



Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

REPUBLIC OF THE PHILIPPINES
COMMISSION ON ELECTIONS
INTERMEDIATE OFFICE
EDUCATION AND INFORMATION DEPARTMENT

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RULES AND REGULATIONS ON THE BEARING, CARRYING OR TRANSPORTING OF FIREARMS OR OTHER DEADLY WEAPONS IN CONNECTION WITH THE MARCH 3, 2012 PLEBISCITE TO RATIFY THE DIVISION OF BARANGAY CANUMAY, VALENZUELA CITY, AND THE CREATION OF TWO (2) NEW BARANGAYS THEREFROM, TO BE KNOWN AS BARANGAY CANUMAY WEST AND BARANGAY CANUMAY EAST, PURSUANT TO ORDINANCE NO. 37, SERIES OF 2011, APPROVED ON NOVEMBER 21, 2011, OF THE SANGUNIANG PANLUNGSOD OF VALENZUELA CITY.

**BRILLANTES, Jr., Sixto S.,
SARMIENTO, Rene V.,
TAGLE, Lucenito N.,
VELASCO, Armando C.,
YUSOPH, Elias R.,
LIM, Christian Robert S.,
LAGMAN, Augusto C.,**

**Chairman
Commissioner
Commissioner
Commissioner
Commissioner
Commissioner**

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Promulgated: January 31, 2012

RESOLUTION No. 9357

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WHEREAS, Sections 32 of Republic Act No. 7166 provides:

“SEC.32. Who May Bear Firearms. – During the election period, no person shall bear, carry or transport firearms or other deadly weapons in public places, including any building, street, park, private vehicle or public conveyance, even if licensed to possess or carry the same, unless authorized in writing by the Commission. The issuance of firearms licenses shall be suspended during the election period.

“Only regular members of the Philippine National Police, the Armed Forces of the Philippines and other law enforcement agencies of the Government who are duly deputized in writing by the Commission for election duty may be authorized to carry and possess firearms during the election period: Provided, That, when in the possession of firearms, the deputized law enforcement officer must be: (a) in full uniform showing clearly and legibly his name, rank and serial number, which shall remain visible at all times, and (b) in the actual performance of his election duty in the specific area designated by the Commission.”

WHEREAS, in connection with the May 10, 2010 Automated National and Local elections, the October 25, 2010 Barangay and Sangguniang Kabataan Elections, and for the February 04, 2012 special election for Member, House of Representatives, 2nd District, Zambales, the

Commission promulgated Resolution 8714, and 9028, 9313, respectively, providing for the rules and regulations implementing Sections 32 and 33 of Republic Act No. 7166;

NOW, THEREFORE, pursuant to the powers vested in it by the Constitution of the Republic of the Philippines, the Omnibus Election Code (B.P. Blg. 881), Republic Acts No. 6646, 7166, and other elections laws, the Commission **RESOLVED**, as it hereby **RESOLVES**, to **ADOPT** Resolution 8714, dated December 16, 2009, Resolution No. 9028, dated September 20, 2010, Resolution No. 9313 dated December 07, 2011, and the other Resolutions issued by the Commission in connection therewith, insofar as they are applicable, for purposes of the conduct of the March 03, 2012 plebiscite in Barangay Canumay, Valenzuela City, subject to the following amendments/modifications:

SECTION 1. *Period and Scope of Effectivity.* – The ban plebiscite shall be effective in the whole of Valenzuela City during the plebiscite period which is from **February 17, 2012 to March 6, 2012**.

SEC. 2. *Firearm; Deadly weapon.* – The term “*firearm*” shall refer to the “*firearm*” as defined in existing laws, rules and regulations. The term also includes airguns and airsoft guns.

Deadly weapon includes bladed instrument, hand grenades or other explosives, except pyrotechnics.

A bladed instrument is not covered by the prohibition when possession of the bladed instrument is necessary to the occupation of the possessor or when it is used as a tool for legitimate activity.

SEC. 3. *Status of authority to bear, carry or transport firearms issued pursuant to Resolution No. 8714, dated December 16, 2009, Resolution No. 9028, dated 20 September 2010, and other Resolutions issued in implementation thereof.* - All authority to bear, carry or transport firearms issued pursuant to Resolution No. 8714, dated December 16, 2009, Resolution No. 9028, dated September 20, 2010, and the other Resolutions implementing Resolution 8714, and 9028 are hereby recognized as valid and effective in relation to the conduct of the March 03, 2012 plebiscite in Barangay Canumay, Valenzuela City, provided that the conditions for the grant of the authority are complied with. In case of new personnel or new firearms not covered by previous authority, the procedures for the issuance of authority under Resolution No.8714 shall be followed.

SEC. 4. *Transport of explosives and its components.* – The transport of explosives and/, or its components by (1) those engage in the importation, exportation, purchase and sale of explosives and/or its components; or (2) those involving the transportation of explosives and/or its components, may be authorized by the Director General of the Philippine National Police (PNP) through a validly issued permit, and giving prior notice to the Commission by having the original of

said permit stamped "approved" by the Regional Joint Security Control Center (RJSCC) of the National Capital Region and submitting a certified true copy thereof.

The explosives and /or its components must be immediately transported to the Firearms and Explosives Division (FED), Civil Security Group (CSG), PNP, or to the intended place of destination, employment and/or utilization, and authorized by the FED, CSG, PNP, as the case may be.

SEC. 5. Guidelines for security, protective, investigative, or intelligence agencies. –

For orderly implementation of the ban on firearms, the following guidelines are hereby provided for security, protective, investigative, or intelligence agencies:

- a. For single posting, the security guard assigned is prohibited to transport his firearm from duty area to his residence;
- b. Firearms stationed in armored trucks are exempted provided they are duly licensed firearms and being used during the regular course of business of the security agencies;
- c. In case of new posting or termination of posting which entail the transport of firearms to the area of assignment or return of firearms to the security agency's office, the security agency may be granted permission to transport the firearms on a one-time, one-way basis only upon prior notice to the CBFSP or the concerned RJSCC.

SEC. 6. Reporting requirements. – The RJSCC shall submit to the CBFSP a bi-weekly report on the implementation of this Resolution, which shall include the following:

- a. Current status of the enforcement (i.e. number of arrests, names of persons involved, number of confiscated firearms, categorized into licensed or unlicensed) of the ban on firearms and security personnel; and
- b. The peace and order situation in various parts of the country, especially in the areas where the special elections shall take place, including insurgency, the existence and size of private armies, the intensity of political rivalries and other circumstances, that may affect the conduct of the special elections.

The CBFSP shall consolidate all weekly reports submitted by RJSCC and submit the same to the Commission en banc.

SEC. 7. Prohibition and penalties. – Any violation of this Resolution shall be punished with imprisonment of not less than one (1) year but not more than six (6) years and shall not be subject to probation. In addition, the guilty party shall be sentenced to suffer disqualification to hold

public office and deprivation of the right of suffrage. If he is a foreigner, he shall be sentenced to deportation which shall be enforced after the prison term has been served.

SEC. 8. Effectivity, publication and dissemination. - This Resolution shall take effect seven (7) days after its publication in two (2) daily newspapers of general circulation in the Philippines.

The Education and Information Department shall cause the publication of this Resolution and shall furnish copies thereof the Regional Election Director of the National Capital Region, the Election Officer of the First District of Valenzuela City, the PNP, the AFP and all other law enforcement agencies.

SO ORDERED.


SIXTO S. BRILLANTES, JR.
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RENE V. SARMIENTO
Commissioner


LUCENITO N. TAGLE
Commissioner


ARMANDO C. VELASCO
Commissioner


ELIAS H. YUSOPH
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CHRISTIAN ROBERT S. LIM
Commissioner


AUGUSTO C. LAGMAN
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