NATIONAL ADMINISTRATIVE REGISTER · [PNP STANDARD OPERATING PROCEDURE NO. 2011-004, APRIL 27, 2011] · DECEMBER 9, 2010

STANDARD OPERATING PROCEDURES TO BE UNDERTAKEN FOR ALL REVOKED FIREARM LICENSES

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1. REFERENCES:

a. NALECC-SCFAEC Resolution No. 01-2010 dated December 9, 2010;
b. Presidential Decree No. 1866 as amended by Republic Act No. 8294 (Codifying the Laws on illegal Possession, Manufacture, Dealing in, Acquiring or Disposition of Firearms, Ammunition or Explosives or Instrument Used in the Manufacture of Firearms Ammunition);
c. Executive Order No. 256 (revising Executive Order No. 58, Series of 1987 by Rationalizing the Fees and Charges on Firearms, Ammunitions, Spare Parts, Accessories, Components, Explosive Ingredients, Pyrotechnics and Firecrackers) dated December 21, 1995;
d. Implementing Rules and Regulation of Executive Order No. 256 (Revising Executive Order No. 58, Series of 1987, By Rationalizing the Fees and Charges on Firearms, Ammunitions, Spare parts, Accessories, Components, Explosives, Explosive Ingredients, Pyrotechnics and Devices;
e. Executive Order No. 817 (Providing for the Government's Intensified Campaign Against Loose Firearms);
f. Implementing Rules and Regulations of Executive Order No. 817 (Providing for the Government's Intensified Campaign Against Loose Firearms); and
g. Executive Order No. 817-A (Providing for the Extension of the Final General Amnesty under Section 2 of Executive Order No. 817 dated July 7, 2009).
h. Standard Operating Procedure No. 13 (SOP # 13), Licensing of Firearms (Revised October 08, 2008).

2. PURPOSE:

This SOP provides the courses of action to be undertaken by the Firearms and Explosives Office on expired firearms licenses that were not renewed during the implementation of the Final General Firearms Amnesty, firearms licenses that progressively expire after the amnesty and firearms licenses that were revoked by the Firearms Revocation and Restoration Board (FLRRB).

3. SCOPE:

This shall apply to all registered holders of firearms license classified as Regular License (RL), Long Regular License (LRL), Short Regular License (SRL), Special Permit (SP), Long Certificate of Registration (LCR), and Short Certificate of Registration (SCR) issued by the Firearms and Explosives Office of the PNP.

4. DEFINITION OF TERMS:

a. Regular License (RL) - Issued to a private individual for personally owned firearm, and to security agencies/company guard forces for firearms used by their security guards.
b. Long Regular License (LRL) - Issued to private firms, establishment or corporation for firearms to be used by their employees, not to include security guards.
c. Short Regular License (SRL) - For private employee who was issued by his employer a firearm covered by LRL.
d. Special Permit (SP) - Issued to government officials and employees for private owned firearms.

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e. Long Certificate of Registration (LCR) - Issued to government agencies/offices and government-owned or controlled corporation for firearms to be used by their officials and employees, excluding security guards.
f. Short Certificate of Registration (SCR)- For a government official or employee who was issued by his employer a firearm covered by LCR.
g. Firearms Information Management System (FIMS) - A computer program designed to monitor the firearms life cycle from the time of manufacture/importation, storage, sale/transfer, licensing and issuance of the firearms, control and monitoring of licensed firearms, to include Captured, Confiscated, Surrendered, Deposited, Abandoned, and Forfeited (CCSDAF) firearms, up to their destruction.
h. Final General Firearms Amnesty (FGFA) - A privilege given to a person and/or judicial entity to register loose firearms under the conditions provided in Executive Order Nr. 187 and 187-A.
i. Loose Firearms - Unlicensed firearms or licensed in the possession of a person other than the registered owner. This includes firearms with revoked licenses.
j. Firearms License Restoration and Revocation Board (FLRRB) - A board that is headed by the Director CSG which approves the revocation and restoration of firearms license issued to an individual or juridical entity after a case is filed and there is sufficient ground to revoke the license as stated by the Revised Rules on Revocation of License, and subsequent restoration of its license during appeal, if and when the conditions are also met.
k. Wanted/Lost Firearms - reports on firearms that were reported lost and firearms that were revoked/cancelled by the FLRRB and firearms under investigation.
l. Derogatory Reports - That firearm license owner with pending Revocation Orders by FLRRB or and firearms owners with revoked license.
m. License Revoked (LR) - Firearms licenses that were revoked by virtue of EO-817 and firearms license that were not renewed after 6 months from the expiration date indicated in the license card.

5. PROCEDURES:

a. Firearm Licenses not Renewed as of November 30, 2009, during the Final General Firearms Amnesty.

1. The PNP through the Firearms and Explosives Office, Civil Security Group (FEO-CSG) will revoke motu propio an expired firearm license that was not renewed pursuant to the Final General Firearms Amnesty. Consequently, the corresponding firearm will be included in the list of firearms tagged as License Revoked (LR) status in the Firearms Information Management System (FIMS) of Firearms and Explosives Office (FEO), Moreover, the owner of the revoked license will be automatically included in the Derogatory Reports, and be prohibited from acquiring another firearm under his/her name.
2. Upon verification from the FIMS that the firearm license was not renewed pursuant to the FGFA, the FEO, CSG will forward the Notice of Revocation of the firearm license to the owner requiring him/ her to turn-over the firearm and its license to the Chief of Police of the City or municipal police Station that has jurisdiction of the license owner’s address. Said Notice of Revocation shall also serve as his/her permit in transporting the firearm/s with expired or revoked license/s from his residence or ay other place where the firearm/s is are being kept to the City or Municipal Police Station having jurisdiction over the licensee’s address.
3. The FEO, CSG will furnish a copy of the said Notice of revocation to the City or Municipal Police Station having jurisdiction, requiring the owner of the revoked firearms license to surrender his/her firearm and license within ten (10) days period.
4. If the firearm holder voluntarily surrenders the firearms with revoked license within ten (10) days upon receipt of the Notice of Revocation, the Chief of Police will then issue a corresponding receipt as evidence. However, if the firearm is not turned-over by the firearm owner to the concerned Police Station, the firearm owner’s name will be included in the PNP Watch List for non-issuance of PNP clearance. Subsequently, the PNP will furnish the NBI a copy of the said Watch List, together with certified true copies of the Firearm License registration/Application Form, Notice of Firearm Expiration and other pertinent documents to support the recommendation for the non-issuance of NBI Clearance. The derogatory record can only be lifted upon issuance of FEO Clearance.

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5. All Captured, Confiscated Surrendered, Deposited, Abandoned, Forfeited (CCSDAF) firearms shall be turned-over to the Regional Operation and Plans Division (ROPD) of Police Regional Offices within one (1) month from the date of surrender. Thereafter, all PROis shall turn-over subject CCSDAF firearms to the FEO, CSG on a quarterly basis.

b. Firearms Licenses that Expire after the Final General Firearm Amnesty (December 1, 2009 and onwards).

1. An expired firearm license is given twenty four (24) months administrative reprieve from its expiry date. During that period, the firearm owner may renew his/her firearm license upon payment of corresponding fines and arrears.
2. A firearm license that is not renewed after the twenty four (24) months administrative reprieve is automatically deemed revoked. FEO CSG will include the firearm in the list of License Revoked (LR) status in the Firearms Information Management System (FIMS). Similarly, the firearm owner will be included in the Derogatory Reports which will prohibit him/her from transferring the subject firearm or acquiring a new one.
3. Same procedure shall apply as stated in Paragraph 5 (1b), (1c), (1d), of this Circular.

c. Motion for the Restoration of Revoked Firearm License.

1. Any firearm license tagged as “License Revoked” (LR), except for those cleared by the FGFA, as indicated in the FIMS is given the chance to be renewed. Accordingly, the license owner must execute an affidavit of undertaking, stating therein his/her willingness to renew the firearm license together with a valid explanation for the failure to renew the license, within five (5) working days from the date of execution.
2. A firearm license owner who failed to renew his/her license within the twenty four (24) months administrative reprieve may file a Motion for Reconsideration (MFR) to the FLRRB within fifteen (15) days upon receipt of the Notice of Revocation with the corresponding requirements for licensing as enumerated in Paragraph V of PNP SOP No. 13 (Licensing of Firearm) dated October 8, 2008. The fifteen (15) days MFR will automatically start after the last day of the twenty four (24) months administrative reprieve. The FLRRB will then resolve the MFR within ten (10) days from receipt thereof.
3. If the Motion for Reconsideration is denied by the FLRRB, the firearm owner may appeal to the Chief, PNP within thirty (30) days upon receipt thereof.
4. A firearm license owner included in the Derogatory Reports can only be allowed to acquire a new or transfer firearm after his/her revoked license is restored by the Firearms Revocation and Restoration Board (FLRRB) and renewed accordingly.

6. RESCISSION:

All rules, regulations, policies, conditions and issuance inconsistent herewith are hereby rescinded.

7. PENAL CLAUSE:

Any violation of the above conditions shall be ground for revocation/cancellation and/ or nullity of the Firearm License without prejudice to the filling of Administrative, Civil and Criminal Case, as evidence warrants.

8. EFFECTIVITY:

This SOP shall take effect immediately upon approval.

Adopted: 27 April 2011

(SGD.) ATTY. RAUL M. BACALZO, Ph.D.
Police Director General
Chief, PNP

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