

REPUBLIC ACT NO. 7183

AN ACT REGULATING THE SALE, MANUFACTURE, DISTRIBUTION AND USE OF FIRECRACKERS AND OTHER PYROTECHNIC DEVICES

Section 1. Purpose of this Act. — It is the purpose of this Act to regulate and control the manufacture, sale, distribution and use of firecrackers and other pyrotechnic devices consistent with, and in furtherance of, public safety, order and national security, as well as the enhancement of the cultural traditions.

Sec. 2. Types of Firecrackers and Pyrotechnic Devices Allowed in this Act. — The following common types of firecrackers and pyrotechnic devices may be manufactured, sold, distributed and used:

A. Firecrackers:

(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 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 ¾ 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 ¼ 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 ¼ inches in length and less than ¼ inch in diameter with a wick; also known as labintador;

(7) Watusi — Usually reddish in color about 1 ½ inches in length and 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;

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

(11) All kinds of pyrotechnic devices (pailaw); and

(12) Other types equivalent to the foregoing devices.

Sec. 3. Prohibited Types of Firecrackers and Pyrotechnic Devices. — The manufacture, sale, distribution and use of other types of firecrackers and pyrotechnic devices not mentioned in the foregoing section, of such explosive content that could endanger life and limb, such as atomic big triangulo and super lolo and their equivalent are hereby prohibited. Determination of what constitutes prohibited firecrackers and pyrotechnic devices shall be vested with the Director-General of the Philippine National Police (PNP).

Sec. 4. License or Permit Requirements. — License or permit to manufacture, sell and distribute firecrackers and other pyrotechnic devices shall be granted for the manufacture, sale and distribution of firecrackers and other pyrotechnic devices enumerated in Section 2 hereof. Under no circumstances shall a license or permit be granted for the manufacture, sale and/or distribution of prohibited firecrackers and other pyrotechnic devices mentioned in Section 3 hereof.

Any person desiring to manufacture, sell or distribute fireworks and other pyrotechnic devices shall file his application for the issuance of license or business permit with the Chief of PNP, through the provincial director of the province where the business or project is located. Applicants from Metro Manila shall submit their application through the Commanding Officer of the Firearms and Explosives Unit, Headquarters, PNP.

Reasonable fees may be charged for the issuance of said licenses or permits to defray the cost of regulating the manufacture, sale and distribution of firecrackers and pyrotechnic devices.

Sec. 5. Qualifications of Manufacturers or Dealers. — A license or permit to manufacture or to deal in wholesale or retail of firecrackers and pyrotechnic devices shall be issued only to: (a) Filipino citizens of good moral character; or (b) entities duly registered with the Bureau of Commerce of the Department of Trade and Industry (DTI) or the Securities and Exchange Commission (SEC), one hundred per centum (100%) of the capitalization of which is owned by Filipino citizens.

Sec. 6. Importation of Chemicals and Explosive Ingredients. — The importation of finished firecrackers and fireworks shall be prohibited.

Only duly licensed manufacturers shall be allowed to import chemicals or explosive ingredients used in the manufacture of firecrackers and pyrotechnic devices.

Any person licensed to manufacture, deal in or purchase chemical and explosive ingredients who desires to import explosive ingredients from abroad shall submit his application to the Chief of the PNP, through the provincial director of the province where the business or project is located. Applicants from Metro Manila shall submit their applications through the Commanding Officer of the Firearms and Explosives Unit, Headquarters, PNP.

Sec. 7. Safety Guidelines. — Strict compliance of the following safety precautions, rules and regulations shall be observed by manufacturers, distributors and users of firecrackers and pyrotechnic devices:

- (a) A zone shall be designed by the local government unit where a manufacturing complex may be established. The outer perimeter of this zone shall be at least three hundred (300) meters away from the nearest residential units. Once a zone has been defined, no residential unit shall be permitted nearer than three hundred (300) meters from the perimeter of such zone;**
- (b) The manufacturing complex shall be governed by, but not limited to, the following safety measures:**

(1) All buildings shall have adequate ventilation, no concrete floors, must be leak-proof and furnished with necessary fire extinguishers;

(2) The warehouse must be at least fifty (50) meters away from any processing station of the complex; and

(3) The following processing stations of the complex shall be laid out according to the indicated minimum distance from each other with all sides open:

(i) Mixing 50 MTS

(ii) Grinding 40 MTS

(iii) Packaging 40 MTS

(iv) Nagmimitsa 20 MTS

(v) Loading 20 MTS

Sec. 8. Labeling of Firecrackers and Pyrotechnic Packages. — Firecrackers and pyrotechnic devices shall bear labels indicating the name and address of their manufacturers and warning instructions written in Filipino and English.

Sec. 9. Record. — Every person authorized to purchase and use explosive under this Act shall be required to keep a complete, itemized and accurate record showing:

(a) Qualities and kinds of explosives; and

(b) The purpose for which the explosives were used.

Sec. 10. Reports. — At the end of every month, licensees shall submit to the Chief of the PNP, through the provincial director of the province where their business or projects are located, a monthly report for explosives in triplicate. The provincial director shall retain the triplicate copy of his file and forward the original and duplicate copies to the Headquarters, PNP with his comment, recommendation or notation.

Sec. 11. Penalties. — Any person who manufactures, sells, distributes or uses firecrackers and other pyrotechnic devices in violation of the provisions of this Act shall be punished by a fine of not less than Twenty thousand pesos (P20,000.00) nor

more than Thirty thousand pesos (P30,000.00), or imprisonment of not less than six (6) months nor more than one (1) year, or both such fine and imprisonment, at the discretion of the court in addition to the cancellation of his license and business permit and the confiscation by the Government of his inventory or stock.

Sec. 12. Promulgation of Rules and Regulations for the Administration and Enforcement of this Act. — The PNP shall be primarily responsible for the administration and enforcement of this Act. It shall transmit all case for prosecution arising from violations of this Act to proper government prosecutors for appropriate action.

The PNP is hereby authorized after public hearing and consultation with the firecrackers and pyrotechnic industry, to promulgate rules and regulations necessary to regulate and control the manufacture, sale, distribution, use and importation, including the determination and review of the gun powder and other raw material content of firecrackers and pyrotechnic devices in accordance with the provisions of this Act: Provided, That the local chief executives shall be given the authority to promulgate the necessary rules and regulations within their territorial jurisdiction in conformity with the national standards, rules and regulations.

Sec. 13. Repealing Clause. — Executive Order No. 52, series of 1966, is hereby repealed and all laws, decrees, orders, rules and regulations and other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 14. Effectivity Clause. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved: January 30, 1992