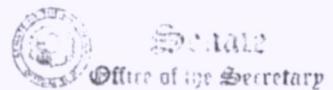


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE
S. No. 947

19 AUG 20 P 4:00

Introduced by **SENATOR VICENTE C. SOTTO III**

RECEIVED BY [Signature]

**AN ACT
MODERNIZING THE BUREAU OF FIRE PROTECTION (BFP), AMENDING
FOR THE PURPOSE REPUBLIC ACT 6975, OTHERWISE KNOWN AS THE
“DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT ACT OF
1990,” PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The upsurge of economic activity and development in the country has set aside fire safety standards and prevention measures that will prevent, mitigate and lessen industrial and residential occurrences caused by fire, accidents, and other disasters. Thus, the growing need for fire safety, disaster prevention and emergency response whether natural or man-made has been left idle while everything has changed.

In response to this, it is hereby declared a policy of the state to protect the people's lives and property against fire, respond to natural and man-made disasters, and other emergencies. The bill aims to further strengthen the ongoing modernization plan of the Bureau of Fire Protection (BFP) by reorganizing its ranks, establishing its CBRNe risk mitigation, and enhancing the HAZMAT, rescue services, and EMS capabilities, and procurement of firefighting and other emergency response vehicles, tools, equipment, and apparatus.

Through the years, the BFP has transformed from being the enforcer of fire prevention laws, responder to fire emergencies and investigator of the same, emergency medical and rescue emergencies, including disasters, to also becoming the lead agency in HAZMAT and primary responder in CBRNe.

The climate change has brought about stronger and more destructive typhoons. In effect, the BFP has been at the forefront of responding to emergencies brought about by natural and man-made disasters. The BFP has mobilized its units in the readiness, rescue, relief and rehabilitation operations in areas which are heavily affected by the typhoons. One typhoon in particular was typhoon Lando in 2015. Another important participation of the BFP during disasters was seen after the onslaught of typhoon Yolanda in 2013. The BFP is proud to state that it is the agency that has been at the forefront throughout the disaster, from start to the end, rescuing victims, assisting in recovery operations and giving assistance to the people despite its limited resources.

Terrorism, as a global phenomenon, has again brought BFP into the attention of the general public. The recent siege in Marawi City has shown the bravery of BFP personnel in performance of their duties in the midst of actual battle. They conducted firefighting, rescue, evacuation, medical management of victims and retrieval operations.

In this regard, for operational and logistical efficiency, the BFP has to strengthen its ongoing modernization program that will expand the powers and functions of the agency which will support the growing need of the populace for prevention and suppression of all kinds of destructive fires, investigation of its causes, enforcement of the Fire Code and other related laws, response to man-made and natural disasters, including rescue and medical emergencies, HAZMAT, CBRNe and other emergencies.

As of June 2019, out of the 1,489 municipalities nationwide, there are only 1,184 municipalities with fire stations. Of the 1,184 municipalities with fire stations, only 664 of them have BFP-owned buildings.

The BFP has a total of 2,352 fire trucks in its fleet nationwide. The BFP also has 151 emergency response vehicles, 26 rescue vehicles, 45 rescue boats, 155 service vehicles and 70 motorcycles.

Out of those fire trucks, 1,024 are more than 20 years old, while some are over 50 years old.

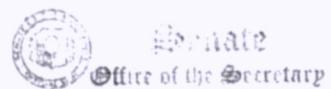
Currently, there are 25,461 personnel manning the BFP nationwide, 407 of which are non-uniformed personnel. Of the 25,461 uniformed personnel, there are only 1,232 officers.

From the above, it can be gleaned that the BFP, although ill-equipped and undermanned, has constantly struggled to perform its task and to respond to the challenges of the times. Its modernization will greatly enhance its performance and will certainly transform the BFP as a modern agency at par with its counterparts with the rest of the world thus, the need for the passage of this bill.



VICENTE C. SOTTO III

EIGHTEENTH CONGRESS OF THE)
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Senate
Office of the Secretary

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AN ACT

MODERNIZING THE BUREAU OF FIRE PROTECTION (BFP), AMENDING FOR THE PURPOSE REPUBLIC ACT 6975, OTHERWISE KNOWN AS THE "DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT ACT OF 1990," PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 SECTION 1. *Short Title.* – This Act shall be known as the “BFP
2 Modernization Act of 2019.”

3 SEC. 2. *Declaration of Policy.* – It is the policy of the State to develop
4 the Bureau of Fire Protection (BFP) and ensure public safety through the
5 prevention and suppression of all kinds of destructive fires, investigation of
6 its causes, enforcement of the Fire Code and other related laws, response to
7 man-made and natural disasters, including rescue and medical
8 emergencies, HAZMAT, CBRNe and other emergencies.

9 Toward this end, the State shall formulate plans and programs to
10 enhance and modernize the BFP, with expanded structure, capability and
11 manpower, responsive to the demands of the times. The State shall also
12 support the acquisition of modern apparatus, tools and equipment for the
13 modernization program of the BFP.

14 SEC 3. Section 54, Chapter IV of RA 6975 is hereby amended to read
15 as follows:

16 Section 54. *Powers and Functions.* – The BFP shall be responsible for
17 the prevention and suppression of all destructive fires on buildings,
18 houses and other structures, forest, land transportation vehicles and

1 equipment, ships or vessels docked at piers or wharves or anchored in
2 major seaports, petroleum industry installations, plane crashes and
3 other similar incidents, **INCLUDING THOSE IN ECONOMIC ZONES,**
4 **INCLUDING AGRO-INDUSTRIAL ECONOMIC ZONES, FREE PORTS**
5 **AND SPECIAL ECONOMIC ZONES, IT PARKS/CENTERS,**
6 **MANUFACTURING ECONOMIC ZONES, MEDICAL TOURISM**
7 **PARKS/CENTERS, TOURISM ECONOMIC ZONE, AND OTHER**
8 **SIMILAR ENTITIES**, as well as the enforcement of the Fire Code and
9 other related laws, **AND RESPOND TO MAN-MADE AND NATURAL**
10 **DISASTERS, INCLUDING RESCUE AND MEDICAL EMERGENCIES,**
11 **HAZMAT, CBRNe AND OTHER EMERGENCIES.**

12 The BFP shall have the power to investigate all causes of fire and if
13 necessary, file the proper complaints with the city or provincial
14 prosecutor who has jurisdiction over the case. **ALONG WITH THIS,**
15 **THE BFP SHALL ESTABLISH AND MAINTAIN REGIONAL ARSON**
16 **LABORATORIES WITH COMPLETE EQUIPMENT AND FACILITIES**
17 **FOR THIS PURPOSE.**

18 **IN CONSONANCE WITH THE POWERS AND FUNCTIONS OF THE**
19 **BFP, THE BFP MAY REQUEST THE ASSISTANCE OF THE**
20 **PHILIPPINE NATIONAL POLICE (PNP), ARMED FORCES OF THE**
21 **PHILIPPINES (AFP), OR ANY OTHER AGENCY OF THE**
22 **GOVERNMENT, INCLUDING GOVERNMENT-OWNED AND/OR**
23 **CONTROLLED CORPORATIONS, IN EXERCISING ITS POWERS**
24 **AND FUNCTIONS SUCH ASSISTANCE MAY INCLUDE THE USE OF**
25 **THE AGENCY'S PERSONNEL AND FACILITIES UPON APPROVAL**
26 **BY THE HEAD OF THE AGENCY CONCERNED.**

27 **THE BFP, IN PURSUANCE OF ALL THE FUNCTIONS MENTIONED,**
28 **SHALL HAVE THE POWER TO ENTER INTO ANY CONTRACT OR**
29 **TRANSACTION FOR THE ACQUISITION, OWNERSHIP,**
30 **POSSESSION, USE ADMINISTRATION, LEASE, DISPOSITION, OR**
31 **ACCEPTANCE OF PERSONAL PROPERTY IN ITS NAME.**

1 **THE BFP SHALL ALSO ESTABLISH ITS OWN REGIONAL
2 HEADQUARTERS, PROVINCIAL OFFICES, DISTRICT OFFICES
3 AND CITY OR MUNICIPAL FIRE STATIONS.**

4 **LASTLY, THE BFP SHALL PERFORM SUCH OTHER FUNCTIONS
5 AS THE PRESIDENT OR THE SECRETARY OF THE DEPARTMENT
6 OF THE INTERIOR AND LOCAL GOVERNMENT (DILG) MAY
7 ASSIGN.**

8 SEC. 4. *Emergency Medical and Rescue Services.* – Emergency Medical
9 and Rescue Services shall be established for every city and municipality in
10 the Philippines in addition to fire suppression, investigation and other
11 services related to the BFP's powers and functions. Fire trucks of BFP fire
12 stations without any ambulance or rescue van shall be equipped with
13 medical and rescue tools and equipment.

14 SEC. 5. *Upgrading, Modernization and Expansion.* – The BFP is hereby
15 upgraded and modernized to adequately meet the increasing demands of an
16 expanded prevention and suppression of all kinds of destructive fires,
17 investigation of its causes, enforcement of the Fire Code and other related
18 laws, response to man-made and natural disasters, including rescue and
19 medical emergencies, HAZMAT, CBRNe and other emergencies.

20 It shall implement a modernization program geared towards the
21 acquisition of state-of-the-art fire prevention, fire suppression, fire
22 investigation, emergency medical and rescue services apparatus, facilities
23 and equipment and the establishment of arson laboratories, training
24 facilities, and fire research and testing facilities with complete equipment.
25 Rescue trucks, ambulances, firefighting helicopters, fire boats, and
26 amphibious firefighting vehicles and other apparatus and equipment shall
27 be procured for the protection of responding firefighters.

28 Due to the modernization and for purposes of efficient administration,
29 supervision and control, the new ranks and classification of the personnel of
30 the BFP shall be as follows:

RANK	SALARY GRADE
Fire General	30
Fire Lieutenant General	29
Fire Major General	28
Fire Brigadier General	27
Fire Colonel	26
Fire Lieutenant Colonel	25
Fire Major	24
Fire Captain	23
Fire Lieutenant	22
Fire Master Sergeant	19
Fire Technical Sergeant	18
Fire Staff Sergeant	17
Fire Sergeant	16
Fire Corporal	14
Fireman/Firewoman First Class	12
Fireman/Firewoman	10

1 The number of BFP personnel shall be increased to effectively carry
2 out their functions.

3 The BFP personnel occupying the positions affected by the upgrade
4 embodied in this Act at the time of its approval shall thereafter occupy and
5 discharge the duties and functions of their new positions and receive the

1 corresponding salary and benefits after the appointment by the proper
2 appointing authority.

3 SEC. 6. *Rank Distribution, Placement and Promotion.* – The DILG is
4 hereby authorized, upon recommendation by the BFP, to regularly formulate
5 policies to develop and improve the present rank distribution, placement
6 and promotion system, of the personnel of the BFP.

7 SEC. 7. *Specific Components of the Modernization.* – The BFP
8 Modernization Program, for implementation shall consist of the following:

- 9 a) Establishment of fire stations in all local government units,
10 particularly those with no existing fire stations, and establishment
11 of emergency 911 hotline nationwide;
- 12 b) Establishment of training facilities and training academy. For this
13 purpose, the BFP shall be responsible for the training, human
14 resource development and continuing education of all its
15 personnel. The training system, as well as the structure and
16 staffing pattern of the training academy shall be prescribed in the
17 Implementing Rules and Regulations of this Act;
- 18 c) Establishment of fire research and testing facilities;
- 19 d) Establishment of Regional Arson Laboratory;
- 20 e) Establishment of the BFP Hospital;
- 21 f) Upgrade existing prevention and suppression of all kinds of
22 destructive fires, investigation of its causes, enforcement of the Fire
23 Code and other related laws, response to man-made and natural
24 disasters, including rescue and medical emergencies, HAZMAT,
25 CBRNe and other emergency services, and acquire new firefighting
26 and other emergency response vehicles, tools, equipment, and
27 apparatus; and
- 28 g) Establish specialized fire protection services within the BFP such
29 as but not limited to; high-rise building fires, forest fires,
30 aircraft/airport fires, ship fires, chemical fires, technical rescue
31 services, emergency medical services, and the like.

1 The firefighting and other emergency response vehicles, tools,
2 equipment, and apparatus to be procured shall be determined by the BFP.
3 The prospective timeline for the specific components of the modernization
4 shall be prescribed by the implementation program of this Act.

5 SEC. 8. *Appropriation.* – An amount of fifty billion pesos
6 (P50,000,000,000.00) is hereby appropriated to be included in the General
7 Appropriations Act of the year immediately following the effectivity of this
8 Act, and every year thereafter, for a period of three (3) years. The amount
9 necessary for the implementation of this Act shall be treated as distinct and
10 separate budget item from the regular appropriation of the Department of
11 the Interior and Local Government (DILG) and the BFP.

12 SEC. 9. *Multi-Year Obligational Authority.* – For the proper
13 implementation of this Act, the BFP, through the DILG, may, subject to the
14 approval of the President, under provisions of existing laws and regulations
15 including those of the Commission of Audit (COA), and under such terms
16 and conditions favorable to the Government, enter into multi-year contracts,
17 lease/lease-purchase agreements or other contractual arrangements with
18 local or foreign suppliers/contractors.

19 SEC. 10. *Exemption from Value-Added Tax and Customs Duties.* – The
20 sale to the BFP of firefighting vehicles, equipment, and tools, including the
21 proceeds from lease, joint development, build-operate-transfer (BOT) scheme
22 and other schemes involving BFP properties, which are directly and
23 exclusively used for its projects, undertaking, activities and programs under
24 this Act, shall be exempted from the value-added tax. Further, any
25 importation by the BFP pertaining to its modernization, shall be exempted
26 from the value-added tax and custom duties.

27 Local and foreign donations in support to the BFP modernization
28 program shall likewise be exempted from value-added tax, donor's tax and
29 custom duties.

30 SEC. 11. *Special Foreign Exchange Reduction Scheme.* – In order to
31 reduce foreign exchange outflow, generate local employment opportunities,

1 and enhance technology transfer to the Philippines, the DILG shall, as far as
2 practicable, incorporate in each contract/agreement special foreign
3 exchange reduction schemes as barter, counter trade, in-country
4 manufacturer, build-operate transfer (BOT), or other innovative
5 arrangements or combinations thereof.

6 SEC. 12. *Annual Reports.* – The Chief BFP shall submit to the
7 President and Congress, through the Secretary of the Interior and Local
8 Government, an annual report on the implementation of the BFP
9 Modernization Program as provided under this Act.

10 SEC. 13. *Period of Implementation.* – Within sixty (60) days from the
11 approval of this Act, the BFP, with the approval of the DILG, shall
12 promulgate the program necessary to implement the provisions of this Act.
13 The Fire Protection Modernization Program under this Act, shall be
14 implemented over a period of fifteen (15) years effective upon the date of the
15 approval of this Act: *Provided*, That payments for amortization of
16 outstanding multi-year contract, obligations incurred under the
17 modernization program may extend beyond this period. It shall also contain
18 the following:

- 19 a) Personnel strength and inventory of facilities and equipment of the
20 BFP;
- 21 b) Modernization projects and activities under the program to be
22 undertaken and the particular component and corresponding
23 objective to which such projects relate to;
- 24 c) The priorities, schedules and phases of implementation of
25 modernization projects and activities; and
- 26 d) The estimated average cost of each modernization project or activity to
27 be undertaken.

28 SEC. 14. *Congressional Oversight Committee.* – There is hereby created
29 Congressional Oversight Committee to monitor and oversee the
30 implementation of the provisions of this Act. The Committee shall be
31 composed of six (6) members from the Senate and six (6) members from the

1 House of Representatives with the Chairpersons of the Committees on
2 Public Order and Safety of both Houses as Joint Chairpersons. The five (5)
3 other members from each Chamber shall be designated by the Senate
4 President and the Speaker of the House of Representatives, respectively. The
5 minority shall have at least two (2) representatives from both Chambers.

6 SEC. 15. *Implementing Rules and Regulations.* – Within sixty (60) days
7 from the approval of this Act, the BFP and the DILG shall promulgate the
8 rules and regulations necessary to implement the provisions of this Act.

9 SEC. 16. *Repealing Clause.* – All laws, decrees, orders, rules and
10 regulations, and issuances, or parts thereof, which are inconsistent with
11 this Act are hereby repealed or modified accordingly.

12 SEC. 17. *Separability Clause.* – If any part or provision of this Act is held
13 unconstitutional or invalid, other parts or provisions hereof which are not
14 affected thereby shall continue to be in full force and effect.

15 SEC. 18. *Effectivity.* – This Act shall take effect after fifteen (15) days
16 following its complete publication in at least two (2) national newspaper of
17 general circulation.

Approved,