

GUIDELINES ON THE MANDATORY TESTING AND STENCILING OF LOCALLY MANUFACTURED AND IMPORTED FIREARMS

PNP MEMORANDUM CIRCULAR NO. 2011-003, February 03, 2010

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1. REFERENCES

- a. PNP Memorandum Circular No. 2009-011, dated June 24, 2009 entitled: “Guidelines on the Mandatory Testing of Firearms for Licensing”;
- b. PNP Memorandum Circular No. 2010-008, dated July 08, 2010 with Subject: “Rationalized Policies on the Possession, Bearing and Carrying of Firearms”;
- c. Standard Operating Procedure No. 008-2010, dated August 13, 2010, entitled: “Test Firing and Stenciling of Firearms for Renewal of License, Permit to Carry Firearms Outside Residence (PTCFOR) and Permit to Carry Firearms Outside Residence for Law Enforcement Agencies (PTCFOR-LEA)”;
- d. NAPOLCOM Resolution No. 2007-074 dated February 16, 2007, entitled: “Recommending to HER EXCELLENCY PRESIDENT GLORIA MACAPAGAL ARROYO the approval of a proposed Executive Order Providing for a New Ballistic Testing of all Registered Firearms, and the Utilization of Funds from the proceeds thereof”;
- e. Memorandum from the Directorate for Operations approved by the C, PNP dated February 3, 2009 with Subject: “Mandatory General Ballistic Testing”; and
- f. Section 3 and 4, Chapter 2, Book VII, EO No. 292, otherwise known as “The Revised Administrative Code of 1987” as amended.

2. BACKGROUND

The PNP’s firearms statistics from 2005-2009 indicate a 25% average annual increase in the number of firearms that were tested and stenciled. This rate is expected to increase as a result of the implementation of new firearm regulations requiring testing and stenciling every four (4) years of all licensed firearms including those firearms that will be applied for issuance of the corresponding PTCFOR and PTCFOR-LEA.

It must be noted, however, that despite this trend, the PNP’s existing resources for the conduct of firearm testing and stenciling have not increased proportionately thus resulting in congestion in the process. To ease the congestion, firearms manufacturers contributing large portions of the firearms to be tested and stenciled may be authorized to provide the off-site facilities for the conduct of firearms testing and stenciling meantime that the PNP is realigning its resources to cope with the situation.

3. DEFINITIONS OF TERMS

- a. Ammunition - Refers to loaded shells for rifles, muskets, carbines, shotguns, revolvers, pistol and other firearms from which a bullet, ball, shot, shell or other missile may be fired by means of gunpowder or explosives. For purposes of firearm testing, the standard ammunition to be used shall be the full metal jacket and copper coated ammunition;
- b. Approved Site - Designated and approved venue outside PNP Crime Laboratory (PNP CL) with the required facilities where firearm testing and stenciling can be performed and managed by personnel designated by PNP CL and Firearms and Explosives Office, Civil Security Group (FEO-CSG);
- c. Ballistician - A non-uniformed technical personnel of the PNP CL with specialized skills in Forensic Firearms Investigation and Examination;
- d. Bullet Recovery System - A recovery equipment for test firing of firearms in order to obtain test/standard bullets and cartridge cases;
- e. Cartridge Case - Refers to the component of ammunition used as container for gun powder, bullet and primer;
- f. Database of Bullets and Cartridge Cases - A collection of reliable reference test/ standard bullets and cartridge cases of licensed firearms for comparison with evidence bullets and cartridge cases;
- g. Firearms Dealer - any person, legal entity, corporation or partnership for business duly licensed by the PNP engaged in the business of buying and or selling firearms, ammunitions, firearm's parts, firearm's accessories, tools, equipment and machineries thereof at wholesale or retail;
- h. Firearms Importer - any person, legal entity, corporation or partnership for business duly licensed by the PNP engaged in the business of importing or bringing of firearms, ammunitions, firearm's parts, firearm's accessories, tools, equipment and machineries into the territory of the Republic of the Philippines for the purpose of sale and distribution;
- i. Firearms Manufacturer - A person or juridical entity engaged in the business of manufacturing firearms for purposes of sale or distribution;
- j. Firearm testing - Is the conduct of test firing of a firearm before a bullet recovery system in order to retrieve its test bullets and cartridge cases and to determine its serviceability and functionality;
- k. Forensic Firearms Examiner - A uniformed technical personnel of the PNP CL with specialized skills in Forensic Firearms Investigation and Examination;
- l. Licensed Firearm - A firearm covered with a license issued by the FEO-CSG;
- m. Stenciling - Is the conduct of tracing of the embossed or engraved identifying markings of a firearm;
- n. Storage - The proper safekeeping of database of bullets and cartridge cases for future use;
- o. Test Bullets - Fired bullets taken during the conduct of test firing of a firearm; and
- p. Test Cartridge Case - Fired cartridge case taken during the conduct of test firing of a firearm.

4. OBJECTIVES

- a. To establish a reliable database of test bullets, cartridge cases and stencils of new locally manufactured firearms for licensing, including firearms imported by importers/ dealers, and make use of it to support the forensic

investigative capability of the PNP and its Anti Crime Capability Enhancement Program on Firearms Control; and

b. To increase the output of test firing and stenciling of new locally manufactured and imported firearms for licensing.

5. GUIDELINES AND POLICIES

- a. The PNP CL shall be the Office of Primary Responsibility (OPR) for the Conduct of firearms testing/samplings and stenciling for licensing and the maintenance of ballistics database and storage of test bullets and cartridge cases and stencils of licensed firearms, including the implementation of this Circular;
- b. The Chief, FEO-CSG (C, FEO-CSG) shall ensure that all the data of firearms to be indorsed to the Director, PNP CL (D, PNP CL) for testing and stenciling should first be encoded in the Firearms Information Management System (FIMS) for proper accounting;
- c. All requests for firearms testing and stenciling shall be indorsed by the C, FEO-CSG to the D, PNP CL in coordination with the firearms manufacturers/importers/dealers;
- d. The Forensic Firearms Examiners and Technicians of the PNP CL shall conduct the test firing and stenciling of newly manufactured/imported firearms. The PNP CL shall ensure that Forensic Examiners and Technicians are readily available to attend to and fast-track the processing of these firearms;
- e. The venue for the test firing and stenciling of firearms shall be at the headquarters PNP CL, PNP Training Service Target Range or at the manufacturer's approved site as recommended in writing by the C, FEO-CSG and D, PNP CL for the purpose, and approved by DO;
- f. Requests for off-Crime testing and stenciling shall be considered only for manufacturers with production output of not less than 500 firearms per month; and
- g. Based on the prevailing schedule of fees, the firearms manufacturer/importer/dealer shall pay P350.00 for the testing and stenciling of every firearm to cover the cost of ammunition, supplies and materials needed for the test firing, stenciling and maintenance of the specimens collected. However, should the manufacturer/importer/dealer provide five (5) rounds of the prescribed ammunition, the fee shall be P250.00 per firearm.

6. PROCEDURES ON THE PREPARATION, TESTING, STENCILING AND SAFEKEEPING OF COLLECTED TEST BULLETS, CARTRIDGE CASES AND STENCILS OF LOCALLY MANUFACTURED AND IMPORTED FIREARMS FOR LICENSING

- a. The firearms manufacturer shall request in writing the conduct of firearms testing and stenciling at the approved site and shall provide the PNP CL-approved ballistic tube with cotton or water tank for the test firing at its own expense. It shall also provide the team that will conduct test firing and stenciling, the accommodation and transportation requirements from the PNP Headquarters to and from the approved site;
- b. The firearms manufacturer shall submit to FEO-CSG, in the prescribed format, the list containing the serial number, type, make and caliber of each firearm to be tested and stenciled. Subsequently, FEO-CSG will inspect the firearms indicated in the list and indorse the inspection report to PNP CL for issuance of Order of Payment;
- c. After the payment has been made at the Land Bank of the Philippines, the concerned manufacturer shall coordinate with the PNP CL and FEO-CSG for the scheduling of the firearms testing and stenciling;
- d. The PNP CL and FEO shall then prepare the assignment of the designated personnel who will conduct the firearms testing and stenciling at the approved site. In order to ensure the integrity of the program, personnel

detailed for this purpose shall be rotated regularly;

e. Firearms testing and stenciling shall be conducted during weekdays, from 8:00 am to 3:30 pm only to give ample time for FEO Investigation and Inspection Section authorized representatives to inspect and escort the firearms for deposit at FEO Storage;

f. After the firearms testing and stenciling are conducted, the Forensic Firearm Examiner and the Ballistician shall collect the test bullets, cartridge cases and stencils then secure, transport and turn-over the same to the Evidence Custodian of the Firearms Identification Division (FAID), PNP CL. A copy of the approved testing and stenciling report shall be released the following day;

g. The test specimens and stencils collected by PNP CL field offices shall be forwarded to the Headquarters PNP CL every 5th day of the month for consolidation; and

h. Firearms tested and stenciled outside the National Capital Region, shall be transported and deposited at the FEO Storage. Prior to the transport, FEO-CSG shall coordinate with the concerned firearms manufacturers and the PROs to provide adequate security escorts to ensure the safety transport of the firearms to the FEO Storage.

7. FIREARM TESTING AND STENCILING CERTIFICATE

a. The PNP CL or its field offices shall issue four (4) copies of Firearm Testing and Stenciling Certificate containing the description of the firearm and information relative to the conduct of testing. The original certificate together with the other documentary requirements for licensing shall be submitted to the FEO. The Firearms Identification Division (FAID, PNP CL) shall maintain the second copy. The manufacturer/importer/ dealer shall be provided two (2) copies; the third copy shall be maintained by the manufacturer/importer/dealer, while the fourth copy shall be intended for the licensee. No firearm license shall be issued by the FEO-CSG without the testing certificate; and

b. The firearms testing and stenciling certificate shall be validated by the testing Forensic Firearms Examiner, approved by the C, FAID and noted by the D, PNP CL or his authorized representative and their counterparts at the Regional Crime Laboratory Office (RCLO) when the test is done at the regional level. The PNP CL shall be the only office authorized to issue Firearms Testing and Stenciling Certificate.

8. COORDINATING INSTRUCTIONS

a. All operational procedures and other applicable Standard Operating Procedures for the safe conduct of test firing of firearms for licensing must be strictly observed;

b. Lateral coordination between and among PNP units such as FEO-CSG, PNP CL, FESAGS-ROPD, PROs and the concerned firearms manufacturer/dealer/importer is authorized and encourage; and

c. Attached is the activity flow chart[*] for reference.

9. REPEALING CLAUSE

All applicable provisions of existing LOIs, Memoranda, Directives or Circulars not in conflict with this Memorandum Circular are still in effect.

10. EFFECTIVITY

This circular shall take effect after fifteen (15) days from the filing of a copy hereof at the University of the Philippines Law Center in consonance with Section 3 and 4, Chapter 2, Book VII, EO No. 292, otherwise known as “The Revised Administrative Code of 1987” as amended.

Adopted: February 03, 2010

(SGD.) ATTY RAUL M BACALZO, PH. D.
Chief, PNP

[*] Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City.

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