

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon, City



SIXTEENTH CONGRESS
First Regular Session

House Bill No. 330

Introduced by HONORABLE ALETA C. SUAREZ

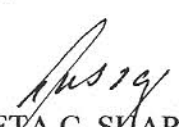
EXPLANATORY NOTE

The Philippine National Police (PNP), in its bid to modernize its services and professionalize its officials and personnel, needs the much needed support in terms of appropriations from the national government. The PNP, no doubt, serves as the backbone of maintain the peace and order situation in the whole country. But it cannot effectively perform its duties and react to distress or crisis situation in due time because of the slash and delays in the release of its appropriated budget.

Hence, this bill aims to plug to this open loophole and provide the PNP discretion to retain and use its collected revenues from its regulatory functions such as licensing, registration, and issuance of permits. It rationalizes the fees and charges of firearms, ammunition, spare parts, accessories, components, explosives ingredients, pyrotechnic, firecrackers to ore realistic rates with consideration of industry concerns. It proposes to retain twenty percent (20%) of total collections for firearms and explosive fees and charges to fund the direct and operational expenses of the Firearms and Explosive Division (FED) other than what is provided for in the General Appropriations Act. It is also being proposed that the total collections from firearms license cards and permit to carry firearms outside of residence (PTCFOR) card be retained to fund the production cost of the said cards. Moreover, the proposed measure also provides that all interest earnings generated from cash bonds be retained by the PNP to fund its programs and projects, particularly its modernization program, its quick and to extend immediate assistance to civilians and kin of police personnel who are hurt or affected during police operations.

These activities always suffer due to lack or delay in the release of funds. Consequently, the PNP image suffers and oftentimes, our lawmen are being projected as the villains. Hence, it is absolutely necessary to adjust the rates of fees and charges handled by the FED and modify the remittance and authority to use the FED collections and interest earnings. This will ensure the upgrading of PNP for its efficient and expeditious rendition of public service to the public.

In view hereof, early passage of this bill is earnestly sought.


ALETA C. SUAREZ
Representative
Third District, Province of Quezon

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AN ACT RATIONALIZING THE FEES AND CHARGES ON FIREARMS, AMMUNITION, SPARE PARTS, ACCESSORIES, COMPONENTS, EXPLOSIVES, EXPLOSIVE INGREDIENTS, PYROTECHNICS AND FIRECRACKERS, AMENDING FOR THE PURPOSE EXECUTIVE ORDER NO. 256, S. 1995

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

SECTION 1. Section 1 of Executive Order no. 256 is hereby amended to read as follows:

“SECTION 1. The rates of license/registration/permit fees, other charges and penal/administrative fines relative to firearms, ammunition, spare parts, accessories, components, explosives, explosive ingredients, pyrotechnics, and firecrackers shall be as follows:

A. FIREARMS, AMMUNITION, SPARE PARTS, ACCESSORIES AND COMPONENTS:

1. Annual Firearm License Fees	Rates
[a] Air Pistol Rifle	P 100.00]
[b] A) rifle Cal. 22 or lower	150.00
[c] B) Shotgun (All gauges)	175.00
[d] C) Pistol/Revolver Cal. 22 (Ordinary)	200.00
[e] D) Pistol/Revolver Cal. 25, .32, .38, .380, 9mm, 7.65MM, 6.35MM, and Magnum CAL .22 Rimfire	300.00
[f] E) Pistol/Revolver Cal .357, .40, .41, .44, .45, and Magnum Cal .22 Centerfire [350.00]	400.00
[g] F) High powered Rifle/Sub-Machine Gun [500.00]	800.00
[h] G) Any extra slide/barrel/FRAME or conversion kit shall be assessed a corresponding license fee amounting to fifty (50) percent of the rate for said caliber.	

[i] Government employees, whose basic monthly salaries as reflected in their latest pay slips do not exceed P 5,000 and retirees, whose monthly pensions do not exceed the same amount based on their latest pension slips, shall pay a firearm license fee of P 150 only, regardless of the caliber of the firearm licensed to them.]

[j] The cost of the license card is not included in the license fee being paid annually and must be shouldered by the licensee.]

2.Registration Fee (ONE-TIME REGISTRATION)

a) Reloading Machine	3,000.00
b) Bullet Proof Vest and Vestments	800.00
c) AIR PISTOL	200.00

[The above amounts are one-time registration fees, imposable and payable for items registered pursuant to this Executive Order.]

3.Permit Fee to Import Firearms, Ammunition, Spare Parts, Accessories, and Components for [commercial purposes]

LOCAL SALES MANUFACTURING.

a) Firearms	P10.00 per firearm Payable upon arrival in Philippines
b) AIRGUN	P 5.00 per firearm
[b] C) Ammunition	0.05/pc
[c] D) Components- Shells	[0.01/pc]0.02/pc
Primers	[0.01/pc]0.02/pc
Gunpowder	0.25/lb
[d] E) Spare Parts – Barrels/Frames/Slides	5.00/pc
[e] F) reloading machine and its accessories]	1,000.00
[f] G) Bullet-proof Vests and Vestments	500.00

4.Storage Fee (Monthly) [P100.00/sqm] P 120.00/sqm

5. Permit Fee to Transport Firearms/Ammunition/ MAJOR SPARE PARTS [(Monthly)]

a) Gun Club (Quarterly)	P 300.00/FIREARM
b) Hunting Permit (Quarterly)	300.00/FIREARM
c) Security Agencies	50.00/permit
[d] Repair or change of residence	50.00/permit]
D) INDIVIDUAL LICENSEE	50.00/PERMIT

6. Records Authentication 20.00/copy

7. Permit to Carry Firearm Outside of Residence
(PTCFOR) [2,000.00] 5,000.00

8. Permit to Hold Competition

a. Invitational	P 1,000.00
b. National	2,000.00

No fees shall be imposed, however, on PNSA-sponsored/accredited competitions.

9. Permit Fee for Authority to Display Firearms
(Annual) P 1,000.00 per [branch] GUNSTORE

10. Administrative Fines for Loss of Firearms covered by a Special Permit (SP) or Certificate of Registration (CR)

- | | |
|---|----------|
| a) Rifle Cal .22 | P 500.00 |
| b) Shotgun (all gauges) | 700.00 |
| c) Pistol/Revolver Cal .25, .32, .38, .380, .9mm,
7.65MM, 6.35MM, and Cal .22 Magnum Rimfire | 900.00 |
| e) Pistol/Revolver Cal .357, .40, .41 .45, and
Magnum Centerfire | 1,000.00 |
| f) High-powered Rifle/Sub-machine Gun | 1,000.00 |

11. The firearm bond for firearms covered by Regular License (RL) in the amount equivalent to the following administrative fines shall be deposited as a cash bond with any duly designated bank(s) with extensive network in the country capable of servicing the licensed firearms holders nationwide. The corresponding bond certificates shall be surrendered by the applicant/licensee to the Firearms and Explosive office, which shall be forfeited in favor of the reported lost and/or the license is revoked. SECURITY BOND, PERSONAL OR PROPERTY BOND AS STIPULATED UNDER SECTION 887 OF THE ADMINISTRATIVE CODE CAN STILL BE AN OPTION TO APPLICANTS.

- | | |
|--|----------|
| a) Rifle Cal .22 | P 500.00 |
| b) Shotgun(All gauges) | 700.00 |
| c) Pistol/revolver Cal .22 (Ordinary) | 800.00 |
| d) Pistol/Revolver Cal .25, .32 .38, .380, 9mm
7.65MM, 6.35MM and Cal .22 Magnum
Rimfire | 900.00 |
| e) Pistol/Revolver Cal .357, .41, .44, .45 and
Magnum Cal .22 Centerfire | 1,000.00 |
| f) High-Powered Rifle/Sub-machine Gun | 1,000.00 |

12. Seminar Fe for Gun Safety and Responsibility [P 300.00]

- | | |
|-------------|----------|
| A) GUN CLUB | P 150.00 |
| B) PNP | 150.00 |

13. COST OF THE FIREARMS LICENSE CARD P 220.00

THE COST OF THE LICENSE CARD IS NOT INCLUDED IN THE LICENSE FEE BEING PAID ANNUALLY AND MUST BE SHOULDERS BY THE LICENSEE.

14. COST OF THE PERMIT TO CARRY FIREARMS OUTSIDE OF RESIDENCE (PTCFOR) CARD P 220.00

THE COST OF THE LICENSE CARD IS NOT INCLUDED IN THE LICENSEE FEE BEING PAID ANNUALLY AND MUST BE SHOULDERS BY THE LICENSEE.

B. EXPLOSIVES AND EXPLOSIVE INGREDIENTS

1. Permit Fee to Unload

- | | |
|--|-----------------------|
| a. Explosives/Explosive Ingredients in solid form | [P .025/kg] P .10/kg |
| b. Explosives/Explosive Ingredients in liquid form | [.02/liter] .10/liter |
| c. Detonating Cards, Safety fuses | [.01/pc] .05/meter |
| d. Blasting caps, connector | [.01/pc] .05/pc |
| e. THEATRICAL EFFECTS | 50.00/KL |

- | | | |
|---|----------------------|------------------------|
| 2. Permit Fee to Import Explosives/Explosive(s) Ingredients | [P 300.00] | P 5,000.00/APPLICATION |
| 3. Permit Fee to Purchase Explosives/Explosive(s) Ingredients | [300.00] | P 1,500.00/APPLICATION |
| 4. Permit Fee to Transport Pyrotechnics/Firecrackers | [P 300.00]
.01/kg | |
| 5. PERMIT TO DISPLAY FIREWORKS | | P 3,000.00/SHOW |
| 6. PERMIT TO IMPORT THEATRICAL EFFECTS | | 1,000.00 |
| 7. PERMIT TO EXPORT EXPLOSIVES/EXPLOSIVE INGREDIENTS | | 10,000.00 |

SEC. 2. Section 2 of Executive Order No. 256 is amended to read as follows:

“SEC. 2. The Philippine National Police is hereby authorized to impose following fees for licenses, issued in connection with the manufacture, importation and sale of firearms, ammunition, explosives, explosive ingredients, pyrotechnics and firecrackers, as well as the licenses of indentors, firearm repair shops, foremen, and purchasers of explosives and explosive ingredients:

A. FIREARMS, AMMUNITION, SPARE PARTS, ACCESSORIES AND COMPONENTS:

- | License (Annual) | Rate |
|---|-------------|
| 1. Dealer's License
License authorizing the conduct of general business such as importation, purchase, possession, sale and transfer of firearms, ammunition, spare parts, accessories and components. This includes the Air Gun Dealer's License (no.7) | P 2,500.00 |
| 2. Manufacturer's License
License authorizing the conduct of general business such as manufacture of firearms, ammunition (load/reload), spare parts, accessories and components. This includes the Air Gun Manufacturer's License (no.8) | P 10,000.00 |

3. Indentor's License P 2,000.00
License authorizing the indent of firearms, ammunition,
spare parts, accessories, and components.
4. License to Repair Firearms P 2,000.00
License authorizing the conduct of repair of firearms.
5. Repairman's License P 500.00
6. Recognition of Gun Club P 2,500.00

A one-time accreditation fee of a duly registered
and recognized gun club. On each succeeding year,

The duly recognized gun club will renew
recognition by submitting the list of members and
shall pay the corresponding fee of P 100.00 per
member in good standing.

7. Air Gun Dealer's License 1,500.00
License authorizing the conduct of general
business, such as importation, purchase,
possession, sale, and transfer of airguns.
8. Air Gun Manufacturer's License 3,000.00
License authorizing the conduct of general
business such as manufacture of air guns,
spare parts, accessories and components.
9. License to Deal in Spare parts, Accessories and
Components
License authorizing the conduct of generally
business, such as importation, sale and transfer
of spare parts, accessories, and components
excluding barrels, slides, and frames which are
already covered by the Dealer's License (no.1).

10. Accreditation of Firing Range

- a) Commercial: Initial fee P 5,000.00
Every renewal P 2, 500.00
- b) Private: Initial fee P 2, 500.00
Every renewal p 1, 000.00

Firing ranges owned by the government shall be exempt from the payment
of this accreditation fee.

B. EXPLOSIVES AND EXPLOSIVE INGREDIENTS

1. Dealer's License [P 2, 500.00] P 15, 000.00
License authorizing the importation,
purchase, possession, sale, transfer, and
general conduct of business handling gunpowder,
dynamite, explosives or their ingredients.
2. Manufacturer's license [10, 000.00] 25, 000.00
License authorizing the manufacture of
gunpowder, dynamite, explosives or their
ingredients.

3. Purchaser's License [1,000.00] 5, 000.00
License authorizing the purchase and possession of dynamite, explosives or their ingredients for use of mines, quarries, road construction, wrecking or for use in any other legal and lawful occupation.
4. Foreman's/Blaster's License
License authorizing the purchase and possession of dynamite, explosives or their ingredients by workman in mines, quarries, road construction, wrecking or for use in any other legal and lawful qualified blaster or must be technically qualified to handle explosives.

C. PYROTECHNICS AND FIRECRACKERS:

1. Manufacturer's License [2, 500.00] 10, 000.00
License authorizing the manufacture of pyrotechnics and firecrackers.
2. Dealer's License [500.00] 5, 000.00
License authorizing the purchase, possession, sale, transfer, and general conduct of business involving firecrackers and pyrotechnics.
3. LICENSE FOR FIREWORKS DISPLAY OPERATOR 5, 000.00

SEC. 3. Section 3 of Executive order no. 256, as amended, is hereby further amended to read as follows:

‘SEC. 3. RETENTION OF EARNINGS FOR OPERATIONS AND PROGRAMS AND PROJECTS. – The Firearms and Explosive Division shall retain twenty percent (20%) of the total collections for firearms and explosive fees and charges to fund the direct and operational expenses of the FED other than what is provided for in the General Appropriations Act. PROVIDED, HOWEVER, THAT THE TOTAL AMOUNT PAID INTENDED FOR FIREARMS LICENSE CARD AND PTCFOR CARD SHALL BE RETURNED TO FED TO FUND FOR THE PRODUCTION COST OF THE SAID CARDS.

PROVIDED, FURTHER, THAT ALL INTEREST EARNINGS GENERATED FROM CASH BONDS SHALL BE RETAINED BY THE PNP TO FUND ITS PROJECTS PARTICULARLY ITS MODERNIZATION PROGRAM.”

SEC. 4. EXEMPTION OR PAYMENT OF FIREARM LICENSE FEES OF GOVERNMENT ENTITIES. – The Philippine National Police (PNP), Armed Forces of the Philippines (AFP), and the National Bureau of Investigation and other law enforcement agencies, shall be exempted from paying the firearm license fees provided for in this Act. All other government agencies and instrumentalities which, by the nature of their jobs, are considered to be revenue-earning entities shall pay the necessary firearm license fees and administrative fines provided therein for the firearms used by them in performing functions/duties inherent in the mission and organization of the agencies concerned.

SEC. 5. PAYMENT OF CASH BOND OF PRIVATE SECURITY AGENCIES AND COMPANY GUARD FORCES. –Private Security Agencies (PASs) and Company Guard Forces (CGF's) shall be allowed to pay the cash bond for their existing firearms on five equal installments over a period of five (5) years from the date of the effectivity of this Act.

Private Security Agencies and Company Guard Forces that are purchasing or acquiring new firearms shall pay the corresponding cash bond in a maximum of four (4) installments over a period of one (1) year.

SEC. 6. Review and Adjustment of the Rates. – The President of the Philippines, upon the recommendation of the Chief of the Philippine National Police, shall review the rates imposed in this Act and adjust to realistic levels every five years.

SEC. 7. APPROVAL OF FIREARM APPLICATION. – No firearm application shall be approved by the FED, PNP without a certificate of attendance by the applicant in a seminar covering gun safety, responsibility, laws, regulations, and other pertinent topics; and the fulfillment of necessary tests, analysis and clearance required by the PNP.

SEC. 8. Implementing Rules and Regulations. – The Chief of the Philippine National Police shall promulgate the Implementing rules and regulations within thirty (30) days upon the effectivity of this Act.

SEC. 9. Repealing Clause. – All laws, executive orders, rules and regulations or parts thereof, which are inconsistent with the provision of this Act hereby repealed or modified accordingly.

SEC. 10. Seperability Clause. – If any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof not affected thereby shall continue to be in full force and effect.

SEC. 11. Effectivity. – This Act shall take effect after fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

APPROVED