

[REPUBLIC ACT NO. 10591, May 29, 2013]

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”.

SEC. 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.

SEC. 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, hut 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

SEC. 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.

SEC. 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;