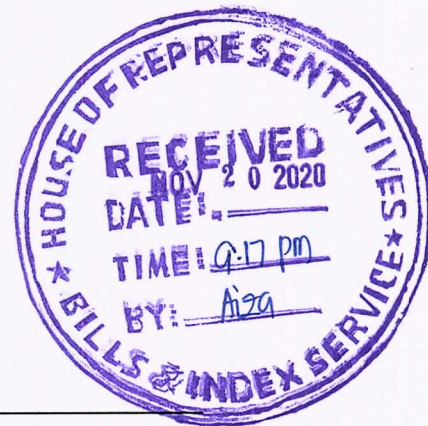


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH (18TH) CONGRESS
Second Regular Session

House Bill No. 8055



Introduced by: Rep. ARNOLFO A. TEVES JR.

**AN ACT MANDATING THE RIGHT TO PROTECT ONESELF,
FAMILY, PROPERTY AND OTHERS**

EXPLANATORY NOTE

Firearm-related crimes increased by 28% from 14,641 in 2014 to 18,703 in 2015. Data from the Directorate for Investigation and Detective Management of the Philippine National Police (PNP) show that from 2013 to 2015, 99% of firearm-related crimes involved unlicensed firearms. This means that only 1% of firearm-related crimes involved license firearms.

Individuals have the right to use reasonable force or defensive force, including, in certain circumstances, the use of deadly force for the purpose of defending one's own life or the lives of others. Individuals should, therefore, have the right to defend themselves from violence, including firearm-related violence, through the use of licensed concealed firearms. Thus, individuals with licensed firearms should be given the right to protect oneself, family, property and others.

The bill seeks to merge the License to Own and Possess Firearms (LTOPF) and Permit to Carry Firearm Outside of Residence (PTCFOR) into a single license. The new license will continue to be referred to as the LTOPF. Applicants will be charged a new set of fees depending on the length of validity of their permits and the type of firearms they will be owning and carrying. All firearms are to remain concealed in public spaces.

At present, both LTOPF and PTCFOR have the same requirements. This bill aims to simplify the redundant firearm application process to encourage new and existing owners to have their firearms licensed.

Congress should exercise its mandate to legislate for the safety and security of the Filipino people. Thus, the approval of this bill is urgently sought.


Arnolfo "Arnie" A. Teves, Jr.

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**AN ACT MANDATING THE RIGHT TO PROTECT ONESELF,
FAMILY, PROPERTY AND OTHERS**

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

SECTION 1. *Short Title.* This Act shall be known as the "The Right to Protect Oneself, Family and Property Act".

SECTION 2. *Declaration of State Policy.* It is the policy of the State to maintain peace and order and protect the people against violence. Self-defense from unlawful aggression or any risk of great bodily harm or death is a vested right of every citizen and, in furtherance thereof, the State guarantees and protects the right of qualified citizens to own and possess firearms.

The State shall promote full enjoyment of the right to own and possess firearms, and no regulation or acts of public officials shall infringe on or diminish this right without corresponding sanction.

SECTION 3. *Definition of Terms.* - As used in this act:

- a. *Ammunition.* A complete unfired unit consisting of a bullet, gunpowder, cartridge case and primer or loaded shell for use in any firearm.
- b. *Concealed Carry.* The manner of carrying a weapon on or about a person completely or mostly concealed from view of the public or on or about a person within a vehicle
- c. *Firearm.* Any handheld or portable weapons, whether a small arm or light weapon, that expels or is designed to expel a bullet, shot slug, missile 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.
- d. *Gun Club.* An organization duly registered with and authorized by the Philippine National Police Firearms and Explosives Office (PNP-FEO), which is established for the purpose of propagating gun safety and responsible gun ownership, proper appreciation and proficiency in the use of firearms by its members, for the purpose of sports and shooting competitions, self-defence and collection purposes.
- e. *Licensed individual.* Any individual who complies with the qualifications set forth in Republic Act No. 10591, known as the Comprehensive Firearms and Ammunition Regulation Act, and duly issued with a license to possess firearm.
- f. *Light weapons.* Firearms capable of firing full automatic using ammunition not more than Cal. 12.7MM.
- g. *Open Carry.* The manner of carrying a firearm on or about one's person that can be seen by a casual observer.
- h. *Small arms.* Firearms that fires in semi-automatic using ammunition not more than Cal. 12.7MM.

SECTION 4. *Ownership, Registration and Carry of Firearms.* In order to qualify to own and possess firearms and ammunition, the applicant must be a Filipino citizen, at least twenty-one (21) years old, has gainful work, occupation or business, drug free and of sound mind. Qualified citizens shall have the option to acquire a license valid for five (5) years, or longer if desired, in increments of five (5) years, or for the span of the qualified citizen's life.

Ambassadors, consuls, diplomats, and other representatives of foreign government with diplomatic relations with the Philippines and who are stationed in the Philippines whose government, by way of reciprocity also grant the same right to Philippine ambassadors, consuls, diplomats, and other representatives, shall also be allowed to own and possess firearms and ammunition in the Philippines.

Foreign nationals who are permanent residents of the Philippines, with family ties to Filipino citizens by consanguinity or affinity, long term employees of Philippine corporations or those with substantial investment in the Philippines, shall also be allowed to own and possess firearms and ammunition, provided that they possess all the requirements except for Philippine citizenship.

The ownership of small arms and light weapons, as defined herein, shall be allowed for duly licensed individual provided that their lawfully acquired firearms are duly registered with the PNP-FEO.

Upon registration of a lawfully acquired firearm, the PNP-FEO shall issue a document as evidence that the firearm is duly registered.

Firearm registration entitles the bearer to:

- a. Carry his/her registered firearm outside of residence unless the LTOPF or FA registration is revoked for cause, after due investigation; and
- b. Purchase up to one thousand (1,000) rounds of ammunition per transaction for each registered firearm. If a licensed citizen opts to purchase a larger amount of ammunition, he/she shall apply for a permit to transport issued by the Chief PNP-FEO, a Regional Director or their authorized representative.

Taking in consideration the population and peace and order situation, the manner of carry of the respective registered firearms shall be as follows:

- a. In urban areas and city limits, a licensed individual shall carry his/her firearm on or about his/her person, or within a vehicle, completely or mostly concealed from view of the public;
- b. In all rural areas or farmlands, a licensed individual may open carry their registered firearm for their protection; and
- c. In areas exposed to threats, militant action or terrorism, a licensed individual may open carry inside city limits for his personal protection and defense of his family and property.

SECTION 5. *Simplification of Application for License to Own and Possess Firearms.*

The procedure and requirements for applying and issuance of LTOPF shall be simplified. The renewal of the license shall not subject the licensed individual to undergo tests/examinations he/she has previously passed, unless there is clear and justifiable cause to do so.

SECTION 6. *Training.* The Philippine National Police or an accredited Gun Club shall provide a training course for LTOPF applicants to include:

- a. Firearm Safety
- b. Principles of marksmanship
- c. Care, cleaning, loading and unloading of a firearm
- d. Applicable national laws relating to ownership, storage, carry and transport of a firearm
- e. Appropriate interaction with law enforcement while carrying a concealed or open carry firearm
- f. Firearm Proficiency

SECTION 7. *Prohibited Areas.* The carrying of concealed weapon by licensed individuals shall be prohibited in the following areas, unless authorized by the PNP.

- a. Airports
- b. Schools, including elementary, secondary, and pre-schools and child care facilities.
- c. Executive, legislative and judicial facilities
- d. Local Government Buildings
- e. Adult or juvenile detention centers, jails or other correctional institutions
- f. Hospitals, mental health facilities and nursing homes
- g. Bars, defined as any establishment that serves alcohol
- h. Amusement parks
- i. Zoos and museums

Firearms repository/deposit boxes for safekeeping of firearms owned by licensed citizens shall be in place in such areas.

SECTION 8. *Regulation for Colleges and Universities.* College and University authorities may:

- a. Prohibit persons from carrying firearms within any vehicle owned or controlled by the college or university;
- b. Establish their own policies involving the use of firearm within the facilities;
- c. Establish their own policies regarding designated areas for parking vehicles that carry firearms; and
- d. Permit carrying and use of firearms for recognized programs, such as shooting club, firearm instruction, criminology, military science and law enforcement training

SECTION 9. *Disclosure upon Inspection.* When stopped by a police officer, including traffic stops and upon request of the officer, the licensee must:

- a. Disclose to the officer that he or she is in possession of a concealed firearm.
- b. Present the evidence of firearm registration upon his or her request.
- c. Disclose the location of the firearm.

SECTION 10. *Implementing Rules and Regulations (IRR).* The IRR shall be issued within 90 days from the passage of the law.

SECTION 11. *Separability Clause.* If any provision, section or part of this act shall be declared unconstitutional or invalid, such judgement shall not affect, invalidate or impair any other provisions, sections or parts hereof.

SECTION 12. *Repealing Clause.* All laws, decrees, orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 13. *Effectivity.* This Act shall effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation whichever comes first.

Approved...



Hon. Arnolfo "Arnie" A. Teves, Jr.
3rd District, Negros Oriental