

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 1146



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

The 1987 Constitution provides that 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. Furthermore, it is a policy of the State to protect and promote the right to health of the people and instill health consciousness among them.

The recent 2016 New Year's revelry left one citizen dead, while nine (9) people had lost a hand while 329 sustained injuries that did not need amputation. At least 50 people endured eye trauma from the indiscriminate use of firecrackers. Though firecracker-related mishaps during the festivities plunged to an all-time low, such number is still a substantial figure. Every New Year, our hospitals expect droves of injured individuals due to the use of firecrackers. It is high-time that the Filipino People learned their lessons and finally realize the dangers that these firecrackers pose to them and their families.

It is the intention of this bill to order Local Government Units (LGUs) to establish communal areas where the public can use their firecrackers wherein the firemen, policemen, and medics will be on standby to prevent the use of illegal firecrackers, control the scope of the fireworks display, and immediately offer first aid to those who encountered accidents during their use of firecrackers.

In view of the foregoing, immediate approval of this bill is earnestly requested.


HON. GARY C. ALEJANO

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AN ACT
REGULATING THE USE OF FIRECRACKERS TO SPECIFIC AREAS DESIGNATED
BY LOCAL GOVERNMENT UNITS

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

1 **SECTION 1. Short Title.** - This Act shall be known as the “Firecrackers Zone Act of
2 2016”.

3
4 **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State to preserve
5 and maintain peace and order, protect life, liberty, and property, and promote the general welfare
6 by regulating and limiting the use of firecrackers to areas specified by Local Government Units
7

8 **SEC. 3. Definitions.** –
9

- 10 1) Accredited Operator – an accredited operator is a person/group of persons who is/are
11 granted a license by a Local Government Unit to use and light up firecrackers in an area
12 specifically reserved by the said Local Government Unit for the use of firecrackers.
13
- 14 2) Launching Area – Area specifically reserved by a Local Government Unit for the use,
15 launch, and display of firecrackers. The area reserved shall not fall within a three hundred
16 meter (300 M) radius from any public/private hospital, public/private educational
17 institution, gasoline station, or residential area. Such area shall be equipped with
18 sufficient water supply and enough firemen in order to extinguish any fires that may be
19 ignited by the firecrackers.
20
- 21 3) Firecrackers – The following are common types of firecrackers that shall be allowed to be
22 used or launched only in the designated launching area:

- 1 (1) Baby rocket — A firecracker with a stick so constructed that lighting of the wick will
2 propel the whole thing to lift a few meters before exploding. The firecracker is about 1 ½
3 inches in length by 3/8 inch in diameter while the stick is about a foot in length;
- 4 (2) Bawang — A firecracker larger than a triangulo with 1/3 teaspoon of powder packed
5 in cardboard tied around with abaca strings and wrapped in shape of garlic;
- 6 (3) Small triangulo — A firecracker shaped like a triangle with powder content less than
7 the bawang and usually wrapped in brown paper measuring ¾ inch length in its longest
8 side;
- 9 (4) Pulling of strings — A firecracker consisting of a small tube about an inch in length
10 and less than ¼ of an inch in diameter with strings on each end. Pulling both strings will
11 cause the firecracker to explode;
- 12 (5) Paper caps — Minute amount of black powder spread in either small strips of paper
13 on a small sheet used for children's toy guns;
- 14 (6) El diablo — Firecrackers tubular in shape about 1 ¼ inches in length and less than ¼
15 inch in diameter with a wick; also known as labintador;
- 16 (7) Watusi — Usually reddish in color about 1 ½ inches in length and 1/10 inch in width
17 usually ignited by friction to produce a dancing movement and a crackling sound;
- 18 (8) Judah's belt — A string of firecrackers consisting of either diablos or small triangulos
19 that can number up to a hundred or thereabout and culminating in large firecracker
20 usually a bawang;
- 21 (9) Sky rocket (kwitis) — A large version of a baby rocket designed to be propelled to a
22 height of forty (40) to fifty (50) feet before exploding;
- 23 (10) Other types equivalent to the foregoing in explosive content.

24 25 B. Pyrotechnic Devices:

- 26 (1) Sparklers — Pyrotechnic devices usually made of black powder on a piece of wire or
27 inside a paper tube designed to light up and glow after igniting;
- 28 (2) Luces — Any of several kinds of sparklers;
- 29 (3) Fountain — A kind of sparkler conical in shape which is lighted on the ground and
30 designed to provide various rising colors and intermittent lights upon being ignited;
- 31 (4) Jumbo regular and special — A kind of sparkler similar to a "fountain" but bigger in
32 size;
- 33 (5) Mabuhay — Sparklers bunched into a bundle of a dozen pieces;
- 34 (6) Roman candle — A sparkler similar to a "fountain" but shaped like a big candle;
- 35 (7) Trompillo — A pyrotechnic device usually fastened at the center and designed to spin
36 first clockwise and then counter-clockwise and provides various colored lights upon
37 being ignited;

1 (8) Airwolf -- A kind of sky rocket shaped like an airplane with a propeller to rise about
2 forty (40) or fifty (50) feet and provide various kinds of light while aloft;

3 (9) Whistle device — Any of the various kinds of firecrackers or pyrotechnic designed to
4 either simply emit a whistle-like sound or explode afterwards upon being ignited;

5 (10) Butterfly — Butterfly-shaped pyrotechnic device designed to lift above ground
6 while providing light;

7 (11) All kinds of pyrotechnic devices;

8 (12) Other types equivalent to the foregoing devices. Firecrackers and pyrotechnic
9 devices previously determined by the Director-General of the Philippine National Police
10 (PNP) as prohibited shall retain their prohibited status and their manufacture, sale,
11 distribution, and use shall continue to be prohibited.

12
13 **SEC. 4. *Prohibited Types of Firecrackers and Pyrotechnic Devices.*** – The sale,
14 distribution and use of other types of firecrackers and pyrotechnic devices not mentioned in the
15 preceding section of such explosive content that could endanger the life and limb are hereby
16 prohibited. Determination of what constitutes prohibited firecrackers and pyrotechnic devices
17 shall be vested with the Philippine National Police (PNP).

18
19 **SEC. 5. *License Requirements.*** - A license or permit to use firecrackers in the designated
20 launching area shall be granted by the Local Government Unit which has in its territory the
21 designated launching area. No license or permit shall be issued to any person/ persons wishing to
22 use firecrackers which have been designated as prohibited. Any person/persons desiring to use
23 and launch firecrackers shall file for his application for the issuance of a license or permit with
24 the municipal or provincial office of the Local Government Unit. Reasonable fees may be
25 charged for the issuance of said licenses or permits to defray the cost of regulating the use of
26 firecrackers.

27
28 **SEC. 6. *Designated Area for the Use of Firecrackers and Pyrotechnic Devices.*** - The
29 use of firecrackers and pyrotechnic devices shall be permitted only to accredited operators, and
30 only in the area specifically designated by Local Government Unit. Firemen, Policemen, and
31 Medics shall be assigned in the firecrackers area. Those violating this Section shall be punished
32 in accordance with this Act.

33
34 **SEC. 7. *Penalties.*** - Any violation of the provisions of this Act shall be penalized as
35 follows:

36 a. For the first offense, a fine of Five Thousand Pesos (P5,000.00) or imprisonment
37 of not more than one (1) month but not less than twenty (20) days, or both fine and
38 imprisonment, at the discretion of the Court;

1 b. For the second offense, a fine of Ten Thousand Pesos (P10,000.00) or
2 imprisonment of not more than three (3) months but not less than one (1) month, or both fine and
3 imprisonment, at the discretion of the Court.

4 c. For the third offense, a fine of Fifteen Thousand Pesos (P15,000.00) or
5 imprisonment of not more than six (6) months but not less three (3) months, or fine and
6 imprisonment, at the discretion of the Court. If the violation is committed by a business
7 establishment, the President, General Manager, or other person, acting in behalf of either the
8 President or General Manager shall be held liable in the case of a corporation or partnership, or
9 the owner or proprietor or the person acting in his behalf shall be held responsible in the case of
10 a single proprietorship. In addition to the foregoing penalties, the business permit of the business
11 establishment shall be cancelled by the appropriate Local Government Unit upon the commission
12 of the third offense.

13
14 **SEC. 8. *Promulgation of Rules and Regulations.*** - The Department of Interior and Local
15 Government shall formulate the guidelines to fully implement the provisions of this Act.

16
17 **SEC. 9. *Separability Clause.*** - If, for any reason, any part of provision of this Act is
18 declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall
19 remain in full force and effect.

20
21 **SEC. 10. *Repealing Clause.*** - All laws, presidential decrees, executive orders, rules and
22 regulations contrary to or inconsistent with the provisions of this Act are hereby repealed,
23 amended or modified accordingly.

24
25 **SEC. 11. *Effectivity.*** - This Act shall take effect upon its approval fifteen days after its
26 publication in two newspapers of general circulation.

Approved,