

GUIDELINES FOR THE CONDUCT OF FIREWORKS DISPLAY WITHIN THE JOHN HAY SPECIAL ECONOMIC ZONE (JHSEZ)

1. Introduction

Fireworks is classified as a low explosive pyrotechnic device used primarily for aesthetic and entertainment purposes. The most common firework is as part of a *fireworks display*.

Fireworks take many forms to produce the four primary effects: noise, light, smoke, and floating materials (confetti for example). They may be designed to burn with colored flames and sparks.

Fireworks are generally classified as either a ground or aerial firework. In the latter case, they may provide their own propulsion (skyrocket) or be shot into the air by a mortar (aerial shell).

However, there are potential dangers associated with fireworks display which could result in incidental fires that damage properties and/or cause injuries and/or death to humans. A little spark coming from a fireworks display debris could start a flame if the conditions are conducive.

At Camp John Hay, these risks are particularly critical due to the presence of thick layers of dry pine needles underneath the pine forests which are highly vulnerable to incidental fires when landed upon by embers of fireworks debris/splinters.

Further, fireworks display has the additional negative effect of polluting the atmosphere as a result of hazardous chemicals released into the air and affecting public health and safety.

In view of the foregoing, it is therefore imperative that specific guidelines on the conduct of fireworks displays within the John Hay Special Economic Zone (JHSEZ) be promulgated for the guidance and compliance of all concerned.

2. Policy

Section III (1) of the Amended Policy on Environmental Monitoring and Regulation within CJH (Board Resolution No. 2014-0623-091) states that “*JHMC is committed to protect the environment to ensure public safety and health.*”

3. Legal Bases

These guidelines are formulated consistent with the following Philippine laws, rules and regulations:

- 3.1. Republic Act No. 7183 (January 30, 1992) – *An Act Regulating the Sale, Manufacture, Distribution and Use of Firecrackers and other Pyrotechnic Devices*
- 3.2. 2012 Revised Implementing Rules and Regulations Governing the Administration and Enforcement of Republic Act No. 7183
- 3.3. Executive Order No. 28 (June 20, 2017), *Providing for the Regulation and Control of the Use of Firecrackers and other Pyrotechnic Devices*

- 3.4. Memorandum Order No. 31, Series of 2018: *Directing the Philippine National Police and other Concerned Agencies to Strictly Implement Existing Laws, Rules and Regulations on the Sale, Manufacture, Distribution and Use of Firecrackers and Pyrotechnic Devices*
- 3.5. Republic Act No. 9154 (December 19, 2008): An Act Establishing a comprehensive Fire Code of the Philippines
- 3.6. The 2019 Revised Implementing Rules and Regulations of R.A 9154
- 3.7. Section 45 (policies) of the JHSEZ Implementing Rules and Regulations states “ *specific regulations to protect and conserve environmental quality as may be promulgated by JPDC (now JHMC) shall conform to and not contradict those environmental policies and regulations established by the National Government*”

4. Objectives

Consistent with the abovementioned legal bases, these *Guidelines* on fireworks display within the JHSEZ are promulgated with the following objectives:

- 4.1. To protect the forests, physical structures, and the general environment within Camp John Hay against incidental fires and other negative environmental impacts; and
- 4.2. To protect the health and safety of Camp John Hay residents, employees, guests and visitors during the conduct of the fireworks and other pyrotechnic devices display.

5. Documentary Requirements for the Conduct of Fireworks Display Within the JHSEZ

Applicants for fireworks display within the JHSEZ shall submit the following documentary requirements:

- 5.1. Fireworks Safety Clearance (Fireworks Exhibition) from the Bureau of Fire Protection
- 5.2. Fireworks Display Permit (issued by the City of Baguio)
- 5.3. Duly Filled-out Duly Application Form for Fireworks Display (JHMC form)

6. Types of Firecrackers and Pyrotechnic Devices Allowed

- 6.1. Only the following types of firecrackers and pyrotechnic devices shall be allowed entry and use for fireworks display within the JHSEZ pursuant to Section 2 of Republic Act No. 7183:

6.1.1. Firecrackers

6.1.1 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;

6.1.2. 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;

6.1.3. 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;

6.1.4. 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;

- 6.1.5. Paper caps — Minute amount of black powder spread in either small strips of paper on a small sheet used for children's toy guns;
- 6.1.6. 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;
- 6.1.7. 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;
- 6.1.8. 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;
- 6.1.9. Other types equivalent to the foregoing in explosive content.

6.1.2 Pyrotechnic Devices:

- 6.1.2.1 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;
- 6.1.2.2 Luces — Any of several kinds of sparklers;
- 6.1.2.3 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;
- 6.1.2.4 Jumbo regular and special — A kind of sparkler similar to a "fountain" but bigger in size;
- 6.1.2.5 Mabuhay — Sparklers bunched into a bundle of a dozen pieces;
- 6.1.2.6 Roman candle — A sparkler similar to a "fountain" but shaped like a big candle;
- 6.1.2.7 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;
- 6.1.2.8 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;
- 6.1.2.9 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;
- 6.1.2.10 Butterfly — Butterfly-shaped pyrotechnic device designed to lift above ground while providing light;
- 6.1.2.11 All kinds of pyrotechnic devices (pailaw);
- 6.1.2.12 Other types equivalent to the foregoing devices.

7. Prohibited Types of Firecrackers and Pyrotechnic Devices.

The use of other types of firecrackers and pyrotechnic devices not mentioned in the above foregoing section (e.g. *Super Lolo and The Atomic Big Triangulo, Mother Rockets, Lolo Thunder, Five Star, Og, Pla-pla, Pillbox, Watusi, Piccolo, Giant*

Whistle Bomb, Big Judah's Belt) and other firecrackers /pyrotechnic devices which could endanger life and limb as determined by the Chief of the Philippine National Police (PNP) shall also be denied/prohibited entry and use within the JHSEZ.

8. Classification of firecrackers and other pyrotechnic devices according to their proper usage:

All firecrackers and pyrotechnic devices shall be classified into four classes according to their proper use:

8.1.1. Class 1- Fireworks suitable for use inside domestic buildings. When used according to the instructions, these fireworks shall not cause injury to people standing one (1) meter or more away and shall not cause damage to property. In the case of hand-held fireworks, any person holding them shall not be injured;

8.1.2. Class 2- Fireworks suitable for outdoor use in relatively confined areas. When used according to instructions, these fireworks shall not cause injury to people standing five (5) meters away or more. In the case of hand-held sparklers, any person holding them shall not be injured by the dropping of hot slag or ejection of sparks. The fuse fitted to the fireworks should enable any person lighting the fireworks to retire safely to a distance of at least five (5) meters;

8.1.3. Class 3- Fireworks suitable for outdoor use in large open spaces. When used according to instructions, these fireworks should not cause injury to people standing twenty-five (25) meters or more away. Any person lighting these fireworks would be expected to wear suitable personal protection; and

8.1.4. Class 4- Fireworks that do not conform to the requirements of classes 1,2 and 3 are deemed to be class 4 and thus unsuitable for sale to the public including partially assembled fireworks, which are specialist devices for use in major displays. These must not be sold to or used by the general public except for licensed pyrotechnicians and/or fireworks display operators only.

9.0 Process Flow Chart on Fireworks Display Within the JHSEZ

A flowchart for the processing of Fireworks Display permit applications within the JHSEZ is hereto attached and is part of this Guidelines.

10.0 Safety Guidelines

10.1 Fireworks display shall be allowed within the JHSEZ only upon the express permission/authorization of the JHMC by way of a Fireworks Display permit issued for the purpose;

10.2 Only the kind /type of fireworks and pyrotechnic devices allowed under Republic Act No. 7183 and its implementing rules and regulations and this Guidelines shall be allowed entry and use within the JHSEZ.

10.3 Professional pyrotechnic licenses must be presented by those who will stage the fireworks display within the JHSEZ using Class 4 fireworks;

- 10.4 Permittee must strictly comply with all the requirements stipulated under the Fire Safety Clearance issued by the Bureau of Fire Protection before, during and after fireworks display as provided for under Section 10.4.6.7, Division 6, Chapter 4, Rule 10 of Republic Act 9154, Fire Code of the Philippines;
- 10.5 Permittee must also strictly comply with all the requirements and terms and conditions of the Fireworks Display Permit issued by the Office of the Administration, Baguio City;
- 10.6 Any fireworks that remain unfired after the display is concluded shall be immediately disposed of properly (Section 10.4.6.8 of the Fire Code;
- 10.7 The permittee shall have the responsibility to make available and comply the following safety guidelines imposed by JHMC before, during and after the fireworks display, to wit:
- 10.7.1 Fire truck should be on stand-by position immediately before, during and after the fireworks display.
 - 10.7.2 At least five (5) look-out persons and/or security guards should be posted in strategic places within the staging area and in the vicinity of the nearby pine forest to serve as fire suppression team in the event of an incidental fire. In addition, a team of first-aid medical personnel should also be on standby position during the fireworks display.
 - 10.7.3 Only the quantity and types of fireworks and pyrotechnic devices declared in the application form shall be used and detonated during the fireworks display. As such, detonating other fireworks and pyrotechnic devices not manifested in the application form approved by JHMC shall be considered illegal and the proponent shall be banned or blacklisted from future application of fireworks display within the JHSEZ; and
 - 10.7.4 Dispose properly all debris and other waste fragments after the fireworks display.

11.0 Additional Safety Guidelines (Do's and Don'ts)

- 11.1 All lighted firecrackers or pyrotechnic devices that failed to explode or ignite must be gathered carefully by using stick brooms with a dustpan and placed inside a designated garbage drum or trash can.
- 11.2 The designated drum or trash shall be used solely for unexploded firecrackers or unignited pyrotechnic devices and related debris must be secured until turned-over/ collected by the area garbage collectors who will dispose of them by means of burning at a designated safe place free from dried grass, flammable materials and away from populated areas.
- 11.3 Do not hold firecrackers while lighting; hold the other end of the lighting stick instead.
- 11.4 Do not light more than one device at a time.
- 11.5 Do not alter fireworks in any way.
- 11.6 Do not pick up or re-light firecrackers that fail to ignite. Pour water or tear away the device properly.

- 11.7 Do not bend directly over pyrotechnic devices like fountains and other similar devices while lighting them.
- 11.8 Do not use firecrackers indoors.
- 11.9 Do not allow small children to handle fireworks
- 11.10 Do not use fireworks near flammable substances/materials
- 11.11 Do not light and throw pyrotechnics in the direction of people, passing vehicles or combustible objects.
- 11.12 Do not use calcium carbide (kalburo) or other combustible liquids in firing toy cannons.
- 11.13 Do not use firecrackers when under the influence of liquor or alcohol.
- 11.14 Do not light firecrackers under containers which will lead to explode and produce splinters or shrapnels.
- 11.15 Do not light “kwitis” trompillo and others alike under electric wires.
- 11.16 Most of all, do not delay to seek medical help as soon as possible in case of firecracker injury.

12.0 Penalties and Charges

For violation/s committed by the Permittee before, during and/or after the conduct of fireworks and other pyrotechnic display within the JHSEZ, the following charges and penalties shall be applied:

- 12.1 Rule XVI of the 2012 Implementing Rules and Regulations of RA 7183 which states: *“Any person who manufactures, sells, distributes or uses firecrackers and other pyrotechnic devices in violation of the provisions of Republic Act 7183 shall be made to pay a fine of at least P20,000 but not more than P30,000 or imprisoned for at least six months but not more than one year or both at the discretion of the court, in addition to the cancellation of the license and business permit and the confiscation by the government of the inventory or stock”.*
- 12.2 Violation/s of the terms and conditions stipulated under the Fire Safety Clearance issued by the Bureau of Fire Protection shall be meted charges and penalties in accordance with the applicable provisions of the Fire Code of the Philippines.
- 12.3 JHMC shall ban and/or blacklist the erring person, association/ organization, fireworks supplier from future conduct of fireworks display within the JHSEZ.
- 12.4 For violation of Section VIII(G)(1-4) of this Guidelines, a fine amounting to five (5) percent (%) of the total cost of the fireworks and pyrotechnic devices used in the fireworks display shall be paid by the permittee to JHMC.
- 12.5 Any damage to the pine trees and other biodiversity within the reservation including buildings and facilities due to fireworks display shall be charged 300% of the assessed value of the damaged properties including the trees and other biodiversity that were damaged or lost.
- 12.6 The permittee shall have the sole responsibility/accountability for any injury or death of any person arising from the fireworks display conducted within the JHSEZ.

13.0 Safety bond deposit

Considering the potential risk posed by the fireworks display activity, a safety bond deposit amounting to fifty percent (50%) of the manifested total cost of the fireworks/pyrotechnic materials shall be deposited by the permittee to JHMC. Said amount shall be returned to the Permittee after the event upon presentation of a *Post Fireworks Display Clearance* issued by the JHMC-Environment Management Division

(EMD), if warranted. Should there be reported damages/injury/death resulting from the conduct of the fireworks display, the safety bond deposit shall be forfeited by JHMC.

14.0 Fireworks Display Permit Fee in the JHSEZ

A Fireworks Display permit fee amounting to PhP 2,000.00 or ten percent (10%) of the total cost of the fireworks and other pyrotechnic devices used for the fireworks display within JHSEZ shall be paid by the Permittee to JHMC, whichever is higher.

15.0 Repealing Clause: These guidelines amends and/or supersedes any and all existing guidelines, rules and regulations currently enforced by JHMC relative hereto.

16.0 Effectivity Clause : These guidelines shall take effect fifteen (15) days after its approval by the Board of Directors and upon registration with the Documents and Records Control unit of JHMC.