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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 7121



Introduced by REP. JESUS ANGEL MANUEL “BONG” C. SUNTAY

EXPLANATORY NOTE

Republic Act No. 9514, otherwise known as the *Fire Code of the Philippines of 2008*, was enacted to protect life, property, and the environment from the destructive effects of fire. It vested the Bureau of Fire Protection (BFP) with broad inspection, enforcement, and abatement powers, including the authority to issue Fire Safety Inspection Certificates (FSICs) and to order the correction of hazardous conditions.

Subsequently, Republic Act No. 11032, or the *Ease of Doing Business and Efficient Government Service Delivery Act of 2018*, institutionalized the State policy that government regulation must be transparent, predictable, and proportionate, while remaining fully consistent with public safety objectives. The law mandates streamlined procedures, clear timelines, and inter-agency coordination to prevent regulatory bottlenecks that unduly burden legitimate economic activity.

Experience in the implementation of both laws has revealed the need for clear statutory harmonization between fire safety enforcement and local business permitting processes. While the FSIC is a vital instrument for ensuring compliance with fire safety standards, its application in practice has, in some instances, resulted in procedural overlap and uncertainty, particularly where the absence of an FSIC is treated as an automatic and indefinite bar to the issuance or renewal of a Mayor’s Permit, regardless of the nature or gravity of the cited deficiency.

It bears emphasis that a Mayor’s Permit is a regulatory authorization issued by local government units in the exercise of their police power, while fire safety compliance is enforced independently by the BFP pursuant to its mandate under the Fire Code. These functions, though complementary, are not identical and must be exercised in a manner that respects due process, proportionality, and the separation of regulatory roles.

1 This proposed measure seeks to clarify and refine the relationship between these two
2 statutory regimes. It affirms the continuing authority of the BFP to conduct
3 inspections, issue notices of deficiency, order corrective action, and, where
4 warranted, declare an establishment an imminent danger to life and property. At the
5 same time, it provides that the absence of an FSIC, standing alone, shall not
6 automatically result in the denial or non-renewal of a Mayor's Permit, except where a
7 formal finding of imminent danger has been issued.

8
9 Consistent with Republic Act No. 11032, the bill institutionalizes reasonable
10 compliance periods, written notices of findings, and coordinated inter-agency
11 processes that promote voluntary compliance and corrective action rather than
12 coercive or duplicative regulation. It further directs concerned agencies to align their
13 systems, timelines, and procedures to minimize administrative friction while
14 preserving the primacy of public safety.

15
16 Importantly, the measure expressly preserves all existing requirements under the Fire
17 Code and the National Building Code relating to Fire Safety Evaluation Clearances,
18 Fire Safety Inspection Certificates as prerequisites to occupancy, and fire safety
19 compliance during construction. No diminution of fire safety standards is intended
20 or effected.

21
22 In sum, this bill advances a balanced regulatory framework—one that upholds the
23 State's paramount duty to protect life and property, while faithfully implementing the
24 legislative intent of the Ease of Doing Business Act to deliver government services
25 that are fair, efficient, and accountable.

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27 In view of the foregoing, the immediate passage of this measure is earnestly sought.
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REP. JESUS "BONG" C. SUNTAY

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11 Introduced by REP. JESUS MANUEL BONG SUNTAY
12

13 **AN ACT AMENDING REPUBLIC ACT NO. 9514, OTHERWISE KNOWN AS**
14 **THE “FIRE CODE OF THE PHILIPPINES OF 2008,” TO HARMONIZE**
15 **FIRE SAFETY ENFORCEMENT WITH REPUBLIC ACT NO. 11032,**
16 **CLARIFY THE ROLE OF THE FIRE SAFETY INSPECTION CERTIFICATE**
17 **IN BUSINESS PERMITTING, AND PROMOTE DUE PROCESS AND EASE**
18 **OF DOING BUSINESS**
19

20 Be it enacted by the Senate and House of Representatives of the Philippines in
21 Congress assembled:
22

23 **SECTION 1. Short Title.**

24 This Act shall be known as the “Fire Safety and Ease of Doing Business
25 Harmonization Act.”
26

27 **SEC. 2. Declaration of Policy.**

28 It is hereby declared the policy of the State to:

- 29 (a) Ensure the protection of life, property, and the environment through strict and
30 effective fire safety regulation;
31 (b) Promote a responsive, predictable, and efficient regulatory environment
32 consistent with Republic Act No. 11032;
33 (c) Uphold due process, proportionality, and transparency in regulatory
34 enforcement;
35 (d) Clarify and harmonize the respective roles of the Bureau of Fire Protection (BFP)
36 and local government units (LGUs) in business permitting; and
37 (e) Encourage voluntary compliance by regulated establishments through clear
38 standards, reasonable timelines, and fair enforcement.
39

40 **SEC. 3. Amendment to Section 7 of Republic Act No. 9514.**

41 Section 7 of Republic Act No. 9514 is hereby amended by adding a new paragraph to
42 read as follows:
43

44 “PROVIDED, THAT THE ABSENCE OF A FIRE SAFETY INSPECTION
45 CERTIFICATE (FSIC) SHALL NOT, BY ITSELF, BE USED AS A
46 GROUND TO WITHHOLD, SUSPEND, OR DENY THE ISSUANCE OR
47 RENEWAL OF A MAYOR’S PERMIT OR BUSINESS PERMIT, UNLESS

1 SUCH ABSENCE IS ACCOMPANIED BY A WRITTEN FINDING BY THE
2 BUREAU OF FIRE PROTECTION THAT THE ESTABLISHMENT
3 POSES AN IMMINENT DANGER TO LIFE AND PROPERTY.”
4
5

6 **SEC. 4. New Section on Separation of Regulatory Functions.**

7 A new section is hereby inserted after Section 7 to read as follows:
8

9 **“SEC. 7-A. SEPARATION OF FIRE SAFETY ENFORCEMENT AND**
10 **BUSINESS PERMITTING.**

11
12 (A) THE PROCESSING AND ISSUANCE OF FIRE SAFETY INSPECTION
13 CERTIFICATES SHALL BE ALIGNED WITH THE STANDARDS,
14 TIMELINES, AND PRINCIPLES SET FORTH UNDER REPUBLIC ACT NO.
15 11032, INCLUDING TRANSPARENCY, ACCOUNTABILITY, AND THE
16 PRESUMPTION OF GOOD FAITH ON THE PART OF APPLICANTS.

17 (B) THE ISSUANCE OR RENEWAL OF A MAYOR’S PERMIT SHALL
18 PROCEED INDEPENDENTLY OF THE FSIC PROCESS, WITHOUT
19 PREJUDICE TO THE AUTHORITY OF THE BUREAU OF FIRE
20 PROTECTION TO CONDUCT INSPECTIONS, ISSUE NOTICES OF
21 DEFICIENCY, AND ENFORCE COMPLIANCE UNDER THIS CODE.

22 (C) THE BUREAU OF FIRE PROTECTION AND LGUS SHALL ADOPT
23 INTEROPERABLE SYSTEMS AND COORDINATED PROCEDURES TO
24 MINIMIZE DUPLICATION, REDUCE PROCESSING TIME, AND
25 ENHANCE REGULATORY EFFICIENCY.”
26

27
28 **SEC. 5. Due Process and Notice Requirement.**

29 A new section is hereby inserted to read as follows:
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31 **“SEC. 7-B. DUE PROCESS IN FIRE SAFETY ENFORCEMENT.**

32 (A) WHERE DEFICIENCIES IN FIRE SAFETY COMPLIANCE ARE
33 IDENTIFIED, THE BUREAU OF FIRE PROTECTION SHALL ISSUE A
34 WRITTEN NOTICE SPECIFYING THE FINDINGS AND RECOMMENDED
35 CORRECTIVE ACTIONS.

36 (B) A REASONABLE COMPLIANCE PERIOD, NOT EXCEEDING SIXTY
37 (60) DAYS, SHALL BE GRANTED, CONSISTENT WITH THE PRINCIPLE
38 OF PROPORTIONAL REGULATION UNDER REPUBLIC ACT NO. 11032,
39 EXCEPT WHERE CONDITIONS PRESENT AN IMMINENT DANGER.

40 (C) DURING THE COMPLIANCE PERIOD, THE ESTABLISHMENT MAY
41 CONTINUE LAWFUL OPERATIONS, SUBJECT TO MONITORING,
42 UNLESS A WRITTEN ORDER DECLARING IMMINENT DANGER IS
43 ISSUED.”
44

45 **SEC. 6. Negative Lists and Inter-Agency Coordination.**

46 A new section is hereby inserted to read as follows:
47

1 **“SEC. 7-C. COORDINATED USE OF COMPLIANCE**
2 **INFORMATION.**

3 (A) FIRE SAFETY COMPLIANCE DATA MAY BE SHARED WITH LGUS
4 FOR REGULATORY COORDINATION PURPOSES; HOWEVER, SUCH
5 INFORMATION SHALL NOT RESULT IN THE AUTOMATIC DENIAL,
6 SUSPENSION, OR NON-RENEWAL OF A MAYOR’S PERMIT ABSENT A
7 FINDING OF IMMINENT DANGER.

8 (B) ANY ‘NEGATIVE LIST’ OR SIMILAR ADMINISTRATIVE TOOL SHALL
9 BE USED SOLELY FOR MONITORING AND COMPLIANCE
10 FACILITATION, AND NOT AS A SUBSTITUTE FOR DUE PROCESS UNDER
11 THIS CODE.”

12
13 **SEC. 7. Construction and Occupancy Permits Not Affected.**

14 Nothing in this Act shall be construed to amend or weaken existing requirements
15 under the National Building Code and Fire Code for:

- 16 (a) Fire Safety Evaluation Clearance (FSEC);
17 (b) Fire Safety Inspection Certificate (FSIC) as a prerequisite to occupancy; or
18 (c) Fire safety compliance during construction and prior to occupancy.

19
20 **SEC. 8. Implementing Rules and Regulations.**

21 Within ninety (90) days from effectivity, the Department of the Interior and Local
22 Government (DILG), Bureau of Fire Protection (BFP), Department of Trade and
23 Industry (DTI), and the Anti-Red Tape Authority (ARTA) shall promulgate the
24 necessary rules and regulations to implement this Act.

25
26 **SEC. 9. Separability Clause.**

27 If any provision of this Act is declared unconstitutional or invalid, the other
28 provisions not affected shall remain in full force and effect.

29
30 **SEC. 10. Repealing Clause.**

31 All laws, executive orders, rules and regulations, and issuances inconsistent with this
32 Act are hereby repealed or modified accordingly.

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34 **SEC. 11. Effectivity.**

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

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39 Approved,