

Official Gazette PH

Republic Act No. 10591

Published: [May 29, 2013](#).

S. No. 3397

H. No. 5484

**Republic of the Philippines
Congress of the Philippines
Metro Manila
Fifteenth Congress
Third Regular Session**

Begun and held in Metro Manila, on Monday, the twenty-third day of July, two thousand twelve.

[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”.

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;

(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.

SEC. 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.

SEC. 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

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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*.

SEC. 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, or 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.

SEC. 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.

SEC. 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

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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.

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

Approved,

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

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

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

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

Approved: May 29, 2013

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

Look also here: www.law.aboutphilippines.ph

Implementing Rules and Regulations of Republic Act No. 10591

Published: [December 7, 2013](#).

IMPLEMENTING RULES AND REGULATIONS OF [RA NO.10591](#), OTHERWISE KNOWN AS THE “COMPREHENSIVE FIREARMS AND AMMUNITION REGULATION ACT”

WHEREAS, Republic Act No.10591, otherwise known as “THE COMPREHENSIVE LAW ON FIREARMS AND AMMUNITION AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF”, was signed into law by the President of the Philippines on May 29, 2013;

WHEREAS, the Chief of the Philippine National Police is mandated by law to formulate the necessary rules and regulations for the effective implementation of the comprehensive law regulating ownership, possession, carrying, manufacture, dealing in and importation of firearms, ammunition or parts and providing stiffer penalties for violations thereof;

WHEREAS, Article VI, Section 44 of Republic Act No. 10591 mandated that, after public hearings and consultation with concerned sectors of the society, said Implementing Rules and Regulations (IRR) shall be implemented; and

NOW THEN, the Chief of the Philippine National Police, pursuant to the said mandate of the law, and after due public hearings and consultations, hereby promulgates the following Implementing Rules and Regulations in order to carry out the provisions of the said Act:

RULE I

GENERAL PROVISIONS

Section 1. Short Title

These Rules shall be known and cited as the Implementing Rules and Regulations of Republic Act No. 10591, otherwise known as “*Comprehensive Firearms and Ammunition Regulation Act*”.

Section 2. Declaration of State Policy

These rules shall be interpreted in the light of Article 1, Section 2 of Republic Act No. 10591, which stipulates that:

“It is the policy of the State to maintain peace and order and protect the people from violence. The State also recognizes the right of its qualified citizens to self-defense through, when it is the reasonable means to repel unlawful aggression under the circumstances, the use of firearms. Towards this end, the State shall provide for a comprehensive law regulating 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

For purposes of this IRR, the following terms or words and phrases shall mean or be understood as defined herein:

3.1 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;

3.2 Ammunition – refers to a complete unfired unit consisting of a bullet, gunpowder, cartridge case and primer or loaded shell for use in any firearm;

3.2.1 Bullet – The projectile propelled through the barrel of a firearm by means of the expansive force of gases coming from burning gunpowder;

3.2.2 Cartridge Case – A container, usually metal and cylindrical in shape, to be loaded with a primer, powder charge and bullet. After loading, it becomes a complete cartridge, of which the case is but one element. It is commonly made of brass, although some modern cartridge cases are made of steel, aluminum, or other materials;

3.2.3 Gun Powder – refers to any explosive powder used to propel projectiles intended for firearms; and

3.2.4 Primer – also called an “igniter”, refers to a device used for the purpose of setting fire to ignite the gun powder.

3.3 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;

3.4 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;

3.5 Assembling of Firearms – refers to the fitting together of legally acquired parts or spare parts of firearms to create a complete firearm;

3.6 Authority to Import – refers to a document issued by the Chief of the Philippine National Police (Chief, PNP) authorizing the importation of firearms, or their parts, ammunition and other components;

3.7 Authority to Export – refers to a document issued by the Chief, PNP authorizing the exportation of firearms, or their parts, ammunition and other components;

3.8 Authorized Bonded Firearm Custodian – refers to the employee of the juridical entity who is covered by bond to be accountable for the registered firearms under the name of the juridical entity;

3.9 Authorized Dealer – refers to any person, legal entity, corporation, partnership or business entity duly licensed by the Firearms and Explosives Office (FEO) to engage in the business of buying and selling ammunition, firearms or parts thereof, at wholesale or retail basis;

3.10 Authorized Importer – refers to any person, legal entity, corporation, partnership or business entity duly licensed by the FEO 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 IRR;

3.11 Authorized Manufacturer – refers to any person, legal entity, corporation, or partnership duly licensed by the FEO to engage in the business of manufacturing firearms and ammunition, or parts thereof for purposes of sale or distribution;

3.12 Bolt Action – refers to a type of firearm action in which the weapon's bolt is operated manually by the opening and closing of the breech;

3.13 Bond – refers to the cash or surety intended as a security and as a commitment to comply with all the existing laws and regulations of this IRR as determined by the PNP through the FEO, by a licensed citizen, a licensed juridical entity, licensed dealers, manufacturers or gunsmiths;

3.13.1 Authorized Firearm Custodian Bond – refers to the bond issued to an authorized firearm custodian as a security and as a commitment to comply with all the existing laws and regulations as defined in this IRR;

3.13.2 Firearm Bond – refers to the bond duly issued by an authorized insurance company as part of the registration of firearms to a licensed citizen or a licensed juridical entity;

3.13.3 Surety Bond – refers to the bond duly issued by an authorized Surety Company to firearm dealer, manufacturer or gunsmith.

3.14 Company Guard Force – refers to a security force maintained and operated by any private company/corporation utilizing its authorized employees to watch, secure or guard its business establishment premises, compound or properties;

3.15 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 FEO;

3.16 Conversion – refers to an act of assembling and combining parts of firearms designed and intended for use in converting a firearm action/mode and/or from one caliber to another;

3.17 Conversion kit – refers to firearm parts used to enhance the operational capability of a firearm from semi-automatic burst to fully automatic mode and/or burst and vice versa;

3.18 CSG – refers to the Civil Security Group of the Philippine National Police.

3.19 Demilitarized firearm – refers to a firearm deliberately made incapable of performing its main purpose of firing a projectile;

3.20 Duty Detail Order – refers to a document issued to a person 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;

3.21 FEO – refers to the Firearms and Explosives Office of the Philippine National Police;

3.22 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 the law, the barrel, frame or receiver is considered a firearm;

3.23 FEO Classification Board (FCB) – refers to the FEO classification body with a regulatory role to classify firearms, ammunition, explosives, explosives ingredients and other regulated items prior to sale, distribution and/or exhibition to ensure that such items conform to existing laws and regulations.

3.24 FEO License Revocation and Restoration Board (FLRRB) – refers to the FEO board with a regulatory function to study, review, validate and recommend the correction, deletion, revocation, cancellation, suspension or restoration of all issued licenses, registrations and permits relative to firearms and explosives through a Resolution.

3.25 Firearms Information Management System (FIMS) – refers to a computerized system that establishes a database of the licensee and the registered firearms information and generates reports which include the printing of license and certificate of registration and disposition;

3.26 Firearm Registration Card – refers to the card issued by the FEO as proof that the firearm is duly registered and recorded at the FIMS of the FEO;

3.27 Forfeited Firearm – refers to a firearm that was forfeited by reason of court order as accessory penalty or for the disposition of firearms considered as abandoned, surrendered, confiscated or revoked in compliance with existing rules and regulations by the FEO;

3.28 Full Automatic or Fully Automatic – refers to the firing mode and action of a firearm in which discharge of the entire magazine load with a single pull of its trigger is continuous until the triggering device is disengaged;

3.29 Government Guard Unit – a security unit whose members have permanent plantilla positions in the government, maintained and operated by any government entity other than military or police,

which is established and maintained for the purpose of securing the office or compound and/or extension of such government entity;

3.30 Gun Club – refers to an organization with at least fifteen (15) licensed citizens as members, duly registered with and authorized by the FEO which is established for the purpose of propagating gun safety and responsible gun ownership, proper appreciation and use of firearms by its members, for the purpose of sports and shooting competition, self-defence and collection purposes;

3.31 Gun Collector – refers to a licensed citizen who collects registered firearms;

3.32 Gunsmith - refers to any person, legal entity, corporation, partnership or business duly licensed by the FEO 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;

3.33 Imminent Threat – refers to an indication of something impending and usually undesirable or unpleasant which may inflict evil, injury or damage to another, usually as retribution or punishment for something done or left undone. It is a manifestation of an intention to inflict loss or harm upon another by illegal means and especially by involving coercion, duress or use of force over a person or his/her welfare;

3.34 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;

3.35 Indentor – refers to an individual or entity with an exclusive contract to facilitate the procurement of firearms, ammunition, spare parts and/or accessories in behalf of the AFP/PNP, law enforcement agency and/or other government agencies;

3.36 Indent License to Deal or Indentor's License – refers to a written authority granted by the Chief, PNP through the Chief, FEO to an indentor, indicating therein the number, types of firearms, ammunition, spare parts and accessories to be purchased.

3.37 Integrated Firearms Identification System (IFIS) – refers to a computerized firearms identification system used to capture and store into the database unique identifying characteristics of bullets and cartridge cases for forensic comparison and identification of a particular firearm;

3.38 Legal Disability – refers to a condition of a person who lacks the legal qualification or capacity, such as that of a minor or a mentally impaired person;

3.39 Letter Order (LO) or Mission Order (MO) – refers to a written directive or order issued by authorized Head of Law Enforcement Agencies (LEAs) to government employee/s with regular plantilla position under his/her supervision and control. Such order shall indicate the purpose of the mission, name of the employee, the firearm information, the specific duration and the place or places within the jurisdiction of the issuing authority allowing the bearer thereof to carry his/her

government-issued firearm within their jurisdiction and shall be strictly limited to the law enforcement mandate of the agency concerned.

3.40 Licensed Antique Firearm Collector – refers to any individual or entity duly licensed by the Chief, FEO on behalf of the Chief, PNP who legally acquires, owns, possesses, or disposes of antique firearms as defined in this IRR;

3.41 Licensed Citizen – refers to any Filipino duly issued with a license to own and possess or carry firearms outside of the residence in accordance with this IRR;

3.42 License to Deal (LTD) – refers to the license granted by the Chief, PNP to a qualified dealer to engage in the business of buying and selling ammunition, firearms or parts thereof, at wholesale or retail basis;

3.43 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 IRR;

3.44 License to Manufacture (LTM) – refers to the license granted by the Secretary of the Department of Interior and Local Government (DILG) to a qualified manufacturer to engage in the business of manufacturing firearms, and ammunition or parts thereof for purposes of sale or distribution;

3.45 License to Own and Possess Firearms (LTOPF) – refers to a written authority granted by the Chief, PNP through the Chief, FEO to a qualified individual for him/her to own and possess a firearm in accordance with this IRR;

3.46 Licensed Sports Shooter – refers to a licensed citizen who actively participates in sports shooting competition;

3.47 Light Weapons are: Class-A Light weapons which refer to self-loading pistols, rifles, 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 under barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank missile and rocket systems, portable launchers of anti-aircraft missile systems, and mortars of a caliber of less than 100MM;

3.48 Long Certificate of Registration (LCR) – refers to a regular license to own and possess firearms issued to government agencies or offices or Government-Owned or Controlled Corporations;

3.49 Long Regular Registration (LRR) – refers to a regular license to own and possess firearms issued to private firms, establishments, corporations or private security agencies.

3.50 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;

3.51 Major Parts or Components of a Firearm – refer 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;

3.52 Mill Run Parts – refer to semi-finished materials oftentimes called castings or forgings, or blank and cup with a partly rough shape and still needs machining work by mills, lathes or press machines to refine and give the desired final product as firearm parts or ammunition components;

3.53 Minor Parts of a Firearm – refer 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;

3.54 Permit to Carry Firearm Outside of Residence (PTCFOR) – refers to a written authority issued to a licensed citizen by the Chief, 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;

3.55 Permit to Transport (PTT) Firearm – refers to a written authority issued to a licensed citizen or a licensed juridical entity by the Chief, PNP through the Chief, FEO or by the PNP Regional Director (RD) which entitles such person or entity to transport particular firearm/s from and to a specific location, within the duration and purpose in the authority;

3.56 Private Individual – refers to licensed citizen and licensed juridical entity as used in Section 10 of this IRR.

3.57 Residence of the Licensee – refers to the place or places of abode of the licensed citizen as indicated in his/her license;

3.58 Residence of the Firearm/s – refers to the location where the firearm/s shall be kept and as indicated in the firearm registration card;

3.59 Serviceable Firearm – refers to the condition in which a firearm can still be used for its purpose;

3.60 Shooting Range – refers to a facility established for the purpose of firearms training and skills development, firearm testing, as well as for sports and shooting competition 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;

3.61 Short Certificate of Registration (SCR) – refers to a certificate granted by the FEO for a government official or employee with regular plantilla position who was issued a government-owned firearm covered by the Long Certificate of Registration (LCR);

3.62 Small Arms – refer to firearms intended to be 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:

3.62.1 Handgun is a firearm intended to be fired from the hand, which includes:

a) *Pistol* - is a hand-operated firearm having a chamber integral with or permanently aligned with the bore which may be self-loading; and

b) *Revolver* – is a hand-operated firearm with a revolving cylinder containing chambers for individual cartridges.

3.62.2 Rifle – 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

3.62.3 Shotgun – is a firearm 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.

3.63 SOSIA – refers to the Supervisory Office for Security and Investigation Agencies of the Philippine National Police;

3.64 Sports Shooting Competition – refers to a defensive, precision or practical firearm shooting tournament duly authorized by the FEO;

3.65 Tampered, Obliterated or Altered Firearm – refers to any firearm whose serial number or other identification or ballistic characteristics have been intentionally tampered with, obliterated or altered without authority or in order to conceal its source, identity or ownership;

3.66 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; and

3.67 Unserviceable Firearm – refers to a firearm which is beyond economic repair and can no longer be used for its purpose;

RULE II

OWNERSHIP AND POSSESSION OF FIREARMS

Section 4. Standards and Requisites for Issuance of and Obtaining a License to Own and Possess Firearms

4.1 In order to qualify and acquire a license to own and possess a firearm or firearms and ammunition, the applicant must be: a) a Filipino citizen; b) at least twenty-one (21) years old at the

time of the filing of his/her written application to own and possess a firearm or firearms; (c) 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.

4.2 For purposes of this IRR, a Filipino citizen shall refer to those who are mentioned in Section 1, Article IV of the 1987 Constitution. Those who are considered with “dual citizenship” pursuant to RA No. 9225, otherwise known as “Citizenship Retention and Reacquisition Act of 2003”, may also enjoy the privilege granted herein provided that they comply with all the standards and requisites set forth therein.

4.3 An individual who is physically challenged may be allowed to own and possess firearm/s provided that he/she can safely, efficiently and effectively operate and use said firearm.

4.4 The written application to own and possess firearm/s shall be filed at the FEO, in three (3) legible copies duly notarized, and must be accompanied by the original copy of the following requirements:

- a) Clearances issued by the Regional Trial Court (RTC) and Municipal/Metropolitan Trial Court (MTC) that has jurisdiction over the place where the applicant resides and/or the Sandiganbayan as the case may be, showing that he/she has not been convicted by final judgment of a crime involving moral turpitude or that he/she has not been convicted or is currently an accused in any pending criminal case before any court of law for a crime that is punishable with a penalty of more than two (2) years;
- b) Neuro-psychiatric clearance issued by the PNP Health Service and its accredited psychologist or psychiatrist;
- c) A certification that the applicant has passed the drug test conducted by PNP Crime Laboratory or any accredited and authorized drug testing laboratory or clinic.
- d) A certification that the applicant has passed a gun safety and responsible gun ownership seminar which is administered by the PNP or a registered and authorized gun club;
- e) National Police Clearance;
- f) NSO Birth Certificate;
- g) Proof of Latest Billing;
- h) At least two valid IDs (one Government issued ID);
- i) Income Tax Return (ITR), Certificate of Employment, Business permit or any appropriate document as proof of income; j) For *Government Employee* (Copy of Appointment Order, Oath of Office);
- k) For *Military Reservists* (J9 Clearance);

l) For *Overseas Filipino Worker (OFW)* (Certificate of Employment); and

m) *Retired Government Employee (Retirement Order* or appropriate document).

4.5 The payment for the License to Own and Possess Firearm shall be done after the approval of the application. The Order of Payment (OP) shall be issued by the FEO and the actual payment shall be made by the applicant to Land Bank of the Philippines or any government bank.

4.6 The subsequent acquittal of the applicant whose application was previously denied or was not given due course by reason of the pending criminal case or the permanent dismissal thereof is a ground for the re-filing of the application.

4.7 A licensed citizen who has at least sixteen (16) firearms upon the effectivity of this IRR shall be automatically certified as a gun collector and shall secure a Type 5 License to Own and Possess Firearms.

4.8 A qualified applicant shall submit the following requirements to be a certified gun collector to the FEO:

a) A copy of the License to Own and Possess Firearms (Type 3 and Type 4); and

b) Certification of updated Firearm Registration.

4.9 A qualified applicant citizen shall submit the following requirements to apply as antique firearm collector:

a) A copy of the License to Own and Possess Firearms; and

b) Certification from the National Museum that the firearm is antique (as the case may be).

4.10 A qualified applicant shall submit the following requirements to apply as a sports shooter:

a) A copy of the License to Own and Possess Firearms;

b) Certification from the President of a recognized Gun Club or Sports Shooting Association; and

c) Written Authority or Consent from Parents/Guardian (for minors).

4.11 The Duty Detail Order (DDO) shall be signed by the authorized firearm bonded custodian and the operations officer that authorizes the company guard force and/or security guard/s with License to Exercise Security Profession (LESP) issued by SOSIA to possess and use a firearm registered to and owned by his/her employer in line with or in the performance of his/her assigned task/duty.

4.12 The Duty Detail Order (DDO) of LGU shall be signed by the Local Chief Executive, Chief of Police/Provincial Director and authorized bonded firearm custodians, that authorizes the following to possess and use firearm/s registered to and owned by LGU in line with or in the performance of his/her assigned task/duty:

- a) Security officer with Civil Service Commission (CSC)-approved plantilla position assigned in the supervision of the security personnel of the LGU;
- b) Security officer with CSC-approved plantilla position assigned in the supervision and security of facilities owned by LGU;
- c) Security officer with CSC-approved plantilla position in charge with the security of the Local Chief Executive; and
- d) Security officer with CSC-approved plantilla position assigned to secure the financial resources of the LGU.

Section 5. Ownership of Firearms and Ammunition by a Juridical Entity

5.1 For purposes of this IRR, a juridical entity shall refer to the following: a) corporations, organizations, businesses duly registered with the Securities and Exchange Commission (SEC); b) a single proprietorship and/or partnership duly registered with the Department of Trade and Industry (DTI); c) cooperatives duly registered with the Cooperative Development Authority (CDA), and d) Local Government Units (LGUs).

5.2 A juridical entity such as private security agencies or corporations, organizations, businesses operating and maintaining its own security force or company guard force, respectively, whether as its main business or an adjunct thereof, may be issued a Long Regular Registration (LRR) to own and possess firearm/s and ammunition upon showing that it possesses the following qualifications:

- a) It must be Filipino-owned,
- b) It is current, operational and a continuing concern;
- c) It has completed and submitted all its reportorial requirements to the SEC/DTI/CDA;
- d) It has paid all its income taxes for the previous year, as duly certified/stamp received by the BIR; and
- e) It has a valid License to Operate (LTO) issued by Director, CSG through SOSIA.

5.3 The application shall be filed at the FEO in three (3) legible copies duly notarized and must be accompanied with the following requirements:

5.3.1 Private Firm/Business/Corporation/ Sole Proprietorship/Partnership/Cooperative;

- a) SEC/DTI/CDA Registration;
- b) Income Tax Return (ITR);
- c) Firearms Record Verification (FRV) issued by FEO;

- d) License to Operate issued by the Director, CSG through SOSIA;
- e) Insurance/Surety Bond/Cash Bond; and
- f) Company Profile.

5.3.2 Private Security Agency

- a) SEC/DTI/CDA Registration;
- b) Company Profile/Income Statement (Certified by a CPA);
- c) License to Operate issued by the Director, CSG through SOSIA;
- d) Firearms Record Verification (FRV) ; and
- e) Insurance/Surety Bond/Cash Bond.

5.4 For the Long Regular Registration (LRR), forms shall be accomplished in the name of the private firm, establishment or corporation, including Private Security Agencies (PSAs), which shall be represented by its president or owner or, in case the latter is not available, by any of the following: vice president, treasurer or corporate secretary.

The representative of the juridical entity shall submit a copy of the board resolution stating that he/she has been authorized for such purpose and the adoption of which shall be duly certified by the corporate secretary. The officer representing the juridical entity must possess the standard requirements mentioned in paragraphs 4.1 and 4.4 above.

5.5 In case of the Local Government Units (LGUs), the Local Chief Executive (Governor or Mayor) and Head of Office of GOCCs, respectively, shall represent the office concerned in the application of the Long Certificate of Registration (LCR).

5.5.1 Firearms of the LGUs and GOCCs shall be under the name of the concerned office and/or its authorized bonded firearm custodian; and

5.5.2 Registered firearms of the LGUs and GOCCs covered by LCR shall only be issued to a government official or employee with a permanent plantilla position through the Short Certificate of Registration (SCR) issued by the FEO. The officer representing the LGU or GOCC must possess the standard requirements mentioned in paragraphs 4.1 and 4.4 above.

5.6 LGU or GOCC maintaining its own Government Guard Units (GGUs) shall submit the following requirements to the FEO for the issuance of a Long Certificate of Registration (LCR) to own and possess firearm/s and ammunition:

- a) Application forms in three (3) legible and notarized copies;
- b) Certification for the Availability of Funds from the respective Head of Accounting Office;

- c) Recommendation from the Peace and Order Council for the Sanggunian to issue a Resolution authorizing the LGU to procure firearms and ammunition and to allocate funds in the annual budget, for the renewal of the corresponding license and registration thereof;
- d) Inventory of firearms certified by the authorized bonded firearms custodian;
- e) Approved Purchase Order; and
- f) Bond certificate of the authorized bonded firearms custodian.

Section 6. Ownership of Firearms by the National Government

6.1 Departments, bureaus, offices or agencies of the national government, including state universities and colleges which possess and maintain firearms in their respective inventories at the time of the effectivity of this IRR, shall register their respective firearms with the FEO. The registration shall be made in the name of the government agency or instrumentality of the Republic of the Philippines. Such registration shall be exempted from all duties and taxes that may otherwise be levied on authorized owners of firearms.

6.2 For reason of national security, firearms of the Armed Forces of the Philippines (AFP), the Philippine Coast Guard (PCG), the National Bureau of Investigation (NBI), the Philippine Drug Enforcement Agency (PDEA) and other Law Enforcement Agencies (LEAs) shall be reported only to the FEO with the following data: a) make, type, caliber and serial number of the firearms; b) date of acquisition; and (c) status of the firearm whether serviceable or non-serviceable.

6.3 The head of the department, bureau, office or the property custodian shall submit a report showing the following data: a) make, type, caliber and serial number of the firearms; b) date of acquisition; (c) status of the firearm whether serviceable or non-serviceable; and (d) the name of the property custodian.

6.4 Procurement of firearms by Law Enforcement Agencies shall undergo mandatory ballistics testing and registration for record purposes.

6.5 Firearms in possession of the national government agencies including Law Enforcement Agencies (LEAs) shall be reported to the FEO annually.

6.6 Firearms intended to be transferred through donation from local or foreign government units and other entities must be registered at the FEO.

Section 7. Carrying of Firearms Outside of Residence or Place of Business

7.1 A permit to carry firearms outside of residence or place of business shall be issued by the Chief, PNP or his/her duly authorized representative to the licensed citizen allowing him/her to carry the firearm outside the residence or place of business.

7.2 A licensed citizen whose life is under actual threat or imminent danger may apply for the issuance of a PTCFOR. The written application made under oath and duly notarized shall be filed together with the threat assessment certificate issued by the PNP.

7.3 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 and hence are not required to submit threat assessment certificates:

- a) Members of the Philippine Bar;
- b) Certified Public Accountants;
- c) Accredited media practitioners from recognized media institutions; Cashiers and bank tellers;
- d) Priests, Ministers, Rabbi, Imams;
- e) Physicians and nurses; and
- f) Businessmen, who by the nature of their business or undertaking duly recognized or regulated by law, are exposed to high risk of being targets of criminal elements.

7.4 Licensed sports shooter may apply for PTCFOR that will cover three (3) firearms at one time inclusive of the allowed quantity of ammunition mentioned in Section 12.

7.5 The PTCFOR shall serve as a waiver on the part of the licensed citizen for concerned law enforcement agents to inspect and verify the firearm/s covered by the said PTCFOR when carried outside of residence.

7.6 Special Permit to Carry Firearms Outside of Residence shall be granted by the Chief, PNP through PTCFOR-Secretariat to government employees who will use their privately owned and registered small arms for a specific law enforcement purpose.

7.7 Special Permit to Carry Firearms Outside of Residence shall be granted by the Chief, PNP through the Chief, FEO to individuals who are part of peace process negotiation other than members of the government peace negotiating panel.

7.8 Members of the PNP, AFP and other Law Enforcement Agencies (LEAs) may carry their licensed privately-owned firearms, in furtherance of their official duties and functions, subject to the following conditions:

- a) With License to Own and Possess Firearms (LTOPF) and Firearm Registration Card;
- b) With valid PTCFOR; and
- c) With valid LO/MO.

7.9 Members of the PNP, AFP and other Law Enforcement Agencies must apply for a PTCFOR-LEA, in order to be authorized to carry the corresponding government-issued firearm outside of residence:

- a) The Police Regional Director or his equivalent in the AFP and other law enforcement agencies, shall endorse to the Chief, PNP all application for PTCFOR-LEA;
- b) The application must be accompanied by the latest appointment order of the personnel applying for PTCFOR-LEA and a certificate of non-pending case duly issued for the purpose;
- c) The PTCFOR-LEA shall be issued only by the Chief, PNP through PTCFOR-Secretariat and shall be valid only for *one (1) year*;
- d) The fees to be charged in the filling of application for PTCFOR-LEA shall only be in such minimal amount corresponding to the actual administrative cost necessary for the issuance of the permit, as may be determined by the PNP; and
- e) The PTCFOR-LEA should always be accompanied by the corresponding Memorandum Receipt/Acknowledgment Receipt of Equipment (MR/ARE);

7.10 Letter Order/Mission Order (LO/MO) shall be issued by the authorized Head of Office. The scope of the LO/MO shall only be within the jurisdiction of the issuing Authority.

7.11 The following guidelines regarding the manner of carrying firearms shall be observed:

7.11.1 For Members of the PNP, AFP and other LEAs;

- a) When carried while in agency-prescribed uniform, firearms shall be placed in a holster securely attached to the belt, except for military pilots in flying uniforms and crew of armored vehicles who may carry their firearms in shoulder holster;
- b) When the agency-prescribed uniform does not include holster, or for those authorized to carry firearms outside of residence or of official station while in civilian attire, the firearms shall be concealed unless actually used for legitimate purpose. Displaying a firearm, when not used for a legitimate purpose, is prohibited; Violation of this provision shall be subject for immediate revocation of the License to Own and Possess Firearms and Firearm Registration.
- c) The practice of flagrantly displaying a firearm while in uniform or in civilian attire is prohibited; and
- d) Only such firearms specially described in corresponding MR/ARE or LO/MO or PTCFOR LEA shall be carried.

7.11.2 For All Other Persons: (including members of the PNP, AFP and other LEAs in civilian attire)

a) Display of firearms is prohibited. The firearms must always be concealed; Violation of this provision shall be subject for immediate revocation of the License to Own and Possess Firearms and Firearm Registration.

b) The firearm must be secured inside a vehicle or a motor cycle compartment.

7.12 The following other restriction shall likewise be observed:

a) PTCFOR-LEA is non-transferable;

b) The firearm shall not be brought inside places of worship, public drinking and amusement places and all other commercial or public establishment.

c) The PTCFOR-LEA must be carried together with the valid MR/ARE, or MO/LO as the case may be.

d) Expired, revoked, cancelled, or nullified License to Own and Possess Firearm and firearm registration will automatically invalidate the corresponding PTCFOR-LEA.

7.13 Authority to Issue Mission Order Involving the Carrying of Firearm

The following are authorized to issue mission orders with provisions which may entitle the bearer thereof to carry his issued/licensed firearm and ammunition for the duration of such mission.

7.13.1 For officers, men and regular civilian agents of the Armed Forces of the Philippines (AFP)

a) The Chief of Staff, AFP;

b) Chiefs of the General/Special/technical and Personal Staffs;

c) Commanders of the AFP Major Services including the Chiefs of their respective General/special/Technical and Personal Staffs;

d) Commanders and Chiefs of Staffs of AFPWSSUs and major commands/units of the AFP and the Major Services;

e) Commanders of the battalions and higher units and their equivalent in the Philippine Air Force and Philippine Navy

f) Commanders of AFP intelligence units from GHQ AFP down to regional command levels

g) Detachment commanders in remote areas whose higher commanders are not easily available to issue such orders.

7.13.2 For members of the Philippine National Police (PNP):

a) Police Director General

- b) Deputy Director General for Admin and Operation ;
- c) The Chief Directorial Staff;
- d) Directors, The Directorate Office;
- e) Directors NSUs (NASU/NOSU);
- f) Regional Directors;
- g) District Directors of NCRPO; h) Inspector General of IAS; and i) Provincial Director/City Director.

7.13.3 For members of the National Bureau of Investigation:

- a) The Director;
- b) The Deputy Director; and
- c) Regional Directors.

7.13.4 For agents of the National Intelligence and Coordinating Authority (NICA):

- a) The Director-General, NICA; and
- b) The General Manager.

7.13.5 For members of Bureau of Jail Management and Penology:

- a) The Director-General, BJMP; and
- b) The Deputy Director; and
- c) Regional Directors.

7.13.6 For Other Law Enforcement Agencies:

- a) Department Head/Bureau Head; and
- b) Head of Regional Offices.

7.14 In case of Permit to Transport (PTT), the magazine (loaded/unloaded) shall be carried separately from the firearm except for law enforcement personnel with Letter Order/Mission Order (LO/MO) or security personnel with Duty Detail Order (DDO).

RULE III

REGISTRATION AND LICENSING

Section 8. Authority to Issue License

8.1 The Chief, PNP through the FEO, after the processing of the written application, shall approve the issuance of License to Own and Possess Firearms to qualified individuals and to cause the registration of firearms in accordance with this IRR.

8.2 All government employees, retirees from the government service and military reservists shall have 50% discount on fees for License to Own and Possess Firearms and registration of firearms.

8.3 Senior Citizens, who are not active or retired government employees, shall have 20% discount on fees for License to Own and Possess Firearms and registrations of firearms.

8.4 All government employees, retirees from the government service, military reservists or senior citizens shall only pay the card fee for PTCFOR.

8.5 The seminar fee for Gun Safety and Responsible Gun Ownership shall be collected on separate account by the PNP Finance Service and shall be made available for use of FEO and other PNP units involved in Firearms Licensing Operations, subject to accounting and auditing rules and regulations.

8.6 The FEO shall retain twenty percent (20%) of the total collections for firearms and explosives fees and charges as FEO Regulatory Fund to fund the direct operating expenses of the FEO and other regulatory activities. Other PNP offices/units involved in the processing of firearms and explosives fees and charges shall submit the Estimates of Income and Revenue (EIR) from operations, together with their Program of Expenditures to the Chief, PNP (Attn: Director for Comptrollership), which shall be the basis for the control and utilization of the Trust Receipt. It is understood, however, that the disbursement of the above is subject to accounting and auditing rules and regulations.

Section 9. Licenses Issued to Individuals

9.1 Subject to the requirements mentioned in paragraphs 4.1 and 4.4 of this IRR, which are inclusive unless subsequently amended or modified, a qualified individual based on the findings and recommendations of the FEO may be issued any of the licenses hereunder mentioned:

- a) Type 1 license – allows a citizen to own and possess a maximum of two (2) registered firearms;
- b) Type 2 license – allows a citizen to own and possess a maximum of five (5) registered firearms;
- c) Type 3 license – allows a citizen to own and possess a maximum ten (10) registered firearms;
- d) Type 4 license – allows a citizen to own and possess a maximum of fifteen (15) registered firearms; and

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

9.2 Application for sports shooter’s license or antique firearm collector’s license may be done simultaneously with the application for License to Own and Possess Firearms.

9.3 Application for gun collector’s license shall be done as pre-requisite for acquiring Type 5 License to Own and Possess Firearms.

9.4 For Types 1 to 5 licenses, a vault or container secured by lock and key, or other security measures appropriate under the premises imposed by the FEO, as a prerequisite for the approval of the license or registration, shall be required.

9.5 For Type 5 license, the applicant must prove through appropriate documents or records the fact of his/her being a certified gun collector.

9.6 For Types 3 to 5 licenses, the licensed citizen must comply with the inspection requirements of the PNP. Failure on their part to comply with any of the requirements herein mentioned is a ground for the cancellation of license and/or registration.

9.7 Private individuals who are licensed holders of Class-A light weapon must comply with the provisions of paragraphs 9.4 and 9.6 of this section.

9.8 In case of upgrading the type of the License to Own and Possess Firearms, the following requirements shall be complied and submitted to the FEO:

- a) Certification from the FEO that the Licensee is clear of any Derogatory Records;
- b) Previous License to Own and Possess Firearms;
- c) Updated Registration of Firearms; and
- d) Inspection Report (for upgrading Type 3 to Type 5 License).

Section 10. Firearms That May Be Registered

10.1 Only small arms as defined in this IRR may be registered by licensed citizens or licensed juridical entities for ownership, possession and concealed carry.

10.2 A light weapon as defined in this IRR shall be lawfully acquired or possessed exclusively by the AFP, the PNP and other law enforcement agencies authorized for such purpose by the President or by law that Congress may pass after the effectivity of this IRR.

10.3 Private individuals who are already licensed holders for Class-A light weapons as herein defined upon the effectivity of this IRR shall not be deprived of the lawful possession thereof, provided that they renew their licenses and firearm registration and they continue to possess the standard requirements mentioned in paragraphs 4.1 and 4.4, in this IRR.

10.4 Conversion of a registered Class-A light weapon to small arm may be allowed upon the approval of the Chief, PNP through the FEO. Conversion shall be done by the licensed gunsmith or authorized manufacturer supervised by authorized representative of the FEO. The firearm parts that were removed (which contribute to the full automatic characteristic/mode of the firearm) shall be turned-over to the FEO for final disposition

10.5 Registered firearms or ammunition or major parts acquired or purchased by licensed citizen or licensed juridical entity in accordance with these rules may be transferred or sold only to a licensed citizen or licensed juridical entity with appropriate type of license. Provided, that private individuals with existing registered Class "A" Light Weapon may transfer its registration to another private individual with at least Type 3 License and has an existing registered Class "A" Light Weapon. Provided further, that upon effectivity of this Implementing Rules and Regulations, no licensed individual may register more than two (2) Class "A" Light Weapons except those licensed individuals referred to in paragraph 10.3 of this IRR.

10.6 Failure to renew the registration of a Class-A light weapon or comply with the standards and requirements for renewal purposes shall be a ground for the cancellation of the registration. In case of revocation of license and cancellation of registration, the individual concerned shall surrender the weapons herein mentioned to the nearest police station within thirty (30) days, except when there are other justifying circumstances. Otherwise, he/she could be charged for violation of the law.

Section 11. Registration of Firearms

11.1 A Licensed citizen or a licensed juridical entity shall register his/her or its lawfully acquired firearm/s with the FEO in accordance with the provisions of this IRR. Only upon compliance with all of the requirements for purposes of registration, including the payment of the prescribed fees, shall a registration card be issued for each of the firearms owned by the licensed citizen.

11.2 For registration purposes and unless amended or modified by the Chief, PNP, the prescribed schedule of fees and charges shall be collected by the FEO.

11.2.1 Requirements for Registration of firearms (Newly Purchase):

- a) License to Own/Possess Firearms (Type 1- 5);
- b) Certificate of Ballistics Testing;
- c) Firearm Bond; and
- d) Registration fees.

11.2.2 Requirements for Registration of firearms (Transfer):

- a) License to Own/Possess Firearms (Type 1- 5);
- b) Firearm Bond;

- c) Deed of Sale/Donation (if subject for donation)
- d) Certificate of Records of Ballistics Testing and Stencil; and
- e) Registration Fees.

11.2.3 Requirements for Registration of firearms (Juridical):

- a) Deed of Absolute Sale/Donation (if subject for donation);
- b) Firearm Bond;
- c) Authority to Purchase/Transfer issued by SOSIA;
- d) For LGUs, inventory report of the firearms signed by the Head of Office and SAO/Property Custodian;
- e) LTO for PSAs, GGUs, CGFs; and
- f) Certification from SEC or DTI or CDA, as the case maybe.

11.2.4 After the approval of the application, the Order of Payment (OP) shall be issued and the corresponding fees shall be paid by the applicants at the Land Bank of the Philippines (LBP) or any government bank.

11.3 A licensed citizen may apply for the acquisition of an extra barrel, frame or cylinder provided that he/she will register it as a firearm with the registration fee of Php500.00 which is valid for four (4) years.

11.4 A licensed citizen may apply for the acquisition of an extra barrel, frame or cylinder as a replacement provided that he/she will register it as a firearm with the registration fee of Php500.00 which is valid for four (4) years.

11.5 The FEO shall impose a firearm bond for each firearm registered under a licensed citizen.

11.6 In case of transfer of firearm/s owned by juridical entity, a written request shall be submitted by the applicant to the Chief, PNP through the Chief, SOSIA who will in turn endorse said transfer to the Chief, FEO for his approval.

Section 12. License to Possess Firearms Necessarily Includes Possession of Ammunition

12.1 The license to individual or juridical entity for the ownership and possession of registered firearms necessarily includes the license to possess ammunition appropriate to the registered firearm which shall not exceed fifty (50) rounds per firearm at any given time.

12.2 A licensed citizen shall secure first a sports shooter's license before he/she be allowed to possess ammunition more than the prescribed quantity. Only licensed sports shooter shall be

allowed to possess ammunition of more than fifty (50) rounds but not more than one thousand (1000) rounds for each of the registered firearm. However, in meritorious cases, a licensed sports shooter may request for approval from the Chief, PNP through the FEO to carry more than the allowed quantity which is subject to additional fees.

Section 13. Issuance of License to Manufacture and Deal in Firearms and Ammunition

13.1 Any person, natural or juridical, legal entity, corporation, partnership, desiring to engage in the business of manufacturing or dealing in firearms, parts of firearms, or ammunition thereof, or instruments and implements used or intended to be used for purposes of sale or distribution shall first secure the appropriate license for such purpose.

13.2 Authority to Issue License to Manufacture

13.2.1 The approving authority for the new application of License to Manufacture firearms and ammunition shall be the Secretary of the DILG. The Chief, PNP shall approve the application for renewal to include amendment of the license.

13.2.2 The application for an additional site for a licensed manufacturer due to expansion or location in special economic processing zones (export, defense industry) shall be for the approval of the Chief, PNP. Its renewal and amendment shall be approved by the Chief, FEO.

13.2.3 The Order of Payment (OP) for the License to Manufacture shall be issued by the FEO and the actual payment shall be made by the applicant to Land Bank of the Philippines or any government bank.

13.3 Requirements for Issuance of License to Manufacture

The following requirements shall be submitted to acquire License to Manufacture and Deal in Firearms and Ammunition and to include its succeeding renewal:

13.3.1 For New Application:

Basic letter from the applicant addressed to the SILG (through the Chief, PNP) requesting for the issuance of a License to Manufacture Firearms, parts of firearms, ammunition and its components, or instruments and implements used or intended to be used in the manufacture of firearms and/or ammunition with the following attachments:

- a) Application form duly accomplished;
- b) Undertaking that the applicant will abide by all firearms rules, laws, and regulations;
- c) Location map of the factory showing distance from the nearest Police Headquarters;
- d) Floor plan of the factory and pictures of its interior and exterior view as well as the storage area of the firearms and ammunition;

- e) Certificate of Registration of the firm with the Securities and Exchange Commission (SEC) or Department of Trade and Industry (DTI) or Cooperative Development Authority (CDA);
- f) Name of the Proprietor/Manager who will actually manage the factory including his/her clearances (Chief of Police, Mayor, Court Clearances, and National Police Clearance);
- g) Certification/Affidavit from the Corporate Treasurer or Bank statement stating therein the amount of Php5,000,000.00 as proof of capitalization;
- h) Certification from the Provincial Director/City Director (PD/CD) or Chief of Police (NCRPO) that the site is safe and secure from insurgents/terrorists for the operation of the factory;
- i) FEO Inspection Report; and
- j) Surety Bond.

13.3.2 For Renewal

Basic letter from the applicant addressed to the Chief, PNP through the Chief, FEO requesting for the renewal of the License to Manufacture firearms, parts of firearms, ammunition and its components, or instruments and implements used or intended to be used in the manufacture of firearms and/or ammunition with the following attachments:

- a) Application form duly accomplished;
- b) Copy of the License to Manufacture;
- c) Mayors Permit to Operate Business from the City/Municipality where the licensee operates;
- d) Name of the Proprietor/Manager who will actually manage the factory including his/her clearances (Chief of Police, Mayor, Court Clearances, and National Police Clearance);
- e) Summary of transactions made during the validity of the License to Manufacture for firearms and major parts only;
- f) Storage Fee;
- g) FEO Inspection Report; and h) Surety Bond.

13.4 License to Deal

13.4.1 The approving authority for the new application of License to Deal firearms and ammunition shall be the Chief, PNP. The Chief, FEO shall approve the application for renewal to include amendment of the license.

13.4.2 Authorized Dealers shall apply for an Authority to Operate a new branch or amendment of the same for the approval of the Chief, FEO. Its renewal and amendment shall likewise be approved by the Chief, FEO.

13.4.3 The Order of Payment (OP) for the License to Deal shall be issued by the FEO and the actual payment shall be made by the applicant to Land Bank of the Philippines or any government bank.

13.1 Requirements for Issuance of License to Deal

13.1.1 For New Application

Basic letter from the applicant addressed to the Chief, PNP through the Chief, FEO requesting for the issuance of License to Deal in firearms, parts of firearms, ammunition, ammunition components, ammunition reloading machines and its parts, accessories, tools and implements with the following attachments:

- a) Application form duly accomplished;
- b) Undertaking that applicant will abide by all firearms laws, rules, and regulations;
- c) Dealer's Surety Bond;
- d) Location of the gun store showing distance from the nearest Police Stations;
- e) Floor plan of the gun store and pictures showing the location of gun store including its interior and exterior view and its vaults;
- f) The size of the vault shall be enough to accommodate the firearms and ammunitions at the gun store at any given period;
- g) Certificate of Registration of the firm with the Securities and Exchange Commission (SEC) or Department of Trade and Industry (DTI) or Cooperative Development Authority (CDA);
- h) Name of the Proprietor/Manager who will actually manage the store including his/her clearances (Chief of Police, Mayor, Court Clearances, and National Police Clearance);
- i) Certification/Affidavit from the Corporate Treasurer or Bank statement stating therein the amount of Php500,000.00 as proof of capitalization;
- j) Certification from the Provincial Director/City Director (PD/CD) or Chief of Police (NCRPO) that the site is safe and secure from insurgents/terrorists for the operation of the store; and
- k) FEO Inspection Report.

13.1.2 For Renewal

For renewal, basic letter shall be submitted by the applicant addressed to the Chief, FEO requesting renewal of a License to Deal in firearms, parts of firearms, ammunition, ammunition components, ammunition reloading machines and its parts, accessories, tools and implements with the following attachments:

- a) Application form duly accomplished;
- b) Copy of the License to Deal;
- c) Mayors Permit to Operate Business from the City/Municipality where the licensee operates;
- d) Name of the Proprietor/Manager who will actually manage the store/dealership including his/her clearances (Chief of Police, Mayor, Court Clearances, and National Police Clearance;
- e) Summary of transactions made during the validity of the License to Deal for firearms and major parts only;
- f) Storage Fee;
- g) FEO Inspection Report; and h) Surety Bond.

13.2 The License to Manufacture or License to Deal shall be valid for a period of five (5) years.

13.3 The application for the renewal of the License to Manufacture or License to Deal shall be submitted to the FEO within six (6) months before the date of expiration of such license.

13.4 In the application for renewal of the License to Manufacture or License to Deal, the Chief, PNP may grant a license for a longer period in the following instances, without prejudice to the inspection requirements under Section 20 and revocation authority under Section 39:

- a) In meritorious cases such as expansion or domestic and/or foreign investment partnerships/joint ventures; or
- b) With regard to the capability of the applicant in terms of factors such as but not limited to capitalization, equipment, number of dealership locations and facilities, number of employees, and years in operation.

13.5 An authorized manufacturer or authorized dealer shall submit all the requirements for renewal not less than ninety (90) days prior to the license expiry date. The Chief, FEO can grant an extension of the license for six (6) months pending the approval of the application for renewal.

13.6 Reloading Machines

13.6.1 Gun Clubs recognized by the FEO or licensed sports shooter may purchase or possess ammunition-reloading machines provided that they secure permit to possess the same for the exclusive use of the gun club members and licensed sports shooters.

13.6.2 The approving authority for the new application of the Permit to Possess Reloading Machines of Gun Clubs recognized by the FEO or licensed sports shooter shall be the Chief, PNP. Its renewal shall be approved by the Chief, FEO.

13.6.3 All ammunition produced by the recognized Gun Clubs shall be used by its members in target practice or competitions only. All ammunition produced by the licensed sports shooter shall be for his/her exclusive use. Commercial sale of said ammunition is prohibited. Failure to comply with this provision shall cause the revocation of the permit granted by the FEO.

13.6.4 Loading and reloading machines of gun clubs and sports shooter shall be serialized and registered with the FEO. Registration of such is valid for four (4) years and its renewal shall be done six (6) months before its expiration.

13.6.5 Loading and reloading machines may only be transferred or sold to Law Enforcement Agencies (LEAs), registered gun clubs, licensed sports shooter, authorized manufacturer and authorized dealer with Permit to Load/Reload Ammunition.

13.6.6 Reloading machines in the possession of licensed citizen/s, licensed juridical entities or law enforcement agencies before the effectivity of this IRR shall be registered with the FEO and comply with the requirements set forth for this purpose.

13.6.7 Gun clubs or licensed sports shooter shall submit a monthly report on the production and disposal of reloaded ammunition with the FEO.

13.7 The FEO shall impose a surety bond for authorized manufacturer.

Section 14. Scope of License to Manufacture Firearms and Ammunition

14.1 The License to Manufacture firearms, parts of firearms and ammunition shall include assembly of firearms, manufacture of parts and accessories to complete the firearm, repair of defective firearms pursuant to the warranty provision in the contract of sale or as a result of wear and tear, processing of ammunition components, loading, reloading and disassembly of ammunition, enhancement and refurbishing of firearms, and such other acts necessary and indispensable for the full utilization/implementation of the license.

14.2 The License to Manufacture includes the authority granted to the authorized manufacturer to deal in or sell all the manufactured items covered by the said license.

14.3 The License to Manufacture shall further include the authority to subcontract the manufacturing of parts and accessories necessary for the firearms. In case that the subcontractor desires to manufacture a finished usable major part, the subcontractor shall secure first a License to manufacture such part.

14.4 The License to Manufacture shall also include the Authority to Import machinery, equipment and the firearm parts and ammunition components. Imported firearm parts and ammunition components shall be limited to those authorized to be manufactured as stated in the approved

license. The Authority to Import shall be for the approval of the Chief, PNP or his/her authorized representative. Importation of mill run parts does not require such permit.

14.4.1 Requirements for Issuance of Authority to Import

- a) Letter request addressed to the Chief, PNP stating the items to be imported; and
- b) Photocopy of License to Manufacture.

14.5 Authorized manufacturer is entitled to import various firearms for reference, test and evaluation for manufacture of similar types of firearms covered by the License to Manufacture. Further, authorized manufacturer is also entitled to various reference firearms needed to test the ammunition manufactured as covered by its License to Manufacture.

14.6 Authorized manufacturer shall secure Authority to Export manufactured parts or finished products of firearms and ammunition. The Export Permit of firearms and ammunition shall be for the approval of the Chief, PNP or his/her authorized representative. Exportation of mill run parts does not require such permit.

14.6.1 Requirement for Issuance of Authority to Export

Authorized manufacturer may export its products to countries with diplomatic relations with the Philippines upon submission of the following requirements:

- a) Letter request from applicant addressed to Chief, PNP and coursed through the Chief, FEO;
- b) Copy of License to Manufacture;
- c) Letter intent from foreign buyer; and
- d) End-User Certificate (EUC).

14.6.2 Export Permit for sample, demonstration, test and evaluation, and trade exhibits

Export Permit for sample, demonstration, test and evaluation, and trade exhibits may be issued at the level of the Chief, FEO provided that the number of firearms shall not exceed five (5) per type/model of firearm and ammunition shall not exceed ten thousand (10,000) rounds per firearm and upon the submission of the following requirements:

- a) Letter request from applicant addressed to the Chief, FEO;
- b) Copy of License to Manufacture; and
- c) Letter of intent or invitation from foreign buyer or trade show organizer.

14.7 Firearms and ammunition for reference, sample, demonstration, test and evaluation shall not be allowed for sale and distribution. Said firearms and ammunition may, at the option of the authorized

manufacturer or authorized dealer, remain in its possession provided that they shall secure the necessary license and register the same under its company name, or donate the said items to the PNP through the FEO, or return said items to its original source.

14.8 Permit to Transport Firearms and Ammunition shall be applied for by the authorized manufacturer for the following purposes:

- a) Transport from factory to FEO Storage facility and vice versa;
- b) Transport from factory to subcontractor and vice versa;
- c) Transport from FEO storage or manufacturer to exhibit, display, demonstration or testing site and vice versa;
- d) Transport from FEO Storage to Authorized Dealer's gun stores and vice versa;
- e) For imported items, transport from port of entry to FEO storage or manufacturer's factory;
- f) For exportation, transport from manufacturer's factory or FEO storage to port of exit; and
- g) Transport from authorized manufacturer's factory to its clients and vice versa.

14.8.1 The approving authority for the issuance of Permit to Transport is the Chief, PNP or his/her duly authorized representatives.

14.8.2 The Permit to Transport may be valid for the length of time based on the request by the authorized manufacturer as approved by the FEO so as not to hamper their operations. Its validity, however, shall not exceed the expiration of the License to Manufacture.

Section 15. Registration of Locally Manufactured and Imported Firearms

15.1 For locally manufactured firearms and major parts thereof, the registration shall be made at the manufacturing facility of the authorized manufacturer. To facilitate the registration, the PNP through the FEO shall conduct the inspection and recording of the manufactured firearms and major parts thereof based on the records initially prepared by the authorized manufacturer.

15.2 Firearms which are intended for local sale and distribution shall be subjected to ballistics testing procedures at the authorized manufacturer's facility if it could accommodate said firearms. Otherwise, said firearms shall be tested for ballistics at the PNP Crime Laboratory (CL) in Camp Crame and the authorized manufacturer shall pay all the necessary expenses for such purpose.

15.3 Upon compliance by the authorized manufacturer of the mandatory requirements, the firearms and major parts of firearms indicated in the inspection report shall be the basis for the initial registration with the FIMS. Said firearms and major parts of firearms shall now be allowed for local sale and distribution.

15.4 Firearms intended for export shall not be subjected to ballistics testing procedures provided that Proof of Export shall be submitted to the FEO.

15.5 For imported firearms and major parts thereof, initial registration which includes inspection and ballistics testing procedures (PNP Crime Laboratory) shall be done upon arrival at the FEO storage warehouse. Authorized dealers shall shoulder all the necessary expenses included therein. Upon compliance by the importer of the abovementioned mandatory requirements, the FEO shall issue an Inspection Report for each of the firearms registered and major parts thereof. Only the firearms and major parts of the firearms which were subjected to inspection in accordance herewith shall be appropriate for sale and distribution by the Authorized Dealer.

15.6 Procurement and replacement of major parts or extra major parts shall only be done with the approval/authority from the Chief, FEO. An extra or replacement barrel procured or sold shall have distinct serial number which shall be determined by the FEO and shall be engraved by licensed gunsmith authorized by the FEO. The replaced major parts shall be turned-over to the FEO for final disposition.

15.7 Upon effectivity of this IRR, manufacturers and dealers shall serialize all slides, frames or receivers and barrels. The FEO shall determine the serial number which shall be engraved by FEO or its authorized licensed gunsmith.

15.8 Locally manufactured or imported firearm of new model or prototype shall be subject for classification by the (FCB) before it can be allowed for local sales or distribution. For this purpose, the FEO shall create the FCB which shall study, review, validate and classify the said firearm.

15.9 The FEO shall impose a surety bond for authorized dealer and licensed indentor.

Section 16. License and Scope of License to Deal

16.1 Any person, legal entity, corporation, partnership or business who shall engage in the business of buying and selling firearms, major and minor firearms parts, spare parts and accessories, ammunition and its components and reloading machines at wholesale or retail basis shall first secure a License to Deal from the Chief, PNP through the FEO.

16.2 The License to Deal shall be inclusive of the following activities: the purchase, sale or transfer, distribution and general business in handling firearms, ammunition, major and minor parts of firearms, spare parts and accessories, ammunition components and reloading machines.

16.3 Authorized dealer shall apply to the Chief, PNP through the FEO for Authority to Import firearms and ammunition, major and minor parts of firearms, accessories, spare parts, components and reloading machines for commercial purposes by complying with the following requirements:

- a) Letter request addressed to the Chief, PNP (coursed through the Chief, FEO); and
- b) Copy of License to Deal.

16.4 Authorized dealer is entitled to import various firearms for sample, demonstration, test and evaluation. Firearms and ammunition for reference, sample, demonstration, test and evaluation shall not be allowed for sale and distribution. Said firearms and ammunition may, at the option of the authorized dealer, remain in its possession provided that they shall secure the necessary license and register the same under its company name, or donate the said items to the PNP through the FEO, or return said items to its original source.

16.5 Authorized Dealer in firearms and ammunition may apply for Permit to Load/Reload Ammunition for commercial purposes. The approving authority for the new application and renewal of the said permit shall be the Chief, FEO.

16.6 A Permit to Transport shall be applied for by the Authorized Dealer for the following purposes:

- a) For imported items, transport from port of entry to FEO storage;
- b) Transport from FEO Storage to authorized dealer;
- c) Transport from Dealer to residence of firearm; and
- d) Transport from FEO storage or authorized dealer to exhibit/display/demonstration site and vice versa;

16.7 The above mentioned transport permits may be valid for the length of time based on the request by the authorized dealer as approved by the FEO so as not to hamper their operations. Its validity, however, shall not exceed the expiry of the License to Deal.

16.8 The approving authority for the issuance of Permit to Transport is the Chief, PNP or his/her duly authorized representatives.

16.9 The Authority to Import may be applied for, simultaneously with the application or renewal of the License to Deal.

16.10 Authorized dealers shall apply to the Chief, PNP through the FEO for Authority to Display (ATD) firearms, ammunition, and major parts of firearms and other regulated items by complying with the following requirements:

- a) Letter request addressed to the Chief, FEO; and
- b) Copy of License to Deal.

16.11 Firearms, ammunition, and major parts shall be indicated in the ATD and shall be part of the regular inventory of the gun store.

16.12 Indentors shall apply to the Chief, PNP through the FEO for an Indentor's License with the following requirements:

- a) Letter request addressed to the Chief, PNP coursed through the Chief, FEO;

- b) Copy of the Contract with AFP/PNP, Law Enforcement Agency and/or other government agencies;
- c) Application form duly accomplished;
- d) Undertaking that applicant will abide by all firearms laws, rules, and regulation
- e) Certificate of Registration of the firm with the Securities and Exchange Commission (SEC) or Department of Trade and Industry (DTI) or Cooperative Development Authority (CDA);
- f) Name of the Proprietor/Manager who will actually manage the store including his/her clearances (Chief of Police, Mayor, Court Clearances, and National Police Clearance; and
- g) Certification/Affidavit from the Corporate Treasurer or Bank statement stating therein the amount of Php500,000.00 as proof of capitalization;

16.13 Licensed Indentors shall apply to the Chief, PNP through the FEO for Authority to Import firearms and ammunition, major and minor parts of firearms, accessories, spare parts, components and reloading machines in behalf of the government agencies in the performance of their duties, by complying with the following requirements:

16.13.1 For AFP/PNP and Other Law Enforcement Agencies (LEAs):

- a) Letter request of the indentor addressed to the Chief, PNP;
- b) Letter of intent by the purchasing agency addressed to the Chief, PNP;
- c) Authenticated photocopy of Indent License to Deal;
- d) Original End-User's Certificate (duly signed by the issuing authority)
- e) Purchase Order (original/authenticated);
- f) Certificate of Availability of Funds or Approved of the Budget Contract (ABC), attached Special Allotment Release Order (SARO) intended for the procurement;
- g) Certificate of Training issued by the Head of Agency; h) Notice of Award (authenticated); and
- i) Contract Agreement (authenticated).

16.13.2 Firearms Procurement by Local Government Unit (LGU):

- a) Letter request of the indentor addressed to the Chief, PNP;
- b) Letter of intent by purchasing LGU addressed to the Chief, PNP;
- c) Inventory of Firearms as certified by Authorized Bonded Firearm Custodian;

- d) List of Regular Plantilla Position authorized to use the firearms;
- e) Authenticated photocopy of Indent License to Deal;
- f) Purchase Order (authenticated);
- g) Board Resolution from Sanggunian Panlalawigan/Panlungsod/Bayan or Barangay Lupon;
- h) Deed of Absolute Donation as the case may be;
- i) Original End-User's Certificate (EUC); and
- j) Certificate of Availability of Funds or Approved Budget Contract (ABC).

16.13.3 For Demonstration, Sample or Test and Evaluation Purposes:

- a) Letter request of the indentor addressed to the Chief, PNP;
- b) License to Deal or License to Manufacture;
- c) Authenticated photocopy of Indent License to Deal; and
- d) Original End-User's Certificate.

16.14 Licensed Indentor's firearms and ammunition for sample, demonstration, test and evaluation shall not be allowed for sale and distribution. Said firearms and ammunition shall be returned to their original source or country of origin within one month after serving their purpose.

16.15 All firearms, ammunition, spare parts and/or accessories procured by the Licensed Indentor which were not awarded to the End-User on the period indicated in the Purchase Order or Contract shall be temporarily turned-over to FEO or returned to its original source or country of origin within one month after the said period.

16.16 An authorized dealer shall keep a complete and accurate records and accounts of importation and sale of firearms and ammunition, with the name, age, 2X2 picture, address, e-mail address and occupation of any licensed citizen purchasing a firearm or ammunition and the number of the firearm purchased and the amount and character of the ammunition purchased for each firearm. Refusal on the part of authorized dealer to comply with the provisions of this section shall cause the forfeiture of the bond.

Section 17. License and Scope of License for Gunsmiths

17.1 The license for gunsmiths shall allow the grantee to repair registered firearms of a licensed citizen or a licensed juridical entity. The license for gunsmith shall specifically state the place of business where the grantee shall conduct business. The grantee or its employees, if any, shall not be allowed to repair a firearm in any other place other than that specified in the license. The grantee shall require the submission of a photocopy of both the license to own or possess firearms and the

registration card of the subject firearm/s to be repaired and the presentation of the original copy. The grantee shall keep a record of the firearms that have been repaired as well as that of the licensee for inspection by the FEO or its authorized personnel.

17.2 Unregistered firearms or those with expired firearm registration shall not be accepted for repair. Failure to comply with this provision shall be a ground for the cancellation/revocation of the license to repair after due process and any person in violation of this provision shall be held liable and penalized in accordance with this IRR.

17.3 In case that the scope of the repair will replace the barrel, slide, frame, receiver, cylinder or bolt assembly, including its individual or peculiar identifying characteristics essential in forensic examination of a firearm, the gunsmith shall require the licensed citizen or the licensed juridical entity to secure first a Permit to Repair from the FEO or Police Regional Office, stating therein the scope of the repair before accepting the registered firearm/s for repair.

17.4 The license granted to gunsmith includes the customization of firearms from finished or manufactured parts thereof on per order basis and not in commercial quantities and the making or fabrication of minor parts thereof, *i.e.*, pins, triggers, bows, sights, magazines, springs and similar minor parts, shall only be for the purpose of repairing the registered firearm.

17.5 The gunsmith shall submit a report on a monthly basis stating therein the list of the firearms and the scope of the respective repairs to the FEO. Failure on his/her part to perform the obligation herein mentioned shall be a ground for the revocation of his/her license to repair after due process.

17.6 The license issued to a gunsmith as a juridical entity shall include the authority given to their employees to perform their duties as an individual gunsmith.

17.7 Employees of a licensed juridical entity who are working outside the facility shall have an individual gunsmith license, except for those off-site contracted activities being conducted by the licensed juridical entity.

17.8 Employees of a licensed juridical entity without an individual gunsmith license who extend their work outside the premises of the juridical entity shall be penalized in accordance with the rules set forth for this purpose by the PNP.

17.9 The written application for the issuance of license of gunsmiths shall be submitted to the Chief, PNP through the FEO for approval. If approved, the license for gunsmith (individual or juridical entity) shall be valid for a period of three (3) years or unless sooner revoked for cause.

17.10 The application for the renewal of the license issued to gunsmiths shall be submitted to the FEO within six (6) months before the date of expiration of such license for the approval of the Chief, FEO.

17.11 In order to qualify and acquire a license for individual gunsmith, the applicant must: a) be a Filipino citizen; b) be at least twenty-one (21) years old at the time of the filing of his/her written application; c) have a good moral character; d) have a safe and secure gunsmith facility; and e) have

burglar-proof firearms vault enough to safely accommodate the quantity of firearms requested for repair.

17.12 For new application of an individual gunsmith's license, a basic letter of application shall be submitted by the applicant addressed to the Chief, PNP and coursed through the FEO requesting issuance of Gunsmith's license with the following attachments:

- a) Duly accomplished application form;
- b) Certificate of Employment as a gunsmith from previous employer and/or Certification from TESDA;
- c) Clearances issued by the Regional Trial Court (RTC) and Municipal/Metropolitan Trial Court (MTC) that has jurisdiction over the place where the applicant resides, showing that he/she has not been convicted by final judgment of a crime involving moral turpitude or that he/she has not been convicted or is currently an accused in any pending criminal case before any court of law for a crime that is punishable with a penalty of more than two (2) years;
- d) Neuro-psychiatric clearance issued by the PNP Health Service and its accredited psychologist or psychiatrist;
- e) A certification that the applicant has passed the drug test conducted by an accredited and authorized drug testing laboratory or clinic;
- f) National Police Clearance;
- g) Proposed list of the equipment, tools and/or instrument to be purchased for customization and/or repair of the firearms or list of the existing equipment, tools and/or instrument to be used for customization and/or repair of the firearms;
- h) Surety Bond for the period of License; and i) Inspection Report issued by the FEO.

17.13 A juridical entity may be issued a gunsmith's license upon showing that it possesses the following qualifications:

- a) It must be Filipino-owned, duly registered with the Securities and Exchange Commission (SEC) or Department of Trade and Industry (DTI) or Cooperative Development Authority (CDA), as the case may be;
- b) It is current, operational and a continuing concern;
- c) It has completed and submitted all its reportorial requirements to the SEC;
- d) It has paid all its income taxes for the previous year, as duly certified by the BIR;
- e) It has a safe and secure gunsmith facility; and

f) It has a burglar-proof firearms vault enough to safely accommodate the quantity of firearms requested for repair.

17.14 The application shall be made in the name of the juridical person represented by its owner or 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 gunsmith's license. Other corporate officers eligible to represent the juridical person are: the vice president, treasurer, and board secretary.

17.15 For new application of license for gunsmith as a juridical entity, basic letter shall be submitted by the applicant addressed to the Chief, PNP through the FEO requesting issuance of license with the following attachments:

- a) Application form filed at the FEO in three (3) legible copies duly notarized;
- b) Bio-Data/Information Sheet for Director/Partners;
- c) Surety Bond for the period of License;
- d) Location map of the gunsmith facility showing distance from the nearest Police Station(in meters);
- e) Undertaking that the applicant will abide by all firearms rules, laws, and regulations;
- f) Floor plan of the facility and pictures of its interior and exterior view as well as the storage area of the firearms and ammunition;
- g) Certificate of Registration of the firm with the Securities and Exchange Commission (SEC) or Department of Trade and Industry (DTI) or Cooperative Development Authority (CDA);
- h) Name of the Owner/Proprietor/Manager who will actually manage the facility including his/her clearances (Chief of Police, Mayor, Court Clearances, and National Police Clearance.
- i) Certification from the Provincial Director/City Director (PD/CD) or Chief of Police (NCRPO) that the site is safe and secure from insurgents/terrorists for the operation of the facility; and
- j) FEO Inspection Report.

17.16 For renewal of individual or juridical entity's gunsmith license, a basic letter for renewal shall be submitted by the applicant addressed to the Chief, FEO within six (6) months prior to its expiration. The applicant shall attached the same requirements as provided in the application for new license as mentioned in Sections 17.12 and 17.15 and the summary of transactions stating the list of the firearms and the scope of the repair for the previous year.

17.17 The Order of Payment (OP) for the License to Manufacture shall be issued by the FEO and the actual payment shall be made by the applicant to Land Bank of the Philippines or any government bank.

17.18 The FEO shall impose a surety bond for licensed gunsmith.

Section 18. Firearms for Use in Sports and Competitions

18.1 A qualified individual shall apply for a Permit to Transport (PTT) for his/her registered firearms and ammunitions from his/her residence to the shooting range/s and competition sites as may be warranted. The application shall be submitted to the Chief, PNP or his delegated representative for processing and approval.

18.2 A qualified individual with approved and existing PTCFOR need not secure the foregoing permit as the same is deemed included and within the coverage of the PTCFOR. However, he/she shall secure the necessary permit for the additional ammunition.

18.3 A qualified individual who is competing outside the country shall apply for the Authority to Transport (ATT) his/her registered firearms and ammunition outside the country including an application or invitation of the Organizing Committee and endorsement from a recognized Gun Association.

18.4 A licensed sports shooter shall be allowed to possess the quantity of ammunition as needed to attain proficiency.

18.5 Special Permit shall be given to minors who are competing in national or international sports shooting competition provided that they are given authority or consent by their parents or guardians.

Section 19. Renewal of Licenses and Registration

19.1 All types of licenses to own and possess a firearm shall be renewed every two (2) years within six (6) months before the birthdate of the licensee. Failure to renew the license on or before the birthdate shall cause the revocation of the license and of the registration of the firearm/s under said license.

19.2 The registration of the firearm shall be renewed every four (4) years within six (6) months before its expiration. Failure to renew the registration of the firearm on or before the expiration of its registration shall cause the revocation of the registration of the firearm and the same shall be subject to revocation proceedings.

19.3 Failure to renew a license or registration within the period stated above on two (2) occasions shall cause the holder of the firearm to be perpetually disqualified from applying for firearm license. In meritorious cases, however, the Chief PNP, as recommended by the Chief, FEO, may allow the further enjoyment of the privilege under these rules subject to certain conditions which may be deemed appropriate to impose.

19.4 It shall be the obligation of the licensee thereof to surrender the said firearm to the police office or station with jurisdiction over the place where he/she resides within fifteen (15) days. Failure to surrender within such period shall cause the filing of appropriate charges for violation of the law.

19.5 For purposes of renewal of the License to Own and Possess Firearms, the following requirements shall be submitted:

- a) Written application duly accomplished (3 legible copies);
- b) Copy of the Original License to Own and Possess Firearms;
- c) Proof of latest Billing;
- d) National Police Clearance;
- e) Neuro-Psychiatric Clearance;
- f) Drug Test Clearance; and
- g) Two valid IDs (one government issued ID).

19.6 For purposes of renewal of the Long Regular Registration for juridical entity, the following requirements shall be submitted:

- a) Written application duly accomplished (3 legible copies) ;
- b) Copy of the LRR;
- c) Proof of latest Billing;
- d) Two valid IDs (one government issued ID) ;
- e) Firearm Records Verification;
- f) Clearances of Company Representative; and
- g) License to Operate issued by SOSIA.

19.7 For purposes of renewal of the Long Certificate of Registration of LGU, the following requirements shall be submitted:

- a) Written application duly accomplished (3 legible copies) ;
- b) Copy of the LCR;
- c) Firearm Records Verification; and
- d) Clearances of Government Representative.

19.8 For purposes of renewal of the Long Regular Registration of PSAs, the following requirements shall be submitted:

- a) Written application duly accomplished (3 legible copies);
- b) Copy of the LRR;
- c) Proof of Latest Billing;
- d) Firearm Records Verification;
- e) Clearances of Company Representative; and
- f) License to Operate (SOSIA).

19.9 For purposes of renewal of the Registration of Firearm/s, the licensed citizen shall submit the following requirements:

- a) Copy of the License to Own and Possess Firearms;
- b) Firearm Registration Card;
- c) Firearms Bond;
- d) Proof of latest billing; and
- e) Certificate of Records of Ballistics Testing and Stencil for firearms purchased prior to year 2010.

19.10 For purposes of renewal of the firearm registration under Juridical entity, the licensed juridical entity shall submit the following requirements:

- a) Copy of the License to Own and Possess Firearms;
- b) Copy of the License to Operate issued by SOSIA;
- c) Lists of Firearms with Recapitulation;
- d) Latest Monthly Disposition Report (MDR) ;
- e) Copy of the Firearm Registration;
- f) Firearm Bond;
- g) Certificate of Records of Ballistics Testing and Stencil for firearms purchased prior to year 2010;
- h) Certificate of Verification of Firearms; and i) Firearm Records Verification.

19.11 The application for the renewal of the license or firearm registration shall be submitted to the FEO within six (6) months before the expiration of such license or registration. The applicants shall submit all the requirements mentioned in Section 4 of this IRR.

Section 20. Inspection and Inventory

20.1 The Chief of the PNP or his/her authorized representative shall require the submission of reportorial requirements from a licensed manufacturer, dealer or importer of firearms and ammunition, such as the following: *Production reports, Inventory of Raw materials, Sales Report, Inventory Report or Accomplishment report and other reports that the Chief, PNP may require.* Reports shall be submitted on a monthly, quarterly and/or annually as the case may be.

20.2 The inspection shall be done as a requirement for licensing, inventory, monitoring purposes and investigation as the case may be.

20.3 It is the responsibility of the licensed citizen to present his/her License to Own and Possess Firearms, firearm registration card and the subject firearm/s to inspection and verification by proper authority.

20.4 The PNP through the FEO or any office authorized by the Chief, PNP shall inspect or examine the inventory and records of authorized manufacturer, dealer or importer of firearms and ammunition.

20.5 The inspection or examination of records and inventories shall be conducted during office hours (8:00 AM to 5:00 PM). The Inspection Team shall be covered with a Letter Order, headed by a Police Commissioned Officer (PCO) who has knowledge on the provisions and application of these rules and shall perform their assigned task with utmost professionalism and courtesy.

20.6 A copy of the report of inspection shall be provided to the authorized manufacturer, dealer, gunsmith or importer of firearms and ammunition within five (5) working days from the date of inspection.

20.7 In case of adverse findings, the authorized manufacturer, dealer, gunsmith or importer of firearms and ammunition shall be informed of such findings and shall be given thirty (30) working days, from receipt of the said report, to comply with the recommendations.

Non-compliance on the recommendations of the Inspection Team within the given period shall cause the revocation of the license.

20.8 The Chief, PNP, once each year, shall issue directions to the Provincial/City Director and Chief of Police (COP) to verify all registered firearms in the possession of the licensee and submit a report of such verification to the Chief, PNP thru the FEO.

RULE IV

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

Section 21. Acquisition or Purchase and Sale of Firearms and Ammunition

21.1 Firearms and ammunition may only be acquired or purchased from authorized manufacturers, dealers or importers who are duly licensed as such pursuant to these rules. The importation, manufacture, deal-in, receive, acquisition, purchase, selling or disposal of or possession of any firearm, detached parts of firearms or ammunition therefore, or any instrument of implement used or intended to be used in the manufacture or firearms, parts of firearms or ammunition entities not duly licensed or authorized for such purpose is a violation of these rules and shall be penalized in accordance with this IRR.

21.2 An authorized dealer shall only sell registered firearm or ammunition or major parts of a firearm to a licensed citizen or a licensed juridical entity.

21.3 During election period, the sale, transfer and registration of firearms and ammunition and major parts and the issuance of license to a qualified individual or a qualified juridical entity thereof shall be allowed. However, the transport or delivery of the firearms shall strictly comply with the resolutions promulgated by the Commission on Elections (COMELEC).

Section 22. Deposit of Firearms by Persons Arriving from Abroad

22.1. A person arriving in the Philippines, who is a licensed firearm holder in the country of origin and who shall bring his/her firearm or ammunition and has declared the existence thereof before embarkation at the country of origin and upon disembarkation, shall deposit the said firearm and/or ammunition with the Collector of Customs who, thereafter, shall endorse the same to the FEO for safekeeping.

22.2. If importation is allowed for such firearm or ammunition and the person desires to obtain a domestic firearm license, the same should be undertaken in accordance with this IRR.

If no license is desired or leave to import is not granted, the firearm or ammunition shall remain in the custody of the FEO until otherwise disposed of in accordance with the law.

22.3. In case that the person arriving from abroad is a sports shooting competitor, he/she shall declare the existence thereof before embarkation at the country of origin and upon disembarkation. Said firearm or ammunition shall be deposited with the Collector of Customs who, thereafter, shall endorse the same to the authorized representative of the Chief, PNP for the issuance of a Permit to Transport to and from the venue of the competition.

22.4. For foreign dignitaries, law enforcement officers, foreign attaches, security officers and other foreign government agents bearing firearms or persons/groups needing to import firearms for lawful purposes, either officially issued and licensed or registered in the country of origin shall declare the existence thereof before embarkation at the country of origin and upon disembarkation. Said firearm and ammunition shall be validated by concerned law enforcement agency and be reported to the FEO.

22.5. For firearms to be used in exhibits, theatrical and other relevant purposes, importation permit and other appropriate permit shall be secured from Chief, PNP or his/her authorized representative.

The mandatory requirements shall be presented to the FEO for the issuance of the appropriate permit. Payment of transport fees shall be collected. The duration of the validity and the place or places where the firearm/s could be brought and the purpose thereof shall be indicated in the Permit to Transport.

22.6. If the firearm is not appropriate for registration under these rules and that, in the meantime, return of the firearm to the country of origin could not be made; the firearm shall remain in the custody of the FEO for final disposition according to this IRR. Storage fee shall be collected by the FEO.

22.7. Any firearm brought in the country for purposes of competition, exhibits, theatrical and other relevant purposes which were not claimed within five (5) years and/or non-payment of storage fee for five (5) consecutive years shall be considered as abandoned firearms and shall be subjected to forfeiture proceedings.

Section 23. Return of Firearms to Owner upon Departure from the Philippines

Upon departure from the Philippines of any person whose firearm or ammunition is in the custody of the FEO, the same, upon timely request and submission of proof that the person concerned is already leaving, be delivered to the Collector of Customs.

Once received by the Collector of Customs, the person who brought the said firearm or ammunition in the country may be allowed to inspect the same in the presence of the FEO representative and Collector of Customs before the same is loaded to the carrier on which the person is to board.

Section 24. Safekeeping of Firearms and Ammunition

24.1 Any licensee may deposit a registered firearm to the FEO, or any Police Regional Office for safekeeping. Reasonable fees for storage shall be imposed.

24.2 The FEO or any Police Regional Office shall not be liable for any damage or loss of the firearm submitted for safekeeping by reason of any fortuitous event.

Section 25. Abandoned Firearms and Ammunition

25.1 Firearms and ammunition deposited with the FEO for safekeeping shall not exceed five (5) years. Failure to claim the deposited firearms and ammunition within five (5) years and/or non-payment of storage fee for five (5) consecutive years shall be considered as abandoned firearms. Abandoned firearms shall be disposed of according to the rules set by the PNP.

25.2 Firearms that have been found and reported to the PNP shall be considered as abandoned firearm.

Section 26. Death or Disability of the Licensee

26.1 Upon the death of the licensee, the privilege of his/her license to own or possess firearms and the registration of the firearm automatically expires.

26.2 In case of legal disability, the privilege provided for by a license to own or possess firearms and the registration of the firearm shall be revoked.

26.3 When a licensed citizen with registered firearm dies or become legally disabled, his/her next of kin, nearest relative, legal representative, or any other person who shall knowingly come into possession of the registered firearm shall cause the delivery of the same to the FEO or Police Regional Office or through the nearest police station which has jurisdiction over the licensee and/or the registered firearm.

26.4 In case of death or legal disability of the licensee, the next of kin, nearest relative, legal representative or any other person who shall knowingly come into possession of the registered firearm shall register the firearm/s provided he/she meets the standard requirements and qualifications in accordance with RA 10591 and its IRR.

26.5 Upon presentation of the proof that the individual is the next of kin, nearest relative, legal representative or other persons who shall knowingly come into possession of the firearm or ammunition of the deceased or legally disabled licensee, he/she may apply for the issuance of a License to Own and Possess Firearm and the transfer of the registration of the firearm under his/her name.

26.6 Pending the issuance of the license to the applicant, the registered firearm of the deceased or legally disabled licensee shall remain under the custody of the FEO or the PRO which has jurisdiction over the licensee and/or the registered firearm. In the event that there is no qualified applicant, the Chief, PNP through the FEO shall dispose the firearm in accordance with the rules set forth for this purpose.

26.7 Failure to deliver the firearm or ammunition within the 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 Firearms

27.1 A license for antique firearm collector is necessary in order to legally possess and register an antique firearm. The antique firearm collector's license shall be secured from the FEO and shall be renewed every two (2) years.

27.2 An individual shall secure first a Certification from the National Museum stating therein the antiquity of the said firearm.

27.3 Licensed antique firearm collector shall maintain proper storage of antique firearms which shall be the subject of periodic inspection by the FEO.

27.4 The antique firearm collector shall submit the required documents to secure an antique firearm collector's license in accordance with Section 4 of this IRR.

27.5 Licensed Antique firearm collector shall submit status report of his/her antique firearms in a yearly basis for verification purposes. Antique firearms shall be transferred to another licensed antique firearm collector only and shall register the same.

27.6 Licensed antique firearm collector shall register his/her unserviceable on a one-time registration.

27.7 Licensed antique firearm collector shall register serviceable antique firearm and renew the same to the FEO.

27.8 A licensed antique firearm collector may import or export his/her antique firearms provided that the licensee has secured clearance from the National Museum and appropriate authority through the FEO.

27.9 For purposes of display, exhibit, cultural or educational and research, antique firearms shall be allowed to be transported from one place to another by securing a permit to transport or any appropriate permit issued by the FEO.

27.10 Permit to Carry Firearms Outside Residence (PTCFOR) shall not be issued to firearms classified and registered as antique firearm collector's item.

27.11 Antique firearm collector shall be required to have vaults to store the antique firearm or shall be appropriately framed for display purposes.

27.12 Failure on the part of the licensed antique firearm collector to follow the rules and regulations set forth in this IRR shall be ground for revocation of the license of the collector notwithstanding the filing of appropriate charges in court.

RULE 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.
 - 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. 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

29.1 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 the crime charged: Provided further, that if the crime committed with the use of loose firearm is penalized by the law with a maximum penalty of *prision mayor* in its minimum period punishable under the Revised Penal Code or other special laws of which he/she is found guilty.

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

29.3 If the crime is committed by the person without using the loose firearm; the violation of the law shall be considered as a distinct and separate offense.

Section 30. Liability of Juridical Person

The penalty of *prision mayor* in its minimum to its *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 (Php10, 000.00) shall be imposed upon any person who is licensed to own and possess 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

32.1 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 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.

32.2 The possession of any machinery, tool, 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.

32.3 The penalty of *prision mayor* in its minimum period to *prision mayor* in its medium period shall be imposed upon any laborer, worker, employee of a licensed firearms or ammunition dealer who shall unlawfully take, sell or otherwise dispose of parts 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.

32.4 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 lawful act.

Section 33. Arms Smuggling

The penalty of *reclusion perpetua* shall be imposed upon any person who shall engage or participate in importation, exportation, 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.

Section 34. Tampering, Obliteration or Alteration of firearms Identification

34.1 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.

34.2 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 system of a particular firearm.

34.3 Any individual who caused the tampering, obliteration or alteration of a firearm without authority from the Chief, PNP through the Chief, FEO shall be liable in accordance with this Section.

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 IRR and the person who committed the crime shall be punished in accordance with this IRR: 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 IRR.

Section 36. In Custodia Legis

During the pendency of any case filed in violation of the law, seized firearm, ammunition or parts thereof, machinery, tools, 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

37.1 The imposition of penalty for any violation of the law 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.

37.2 Firearm taken in 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 shall be necessarily reported and turned over to the FEO.

37.3 After the pendency of the case, all confiscated and forfeited firearms or parts thereof, ammunition, machinery, tools or instruments used as evidence in court shall be turned-over to the FEO for final disposition in accordance with law.

37.4 Firearms which are considered as abandoned, surrendered, confiscated or revoked in compliance with existing rules and regulations shall be turned-over to the FEO for proper disposal 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 IRR 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

39.1 The Chief, 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 or major parts or pendency of a criminal case involving the firearm, ammunition or 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 the 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 employees;

g) Commission of any 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 license or permit;

i) Noncompliance of reportorial requirements; and

j) By virtue of court order.

39.2 The Chief, PNP or his/her authorized representative may restore the License to Own and Possess Firearm and registration of the firearms on valid grounds as recommended by the FLRRB.

39.3 Correction and deletion of License to Own and Possess Firearms and registration of firearm/s, upon thorough investigation and on valid grounds, shall be recommended by the FLRRB through a Resolution before the records of the licensed citizen or licensed juridical entity and his/her/its firearm registration can be updated at the FIMS.

39.4 Failure to submit necessary reports within three consecutive months shall be ground for the revocation of the license of the dealers, manufacturers, importers or gunsmith.

39.5 Recommendation by the FLRRB for the revocation of the license of dealers and gunsmiths could be elevated to the Chief, FEO on appeal within ten (10) days from receipt of a copy of the adverse decision.

39.6 Recommendation by the Chief, FEO for the revocation of the license of manufacturers could be elevated to the Chief, PNP on appeal within ten (10) days from receipt of a copy of the adverse decision.

39.7 Recommendation rendered by the Chief, PNP for the revocation of the license of manufacturers could be elevated to the SILG on appeal within ten (10) days from receipt of a copy of the adverse decision.

Section 40. Failure to Notify Lost or Stolen Firearm or Light Weapon

40.1 A fine of Ten Thousand Pesos (Php10, 000.00) shall be imposed upon any licensed firearm holder who fails to report to the FEO that the subject registered firearm has been lost or stolen within a period of thirty (30) days from the date of discovery

40.2 Likewise, a fine of Five Thousand Pesos (Php5,000.00) 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 FEO of such change of address.

40.3 For the purpose of this Section, reporting or notification to the FEO can be done through any of the following modes of written communication: letter, memorandum, e-mail, or facsimile personally signed by the licensee or authorized officers/representatives of juridical or head of

government agencies/bureaus as the case may be along with Affidavit of Loss and Certification from the Local Police as contained in the police blotter.

Section 41. Illegal Transfer/ Registration of Firearms.

41.1 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.

41.2 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 the 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 imposed.

41.3 Any public office 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*.

RULE VI

FINAL PROVISIONS

Section 42. Firearms Repository

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

42.2 Annual Inventory report shall be submitted by the entities to the FEO every last week of January of the preceding year.

Section 43. Final Amnesty

Persons in possession of unregistered firearms and holders of expired licenses or unexpired firearms shall register and renew the same through the Final General Amnesty within six (6) months from the promulgation of this IRR.

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 IRR.

Section 44. Authority of the Chief of the Philippine National Police (PNP) to Issue Policies and Guidelines

The FEO shall recommend to the Chief, PNP the policies and guidelines for the effective implementation of this IRR.

Section 45. Separability Clause

If any provision of this IRR or any part hereof is held invalid, the provision not otherwise affected shall remain valid and subsisting.

Section 46. Effectivity

This IRR shall take effect after fifteen (15) days from its publication in at least two (2) national newspapers of general circulation and submission to the UP Law Center.

Approved,

This Implementing Rules and Regulations (IRR) is in compliance with Section 44 of RA 10591 which was approved by HIS EXCELLENCY, PRESIDENT BENIGNO S AQUINO III on May 29, 2013.

(Sgd.) **ALAN LA MADRID RISIMA**
Police Director General
Chief, PNP

Look also here: www.law.aboutphilippines.ph