

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 589

HOUSE OF REPRESENTATIVES

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REGISTRATION UNIT
BILLS AND INDEX SERVICE

Introduced by Honorable Leopoldo N. Bataoil

EXPLANATORY NOTE

This bill seeks to strengthen the regulation of the manufacture, sale, distribution and use of firecrackers and pyrotechnic devices, repealing for the purpose Republic Act No. 7183 and providing penalties for violations thereof.

Republic Act No. 7183 entitled, "*An Act Regulating the Sale, Manufacture, Distribution and Use of Firecrackers and Other Pyrotechnic Devices*" is the present law regulating the sale, manufacture, distribution and use of firecrackers and other pyrotechnic devices. The law was purposely enacted in consonance with the declared policy of the State to promote public safety, order and national security. Similarly, the proposed bill has for its purpose to ensure the safety of the people by regulating the sale, manufacture, distribution, and use of firecrackers and other pyrotechnic devices.

Under the proposed measure, manufacturers, dealers and wholesale distributors are now required to indicate the names and addresses of all their accredited retail stores, outlets, or re-sellers to the Firearms and Explosives Office of the Philippine National Police (PNP-FEO) as a pre-requisite for the grant of a license to engage in the manufacture and wholesale distribution of firecrackers and pyrotechnic devices. Likewise, retail stores, outlets, distributors and re-sellers shall also be required to apply for a permit to sell with the PNP-FEO. Thus, a "one-store, one-permit" policy is mandatory.

This bill also absolutely prohibits any minor from engaging in the sale or use of firecrackers or pyrotechnic devices notwithstanding the presence of, and supervision of adults and professionals. In any event, activity or occasion which involves the use of firecrackers, the services of a professional is required to supervise the fireworks display. The local government units are mandated to identify a zone or designate an area in their respective territorial jurisdiction where residents may use firecrackers or conduct fireworks display. Finally, certain prohibited acts are subject to stiffer penalties in case of violation and non-compliance with the provisions of the proposed measure.

In view of the foregoing, approval of this bill is highly and earnestly recommended.


HON. LEOPOLDO N. BATAOIL

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HOUSE BILL NO. 589

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AN ACT

STRENGTHENING THE REGULATION OF THE MANUFACTURE, SALE, DISTRIBUTION AND USE OF FIRECRACKERS AND PYROTECHNIC DEVICES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 7183 AND PROVIDING PENALTIES FOR VIOLATION THEREOF

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

SECTION 1. *Short Title.* – This Act shall be known as the “*Revised Firecracker Regulation Act.*”

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to promote the safety and well-being of its citizens, even in times of jubilation and merriment. Toward this end, the State aims to ensure the safety of the people by providing for a revised regulation in the manufacture, sale, distribution and use of firecrackers and pyrotechnic devices.

SEC. 3. *Prohibited Types of Firecrackers and Pyrotechnic Devices.* – The manufacture, sale, distribution and use of firecrackers and pyrotechnic devices of such explosive content that endanger life and limb are hereby prohibited. Determination of what constitutes prohibited firecrackers and pyrotechnic devices shall be vested with the Firearms and Explosives Office of the Philippine National Police (PNP-FEO).

SEC. 4. *License and Permit Requirements.* – Any person desiring to engage in the manufacture and wholesale distribution of firecrackers and pyrotechnic devices shall file an application for the issuance of a license to manufacture and distribute firecrackers and pyrotechnic devices with the PNP-FEO.

Under no circumstances shall a license be granted for the manufacture and wholesale distribution of prohibited firecrackers and pyrotechnic devices mentioned in Section 3 of this Act or other similar materials with the same or greater explosive content.

As pre-requisite for the grant of a license, the manufacturers, dealers and wholesale distributors of firecrackers and pyrotechnic devices shall provide the names and addresses of all their accredited retail stores, outlets, distributors or re-sellers to the PNP-FEO.

Retail stores, outlets, distributors and resellers shall also apply with the PNP-FEO for a permit to sell before they can engage in the sale or distribution of firecrackers and

1 pyrotechnic devices. There shall be a "one-store, one-permit" policy. Selling of
2 firecrackers and pyrotechnic devices without the requisite permit in places other than
3 those indicated by the licensed manufacturers and wholesale distributors in their
4 application for a license with the PNP-FEO shall be considered illegal and shall cause
5 the confiscation of the products being sold without prejudice to the penalties provided
6 herein.

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

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12 **SEC. 5. *Qualifications of Manufacturers or Dealers.*** – A license to engage in
13 the manufacture and wholesale distribution of firecrackers and pyrotechnic devices shall
14 be issued only to:

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16 (a) Filipino citizens of good moral character; and

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18 (b) Entities duly registered with the Department of Trade and Industry or the
19 Securities and Exchange Commission, one hundred per centum (100%) of the
20 capitalization of which is owned by Filipino citizens.

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22 **SEC. 6. *Importation of Chemicals and Explosive Ingredients.*** – The
23 importation of finished firecrackers and pyrotechnic devices shall be prohibited. Only
24 duly licensed manufacturers shall be allowed to import chemicals or explosive
25 ingredients used in the manufacture of firecrackers and pyrotechnic devices.

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27 Any person licensed to manufacture, or purchase chemical and explosive
28 ingredients who desires to import explosive ingredients shall submit the necessary
29 application to the PNP-FEO.

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31 **SEC.7. *Absolute Prohibition to Minors.*** –Firecrackers or pyrotechnic devices
32 shall not be sold to any person below eighteen (18) years of age. Minors shall not be
33 allowed to use firecrackers or pyrotechnic devices notwithstanding the presence of, or
34 supervision of adults and professionals.

35
36 **SEC.8. *Safety Guidelines on the Manufacture of Firecrackers.***– Strict
37 compliance of the following safety precautions shall be observed by manufacturers and
38 distributors of firecrackers and pyrotechnic devices:

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40 a) A zone shall be designated by the local government unit where a
41 manufacturing complex may be established. The outer perimeter of this zone shall be at
42 least three hundred (300) meters away from the nearest residential units. Once a zone
43 has been defined, no residential unit shall be permitted to be constructed nearer than
44 three hundred (300) meters from the perimeter of such zone;

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46 b) The manufacturing complex shall be governed by, but not limited to, the
47 following safety measures:

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49 1) All buildings must have adequate ventilation, no concrete floors, must
50 be leak-proof and furnished with necessary fire extinguishers;

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