


**SENATE**  
S. No. 517

'19 JUL 16 A9:07

Introduced by Senator Ronald "Bato" Dela Rosa

RECEIVED BY: 

**AN ACT**  
**AMENDING REPUBLIC ACT NO. 7183 OTHERWISE KNOWN AS AN ACT**  
**REGULATING THE SALE, MANUFACTURE, DISTRIBUTION AND USE OF**  
**FIRECRACKERS AND OTHER PYROTECHNIC DEVICES AND FOR OTHER**  
**PURPOSES**

**EXPLANATORY NOTE**

As stated in Republic Act No. 7183, the purpose of the law is 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. Despite the enactment of the law, fireworks-related injuries and deaths was not significantly reduced.

According to the Department of Health's Fireworks Related Injury Surveillance Report, from 2012 to 2017, the total number of fireworks-related injuries reached 5199. There was a decreasing trend of fireworks-related injuries with an average of 866 cases annually from the same period. In 2014-2017 there was also a decreasing number of reported fire incidents caused by pyrotechnics/firecrackers from 45 cases in 2014 to 15 cases in 2017<sup>1</sup>. This decreasing trend may have been caused by public awareness campaigns including the *Iwas Paputok* campaign of the Department of Health. However, despite the strong partnership between national government

<sup>1</sup> Bureau of Fire Protection Directorate for Fire Safety and Prevention Oplan Paalala Iwas Paputok 2017 Report

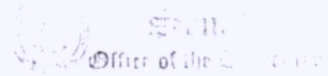
agencies and stakeholders in promoting public safety, the misuse of these fireworks and other pyrotechnic devices is still rampant.

President Rodrigo Roa Duterte, recognizing the need to regulate the use and distribution of firecrackers issued Executive Order No. 28 in June 2017. It mandates the use of firecrackers to be confined to community fireworks displays. This may have contributed to the decrease by 34% of fireworks-related injuries from 2017 to 2018 and 60% cases lower than the five-year (2013-2017) average. However, this is still far from the country's goal of achieving zero casualties due to injuries related to the misuse of fireworks and other pyrotechnic devices.

As such, to save lives and promote public health, there is an urgent need to amend the law regulating the sale, manufacture, distribution and use of firecrackers and other pyrotechnic devices.

In light of the foregoing, approval of this bill is earnestly sought.

  
**RONALD "BATO" DELA ROSA**



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*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 "Nationwide  
2 Firecracker Regulation".

3 SEC. 2. *Declaration of Policy.* – It is hereby declared a policy of the State to  
4 protect and promote the right to health of the Filipino people and to instill health  
5 consciousness among them. Towards this end, the State shall adopt an integrated and  
6 comprehensive approach to health development.

7 SEC. 3. Section 2 of Republic Act No. 7183 is hereby amended to read as  
8 follows:

9 "SEC. 2. *TYPES OF FIRECRACKERS AND PYROTECHNIC*  
10 *DEVICES ALLOWED IN THIS ACT.* – **ACCORDING TO THEIR**  
11 **PROPER USE, FIRECRACKERS AND PYROTECHNIC DEVICES**  
12 **SHALL BE CLASSIFIED INTO FOUR (4) CLASSES:**

13 a. **CLASS 1 – FIREWORKS SUITABLE FOR USE INSIDE**  
14 **DOMESTIC BUILDINGS. WHEN USED ACCORDING TO THE**  
15 **INSTRUCTIONS, THESE FIREWORKS SHALL NOT CAUSE**  
16 **INJURY TO THE USED AND TO PEOPLE STANDING ONE (1)**  
17 **METER AWAY OR MORE AND SHALL NOT CAUSE DAMAGE TO**  
18 **PROPERTY;**

- 1           **b. CLASS 2 – FIREWORKS SUITABLE FOR OUTDOOR USE IN**  
2           **RELATIVELY CONFINED AREAS. WHEN USED ACCORDING TO**  
3           **INSTRUCTIONS, THESE FIREWORKS SHALL NOT CAUSE**  
4           **INJURY TO THE USER AND TO PEOPLE STANDING FIVE (5)**  
5           **METERS AWAY OR MORE. THE FUSE FITTED TO THE**  
6           **FIREWORKS SHOULD ENABLE ANY PERSON LIGHTING THE**  
7           **FIREWORKS TO RETIRE SAFELY TO A DISTANCE OF FIVE (5)**  
8           **METERS;**
- 9           **c. CLASS 3 – FIREWORKS SUITED FOR OUTDOOR USE IN**  
10           **LARGE OPEN SPACES. WHEN USED ACCORDING TO THE**  
11           **INSTRUCTIONS, THESE FIREWORKS SHOULD NOT CAUSE**  
12           **INJURY TO PEOPLE STANDING TWENTY-FIVE (25) METERS**  
13           **AWAY OR MORE; AND**
- 14           **d. CLASS 4 – FIREWORKS THAT DO NOT CONFORM TO THE**  
15           **REQUIREMENTS OF CLASSES 1-3 AND ARE DEEMED TO BE**  
16           **CLASS 4 AND THUS UNSUITABLE FOR SALE TO THE PUBLIC**  
17           **INCLUDING PARTIALLY ASSEMBLED FIREWORKS, WHICH**  
18           **ARE SPECIALIST DEVICES FOR USE IN MAJOR DISPLAYS.**  
19           **THESE MUST NOT BE SOLD OR USED BY THE GENERAL**  
20           **PUBLIC EXCEPT FOR LICENSED PYROTECHNICIANS AND/OR**  
21           **FIREWORKS DISPLAY OPERATORS ONLY.**

22           **THE MANUFACTURERS SHALL BE MANDATED TO ABIDE**  
23           **BY THIS STANDARD CLASSIFICATION. THE PHILIPPINE**  
24           **NATIONAL POLICE FIREARMS AND EXPLOSIVES OFFICE IN**  
25           **COORDINATION WITH THE DEPARTMENT OF TRADE AND**  
26           **INDUSTRY SHALL RELEASE AND REGULARLY UPDATE THE**  
27           **LIST AND SPECIFICATIONS OF LEGAL FIRECRACKERS AND**  
28           **PYROTECHNIC DEVICES WITH RESPECTIVE COMPOSITION,**  
29           **STRUCTURE, APPEARANCE, AND DIMENSIONS WHICH MAY**  
30           **BE MANUFACTURED, SOLD, DISTRIBUTED AND USED.”**

31  
32           Sec. 4. Section 3 of Republic Act 7183 is hereby amended to read as follows:

1                   "Sec. 3. *PROHIBITED TYPES OF FIRECRACKERS AND*  
2                   *PYROTECHNIC DEVICES.* – The manufacture, sale, distribution and  
3                   use of [~~other types of firecrackers and pyrotechnic devices not~~  
4                   ~~mentioned in the foregoing section,~~] **SUBSTANDARD AND**  
5                   **OVERSIZED FIREWORKS** [~~of such~~] **THAT CONTAIN** explosive  
6                   content [~~that could~~] **SUFFICIENT TO** endanger life and limbs **AND**  
7                   **ALL IMPORTED FIREWORKS** [~~such as atomic big triangle and~~  
8                   ~~super lolo and their equivalent~~] are hereby prohibited. [~~Determination~~  
9                   ~~of what constitutes prohibited firecrackers and pyrotechnic devices~~  
10                  ~~shall be vested with the Director General of the Philippine National~~  
11                  ~~Police (PNP)]~~ **THE PHILIPPINE NATIONAL POLICE (PNP), IN**  
12                  **COORDINATION WITH THE BUREAU OF FIRE PROTECTION**  
13                  **(BFP), DEPARTMENT OF TRADE AND INDUSTRY (DTI) AND**  
14                  **OTHER RELEVANT NATIONAL GOVERNMENT AGENCIES**  
15                  **SHALL DEVELOP AND PROMULGATE THE SPECIFICATIONS**  
16                  **AND GUIDELINES ON THE MANUFACTURE, SALE, STORAGE,**  
17                  **PACKAGING AND DISTRIBUTION OF LEGAL FIREWORKS.**

18  
19  
20                  Sec. 5. Section 4 of Republic Act 7183 is hereby amended to read as follows:

21                         "Sec. 4. License or Permit Requirements. — License or permit  
22                         to manufacture, sell and distribute firecrackers and other pyrotechnic  
23                         devices shall be granted for the manufacture, sale and distribution of  
24                         firecrackers and other pyrotechnic devices [~~enumerated in Section 2~~  
25                         ~~hereof~~] **THAT FALL UNDER SECTION 2 OF THIS ACT.** Under no  
26                         circumstances shall a license or permit be granted for the  
27                         manufacture, sale and/or distribution of prohibited firecrackers and  
28                         other pyrotechnic devices [~~mentioned in Section 3~~] **COVERED BY**  
29                         **THIS ACT** hereof.

30  
31                         Any person desiring to manufacture, sell or distribute fireworks  
32                         and other pyrotechnic devices shall file their application for the

1 issuance of license or business permit with the Chief PNP, through  
2 the provincial director of the province where the business or project  
3 is located. Applicants from Metro Manila shall submit their application  
4 through the [~~Commanding Officer~~] **HEAD OF** the Firearms and  
5 Explosives [~~Unit~~] **OFFICE**, Headquarters, PNP.  
6

7 Reasonable fees may be charged for the issuance of said  
8 licenses or permits to defray the cost of regulating the manufacture,  
9 sale and distribution of firecrackers and pyrotechnic devices.”  
10

11 Sec. 6. Section 7 of Republic Act No. 7183, is hereby amended to read as  
12 follows:

13 “Section 7. Safety Guidelines. - Strict compliance with the  
14 following safety precautions, rules and regulations shall be observed  
15 by manufacturers, distributors, **ORGANIZERS OF COMMUNITY**  
16 **FIREWORKS DISPLAY** and users of pyrotechnic devices:  
17

18 XXX  
19

20 **(c) THE LOCAL GOVERNMENT UNITS (LGUs) SHALL**  
21 **DESIGNATE A FIREWORKS DISPLAY AREA IN THEIR**  
22 **RESPECTIVE TERRITORIAL JURISDICTION WHERE**  
23 **COMMUNITY FIREWORKS DISPLAYS CAN BE CONDUCTED.**

24 **1) A COMMUNITY FIREWORKS DISPLAY MUST BE**  
25 **CONDUCTED ONLY ON THE OCCASION OF, OR AS PART OF A**  
26 **CELEBRATION, COMPETITION OR SIMILAR EVENTS HELD IN**  
27 **A VENUE OTHER THAN A PLACE OF RESIDENCE, UNDER THE**  
28 **SUPERVISION OF A TRAINED PERSON DULY LICENSED BY**  
29 **THE PNP, AND ALLOWED BY THE MUNICIPALITY OR CITY**  
30 **CONCERNED THROUGH A PERMIT SPECIFYING THE DATE**  
31 **AND TIME OF THE FIREWORKS DISPLAY AND THEIR**  
32 **SPECIFIC AREA IN WHICH THE DISPLAY WILL BE**

1           **CONDUCTED IN CONFORMITY WITH NATIONAL**  
2           **STANDARDS, RULES AND REGULATIONS.**

3           **2) THE INDIVIDUAL/RESIDENTIAL USE OF BOTH**  
4           **LEGAL AND ILLEGAL FIRECRACKERS SHALL NOT BE**  
5           **ALLOWED EXCEPT IF USED AS PART OF A COMMUNITY**  
6           **FIREWORKS DISPLAY.”**

7  
8           *Sec. 7. Alternative Livelihood Programs* – The National Government through  
9 the Department of Labor and Employment and other concerned agencies shall provide  
10 for economically viable alternative livelihood programs that may be availed of by any  
11 registered firecracker, manufacturers, retailers and their workers.

12  
13           *Sec. 8. Separability Clause.* – If any portion or provision of this Act is declared  
14 unconstitutional, the remainder of this Act or any provisions not affected thereby shall  
15 remain in force and effect.

16  
17           *Sec. 9. Repealing Clause.* - All other laws, decrees, executive orders and rules  
18 and regulations contrary to or inconsistent with the provisions of this Act are hereby  
19 repealed or modified accordingly.

20  
21           *Sec. 10. Effectivity* - This Act shall take effect fifteen (15) days after its  
22 publication in the Official Gazette or in one (1) newspaper of general circulation.

*Approved,*