



HOUSE OF REPRESENTATIVES

H. No. 5484

BY REPRESENTATIVES BIAZON, ROMUALDO, ABAYA, ACOP, ANTONINO, PONCE-ENRILE, PRO-LIFE PHILIPPINES FOUNDATION, INC., ALYANSANG BAYANIHAN NG MGA MAGSASAKA, MANGGAGAWANG BUKID AT MANGINGISDA (ABA), GARCIA (P.J.), BATAOIL, TEODORO, LAPUS, SARMIENTO (M.) AND ANG KAPATIRAN PARTY, PER COMMITTEE REPORT NO. 1508

AN ACT PROVIDING FOR A COMPREHENSIVE REGULATION OF FIREARMS, LIGHT WEAPONS AND AMMUNITION, PENALIZING VIOLATIONS THEREOF AND REPEALING FOR THE PURPOSE PRESIDENTIAL DECREE NUMBERED EIGHTEEN HUNDRED SIXTY-SIX

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

1 ARTICLE I

2 TITLE, DECLARATION OF POLICY AND DEFINITION OF TERMS

3 SECTION 1. *Short Title.* – This Act shall be known as the
4 “Comprehensive Firearms, Light Weapons and Ammunition Regulation Act of
5 2012”.

6 SEC. 2. *Declaration of State Policy.* – It is the policy of the State to
7 maintain peace and order and protect the people against violence. Towards
8 this end, the State shall provide for a comprehensive law regulating the
9 ownership, possession, carrying, manufacture, dealing in and importation of

1 firearms, ammunition or parts thereof, in order to provide legal support to law
2 enforcement agencies in their campaign against crime, stop the proliferation of
3 illegal firearms or weapons and the illegal manufacture of firearms or weapons,
4 ammunition and parts thereof.

5 **SEC. 3. *Definition of Terms as Used in this Act.* –**

6 (a) *Accessories* refer to parts of a firearm or light weapon for purposes
7 of embellishment thereof which may enhance or increase the operational
8 efficiency or accuracy of a firearm or light weapon but will not constitute any
9 major or minor internal parts thereof such as, but not limited to, laser scope,
10 telescopic sight and sound suppressor or silencer.

11 (b) *Ammunition* refers to a complete unfired unit consisting of a bullet,
12 gunpowder, cartridge case and primer or loaded shell for use in any firearm.

13 (c) *Antique firearm* refers to any: (1) firearm which was manufactured
14 at least seventy-five (75) years prior to the current date but not including
15 replicas; (2) firearm which is certified by the National Museum of the
16 Philippines to be curio or relic of museum interest; and (3) any other firearm
17 which derive a substantial part of their monetary value from the fact that they
18 are novel, rare, bizarre or because of their association with some historical
19 figure, period or event.

20 (d) *Arms smuggling* refers to the import, export, acquisition, sale,
21 delivery, movement or transfer of firearms, light weapons, their parts and
22 components and ammunition, from or across the territory of one country to that
23 of another country if any one of these countries concerned does not authorize
24 any of the transactions mentioned in accordance with its domestic laws.

25 (e) *Authority to import* refers to a document issued by the Chief of the
26 Philippine National Police (PNP), authorizing the importation of firearm or its
27 parts, ammunition and other components.

1 (f) *Confiscated firearm or light weapon* refers to a firearm or light
2 weapon that is taken into custody by the Armed Forces of the Philippines
3 (AFP), the PNP, the National Bureau of Investigation (NBI), the Philippine
4 Drug Enforcement Agency (PDEA) and all other law enforcement agencies by
5 reason of their mandate and must be necessarily reported or turned over to the
6 Firearms and Explosives Office (FEO) of the PNP.

7 (g) *Dealer* refers to any person, legal entity, corporation, partnership or
8 business entity duly licensed by the FEO to engage in the business of buying
9 and selling ammunition, firearm, light weapon or parts thereof, at wholesale or
10 retail basis.

11 (h) *Demilitarized firearm* refers to a firearm deliberately made
12 incapable of performing its main purpose of firing a projectile.

13 (i) *Duty detail order* refers to a document issued by the juridical entity
14 or employer wherein the details of the disposition of firearm is spelled-out,
15 thus, indicating the name of the employee, the firearm information, the specific
16 duration and location of posting or assignment and the authorized bonded
17 firearm custodian for the juridical entity to whom such firearm is turned over
18 after the lapse of the order.

19 (j) *Engaged in the business* refers to a person, legal entity, corporation
20 or partnership which devotes time, attention, and labor to manufacture, repair,
21 buy or sell firearms or light weapons or parts thereof, or ammunition as a
22 regular course of trade or business with the principal objective of livelihood
23 and profit through sale or distribution of the same.

24 (k) *Firearms Information Management System (FIMS)* refers to the
25 compilation of all data of firearms information of ownership and disposition
26 for record purposes.

1 (l) *Firearm* refers to any hand-held or portable weapon that expels or
2 is designed to expel a bullet, shot, slug or any projectile which is discharged by
3 means of expansive force of gases from burning gunpowder or other form of
4 combustion or any similar instrument or implement.

5 For purposes of this Act, the frame or receiver is considered a firearm.

6 (m) *Forfeited firearm* or *light weapon* refers to a firearm or light
7 weapon that is subject to forfeiture by reason of a court order as accessory
8 penalty or the disposition by the FEO of firearms considered as abandoned,
9 surrendered, confiscated or revoked in compliance with existing rules and
10 regulations.

11 (n) *Gun club* refers to an organization duly registered and accredited in
12 good standing by the FEO which is established for the purpose of propagating
13 responsible and safe gun ownership, appreciation and use of firearms by its
14 members, for the purpose of sport and shooting competition, self-defense and
15 collection purposes.

16 (o) *Gunsmith* refers to any person, legal entity, corporation, partnership
17 or business duly licensed by the FEO to engage in the business of repairing
18 firearms, light weapons and other weapons or constructing or assembling
19 firearms and weapons from finished or manufactured parts thereof on per order
20 basis and not in commercial quantities or of making minor parts for the
21 purpose of repairing or assembling said firearms or weapons.

22 (p) *Imitation firearm* refers to a replica of a firearm or light weapon, or
23 other device that is so substantially similar in coloration and overall
24 appearance to an existing firearm or light weapon as to lead a reasonable
25 person to believe that such imitation firearm or light weapon is a real firearm
26 or light weapon.

1 (q) *Importer* refers to any person, legal entity, corporation, partnership
2 or business duly licensed by the FEO to engage in the business of importing or
3 bringing ammunition and firearms or light weapons or parts thereof into the
4 territory of the Republic of the Philippines for purposes of sale or distribution
5 under the provisions of this Act.

6 (r) *Licensed citizen* refers to any Filipino duly accorded with a license
7 to possess or to carry firearms outside of the residence and complies with
8 qualifications set forth in this Act.

9 (s) *Licensed juridical entity* refers to corporations, organizations,
10 businesses including security agencies and local government units (LGUs)
11 which are licensed to own and possess firearms in accordance with this Act.

12 (t) *Light weapon* refers to any firearm mounted with twenty
13 (20)-millimeter rifled barrel or grenade launchers not exceeding forty (40)
14 millimeters, or weapons designed for use by two (2) or more persons serving as
15 crew, or those which may be carried and used by a single person which shall
16 include belt-FEO submachine guns, light and heavy machine guns, and
17 portable anti-aircraft and anti-tank guns, recoilless rifles, portable launchers of
18 anti-aircraft missile systems, grenade launchers and the like.

19 (u) *Long certificate of registration* refers to a document issued to
20 government agencies or offices or government-owned or -controlled
21 corporations (GOCCs) for firearms to be used by their officials and employees,
22 excluding security guards.

23 (v) *Loose firearm* refers to an unregistered firearm, an obliterated or
24 altered firearm, firearm which has been lost or stolen, illegally manufactured
25 firearms, registered firearms in the possession of an individual other than the
26 licensee and those with revoked licenses in accordance with the rules and
27 regulations.

1 (w) *Major parts or components of a firearm or light weapon* refer to the
2 barrel, slide, cylinder and the bolt assembly. The term also includes any part
3 or kit designed and intended for use in converting a semi-automatic burst to a
4 full-automatic firearm.

5 (x) *Manufacturer* refers to any person, legal entity, corporation or
6 partnership duly licensed by the FEO, PNP to engage in the business of
7 manufacturing ammunition and firearms, light weapons or parts thereof for
8 purposes of sale or distribution.

9 (y) *Minor parts of a firearm* refer to the parts of the firearm other than
10 the major parts which are necessary to effect and complete the action of
11 expelling a projectile by way of combustion, except those classified as
12 accessories.

13 (z) *Obliterated or altered firearm* refers to any firearm which serial
14 number has been intentionally modified, obliterated or altered without
15 authority.

16 (aa) *Permit to carry firearm outside of residence* refers to a written
17 authority issued to a licensed person by the Chief, PNP which entitles such
18 person to carry his registered or lawfully issued firearm outside of the
19 residence for the duration and purpose specified in the authority.

20 (bb) *Permit to transport firearm* refers to a written authority issued to a
21 person or entity by the Chief, PNP or by the PNP Regional Director which
22 entitles such person or entity to transport a particular firearm from and to a
23 specific location, within the duration and purpose specified in the authority.

24 (cc) *Residence* refers to the place of abode of the licensed citizen as
25 indicated in the license.

26 (dd) *Shooting range* refers to a sports facility established for the
27 purpose of firearms training and skills development, firearm testing, as well as
28 for sport and shooting competition either for the exclusive use of its members

1 or open to the general public, duly registered and accredited in good standing
2 by the FEO.

3 (ee) *Small arms* refer to firearms or weapons intended to be primarily
4 designed for individual use or that which is generally considered to mean a
5 *weapon intended to be fired from the hand or shoulder* such as:

6 (1) Handgun which is a firearm intended to be fired from the hand,
7 which includes:

8 (i) A pistol which is a hand-operated firearm having a chamber integral
9 with or permanently aligned with the bore which may be self-loading; and

10 (ii) A revolver which is a hand-operated firearm with a revolving
11 cylinder containing chambers for individual cartridges.

12 (2) Rifle which is a shoulder firearm or designed to be fired from the
13 shoulder that can discharge a bullet through a rifled barrel by different actions
14 of loading, which may be classified as lever, bolt, self-loading or automatic
15 and by different modes of discharge; and

16 (3) Shotgun which is a weapon designed, made and intended to fire a
17 number of ball shots or a single projectile through a smooth bore by the action
18 or energy from burning gunpowder.

19 (ff) *Sport shooting competition* refers to a defensive, precision or
20 practical sport shooting competition duly authorized by the FEO.

21 (gg) *Thermal weapon sight* refers to a battery operated, uncooled
22 thermal imaging device which amplifies available thermal signatures so that
23 the viewed scene becomes clear to the operator which is used to locate and
24 engage targets during daylight and from low light to total darkness and
25 operates in adverse conditions such as light rain, light snow and dry smoke or
26 in conjunction with other optical and red dot sights.

ARTICLE II

OWNERSHIP AND POSSESSION OF FIREARMS

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3 *SEC. 4. Standards and Requisites for Issuance of and Obtaining a*
4 *License to Own and Possess Firearms.* – In order to acquire a license to own
5 and possess a firearm or firearms and ammunition, the applicant must be a
6 Filipino citizen, at least twenty-one (21) years old, has a police clearance and
7 has gainful work, occupation or business or has filed an income tax return
8 (ITR) for the preceding year as proof of income, profession, business or
9 occupation.

10 In addition, the applicant shall submit the following certification issued
11 by appropriate authorities attesting that:

12 (a) The applicant has not been convicted of any crime involving moral
13 turpitude;

14 (b) The applicant has passed the psychiatric test administered by a
15 PNP-accredited psychologist or psychiatrist;

16 (c) The applicant has passed the drug test conducted by an accredited
17 and authorized drug testing laboratory or clinic; and

18 (d) The applicant has passed a gun safety seminar which is
19 administered by the PNP or a registered and authorized gun club; and has filed
20 in writing the application to possess a registered firearm which shall state the
21 personal circumstances of the applicant.

22 For purposes of this Act, an acquittal in, or permanent dismissal of, a
23 criminal case before the courts shall qualify an individual to acquire a license.

24 The applicant shall pay the reasonable licensing fees as may be provided
25 in the implementing rules and regulations of this Act.

26 *SEC. 5. Ownership of Firearms and Ammunition by a Juridical Entity.*
27 – A juridical person may be issued a regular license to own and possess
28 firearms and ammunition under the following conditions:

1 (a) It is duly registered with the Securities and Exchange Commission
2 (SEC);

3 (b) It is current, operational and is a continuing concern;

4 (c) It has completed and submitted all its reportorial requirements to
5 the SEC; and

6 (d) It has paid all its income taxes for the year.

7 The application shall be made in the name of the juridical person
8 represented by its president or any of its main officers as duly authorized in a
9 board resolution: *Provided*, That the officer applying for the juridical entity
10 shall possess all the qualifications required of a citizen applying for a license
11 to possess firearms. Officers eligible to represent the juridical person shall
12 include the vice president, treasurer and board secretary.

13 Security agencies and LGUs shall be included in this category of
14 licensed holders but shall be subject to additional requirements as may be
15 required by the implementing rules issued by the Chief, PNP.

16 SEC. 6. *Ownership of Firearms by the National Government.* – All
17 government-owned firearms shall be registered with the FEO in the name of
18 the government office or agency.

19 SEC. 7. *Carrying of Firearms Outside of Residence or Place of*
20 *Business.* – A permit to carry a firearm outside of residence may be issued by
21 the Chief, PNP or the duly authorized representative to any qualified person in
22 such circumstances wherein they are under actual threat or their lives are in
23 imminent danger due to the nature of their profession, occupation or business.

24 ARTICLE III

25 REGISTRATION AND LICENSING

26 SEC. 8. *Authority to Issue License.* – The Chief, PNP, through the
27 FEO, shall have the sole authority to issue licenses to qualified individuals and
28 to cause the registration of firearms.

1 SEC. 9. *License Issued to Individuals.* -- Subject to applicable rules
2 and regulations and upon compliance with the requirements and payment of
3 reasonable fees, an individual may be issued the appropriate license to possess
4 and own firearms under the following categories:

5 (a) Type 1 license -- allows a citizen to own and possess a maximum
6 of two (2) registered firearms;

7 (b) Type 2 license -- allows a citizen to own and possess a maximum
8 of five (5) registered firearms;

9 (c) Type 3 license -- allows a citizen to own and possess a maximum
10 of ten (10) registered firearms;

11 (d) Type 4 license -- allows a citizen to own and possess a maximum
12 of fifteen (15) registered firearms; and

13 (e) Type 5 license -- allows a citizen to own and possess more than
14 fifteen (15) registered firearms such as certified and licensed gun collectors.

15 For Types 1 to 5 licenses, a vault or a secure container for the
16 safekeeping of firearms shall be required. For Types 3 to 5 licenses, the citizen
17 must comply with the inspection and bond requirements.

18 SEC. 10. *License to Possess Ammunition.* -- The licenses granted to
19 qualified citizens as provided in the preceding section shall include the license
20 to possess ammunition as authorized by the FEO.

21 SEC. 11. *Firearms That May Be Registered.* -- Only small arms may
22 be registered by licensed citizens for ownership, possession and concealed
23 carry.

24 A light weapon shall be lawfully acquired or possessed exclusively by
25 the AFP, the PNP and other law enforcement agencies authorized by the
26 President in the performance of their duties.

1 SEC. 12. *Registration of Firearms.* – The licensed citizen shall register
2 the firearms so purchased with the designated regulatory service of the PNP for
3 firearms in accordance with the type of license such licensed citizen possesses.
4 A certificate of registration of the firearm shall be issued upon payment of
5 reasonable fees.

6 For purposes of this Act, registration refers to the application, approval,
7 recordkeeping and monitoring of firearms with the FEO in accordance with the
8 type of license issued to any person under Section 9 of this Act.

9 SEC. 13. *License Issued to Public Officers.* – Except for the
10 registration and the issuance of card registrations for firearms supplied by the
11 government, the provisions on licensing and possession of licensed firearms
12 shall not apply to law enforcement agencies, soldiers and members of the AFP,
13 the NBI, the PNP, the Bureau of Jail Management and Penology, the Bureau of
14 Corrections, as well as the President and the Vice President of the Republic of
15 the Philippines, the Senators and the Representatives of the House of Congress,
16 the Justices of the Supreme Court and the Court of Appeals, the Judges of
17 lower courts, prosecutors and officials of the *Department of Justice (DOJ)*,
18 Cabinet Secretaries, governors and mayors, members of the Bureau of Customs
19 Police, the Philippine Ports Authority Security Forces, the Airport Security, the
20 Export Processing Zones Authority Police Force and the University of the
21 Philippines Police Force, when such firearms are issued in connection with
22 their work and service to the government.

23 All appropriate offices of government agencies, including the AFP, must
24 maintain a list of firearms, including ballistics, which must be submitted to the
25 FEO. Any discrepancy in the list submitted shall be considered as negligence
26 in the performance of official duties.

1 Provincial governors, members of the sangguniang panlalawigan,
2 mayors, members of the sangguniang panlungsod or sangguniang bayan, and
3 barangay chairpersons shall each be allowed to carry one (1) registered firearm
4 within their territorial jurisdiction and during their incumbency. In case of
5 suspension of such public officials during their incumbency by any competent
6 authority, their entitlement to carry their firearms within their respective
7 territorial jurisdiction shall be suspended during such period.

8 Members of the judiciary and prosecutors of the DOJ shall be allowed
9 to carry one (1) registered firearm.

10 SEC. 14. *Issuance of License to Manufacture or Deal in Firearms and*
11 *Ammunition.* – Any person who shall manufacture or deal in firearms,
12 ammunition or parts thereof, or instruments and implements used or intended
13 to be used in the manufacture of firearms, parts of firearms or ammunition,
14 shall submit the application for a license to:

15 (a) The Secretary of the Department of the Interior and Local
16 Government (DILG) in the case of an application for a license to manufacture,
17 import and export firearms; and

18 (b) The Chief, PNP, in the case of a license to deal in firearms and
19 firearms parts, ammunition, and gun repair stating the amount of capitalization
20 for manufacture or cost of the purchase and sale of said articles intended to be
21 transacted by such applicant, and the types of arms, ammunition or implements
22 which the applicant intends to manufacture or purchase and sell under the
23 license applied for, and such additional information as may be especially
24 requested by the Secretary of the DILG or the Chief, PNP.

25 The Secretary of the DILG or the Chief, PNP may approve or
26 disapprove such application based on the prescribed *guidelines*. In case of
27 approval, the application shall indicate the amount of the bond to be executed
28 by the applicant and the period of time by which said license shall be effective,
29 unless sooner revoked by their authority.

1 Upon approval of the license to manufacture or otherwise deal in
2 firearms by the Secretary of the DILG or the Chief, PNP as the case may be,
3 the same shall be transmitted to the FEO who shall issue the license in
4 accordance with the approved terms and conditions, upon the execution and
5 delivery by the applicant of the required bond conditioned upon the faithful
6 compliance on the part of the licensee to the laws and regulations relative to
7 the business licensed.

8 SEC. 15. *Scope of License to Manufacture Firearms and Ammunition.*

9 – The license to manufacture authorizes the manufacture and assembly of
10 firearms, ammunition, spare parts and accessories, ammunition components,
11 and reloading of ammunition within sites, areas and factories reflected therein.
12 The Secretary of the DILG shall approve such license.

13 The license to manufacture shall also include:

14 (a) The license to deal in or sell all the items covered by the license
15 such as parts, firearms or ammunition and components;

16 (b) The authority to subcontract the manufacturing of parts and
17 accessories necessary for the firearms which the manufacturer is licensed to
18 manufacture;

19 (c) For services rendered without new parts being manufactured, e.g.
20 machining, the service provider shall be governed by the license of the
21 contracting manufacturer; and

22 (d) The authority to import machinery, equipment, and firearm parts
23 and ammunition components for the manufacture thereof. Firearm parts and
24 ammunition components to be imported shall, however, be limited to those
25 authorized to be manufactured as reflected in the approved license to
26 manufacture. The Import Permit shall be under the administration of the PNP.

1 A licensed manufacturer of ammunition shall be entitled to import
2 various reference firearms needed to test the ammunition manufactured under
3 the license to manufacture. A licensed manufacturer of firearms shall also be
4 entitled to import various firearms for reference, test and evaluation for
5 manufacture of similar types of firearms covered by the license to manufacture.

6 An export permit shall be necessary to export manufactured parts or
7 finished products of firearms and ammunition. The export of firearms and
8 ammunition shall be under the administration of the PNP.

9 SEC. 16. *Scope of License to Deal in Firearms and Ammunition.* –
10 The license to deal in firearms and ammunition, which shall be issued by the
11 Chief, PNP authorizes the purchase, sale and general business in handling
12 firearms and ammunition, spare parts, components and reloading machine. The
13 authority to import authorizes the importation of firearms, ammunition and
14 spare parts. The license to deal in or sell firearms and ammunition shall be
15 necessary to engage in the said business and shall be separate from the license
16 to manufacture and authority to import and export the same.

17 SEC. 17. *License and Scope of License for Gunsmiths.* – The license
18 for gunsmiths shall allow the grantee to repair firearms, light weapons and
19 other weapons. The license shall include customization of firearms from
20 finished or manufactured parts thereof on per order basis and not in
21 commercial quantities. The license for gunsmiths shall be issued by the Chief,
22 PNP.

23 SEC. 18. *Firearms for Use in Sports and Competitions.* – A licensed
24 citizen shall apply for a permit to transport registered firearm to and from the
25 firing range and competition sites as may be warranted.

26 SEC. 19. *Renewal of Licenses and Registration.* – All types of license
27 to possess firearms shall be renewed every two (2) years. Failure to renew shall
28 cause the revocation of the license to possess the registered firearm. The

1 SEC. 23. *Return of Firearms to Owner upon Departure from the*
2 *Philippines.* – Upon departure from the Philippines of any person whose
3 firearm or ammunition is in the custody of the FEO, the same shall, upon
4 timely request, be delivered to the person through the Collector of Customs. In
5 the case of a participant in a local sport shooting competition, the firearm must
6 be presented to the Collector of Customs before the same is allowed to be
7 loaded on board the carrier on which the person is to board.

8 SEC. 24. *Safekeeping of Firearms and Ammunition.* – Any licensee
9 may deposit a registered firearm to the FEO or any Police Regional Office
10 (PRO) for safekeeping. Reasonable fees for storage shall be imposed.

11 SEC. 25. *Surrendered Firearms.* – *Firearms with expired registration*
12 *shall be surrendered to the FEO or PRO and such firearms shall be retained by*
13 *the police custodian pending renewal of the registration: Provided, That*
14 *administrative fines shall be imposed for the period of expiration of the*
15 *registration prior to the surrender of the firearms. If the period of expiration of*
16 *the registration exceeds six (6) months from the date of expiration and the*
17 *licensee of the firearms failed to surrender the firearms, the provision of*
18 *Section 19 of this Act shall apply.*

19 SEC. 26. *Abandoned Firearms and Ammunition.* – Any firearm or
20 ammunition deposited with the FEO pursuant to any provision of this Act shall
21 be deemed to have been abandoned by the owner or the authorized
22 representative if anyone of them failed to reclaim the same within five (5)
23 years or failed to advise the FEO of the disposition to be made for the purpose.
24 Thereafter, the FEO may dispose of the firearm after compliance with the
25 established requirements for the disposition of the same.

26 SEC. 27. *Death or Disability of Licensee.* – Upon the death or legal
27 disability of the holder of a firearm license, it shall be the duty of the nearest
28 relative, legal representative or other person, who shall knowingly come into

1 possession of such firearm or ammunition, to deliver the same to the FEO or
2 PRO, and such firearm and ammunition shall be retained by the police
3 custodian pending the issuance of a license thereof in accordance with law.
4 The failure to deliver the firearm or ammunition after six (6) months from the
5 death or legal disability of the licensee shall be subject to applicable rules
6 provided in this Act.

7 SEC. 28. *Antique Firearm.* – Any person who possesses an antique
8 firearm shall register the same and secure a collector's license from the FEO.
9 Proper storage of antique firearms shall be strictly imposed. Noncompliance
10 with this provision shall be considered as illegal possession of firearm as
11 penalized in this Act.

12 ARTICLE V

13 PENAL PROVISIONS

14 SEC. 29. *Unlawful Acquisition or Possession of Firearms, Light*
15 *Weapons and Ammunition.* – The penalty of *reclusion temporal* in its
16 minimum period shall be imposed upon any person who shall unlawfully
17 acquire or possess a firearm.

18 The penalty of *reclusion temporal* in its medium period to its maximum
19 period shall be imposed upon any person who shall unlawfully possess any
20 firearm under any or combination of the following conditions:

- 21 (a) Loaded with ammunition or inserted with a loaded magazine;
22 (b) Fitted or mounted with laser or any gadget used to guide the shooter
23 to hit the target such as thermal weapon sight (TWS) and the like;
24 (c) Fitted or mounted with sniper scopes, firearm muffler or firearm
25 silencer;
26 (d) Accompanied with an extra barrel;
27 (e) Converted to be in any type such as pistol to rifle; and
28 (f) Converted to be fired semi-automatic or full-automatic.

1 The penalty of *prision mayor* in its maximum period shall be imposed if
2 the offender is a public official or employee or a member of the law
3 enforcement agencies.

4 The penalty of *reclusion temporal* to *reclusion perpetua* shall be
5 imposed if three (3) or more firearms are unlawfully acquired or possessed by
6 any person.

7 The penalty of *reclusion perpetua* shall be imposed upon any person
8 who shall unlawfully acquire or possess a light weapon.

9 The penalty of *prision correccional* in its maximum period shall be
10 imposed upon any person who shall unlawfully acquire or possess ammunition
11 for firearms. If the violation of this paragraph is committed by the same
12 person who is charged with unlawful acquisition or possession of a firearm, the
13 former shall be absorbed by the latter offense.

14 The penalty of *prision mayor* in its minimum period shall be imposed
15 upon any person who shall unlawfully possess a major part or component of a
16 firearm.

17 The penalty of *prision mayor* in its minimum period shall be imposed
18 upon any person who shall unlawfully acquire or possess ammunition for a
19 light weapon. If the violation of this paragraph is committed by the same
20 person charged with the unlawful acquisition or possession of a light weapon,
21 the former shall be absorbed by the latter.

22 The penalty of *prision mayor* in its maximum period shall be imposed
23 upon any person who shall unlawfully possess a major part or component of a
24 light weapon.

25 The penalty of *prision mayor* in its minimum period shall be imposed
26 upon any person who shall unlawfully acquire or possess armor-piercing
27 ammunition, incendiary ammunition and tracer ammunition or any
28 combination thereof, including bullets containing high explosives not
29 exceeding twenty (20) millimeters.

1 SEC. 30. *Use of Loose Firearm in the Commission of a Crime.* – If a
2 loose firearm or light weapon as defined in Section 3 of this Act is used in the
3 commission of a crime where the penalty imposable is more than six (6) years
4 and one (1) day, it shall be considered as a special aggravating circumstance.

5 If the crime committed with the use of a loose firearm or light weapon is
6 penalized by law with a maximum penalty lower than six (6) years and one (1)
7 day, the penalty to be imposed shall be *prision mayor* in its maximum period.

8 When a crime is committed with the use of a loose firearm or light
9 weapon by two (2) or more persons who have acted together, the maximum
10 penalty for the offense committed shall be imposed.

11 If the crime is committed by the person without using the firearm or
12 light weapon unlawfully acquired or possessed, the violation of this provision
13 shall be considered as a distinct and separate offense.

14 SEC. 31. *Liability of Juridical Person.* – The penalty of *prision mayor*
15 in its minimum to *prision mayor* in its medium period shall be imposed upon
16 the owner, president, manager, director or other responsible officer of any
17 public or private firm, company, corporation or entity who shall willfully or
18 knowingly allow any of the firearms owned by such firm, company,
19 corporation or entity to be used by any person or persons found guilty of
20 violating the provisions of the preceding paragraph, or willfully or knowingly
21 allow any of them to use unregistered firearm or firearms without any legal
22 authority to be carried outside of their residence in the course of their
23 employment.

24 SEC. 32. *Absence of Permit to Carry Outside of Residence.* – The
25 penalty of *prision correccional* and a fine of Ten thousand pesos (P10,000.00)
26 shall be imposed upon any person who is licensed to own a firearm but who
27 shall carry the registered firearm outside of residence without any legal
28 authority.

1 SEC. 33. *Unlawful Manufacture, Importation, Sale or Disposition of*
2 *Firearm, Light Weapon or Ammunition or Parts Thereof, Machinery, Tool or*
3 *Instrument Used or Intended to be Used in the Manufacture of Firearm, Light*
4 *Weapon, Ammunition or Parts Thereof.* – The penalty of *reclusion temporal*
5 to *reclusion perpetua* shall be imposed upon any person who shall unlawfully
6 engage in the manufacture, importation, sale or disposition of firearm, light
7 weapon or ammunition, or major parts of a firearm, a light weapon or
8 ammunition, or machinery, tool or instrument used or intended to be used by
9 the same person in the manufacture of firearm, light weapon, ammunition or
10 major parts thereof.

11 If the dealer, manufacturer or importer violates the requirements in the
12 permit such as using recycled indentors license, purchase orders, end-user
13 certificates and such instances not provided for in Section 40 of this Act, such
14 dealer, manufacturer or importer shall be perpetually disqualified to apply for a
15 permit, in addition to the imposable penalty of *reclusion temporal* or fine
16 equivalent to three (3) times the value of the manufactured, imported, sold or
17 disposed goods, or both fine and imprisonment.

18 The possession of any machinery, tool or instrument used directly in the
19 manufacture of firearms, light weapons, ammunition, or major parts thereof by
20 any person whose business or activity does not lawfully deal with the
21 manufacture of such articles, shall be *prima facie* evidence that such article is
22 intended to be used in the unlawful or illegal manufacture of firearms, light
23 weapons, ammunition or parts thereof.

24 The penalty of *reclusion temporal* shall be imposed upon any laborer,
25 worker or employee of a licensed firearms dealer who shall unlawfully take,
26 sell or otherwise dispose of parts of a firearm, light weapon or ammunition
27 which the company manufactures and sells, and other materials used by the

1 company in the manufacture or sale of firearms, light weapons or ammunition.
2 The buyer or possessor of such stolen parts or materials shall suffer the same
3 penalty as the laborer, worker or employee.

4 If the violation or offense is committed by a corporation, partnership,
5 association or other juridical entity, the penalty provided for in this section
6 shall be imposed upon the directors, officers, employees or other officials or
7 persons therein who knowingly and willingly participated in the unlawful act.

8 SEC. 34. *Arms Smuggling.* – The penalty of *reclusion perpetua* shall
9 be imposed upon any person who shall engage or participate in arms
10 smuggling as defined in this Act.

11 SEC. 35. *Obliteration or Alteration of Firearms Identification.* – The
12 penalty of *prision correccional* to *prision mayor* in its minimum period shall
13 be imposed upon any person who shall obliterate or alter, without authority, the
14 name of the maker, model or serial number, slide, frame or receiver and bolt
15 assembly, including its individual or peculiar identifying characteristics
16 essential in forensic examination of a firearm or light weapon.

17 The PNP shall place this information, including its individual or
18 peculiar identifying characteristics, into the database of integrated firearms
19 identification system of the PNP Crime Laboratory for future use and
20 identification of a particular firearm.

21 Possession of any firearm or light weapon with an obliterated or altered
22 identification shall be penalized with *prision correccional* in its minimum
23 period.

24 SEC. 36. *Use of an Imitation Firearm or Light Weapon.* – An
25 imitation firearm or light weapon used in the commission of a crime shall be
26 considered a real firearm or light weapon as defined in this Act and the person
27 who committed the crime shall be punished in accordance with this Act.

1 SEC. 37. *In Custodia Legis.* – During the pendency of any case filed
2 for any violation of the provisions of this Act, seized firearms, light weapons,
3 ammunition or parts thereof, machinery, tools or instruments shall remain in
4 the custody of the court. If the court decides that it has no adequate means to
5 safely keep the same, the court shall issue an order to turn over to the PNP
6 Crime Laboratory such firearm, light weapon, ammunition or parts thereof,
7 machinery, tools or instruments in its custody during the pendency of the case
8 and to produce the same to the court when so ordered. No bond shall be
9 admitted for the release of the firearm, light weapon, ammunition or parts
10 thereof, machinery, tool or instrument. Any violation of this section shall be
11 punishable by *prision mayor* in its minimum period to *prision mayor* in its
12 medium period.

13 SEC. 38. *Confiscation and Forfeiture.* – The imposition of penalty for
14 any violation of this Act shall carry with it the accessory penalty of
15 confiscation and forfeiture of the firearm, light weapon, ammunition or parts
16 thereof, machinery, tool or instrument in favor of the government which shall
17 be disposed of in accordance with law.

18 SEC. 39. *Liability for Planting Evidence.* – The penalty of *prision*
19 *mayor* in its maximum period shall be imposed upon any person who shall
20 willfully and maliciously insert, place or attach, directly or indirectly, through
21 any overt or covert act, any firearm, light weapon or ammunition or parts
22 thereof in the person, house, effects, or in the immediate vicinity of an innocent
23 individual for the purpose of implicating or incriminating the person, or
24 imputing the commission of any violation of the provisions of this Act to said
25 individual. If the person found guilty under this paragraph is a public officer
26 or employee, such person shall suffer the penalty of *reclusion perpetua*.

1 SEC. 40. *Grounds for Revocation, Cancellation or Suspension of*
2 *License or Permit.* – The Chief, PNP or the authorized representative may
3 revoke, cancel or suspend a license or permit on the following grounds:

4 (a) Commission of a crime or offense involving the firearm, light
5 weapon, ammunition or major parts thereof;

6 (b) Conviction of a crime involving moral turpitude or any offense
7 where the penalty carries an imprisonment of more than six (6) years;

8 (c) Loss of the firearm, light weapon, ammunition or any parts thereof
9 through negligence;

10 (d) Carrying of the firearm, light weapon, ammunition or major parts
11 thereof outside of residence or workplace without the proper permit to carry
12 the same;

13 (e) Carrying of the firearm, light weapon, ammunition or major parts
14 thereof in prohibited places;

15 (f) Dismissal for cause from the service in case of government official
16 or employee;

17 (g) Commission of any of the acts penalized under Republic Act
18 No. 9165, otherwise known as the “Comprehensive Dangerous Drugs Act of
19 2002”;

20 (h) Submission of falsified documents or misrepresentation in the
21 application to obtain a license or permit;

22 (i) Noncompliance of reportorial requirements; and

23 (j) By virtue of a court order.

24 SEC. 41. *Failure to Notify Lost or Stolen Firearm or Light*
25 *Weapon.* – A fine of Ten thousand pesos (P10,000.00) shall be imposed upon
26 any licensed firearm holder who fails to report to the FEO within a period of
27 thirty (30) days that the subject firearm has been lost or stolen from the date of
28 discovery of loss.

1 SEC. 44. *Final Amnesty.* – Persons in possession of unregistered
2 firearms and holders of expired licenses shall register and renew the same
3 through the Final General Amnesty within six (6) months from the
4 promulgation of the implementing rules and regulations of this Act. During the
5 interim period of six (6) months, no person applying for a license shall be
6 charged of any delinquent payment accruing to the firearm subject for
7 registration. The PNP shall conduct an intensive nationwide campaign to
8 ensure that the general public is properly informed of the provisions of this
9 Act.

10 SEC. 45. *Implementing Rules and Regulations.* – Within one hundred
11 twenty (120) days after the effectivity of this Act, the Chief, PNP, in
12 consultation with the representatives from the firearms industry and from the
13 nongovernment organizations, shall formulate the necessary rules and
14 regulations for the effective implementation of this Act to be published in at
15 least two (2) national newspapers of general circulation.

16 SEC. 46. *Separability Clause.* – If any provision of this Act or any
17 part hereof is held invalid or unconstitutional, the remainder of the law or the
18 provision not otherwise affected shall remain valid and subsisting.

19 SEC. 47. *Repealing Clause.* – This Act repeals all the provisions of
20 Presidential Decree No. 1866 relative to firearms and ammunition and all
21 other laws, executive orders, letters of instruction, issuances, circulars,
22 administrative orders, rules or regulations that are inconsistent therewith.

23 SEC. 48. *Effectivity.* – This Act shall take effect fifteen (15) days after
24 its publication in a newspaper of nationwide circulation.

Approved,