

[PRESIDENTIAL DECREE NO. 1745, November 20, 1980]

PROVIDING FOR THE DISPOSITION OF CASES INVOLVING SIMPLE ILLEGAL POSSESSION OF FIREARM, AMMUNITION, OR EXPLOSIVE, THE SURRENDER OF SUCH CONTRABAND UNDER CERTAIN GUARANTEES AND CONDITIONS, AND FOR OTHER PURPOSES.

WHEREAS, numerous cases of simple illegal possession of firearm, ammunition or explosive either are under investigation, or have been filed in court, or have resulted in conviction and sentence;

WHEREAS, reports from the law enforcement agencies further reveal that there are still a big number of loose or unlicensed firearms, ammunition or explosives in the possession of individuals a majority of whom, not having used such contraband for the commission of any other offense or offenses, may be desirous of surrendering the same but are prevented from doing so for fear of being punished in accordance with current laws;

WHEREAS, in order to give the aforementioned holders of loose or unlicensed firearms, ammunition or explosives the opportunity to dispose of the same without incurring criminal liability, it is necessary to adopt a liberal scheme for the purpose;

NOW, THEREFORE, 1, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree the following:

SECTION 1. *Grant of Amnesty.*— Amnesty is hereby decreed in favor of any person who, on or before the date of effectivity of this Decree, has been under arrest and/or investigation for, charged with, or convicted of, simple illegal possession of firearm, ammunition, or explosive, provided that he shall apply therefor in writing to the proper authorities within three (3) months from such date of effectivity. For purposes of this Decree, illegal possession of firearm, ammunition or explosive shall be deemed simple if no other, offense is committed with the use of such firearm, ammunition or explosive.

SEC. 2. *Persons Disqualified from Amnesty.* —The following are disqualified from amnesty under this Decree:

- a. Promoters, maintainers, heads or members of rebellious, seditious or subversive organizations or associations;
- b. Those who have been arrested, charged with and/or convicted of illegal possession of firearm, ammunition or explosive, with resultant offense or offenses.

SEC. 3. *Surrender of Firearms, Ammunition, Explosives.*— All laws, rules and regulations to the contrary notwithstanding, any person not otherwise disqualified under Section 2a hereof, who possesses any firearm, ammunition or explosive without any license or permit as prescribed by law may, without incurring any criminal liability therefor, surrender the same to the proper authorities within a period of three (3) months from the date of effectivity of this Decree: Provided, however, That the foregoing provision shall not be construed as barring the