

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

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 6245



Introduced by REP. LENI GERONA-ROBREDO

EXPLANATORY NOTE

In the recent weeks, a number of passengers have been arrested in the Ninoy Aquino International Airport (NAIA) for possession of bullets in their luggage. Those arrested were not allowed to board their flights, thus, preventing them from reaching their destination. According to news reports, these arrests are part of a scheme done by Airport staff to extort money from passengers in the airport.

Dubbed as TanimBala, this scam has affected a number of our countrymen and foreigners who were on their way to another country or to other places in the Philippines. Aside from extortion, it also abridges our constitutionally guaranteed right to freely travel by preventing passengers from catching their flights. It damages the reputation of the Philippines since several of the victims have been foreign tourists who were in the country for their vacations. Further occurrences of the TanimBala scam will severely hamper our efforts to bolster tourism since NAIA is the gateway to the country.

As legislators, it is our duty to look at the policy perspective of this issue and find a solution to the problem given our mandate. We hope, that through legislation, we will be able stop this scam and ensure the safety and well being the passengers in NAIA. This proposed measure aims to decriminalize the mere possession of not more than three bullets. It is our hope that this proposal will put an end to the TanimBala modus operandi and safeguard the passengers in NAIA from harassment and extortion.

In view of the foregoing, passage of this bill is urgently sought.


LENI GERONA-ROBREDO
Representative, Third District of Camarines Sur

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

SIXTEENTH CONGRESS

Second Regular Session

6245

House Bill no. _____

Introduced by Representative Leni Gerona-Robredo

**AN ACT AMENDING REPUBLIC ACT NO. 10591, OTHERWISE KNOWN AS
AN ACT PROVIDING FOR A COMPREHENSIVE LAW ON FIREARMS AND
AMMUNITION AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF**

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

Section 1. Section 28 is hereby amended to read as follows:

“SEC. 28. Unlawful Acquisition, or Possession of Firearms and Ammunition. – The unlawful acquisition, possession of firearms and ammunition shall be penalized as follows:

(a) The penalty of prision mayor in its medium period shall be imposed upon any person who shall unlawfully acquire or possess a small arm;

(b) The penalty of reclusion temporal to reclusion perpetua shall be imposed if three (3) or more small arms or Class-A light weapons are unlawfully acquired or possessed by any person;

(c) The penalty of prision mayor in its maximum period shall be imposed upon any person who shall unlawfully acquire or possess a Class-A light weapon;

(d) The penalty of reclusion perpetua shall be imposed upon any person who shall, unlawfully acquire or possess a Class-B light weapon;

(e) The penalty of one (1) degree higher than that provided in paragraphs (a) to (c) in this section shall be imposed upon any person who shall unlawfully possess any firearm under any or combination of the following conditions:

(1) Loaded with ammunition or inserted with a loaded magazine;

(2) Fitted or mounted with laser or any gadget used to guide the shooter to hit the target such as thermal weapon sight (TWS) and the like;

(3) Fitted or mounted with sniper scopes, firearm muffler or firearm silencer;

(4) Accompanied with an extra barrel; and

(5) Converted to be capable of firing full automatic bursts.

(f) The penalty of prision mayor in its minimum period shall be imposed upon any person who shall unlawfully acquire or possess a major part of a small arm;

(g) The penalty of prision mayor in its minimum period shall be imposed upon any person who shall unlawfully acquire or possess ammunition for a small arm or Class-A light weapon. If the violation of this paragraph is committed by the same person charged with the unlawful acquisition or possession of a small arm, the former violation shall be absorbed by the latter; **PROVIDED THAT, MERE POSSESSION OF NOT MORE THAN THREE (3) BULLETS SHALL NOT CONSTITUTE AS A CRIMINAL OFFENSE UNDER THIS ACT;**

(h) The penalty of prision mayor in its medium period shall be imposed upon any person who shall unlawfully acquire or possess a major part of a Class-A light weapon;

(i) The penalty of prision mayor in its medium period shall be imposed upon any person who shall unlawfully acquire or possess ammunition for a Class-A light weapon. If the violation of this paragraph is committed by the same person charged with the unlawful acquisition or possession of a Class-A light weapon, the former violation shall be absorbed by the latter; **PROVIDED THAT, MERE POSSESSION OF NOT MORE THAN THREE (3) BULLETS SHALL NOT CONSTITUTE AS A CRIMINAL OFFENSE UNDER THIS ACT;**

(j) The penalty of prision mayor in its maximum period shall be imposed upon any person who shall unlawfully acquire or possess a major part of a Class-B light weapon; and

(k) The penalty of prision mayor in its maximum period shall be imposed upon any person who shall unlawfully acquire or possess ammunition for a Class-B light weapon. If the violation of this paragraph is committed by the same person charged with the unlawful acquisition or possession of a Class-B light weapon, the former violation shall be absorbed by the latter; **PROVIDED THAT, MERE POSSESSION OF NOT MORE THAN THREE (3) BULLETS SHALL NOT CONSTITUTE AS A CRIMINAL OFFENSE UNDER THIS ACT.**

Sec 2. Separability Clause. – If any provision of this Act is held unconstitutional, other provisions not affected thereby shall remain valid and binding.

Sec 3. Repealing Clause.- All laws, decrees. Ordinances and rules inconsistent with the provisions of this Act are hereby modified or repealed accordingly.

Sec 4. Effectivity Clause.- This Act shall take effect fifteen (15) days after the completion of its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,