



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT

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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: