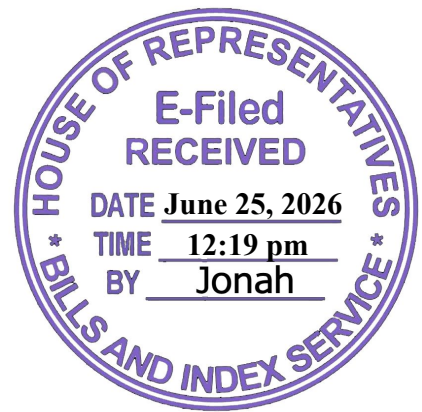


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session

House Bill No. 9942



Introduced by Representative ROLANDO M. VALERIANO

EXPLANATORY NOTE

Republic Act No. 9514, otherwise known as the “Fire Code of the Philippines of 2008,” requires the issuance of a Fire Safety Inspection Certificate (FSIC) as a prerequisite to the issuance of occupancy permits, business permits, and permits to operate. While this requirement serves the important objective of ensuring compliance with fire safety standards, its uniform application to all business permit applications and renewals, regardless of the degree of fire risk involved, has contributed to delays in business registration and permit processing, particularly among micro, small, and medium enterprises.

This bill seeks to harmonize fire safety regulation with the principles of efficient government service delivery, ease of doing business, and risk-based regulation. Consistent with Republic Act No. 11032, or the “Ease of Doing Business and Efficient Government Service Delivery Act of 2018,” the measure adopts a differentiated approach that aligns regulatory requirements with the level of fire risk presented by a business activity.

Under the proposed measure, establishments classified as Medium Degree of Fire Hazard and High Degree of Fire Hazard shall continue to be required to secure an FSIC prior to the issuance of a new business permit. Establishments classified as Low Degree of Fire Hazard, however, may be issued a business permit subject to the submission of the required FSIC within forty-five (45) calendar days from permit issuance. For renewals of business permits, regardless of hazard classification, the FSIC shall no longer be a prerequisite to renewal. Establishments that do not possess a valid and subsisting FSIC at the time of renewal shall be required to secure the corresponding FSIC within forty-five (45) calendar days from the issuance of the renewed permit. Occupancy permits shall remain subject to the existing requirement of prior issuance of an FSIC.

The measure further authorizes the Bureau of Fire Protection (BFP), in consultation with relevant government agencies and stakeholders, to establish, maintain, and periodically review a classification system for business activities based on their degree of fire hazard. Such classification shall take into account the nature of the business, the materials used or stored, occupancy characteristics, operational processes, technological developments, and other relevant risk factors, thereby ensuring that regulatory requirements remain responsive to evolving fire safety conditions.

Failure to secure the required FSIC within the prescribed period shall constitute sufficient ground for the denial of the subsequent renewal of the business permit and may warrant the inclusion of the establishment in the Negative List maintained pursuant to Republic Act No. 11032 and its implementing rules and regulations, without prejudice to the imposition of penalties and other enforcement measures authorized under the Fire Code and other applicable laws.

By adopting a risk-based and post-compliance framework, this measure preserves the State’s commitment to public safety while reducing unnecessary regulatory burdens, streamlining business permit processing, and fostering a more efficient and business-friendly regulatory environment.

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


ROLANDO M. VALERIANO
Representative
Manila, 2nd District

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session

House Bill No. 9942

Introduced by Representative ROLANDO M. VALERIANO

AN ACT AMENDING SECTIONS 5(g) AND 11(2)(a)(4), AND INSERTING A NEW SECTION 5-A IN REPUBLIC ACT NO. 9514, OTHERWISE KNOWN AS THE “FIRE CODE OF THE PHILIPPINES OF 2008,” ESTABLISHING A RISK-BASED APPROACH AND POST-RENEWAL FIRE SAFETY COMPLIANCE MECHANISM FOR BUSINESS PERMITS, AND FOR OTHER PURPOSES

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 “Post-Permit Fire Safety Compliance for Businesses Act.”

SECTION 2. Declaration of Policy. – It is hereby declared the policy of the State to promote public safety through effective fire prevention and suppression measures while ensuring efficient government service delivery, regulatory efficiency, and ease of doing business. Towards this end, the State shall adopt a risk-based approach in implementing fire safety requirements for business establishments while preserving the inspection, monitoring, and enforcement powers of the Bureau of Fire Protection.

SECTION 3. Amendment of Section 5(g) of Republic Act No. 9514 – Section 5(g) of Republic Act No. 9514 is hereby amended to read as follows:

“Section 5(g). Designate a fire safety inspector through his/her duly authorized representative, who shall conduct an inspection of every building or structure within his area of responsibility at least once a year and as may be necessary for the enforcement of this Code.

No occupancy permit shall be issued without securing a Fire Safety Inspection Certificate (FSIC) from the Chief, BFP, or his/her duly authorized representative.

The Fire Safety Inspection Certificate requirements for new business permit applications and renewals shall be governed by Section 5-A of this Code.”

SECTION 4. Insertion of a New Section 5-A. – A new Section 5-A is hereby inserted after Section 5 of Republic Act No. 9514, to read as follows:

“Section 5-A. Fire Hazard Classification and Fire Safety Inspection Certificate Requirements for Business Permits. —

Business establishments shall be classified as Low Degree of Fire Hazard, Medium Degree of Fire Hazard, or High Degree of Fire Hazard in accordance with the criteria and standards to be prescribed by the Bureau of Fire Protection, in consultation with concerned government agencies, local government units and relevant stakeholders.

In prescribing and updating such classifications, the Bureau of Fire Protection shall consider, among others, the quantity and nature of combustible materials present, occupancy load, operational processes, storage of hazardous substances, use of heat-producing equipment, and potential impact of fire on life and property.

The Bureau of Fire Protection shall periodically review and, whenever necessary, update the classification of business activities to ensure that such classifications remain responsive to prevailing fire safety risks, technological developments, industry practices, and other relevant considerations.

For new business permit applications involving establishments classified as Medium Degree of Fire Hazard or High Degree of Fire Hazard, the issuance of a Fire Safety Inspection Certificate shall be a prerequisite to the issuance of a business permit.

Provided, however, That where the applicant business establishment occupies a building, structure, or premises covered by a Fire Safety Inspection Certificate (FSIC) issued in connection with the issuance of an Occupancy Permit and issued not more than one (1) year prior to the business permit application, such Fire Safety Inspection Certificate may be temporarily accepted for purposes of the business permit application. The business owner shall thereafter apply for and secure the corresponding Fire Safety Inspection Certificate for the business establishment within forty-five (45) calendar days from the issuance of the business permit.

Provided, further, That where the applicant is a lessee of a building, structure, or premises covered by a valid Fire Safety Inspection Certificate (FSIC) issued to the lessor, such FSIC may likewise be temporarily accepted for purposes of the business permit application. The lessee shall apply for and secure its own Fire Safety Inspection Certificate within forty-five (45) calendar days from the issuance of the business permit.

For new business permit applications involving establishments classified as Low Degree of Fire Hazard, and for renewals of business permits regardless of hazard classification, the Fire Safety Inspection Certificate (FSIC) shall not be a prerequisite to the issuance or renewal of a business permit: Provided, That an applicant or permittee who does not possess a valid and subsisting FSIC at the time of application or renewal shall apply for and secure the required FSIC within forty-five (45) calendar days from the issuance or renewal of the business permit.

A valid and unexpired FSIC presented during the application or renewal process shall be deemed sufficient compliance with this requirement until its expiration, without prejudice to the obligation of the permittee to secure the appropriate renewal of the FSIC.

Failure to secure the required Fire Safety Inspection Certificate within the prescribed period shall constitute sufficient ground for the denial of the subsequent renewal of the business permit and inclusion in the Negative List maintained pursuant to Republic Act No. 11032 and its implementing rules and regulations, without prejudice to the imposition of penalties and other enforcement measures authorized under this Code."

SECTION 5. Amendment of Section 11(2)(a)(4) of Republic Act No. 9514. — Section 11(2)(a)(4) of Republic Act No. 9514 is hereby amended to read as follows:

"(4) Issuance of an occupancy permit without the Fire Safety Inspection Certificate issued by the Chief, BFP, or his/her duly authorized representative."

SECTION 6. Implementing Rules and Regulations. — Within ninety (90) days from the effectivity of this Act, the Department of the Interior and Local Government, through the Bureau of Fire Protection, in coordination with the Anti-Red Tape Authority, the Department of Trade and Industry, the local government units, and other relevant stakeholders, shall promulgate the rules and regulations necessary for the effective implementation of this Act.

SECTION 7. Separability Clause. — If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall remain in full force and effect.

SECTION 8. Repealing Clause. — All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 9. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

APPROVED.