



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
A. Francisco Gold Condominium II
EDSA Cor. Mapagmahal St., Diliman
Quezon City

December 29, 2009

MEMORANDUM CIRCULAR

NO: 2009-188

TO : **ALL CITY AND MUNICIPAL MAYORS,
BFP REGIONAL DIRECTORS, PROVINCIAL /
DISTRICT, CITY AND MUNICIPAL FIRE MARSHALS**

SUBJECT : **GUIDELINES FOR THE ASSESSMENT, COLLECTION,
DEPOSIT, REMITTANCE AND UTILIZATION OF THE FIRE
CODE REVENUES**

1.0 RATIONALE

Republic Act 9514, otherwise known as The Fire Code of the Philippines of 2008, was signed into law on December 19, 2008 and its Implementing Rules and Regulations (IRR) was signed on June 24, 2009. The IRR was published in a newspaper of general circulation last October 17, 2009 and took effect thirty (30) days thereafter or on November 17, 2009.

The Fire Code of 2008 (Republic Act 9514) embodies the latest standards in fire safety and incorporates all the necessary provisions that were not in the old Fire Code, to include the new developments in technology and to make the fire safety measures attuned to the growing requirements of public safety.

Moreover, the new Fire Code provides a source of funds for the modernization of the Bureau of Fire Protection pursuant to Section 13 as well as the utilization of the 20% Local Government Units' share exclusively for the use of the operation and maintenance of their local fire stations, including construction and repair.

2.0 PURPOSE

This Memorandum Circular shall prescribe the general guidelines for the efficient and effective assessment, collection and utilization of the Fire Code revenues as well as the procedures for its deposit, remittance and release of the 20% LGU share pursuant to Section 13 of the Fire Code and Rule 12 of the IRR.

3.0 ASSESSMENT

The assessment of Fire Code taxes, fees, charges and fines as revenue is vested upon the BFP and shall be undertaken by the Office of the City/Municipal Fire Marshal having jurisdiction. For installations, structures, facilities and operations not within the jurisdiction of any City/Municipal Fire Marshal or in any other situation as the need arises, the Regional Director, upon recommendation of the concerned Provincial Fire

Marshal, shall designate the nearest/adjacent City/Municipal Fire Station to assess the prescribed Fire Code taxes, fees/charges and fines. The result of the assessment shall be the basis for issuance of Order of Payment Slip (OPS) for purposes of collection and deposit.

4.0 COLLECTION

The City/Municipal Fire Stations having jurisdiction shall collect the prescribed Fire Code revenues in the following manner: (a) collection by collecting officers, (b) direct deposit by the client with an Authorized Government Depository Bank (AGDB); and, (c) other applicable options subject to the existing accounting and auditing rules and regulations.

The Chief, BFP or the Regional Director concerned shall designate a Collecting Officer in every City and Municipal Fire Station upon recommendation of the respective Fire Marshal.

All Fire Code taxes, fees, charges and fines collected by the LGUs upon effectivity of RA 9514 on January 20, 2009 and prior to the effectivity of its IRR on November 17, 2009 shall be remitted to the Bureau of Treasury (BTr) not later than May 17, 2010 to the BFP Account D2531.

All Fire Code revenues shall be collected by the BFP effective January 1, 2010 and the allocation of the twenty percent (20%) LGU share shall start on the same date.

5.0 DEPOSIT, REMITTANCE AND REPORTING

All Fire Code revenues collected by the BFP shall be deposited/remitted to the Bureau of Treasury through the AGDB under BFP account number D2531.

All City/Municipal Fire Stations shall keep a secured permanent recording system for efficient and effective accounting and monitoring of all collected taxes, fire code fees, fines and other charges. City/Municipal Fire Stations catering to LGUs without fire station shall maintain a separate recording system for each LGU.

6.0 RELEASE OF TWENTY PERCENT (20%) LGU SHARE

The concerned City/Municipal Fire Marshals shall formulate their respective Fire Protection Plans and Budget (FPPB) for each fiscal year based on the available amount of LGU share of the Fire Code revenues and as prescribed in Section 10 of these Guidelines.

The BFP shall formulate a National FPPB inclusive of the LGU FPPB subject to the approval of the DILG Secretary. Based on the approved National FPPB, the BFP shall request from the DBM for the release of the full amount of the Fire Code Revenues available through the issuance of a Special Allotment Release Order (SARO) and Notice of Cash Allocation (NCA).

The 20% LGU share shall be released by the BFP to the concerned LGU through the issuance of Funding Check. Project implementation shall adhere to the existing government budgetary, procurement, accounting and auditing rules and regulations for local governments.

7.0 UTILIZATION

The eighty percent (80%) share of the total Fire Code revenues shall be allocated for the modernization of the BFP as prescribed under RA 9514. The Chief, BFP is authorized, subject to the approval of the Secretary of the Interior and Local Government, to use the income generated under the Fire Code for procurement of fire protection and

fire investigation supplies and equipment, rescue, paramedics, supplies and materials, and related technical services necessary for the fire service and the improvement of facilities of the Bureau of Fire Protection and abatement of fire hazards. The twenty percent (20%) LGU share shall be utilized in accordance with the guidelines as set forth in this Memorandum Circular.

8.0 SPECIFIC GUIDELINES FOR THE UTILIZATION OF THE 20% LGU SHARE

8.1 PLANNING AND PROGRAMMING FRAMEWORK

With the implementation of the Organizational Planning and Performance Indicator Framework (OPIF) in planning and budgeting by the government, the LGU FPPB should lead to the attainment to the BFP's Major Final Output (MFO) as follows: Fire Prevention Services; Fire Suppression Services; Fire Intelligence and Investigation Services; and Emergency Medical and Rescue Services.

8.2 PROGRAM, PROJECTS AND ACTIVITIES (PPAs)

8.2.1 Fire Prevention Programs

The PPAs under this MFO should essentially promote fire safety awareness as well as the uncompromising enforcement of the safety provisions of the Fire Code to include the following:

- a. Quadmedia activities such as posting/distribution of fire safety streamers/posters/leaflets, guesting in radio and television programs, press releases, and internet publications;
- b. Institutionalization of the Kiddie and Junior Fire Marshal Program in all kindergarten/nursery, elementary and high-school level educational institutions;
- c. Promotion, organization and training of fire brigades in all barangays, industrial and commercial complexes, high-rise buildings and other similar institutions of heavy occupancies; and
- d. Conduct/participation in fire safety promotional activities such as Fire Olympics and similar sports competition; singing, poster-making, essay-writing and oratorical contests; fire expositions, conventions and other related undertaking.

8.2.2 Fire Suppression Programs

The PPAs under this MFO should improve the response time and enhance the fire suppression capability of the local fire stations:

- a. Acquisition of fire protection equipage and accessories such as firetrucks, portable fire pumps, communication equipment, hoses and nozzles, personnel protective equipment, chemical suppressant and other similar fire protection supplies and materials;
- b. Construction and repair of fire stations and sub-stations inclusive of the required office equipment, furnitures and fixtures, living quarters and repair and maintenance section;

- c. Establishment of fire stations with adequate manpower and equipage in LGUs without existing fire protection services; and
- d. Training of fire auxiliaries, fire volunteers and other similar BFP force multipliers.

8.2.3 *Fire Intelligence and Investigation Programs*

The PPAs under this MFO should improve the resolution and determination of the causes and origins of fire within the BFP prescribed period as well as improve resolution of arson cases filed in courts:

- a. Acquisition of investigative/intelligence equipment and supplies and materials; and
- b. Training of BFP Investigators in fire, arson and intelligence matters other than those mandatory courses offered by the PPSC.

8.2.4 *Emergency Medical and Rescue Programs*

The PPAs under this MFO should improve the response time of the BFP EMS and rescue units and enhance their medical and rescue capabilities:

- a. Acquisition of BFP ambulance and rescue vans inclusive of the required emergency medical and rescue equipment, communication equipment and supplies and materials; and
- b. Establishment and construction of BFP EMS and rescue stations and similar physical facilities inclusive of medical/rescue equipment and supplies; office equipment, furnitures and fixtures, living quarters and repair and maintenance section.

8.3 RESPONSIBILITY OF THE REGIONAL DIRECTORS FOR THE LGU FPPB FINANCED BY THE TWENTY PERCENT (20%) LGU SHARE

- a. The BFP Regional Directors through their concerned Provincial/District Fire Marshals shall maintain a comprehensive list of LGU-initiated fire protection programs and projects for submission to the BFP-NHQ every end of each fiscal year;
- b. The BFP Regional Directors shall be required to present their respective accomplishment reports and other issues and concerns on LGU-initiated fire protection programs and projects during the semestral/year-end command conference.
- c. The BFP Regional Directors shall furnish LGUs copy of this Memorandum Circular and ensure the dissemination to BFP personnel under his area of responsibility as well as other agencies such as Regional Offices of the DBM, COA, DOF, BTr, and BLGF.
- d. The BFP Regional Directors shall see to it that appropriate and massive information campaign is implemented in the form of banners, flyers, radio and television programs and similar information campaign activities.

9.0 SEPARABILITY

If any provision of this Memorandum Circular is declared invalid or unconstitutional by a competent court, other provisions hereof which are not affected shall continue to be in full effect.

10.0 REPEALING CLAUSE

All circulars, memoranda, orders, SOPs and other issuances that are inconsistent with the provisions of this Memorandum Circular are hereby repealed, amended or modified accordingly.

11.0 EFFECTIVITY

This Memorandum Circular shall take effect immediately, and shall remain effective, unless superseded by a new Memorandum Circular.


RONALDO V PUNO
Secretary *MC*

