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REPUBLIC ACT No. 10591

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:

ARTICLE I
TITLE, DECLARATION OF POLICY AND DEFINITION OF TERMS

Section 1. Short Title. – This Act shall be known as the "Comprehensive Firearms and Ammunition Regulation 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. The State also recognizes the right of its qualified citizens to self-defense through, when it is the reasonable means to repel the unlawful aggression under the circumstances, the use of firearms. Towards this end, the State shall provide for a comprehensive law regulating the ownership, possession, carrying, manufacture, dealing in and importation of firearms, ammunition, or parts thereof, in order to provide legal support to law enforcement agencies in their campaign against crime, stop the proliferation of illegal firearms or weapons and the illegal manufacture of firearms or weapons, ammunition and parts thereof.

Section 3. Definition of Terms. – As used in this Act:

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

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

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

(d) *Arms smuggling* refers to the import, export, acquisition, sale, delivery, movement or transfer of firearms, their parts and components and ammunition, from or across the territory of one country to that of another country which has not been authorized in accordance with domestic law in either or both country/countries.

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

(f) *Authorized dealer* refers to any person, legal entity, corporation, partnership or business entity duly licensed by the Firearms and Explosive Office (FEO) of the PNP to engage in the business of buying and selling ammunition, firearms or parts thereof, at wholesale or retail basis.

(g) *Authorized importer* refers to any person, legal entity, corporation, partnership or business duly licensed by the FEO of the PNP to engage in the business of importing ammunition and firearms, or parts thereof into the territory of the Republic of the Philippines for purposes of sale or distribution under the provisions of this Act.

(h) *Authorized manufacturer* refers to any person, legal entity, corporation, or partnership duly licensed by the FEO of the PNP to engage in the business of manufacturing firearms, and ammunition or parts thereof for purposes of sale or distribution.

(i) *Confiscated firearm* refers to a firearm that is taken into custody by the PNP, National Bureau of Investigation (NBI), Philippine Drug Enforcement Agency (PDEA), and all other law enforcement agencies by reason of their mandate and must be necessarily reported or turned over to the PEO of the PNP.

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

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

(l) *Firearm* refers to any handheld or portable weapon, 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. For purposes of this Act, the barrel, frame or receiver is considered a firearm.

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

(n) *Forfeited firearm* refers to a firearm that is subject to forfeiture by reason of court order as accessory penalty or for the disposition by the FEO of the PNP of firearms considered as abandoned, surrendered, confiscated or revoked in compliance with existing rules and regulations.

(o) *Gun club* refers to an organization duly registered with and accredited in good standing by the FEO of the PNP which is established for the purpose of propagating responsible and safe gun ownership, proper appreciation and use of firearms by its members, for the purpose of sports and shooting competition, self-defense and collection purposes.

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

(q) *Imitation firearm* refers to a replica of a firearm, or other device that is so substantially similar in coloration and overall appearance to an existing firearm as to lead a reasonable person to believe that such imitation firearm is a real firearm.

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

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

(t) *Light weapons* are: Class-A Light weapons which refer to self-loading pistols, rifles and carbines, submachine guns, assault rifles and light machine guns not exceeding caliber 7.62MM which have fully automatic mode; and Class-B Light weapons which refer to weapons designed for use by two (2) or more persons serving as a crew, or rifles and machine guns exceeding caliber 7.62MM such as heavy machine guns, handheld underbarrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, portable launchers of anti-tank missile and rocket systems, portable launchers of anti-aircraft missile systems, and mortars of a caliber of less than 100MM.

(u) *Long certificate of registration* refers to licenses issued to government agencies or offices or government-owned or -controlled corporations for firearms to be used by their officials and employees who are qualified to possess firearms as provider in this Act, excluding security guards.

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

(w) *Major part or components of a firearm* refers to the barrel, slide, frame, receiver, cylinder or the bolt assembly. The term also includes any part or kit designed and intended for use in converting a semi-automatic burst to a full automatic firearm.

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

(y) *Permit to carry firearm outside of residence* refers to a written authority issued to a licensed citizen by the Chief of the PNP which entitles such person to carry his/her registered or lawfully issued firearm outside of the residence for the duration and purpose specified in the authority.

(z) *Permit to transport firearm* refers to a written authority issued to a licensed citizen or entity by the Chief of the PNP or by a PNP Regional Director which entitles such person or entity to transport a particular firearm from and to a specific location within the duration and purpose in the authority.

(aa) *Residence* refers to the place or places of abode of the licensed citizen as indicated in his/her license.

(bb) *Shooting range* refers to a facility established for the purpose of firearms training and skills development, firearm testing, as well as for sports and competition shooting either for the exclusive use of its members or open to the general public, duly registered with and accredited in good standing by the FEO of the PNP.

(cc) *Short certificate of registration* refers to a certificate issued by the FEO of the PNP for a government official or employee who was issued by his/her employer department, agency or government-owned or -controlled corporation a firearm covered by the long certificate of registration.

(dd) *Small arms* refer to firearms intended to be or primarily designed for individual use or that which is generally considered to mean a weapon intended to be fired from the hand or shoulder, which are not capable of fully automatic bursts of discharge, such as:

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

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

(ii) Revolver which is a hand-operated firearm with a revolving cylinder containing chambers for individual cartridges.

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

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

(ee) *Sports shooting competition* refers to a defensive, precision or practical sport shooting competition duly authorized by the FEO of the PNP.

(ff) *Tampered, obliterated or altered firearm* refers to any firearm whose serial number or other identification or ballistics characteristics have been intentionally tampered with, obliterated or altered without authority or in order to conceal its source, identity or ownership.

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

ARTICLE II OWNERSHIP AND POSSESSION OF FIREARMS

Section 4. Standards and Requisites for Issuance of and Obtaining a License to Own and Possess Firearms. – In order to qualify and acquire a license to own and possess a firearm or firearms and ammunition, the applicant must be a Filipino citizen, at least twenty-one (21) years old and has gainful work, occupation or business or has filed an Income Tax Return (ITR) for the preceding year as proof of income, profession, business or occupation.

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

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

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

- (c) The applicant has passed the drug test conducted by an accredited and authorized drug testing laboratory or clinic;
- (d) The applicant has passed a gun safety seminar which is administered by the PNP or a registered and authorized gun club;
- (e) The applicant has filed in writing the application to possess a registered firearm which shall state the personal circumstances of the applicant;
- (f) The applicant must present a police clearance from the city or municipality police office; and
- (g) The applicant has not been convicted or is currently an accused in a pending criminal case before any court of law for a crime that is punishable with a penalty of more than two (2) years.

For purposes of this Act, an acquittal or permanent dismissal of a criminal case before the courts of law shall qualify the accused thereof to qualify and acquire a license.

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

An applicant who intends to possess a firearm owned by a juridical entity shall submit his/her duty detail order to the FEO of the PNP.

Section 5. Ownership of Firearms and Ammunition by a Juridical Entity. – A juridical person maintaining its own security force may be issued a regular license to own and possess firearms and ammunition under the following conditions:

- (a) It must be Filipino-owned and duly registered with the Securities and Exchange Commission (SEC);
- (b) It is current, operational and a continuing concern;
- (c) It has completed and submitted all its reportorial requirements to the SEC; and
- (d) It has paid all its income taxes for the year, as duly certified by the Bureau of Internal Revenue.

The application shall be made in the name of the juridical person represented by its President or any of its officers mentioned below as duly authorized in a board resolution to that effect: *Provided*, That the officer applying for the juridical entity, shall possess all the qualifications required of a citizen applying for a license to possess firearms.

Other corporate officers eligible to represent the juridical person are: the vice president, treasurer, and board secretary.

Security agencies and LGUs shall be included in this category of licensed holders but shall be subject to additional requirements as may be required by the Chief of the PNP.

Section 6. Ownership of Firearms by the National Government. – All firearms owned by the National Government shall be registered with the FEO of the PNP in the name of the Republic of the Philippines. Such registration shall be exempt from all duties and taxes that may otherwise be levied on other authorized owners of firearms. For reason of national security, firearms of the Armed Forces of the Philippines (AFP), Coast Guard and other law enforcement agencies shall only be reported to the FEO of the PNP.

Section 7. Carrying of Firearms Outside of Residence or Place of Business. – A permit to carry firearms outside of residence shall be issued by the Chief of the PNP or his/her duly authorized representative to any qualified person whose life is under actual threat or his/her life is in imminent danger due to the nature of his/her profession, occupation or business.

It shall be the burden of the applicant to prove that his/her life is under actual threat by submitting a threat assessment certificate from the PNP.

For purposes of this Act, the following professionals are considered to be in imminent danger due to the nature of their profession, occupation or business:

- (a) Members of the Philippine Bar;
- (b) Certified Public Accountants;
- (c) Accredited Media Practitioners;
- (d) Cashiers, Bank Tellers;

(e) Priests, Ministers, Rabbi, Imams;

(f) Physicians and Nurses;

(g) Engineers; and

(h) Businessmen, who by the nature of their business or undertaking, are exposed to high risk of being targets of criminal elements.

ARTICLE III REGISTRATION AND LICENSING

Section 8. Authority to Issue License. – The Chief of the PNP, through the FEO of the PNP, shall issue licenses to qualified individuals and to cause the registration of firearms.

Section 9. Licenses Issued to Individuals. – Subject to the requirements set forth in this Act and payment of required fees to be determined by the Chief of the PNP, a qualified individual may be issued the appropriate license under the following categories;

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

Type 2 license – allows a citizen to own and possess a maximum of five (5) registered firearms;

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

Type 4 license – allows a citizen to own and possess a maximum of fifteen (15) registered firearms; and

Type 5 license – allows a citizen, who is a certified gun collector, to own and possess more than fifteen (15) registered firearms.

For Types 1 to 5 licenses, a vault or a container secured by lock and key or other security measures for the safekeeping of firearms shall be required.

For Types 3 to 5 licenses, the citizen must comply with the inspection and bond requirements.

Section 10. Firearms That May Be Registered. – Only small arms may be registered by licensed citizens or licensed juridical entities for ownership, possession and concealed carry. A light weapon shall be lawfully acquired or possessed exclusively by the AFP, the PNP and other law enforcement agencies authorized by the President in the performance of their duties: *Provided*, That private individuals who already have licenses to possess Class-A light weapons upon the effectivity of this Act shall not be deprived of the privilege to continue possessing the same and renewing the licenses therefor, for the sole reason that these firearms are Class "A" light weapons, and shall be required to comply with other applicable provisions of this Act.

Section 11. Registration of Firearms. – The licensed citizen or licensed juridical entity shall register his/her/its firearms so purchased with the FEO of the PNP in accordance with the type of license such licensed citizen or licensed juridical entity possesses. A certificate of registration of the firearm shall be issued upon payment of reasonable fees.

For purposes of this Act, registration refers to the application, approval, record-keeping and monitoring of firearms with the FEO of the PNP in accordance with the type of license issued to any person under Section 9 of this Act.

Section 12. License to Possess Ammunition Necessarily Included. – The licenses granted to qualified citizens or juridical entities as provided in Section 9 of this Act shall include the license to possess ammunition with a maximum of fifty (50) rounds for each registered firearm: *Provided*; That the FEO of the PNP may allow more ammunition to be possessed by licensed sports shooters.

Section 13. Issuance of License to Manufacture or Deal In Firearms and Ammunition. – Any person desiring to manufacture or deal in firearms, parts of firearms or ammunition thereof, or instruments and implements used or intended to be used in the manufacture of firearms, parts of firearms or ammunition, shall make an application to:

(a) The Secretary of the Department of the Interior and Local Government (DILG) in the case of an application for a license to manufacture; and

(b) The Chief of the PNP in the case of a license to deal in firearms and firearms parts, ammunition and gun repair.

The applicant shall state the amount of capitalization for manufacture or cost of the purchase and sale of said articles intended to be transacted by such applicant; and the types of firms, ammunition or implements which the

applicant intends to manufacture or purchase and sell under the license applied for; and such additional information as may be especially requested by the Secretary of the DILG or the Chief of the PNP.

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

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

Section 14. *Scope of License to Manufacture Firearms and Ammunition.* – The scope of the License to Manufacture firearms and ammunition shall also include the following:

- (a) The authority to manufacture and assemble firearms, ammunition, spare parts and accessories, ammunition components, and reloading of ammunitions, within sites, areas, and factories stated therein. The Secretary of the DILG shall approve such license;
- (b) The license to deal in or sell all the items covered by the License to Manufacture, such as parts, firearms or ammunition and components;
- (c) The authority to subcontract the manufacturing of parts and accessories necessary for the firearms which the manufacturer is licensed to manufacture: *Provided*, That the subcontractor of major parts or major components is also licensed to manufacture firearms and ammunition; and
- (d) The authority to import machinery, equipment, and firearm parts and ammunition components for the manufacture thereof. Firearm parts and ammunition components to be imported shall, however, be limited to those authorized to be manufactured as reflected in the approved License to Manufacture. The Import Permit shall be under the administration of the PNP.

A licensed manufacturer of ammunition is also entitled to import various reference firearms needed to test the ammunition manufactured under the License to Manufacture. A licensed manufacturer of firearms, on the other hand, is entitled to import various firearms for reference, test and evaluation for manufacture of similar, types of firearms covered by the License to Manufacture.

An export permit shall, however, be necessary to export manufactured parts or finished products of firearms and ammunition. The Export Permit of firearms and ammunition shall be under the administration of the PNP.

Section 15. *Registration of Locally Manufactured and Imported Firearms.* – Local manufacturers and importers of firearms and major parts thereof shall register the same as follows:

- (a) For locally manufactured firearms and major parts thereof, the initial registration shall be done at the manufacturing facility: *Provided*, That firearms intended for export shall no longer be subjected to ballistic identification procedures; and
- (b) For imported firearms and major parts thereof, the registration shall be done upon arrival at the FEO of the PNP storage facility.

Section 16. *License and Scope of License to Deal.* – The License to Deal authorizes the purchase, sale and general business in handling firearms and ammunition, major and minor parts of firearms, accessories, spare parts, components, and reloading machines, which shall be issued by the Chief of the PNP.

Section 17. *License and Scope of License for Gunsmiths.* – The license for gunsmiths shall allow the grantee to repair registered firearms. The license shall include customization of firearms from finished or manufactured parts thereof on per order basis and not in commercial quantities and making the minor parts thereof, i.e. pins, triggers, trigger bows, sights and the like only for the purpose of repairing the registered firearm. The license for gunsmiths shall be issued by the Chief of the PNP.

Section 18. *Firearms for Use in Sports and Competitions.* – A qualified individual shall apply for a permit to transport his/her registered firearm/s from his/her residence to the firing range/s and competition sites as may be warranted.

Section 19. *Renewal of Licenses and Registration.* – All types of licenses to possess a firearm shall be renewed every two (2) years. Failure to renew the license on or before the date of its expiration shall cause the revocation of the license and of the registration of the firearm/s under said licensee.

The registration of the firearm shall be renewed every four (4) years. Failure to renew the registration of the firearm on or before the date of expiration shall cause the revocation of the license of the firearm. The said firearm shall be confiscated or forfeited in favor of the government after due process.

The failure to renew a license or registration within the periods stated above on two (2) occasions shall cause the holder of the firearm to be perpetually disqualified from applying for any firearm license. The application for the renewal of the license or registration may be submitted to the FEO of the PNP, within six (6) months before the date of the expiration of such license or registration.

Section 20. *Inspection and Inventory.* – The Chief of the PNP or his/her authorized representative shall require the submission of reports, inspect or examine the inventory and records of a licensed manufacturer, dealer or importer of firearms and ammunition during reasonable hours.

ARTICLE IV ACQUISITION, DEPOSIT OF FIREARMS, ABANDONED, DEMILITARIZED AND ANTIQUE FIREARMS

Section 21. *Acquisition or Purchase and Sale of Firearms and Ammunition.* – Firearms and ammunition may only be acquired or purchased from authorized dealers, importers or local manufacturers and may be transferred or sold only from a licensed citizen or licensed juridical entity to another licensed citizen or licensed juridical entity: *Provided, That*, during election periods, the sale and registration of firearms and ammunition and the issuance of the corresponding licenses to citizens shall be allowed on the condition that the transport or delivery thereof shall strictly comply with the issuances, resolutions, rules and regulations promulgated by the Commission on Elections.

Section 22. *Deposit of Firearms by Persons Arriving From Abroad.* – A person arriving in the Philippines who is legally in possession of any firearm or ammunition in his/her country of origin and who has declared the existence of the firearm upon embarkation and disembarkation but whose firearm is not registered in the Philippines in accordance with this Act shall deposit the same upon written receipt with the Collector of Customs for delivery to the FEO of the PNP for safekeeping, or for the issuance of a permit to transport if the person is a competitor in a sports shooting competition. If the importation of the same is allowed and the party in question desires to obtain a domestic firearm license, the same should be undertaken in accordance with the provisions of this Act. If no license is desired or leave to import is not granted, the firearm or ammunition in question shall remain in the custody of the FEO of the PNP until otherwise disposed of in accordance with law.

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

Section 24. *Safekeeping of Firearms and Ammunition.* – Any licensee may deposit a registered firearm to the FEO of the PNP, or any Police Regional Office for safekeeping. Reasonable fees for storage shall be imposed.

Section 25. *Abandoned Firearms and Ammunition.* – Any firearm or ammunition deposited in the custody of the FEO of the PNP pursuant to the provisions of this Act, shall be deemed to have been abandoned by the owner or his/her authorized representative if he/she failed to reclaim the same within five (5) years or failed to advise the FEO of the PNP of the disposition to be made thereof. Thereafter, the FEO of the PNP may dispose of the same after compliance with established procedures.

Section 26. *Death or Disability of Licensee.* – Upon the death or legal disability of the holder of a firearm license, it shall be the duty of his/her next of kin, nearest relative, legal representative, or other person who shall knowingly come into possession of such firearm or ammunition, to deliver the same to the FEO of the PNP or Police Regional Office, and such firearm or ammunition shall be retained by the police custodian pending the issuance of a license and its registration in accordance with this Act. The failure to deliver the firearm or ammunition within six (6) months after the death or legal disability of the licensee shall render the possessor liable for illegal possession of the firearm.

Section 27. *Antique Firearm.* – Any person who possesses an antique firearm shall register the same and secure a collector's license from the FEO of the PNP. Proper storage of antique firearm shall be strictly imposed. Noncompliance of this provision shall be considered as illegal possession of the firearm as penalized in this Act.

ARTICLE V PENAL PROVISIONS

Section 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;
- (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;
- (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.

Section 29. Use of Loose Firearm in the Commission of a Crime. – The use of a loose firearm, when inherent in the commission of a crime punishable under the Revised Penal Code or other special laws, shall be considered as an aggravating circumstance: *Provided*, That if the crime committed with the use of a loose firearm is penalized by the law with a maximum penalty which is lower than that prescribed in the preceding section for illegal possession of firearm, the penalty for illegal possession of firearm shall be imposed in lieu of the penalty for the crime charged: *Provided, further*, That if the crime committed with the use of a loose firearm is penalized by the law with a maximum penalty which is equal to that imposed under the preceding section for illegal possession of firearms, the penalty of *prision mayor* in its minimum period shall be imposed in addition to the penalty for the crime punishable under the Revised Penal Code or other special laws of which he/she is found guilty.

If the violation of this Act is in furtherance of, or incident to, or in connection with the crime of rebellion or insurrection, or attempted *coup d' etat*, such violation shall be absorbed as an element of the crime of rebellion or insurrection, or attempted *coup d' etat*.

If the crime is committed by the person without using the loose firearm, the violation of this Act shall be considered as a distinct and separate offense.

Section 30. Liability of Juridical Person. – The penalty of *prision mayor* in its minimum to *prision mayor* in its medium period shall be imposed upon the owner, president, manager, director or other responsible officer of any public or private firm, company, corporation or entity who shall willfully or knowingly allow any of the firearms owned by such firm, company, corporation or entity to be used by any person or persons found guilty of violating the provisions of the preceding section, or willfully or knowingly allow any of them to use unregistered firearm or firearms without any legal authority to be carried outside of their residence in the course of their employment.

Section 31. Absence of Permit to Carry Outside of Residence. – The penalty of *prision correccional* and a fine of Ten thousand pesos (P10,000.00) shall be imposed upon any person who is licensed to own a firearm but who shall carry the registered firearm outside his/her residence without any legal authority therefor.

Section 32. Unlawful Manufacture, Importation, Sale or Disposition of Firearms or Ammunition or Parts Thereof, Machinery, Tool or Instrument Used or Intended to be Used in the Manufacture of Firearms, Ammunition or Parts Thereof. – The penalty of *reclusion temporal* to *reclusion perpetua* shall be imposed upon any person who shall unlawfully engage in the manufacture, importation, sale or disposition of a firearm or ammunition, or a major part of a firearm or ammunition, or machinery, tool or instrument used or intended to be used by the same person in the manufacture of a firearm, ammunition, or a major part thereof.

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

The penalty of *prision mayor* in its minimum period to *prision mayor* in its medium period shall be imposed upon any laborer, worker or employee of a licensed firearms dealer who shall unlawfully take, sell or otherwise dispose of parts of firearms or ammunition which the company manufactures and sells, and other materials used by the company in the manufacture or sale of firearms or ammunition. The buyer or possessor of such stolen part or material, who is aware that such part or material was stolen, shall suffer the same penalty as the laborer, worker or employee.

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

Section 33. Arms Smuggling. – The penalty of *reclusion perpetua* shall be imposed upon any person who shall engage or participate in arms smuggling as defined in this Act.

Section 34. Tampering, Obliteration or Alteration of Firearms Identification. – The penalty of *prision correccional* to *prision mayor* in its minimum period shall be imposed upon any person who shall tamper, obliterate or alter without authority the barrel, slide, frame, receiver, cylinder, or bolt assembly, including the name of the maker, model, or serial number of any firearm, or who shall replace without authority the barrel, slide, frame, receiver, cylinder, or bolt assembly, including its individual or peculiar identifying characteristics essential in forensic examination of a firearm or light weapon.

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

Section 35. Use of an Imitation Firearm. – An imitation firearm used in the commission of a crime shall be considered a real firearm as defined in this Act and the person who committed the crime shall be punished in accordance with this Act: *Provided*, That injuries caused on the occasion of the conduct of competitions, sports, games, or any recreation activities involving imitation firearms shall not be punishable under this Act.

Section 36. In Custodia Legis. – During the pendency of any case filed in violation of this Act, seized firearm, ammunition, or parts thereof, machinery, tools or instruments shall remain in the custody of the court. If the court decides that it has no adequate means to safely keep the same, the court shall issue an order to turn over to the PNP Crime Laboratory such firearm, ammunition, or parts thereof, machinery, tools or instruments in its custody during the pendency of the case and to produce the same to the court when so ordered. No bond shall be admitted for the release of the firearm, ammunition or parts thereof, machinery, tool or instrument. Any violation of this paragraph shall be punishable by *prision mayor* in its minimum period to *prision mayor* in its medium period.

Section 37. Confiscation and Forfeiture. – The imposition of penalty for any violation of this Act shall carry with it the accessory penalty of confiscation and forfeiture of the firearm, ammunition, or parts thereof, machinery, tool or instrument in favor of the government which shall be disposed of in accordance with law.

Section 38. Liability for Planting Evidence. – The penalty of *prision mayor* in its maximum period shall be imposed upon any person who shall willfully and maliciously insert; place, and/or attach, directly or indirectly, through any

overt or covert act, any firearm, or ammunition, or parts thereof in the person, house, effects, or in the immediate vicinity of an innocent individual for the purpose of implicating or incriminating the person, or imputing the commission of any violation of the provisions of this Act to said individual. If the person found guilty under this paragraph is a public officer or employee, such person shall suffer the penalty of *reclusion perpetua*.

Section 39. Grounds for Revocation, Cancellation or Suspension of License or Permit. – The Chief of the PNP or his/her authorized representative may revoke, cancel or suspend a license or permit on the following grounds:

- (a) Commission of a crime or offense involving the firearm, ammunition, of major parts thereof;
- (b) Conviction of a crime involving moral turpitude or any offense where the penalty carries an imprisonment of more than six (6) years;
- (c) Loss of the firearm, ammunition, or any parts thereof through negligence;
- (d) Carrying of the firearm, ammunition, or major parts thereof outside of residence or workplace without, the proper permit to carry the same;
- (e) Carrying of the firearm, ammunition, or major parts thereof in prohibited places;
- (f) Dismissal for cause from the service in case of government official and employee;
- (g) Commission of any of the acts penalized under Republic Act No. 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002";
- (h) Submission of falsified documents or misrepresentation in the application to obtain a license or permit;
- (i) Noncompliance of reportorial requirements; and
- (j) By virtue of a court order.

Section 40. Failure to Notify Lost or Stolen Firearm or Light Weapon. – A fine of Ten thousand pesos (P10,000.00) shall be imposed upon any licensed firearm holder who fails to report to the FEO of the PNP that the subject firearm has been lost or stolen within a period of thirty (30) days from the date of discovery.

Likewise, a fine of Five thousand pesos (P5,000.00) shall be imposed upon any person holding a valid firearm license who changes residence or office address other than that indicated in the license card and fails within a period of thirty (30) days from said transfer to notify the FEO of the PNP of such change of address.

Section 41. Illegal Transfer/Registration of Firearms. – It shall be unlawful to transfer possession of any firearm to any person who has not yet obtained or secured the necessary license or permit thereof.

The penalty of *prision correccional* shall be imposed upon any person who shall violate the provision of the preceding paragraph. In addition, he/she shall be disqualified to apply for a license to possess other firearms and all his/her existing firearms licenses whether for purposes of commerce or possession, shall be revoked. If government-issued firearms, ammunition or major parts of firearms or light weapons are unlawfully disposed, sold or transferred by any law enforcement agent or public officer to private individuals, the penalty of *reclusion temporal* shall be imposed.

Any public officer or employee or any person who shall facilitate the registration of a firearm through fraud, deceit, misrepresentation or submission of falsified documents shall suffer the penalty of *prision correccional*.

ARTICLE VI FINAL PROVISIONS

Section 42. Firearms Repository. – The FEO of the PNP shall be the sole repository of all firearms records to include imported and locally manufactured firearms and ammunition. Within one (1) year upon approval of this Act, all military and law enforcement agencies, government agencies, LGUs and government-owned or -controlled corporations shall submit an inventory of all their firearms and ammunition to the PNP.

Section 43. Final Amnesty. – Persons in possession of unregistered firearms and holders of expired license or unregistered firearms shall register and renew the same through the Final General Amnesty within six (6) months from the promulgation of the implementing rules and regulations of this Act. During the interim period of six (6) months, no person applying for license shall be charged of any delinquent payment accruing to the firearm subject for registration. The PNP shall conduct an intensive nationwide campaign to ensure that the general public is properly informed of the provisions of this Act.

Section 44. *Implementing Rules and Regulations.* – Within one hundred twenty (120) days from the effectivity of this Act, the Chief of the PNP, after public hearings and consultation with concerned sectors of society shall formulate the necessary rules and regulations for the effective implementation of this Act to be published in at least two (2) national newspapers of general circulation.

Section 45. *Repealing Clause.* – This Act repeals Sections 1, 2, 5 and 7 of Presidential Decree No. 1866, as amended, and Section 6 of Republic Act No. 8294 and all other laws, executive orders, letters of instruction, issuances, circulars, administrative orders, rules or regulations that are inconsistent herewith.

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

Section 47. *Effectivity.* – This Act shall take effect after fifteen (15) days from its publication in a newspaper of nationwide circulation.

Approved,

(Sgd.) **JUAN PONCE ENRILE**
President of the Senate

(Sgd.) **FELICIANO BELMONTE JR.**
Speaker of the House of Representatives

This Act which is a consolidation of Senate Bill No. 3397 and House Bill No. 5484 was finally passed by the Senate and the House of Representatives on February 4, 2013 and February 5, 2013, respectively.

(Sgd.) **EDWIN B. BELLEN**
Acting Senate Secretary

(Sgd.) **MARILYN B. BARUA-YAP**
Secretary General
House of Representatives

Approved: May 29, 2013

(Sgd.) **BENIGNO S. AQUINO III**
President of the Philippines