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SENATE OF THE PHILIPPINES)
SIXTEENTH CONGRESS)
First Regular Session)

RECEIVED BY: *J. J.*

SENATE

Senate Bill No. 1493

Introduced by **SENATOR JOSEPH VICTOR G. EJERCITO**

EXPLANATORY NOTE

Prohibited and dangerous drugs are a bane to society. It is estimated in the United Nations World Drug Report that the Philippines has the highest incidence of use of methamphetamine hydrochloride.

The effects of dangerous drug use are numerous. It can range from the destruction of one's career, family life, and as is always the case, to criminality.

According to the Philippine Center On Transnational Crime, the geographical location of the Philippines consisting of its vast shorelines make it a prime location for importing of drugs by syndicates both local and foreign nationals.

Foreign nationals are not exempted from the operation of the provisions of the laws of the Philippines. In fact, the respect that they should repose upon the laws and territory of the Philippines is not a matter that should be taken sitting down.

While the penalty of life imprisonment is imposed on the importing and selling of these dangerous drugs, the continuous proliferation of dangerous drugs seems to imply that it has not been a sufficient deterrent. Furthermore, allegedly most of the head of the syndicate connected with violation of the R.A. 9165 had been found to be a non-filipino citizen.

It is for this reason that the enactment of this law to provide for additional penalty to foreigners is required because it is necessitated by the times and furthermore, greater respect for the territory of the Philippines by foreigners is a matter that should be observed.

A handwritten signature in black ink, appearing to read 'J. V. Ejercito', with a horizontal line extending to the left from the first letter.

JOSEPH VICTOR G. EJERCITO



SENATE OF THE PHILIPPINES)
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RECEIVED BY: *[Signature]*

Senate Bill No. 1493

Introduced by **SENATOR JOSEPH VICTOR G. EJERCITO**

AN ACT ADOPTING THE HIGHER PRESCRIBED PENALTY, INCLUDING DEATH, OF THE NATIONAL LAW OF AN ALIEN FOUND GUILTY OF TRAFFICKING DANGEROUS DRUGS AND OTHER SIMILAR SUBSTANCES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE "COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002"

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 31, of Republic Act No. 9165 is hereby amended to read as follows:

"SECTION 31. [Additional] Penalty if Offender is an Alien. -

IF THE VIOLATOR OF ANY OF THE PROVISIONS OF THIS ACT IS AN ALIEN, THE PENALTY TO BE IMPOSED SHALL BE THE PENALTY PRESCRIBED BY THE ALIEN'S NATIONAL LAW FOR THE ACT COMMITTED OR THE PENALTY PRESCRIBED BY THIS WHICHEVER IS HIGHER: PROVIDED, THAT IF THE ACT COMMITTED IS NOT PUNISHABLE IN THE ALIEN'S NATIONAL LAW, THEN THE PROVISIONS OF THIS ACT SHALL APPLY.

"WHERE THE DEATH PENALTY IS NOT IMPOSED BY THE NATIONAL LAW OF THE OFFENDER, [I]In addition to the penalties prescribed [in] FOR the unlawful act committed, any alien who violates such provisions of this Act shall, after service of sentence, be deported immediately without further proceedings[, unless the penalty is death].

"THE PENALTY OF DEATH, IF APPLICABLE, SHALL BE IMPOSED DESPITE THE PROHIBITION OF THE IMPOSITION OF THE DEATH PENALTY IN THE PHILIPPINES."

SECTION 2. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,