

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



'19 MAR 12 P2:35

SENATE

S. No. 2214

RECEIVED BY _____

Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
PROVIDING FOR REORGANIZATION AND REFORM OF THE STRUCTURE OF THE UNIFORMED MEMBERS OF THE BUREAU OF FIRE PROTECTION, AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 6975 AND REPUBLIC ACT NO. 9263 AND OTHER PURPOSES

EXPLANATORY NOTE

Over the past few years, efforts to establish safety standards and prevention measures that will seek to avoid, alleviate, and reduce industrial and residential incidents brought about by fire, accident, and other tragedies have been neglected. Regrettably, the increasing necessity to ensure fire safety, disaster prevention, and emergency response has been ignored.

As a reaction to this, it is hereby declared a policy of the State to secure the people's lives and property against fire and other emergencies. This bill primarily aims to transform the BFP to become the main government agency responsible for the avoidance and elimination of all destructive fires, as well as the improved enforcement of the Fire Code of the Philippines and other related laws. The bill also suggests to grant the BFP the authority to investigate all causes of fires and the power to respond to all types of disasters and emergencies including rescue, medical, and other calamities.

Through the years, the BFP has developed from being an agency tasked to implement fire prevention laws, respond to and investigate fire emergencies to becoming an agency assigned to respond to medical emergencies and carry out rescue operations during disasters and other forms of tragedies. In addition to this, it has also been engaged in medical responses to both fire-related and non fire-related incidents.

The BFP has also been active on the aspects of disaster preparedness and response. Climate change has led to stronger and more destructive typhoons passing through the country. In response to this, the BFP has organized its units in the clearing of roads, emergency evacuation of families, and distribution of relief goods in areas which are massively damaged by the typhoons. The BFP is honored to affirm that it is the agency that had been at the forefront of the aftermath of the typhoon Yolanda tragedy, from its beginning to its conclusion, recovering cadavers and providing aid to the people through its inadequate resources.

As highlighted by the above-mentioned facts, there is an urgent need for a measure that will broaden the powers and functions of the BFP and increase its manpower. The said measure will boost the operational efficiency of the BFP and will address the evolving demand of the citizens for a fire and medical emergency and rescue services agency that can effectively and efficiently respond to the dangers of destructive fires, accidents, and other natural and man-made tragedies and other catastrophes.

The necessity to have additional firefighters has also been heightened by the constant expanding population of the country. As of the 2015 census, the Philippine population is already at 100,981,437. Thus, considering that Section 5 of PD 1184 of 1977 necessitates that there should be one (1) fireman for every 2,000 population, there should be a total of 50,491 firefighters in the frontline operations of the BFP as of 2015. However, at present, there are only a total of 8,238 personnel who are working as firefighters which highlights the immense need to enhance the responding manpower along with the ranks of the officers and personnel.

Moreover, it is also worth noting that the BFP is among the uniformed services of the country which includes the Philippine National Police (PNP), the Armed Forces of the Philippines (AFP), and the Philippine Coast Guard (PCG), among others, whose highest ranks are all equivalent to a four-star general. However, unlike them, the highest ranking officer of the BFP is only equivalent to a two-star general. Therefore, taking into account the principle of equality, it is just appropriate that the officers of the BFP should be given a position which is at par with those of their counterparts from the PNP, AFP, and PCG.

In view of all of the foregoing reasons and considering that the BFP had proclaimed its responsibility of being dedicated in ensuring the avoidance and elimination of destructive fires, investigating its causes, enforcing the Fire Code of the Philippines and other related laws, and in responding to man-made and natural disasters and other emergencies despite the lack of legislative intervention, the necessity for additional manpower to conform to that growth of the mandate and the population and the need to have the BFP officers to be positioned equally with those of the officers of the other uniformed services have been clearly demonstrated. Hence, the passage of this bill is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

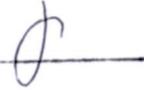
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AN ACT

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

1 **SECTION 1. Short Title.** This Act shall be known as the "Reorganization and Reform Act of
2 the Bureau of Fire Protection of 2018."
3

4 **SEC. 2. Declaration of Policy.** It is the policy of the State to develop the Bureau of Fire
5 Protection (BFP) and ensure public safety through the prevention and suppression of all kinds of
6 destructive fires, investigation of its causes, enforcement of the Fire Code of the Philippines and
7 other related laws, response to man-made and natural disasters, whether man-made or natural, and
8 respond to other emergencies, including rescue, emergency medical, hazardous materials (hazmat),
9 chemical, biological, radiological, nuclear, and explosive (CBRNE) materials, and other
10 emergencies.
11

12 Toward this end, considering the expanded mandate and modernization of function and the
13 increase in population, the State shall formulate plans and programs to enhance the BFP with
14 expanded structure, capability and manpower particularly by upgrading the rank structure for it to be
15 responsive to the demands of the times and to make the agency at par with those of the PNP, the
16 AFP, and the PCG.
17

18 **SEC. 3. Additional Powers and Functions of the BFP.** – Section 54, Chapter IV, of RA
19 6975 shall be amended as follows:
20

21 SEC. 54. The BFP shall be responsible for the prevention and suppression of all
22 destructive fires on buildings, houses and other structures, including those found in economic
23 zones including agro- industrial economic zones, free ports and special economic zones, it
24 parks/centers, manufacturing economic zones, medical tourism parks/centers, tourism
25 economic zone, and other similar entities, forest, land transportation vehicles and equipment,
26 ships or vessels docked at piers or wharves or anchored in major seaports, petroleum industry
27 installations, airports, plane crashes and other similar incidents, as well as the enforcement of

1 the Fire Code of the Philippines and other related laws.

2
3 The BFP shall have the power to investigate all causes of fires and, if necessary, file
4 the proper complaints with the city or provincial prosecutor who has jurisdiction over the
5 case. The BFP shall have the power to establish and maintain regional arson laboratories and
6 research and testing facilities with complete equipment for this purpose.

7
8 Further, the BFP shall have the function of responding to disasters, whether man-
9 made or natural, and respond to other emergencies, including rescue, emergency medical,
10 hazardous materials (hazmat), chemical, biological, radiological, nuclear, and explosive
11 (CBRNE) materials, and other emergencies. In line with this, the BFP shall establish and
12 maintain state-of-the-art apparatus and equipment to be used by the BFP in its emergency
13 rescue, emergency medical, hazmat, and other operations.

14
15 Furthermore, the BFP shall have the power to conduct trainings of its personnel and
16 officers pertaining to fire prevention and suppression, investigation, disaster preparedness,
17 rescue, emergency medical, hazmat, CBRNE, and other operations.

18
19 In consonance with the powers and functions of the BFP, the BFP may request the
20 assistance of the Philippine National Police (PNP), Armed Forces of the Philippines (AFP),
21 or any other agency of the government, including government-owned and/or-controlled
22 corporations, in exercising its powers and functions.

23
24 The BFP, in pursuance of all the functions mentioned, shall have the power to enter
25 into any contract or transaction for the acquisition, ownership, possession, use,
26 administration, lease, disposition, or acceptance of real or personal property in its name.

27
28 Lastly, the BFP shall perform such other functions as the president or the secretary
29 may assign.”

30
31 ***SEC. 4. Organization.*** – *Section 55, Chapter IV, of RA 6975 shall be amended as follows:*

32
33 Section 55. The BFP shall have a National Headquarters, Regional Headquarters,
34 Provincial Headquarters, District Headquarters, City and Municipal Fire Stations.

35
36 At the National Headquarters, there shall be an Office of the Chief, BFP assisted by
37 other key offices which shall formulate the policies, plans and programs of the BFP; and
38 monitor, evaluate and coordinate the operations and activities of the fire service operating
39 units at the regional levels.

40
41 At the regional level, there shall be an office of the Regional Director which shall
42 implement the policies, plans and programs of the BFP; and monitor, evaluate and coordinate
43 the operations and activities of the fire service operating units at the provincial levels.

1 At the provincial level, there shall be an office of the Provincial Director which shall
2 also implement the policies, plans and programs of the BFP; and monitor, evaluate and
3 coordinate the operations and activities of the fire service operating units, at the city and
4 municipal levels. In the case of large provinces, District Headquarters may be established, to
5 be headed by a District Director.
6

7 At the city or municipal level, there shall be a fire station, each headed by a city or
8 municipal fire marshal: Provided that, in the case of large cities, a District Headquarters with
9 subordinate fire stations headed by a District Director may be organized as necessary.
10

11 **SEC. 5. Establishment of Fire Station.** – Section 56, Chapter IV, of RA 6975 shall be
12 amended as follows:
13

14 Section 56. Establishment of Fire Station. There shall be established at least one (1) fire
15 station with adequate personnel, firefighting facilities and equipment in every provincial
16 capital, city and municipality subject to the standards, rules and regulations as may be
17 promulgated by the Department. The BFP shall have the authority to acquire or purchase real
18 property in all cities or municipalities for the establishment of fire central and sub-stations.
19

20 **SEC. 6. Rank Classification.** – Section 58, Chapter IV, of RA 6975 shall be amended as
21 follows:
22

23 Section 58. For purposes of efficient administration, supervision, and control, the new
24 rank classification of the members of the BFP shall be as follows:
25

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 First Class	12
Fireman	10

1 **SEC. 7. Organization and Key Positions.** – Section 3, of RA 9263 shall be amended as
2 follows:

3
4 *Section 3.* The Head of the BFP shall have the position title of Chief, BFP. The
5 second officer in command of the BFP shall have the position title of Deputy Chief for
6 Administration of the BFP. The third officer in command of the BFP shall have the
7 position title of Deputy Chief for Operations of the BFP. The fourth officer in command
8 of the BFP shall have the position title of Chief of Directorial Staff of the BFP, who
9 shall be assisted by the directors of the directorates in the National Headquarters.

10
11 The BFP shall establish, operate, and maintain Regional Headquarters in each
12 of the administrative regions of the country which shall be headed by a Regional Director.
13 He/She shall be assisted by the following officers: Deputy Regional Director for
14 Administration, Deputy Regional Director For Operations, and Regional Chief of Staff.

15
16 **SEC. 8. Appointment of Uniformed Personnel to the BFP.** – Section 4 of R.A. 9263 is
17 hereby amended as follows:

18
19 Section 4. The appointment of the Uniformed Personnel to the BFP shall be effected in the
20 following manners:

- 21
22 a) Fireman to Fire Master Sergeant – Appointed by the respective Regional Director for
23 the Regional Headquarters or by the Chief, BFP for the national headquarters, and
24 attested by the Civil Service Commission (CSC);
25 b) Fire Lieutenant to Fire Lieutenant Colonel – Appointed by the Chief, BFP and
26 attested by the CSC;
27 c) Fire Colonel – Appointed by the Secretary upon recommendation of the Chief, BFP
28 with the proper attestation of the CSC; and
29 d) Fire Brigadier General to Fire General - Appointed by the President upon
30 recommendation of the Secretary.

31
32 **SEC 9. Mandatory Training Program.** – All newly appointed uniformed personnel of the
33 BFP shall undergo a Mandatory Training Program.

34
35 **SEC 10. Qualification Standards in the Designation of Uniformed Personnel of BFP to**
36 **Key Positions.** – Section 7 of R.A. 9263 is hereby amended as follows.

37
38 Section 7. No person shall be designated to the following key positions of the BFP unless
39 he/she has met the required ranks herein provided:

- 40
41 1) Chief, BFP – Should have the rank of Fire General;
42 2) Deputy Chief for Administration of the BFP, Deputy Chief for Operations of the BFP
43 and Chief Directorial Staff of the BFP - Should have the rank of Fire Lieutenant
44 General;

- 3) Director of the Directorate of the National Headquarters – Should have the rank of Fire Major General;
- 4) Regional Director (NCR) - Should have the rank of Fire Major General;
- 5) Regional Director (Other Regions) - Should have the rank of Fire Brigadier General;
- 6) Deputy Regional Director for Administration (NCR), Deputy Regional Director For Operations (NCR), And Chief Of Staff (NCR) - Should have the rank of Fire Brigadier General;
- 7) Deputy Regional Director For Administration, Deputy Regional Director For Operations and Regional Chief Of Staff (Other Regions) – should have the rank of Fire Colonel;
- 8) District Director (NCR) - Should have the rank of Fire Brigadier General;
- 9) Provincial Director – Should have the rank of Fire Colonel;
- 10) Highly Urbanized Cities outside NCR - Should have the rank of Fire Colonel.
- 11) City Fire Marshal (NCR) - Should have the rank of Fire Colonel;
- 12) City Fire Marshal (Other Regions) - Should have the rank of Fire Lieutenant Colonel;
- 13) Municipal Fire Marshal. – Should have the rank of Fire Major.

SEC 11. Qualifications Upgrading Program. – The BFP shall design and establish a qualifications upgrading program for the BFP officers and personnel in accordance with the Civil Service Commission rules and regulations.

SEC 12. Maximum Tenure in Position. – The aggregate maximum tenure per position of BFP officers and personnel holding key positions is hereby prescribed as follows:

POSITION	MAXIMUM TENURE
Chief	four (4) years
Deputy Chief	four (4) years
Director of the Staff Services	four (4) years
Regional Directors	six (6) years
Provincial/City Directors	nine (9) years

Other positions lower than Provincial Director shall have aggregate maximum tenure of six (6) years. Unless earlier separated, retired or promoted to a higher position in accordance with the BFP Staffing Pattern, officers and personnel holding the above-mentioned positions shall be compulsorily retired at the maximum tenure in position herein prescribed, or at age fifty-six (56), whichever is earlier: Provided, that in times of war or other national emergency declared by Congress, the President may extend the Chief, BFP's tour of duty: Provided further, that BFP officers and personnel who have already reached their maximum tenure upon the effectivity of this Act may be allowed one (1) more year of tenure in their positions before the maximum tenure provided in this Section shall be applied to them, unless they shall have already reached the compulsory retirement age of fifty-six (56), in which case the compulsory retirement age shall prevail.

1 Except for the Chief, BFP, no BFP member who has less than six (6) months of service
2 before reaching the compulsory retirement age shall be promoted to a higher rank or appointed
3 to any other position.

4
5 **SEC 13. Rationalized Promotion System.** – Within six (6) months after the effectivity of this
6 Act, the BFP shall establish a system of promotion for uniformed and non-uniformed personnel of
7 the BFP which shall be based on merits and on the availability of vacant positions in the BFP
8 staffing pattern. Such system shall be gender fair.

9
10 **SEC 14. Promotion by Virtue of Position.** – Any BFP personnel designated to any key
11 position whose rank is lower than that which is required for such position but is qualified for
12 promotion shall, after six (6) months of occupying the same, be entitled to a rank adjustment
13 corresponding to the position: Provided, That the personnel shall not be reassigned to a position
14 calling for a higher rank until after two (2) years from the date of such rank adjustment: Provided,
15 further, that any personnel designated to the position who does not possess the established minimum
16 qualifications therefor shall occupy the same temporarily for not more than six (6) months without
17 reappointment or extension.

18
19 **SEC 15. Establishment of Search and Rescue Force (SRF), Emergency Medical Services**
20 **(EMS), and HAZMAT Units.** – In addition to the existing Fire Fighting Units, there shall be
21 established a Search and Rescue Force (SRF) in each region and city, Emergency Medical Services
22 (EMS) in every 1st to 3rd class municipalities and cities, and HAZMAT Units in each region.

23
24 **SEC 16. Establishment of BFP Hospital or Burn Center.** – The BFP shall establish and
25 maintain Central Hospital or Burn Center for the benefit of the BFP officers and personnel and their
26 dependents.

27
28 **SEC 17. Revised organizational structure and staffing pattern of the BFP.** – The Chief,
29 BFP, within ninety (90) days from the promulgation of the implementing rules and regulations (IRR)
30 of this Act, shall recommend and submit to the Secretary the revised organizational structure and
31 staffing pattern for officers and personnel of the BFP, in accordance with the guidelines set forth
32 herein and as provided in the IRR.

33
34 The revised organizational structure herein mentioned shall include all the offices of the
35 BFP, the Fire Training Service, and the BFP Central and Regional Hospitals.

36
37 **SEC 18. Transition.** – The provisions herein shall be effected within three (3) years after the
38 effectivity of this Act.

39
40 **SEC 19. Rules and Regulations.** – Unless otherwise provided in this Act, the Department in
41 coordination with the BFP, shall promulgate rules and regulations for the effective implementation
42 of this Act. Such rules and regulations shall take effect upon their publication in two (2) newspapers
43 of general circulation.

1 **SEC. 20. Repealing Clause.** – All laws, decrees, orders, rules and regulations, and issuances,
2 or parts thereof, which are inconsistent with this Act are hereby repealed or modified accordingly.

3
4 **SEC. 21. Separability Clause.** – If any part or provision of this Act is held unconstitutional
5 or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full
6 force and effect.

7
8 **SEC. 22. Effectivity.** – This Act shall take effect after fifteen (15) days following its
9 complete publication in at least two (2) national newspapers of general circulation.