



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT

DILG-NAPOLCOM Center, EDSA Corner Quezon Avenue, Quezon City
Telephone Number 925.11.48 • 925.88.88 • 925.03.32
www.dilg.gov.ph



OFFICE OF THE SECRETARY

DECEMBER 17, 2013

MEMORANDUM CIRCULAR

NO. 2013- 147

TO : ALL PROVINCIAL GOVERNORS, CITY MAYORS, MUNICIPAL MAYORS, PUNONG BARANGAYS, THE ARMM REGIONAL GOVERNOR, DILG REGIONAL DIRECTORS, AND OTHERS CONCERNED

SUBJECT : REGULATING THE SALE, MANUFACTURE, DISTRIBUTION AND USE OF FIRECRACKERS, POLYVINYL PIPE "BOGA" AND OTHER PYROTECHNIC DEVICES, AND ADOPTION OF ADVOCACY CAMPAIGN AND PREVENTIVE MEASURES FROM FIRECRACKER AND FIREWORK INJURIES OR DEATH AND DAMAGE TO PROPERTIES

1.0 LEGAL BASIS

This Circular is in furtherance of public safety, order and national security, pursuant to Republic Act No. 7183, *An Act Regulating the Sale, Manufacture and Use of Firecrackers and Other Pyrotechnic Devices*, and the promotion of health and safety and general welfare of the people, in accordance with Section 16 of Republic Act No. 7160 or the Local Government Code of 1991.

2.0 ROLES AND RESPONSIBILITIES

All concerned are hereby directed to implement and observe their respective roles and responsibilities, in accordance with existing laws, rules and regulations:

2.1 The Provincial Government, through the Provincial Governor, shall:

- 2.1.1 Ensure that the acts of component cities and municipalities of the province and of its officials and employees are within the scope of their prescribed powers, functions, duties and responsibilities, pursuant to Section 465 (b) (2) (i), and Section 29, LG Code of 1991;
- 2.1.2 Ensure that only the following types of firecrackers and pyrotechnic devices are being manufactured, sold, distributed and used, as allowed under 2012 Revised IRR Governing the Administration and Enforcement of R.A. No. 7183:

Firecrackers	Pyrotechnic Devices
<ul style="list-style-type: none"> • Baby rocket • Bawang • Small Triangulo • Pulling of Strings • Paper caps • El diablo • Judah's belt • Sky rocket or Kwitis • Other types equivalent to the foregoing in explosive content 	<ul style="list-style-type: none"> • Mabuhay • Roman Candle • Trompillo • Whistle device • Butterfly • Fountain • Jumbo Regular • Luces • Sparklers • All kinds of pyrotechnic devices or pailaw • Other types equivalent to the foregoing devices

2.1.3 Direct the PNP to confiscate the following types of firecrackers and pyrotechnic devices that are prohibited by R.A. No. 7183 and its 2012 Revised IRR:

- Atomic big, Trianggulo, Super Lolo, Giant Whistle Bomb and Other types equivalent to the foregoing in explosive content, Firecrackers which are overweight or more than 0.2 grams or more than 1/3 teaspoon in explosive content, Firecrackers which are oversized, Firecrackers which fuse burns in less than 3 seconds or more than 6 seconds, Imported finished product, and Firecrackers with mixture of phosphorous or sulfur with that of chlorate, and polyvinyl pipe “boga”;
- Manufactured, sold or distributed without the necessary occupancy permit, or business or permit to operate;
- Transported without a “Permit to Transport”, in the case of a dealer;

2.1.4 Direct all its component cities and municipalities to take the lead in the conduct of an information campaign within their respective jurisdictions on the (a) danger that the polyvinyl chloride pipe or “boga” and firearms may cause to the user or others, and (b) danger of fire due to the use of firecrackers or fireworks;

2.1.5 Convene the local Peace and Order Council in order to incorporate in the Public Safety Plan specific project(s) aimed at protecting constituents from the danger brought by the use of firecrackers, pyrotechnic devices, and firearms, and to ensure that police or other law enforcement agency personnel implement the project(s); and

2.1.6 Cooperate with the Philippine National Police and Bureau of Fire Protection in the conduct of joint inspection and confiscation of

prohibited firecrackers as well as the enforcement of the rules and regulations of RA No. 7183 and its 2012 Revised IRR.

2.2 The City Government, or Municipal Government, through the Mayor, shall:

- 2.2.1 Cause the enactment of an ordinance, as may be necessary or if justified, which totally prohibits the manufacture, sale, distribution and use of any firecracker and pyrotechnic devices, if there is reasonable ground to believe that radical groups may take advantage of the holiday season's merriment for their lawless designs, and promote an alternative form of revelry;
- 2.2.2 Strictly enforce existing laws and ordinances relative to the sale, manufacture, distribution and use of firecrackers, polyvinyl pipe "boga" and other pyrotechnic devices, as mandated by Section 455 (b) (2) and Section 444 (b) (2), LG Code of 1991;
- 2.2.3 Ensure that the acts of component barangays and of its officials and employees are within the scope of their prescribed powers, functions, duties and responsibilities, pursuant to Section 455 (b) (2) (i) and Section 444 (b) (2) (i), LG Code of 1991;
- 2.2.4 Designate the following zones pursuant to RA No. 7183 and IRR of RA No. 9514:
 - 2.2.4.1 Manufacturing Zone (Section 7, RA No. 7183) – a designated area where a manufacturing complex may be established;
 - 2.2.4.2 Display Center or "Firecracker and Pyrotechnic Zone" (Section 10.4.6.5, IRR of RA No. 9514) – a designated area for selling firecrackers and pyrotechnics; and
 - 2.2.4.3 Fireworks Exhibition Zone (Section 10.4.6.7, IRR of RA No. 9514) – a designated area where fireworks exhibition may be conducted.
- 2.2.5 Observe the following safety guidelines within these zones:
 - 2.2.5.1 Manufacturing Zone (Section 7, RA No. 7183)
 - (a) The manufacturing complex should be 300 meters away from the nearest residential areas. In the absence of a perimeter, the 300 meters are to be measured from the closest wall;
 - (b) The manufacturing complex shall be governed by, but not limited to, the following safety measures:

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:

- Mixing 50 MTS
- Grinding 40 MTS
- Packaging 40 MTS
- Nagmimitsa 20 MTS
- Loading 20 MTS

2.2.5.2 Display Center or "Firecracker and Pyrotechnic Zone" (Section 10.4.6.5, IRR of RA No. 9514)

(a) Display centers for selling firecrackers and pyrotechnics shall be separated from each other by a firewall with a fire resistance rating of not less than two (2) hours;

(b) All malls and other similar establishments shall not be utilized as display centers for selling of firecrackers and pyrotechnics unless done through media presentation or other means without necessarily displaying the said firecrackers therein;

(c) Fire extinguisher/s shall be provided in accordance with Section 10.2.6.7 of the IRR of RA No. 9514;

(d) Smoking within fifteen meters (15m) from a display center shall not be allowed;

(e) Testing of firecrackers and pyrotechnics shall be prohibited; and

(f) Stoves, exposed flames, and portable electric heaters shall be prohibited.

2.2.5.3 Fireworks Exhibition Zone (Section 10.4.6.7, IRR of RA No. 9514)

(a) That a permit to possess and display fireworks shall first be secured from the Philippine National Police;

(b) That fireworks be fired at a distance of one hundred feet (100ft) away from people;

(c) That all fireworks shall project upwards;

2.3.1.1 Regular "ronda" to assist the police in monitoring and ensuring that manufacturing, display center, and fireworks exhibition are within the designated zones;

2.3.1.2 Report to the police any violation on the designated zones; and

- 2.3.1. Upon request, provide necessary assistance to law enforcement agencies;
- 2.3.2 Conduct massive advocacy and information dissemination within the barangay;
- 2.3.3 In coordination with the City or Municipal Government, as the case may be, designate particular zones as mentioned under item no. 2.2.4 of this Circular and observe the safety guidelines as enumerated in item no. 2.2.5 of this Circular, pursuant to RA No. 7183 and IRR of RA No. 9514;
- 2.3.4 Ensure that the City or Municipal Ordinance on the regulation of sale, manufacture, distribution and use of fireworks, polyvinyl pipe “boga” and other pyrotechnic device is faithfully complied within the barangay; and
- 2.3.5 Cooperate with the Philippine National Police and Bureau of Fire Protection in the conduct of joint inspection and confiscation of prohibited firecrackers as well as the enforcement of the rules and regulations of RA No. 7183 and its 2012 Revised IRR.

All DILG Regional Directors and the Regional Governor of the ARMM are hereby directed to cause the dissemination of this Memorandum Circular and ensure that this Circular is effectively communicated to all local authorities.

For the compliance and guidance of all concerned.


MAR ROXAS
Secretary 



DILG-OSEC OUTGOING 13-03650