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SENATE  
S.B. No. 493



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Introduced by SENATOR VICENTE C. SOTTO III

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AN ACT  
BANNING THE USE OF FIRECRACKERS  
EXCEPT IN DESIGNATED AREAS DONE BY PROFESSIONALS

EXPLANATORY NOTE

Section 5, Article II of the Philippine Constitution provides:

*"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."*

On June 20, 2017, President Rodrigo Roa Duterte issued Executive Order No. 28 that regulates and controls the use of firecrackers and other pyrotechnic devices in the country. This is due to the substantial number of firecracker related injuries and casualties recorded every year. By reason of the aforesaid presidential issuance, there has been an 80% drop as compared with the 5-year average in firecracker-related injuries nationwide in January 2019. Moreover, there was a 68% decline in the number of fireworks-related incidents from December 21, 2018 to January 1, 2019 compared to the same period in the previous year.

Due to the undeniable success in the implementation of EO 28, series of 2017, it is but appropriate to institutionalize it and make it in effect through legislative enactment.


In view of the foregoing, the passage of this bill is earnestly recommended.

  
VICENTE C. SOTTO III

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EXCEPT IN DESIGNATED AREAS DONE BY PROFESSIONALS

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

1 SECTION 1. **Short Title.** - " This Act shall be known as the "The  
2 Firecracker Ban Act".

3 SECTION 2. **Declaration of Policy.** - Section 5, Article II of the  
4 Philippine Constitution provides:

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

9 SECTION 3. **Prohibition on the use of Firecrackers.** - The use  
10 of firecrackers and/or pyrotechnic devices, in any place, and regardless  
11 of any occasion is strictly prohibited except in cases provided by this act.

12 SECTION 4. **Exception on the use of Firecrackers.** - The use of  
13 firecrackers and/ or pyrotechnic devices may only be allowed in areas  
14 specifically designated and authorized by the head of the local  
15 government unit and shall be done only by professionals who are  
16 technically equipped with skills and knowledge on the use of firecrackers.

17 SECTION 5. **Penalties.** - Any person who violates Section 3 of this  
18 Act shall be punished by a fine of not less than Ten Thousand Pesos  
19 (P 10,000.00) nor more than Fifty Thousand Pesos (P 50,000.00), or

1 imprisonment of not less than six (6) months nor more than one (1) year,  
2 or both such fine and imprisonment, at the discretion of the court.

3         SECTION 6. **Implementing Rules and Regulations.** - The  
4 Secretary of Interior and Local Government shall promulgate the rules  
5 and regulations to implement this Act within sixty (60) days from its  
6 effectivity.

7         SECTION 7. **Separability Clause.** - If any provision of this Act is  
8 declared invalid or unconstitutional, other provisions hereof which are  
9 not affected thereby shall continue to be in full force and effect.

10         SECTION 8. **Repealing Clause.** - Any law, presidential decree or  
11 issuance, executive order, letter of instruction, administrative order, rule  
12 or regulation contrary to or inconsistent with any provision of this Act as  
13 hereby amended or modified accordingly.

14         SECTION 9. **Effectivity Clause.** - This Act shall take fifteen (15)  
15 days following its publication in the *Official Gazette* or in at least two (2)  
16 newspaper of general circulation.

*Approved,*