

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

SIXTEENTH CONGRESS
Second Regular Session

House Bill No. 5310



INTRODUCED BY HON. MARCELINO "MARCY" R. TEODORO

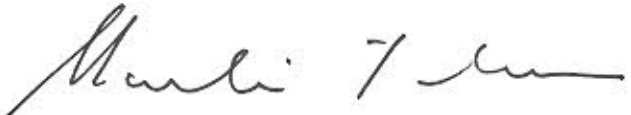
EXPLANATORY NOTE

This proposed measure seeks to: (1) ban the use of firecrackers in residential areas, (2) provide for a common firecracker use area in each barangay, and (3) absolutely prohibit minors from using firecrackers.

Although the number of fireworks-related injuries this 2015 New Year's Eve occasion declined, the number of victims who needed amputation increased. According to the Department of Health, it tallied a total of 351 firecracker injuries across the country as of 6 a.m. on Jan. 1, 2015. The data is 39 percent lower than the 578 cases in 2013, however, the number of major injuries increased by 75 percent to 14 cases from eight in 2013.

To avoid this yearly unfortunate and bloody celebration of New Year, the total ban on the use of firecrackers by minors and in residential areas is indeed necessary.

In view of the foregoing, the passage of this bill is earnestly sought.


REP. MARCELINO "MARCY" R. TEODORO
1st District, Marikina City

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

SIXTEENTH CONGRESS
Second Regular Session

House Bill No. 5310

INTRODUCED BY HON. MARCELINO "MARCY" R. TEODORO

AN ACT
REGULATING THE USE OF FIRECRACKERS AND OTHER PYROTECHNIC DEVICES

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 Regulation Act of 2015.**"

SECTION 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 regulating the use of firecrackers.

SECTION 3. Total Ban on Use of Firecrackers in Residential Areas. - The use of any firecracker and/or similar 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.

SECTION 4. Absolute Prohibition for Minors. - No firecrackers or similar pyrotechnic devices shall be sold to any person below eighteen (18) years of age. Furthermore, anyone who induces, directs or allows a minor to use a firecracker shall be punished according to the provisions of this Act.

SECTION 5. 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 where residents of a barangay can use their firecrackers and pyrotechnic devices.

Provided that, the common firecracker use area should not exceed Two Hundred (200) square meters and should be located in a non-residential zone.

Provided further that, there can only be one common firecracker use area per barangay.

Provided finally that, the management of the common firecracker use area shall be done by professionals with technical knowledge and skills on the use of firecrackers.

SECTION 6. Penalties. - Any person who violates Sections 3 and 4 of this Act shall be punished by a fine of not less than One Hundred Thousand Pesos (P 100,000.00) nor more than Five Hundred Thousand Pesos (P500,000.00), or imprisonment of not less than six (6) months nor more than three (3) years, or both such fine and imprisonment, at the discretion of the court.

SECTION 7. 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.

SECTION 8. Implementing Rules and Regulations. - The Secretary of Interior and Local Government shall promulgate the rules and regulations implement this Act within sixty (60) days from the effectivity of this Act.

SECTION 9. 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.

SECTION 10. 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.

SECTION 11. Effectivity Clause. - This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,