

SENATE
S. No. 93

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

It is a fact that window bars are most prevalent in low-income areas and high crime areas, where other security risks often overshadow fire safety standards.

According to the Bureau of Fire Protection, children, the elderly, persons who are mobility-impaired, and firefighters are especially vulnerable to fatalities or injuries involving residential window bars. Many people have died in residential fires as a result of being trapped by window bars. There should be a campaign to raise public awareness on the risks and casualties of window bar entrapment during residential fires.

The Bureau of Fire Protection encourages fire prevention through fire sprinklers, smoke detectors, and planned escape routes as main goals of avoiding casualties in residential and commercial fires.

This bill seeks to give the local governments, the Department of Trade and Industry and the Bureau of Fire Protection jurisdiction with respect to releasing systems on residential window bars and to establish a consumer product safety standard ensuring that all such bars include a quick-release mechanism.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 TO PROVIDE FOR SAFE ACCESS IN FIRE EMERGENCIES
3

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

6 SECTION 1. *Short Title.* - This Act shall be known as the "Safe Access in Fire
7 Emergencies Act."

8 SECTION 2. *Declaration of Policy.* - It is hereby declared the policy of the State to
9 ensure the safety of its people against fire emergencies, through establishing measures which will
10 prevent injuries, most especially death.

11 SECTION 3. *Definition of Terms.*

12 "Window Bars" means any metal or other bars, grills, grates, heavy-duty screens,
13 glazing, or other barriers that are designed--

14 (1) to cover exterior and interior escape windows in residential dwelling units; and

15 (2) to deter any physical security threats to the home, including threats from burglars.

16 Such term does not include any such barriers that (a) protect children from falling from
17 open windows in upper floors of buildings, and (b) protect nonresidential or commercial
18 properties.

19 SECTION 4. *Safety Standard for Window Bars.* -

1 (a) Rulemaking Required- The Department of, Trade and Industry (DTI) in cooperation
2 and coordination with the Bureau of Fire Protection (BFP) shall initiate a rulemaking proceeding
3 within 90 days after the date of the enactment of this Act to establish a consumer product safety
4 standard for window bars, except that the DTI and the BFP may extend such 90-day period for
5 good cause. Notwithstanding any other provision of law, the DTI and BFP shall promulgate a
6 final rule establishing such consumer product safety standard within 12 months after the date on
7 which the rulemaking pursuant to this subsection is initiated, except that both may extend such
8 12-month period for good cause. Such consumer product safety standard shall take effect upon
9 the expiration of the 6-month period beginning on the date on which the final rule establishing
10 such standard is promulgated.

11 (b) Releasing System Requirement - The standard established pursuant to subsection (a)
12 shall--

13 (1) require all window bars that are manufactured or installed in the Republic of
14 the Philippines to incorporate releasing systems that meet the minimum standards under
15 subsection (c); and

16 (2) address releasing systems for interior- and exterior-based window bars.

17 (c) Minimum Standards for Releasing Systems - The minimum standards under this
18 subsection for releasing systems for window bars shall require that such systems--

19 (1) when actuated, can move such bars and provide egress to occupants of
20 residential dwelling units equipped with such bars; and

21 (2) at a minimum, can be actuated manually from the interior of a residential
22 dwelling unit and provide escape through the protected opening.

23 (d) *Consultation*- In developing the standard pursuant to subsection (a), the DTI and BFP
24 shall consult with experts, including manufacturers of window bars, housing and building codes
25 authorities, and representatives of the appropriate government agencies, officials in different

1 regions that have in effect window bar safety standards, and other similar public safety -related
2 organizations.

3 SECTION 5. Labeling Requirement. - The Department of Trade and Industry shall
4 require each manufacturer selling, or offering for sale, in the Philippines, any window bars to
5 include in the packaging for the window bars a written statement clearly explaining how the
6 window bars are to be configured and installed and the inclusion and operation of the releasing
7 system incorporated pursuant to section 4(b).

8 SECTION 6. *Provision of Data.* - The Department of Trade and Industry and the Bureau
9 of Fire Protection shall establish and maintain a National Electronic Injury Surveillance System
10 (NEISS) code and system for collection of information and statistics on casualties associated
11 with window bars.

12 SECTION 7. *Separability Clause.* - If any provision or part hereof, is held invalid or
13 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
14 valid and subsisting.

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

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

20 Approved, .

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