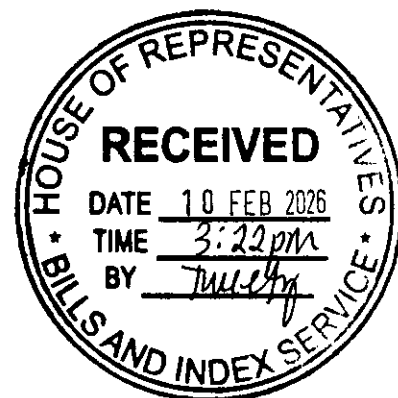


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **7708**

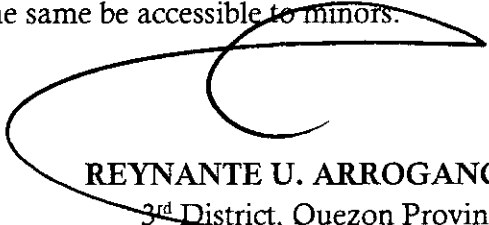


Introduced by Representative Reynante U. Arrogancia

EXPLANATORY NOTE

Opportunities to access firearms especially among minors can have a devastating effect to life, health and security of the person. RA 10591 otherwise known as the "Comprehensive Firearms and Ammunition Regulation Act" provides for the legal framework on ownership, possession, carrying, manufacturing and dealing in firearms, ammunition or its parts in the country. However, the law does not provide provisions on the liability of gun owners with negligently stored firearms allowing opportunity for minors to obtain or discharge the firearm to the detriment of others. Many young people may not possess the level of maturity and sense of responsibility on why gun ownership for some a necessity in their work is, for their own security or to legally repel aggression.

Legitimate gun owners undergo a rigorous process before owning the same and are responsible for storing guns safely. To avoid firearm injuries and promote safety, gun owners should keep their guns stored in a locked place or unloaded when they are in premises with the reasonable knowledge that the same be accessible to minors.


REYNANTE U. ARROGANCIA
3rd District, Quezon Province

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **7708**

Introduced by Representative Reynante U. Arrogancia

AN ACT
PENALIZING REGISTERED GUN OWNERS WHO FAIL TO SECURE THEIR
FIREARMS FROM BEING ACCESSED BY MINORS

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

1 **SECTION 1. *Short Title.*** This Act shall be known as the “Child Firearm Access Prevention
2 Act.”

3
4 **SEC. 2. *Declaration of Policy.*** The State shall protect and promote the interests of the child by
5 providing him with a conducive and safe environment.

6
7 **SEC. 3. *Definition of Terms.*** For purposes of this Act, the term:

8
9 (a) *Secure gun storage or safety device* refers to a:

- 10 1) Device that, when installed on a firearm, prevents the firearm from being
11 operated without first deactivating or removing the device;
12 2) Device incorporated into the design of the firearm that prevents the operation
13 of the firearm by anyone not having access to the device; or
14 3) Safe, gun safe, gun case, lock box, or other device that is designed to be or can
15 be used to store a firearm and that can be unlocked by means of a key, a
16 combination, or other similar means.

17
18 (b) *Minor* for purposes of this Act refers to a person who has not yet attained the age of
19 twenty-one (21) years.

20
21 **SEC. 4. *Punishable Acts.*** – Except as provided in Section 5, any person who-

- 22
23 (a) Keeps a loaded firearm, or an unloaded firearm and ammunition for the firearm,
24 within any premise that is under the custody or control of that person; and

25 (b) Knows, or reasonably should know, that a minor is capable of gaining access to the
26 firearm;

27 Shall, if a minor attains access to the firearm and thereby causing the minor to obtain the
28 firearm, discharges the firearm or cause bodily injury or death due to the access of the gun
29 by the minor, be imprisoned for not more than one (1) year, fined not more than One
30 Hundred Thousand Pesos (P100,000.00) or both.

31

32 **SEC. 4. *Exceptions.*** – Section 3 does not apply in the following cases:

33

- 34 (a) The person uses a secure gun storage or safety device for the firearm;
35 (b) The person is a peace officer, a member of the Armed Forces, or a member of the
36 Philippine National Police, with license to carry and keep the firearm, and the minor
37 obtains the firearm during, or incidental to the performance of the official duties of the
38 person in that capacity;
39 (c) The minor obtains, or obtains and discharges, the firearm in a lawful act of self-defense
40 or defense of one (1) or more other persons; or
41 (d) The person has no reasonable expectation, based on objective facts and circumstances,
42 which a minor is likely to be present on the premises on which the firearm is kept.

43

44 **SEC. 6. *Notice.*** - The Philippine National Police and the Firearms and Explosives Office shall
45 ensure a copy of this Act appears on the form required to be obtained by licensed dealer from
46 a prospective transferee of a firearm.

47

48 **SEC. 7. *Separability Clause.*** – If any provision or part hereof, is held invalid or
49 unconstitutional, the remainder of the law or the provision otherwise affected shall remain
50 valid and subsisting.

51

52 **SEC. 8. *Repealing Clause.*** – Any law, presidential decree or issuances, executive order, letter
53 of instruction, administrative order, rule or regulation contrary to or inconsistent with the
54 provision of this Act is hereby modified, or amended accordingly.

55

56 **SEC. 9. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its publication in
57 at least two (2) newspapers of general circulation.

58

59 *Approved,*