

Republic of the Philippines
Department of the Interior and Local Government
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
Camp Crame, Quezon City

**RULES AND REGULATIONS GOVERNING THE ADMINISTRATION AND ENFORCEMENT OF
PRESIDENTIAL DECREE NR 1866 DATED 29 JUNE 1983 AS AMENDED BY REPUBLIC ACT NR
8294, DATED 06 JUNE 1997 ENTITLED**

**"CODIFYING THE LAWS ON ILLEGAL/UNLAWFUL POSSESSION, MANUFACTURE, DEALING IN,
ACQUISITION OR DISPOSITION OF FIREARMS, AMMUNITION OR EXPLOSIVES/EXPLOSIVE
INGREDIENTS OR INSTRUMENTS USED IN THE MANUFACTURE OF FIREARMS, AMMUNITION OR
EXPLOSIVES, AND IMPOSING STIFFER PENALTIES FOR CERTAIN VIOLATIONS THEREOF AND
FOR RELEVANT PURPOSES**

Pursuant to the provisions of Section 8 of Presidential Decree Nr 1866 dated 29 June 1983 and the provisions of Section 6 as amended by Republic Act 8294 dated 06 June 1997, the following rules and regulations are hereby promulgated governing the administrative regulations and control on the illegal/unlawful possession, manufacture, dealing in, acquisition or disposition of firearms, ammunition or explosives or instruments used in the manufacture of firearms, ammunition or explosives and imposing stiffer penalties for certain violations thereof, and for relevant purposes.

RULE 1

TYPES OF EXPLOSIVES/EXPLOSIVE INGREDIENTS

SECTION 1. As used in these rules, the following types of explosives/explosive ingredients shall be construed to mean, thus:

a. **Explosives** – gun powder, powder used for blasting, all forms of high explosives, blasting materials, dynamite, fuses, detonators and detonating agents, smokeless powder, potassium chlorate, ammonium nitrate, sodium nitrate, sodium chlorate and any other chemical compound or chemical mixture that contains any combustible units or other ingredients in such proportion or packing that ignition by fire, by friction, by concussion, by percussion, or by detonation of all or any part of the compound or mixture, may cause a sudden generation of the heated gases and the resultant gaseous pressure are capable of producing destructive effects on contiguous objects or destroying life or limb.

b. **High Explosives** – explosives capable of detonation at high velocity.

c. **Blasting Agent** – a term used to describe certain explosives that cannot be detonated by means of a #8-strength blasting cap (detonator) when unconfined, (example ammonium nitrate/fuel oil mixtures)

d. **Detonating Cord** – a continuous core of high explosives contained in a braided or plastic cover. It may be initiated by a detonator. It resembles safety fuses used in construction but has a core or filling of a high explosive called PETN (Pentaerythrite Tetranitrate).

e. **Igniter cord** – an incendiary cord used to sequentially ignite safety fuses.

f. **Delay Detonators** – a detonator which fires at a fixed time interval after ignition.

g. **Safety Fuse** – a fuse which burns at a definite rate and is used to initiate a plain detonator or a deflagrating explosive. It consists of a train of potassium nitrate and black powder which is tightly wrapped and is protected from abrasion and penetration of water by covering of tape, textiles and water proofing materials such as asphalts or plastics.

h. **Detonators** – a capsule or case which contain a sensitive powerful explosive used for initiating other explosives and may not contain more than ten (10) grams of total explosives by weight, excluding initiation or delay charges.

i. **Emulsion** – a super fine mixture of oxidizer solution encapsulated in an oil/wax matrix.

j. **Fuse Lighter** – a pyrotechnic device used to ignite safety fuses.

k. **Igniter Cord Connectors** – connectors used to link igniter cord to safety fuse.

l. Dynamite – a high explosive consisting essentially of a mixture of, but not limited to Nitroglycerine, Nitrocellulose, Ammonium Nitrate, Sodium Nitrate, and Carbonaceous materials.

m. Low Explosives – explosives which are characterized by deflagration or low rate of reaction and the development of low pressure.

n. Deflagration – an explosive reaction such as a rapid combustion that moves through an explosive material at a velocity less than the speed of sound in the material.

o. Slurry/Watergel – an explosive material containing a substantial portion of liquid (water), oxidizers and fuels plus a thickener or/and a cross linking agent.

p. Primer – a detonator-sensitive explosive designed to initiate the main explosive charge. (May also refer to high explosives which contain a detonator).

q. Booster – a cap sensitive explosive with a high velocity of detonation (VOD) used generally in small quantities to attain a high rate of detonation through the main charge.

r. Ammonium Nitrate – the nitrate of ammonia with chemical formula NH_4NO_3 , is a white powder at room temperature and pressure. It is commonly used in agriculture as a high-nitrogen fertilizer, and it has also been used as an oxidizing agent in explosives, especially improvised explosive devices.

s. Potassium Nitrate – is a naturally occurring mineral source of nitrogen. It is a nitrate with chemical formula KNO_3 . When it burns, it shows a bright pink to purple color. Potassium Nitrate is the oxidizing (oxygen supplying) component of black powder.

t. Sodium Nitrate – is a type of salt (NaNO_3) which has long been used as an ingredient in explosives and in solid rocket propellants, as well as in glass and pottery enamel, and as a food preservative (such as in hotdogs), and has been mined extensively for those purposes.

u. Nitric Acid (HNO_3) – otherwise known as aqua fortis or spirit of nitre, is a colorless, corrosive liquid, a toxic acid which can cause severe burns. If the solution contains more than 86% nitric acid, it is referred to as fuming nitric acid, and can be separated into two kinds of fuming acids, white fuming nitric acid and red fuming nitric acid. Commonly used as a laboratory reagent, nitric acid is used in the manufacture of explosives such as nitroglycerine, trinitrotoluene (TNT) and Cyclotrimethylenetrinitramine (RDX), as well as fertilizers such as ammonium nitrate.

v. Potassium Chlorate – is a compound containing potassium, chlorine and oxygen. In pure form, it is a white crystalline substance. It is the most common chlorate in industrial use, and is usually present in well-stocked laboratories used as an oxidizing agent, disinfectant/bleach, safety matches and explosives/fireworks.

w. Barium Nitrate – chemical formula $\text{Ba}(\text{NO}_3)_2$ is a salt of barium and the nitrate ion. It exists as a white solid at room temperature. It is soluble in water, and like other soluble barium compounds, is toxic and should be handled with care. Baratol is an explosive composed of barium nitrate, TNT and binder; the high density of barium nitrate results in baratol being quite dense as well. Barium Nitrate mixed with aluminum Powder is highly explosive. It is mixed with Thermite to form Thermate-TH3, used in military thermite grenades.

x. Sodium Chlorate (NaClO_3 , CAS 7775-09-9) – is an oxidizing agent. It is mostly used to produce chlorine dioxide for bleaching paper pulp, but is also used as a herbicide and to prepare other chlorates.

y. Calcium Nitrate – also called Norgessalpeter (Norwegian saltpeter) and Kalksalpeter, is a soluble salt with the formula $\text{Ca}(\text{NO}_3)_2 \cdot \text{H}_2\text{O}$. It is deliquescent, readily absorbing moisture from the air. It is used as a reagent, a pyrotechnic and a fertilizer.

z. Bulk Emulsion – bulk emulsion phase (EP) is a concentrated AN based oxidizer solution blended with various liquid fuels. It is a thick liquid with a texture similar to light grease or heavy oil.

RULE 2

KINDS OF LICENSES AND ITS REQUIREMENTS

Section 1. MANUFACTURER'S LICENSE

License authorizing the manufacture of gunpowder, dynamite, explosives or their ingredients

Section 2. DEALER'S LICENSE

License authorizing the importation, purchase, possession, sale, transfer and general business handling of gunpowder, dynamite, explosives or their ingredients.

Section 3. PURCHASER'S LICENSE

License authorizing the purchase and possession of dynamite, explosives or ingredients for use of mines, quarries, road construction, wrecking and for use in any other legal and lawful occupation.

Section 4. FOREMAN'S LICENSE

License authorizing possession of dynamite, explosives or their ingredients by workmen in mines, quarries, road construction, wrecking or for use in any other legal and lawful public or private works. Licensee must be a qualified blaster or must be technically qualified to handle explosives.

Section 5. FILING OF APPLICATION FOR LICENSE

Any person desiring to possess explosives or ingredients thereof shall file his/her application to the C, PNP thru the C, FED, CSG and the Provincial Director of the province or the City Director of the city where the business or project is located. Applicants from Metro Manila shall submit their application to the C, FED, CSG.

Section 6. REQUIREMENTS FOR LICENSING

The following requirements shall be complied with:

a. For Manufacturer, Purchaser and Dealer of Explosives:

- 1) Letter Request (State purpose);
- 2) PNP Form No. 6 duly accomplished;
- 3) *If a corporation or partnership, SEC Registration, Articles of Incorporation and By-laws duly authenticated by SEC;*
If Single Proprietorship, DTI Registration, Business Permit and Certificate of Capital invested in the business from the City or Municipal Treasurer;
- 4) Personal History Statement or Biodata;
- 5) Original Clearances (Court, Mayor, Police, NBI);
- 6) Original Special Bank Receipt from Land Bank of the Philippines;
- 7) Endorsement from Provincial Director (PD)/City Director (CD) and Regional Operations and Plans Division (ROPD) (for provincial applicant);
- 8) Inspection Report/Security of Survey by the PD/CD for provincial applicant and FED personnel for NCR;
- 9) Pictures (8" x 10" in size), Detail and Location plans of existing magazines properly labeled;

- 10) For mining company, recommendation from the Bureau of Mines and Geosciences (for Purchaser's License)
- 11) For Lumber or logging firms, recommendation from Bureau of Forest Development; (for Purchaser's License)
- 12) For blasting contractors, certificate of registration of the business and certificate from the City or Municipal Treasurer stating the capital invested; (for Purchaser's License) and Barangay Resolution stating that consultations with the Barangay Council, Council of Elders and its Constituents were conducted and further stating their approval on the blasting activity in the area of responsibility.
- 13) For private blasting work such as construction or irrigation canals, road construction, planting of trees, etc., a copy of the Declaration of Real Estate Property where the explosives will be used; (for Purchaser's License)
- 14) For salvagers of Sunken Vessels, copy of contract with NASSCO; (for Purchaser's License)
- 15) For agricultural purposes such as fertilizers, weed killers, herbicide and the like, copy of the Declaration of Real Estate and the recommendation of the Bureau of Plant Industry; (for Purchaser's License)
- 16) Safety Permit of the factory from the Division of Industrial Safety, Department of Labor and Employment. (for Manufacturer's License)

b. For Foreman Blasters' License:

- 1) Letter request of applicant;
- 2) PNP Form No. 6 duly accomplished;
- 3) Certification from the employer which has an explosives license;
- 4) Certificate of being capable of handling explosives from certified/licensed mining engineer (if applicant is not a licensed mining engineer);
- 5) Purchaser's License of the employer;
- 6) Personal History Statement of Biodata;
- 7) Drug Test;
- 8) Original Clearances (Court, Mayor, Police, NBI);
- 9) Recent ID picture of the licensee (2x2);
- 10) Original Special Bank Receipt (Land Bank of the Philippines);
- 11) Endorsement from Provincial Director/City Director and ROPD (for provincial applicant); and
- 12) Endorsement from Bureau of Mines (if company is a mining firm).
- 13) Training Certificate from FED, CSG.

c. All other requirements as will be contained in SOPs promulgated and signed by the C. PNP.

Section 7. New applicants are required to submit certified true copies of registration from Securities and Exchange Commission (SEC) and its Articles of Incorporation and By-laws or Department of Trade and Industry (DTI); however for renewal purposes of any type of license, a

certification from the Board Secretary that the applicant's business is actively engaged in business together with names of present active company officers and board of directors will be sufficient.

Section 8. All licenses for explosives/explosive ingredients not renewed within one (1) year shall be automatically revoked, unless the licensee can justify that the delay was due to circumstances beyond his control; the justification in all cases should be approved by the C, FED, CSG.

RULE 3

PROCESSING OF LICENSE

Section 1. The Provincial Director or City Director upon receipt of an application shall check whether all the requirements for the particular license applied for are complete and authentic.

Section 2. He then designates a Responsible Officer in his command to make the necessary inspection/security survey to ascertain whether the quantities of explosives/explosive ingredients applied for are really needed and justified and whether the applicant has the necessary magazines/bodegas for the storage of the explosives/explosive ingredients. An inspection report shall be prepared in the prescribed form.

Section 3. The inspection report submitted by the inspecting officer shall form part of the Provincial Director's/City Director's recommendation or endorsement of the basic application to the C, PNP thru the C, FED, CSG.

Section 4. The application directly submitted to C, FED, CSG by applicant from Metro Manila shall be treated in similar manner. C, FED shall designate a responsible officer to conduct the necessary inspection and his inspection report shall form part of the enclosure when the application is submitted by C, FED, CSG to the C, PNP.

Section 5. Upon receipt of the application, C, FED, CSG shall screen/process the same paying particular attention as to whether the quantity of explosives/explosive ingredients applied for is really needed and justified and forward the application with his comment and recommendation to the C, PNP thru the Director for Operations (TDO), The Chief Directorial Staff (TCDS) and Deputy Chief for Operations (TDCO). The quantity applied for in the license shall consider the following factors namely, usage, safety stock and allowance for procurement lead time.

Section 6. If in the processing of application, the C, FED, CSG is in doubt of the unusually large quantities of explosives/explosive ingredients/chemicals applied for, (Potassium Chlorate, Ammonium Nitrate, Potassium Nitrate, Sodium Nitrate, Sodium Chlorate), he/she (C, FED, CSG) shall refer the said application to Chief, PNP Crime Laboratory for comment and recommendation before the application is forwarded to C, PNP, thru TDO, TCDS and TDCO.

Section 7. Upon receipt of the approved application from C, PNP the C, FED, CSG shall prepare and issue the corresponding license (for the C, PNP) in three copies distributed as follows:

- a. Original copy for the licensee
- b. Copy for Provincial Director/City Director
- c. Copy for C, FED

RULE 4

RENEWAL OF LICENSE AND ITS REQUIREMENTS

Section 1. **FILING OF APPLICATION FOR RENEWAL**

a. All existing Manufacturer's, Dealer's, Purchaser's and Foreman's licenses shall be renewed every calendar year.

b. The application for the renewal of Manufacturer's, Dealer's Purchaser's Licenses and the application for renewal of Foreman's Licenses shall be filed at least two (2) months before the expiry date.

c. The application for renewal shall be filed with the office of the Chief, PNP, thru the C, FED, CSG and the Provincial Director of the province or the City Director of the city where the licensee operates. Licensees from NCR shall file their application to the C, FED, CSG.

Section 2. REQUIREMENTS FOR LICENSING (RENEWAL)

The following requirements shall be complied with:

a. For Manufacturer's, Dealer's and Purchaser's License

1. Letter Request;
2. Original License to be renewed;
3. Summary of Explosives Consumption for the past twelve (12) months;
4. Latest Monthly Report attested by Provincial Director, for provincial applicant and notarized, for NCR applicant;
5. Original Clearances (Court, Mayor, Police, NBI);
6. Original Special Bank Receipt;
7. Endorsement from PD/CD & ROPD (for provincial applicant);
8. Inspection Report/Inventory Report signed by PD/CD for provincial applicant and by FED, for NCR applicant; and
9. Pictures (8" x 10"), Detail and Location Plans of existing magazines properly labeled.

b. For Foreman's License

1. Letter Request of the applicant;
2. Original licenses to be renewed;
3. Photocopy of Purchaser's License of the company;
4. Certification from the employer/company;
5. Certificate of being capable of handling explosives from licensed mining engineer (if applicant is not a licensed mining engineer);
6. Personal History Statement or Bio-data;
7. Recent picture of the licensee (2x2);
8. Original Clearances (Court, Mayor, Police, NBI);
9. Original copy of drug test;
10. Endorsement from PD/CD & ROPD (for provincial applicant);
11. Endorsement from Mines and Geosciences Bureau (for mining company);
12. Original Special Bank Receipt ; and
13. Training Certificate from FED, CSG

RULE 5

PROCESSING OF LICENSE (RENEWAL)

Section 1. The Provincial Director/City Director, upon receipt of an application for renewal, shall check whether the pertinent requirements have been complied with.

Section 2. The PD/CD shall designate a Responsible Officer in his command to make the necessary inspection of the magazines or bodegas of the applicant to determine the actual stock of explosives/explosive ingredients on hand. An inspection report shall be prepared by the inspecting officer.

Section 3. The application is then forwarded by the Provincial Director/City Director to the Chief, PNP Thru C, FED, CSG with his comment and recommendation together with the inspection report submitted by the inspecting officer.

Section 4. Applications directly submitted to the C, FED, CSG shall be treated in similar manner. C, FED, CSG shall designate a Responsible Officer to conduct inspection of the magazines or bodegas of the applicant.

Section 5. Applications for renewal of explosives/explosive ingredients licenses shall be filed by the signatory or his authorized representative. Other holder of licenses such as manufacturer, dealer or purchaser belonging to other company or entity not registered in the name of the applicant is not authorized.

Section 6. Applications for renewal of explosives/explosive ingredients licenses shall be processed in FED. The following guidelines shall be followed in the processing of applications:

a. If the total consumption of explosives/explosive ingredients of the Purchaser for the past twelve (12) months is equal to or same quantities of his Purchaser's License, the license shall be renewed for the same quantities of explosives/explosive ingredients authorized in the license;

b. If the total consumption for the past twelve (12) months is less than the quantities of explosives/explosive ingredients authorized in the Purchaser's License, the license shall be renewed only for such quantities as may be needed for a 12 month period based on his average monthly consumption during the past twelve (12) months unless the licensee can show or satisfactorily explain that he needs more explosives;

c. Only such quantities of explosives/explosive ingredients that can be safely accommodated in the magazines/bodegas shall be authorized under the renewed license. The quantities allowable shall be reduced accordingly, if they could not be safely accommodated in the magazines/ bodegas of the licensee.

d. Manufacturer's, Dealer's and Foreman's Licenses may be renewed for the whole quantities of explosives/explosive ingredients authorized in the original licenses. Provided, however, that in the case of Manufacturer's and Dealer's, the explosives magazines/bodegas can safely accommodate the whole quantities of explosives specified in the licenses; and

e. In the renewal of licenses, unit of measurement for the quantities of explosives/explosive ingredients shall be in metric system:

Section 7. In as much as the licenses being renewed had been previously approved by the C, PNP before they were issued, applications for renewal thereof need not be forwarded to C, PNP for approval. The Chief, FED shall issue the renewed explosives/explosive ingredients licenses for the C, PNP. However, C, FED shall submit to C, PNP a monthly report on the renewed licenses issued for his information/notation.

Section 8. Renewed licenses for explosives/explosive ingredients shall be numbered consecutively as they are issued. The renewal shall be issued in three (3) copies in the prescribed form for distribution as follows:

- a. Original copy for the licensee;
- b. Duplicate copy for the Provincial Director/City Director, and
- c. Triplicate copy for the FED.

RULE 6

AMENDMENT OF LICENSE AND ITS REQUIREMENTS

Section 1. FILING OF APPLICATION FOR AMENDMENT OF LICENSE

a. All holders of Manufacturer's, Dealer's, Purchaser's and Foreman's Licenses issued by the C, PNP can apply for an amendment of license.

b. The application for amendment shall be filed with the office of the C, PNP thru the C, FED, CSG and the Provincial Director of the province or City Director of the City where the licensee operates. Licensees from NCR shall file their application to the C, FED, CSG.

Section 2. REQUIREMENTS FOR AMENDMENT

The following requirements shall be complied with:

a. For Manufacturer, Purchaser and Dealer of Explosives:

- 1) Letter Request (State purpose);
- 2) PNP Form No. 6 duly accomplished;
- 3) If a corporation or partnership, SEC Registration, Articles of Incorporation and By-laws duly authenticated by SEC;
If Single Proprietorship, DTI Registration, Business Permit and Certificate of Capital invested in the business from the City or Municipal Treasurer;
- 4) Personal History Statement or Biodata;
- 5) Original clearances (Court, Mayor, Police, NBI);
- 6) Original Special Bank Receipt from Land Bank of the Philippines;
- 7) Latest Monthly Report;
- 8) Summary of Twelve (12) Months Consumption;
- 9) Certification from PD/CD stating therein that the existing explosives magazines can accommodate the increase in quantity/additional explosives/explosive ingredients;
- 10) Updated SEC or DTI, for change in Business Name/Address;
- 11) Endorsement from Provincial Director (PD)/City Director (CD) and Regional Operations and Plans Division (ROPD) (for provincial applicant);
- 12) Inspection Report/Security of Survey by the PD/CD for provincial applicant and FED personnel for NCR;
- 13) Pictures (8" x 10" in size), Detail and Location Plans of existing magazines properly labeled;
- 14) For mining company, recommendation from the Bureau of Mines and Geosciences (for Purchaser's License)
- 15) For Lumber or logging firms, recommendation from Bureau of Forest Development; (for Purchaser's License)

- 16) For blasting contractors, certificate of registration of the business and certificate from the City or Municipal Treasurer stating the capital invested; (for Purchaser's License)
- 17) For private blasting work such as construction or irrigation canals, road construction, planting of trees, etc., a copy of the Declaration of Real Estate Property where the explosives will be used; (for Purchaser's License)
- 18) For salvagers of Sunken Vessels, copy of contract with NASSCO; (for Purchaser's License)
- 19) For agricultural purposes such as fertilizers, weed killers, herbicide and the like, copy of the Declaration of Real Estate and the recommendation of the Bureau of Plant Industry; (for Purchaser's License)
- 20) Safety Permit of the factory from the Division of Industrial Safety, Department of Labor and Employment. (for Manufacturer's License)

RULE 7

PROCESSING OF AMENDMENT OF LICENSE

Section 1. The Provincial Director of the province or the City Director of the City upon receipt of an application shall check whether all the requirements for the particular license applied for are complete and authentic.

Section 2. The PD/CD then designates a Responsible Officer in his command to make the necessary inspection/security survey to ascertain whether the quantities of explosives/explosive ingredients applied for are really needed and justified and whether the applicant has the necessary magazines/bodegas for the storage of the increase in explosives/explosive ingredient. An inspection report shall be prepared in the prescribed form.

Section 3. The inspection report submitted by the inspecting officer shall form part of the Provincial Director's/City Director's recommendation or endorsement of the basic application to the C, PNP.

Section 4. The application directly submitted to C, FED, CSG by applicant from Metro Manila shall be treated in similar manner. C, FED, CSG shall designate a Responsible Officer to conduct the necessary inspection and his inspection report shall form part of the enclosure when the application is submitted by C, FED, CSG to the C, PNP.

Section 5. Upon receipt of the application, C, FED, CSG shall screen/process the same paying particular attention as to whether the quantity of explosives/explosive ingredients applied for is really needed and justified and forward the application with his comment and recommendation to the C, PNP thru the Director for Operations (TDO), The Chief Directorial Staff (TCDS) and Deputy Chief for Operations (TDCO). The quantity applied for in the license shall consider the following factors namely, usage, safety stock and allowance for procurement lead time.

Section 6. In the processing of application for explosives, the ingredients (Potassium Chlorate, Ammonium Nitrate, Potassium Nitrate, Sodium Nitrate, Sodium Chlorate), C, FED, CSG, if he is in doubt of the unusually large quantities of chemicals applied for shall refer the application to Chief, PNP Crime Laboratory (C, PNPCL) for comment and recommendation before the application is forwarded to C, PNP, thru TDO, TCDS and TDCO.

Section 7. Upon receipt of the approved application from C, PNP the C, FED, CSG shall prepare and issue the corresponding license (for the C, PNP) in three copies distributed as follows:

- a. Original copy for the licensee
- b. Copy for Provincial Director/City Director
- c. Copy for C, FED