

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

SIXTEENTH CONGRESS
Second Regular Session

House Bill No. **5333**



Introduced by Magdalo Party-List Representatives
Hon. Gary C. Alejano and Hon. Francisco Ashley L. Acedillo

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 2015 New Year's revelry left a total of 840 firecracker-related injuries. Though this is reportedly around a 20% drop compared to that in the beginning of the year 2014, 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


HON. FRANCISCO ASHLEY L. ACEDILLO

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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:

SECTION 1. *Short Title.* - This Act shall be known as the Firecrackers Act of 2015.

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

SEC. 3. *Definitions.* –

- 1) Accredited Operator – an accredited operator is a person/group of persons who is/are granted a license by a Local Government Unit to use and light up firecrackers in an area specifically reserved by the said Local Government Unit for the use of firecrackers.
- 2) Launching Area – Area specifically reserved by a Local Government Unit for the use, launch, and display of firecrackers. The area reserved shall not fall within a three hundred meter (300 M) radius from any public/private hospital, public/private educational institution, gasoline station, or residential area. Such area shall be equipped with sufficient water supply and enough firemen in order to extinguish any fires that may be ignited by the firecrackers.
- 3) Firecrackers – The following are common types of firecrackers that shall be allowed to be used or launched only in the designated launching area:
 - (1) Baby rocket — A firecracker with a stick so constructed that lighting of the wick will propel the whole thing to lift a few meters before exploding. The firecracker is about 1 ½ inches in length by 3/8 inch in diameter while the stick is about a foot in length;

- (2) Bawang — A firecracker larger than a triangulo with $\frac{1}{3}$ teaspoon of powder packed in cardboard tied around with abaca strings and wrapped in shape of garlic;
- (3) Small triangulo — A firecracker shaped like a triangle with powder content less than the bawang and usually wrapped in brown paper measuring $\frac{3}{4}$ inch length in its longest side;
- (4) Pulling of strings — A firecracker consisting of a small tube about an inch in length and less than $\frac{1}{4}$ of an inch in diameter with strings on each end. Pulling both strings will cause the firecracker to explode;
- (5) Paper caps — Minute amount of black powder spread in either small strips of paper on a small sheet used for children's toy guns;
- (6) El diablo — Firecrackers tubular in shape about $1\frac{1}{4}$ inches in length and less than $\frac{1}{4}$ inch in diameter with a wick; also known as labintador;
- (7) Watusi — Usually reddish in color about $1\frac{1}{2}$ inches in length and $\frac{1}{10}$ inch in width usually ignited by friction to produce a dancing movement and a crackling sound;
- (8) Judah's belt — A string of firecrackers consisting of either diablos or small triangulos that can number up to a hundred or thereabout and culminating in large firecracker usually a bawang;
- (9) Sky rocket (kwitis) — A large version of a baby rocket designed to be propelled to a height of forty (40) to fifty (50) feet before exploding;
- (10) Other types equivalent to the foregoing in explosive content.

B. Pyrotechnic Devices:

- (1) Sparklers — Pyrotechnic devices usually made of black powder on a piece of wire or inside a paper tube designed to light up and glow after igniting;
- (2) Luces — Any of several kinds of sparklers;
- (3) Fountain — A kind of sparkler conical in shape which is lighted on the ground and designed to provide various rising colors and intermittent lights upon being ignited;
- (4) Jumbo regular and special — A kind of sparkler similar to a "fountain" but bigger in size;
- (5) Mabuhay — Sparklers bunched into a bundle of a dozen pieces;
- (6) Roman candle — A sparkler similar to a "fountain" but shaped like a big candle;
- (7) Trompillo — A pyrotechnic device usually fastened at the center and designed to spin first clockwise and then counter-clockwise and provides various colored lights upon being ignited;
- (8) Airwolf — A kind of sky rocket shaped like an airplane with a propeller to rise about forty (40) or fifty (50) feet and provide various kinds of light while aloft;
- (9) Whistle device — Any of the various kinds of firecrackers or pyrotechnic designed to either simply emit a whistle-like sound or explode afterwards upon being ignited;

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

3 (11) All kinds of pyrotechnic devices;

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

8
9 **SEC. 4. *Prohibited Types of Firecrackers and Pyrotechnic Devices.*** – The sale,
10 distribution and use of other types of firecrackers and pyrotechnic devices not mentioned in the
11 preceding section of such explosive content that could endanger the life and limb are hereby
12 prohibited. Determination of what constitutes prohibited firecrackers and pyrotechnic devices
13 shall be vested with the Philippine National Police (PNP).
14

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

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

30 **SEC. 7. *Penalties.*** - Any violation of the provisions of this Act shall be penalized as
31 follows:

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

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

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

10
11 **SEC. 8. *Promulgation of Rules and Regulations.*** - The Department of Interior and Local
12 Government shall formulate the guidelines to fully implement the provisions of this Act.

13
14 **SEC. 9. *Separability Clause.*** - If, for any reason, any part of provision of this Act is
15 declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall
16 remain in full force and effect.

17
18 **SEC. 10. *Repealing Clause.*** - All laws, presidential decrees, executive orders, rules and
19 regulations contrary to or inconsistent with the provisions of this Act are hereby repealed,
20 amended or modified accordingly.

21
22 **SEC. 11. *Effectivity.*** - This Act shall take effect upon its approval fifteen days after its
23 publication in two newspapers of general circulation.

Approved,