

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4030



Introduced by **HONORABLE ROMERO "MIRO" S. QUIMBO**

EXPLANATORY NOTE

A series of bomb scares this February 2014 started on 12 February 2014 when a bomb threat sent via text messages rattled the normal operations of the Ateneo de Manila University which led to the suspension of classes and forced evacuation. Said threat was allegedly a hoax that disrupted even the flow of traffic along Katipunan Avenue. This was followed by a bomb scare in the University of Santo Tomas on 26 February 2014 and Saint Paul College Pasig on 27 February 2014.

The recent series of false bomb threats is not the first to interrupt an educational institution. Last June 2013, a reported news about a bomb led to the suspension of classes in Nangka Elementary School in the Second District of Marikina.¹ Similarly, in June 2012, the Lyceum of the Philippines, Manila also suspended their classes after discovering a note that a bomb will be detonated inside the school premises.²

Bomb threats have also disturbed even governmental institutions. Last August 2013, a bomb threat was received by the Manila City Hall, thus employees were immediately evacuated. After a thorough investigation, no bombs were found inside the building.³

Moreover, last October 2013, a bomb scare sent through a phone call alarmed the Ninoy Aquino International Airport, which led to the delay of a US jetliner.⁴ The same incident previously happened in the same airport. In April 2012, a bomb threat was received which led to the delay of a flight bound for Puerto Princesa City, Palawan. This was found to be a joke between passengers on board the plane. The joke led to the evacuation of passengers and commencement of emergency response by security personnel and fire and medical teams.⁵

¹ "Bomb threats here and there – Manila Philippines." Primrosepaths website, June 27, 2013. <

<http://www.primrosepaths.com/2013/06/bomb-threats-here-and-there-manila.html>, accessed February 25, 2014>.

² "Lyceum of the Philippines-Manila nabulabog sa bomb threat; klase sinuspinde." Remate website, October 12, 2012, accessed February 25, 2014>.

³ "Bomb scare grips Manila City Hall." ABS-CBN News website, August 28, 2013. <<http://www.abs-cbnnews.com/nation/metro-manila/08/28/13/bomb-scare-grips-manila-city-hall>, accessed February 25, 2014>.

⁴ "Bomb hoax at Manila airport slightly delays takeoff of US jetliner." Asiaone News website, October 20, 2013. <

<http://news.asiaone.com/news/relax/bomb-hoax-manila-airport-slightly-delays-takeoff-us-jetliner>, accessed February 25, 2014>.

⁵ "AirPhil flight aborted after 'bomb threat'." Examiner website, April 12, 2012. <<http://www.examiner.com/article/airphil-flight-aborted-after-bomb-threat>, accessed February 25, 2014>.

These, and other previous bomb scares that threatened various places around the country, demonstrate the need to address the growing concern on bomb threats. Every false bomb threat which alarms an area leads to unnecessary anxiety for the people, disruption of its regular activities, economic costs from the opportunity lost for productivity due to evacuation activities, waste of law enforcement and emergency response resources as well as time spent which should have been used for more pressing public concerns, among others.

These pernicious effects are further magnified when the false threat is aimed against high population density or sensitive places like schools, airports, churches and malls, where there is regularity in the flow of activities. In schools for instance, precious instructional time is wasted only to the whim of pranksters who deliberately plant false bomb messages just to disturb the area. More importantly, it puts minors at risk to stampedes and permanent psychological trauma.

In the United States, state laws have been enacted in order to address this problem. In Michigan, making false reports on bombs and knowingly communicating the same to another person is punishable by imprisonment of up to four years and/or fine.⁶ Meanwhile, Massachusetts penalizes anyone who communicates a threat causing the evacuation of high density and sensitive institutions or causes serious public inconvenience or alarm with three to twenty years imprisonment and/or fine.⁷ Countries like Japan and Britain have also expressed their concern through the enactment of laws relating to the same acts.

In the Philippines, Presidential Decree No. 1727 on "Declaring as Unlawful the Malicious Dissemination of False Information of the Willful Making of any Threat Concerning Bombs, Explosives or any Similar Device or Means of Destruction and Imposing Penalties Therefor" was enacted in October 8, 1980. Said law states that any person who communicates, willfully makes any threat or maliciously conveys false information of an attempt to damage or destroy any property by means of explosives, incendiary devices and other destructive forces of similar nature, shall be punished with imprisonment of not more than five years or a fine of not more than forty thousand pesos (Php 40,000) or both at the discretion of the court.⁸

However, with the increase in incidences of false bomb threats, there is a need to enact a law that will supplement P.D. 1727, which will impose stiffer penalties when the act is done in high population density and sensitive areas, in the objective of curbing incidences of false reports which result to the detriment of the victims from losses in productivity and resources.

In view whereof, the expedient approval of this bill is requested.


ROMERO "MIRO" S. QUIMBO
Representative
Second District, Marikina City

⁶ "Bomb Threat Penalties - S.B. 645 (S-2) : First Analysis." Michigan Legislature website, July 15, 2012. <
<http://www.legislature.mi.gov/documents/2001-2002/billanalysis/Senate/htm/2001-SFA-0645-E.htm>, accessed February 25, 2014>.

⁷ "General Laws." The 188th General Court of the Commonwealth of Massachusetts, no date. <
<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter269/Section14>, accessed February 25, 2014>.

⁸ "Presidential Decree No. 1727." Chan Robles website, no date. <
http://www.chanrobles.com/presidentialdecrees/presidentialdecreeno1727.html#Uwzng_ldXvQ, accessed February 25, 2014>.

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HOUSE BILL NO. 4030

Introduced by **HONORABLE ROMERO "MIRO" S. QUIMBO**

**AN ACT PROHIBITING THE DISSEMINATION OF FALSE INFORMATION ON
THE PRESENCE OF BOMBS, EXPLOSIVES AND OTHER INCENDIARY DEVICES
IN HIGH DENSITY OR SENSITIVE PLACES AND PROVIDING PENALTIES
THEREFOR**

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

SECTION 1. TITLE. – This Act shall be known as the *"False Bomb Threat Prohibition Act of 2014"*.

SECTION 2. DECLARATION OF POLICY. It is hereby declared the policy of the State to undertake all measures to protect all persons, especially its citizens, from being subject to the injurious effects of false information and threats on bombs and explosives, in the objective of upholding their security and safety, especially in high density and sensitive places where the risks are higher.

As used in this Act, "high density" shall refer to areas which are regularly populated with people, including but not limited to public spaces like national roads, public parks, airports, seaports, hotels and malls, or where people are gathered for an event.

"Sensitive areas" shall refer to those which are subject to high risks upon violation of this Act because of the magnitude of resulting possible losses in productivity, resources, and religious value notwithstanding the number of people present therein, including but not limited to educational institutions, offices, government institutions, and churches.

SECTION 3. PROHIBITION. No person shall wilfully communicate or cause to be communicated, either directly or indirectly, orally, in writing, by mail, by use of a telephone or telecommunication device including, but not limited to, cellular phones, electronic mail, internet communications and facsimile communications, through an electronic communication device or by any other means, a threat or information involving a bomb, explosive or other incendiary device, when such threat is in fact not present, thereby causing either the evacuation or serious disruption of a school, school related event, school transportation, or a dwelling, building, place of assembly, facility or public transport, or an aircraft, ship or common carrier, or wilfully communicates or causes serious public inconvenience or alarm.

SECTION 4. PENALTIES. Any person found guilty of violating this Act or any rules and regulations issued pursuant hereto shall, upon conviction, be punished by imprisonment of not less than six (6) years but not more than twelve (12) years or fine of not less than One Million Pesos (P1,000,000.00) but not more than Five Million Pesos (P5,000,000.00) or both.

SECTION 5. SEPARABILITY CLAUSE. – If any part or provision of this Act is declared unconstitutional, other parts or provisions thereof which are not affected thereby shall continue to be in full force and effect.

SECTION 6 REPEALING CLAUSE. – All laws, decrees, executive orders and issuances, and rules and regulations which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 7. EFFECTIVITY. – This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,