

H.No. 7406
S. No. 1832

Republic of the Philippines
Congress of the Philippines
Metro Manila
Eighteenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-sixth day of July, two thousand twenty-one.

[REPUBLIC ACT NO. **11589**]

AN ACT STRENGTHENING AND MODERNIZING
THE BUREAU OF FIRE PROTECTION AND
APPROPRIATING FUNDS THEREFOR

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

TITLE I

TITLE AND DECLARATION OF POLICY

SECTION 1. This Act shall be known as the "Bureau of Fire Protection Modernization Act".

SEC. 2. *Declaration of Policy.* – It is the policy of the State to ensure public safety through the prevention and suppression of all kinds of destructive fires, with the active support of the community.

Towards this end, the State shall formulate and implement plans and programs to enhance and modernize the Bureau of Fire Protection, expand its mandate and capability, and ensure its responsiveness to the changing needs of the community.

TITLE II

POWERS AND FUNCTIONS OF THE BFP

SEC. 3. *Strengthening of the Bureau of Fire Protection.*

– The Bureau of Fire Protection (BFP), created under Republic Act No. 6975, otherwise known as the “Department of the Interior and Local Government Act of 1990”, as amended, shall exercise the following powers and functions:

(a) Prevent and suppress all destructive fires on buildings, houses and other structures, including those that occur in economic zones, agro-industrial economic zones, free ports, and special economic zones, Information Technology (IT) parks and centers, tourism economic zones, and other similar entities; forests; land transportation vehicles and equipment; ships or vessels docked at piers or wharves or anchored in major seaports, petroleum industry installations; and airports, in the event of plane crashes and other similar incidents: *Provided*, That the BFP shall collaborate with various local government units (LGUs) on fire protection services, such as fire prevention and preparedness, response planning, and information sharing, as well as on handling fire management and operational issues;

(b) Respond to natural or man-made disasters and other emergencies, including the conduct of rescue operations, medical emergencies, and containment of hazardous materials (HAZMAT), chemical, biological, radiological, nuclear and explosive (CBRNE) materials: *Provided*, That the BFP shall actively coordinate and cooperate with the National Disaster Risk Reduction and Management Council and the LGUs on disaster response, risk reduction and management, in line with Republic Act No. 7160, as amended, otherwise known as the “Local Government Code of 1991,” and Republic Act No. 10121, otherwise known as the “Philippine Disaster Risk Reduction and Management Act of 2010”;

(c) Issue implementing rules and regulations, and prescribe standards, schedule of fees, fire service charges and administrative penalties in connection with the enforcement of Republic Act No. 9514, otherwise known as the “Fire Code of the Philippines of 2008” and other related laws;

(d) Require building owners to submit plans and specifications of their respective buildings and other pertinent documents as listed in the BFP’s Citizen’s Charter pursuant to Republic Act No. 11032, otherwise known as the Ease of Doing Business and Efficient Government Service Delivery Act of 2018 and evaluate the same to ensure compliance with Republic Act No. 9514 and other applicable codes and standards. For this purpose, a fire safety evaluation clearance shall be issued as a prerequisite for the issuance of the building permit in accordance with Republic Act No. 11032;

(e) Investigate all causes of fires, and if necessary, file the proper complaints with the city or provincial prosecutor who has jurisdiction over the case;

(f) Maintain regional offices which shall formulate and implement policies, plans and programs of the BFP, with prior consultation from the LGUs and monitor, evaluate and coordinate the operations and activities of the fire service units at the regional levels in coordination with the Central Office;

(g) Establish and maintain fire laboratories and research and testing facilities with complete equipment, one (1) each for Luzon, Visayas and Mindanao areas;

(h) Conduct training of its personnel and officers including fire volunteers, fire safety practitioners and fire volunteer organizations, pertaining to fire prevention and suppression, fire inspection and clearance, investigation, disaster preparedness, rescue, emergency medical response, HAZMAT, CBRNE, and other operations: *Provided*, That the conduct of such training must be in coordination with the LGUs;

(i) Conduct monthly fire prevention campaigns and information drives in partnership with the LGUs, the Department of the Interior and Local Government (DILG), the Department of Transportation, and economic zones;

(j) Develop, promote, and implement a comprehensive fire safety and protection program that aims to strengthen the capacity of the national government and LGUs, to build the fire resilience of communities, and institutionalize measures for reducing disaster risk, and enhancing disaster and emergency preparedness and response capabilities. The BFP shall also empower existing community-based fire volunteer brigades and encourage the creation of the same in all LGUs;

(k) Enter into contracts, agreements or similar undertaking for the acquisition, ownership, possession, use, administration, lease, disposition, or acceptance of real or personal property in its name;

(l) Request assistance from the Philippine National Police (PNP), Armed Forces of the Philippines (AFP), or any government agency or instrumentality, including government-owned and/or controlled corporations and LGUs, in the exercise of its powers and functions, including the use of these agencies' personnel and facilities upon approval of the head of the agency concerned; and

(m) Perform such other functions as the President or the Secretary of the DILG may assign.

TITLE III

BFP MODERNIZATION PROGRAM

SEC. 4. *BFP Modernization Program.* – The BFP shall, in coordination with the DILG, establish and implement the BFP Modernization Program which shall be geared towards the enhancement of the capability of its personnel and acquisition of state-of-the-art fire prevention, fire suppression, fire investigation, and emergency medical and

rescue services facilities and equipment. The BFP Modernization Program shall consist of the following components:

(a) *Fire Protection Service* – The BFP Modernization Program shall include the establishment of Fire Protection Service including the establishment of rescue hotlines in all LGUs: *Provided*, That priority shall be given to municipalities with no existing fire protection services;

(b) *Force Restructuring and Organizational Development* – The BFP Modernization Program shall develop the BFP into a compact, efficient, responsive and modern firefighting force with the capability to implement Republic Act No. 9514. Within ninety (90) days from the promulgation of rules and regulations to implement this Act, the BFP shall recommend and submit to the Secretaries of the DILG and the Department of Budget and Management (DBM), the revised organizational structure and staffing pattern for officers and personnel of the BFP. The BFP shall design and establish a qualifications upgrading program for the BFP officers and personnel in accordance with the rules and regulations of the Civil Service Commission;

(c) *Capability, Material, and Technology Development* – Upon the effectivity of this Act, the existing fire protection equipment and services of the BFP shall be upgraded through the acquisition of new and modern equipment, vehicles, and personal protective equipment: *Provided*, That the acquisition of new equipment shall be synchronized with the phase out of uneconomical and obsolete major equipment and systems in the BFP inventory;

(d) *Specialized Services Development* – The BFP Modernization Program shall establish specialized fire protection services such as high-rise building fires, forest fires, aircraft and airport fires, chemical fires, disaster rescue services, and emergency medical services. It shall also include the establishment of a Search and Rescue Force, HAZMAT units, Fire and Arson Investigation Unit, and Security and Protection Unit in every region and city, as well as an Emergency Medical Service (EMS) in every

municipality and city: *Provided*, That each EMS unit to be established shall be comprised of an ambulance with adequate medical equipment, and qualified and trained personnel: *Provided, further*, That every Security and Protection Unit (SPU) shall be composed of not more than fourteen (14) personnel, comprised of two (2) team leaders with the rank of at least Fire Inspector and team members, who shall undergo a neuropsychological examination and periodic trainings: *Provided, furthermore*, That BFP personnel with the rank of Senior Fire Officer III may be given priority to be appointed as SPU team member: *Provided, finally*, That SPU shall be provided with appropriate equipment to protect firefighters during fire suppression, containment of HAZMAT and CBRNE materials, fire investigation, and in the performance of all other acts pertinent to their mandate; and

(e) Human Resource Development – The modernization program shall include the development of a comprehensive training program for BFP personnel and BFP volunteers, including mandatory training for new entrants and newly-appointed personnel of the BFP, and BFP volunteers, and establishment of training facilities.

In order to accelerate the Personnel Development Program, the BFP shall encourage and promote volunteerism and shall develop guidelines for the enlistment and training of BFP volunteers. Internationally accredited training consultants and advisers may be hired if the BFP determines that there is no Filipino citizen who is competent, able, and willing to provide the same expertise.

The BFP shall, in coordination with the Department of Health (DOH) and the Technical Education and Skills Development Authority (TESDA), provide necessary trainings for its EMS, which include infection control and exposure, emergency vehicle response, incident rehabilitation, critical incident stress management, response to HAZMAT, response to mass casualty incidents (MCI), and response to vehicle accidents, among others.

SEC. 5. *Submission to Congress.* – Within one hundred eighty (180) days from the effectivity of this Act, the BFP shall, in consultation with the Secretaries of the DILG, DBM and the Department of Finance (DOF), submit the BFP Modernization Program to Congress. It shall contain the following:

- (a) Personnel strength and inventory of facilities and equipment;
- (b) Modernization projects and activities to be undertaken and the particular component and corresponding objective to which such projects relate to;
- (c) Priorities, schedules and phases of implementation of modernization projects and activities; and
- (d) Estimated average cost of each modernization project or activity to be undertaken.

Thereafter, the BFP shall, through the DILG Secretary, submit to the Office of the President and Congress, an annual report containing the progress and status of the implementation of the BFP Modernization Program.

SEC. 6. *Multi-Year Contract and Other Contractual Arrangements.* – (a) The BFP may enter into multi-year contracts or other contractual arrangements with local or foreign suppliers and contractors in the implementation of this Act, pursuant to the BFP Modernization Program, projects and appropriations approved by Congress, subject to the approval of the President, the provisions of existing laws and regulations including those of the Commission on Audit and under such terms and conditions most favorable to the government.

(b) For multi-year contracts, Congress shall, upon issuance of a multi-year obligational authority or contractual authority by the DBM, make the corresponding appropriation for the ensuing fiscal years: *Provided*, That the BFP and the

DBM shall issue the implementing guidelines to ensure consistency with the BFP Modernization Program and existing guidelines in the contracting of multi-year projects.

(c) The Chief of the BFP shall submit to Congress, through the Chairpersons of the Senate Committees on Public Order and Dangerous Drugs and Finance and the Chairpersons of the House Committees on Public Order and Safety and Appropriations, copies of these multi-year contracts and other arrangements to enable Congress to appropriate funds therefor.

SEC. 7. BFP Modernization Trust Fund. – The trust fund created pursuant to Section 13 of Republic Act No. 9514 shall be transferred to a new trust fund to be known as the BFP Modernization Trust Fund. It shall be administered by the Chief of the BFP in accordance with existing government budgeting, accounting and auditing rules and regulations.

The BFP Modernization Trust Fund shall be used exclusively for the implementation of the BFP Modernization Program as provided for in this Act, including all expenses necessary for the procurement of facilities, machineries, equipment and services: *Provided*, That expenses chargeable against the trust fund shall exclude salaries and allowances for BFP personnel.

The BFP Modernization Trust Fund shall be sourced from the following:

(a) Appropriations for the BFP Modernization Program as provided in Section 12 of this Act;

(b) Eighty percent (80%) share of the BFP from all taxes, fees, and fines collected pursuant to Republic Act No. 9514;

(c) Proceeds from the disposal of excess and uneconomically repairable equipment and other movable assets of the BFP;

(d) Funds from any budgetary surplus, as may be authorized by Congress;

(e) Loans, grants, bequests, or donations from local and foreign sources, specifically earmarked to be used for the BFP Modernization Program; and

(f) All interest income that accrues to the trust fund.

The amount allocated shall be released to the BFP based on the objectives of the BFP Modernization Program as provided for in this Act: *Provided*, That fund releases charged against the trust fund shall not be subject to any ceiling by the DBM.

SEC. 8. Local Equity in the BFP Modernization Program. – City and municipal governments shall be authorized to use their respective share from all taxes, fees, and fines collected pursuant to Republic Act No. 9514, for the following purposes:

(a) Operation and maintenance of local fire stations;

(b) Construction, repair, rehabilitation and improvement of local fire stations;

(c) Acquisition of lots and right-of-way for local fire stations;

(d) Acquisition or installation of firefighting equipment, including fire trucks and aerial ladders;

(e) Procurement of personal protective equipment, self-contained breathing apparatus and other firefighting tools; and

(f) Other relevant programs, projects and activities as may be identified by the BFP in accordance with Section 4, subsections (a), (c), and (d) of this Act.

Local government units shall be authorized to implement development programs and projects complementary and supplementary to the BFP Modernization Program, to be charged against the allocation for local development projects as provided in Section 287 of Republic Act No. 7160, as amended: *Provided*, That development programs and projects implemented by LGUs in accordance with this Act shall be included in their respective local development plans and annual investment programs.

SEC. 9. *Period of Implementation.* – The BFP Modernization Program shall be implemented over a period of ten (10) years effective upon the date of the approval of this Act: *Provided, however*, That payment for amortization of outstanding multi-year contracts and obligations incurred under the modernization program may extend beyond this period.

SEC. 10. *Strict Application of Ease of Doing Business and Efficient Government Service Delivery Act of 2018.* – Section 10 of Republic Act No. 11032 and its implementing rules and regulations shall be strictly enforced in the processing of any application or renewal of fire safety permits, clearances and certificates.

Any law to the contrary notwithstanding, a fire safety inspection certificate shall not be required for the processing and approval of local business permits for professionals, freelancers, self-employed persons, individual contractors, and one person corporations who are engaged in service activities and who registered their respective residences as their principal place of business.

SEC. 11. *Congressional Oversight Committee.* – There is hereby created a Joint Congressional Oversight Committee composed of four (4) Senators and four (4) Representatives appointed by the Senate President and the Speaker of the House of Representatives, respectively. The Oversight Committee shall be co-chaired by the Chairpersons of the Senate Committee on Public Order and Dangerous Drugs and the House of Representatives Committee on Public Order and Safety. The Minority shall have at least one (1) representative from each Chamber.

The Oversight Committee shall monitor and oversee the implementation of the provisions of this Act. It shall adopt its internal rules of procedure, conduct hearings and receive testimonies, reports, and technical advice, invite or summon by subpoena *ad testificandum* any public official or private citizen to testify before it, or require any person by subpoena *duces tecum* documents or other materials as it may require consistent with the provisions of this Act: *Provided*, That within five (5) years after the effectivity of this Act, or as the need arises, the Congressional Oversight Committee shall conduct a sunset review of this Act. The term “sunset review” shall mean a systematic evaluation of the accomplishments and impact of this Act, as well as the performance and organizational structure of its implementing agencies, for purposes of determining remedial legislation.

SEC. 12. *Appropriations.* – The amount necessary to implement the provisions of this Act shall be sourced from the BFP Modernization Trust Fund as provided in Section 7.

In addition, the annual appropriations for the BFP Modernization Program shall include the amount necessary to support the funding requirements for all modernization projects submitted to Congress. The funds to be appropriated to implement the provisions of this Act shall be included in the General Appropriations Act under the BFP.

TITLE IV

FINAL PROVISIONS

SEC. 13. *Implementing Rules and Regulations.* – The DILG and the BFP shall, in coordination with appropriate national agencies, LGUs, nongovernment organizations and other stakeholders, within ninety (90) days from the effectivity of this Act, promulgate the rules and regulations to effectively implement the provisions of this Act.

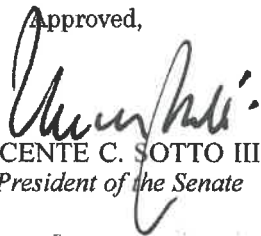
SEC. 14. *Separability Clause.* – If any part, section or provision of this Act is declared invalid or unconstitutional, the sections or provisions which are not affected shall remain valid and subsisting.


SEC. 15. *Repealing Clause.* – Section 54 of Republic Act No. 6975, as amended and Sections 5, 12 and 13 of Republic Act No. 9514 are hereby amended or modified accordingly.

All other laws, decrees, ordinances, rules, regulations, other issuances or parts thereof which are inconsistent with this Act are also hereby repealed, amended or modified accordingly.


SEC. 16. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in a newspaper of general circulation.

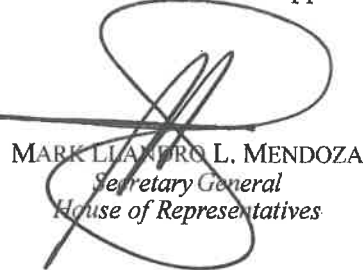
Approved,


VICENTE C. SOTTO III
President of the Senate


LORD ALLAN JAY Q. VELASCO
Speaker of the House of Representatives


This Act which is a consolidation of House Bill No. 7406 and Senate Bill No. 1832 was passed by the House of Representatives and the Senate of the Philippines on August 4, 2021.


MYRA MARIE D. VILLARICA
Secretary of the Senate


MARK LLANO PRO L. MENDOZA
Secretary General House of Representatives

Approved: SEP 10 2021




RODRIGO ROA DUTERTE
President of the Philippines



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