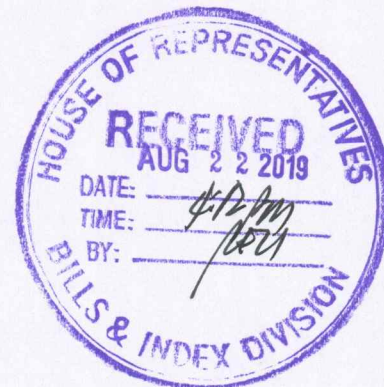


Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
First Regular Session

House Bill No. 4146



---

Introduced by **Rep. ANGELO MARCOS BARBA**  
2<sup>nd</sup> District, Ilocos Norte

---

**EXPLANATORY NOTE**

Data from beverage giants Pernod Ricard Philippines and Diageo Philippines reveal that Filipinos are the second biggest consumers of alcoholic beverages in Southeast Asia, with 5% of the population considered regular alcohol consumers.

The data also showed that 39% are occasional consumers and more alarmingly, around 60% of minors have already tried drinking alcoholic beverages before they even reached the legal drinking age of 18.<sup>1</sup>

In a report for Health Action Information Network (HAIN), Joyce P. Valbuena wrote that although Philippine law sets the minimum legal drinking age at 18, underage drinking is widespread.

In the same report, Valbuena added that drinking alcoholic beverages beyond one's capacity to the point of intoxication is a risky behavior in which most young people get involved at some time. Alcohol poisoning due to irresponsible drinking sometimes lead to death. Other health consequences include confusion, vomiting, seizures, slow or irregular breathing, blue-tinged skin or pale skin and unconsciousness.

Alcohol also affects a person's central nervous system and the teen years are a time of brain development. Recent medical studies also show that young people, whose brains are still developing, may be at greater risk than mature adults of lasting brain damage from heavy alcohol consumption.

Moreover, alcoholism is said to cost government at least PhP200 billion yearly according to a study by the Department of Finance and the House of Representatives Ways and Means Committee. The government spends bulk of that amount in treating and caring for millions of Filipinos with liquor drinking-related ailments, and funeral and burial expenses for those who died by reason of such ailment.

---

<sup>1</sup> ABSCBNNews (2015 July 29). Campaign launched to address underage drinking. Retrieved on August 22, 2019 from <https://news.abs-cbn.com/lifestyle/07/29/15/campaign-launched-address-underage-drinking>



The primary legal basis to regulate access to alcoholic beverages by minors is Presidential Decree 1619 which penalizes the sale of, and offer to sell, to minors of liquors or beverages containing an alcoholic content of thirty per centum or above (60 proof or above). This is aside from the individual ordinances of local government units in their respective areas of jurisdiction.

While the approach of the aforementioned issuances is to regulate the access to alcohol by minors in the market, this must be complemented by a mechanism that discourages demand for these products.

Hence, this bill proposes to subject minors who consume and/or buy alcohol to community service and the relevant intervention subject to the provisions of Presidential Decree 603 and the Juvenile Justice and Welfare Act, as amended.

This bill desires nothing but the realization of our youth's full potential.

For the overall welfare of our youth, immediate approval of this bill is earnestly sought.



**ANGELO MARCOS BARBA**



Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
First Regular Session

House Bill No. 4146

---

Introduced by **Rep. ANGELO MARCOS BARBA**  
2<sup>nd</sup> District, Ilocos Norte

---

**AN ACT PROHIBITING THE ACCESS OF MINORS TO  
ALCOHOL AND PENALIZING ESTABLISHMENTS THAT PROVIDE  
ALCOHOL TO MINORS**

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

**SECTION 1. Short Title.** – This Act shall be known as the "Anti-Underage Drinking Act."

**SECTION 2. Declaration of Policy.** – The State recognizes the vital role of the youth in nation- building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. Towards this end, the State shall undertake efforts to eliminate alcohol abuse and reduce underage drinking by prohibiting minors' access to alcohol.

**SECTION 3. Definitions.** – For purposes of this Act, the term-

- (1) "*minors*" - shall refer to one who is below 18 years old;
- (2) "*alcohol*" - shall refer to ethyl alcohol, ethanol, or spirits of wine including all dilutions, purifications and mixtures thereof, from whatever source by whatever process produced and shall include whisky, brandy, rum, gin, tequila, and vodka and other similar products or mixtures. It shall also include malt beverages, mixed or fermented liquors, including tuba, basi, tapuy and lambanog;
- (3) "*alcoholic beverages*" - shall refer to liquor or brew containing alcohol as the active agent; and
- (4) "*establishment*" - shall refer to a place used for commercial purposes, such as bars, restaurants, dance clubs, hotels, retail stores, supermarkets, and other places with common business areas.

**SECTION 4. Prohibited Acts.** – The following acts are prohibited:

1. Consumption of alcohol by a minor;
2. Sale of alcohol by any establishment to a minor;



3. Purchasing or obtaining alcohol for a minor;
4. Causing a minor to purchase alcohol;
5. Misrepresentation of one's age by presenting false identification to purchase alcohol;
6. Selling, giving, or otherwise providing alcohol to minors by an establishment which is licensed to sell alcohol, or for any employee of that establishment, to sell or furnish any alcohol at any time to a person under 18 years of age.

**SECTION 5. Penalties. –**

(1) A minor who has violated any of the provisions of this act shall be required to render community service. Community service may consist of such acts as being required to appear before school groups to explain the dangers of alcohol abuse.

(2) Establishments that have violated any of the provisions of this law are subject to fines of ten thousand pesos (P10,000) for the first offense and fifty thousand pesos (P50,000) for a repeated offense. Suspension or revocation of the license of repeat offenders shall be recommended to the appropriate local government unit.

If the violation of any provisions of this Act is committed by a corporation, partnership, association or similar entity, the President, General Manager or most senior officers shall be held liable for the offense.

(3) Any person of legal age violating the prohibited acts as prescribed in the preceding section shall suffer the penalty of imprisonment of not more than three (3) months or a fine of not less than ten thousand pesos (P10,000.00).

**SECTION 6. Role of Barangays. –** The barangays shall monitor in their respective jurisdictions the enforcement and compliance with this law. The barangay council shall recommend the suspension or revocation of permits for erring establishments and shall submit such recommendation to the mayor's office.

**SECTION 7. Implementing Rules and Regulations. –** An interagency committee headed by the DSWD, in coordination with the DTI, DOH, DEpEd, CHED, National Youth Commission, and DILG is hereby established which shall formulate, within ninety (60) days upon the effectivity of this Act, the implementing rules and regulations in consultation with the local government units, nongovernment organizations and people's organizations.

**SECTION 8. Separability Clause. –** If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

**SECTION 9. Repealing Clause. –** All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders or

rules and regulations, which may be inconsistent with this Act shall be deemed repealed, amended or modified accordingly.

**SECTION 10.** *Effectivity Clause.* – This Act shall take effect fifteen (15) days following its publication in two (2) newspapers of general circulation.

Approved,