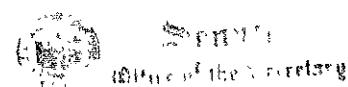


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



DEC 22 P4:11

SENATE
S. No. 2530

Introduced by Senator Miriam Defensor Santiago

AN ACT
CRIMINALIZING THE FAILURE OF OWNERS AND LESSORS OF RESIDENTIAL
AND COMMERCIAL BUILDINGS TO COMPLY WITH NATIONAL AND LOCAL
FIRE SAFETY LAWS

EXPLANATORY NOTE

The Constitution, Article, Section 5 states:

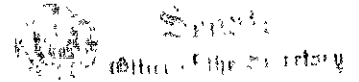
The maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

The Ozone Disco fire of 1996, the Manor Hotel fire of 2001, and the Great Eastern Hotel fire of 2007 are just some of the worst fire tragedies in the country. These would not have resulted had the owners of such buildings complied with our national and municipal fire-safety regulations.

Our country does not have a law that imposes a stringent penalty on the violators of the Fire Code of the Philippines. This Act seeks to discourage residential and commercial building owners from operating without strict compliance of our fire-safety laws. With the passage of this Act, it is hoped that by imposing a more severe penalty on violators of the Fire Code, the number of fire tragedies in our country will at least be reduced.*

MIRIAM DEFENSOR SANTIAGO
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* This bill was originally filed during the Thirteenth Congress, First Regular Session.



14 DEC 22 P4:11

SENATE
S. No. 2530

RECEIVED

Introduced by Senator Miriam Defensor Santiago

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

1 AN ACT
2 CRIMINALIZING THE FAILURE OF OWNERS AND LESSORS OF RESIDENTIAL
3 AND COMMERCIAL BUILDINGS TO COMPLY WITH NATIONAL AND LOCAL
4 FIRE SAFETY LAWS

5 SECTION 1. *Purpose.* – The purpose of this Act is to hold owners and lessors of
6 residential and commercial building primarily and criminally liable for fire resulting from
7 their non-compliance with national and local fire-safety laws.

8 SECTION 2. *Definition of Terms.* – As used in this Act, the term:

9 (A) “National fire-safety laws” shall include the Fire Code of the Philippines
10 (Presidential Decree No. 1185) and the National Building Code of the
11 Philippines (Republic Act No. 6541).

12 (B) “Local fire-safety laws” shall include municipal ordinances providing for
13 building fire protection.

14 (C) “Residential building” means any building intended as dwelling place, abode
15 or habitation.

16 (D) “Commercial building” means any building intended for business or
17 commerce and includes but is not limited to offices, restaurants, movie
18 houses, malls, supermarkets, bars, discos and the like.

1 (E) "Owner" refers to the proprietor of the building as shown by transfer
2 certificate of title and/or tax declaration certificate.

3 (F) "Lessor" refers to the individual, entity or corporation that lets a building to
4 another person, entity or corporation for a fee or consideration as indicated in
5 the contract of lease.

6 (G) "Occupant of a residential building" refers to the lessee, member(s) of his
7 family, domestic helper(s) and guest(s).

8 (H) "Occupant of a commercial building" refers to individuals doing business in
9 said building or those availing of the services provided in said commercial
10 building.

11 SECTION 3. *Penalties.* --

12 (A) The owner and/or lessor of residential or commercial building found violating
13 any national and/or local fire-safety laws shall be deemed *prima facie* liable for the death,
14 injury and/or loss of property resulting from the fire.

15 (B) The owner and/or lessor of residential or commercial building liable under the
16 preceding paragraph shall be subject to a penalty of *reclusion perpetua* to death.

17 (C) The owner and/or lessor of residential or commercial building shall indemnify
18 the family of the deceased occupant of the building the sum of One Million Pesos
19 (₱1,000,000.00).

20 (D) The owner and/or lessor of residential or commercial building shall indemnify
21 the occupant of the building suffering serious physical injuries as defined under the
22 Revised Penal Code the sum of Five Hundred Thousand Pesos (₱500,000.00) and such
23 amount equivalent to the expected salary of the occupant of the building for one (1) year.

1 (E) The owner and/or lessor of residential or commercial building shall indemnify
2 the occupant of the building suffering less serious and slight physical injuries as defined
3 under the Revised Penal Code the sum of Three Hundred Thousand Pesos (₱300,000.00)
4 and Two Hundred Thousand Pesos (₱200,000.00), respectively and such sum equivalent
5 to the expected salary of the occupant of the building for six (6) months.

6 (F) The lessor and/or owner of the residential or commercial building shall
7 indemnify the occupant of the building for the loss of his property in such sum equivalent
8 to treble the value of the property burned, lost, destroyed or damaged.

9 SECTION 4. *Separability Clause.* – If any provision or part hereof, is held invalid
10 or unconstitutional, the remainder of the law or the provision not otherwise affected shall
11 remain valid and subsisting.

12 SECTION 5. *Repealing Clause.* -- Any law, presidential decree or issuance,
13 executive order, letter of instruction, administrative order, rule or regulation contrary to
14 or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended
15 accordingly.

16 SECTION 6. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
17 its publication in at least two (2) newspapers of general circulation.

Approved,

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