

MEMORANDUM CIRCULAR NO. 031

TO : Undersecretaries and Assistant Secretaries
Office of the Prosecutor General
Office of the Chief State Counsel
Heads of Bureaus, Commissions and
Offices attached to the DOJ
All Concerned

SUBJECT : MEMORANDUM ORDER NO. 31 DATED 29 OCTOBER 2018

DATE : NOV 05 2018

Attached is a copy of Memorandum Order No. 31 signed by President Rodrigo Roa Duterte on 29 October 2018 entitled, "***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***".

For information and guidance.



MENARDO I. GUEVARRA

Secretary

Department of Justice
CN: O201811006



Encl.: Memorandum Order No. 31 dated 29 October 2018



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

MEMORANDUM ORDER NO. 31

**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 FIRERACKERS AND
PYROTECHNIC DEVICES**

WHEREAS, Republic Act (RA) No. 7183 contains illustrative lists of what comprises allowable firecrackers and pyrotechnic devices, and provides for the regulation and control of the manufacture, sale, distribution and use thereof consistent with, and in furtherance of, public safety, order and national security;

WHEREAS, the Philippine National Police (PNP) is primarily responsible for the administration and enforcement of the provisions of RA No. 7183;

WHEREAS, the said law authorizes the PNP to process applications for the issuance of licenses or permits of any person desiring to manufacture, sell or distribute allowable firecrackers and pyrotechnic devices, and to promulgate rules and regulations necessary to regulate and control their manufacture, sale, distribution and use, including the determination and review of the gun powder and other raw material content of firecrackers and pyrotechnic devices;

WHEREAS, local chief executives are likewise authorized to promulgate the necessary rules and regulations on firecrackers and pyrotechnic devices within their territorial jurisdiction in conformity with the national standards, rules and regulations;

WHEREAS, Executive Order (EO) No. 28 (s. 2017) was issued providing for the regulation and control of the use of firecrackers and pyrotechnic devices; and

WHEREAS, based on the report of the Department of Health, the Piccolo, a type of prohibited firecracker, is the top cause of firecracker-related injuries;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order the PNP, in coordination with other concerned agencies and the local government units, to carry out the following:

1. Conduct inspections to ensure that manufacturers, distributors, retailers and users of firecrackers and pyrotechnic devices are in compliance with the safety guidelines, reportorial requirements and other requisites laid down under existing laws, rules and regulations including but not limited to RA No. 7183, its Implementing Rules and Regulations, and EO No. 28;

THE PRESIDENT OF THE PHILIPPINES

2. Confiscate and destroy prohibited firecrackers and pyrotechnic devices as provided by law, rules and regulations, as well as firecrackers used outside community fireworks displays in violation of EO No. 28;
3. Cancel/revoke the licenses and permits, and confiscate the inventory or stock, of those found in violation of existing laws, rules and regulations;
4. Strictly enforce the prohibition on the sale of firecrackers and pyrotechnic devices to anyone under 18 years of age; any buyer of firecrackers and/or pyrotechnic devices who is suspected to be below 18 years of age, but claims otherwise, shall be required to show proof of his age;
5. Strictly enforce the prohibition on importing finished firecrackers and fireworks under Section 6 of RA No. 7183; and
6. Suspend the processing of new licenses and permits for the manufacture, sale, and distribution of firecrackers and pyrotechnic devices pending review of existing licensees' and permittees' compliance with laws, rules and regulations; provided that other permits necessary for the operations of such existing licensees and permittees (e.g. permit to purchase/import ingredients, permit to transport) may continue to be issued unless such entities are found to have violated the relevant laws and issuances. The suspension herein ordered shall remain in effect until declared lifted by the Office of the President upon recommendation of the PNP Chief and his submission of a report on the review undertaken on existing licenses and permits.

All other departments, agencies and instrumentalities of the government, including government –owned or –controlled corporations are directed to provide the support and assistance required in the implementation of this Order.

For strict compliance.

DONE, in the City of Manila, this ~~29th~~ **29th** day of ~~October~~ **October** in the year of Our Lord, Two Thousand and Eighteen.

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By the President:


SALVADOR C. MEDIALDEA
 Executive Secretary

