

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**SEVENTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO.** 896

HOUSE OF REPRESENTATIVES

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Introduced by: Hon. Angelina "Helen" D.L. Tan, M.D.

**AN ACT BANNING THE USE OF FIRECRACKERS IN RESIDENTIAL AREAS**

**EXPLANATORY NOTE**

The Constitution, Article 2, Section 5 provides that, "The maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare we essential for the enjoyment by all the people of the blessings of democracy."

Consistent with this policy, the State intends to protect the general welfare of the people by banning the use of fireworks in residential areas.

The Department of Health-Epidemiology Bureau reported that the number of fireworks-related injuries during the New Year's celebration in 2015 rose to 760 as the 15-day monitoring and surveillance reached its 13th day. Majority of the cases or a total of 427 or 56% of the cases were from the National Capital Region. Forty-five percent or 337 of the 760 fireworks related incident were caused by piccolo while some were hit by kwitis, luces and 5-star<sup>1</sup>.

In view of the alarming number of fireworks related injuries every year, this measure seeks a total ban on the use of firecrackers in residential areas of the country with the end view of providing an orderly, safe and peaceful celebration of events without risk of injury or death to the public.

Hence, approval of this bill is earnestly sought.

  
**ANGELINA "HELEN" D.L. TAN, M.D.**  
4<sup>th</sup> District, Quezon

<sup>1</sup> Philippine Star, Fireworks-related injuries reached 760, January 3, 2016  
<http://www.philstar.com/headlines/2016/01/03/1538864/fireworks-related-injuries-reach-760>

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

**SECTION 1. Short Title.** - This Act shall be known and cited as the "Firecracker Ban in Residential Areas Act."

**SEC. 2. Declaration of Policy.** - 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. To this end, the State aims to ensure the safety of the people by banning the use of firecrackers in residential areas.

**SEC. 3. Total Ban on Use of Firecrackers in Residential Areas.** - The use of any firecracker and/or pyrotechnic device is absolutely banned in residential areas. For the purposes of this Act, "residential areas" shall be defined by the local zoning ordinance of the local government unit involved.

**SEC. 4. Designation of Common Firecracker Use Area.** - For purposes of national and local holiday celebrations, the head of the local government unit involved is authorized to designate a common firecracker use area. The common firecracker use area should not exceed Two Hundred (200) square meters and should be located in a nonresidential zone. In addition, there can be only one common firecracker use area per barangay.

**SEC. 5. Penalties.** - Any person who violates Section 3 of this Act shall be punished by a fine of not less than Ten Thousand Pesos (P 10,000.00) nor more than Fifty Thousand Pesos (P50,000.00), or imprisonment of not less than six (6) months nor more than one (1) year, or both such fine and imprisonment, at the discretion of the court.

**SEC. 6. Administration and Enforcement.** - The Philippine National Police shall be primarily responsible for the administration and enforcement of this Act. It shall transmit all cases for prosecution arising from violations of this Act to proper government prosecutors for appropriate action.

**SEC. 7. Implementing Rules and Regulations.** - The Secretary of Interior and Local Government, after public hearing and consultation with the firecrackers and pyrotechnic industry and representatives of local government units, shall promulgate the rules and regulations implement this Act within sixty (60) days from the effectivity of this Act.

**SEC. 8. Separability Clause.** - If any provision or part thereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

**SEC. 9. Repealing Clause.** - All laws, presidential decrees or issuances, executive orders, letter of instruction, administrative orders, rules, and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, modified, or amended accordingly.

**SEC. 10. Effectivity Clause.** - This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,