

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**SEVENTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 2441**

HOUSE OF REPRESENTATIVES	
<b>RECEIVED</b>	
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BY:	<u>[Signature]</u>
REGISTRATION UNIT BILLS AND LEX SERVICE	

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Introduced by **HON. TEODORO G. MONTORO**

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**AN ACT PROHIBITING THE SALE OF CIGARS, CIGARETTES AND ALCOHOLIC  
OR INTOXICATING LIQUOR OR BEVERAGE TO MINORS**

**EXPLANATORY NOTE:**

The youth are the future of our country. In the past, most of minors play games in our neighborhood with their peers but now days, you can see them smoking cigarettes and drinking liquor without achieving adulthood. This vice affects the growth development of minor if it will intake it during their childhood.

In our society, minors can easily buy these vices products in Sari-Sari Store, Convenient Store, Supermarkets and the like. And even elders ask their children to such vices products for their personal consumption, in which way, minors are being introduced to these products for their knowledge.

In order to protect the health development of the youth for their proper nurture, this bill denies minor to acquire vice products (cigar, cigarettes, liquor or any substance with alcohol) by not selling any vice product to them even with the permission of their parents, superior, elders and the like.

The Barangay officials shall be the designated officer to monitor Sari-Sari Store, Convenient Store, Supermarkets and the like and should report to their superior if there is an incident from this act will come about.

The Philippine Constitution provides that "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."(SEC. 13 ART. II). It is the duty of the state to ensure the proper nurture of the youth because the latter are the future of our nation.

By virtue of these reasons, the approval of this Act is hereby sought.

A handwritten signature in black ink, consisting of a series of loops and a long, sweeping stroke extending towards the upper right corner.

**REP. TEODORO G. MONTORO**  
AASENSO Party-List

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**SECTION 1.** *Title* – This act shall be known as “Protection of Minors from dangerous substance”

**SECTION 2.** *Declaration of Principles and State Policy* - Section 13 of Article 11 of the Philippine Constitution provides that "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". Furthermore, Section 15 of the same Article provides that "the State shall protect and promote the right to health of the people and instill health consciousness among them".

**SECTION 3.** *Prohibited Acts* -.The following shall be prohibited under this Act: a. To sell or entertain the purchase of cigars, cigarettes or any tobacco product and alcoholic or intoxicating liquor or beverage to minors. b. To cause a minor to purchase cigars, cigarettes or any tobacco product and alcoholic or intoxicating liquor or beverage. c. The smoking of cigars, cigarettes or any tobacco product and the consumption of alcoholic or intoxicating liquor or beverage by a minor. d. The sale of cigars, cigarettes or any tobacco products and alcoholic or intoxicating liquor or beverage by a minor.

**SECTION 4.** *Mandatory Acts* - To post banners or posters featuring “PROHIBITION TO SELL CIGAR, CIGARETTES AND LIQUOR TO MINORS” to Sari-Sari Store, Convenient Store, Supermarkets and the like.

**SECTION 5.** *Penalties* - Any person above 18 years old or any business entity violating the prohibited acts as prescribed in Section 3 of this Act shall suffer:

- a. The fine of not less than three thousand pesos (P 3,000.00) for Sari-Sari Store/small establishments, ten thousand pesos (P10,000) for Convenient Store/Supermarkets/Big establishments . For succeeding offenses, a penalty of revocation of the license to operate a business connected with the selling of cigars, cigarettes or any tobacco product and alcoholic or intoxicating liquor shall apply. 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. For violations of ( c ) and ( d ) of Section 3 of this Act, The Child and Youth Welfare Code (Presidential Decree No. 603) as amended shall apply.
- b. A fine of not more than five thousand pesos (P5,000) for all establishment who will violate SECTION 3 of this act.
- c. Community service for first offense for the Parents/Elders who directed their children to acquire said vice products from a Sari-Sari Store, Convenient Store, Supermarkets and the like and imprisonment of at least three (3) days for a succeeding offense.
- d. An imprisonment of at least five (5) days for any person who will cause a minor not a relative of a latter within 5<sup>th</sup> degree by affinity or consanguinity to purchase cigars, cigarettes or any tobacco product and alcoholic or intoxicating liquor.
- e. An administrative case for Barangay official who will not follow his duty.

**SECTION 5. *Repealing Clause*** - All laws, presidential decrees, executive orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**SECTION 6. *Separability Clause*** – If any part of provision of this Act shall be held unconstitutional or invalid, other provisions hereof which are not affected hereby shall continue to be in full force and effect.

**SECTION 7. *Effectivity*** --This act shall take effect fifteen (15) days alter its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

*Approved,*