



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Seventeenth Congress

Second Regular Session

House Bill No. 6372

Introduced by

**HONORABLES ROMEO M. ACOP, LEOPOLDO N. BATAOIL, GUS S. TAMBUNTING, GARY C.
ALEJANO, LUCY T. GOMEZ, ROZZANO RUFINO B. BIAZON AND RAUL C. TUPAS**

EXPLANATORY NOTE

In 1995, Congress passed Republic Act No. 7916, otherwise known as the 'Special Economic Zone Act', the principal law governing the Philippine Economic Zone Authority (PEZA) and PEZA-owned and administered economic zones. Under RA 7916, the then Export Processing Zone Authority (EPZA) established pursuant to Presidential Decree No. 66, as amended by Presidential Decree No. 1786, has evolved to become the PEZA. Accordingly, PEZA has taken over the powers and functions of the defunct PEZA, including the administration and enforcement of the National Building Code (Presidential Decree No. 1096) and fire safety rules and regulations inside the PEZA-registered economic zones. Questionably, it is through the Implementing Rules and Regulations (IRR) of RA 7916 promulgated by PEZA which allowed itself to adopt the Fire Code (Presidential Decree No. 1185) for enforcement within the economic zones.

In 2008, Republic Act No. 9514, also known as the 'Revised Fire Code of the Philippines', was enacted. Section 4 of the Code provides that the law covers all persons, private and public buildings, facilities or structures erected and constructed before and after its effectivity. Moreover, Section 5 of the same Code mandates the Bureau of Fire Protection (BFP) to administer and enforce it.

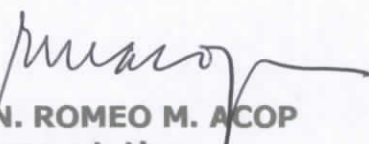
However, despite the passage of RA 9514, PEZA continued to enforce the Fire Code within the economic zones.

The Resorts World Manila incident of June 2, 2017 where a lone gunman burned portions of the establishment and the consequent congressional investigation on the incident jointly conducted by the Committees on Public Order and Safety, Games and Amusement, and Tourism, revealed the apparent overlapping authority and functions of the BFP and the PEZA in enforcing the Revised Fire Code within the economic zones. Prior to the incident, similar events have previously occurred where the issue was already brought to the fore.

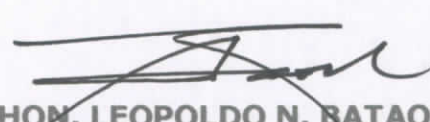
On the other hand, Republic Act No. 9593, also known as the 'Tourism Act of 2009', created the Tourism Infrastructure and Enterprise Zone Authority (TIEZA) with functions similar to PEZA. Section 70, paragraph (g) of the law authorizes TIEZA to take such emergency measures as may be necessary to avoid fires, floods and mitigate the effects of storms and other natural or public calamities. Hence, it is also proper to clarify the TIEZAs authority to implement the Revised Fire Code of the Philippines.

This bill seeks to clarify the respective authorities and jurisdictions of the PEZA, TIEZA and BFP with respect to the administration and enforcement of the Revised Fire Code within the economic and tourism zones in the country to avoid confusion and to ensure public order, safety and security in the said establishments.

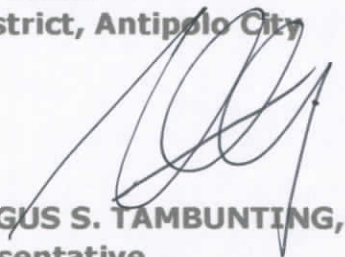
For the foregoing reasons, the immediate consideration and passage of this bill is earnestly urged.



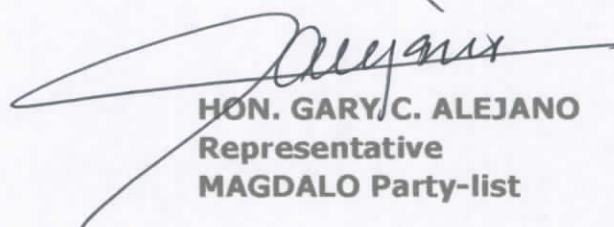
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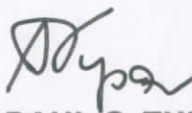


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AN ACT
HARMONIZING THE FUNCTIONS OF GOVERNMENT AGENCIES
CONCERNED IN THE IMPLEMENTATION OF REPUBLIC ACT NO. 9514,
OTHERWISE KNOWN AS THE REVISED FIRE CODE OF THE
PHILIPPINES, IN ECONOMIC AND TOURISM ZONES IN THE
PHILIPPINES

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

SECTION 1. Section 9 of Republic Act No. 7916, as amended by Republic Act No. 8748, also known as the 'Special Economic Zone Act of 1995', is hereby amended to read as follows :

SECTION 9. Defense and Security. – The defense of the ECOZONE and the security of its perimeter fence shall be the responsibility of the national government in coordination with the PEZA. Military forces sent by the national government for the purpose of defense shall not interfere in the internal affairs of any of the ECOZONES and expenditure for these military forces shall be borne by the national government. The PEZA may provide and establish the ECOZONES' internal security and firefighting forces[.] : **PROVIDED, THAT THE ESTABLISHMENT OF SUCH INTERNAL**

SECURITY AND FIREFIGHTING FORCES IS WITHOUT PREJUDICE TO THE EXCLUSIVE AUTHORITY OF THE BUREAU OF FIRE PROTECTION (BFP) TO IMPLEMENT THE PROVISIONS OF REPUBLIC ACT NO. 9514, OTHERWISE KNOWN AS THE REVISED FIRE CODE OF THE PHILIPPINES, IN ALL AREAS WITHIN THE ECOZONES

SECTION 2. Section 70 (g) of Republic Act No. 9593, also known as the 'Tourism Act of 2009', is hereby amended to read as follows :

SECTION 70. *Powers and Functions of the Chief Operating Officer.* - In addition to those stated in Section 23 of Presidential Decree No. 564 on the powers of the former General Manager of the PTA, which are hereby adopted under this Act, the Chief Operating Officer shall implement the policies, plans and programs of the TIEZA. He or she shall likewise exercise the following powers and functions:

XXXX

(g) Take such emergency measures as may be necessary to avoid fires, floods and mitigate the effects of storms and other natural or public calamities[7]
PROVIDED, THAT THE TAKING OF SUCH EMERGENCY MEASURES IS WITHOUT PREJUDICE TO THE EXCLUSIVE AUTHORITY OF THE BUREAU OF FIRE PROTECTION (BFP) TO IMPLEMENT THE PROVISIONS OF REPUBLIC ACT NO. 9514, OTHERWISE KNOWN AS THE REVISED FIRE CODE OF THE PHILIPPINES.

SECTION 3. Separability Clause. - If any portion or provision of this Act or the application thereof shall be declared invalid or unconstitutional, the validity of other parts or provisions not affected thereby shall continue to be in full force and effect.

SECTION 4. Repealing Clause. - All laws, decrees, executive issuances, rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 5. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved.