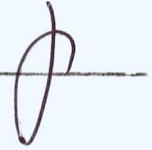


TWENTIETH CONGRESS OF THE ]  
REPUBLIC OF THE PHILIPPINES ]  
*First Regular Session* ]

26 JAN -8 A11 :20

SENATE  
S.B. No. 1651

RECEIVED BY: \_\_\_\_\_



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**Introduced by SEN. WIN GATCHALIAN**

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**AN ACT**  
**PROVIDING LOCAL CHIEF EXECUTIVES JOINT AUTHORITY WITH THE**  
**BUREAU OF FIRE PROTECTION IN THE APPOINTMENT OF FIRE MARSHALS**  
**AND DISCIPLINE OF PERSONNEL IN THEIR RESPECTIVE JURISDICTIONS,**  
**AMENDING FOR THE PURPOSE PERTINENT PROVISIONS OF REPUBLIC**  
**ACT NO. 6975, AS AMENDED, OTHERWISE KNOWN AS THE "DEPARTMENT**  
**OF THE INTERIOR AND LOCAL GOVERNMENT ACT OF 1990"**

**EXPLANATORY NOTE**

Every year, hundreds of Filipinos lose their lives and billions of pesos worth of properties are lost in fires and other fire-related incidents.<sup>1</sup> From January to April 2024 alone, the Bureau of Fire Protection (BFP) has recorded a total of 5,764 fire incidents which led to the deaths of 120 civilians, injuring 352 others, and causing Php 2.74 billion worth of damage to property.<sup>2</sup>

The protection of life and property against destructive fire is a mandate lodged with the BFP. The catastrophic losses that often result from these fires require local government units (LGUs) to dedicate resources towards ensuring that they have well-equipped and well-trained fire protection personnel and facilities.

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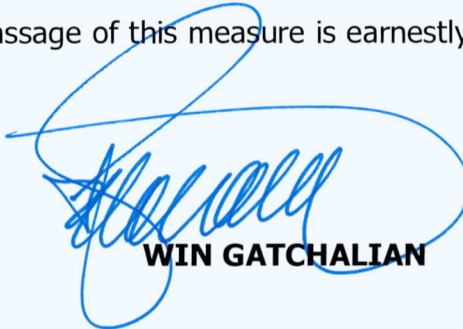
<sup>1</sup> Rizalina K. Araral, *Loss of lives and properties due to fire can be reduced through science*, DOST, at <https://www.dost.gov.ph/knowledge-resources/news/78-2023-news/3276-loss-of-lives-and-properties-due-to-fire-can-be-reduced-through-science.html> (last visited July 22, 2025).

<sup>2</sup> Christopher Lloyd Caliwan, *BFP: 5.7K fire incidents since Jan kill 120, cause P2.7-B damage*, PNA, at <https://www.pna.gov.ph/artides/1221918> (last visited July 22, 2025).

Despite the valiant efforts of the BFP and its personnel to minimize the deleterious effects of fire, many LGUs have, over the years, supplemented the deficiencies in the BFP's facilities and personnel to ensure that their respective localities have sufficient fire protection services. Considering that many LGUs are already involved, to a certain extent, in the activities of the BFP, it is high time to grant local chief executives joint authority in the appointment of fire marshals in their respective jurisdictions, as well as limited administrative disciplinary powers over BFP personnel. Through this, local chief executives will have a greater role in improving and enhancing public safety through the implementation of fire safety plans and programs, as well as the delivery of prompt and efficient services to their constituents, especially during instances of fire-related emergencies and other disasters.

Bearing in mind the necessity of close coordination between the BFP and LGUs in providing effective and efficient fire protection services, this proposed measure seeks to devolve to local chief executives the power to appoint fire marshals and discipline BFP personnel within their respective territorial jurisdictions, amending for the purpose pertinent provisions of Republic Act No. 6975, as amended, otherwise known as the "Department of the Interior and Local Government Act of 1990".


In view of the foregoing, support for the passage of this measure is earnestly sought.



**WIN GATCHALIAN**

**TWENTIETH CONGRESS OF THE** ]  
**REPUBLIC OF THE PHILIPPINES** ]  
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**SENATE**  
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**Introduced by SEN. WIN GATCHALIAN**

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**AN ACT**  
**PROVIDING LOCAL CHIEF EXECUTIVES JOINT AUTHORITY WITH**  
**THE BUREAU OF FIRE PROTECTION IN THE APPOINTMENT OF FIRE**  
**MARSHALS AND DISCIPLINE OF PERSONNEL IN THEIR RESPECTIVE**  
**JURISDICTIONS, AMENDING FOR THE PURPOSE PERTINENT**  
**PROVISIONS OF REPUBLIC ACT NO. 6975, AS AMENDED,**  
**OTHERWISE KNOWN AS THE "DEPARTMENT OF THE INTERIOR AND**  
**LOCAL GOVERNMENT ACT OF 1990"**

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

1           SECTION 1. *Declaration of Policy.* – It is hereby declared the policy of  
2 the State to enable local government units (LGUs) to enjoy meaningful local  
3 autonomy and become self-reliant communities. It is also recognized that the  
4 State has a responsibility to enhance the capability of LGUs towards  
5 strengthening the delivery of basic services to the citizenry, including a highly  
6 efficient and competent fire protection services. Towards this end, the State  
7 shall provide local chief executives of LGUs joint authority with the Department  
8 of the Interior and Local Government (DILG) and the Bureau of Fire Protection  
9 (BFP) in the appointment of fire marshals in their respective territorial  
10 jurisdictions to foster cooperation and coordination in the performance of their  
11 respective functions, particularly in adopting proactive measures to enhance  
12 public safety.

1           SEC 2. *Powers of Local Government Officials Over the Bureau of Fire*  
2 *Protection Units.* – Governors and mayors shall be deputized as representatives  
3 of the DILG Secretary in their respective territorial jurisdiction relative to the  
4 exercise of general and operational control and supervision over BFP personnel  
5 and offices. As such, the local executives shall discharge the following  
6 functions:

7           (a) *Provincial Governor* – The provincial governor shall have the power  
8 to choose the Provincial Fire Marshal from a list of three (3) eligibles  
9 recommended by the Regional Director for Fire Protection. In  
10 provinces where district offices of the BFP exists or will be  
11 established, the provincial governor shall also have the power to  
12 choose the District Fire Marshal for each district office from a list of  
13 three (3) eligibles recommended by the Regional Director for Fire  
14 Protection.

15           (b) *City and Municipal Mayors* –

16                   (1) The city and municipal mayors shall exercise operational  
17 supervision and control over BFP personnel in their respective  
18 jurisdiction.

19                   For purposes of this Section, the term “operational supervision  
20 and control” shall mean the power to direct, superintend, oversee,  
21 and inspect the BFP personnel and offices in accordance with the  
22 rules and regulations promulgated to achieve the purposes of this  
23 Act.

24                   (2) The municipal or city mayor shall, in coordination with the  
25 local peace and order council, include in the integrated area or  
26 community public safety plan the fire safety plans and programs  
27 which shall be implemented by the local BFP personnel and office.

28                   (3) In addition to the aforementioned powers and functions, city  
29 and municipal mayors shall have the following authority over the BFP  
30 personnel in their respective jurisdictions:

31                           (i) Authority to choose the city or municipal fire marshal  
32 from a list of three (3) eligibles recommended by the

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Regional Director for Fire Protection, preferably from the same province, city, or municipality. In the case of large cities and municipalities where a district office with subordinate fire stations had been established or will be organized, the city or municipal mayor shall likewise have the authority to choose the district fire marshal from a list of three (3) eligibles recommended by the Regional Director for Fire Protection, preferably from the same province, city, or municipality: *Provided*, That in no case shall an officer-in-charge be designated for more than thirty (30) days: *Provided, further*, That the local peace and order council may, through the city or municipal mayor, recommend the reassignment of the city or municipal fire marshal or the district fire marshal when, in its perception, the latter has been ineffective in the performance of their functions: *Provided, finally*, That such reassignment shall be based on guidelines established by the BFP;

- (ii) Authority to recommend to the Chief of the Fire Bureau, through the Regional Director for Fire Protection, the transfer, reassignment, or detail of BFP personnel outside of their respective city or town residences; and
- (iii) Authority to recommend from a list of eligibles previously screened by the peace and order council the appointment of new members of the BFP to be assigned to their respective cities or municipalities without which no such appointments shall be attested: *Provided*, That whenever practicable and consistent with the requirements of the service, BFP personnel shall be assigned to the city or municipality of their residence.

SEC. 3. *Administrative Disciplinary Powers over BFP Personnel.* – (a) City

1 and municipal mayors shall have the power to impose, after due notice and  
2 summary hearings, disciplinary penalties for minor offenses committed by  
3 personnel of the BFP assigned to their respective jurisdictions.

4 For purposes of this Act, a "minor offense" shall refer to any act or  
5 omission not involving moral turpitude, but affecting the internal discipline of  
6 the BFP, and shall include:

- 7 (1) Simple misconduct or negligence;
- 8 (2) Insubordination;
- 9 (3) Frequent absences and tardiness;
- 10 (4) Habitual drunkenness; and
- 11 (5) Gambling, as prohibited by existing laws.

12 The power granted to the city and municipal mayor under this Section  
13 to impose disciplinary penalties for minor offenses committed by BFP personnel  
14 under their jurisdiction shall be concurrent with the authority of the BFP to  
15 discipline their personnel.

16 Penalties imposed as a result of an administrative case shall be without  
17 prejudice to other penalties that may be imposed after prosecution under other  
18 existing laws, rules and regulations.

19 (b) In cases when an administrative complaint has been filed against a  
20 BFP personnel under the jurisdiction of the LGU, the city or municipal mayor,  
21 upon the petition of the complainant or *motu proprio*, may, pending  
22 investigation, issue an order of preventive suspension upon the service of a  
23 formal charge or notice of charge, or immediately thereafter, to the BFP  
24 personnel who is subject of the administrative complaint if:

- 25 (1) The charge involves:
  - 26 (i) Dishonesty;
  - 27 (ii) Oppression;
  - 28 (iii) Grave misconduct;
  - 29 (iv) Neglect in the performance of duty;
  - 30 (v) Administrative offenses which are punishable by dismissal  
31 from the service on the second or third offense; or
  - 32 (vi) If there are reasons to believe that the respondent is guilty

1 of charges that would warrant the removal of the  
2 respondent from the service.

3 (2) An order of preventive suspension may be temporarily issued to  
4 remove the respondent from the scene of the misfeasance,  
5 malfeasance, or nonfeasance to remove the possibility of:

6 (i) Exerting undue influence or pressure on the witnesses  
7 against the respondent; or

8 (ii) Tampering with evidence that may be used against the  
9 respondent.

10 In lieu of preventive suspension, the Regional Director for Fire  
11 Protection, upon the recommendation of the city or municipal mayor, shall  
12 reassign the respondent to another office in the BFP, outside the city or  
13 municipality where the respondent is currently assigned, during the formal  
14 hearings.

15

16 SEC. 4. *Suspension of Operational Supervision and Control.* – The DILG  
17 Secretary may, upon consultation with the provincial governor and  
18 congressman concerned, suspend the power of operational supervision and  
19 control of any city or municipal mayor over BFP personnel assigned or stationed  
20 in their jurisdiction for any of the following grounds:

21 (a) Frequent unauthorized absences; and

22 (b) Abuse of authority.

23 Upon good cause shown, the DILG Secretary may restore such power  
24 withdrawn from any local executive.

25

26 SEC. 5. *Implementing Rules and Regulations.* – Within sixty (60) days  
27 from the approval of this Act, the DILG Secretary shall, in coordination with the  
28 Chief of the BFP, issue the necessary rules and regulations for the effective  
29 implementation of this Act.

30

31 SEC. 6. *Separability Clause.* – If any provision or part of this Act is  
32 declared invalid or unconstitutional, the remaining parts or provisions not

1 affected shall remain in full force and effect.

2

3           SEC. 7. *Repealing Clause.* – Pertinent provisions of Republic Act No.  
4 6975, as amended, otherwise known as the “Department of the Interior and  
5 Local Government Act of 1990”, and all other laws, decrees, executive orders,  
6 proclamations, rules and regulations, or parts thereof inconsistent with the  
7 provisions of this Act are hereby amended, repealed, or modified accordingly.

8

9           SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15) days from its  
10 publication in the Official Gazette or in a national newspaper of general  
11 circulation.

12

13           *Approved,*