

**FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)**

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SENATE

RECEIVED BY: 

P.S. Res. No. 877

INTRODUCED BY HONORABLE BENIGNO S. AQUINO III

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEE TO INVESTIGATE IN
AID OF LEGISLATION, THE IMPLEMENTATION OF REPUBLIC ACT
NO. 7183 "AN ACT REGULATING THE SALE, MANUFACTURE,
DISTRIBUTION AND USE OF FIRECRACKERS AND OTHER
PYROTECHNIC DEVICES" PARTICULARLY ON THE
IMPLEMENTATION OF ITS SAFETY GUIDELINES BY THE DULY
MANDATED AUTHORITIES.

WHEREAS, Republic Act No. 7183 seeks to regulate and control the manufacture, sale, distribution and use of firecrackers and other pyrotechnic devices consistent with, and in furtherance of, public safety, order and national security, as well as the enhancement of the cultural traditions;¹

WHEREAS, the PNP shall be primarily responsible for the administration and enforcement of the said law and was authorized, after public hearing and consultation with the firecrackers and pyrotechnic industry, to promulgate rules and regulations necessary to regulate and control the manufacture, sale, distribution, use and importation, including the determination and review of the gun powder and other raw material content of firecrackers and pyrotechnic devices;²

WHEREAS, the local chief executives were also given authority under the said law to promulgate the necessary rules and regulations within their territorial jurisdiction in conformity with the national standards, rules and regulations;³

WHEREAS, the recent explosion of the Starmaker Factory at Trece Martirez, Cavite has caused the death of 6 people, injury to 70 others,

¹ Section 1 of Republic Act No. 7183
² Section 12 of Republic Act No. 7183
³ *Ibid*

damage to the Provincial Capitol of Cavite, and destruction of adjacent private properties of still undetermined amount;

WHEREAS, the preliminary findings of the Bureau of Fire Protection on the incident reveals that at least two (2) safety guidelines under R.A. No. 7183 were found to have been violated in permitting Starmaker Firecracker Factory Co., *first*, when it set up its plant only a few meters away from houses when the law states that the outer perimeter zone designed by the local government where fireworks factory may be established should be "at least 300 meters from the nearest residential unit" and *second*, when it built its chemical storage warehouse and finish product storage to stand within 5 to 7 meters from each other when the law prescribes that "warehouse must be at least fifty (50) meters away from the processing station of the complex";


WHEREAS, evidence gleaned from initial newspaper accounts of the incident and preliminary findings of the Bureau of Fire Protection establishes that certain guidelines prescribed by law on how to safely operate and maintain a fireworks factory has not been complied with;

WHEREAS, the same likewise demonstrates that concerned authorities have failed to exercise and properly impose their regulatory power resulting to the endangerment of lives and properties within the community where the fireworks factory is situated;

WHEREAS, despite the fact that Starmaker Fireworks Factory Co. has existed for over a decade, and as such should have had sufficient experience in adhering to local and international safety regulations, this incident has exposed deficiencies in the conduct of Starmaker Fireworks Factory Co.'s business and raises questions about how it was allowed to continue in the conduct of its business in this apparently deficient manner;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, directing the proper Senate Committee to investigate in aid of legislation, the implementation of Republic Act No. 7183 "An Act Regulating the Sale, Manufacture, Distribution and Use of Firecrackers and Other Pyrotechnic Devices" particularly on the implementation of its safety guidelines by the duly mandated authorities.

Adopted,


BENIGNO S. AQUINO III
Senator