

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE
OFFICE OF THE SECRETARY

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SENATE
S. No. 2255

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 13 provides that:

“The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.”

The policy recognizes the importance of the youth in nation-building and to achieve this, the state needs, first and foremost, to protect their physical well-being. In line with this, various measures are crafted to ensure that our youth are safe. For instance, there is Republic Act No. 7610, or the “Special Protection of Children against Abuse, Exploitation and Discrimination Act”, and Presidential Decree No. 603, also known as the “Child and Youth Welfare Code.”

In addition to the already existing measures, I propose to enact a law to protect the children while they are riding amusement rides. Just last year, a couple of incidents of deaths occurred while the children are riding amusement rides. Last September 2006, a kid fell from the Wild River ride of Star City in Pasay. Last December 2006, another child was killed and several others were injured following an accident at a mini-carnival in Marikina City when the cable car from one of the rides the children were in fell to the ground.

These are just some of the incidents that could have been prevented had there been a board that monitors and approves carnival rides aside from the local civil engineer. This bill aims to create an amusement ride board which will ensure that the amusement rides in the Philippines are safe for our children.¹


MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed in the Thirteenth Congress, Third Regular Session.

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1 AN ACT
2 CREATING AN AMUSEMENT PARKS SAFETY BOARD

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

3 SECTION 1. *Short Title.* - This Act shall be known as the "Amusement Parks Safety
4 Board Act."

5 SECTION 2. *Declaration of Policy.* - It is hereby declared the policy of the State to
6 recognize the vital role of the youth in nation-building and to promote and protect their physical,
7 moral, spiritual, intellectual, and social well-being. Towards this end, an amusement ride safety
8 board is deemed essential to protect the physical well-being of the youth while they are on
9 amusement rides.

10 SECTION 3. *Creation and Composition.* - There is hereby established an "Amusement
11 Park Safety Board" to be composed of 7 members, one of whom shall be the Chief of the Bureau
12 of Fire Protection or his designee. The remaining 6 members of the board shall be appointed by
13 the president. Each member appointed by the president shall be appointed for a term of five
14 years. The president shall fill any vacancy on the board for the remainder of the unexpired term
15 with a representative of the same interest as that of the member whose term is vacant. Two
16 members of the board shall represent the interests of small amusement ride businesses. Two
17 members of the board shall represent the interests of the fixed amusement ride parks. Two
18 members of the board shall be mechanical engineers knowledgeable of amusement rides. The
19 Chief of the Bureau of Fire Protection shall call the first meeting of the board within sixty days
20 after all members have been appointed and qualified, The Chief of the Bureau of Fire Protection

1 shall serve as chairperson. After the initial meeting the members shall meet at the call of the
2 chairperson, but shall meet at least three times per year. Five members of the board shall
3 constitute a quorum.

4 SECTION 4. *Powers und Function.* - The amusement ride safety board shall have the
5 following powers and functions:

6 (1) To issue permits to operate for all amusement parks, small or fixed, already
7 existing or new. The year after the all members have been appointed and qualified, all
8 amusement parks must get a permit to operate from the Board, on top of existing local
9 permit requirements, in order for it to operate in the country.

10 (2) To allow or disallow the operation of an amusement park if it deems that the
11 amusement park is unsafe.

12 (3) To consult with engineering authorities and organizations who are studying
13 and developing amusement ride safety standards;

14 (4) To adopt a code of rules and regulations governing maintenance, testing,
15 operation, and inspection of amusement rides including the amount of permit fee that it
16 deems reasonable. The board shall have the power to adopt a safety code for all
17 amusement rides.

18 (5) To make recommendations to the Chief of the Bureau of Fire Protection
19 concerning the board's findings on safety issues related to amusement rides.

20 SECTION 5. *Compensation.* - The members of the Commission shall be entitled to per
21 diems for meetings attended, not exceeding five hundred pesos per meeting and not exceeding
22 ten thousand pesos a month. The members of the board shall receive no other compensation for
23 their services but they shall be reimbursed for their actual and necessary expenses incurred in the
24 performance of their official duties.

25 SECTION 6. *Appropriations.* - The amount of Five Million Pesos is hereby set aside for
26 the operations of the Board.

1 SECTION 7. *Separability Clause.* - If any provision or part thereof, is held invalid or
2 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
3 valid and subsisting.

4 SECTION 8. *Repealing Clause.* - Any law, presidential decree or issuance, executive
5 order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent
6 with, the provisions of this Act is hereby repealed, modified or amended accordingly.

7 SECTION 9. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
8 publication in at least two (2) newspapers of general circulation.

Approved,

/ptmt05july2010