, light weapons or ammunition in *custodia legis* shall not be alienated or transferred unless the court has no adequate means to safely keep the same. Said firearms, light weapons or ammunition shall be turned over to the PNP Crime laboratory which shall produce the same to the court when so ordered provided that no bond shall be required for its release, and any violation hereof shall be penalized with the penalty of *prision mayor* in its minimum period to *prision mayor* in its medium period;

- Provides for the accessory penalty of confiscation and forfeiture in favor of the government;
- Imposes the penalty of *prision mayor* in its maximum period upon any person who shall willfully and maliciously insert, place and 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 immediate vicinity of an innocent individual to implicate or incriminate him/her and if the person found guilty is a public officer or employee, the penalty of *reclusion perpetua* shall be imposed;
- Imposes the penalty of Ten Thousand Pesos (P 10,000) for failure to notify the FEO, PNP within a period of thirty (30) days from the date of its discovery, lost or stolen firearm or light weapon and a fine of Five Thousand Pesos (5,000) for failure to notify the FEO-PNP within thirty (30) days for the change of residence or office address; .
- Imposes the penalty of *prision correccional* upon any person who shall unlawfully transfer possession of any firearm to any person who has not yet obtained or secured the necessary license or permit;
- Imposes the penalty of *reclusion temporal* upon any law enforcement agent or public officer who unlawfully disposes, sells or transfers government-issued firearms, light weapons, ammunition or major parts of firearms or light weapons to private individuals;
- Stipulates the grounds for revocation, cancellation or suspension of license or permit which is exercised by the PNP Chief or his authorized representative;
- Mandates that the sole firearms records repository shall be the FEO, PNP;
- Provides for final amnesty for persons in possession of unregistered firearms and holders of expired licenses or unregistered firearms to register and renew the same through the Final General Amnesty within six (6) months from the promulgation of the Implementing Rules and Guidelines of this Act to be set by the PNP; and
- Repeals all provisions of PD 1866 relative to firearms and ammunition including all other laws, executive orders, letters of instructions, issuances, circulars, administrative orders, rules or regulations that are inconsistent with this Act.

RELATED LAWS

Presidential Decree 1866 entitled, "Codifying the Laws on Illegal/Unlawful Possession, Manufacture, Dealing In, Acquisition or Disposition of Firearms, Ammunition or Explosives or Instruments Used in the Manufacture of Firearms, Ammunition or Explosives, and Imposing Stiffer Penalties for Certain Violations thereof and for Relevant Purposes"