

Seventeenth Congress  
First Regular Session  
House Bill No. 1607



Introduced by Honorable Mercedes C. Cagas

### EXPLANATORY NOTE

Under Republic Act No. 10591, otherwise known as the "*Comprehensive Firearms and Ammunition Regulation Act*," the mere acquisition or possession of even a single ammunition is punishable by *prision mayor* or imprisonment of six (6) to twelve (12) years.

The harsh penalty provided by the law has been taken advantage of by some law enforcement officers who use the law as a means to extort money in a scheme dubbed as "*tanimbala*" or "*laglagbala*." These extortion activities angered the public and earned international condemnation. President Rodrigo Duterte himself, alarmed by incidents of "*tanimbala*" scheme, warned that he will make corrupt law enforcement officers swallow the bullets they plant or drop inside the baggage of innocent passengers.

This bill seeks to address the "*tanimbala*" or "*laglagbala*" scheme by providing that a passenger found to be in possession of single ammunition inside an airport or seaport is presumed to be a victim of planting evidence, and as such, shall not be made liable under Section 28 of RA No. 10591. The ammunition shall however be subject to automatic confiscation. Thus, passengers will no longer be stopped or interrogated and will be allowed to board the plane or ship despite the confiscation of ammunition in their possession by the airport or seaport personnel. The law still applies to persons who are found to be in possession of two or more ammunition, regardless of its place of commission.

In view of the foregoing, passage of this bill is urgently sought.

  
MERCEDES C. CAGAS

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**AN ACT**  
**EXEMPTING THE POSSESSION OF SINGLE AMMUNITION FROM**  
**THE COVERAGE OF UNLAWFUL ACQUISITION OR POSSESSION**  
**OF AMMUNITION, AMENDING FOR THE PURPOSE REPUBLIC ACT**  
**NO. 10591, OTHERWISE KNOWN AS THE "COMPREHENSIVE**  
**FIREARMS AND AMMUNITION REGULATION ACT"**

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

SECTION 1. Section 38 of Republic Act No. 10591 is hereby  
amended to read as follows:

*"Sec.38. Liability for Planting Evidence. – The penalty of prison 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 violations of the provision of this Act to said individual. IF THE INDIVIDUAL FOUND TO BE IN POSSESSION OF SINGLE AMMUNITION IS A PASSENGER INSIDE AN AIRPORT OR SEAPORT, THE SAID PASSENGER SHALL BE PRESUMED TO BE A VICTIM OF PLANTING EVIDENCE AND SHALL NOT BE MADE LIABLE UNDER SECTION 28 OF THIS ACT. THE AMMUNITION SHALL HOWEVER BE SUBJECT TO AUTOMATIC CONFISCATION. If the person found guilty under this paragraph is a public officer or employee, such person shall suffer the penalty of reclusion perpetua."*

SEC. 2. All laws, decrees, ordinances and rules inconsistent with the provisions of this Act are hereby modified or repealed accordingly.

SEC. 3. This Act shall take effect fifteen days after the completion of its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,