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Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 13 provides that:

“The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.”

The policy recognizes the importance of the youth in nation-building and to achieve this, the state needs, first and foremost, to protect their physical well-being. In line with this, various measures are crafted to ensure that our youth are safe. For instance, there is Republic Act No. 7610 or the “Special Protection of Children against Abuse, Exploitation and Discrimination Act” and Presidential Decree No. 603 also known as the “Child and Youth Welfare Code.”

In addition to the already existing measures, I propose to enact a law to protect the children while they are riding amusement rides. Just last year, a couple of incidents of deaths occurred while the children are riding amusement rides. Last September 2006, a kid fell from the Wild River ride of Star City in Pasay. Last December 2006, another child was killed and several others were injured following an accident at a mini-carnival in Marikina City when the cable car from one of the rides the children were in fell to the ground.

These are just some of the incidents that could have been prevented had there been a board that monitors and approves carnival rides aside from the local civil engineer. This bill aims to create an amusement ride board which will ensure that the amusement rides in the Philippines are safe for our children.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
of the

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

SENATE
S.B. No. 2674

Introduced by Senator Miriam Defensor Santiago

AN ACT
CREATING AN AMUSEMENT PARKS SAFETY BOARD

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

SECTION 1. *Short Title.* - This Act shall be known as the “Amusement Parks Safety Board Act of 2007.”

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to recognize the vital role of the youth in nation-building and to promote and protect their physical, moral, spiritual, intellectual, and social well-being. Towards this end, an amusement ride safety board is deemed essential to protect the physical well-being of the youth while they are on amusement rides.

SECTION 3. *Creation and Composition.* — There is hereby established an “Amusement Park Safety Board” to be composed of 7 members, one of whom shall be the Chief of the Bureau of Fire Protection or his designee. The remaining 6 members of the board shall be appointed by the president. Each member appointed by the president shall be appointed for a term of five years. The president shall fill any vacancy on the board for the remainder of the unexpired term with a representative of the same interest as that of the member whose term is vacant. Two members of the board shall represent the interests of small amusement ride businesses. Two members of the board shall represent the interests of the fixed amusement ride parks. Two members of the board shall be mechanical engineers knowledgeable of amusement rides. The Chief of the Bureau of Fire Protection shall call the first meeting of the board within sixty days after all members have been appointed and qualified. The Chief of the Bureau of Fire Protection

shall serve as chairperson. After the initial meeting the members shall meet at the call of the chairperson, but shall meet at least three times per year. Five members of the board shall constitute a quorum.

SECTION 4. *Powers and Function.* – The amusement ride safety board shall have the following powers and functions:

(1) To issue permits to operate for all amusement parks, small or fixed, already existing or new. The year after the all members have been appointed and qualified, all amusement parks must get a permit to operate from the Board, on top of existing local permit requirements, in order for it to operate in the country.

(2) To allow or disallow the operation of an amusement park if it deems that the amusement park is unsafe.

(3) To consult with engineering authorities and organizations who are studying and developing amusement ride safety standards;

(4) To adopt a code of rules and regulations governing maintenance, testing, operation, and inspection of amusement rides including the amount of permit fee that it deems reasonable. The board shall have the power to adopt a safety code for all amusement rides.

(5) To make recommendations to the Chief of the Bureau of Fire Protection concerning the board's findings on safety issues related to amusement rides.

SECTION 5. *Compensation.* — The members of the Commission shall be entitled to per diems for meetings attended, not exceeding five hundred pesos per meeting and not exceeding ten thousand pesos a month. The members of the board shall receive no other compensation for their services but they shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties.

SECTION 6. *Appropriations.* – The amount of Five Million Pesos is hereby set aside for the operations of the Board.

SECTION 7. *Separability Clause.* - If any provision or part thereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 8. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with, the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 9. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.