

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
First Regular Session

House Bill No. **3725**



Introduced by Representative Arthur R. Defensor, Jr.

EXPLANATORY NOTE

There is a promising fireworks industry in the country, that can be further developed into an instrument in the promotion of tourism, and as a continuing and additional source of livelihood for many Filipinos. The fireworks industry contributes to the countries commemorative traditions, and is instrumental in the enrichment of the country's cultural heritage. Owing to its tourism potential, there is a need for government intervention in the development of the fireworks industry so that its products pass international standards, and become competitive as to enhance the tourism potentials of our commemorative traditions. While the important contributions of the fireworks industry is recognized, there is a need to regulate the manufacture and use of fireworks, in order to promote public health, safety and order.

Parenthetically, this bill entitled, "AN ACT TO PROMOTE AND REGULATE THE FIREWORKS INDUSTRY IN THE PHILIPINES", is likewise a response to the clamor to, once again, ban the use fireworks, owing to the injury and damage it has caused to people and property. Instead of banning fireworks, this Bill seeks to save the industry, while improving it for developmental use. The highlight of this bill is the limitation of fireworks use to community fireworks display only, conducted by selected and trained personnel. The Bill likewise limits access of the general public to fireworks, for their own safety.

The passage of this bill is strongly urged.

A handwritten signature in black ink, appearing to read "ARD", written over a horizontal line.

ARTHUR R. DEFENSOR, JR.

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Sixteenth Congress
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AN ACT
TO PROMOTE AND REGULATE THE FIREWORKS INDUSTRY IN THE
PHILIPPINES

Section 1. *Title.* - This Act shall be known as the "Fireworks Industry Act of 2014".

Section 2. *Declaration of State Policies.* - It is hereby declared that:

- a. There is a promising fireworks industry in the country, that can be further developed into an instrument in the promotion of tourism, and as a continuing and additional source of livelihood for many Filipinos;
- b. The fireworks industry contributes to the countries commemorative traditions, and is instrumental in the enrichment of the country's cultural heritage;
- c. Owing to its tourism potential, there is a need for government intervention in the development of the fireworks industry so that its products pass international standards, and become competitive as to enhance the tourism potentials of our commemorative traditions; and
- d. While the important contributions of the fireworks industry is recognized, there is a need to regulate the manufacture and use of fireworks, in order to promote public health, safety and order.

Section 3. *The Fireworks Industry Development Program.* - There shall be a Fireworks Industry Development Program, hereafter referred to as the "Program", that shall serve as the strategic government program in the realization of the foregoing

policies, and shall include plans and activities to develop the tourism potential of the fireworks industry in the country. The Program shall have the following components :

- a. The creation of a fireworks industry inter-agency committee, hereafter referred to in this Act as the "Fire Works Industry Inter-agency Committee" or the "Committee", for brief reference. The Committee shall be composed of the Department of Science, Department of Trade and Industry, Department of Health, Department of Interior and Local Government, Department of Labor and Employment, and the Technology Education and Skills Development Authority. The Committee shall, within six (6) months from the date this Act shall have taken effect, formulate and implement the Fireworks Industry Development Program. The Committee shall likewise be in charge of the formulation and implementation of such other policies, programs and regulations related to the development of the fireworks industry;
- b. Regulation of fireworks manufacture, sale and conduct of fireworks display and similar activities;
- c. A government facility for the acquisition of advance technology in the manufacture and conduct of fireworks display and similar activities;
- d. Financial and technical assistance to fireworks manufacturers in the adoption of advance technology in the manufacture of fireworks, and the maintenance of safety standards in their manufacture and sale;
- e. Institutionalized integration of the fireworks industry with the tourism industry programs of the government to enhance the tourism potential of Philippine commemorative traditions; and
- f. Skills development in the manufacture of fireworks.

Section 4. *Power to promulgate administrative regulations.* - The Committee shall have the power to promulgate administrative regulations for the administration and enforcement of the Program and this Act.

Section 5. *Definition of Fireworks.* - The term "fireworks" in this Act shall cover "Fireworks and Pyrotechnic Devices" under Section 2 of Republic Act No. 7183, and such other devices and effects as may be defined under administrative regulations promulgated pursuant to the Program, and authorized under this Act.

Section 6. *Manufacture and Sale of Fireworks.* - The manufacture and sale of fireworks shall be subject to licensing and accreditation by the Committee, and shall be subject to such other qualifications under administrative regulations promulgated pursuant to the Program, and authorized under this Act.

Reasonable fees may be charged for licensing and accreditation as mentioned in the foregoing paragraph, to defray the cost of regulation.

Section 7. *Conduct of Fireworks Display and Similar Activities.* - Only local government units and accredited private entities, such as, corporations, homeowners associations, civic organizations, entertainment and recreation events organizers and similar institutions whose organization and existence is subject to government regulation, accredited by the concerned local government unit, shall be allowed to, purchase and possess fireworks, and conduct fireworks display and similar activities, at times and in places designated in accordance with administrative regulations promulgated pursuant to the Program, and authorized under this Act.

The actual purchase, possession and conduct of fireworks display and similar activities shall be undertaken by designated personnel of the concerned local government units and private entities as provided under Section 3 hereof, who have undergone the proper training and accreditation under the Program.

Section 8. *Penalties.* The manufacture, sale, possession, or conduct of fireworks display and similar activities in violation of this Act, and the administrative regulations promulgated pursuant thereto, shall be punishable by imprisonment of not less than one (1) year, but not more than three (3) years, and/or a fine of not less than five hundred thousand pesos (P 5,000,000.00), but not more the one million pesos (P1,000,000.00), at the discretion of the court. In addition, government license/s and/or accreditation/s of the offender shall be cancelled, and the articles subject of the offense shall be subject to forfeiture in favor of the government.

Section 9. *Repealing Clause.* The provisions of Republic Act No. 7183 shall continue to have effect, in so far as they are not in conflict with the provisions of this Act, but are hereby repealed when administrative regulations on the manufacture, sale and conduct of fireworks display and similar activities, pursuant to the Program, and authorized under this Act, shall have been promulgated.

Section 10. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.