

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5686



Introduced by HONORABLE LANI MERCADO-REVILLA

EXPLANATORY NOTE

Illegal firecrackers are regular commodities during Christmas and New Year celebrations here in the country. Many Filipinos, largely influenced by Chinese tradition, believe that noisy New Year's celebrations drive away evil and misfortune. But they have carried that superstition to extremes, exploding huge firecrackers and firing guns to welcome the New Year despite threats of arrest. In effect, it has also been a common occurrence that numerous individuals suffer unfortunate injuries as a result of these firecrackers, while some of them suffer from tetanus due to firecracker-related injuries.

From 2006 to 2010, an annual average of 536 cases had been reported. This past 2011 Christmas celebration and 2012 New Year festivities that followed (between December 21 and January 3), the Department of Health (DOH) reported that 949 individuals were injured by firecrackers and stray bullets during the Philippines' long observance of the Yuletide Season. According to the DOH, 916 were from fireworks and 28 from stray bullets. Five (5) cases were due to fireworks ingestion.

It must be emphasized that majority of the victims of injuries caused by firecrackers are children. According to the 2006-2010 DOH report, out of the total 476 injured persons, 37 percent were children from as young as one (1) year old to 10 years of age and 27 percent involved revellers aged 11 to 20 years old.

A 6-year old boy was killed while his father was injured after firecrackers accidentally exploded inside a tricycle in Norzagaray, Bulacan. Victim John Ezekiel de Silva died after firecrackers exploded inside the tricycle driven by his father, Noli. They bought the firecrackers from Bulacan's firecracker hub of Bocaue, and were supposed to sell them to in Nueva Ecija.

The DOH reported that a 9-year old John Joseph Gonzales of Cabanatuan City has died from massive injuries from a firecracker explosion in the first known death from the recent violent New Year. The 9-year-old boy packed a small can with explosive powder that he collected from the debris of used firecrackers, which exploded and injured him seriously when he threw it into flames. He died en route to Paulino J. Garcia Memorial Research and Medical Center on New Year's Eve, while his 10-year old playmate, Roel Pobre lost his fingers and is now hospitalized in the same hospital. One child whose eyes were hit by firecrackers, might end up having an early cataract. Two hospitals reported that among those injured were two children whose hands were so badly injured that they might have to be amputated.

Hence, this bill is sought to impose stiff penalties to those individuals who sells or gives firecrackers to minor children up to the age of 15.

In this regard, passage of this bill is earnestly sought.


REP. LANI MERCADO-REVILLA
2nd District, Cavite

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**AN ACT PENALIZING INDIVIDUALS WHO SELLS, GIVES OR IN ANY WAY
SHARES ANY TYPE OF FIREWORKS OR FIRECRACKERS TO MINOR CHILDREN
15 YEARS OLD AND BELOW**

SECTION 1. It shall be unlawful for persons to sell, give or in any way share any type of firework or firecracker to minor children 15 years old and below.

SEC. 2. Penalties - Any person found guilty of the punishable act herein shall be punishable with imprisonment of *prision correccional* or a fine of at least Fifty Thousand Pesos (P50,000.00) but not exceeding Two Fifty Thousand Pesos (P250,000.00) or both at the discretion of the court.

SEC. 3. Repealing Clause - All laws, decrees, presidential issuances, executive orders, rules and regulations or parts thereof not consistent with the provisions of this Act are hereby amended, repealed or modified accordingly.

SEC. 4. Separability Clause. - If any provision or part of this Act, or the application thereof to any person or circumstance be held unconstitutional or be declared invalid, the remainder of this Act shall not be affected thereby.

SEC. 5. Effectivity Clause - This Act shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,