

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15TH CONGRESS
First Regular Session

HOUSE BILL NO. 465

Introduced by REP. SALVADOR H. ESCUDERO III

EXPLANATORY NOTE

Our Constitution mandates every citizen's obligation to love the country. Nationhood requires that its citizens agree on forms of expression that symbolize the respect, patriotism and love for this country.

Every nation articulates itself through these symbols, rites or ceremonies. Our national symbols, such as the national flag, the anthem, motto, coat-of-arms, and other heraldic items and devices not only link our collective consciousness to a history, but also as a reminder of how we, as a nation, must continuously strive for justice, equality, and freedom, which these symbols signify. Thus, the respect accorded the use of these symbols form the base of good citizenship and must be reiterated and strengthened.

The amendment of Republic Act No. 8491, or the law that prescribes the Code of the heraldic items and devices in the Philippines, is intended to invigorate love of country and underscore the importance of complying with standard expressions of respect for our national symbols.

The intended amendment is focused on distilling the law by polishing the conceptual outline of the law; amending certain provisions for clarity, and updating the law in the light of contemporary changes in attitudes and idioms.

More importantly, the proposed amendments are necessary and timely in the light of practical issues with respect to the singing of the national anthem and the proper display of the flag that have arisen since its implementation in 1998.

For these reasons, the passage of the bill is earnestly requested.


SALVADOR H. ESCUDERO III
Representative
1st District, Sorsogon

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Introduced by REP. SALVADOR H. ESCUDERO III

AN ACT AMENDING REPUBLIC ACT NO. 8491 ENTITLED, "AN ACT PRESCRIBING THE CODE OF THE NATIONAL FLAG, ANTHEM, MOTTO, COAT-OF-ARMS AND OTHER HERALDIC ITEMS AND DEVICES OF THE PHILIPPINES"

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

SECTION 1. Republic Act No. 8491 is hereby amended as follows:

"SECTION 1. *Short Title* – This Act shall be known as the "Flag and Heraldic Code of the Philippines.

"SEC. 2. *Declaration of Policy* – **IT IS HEREBY DECLARED THE POLICY OF THE STATE THAT** [R]everence and respect shall at all times be accorded the flag, the anthem, and other national symbols which embody the national ideals and traditions and which express the principles of sovereignty and national solidarity. The heraldic items and devices shall seek to manifest the national virtues and to inculcate in the minds and hearts of our people a just pride in their native land, fitting respect and affection for the national flag and anthem, and **TO PRESCRIBE STANDARDS FOR** the proper use of the national motto, coat-of-arms and other heraldic items and devices.

"SEC. 3. *Definition of Terms* – Whenever used in this Act, the term:

"[(a) "Military" shall mean all branches of the Armed Forces of the Philippines including the Philippine National Police, the Bureau of Jail Management and Penology, and the Bureau of Fire Protection]

**(A) "ADVERTISEMENT OR INFOMERCIAL" SHALL MEAN
ADVERTISEMENT OR ANY INFORMATION MATERIAL IN PRINT,**

RADIO, TELEVISION, CINEMA, VIDEO AND THE LIKE, OUTDOOR AND ELECTRONIC MEDIA, SEEKING TO PROMOTE INDIVIDUALS, ENTITIES, PRODUCTS OR SERVICES FOR COMMERCIAL, POLITICAL PURPOSES OR INFORMATION CAMPAIGNS;

(B) "DISPLAY" SHALL REFER TO THE MANNER IN WHICH THE FLAG IS PUBLICLY PRESENTED AND VENERATED.

[(b)](C) "Festoon" shall mean to hang in a curved shape between two points as a decoration, CURTAIN, DRAPE, ETC.;

["(c)](D) "Flag" shall mean the Philippine National Flag, unless stated otherwise;

["(d) (E) "Fly" shall mean the part of the flag outside the hoist or length;

[(e) "Symbol" shall mean any conventional sign which reveals man's achievement and heroism (for orders and decorations), identification, authority and a sign of dignity (for coat-of-arms, logo and insignias)]

(F) "GOVERNMENT ENTITIES" SHALL MEAN ALL BRANCHES OF THE GOVERNMENT, THEIR BUREAUS AND ATTACHED AGENCIES, CONSTITUTIONAL OFFICES, LOCAL GOVERNMENT OFFICES, GOVERNMENT-OWNED AND/OR CONTROLLED CORPORATIONS, GOVERNMENT FINANCIAL INSTITUTIONS, EDUCATIONAL INSTITUTIONS, AND THE ARMED FORCES OF THE PHILIPPINES INCLUDING ITS BASIC COMPONENT UNITS;

["(f)](G) "Half-Mast" shall mean lowering the flag to one-half the distance between the top and bottom of the staff. IF THE FLAG IS DISPLAYED IN A HANGING POSITION OR USED IN A PARADE AS A SIGN OF MOURNING, HALF-MAST SHALL MEAN PLACING A BLACK RIBBON ON THE BLUE FIELD HOIST SIDE;

(H) "HALYARD" SHALL MEAN THE LONG ROPE WHERE THE FLAG FASTENS AND WHICH RUNS UP THE LENGTH OF THE FLAGPOLE;

(I) "HANGING POSITION" SHALL MEAN THE WHITE FIELD SHALL BE ON TOP, THE BLUE FIELD SHALL BE TO THE RIGHT (LEFT OF THE OBSERVER) IN TIME OF PEACE; THE WHITE FIELD SHALL BE ON TOP, AND THE RED FIELD TO THE RIGHT (LEFT OF THE OBSERVER) IN TIME OF WAR;

(J) "HERALDIC ITEMS/HERALDIC ITEMS AND DEVICES" SHALL MEAN COAT-OF-ARMS, SEALS, LOGOS, INSIGNIAS, BADGES, FLASHES, PATCHES, ORDERS AND DECORATIONS, MEDALS, STARS, CITATIONS, LAPEL PINS, TROPHIES, DRY, WAX OR WET SEALS, AND IMPRINTS ON LETTERHEADS, ENVELOPES AND CARDS;

"[(g)](K) "Hoist" shall mean the part of the flag nearest the staff or the canvass to which the halyard is attached;

"[(h)](L) "Inclement Weather" shall mean [that a typhoon signal is raised in the locality] **A WEATHER CONDITION SUCH AS RAIN OR STRONG WIND THAT WILL BE UNFAVORABLE FOR THE RAISING OF THE FLAG SINCE IT WILL LESSEN THE DIGNITY THAT SHOULD BE ACCORDED TO THE FLAG;**

"[(i)](M) "National Anthem" shall mean the Philippine National Anthem, **ENTITLED "LUPANG HINIRANG";**

(N) ["Institute shall mean the National Historical Institute."];

"[(j)](O) "Official Residences" shall mean Malacañang, and other government-owned structures where the President resides, [and other structures occupied by] the Philippine ConsulateS or Embassies abroad, **AND OTHER STRUCTURES OCCUPIED BY NATIONAL AND LOCAL PUBLIC OFFICIALS;**

"[(k)](P) "Places of Frivolity" shall mean places of hilarity marked by or providing boisterous merriment or recreation; [and]

(Q) **"PHILIPPINE SUN" SHALL MEAN THE GOLDEN SUNBURST WITH EIGHT EQUALLY SPACED RAYS DISPLAYED IN THE FLAG.**

EACH RAY HAVING ONE MAJOR BEAM, TWICE AS BROAD AS THE TWO MINOR BEAMS ON EITHER SIDE;

“(R) “SYMBOL” SHALL MEAN ANY CONVENTIONAL SIGN WHICH REVEALS MAN’S ACHIEVEMENT AND HEROISM USUALLY SHOWN OR DISPLAYED IN MEDALS, CITATIONS, ORDERS, AND DECORATIONS OR IDENTIFICATION OR AUTHORITY SUCH AS COAT-OF-ARMS, LOGOS AND INSIGNIAS;

“(S) “UNIFORMED SERVICE” SHALL MEAN ALL BRANCHES OF THE ARMED FORCES OF THE PHILIPPINES, THOSE OF THE PHILIPPINE NATIONAL POLICE, BUREAU OF JAIL MANAGEMENT AND PENOLOGY, BUREAU OF FIRE PROTECTION, BUREAU OF IMMIGRATION AND DEPORTATION, BUREAU OF CUSTOMS, PHILIPPINE COAST GUARD, AND OF OTHER AGENCIES USING RANK INSIGNIA;

“(T) “VEXILLARY ITEMS” SHALL MEAN NATIONAL, LOCAL, HOUSE FLAGS, OR ADMINISTRATIVE, INSTITUTIONAL, CORPORATE, AND OTHER ORGANIZATIONAL BANNERS; AND

“(U) “100 TO 120 METRONOME” SHALL MEAN THE REGULATED AURAL, VISUAL OR TACTILE PULSE TO ESTABLISH A STEADY TEMPO IN THE RENDITION OF THE NATIONAL ANTHEM.

CHAPTER I
THE NATIONAL FLAG
[A. Design of the National Flag]

“**SEC. 4. DESIGN OF THE NATIONAL FLAG** – The flag of the Philippines shall be blue, white and red with an eight-rayed golden-yellow sun and three five-pointed stars, as consecrated and honored by the people.

[B. Hoisting and Display of the National Flag]

“**SEC. 5. HOISTING AND DISPLAY OF THE NATIONAL FLAG.** – The flag shall be **HOISTED OR** displayed in all public buildings, official residences, public plazas, and institutions of learning everyday throughout the year.

“SEC. 6. WHERE FLAG SHOULD BE PERMANENTLY DISPLAYED –

The flag shall be permanently hoisted, day and night throughout the year, in front of the following: [at] (A) Malacañang Palace; [the] (B) **SENATE OF THE PHILIPPINES BUILDING**; [Congress of the Philippines] (C) **HOUSE OF REPRESENTATIVES** building; (D) Supreme Court building; [the] (E) Rizal Monument in Luneta, **CITY OF Manila**; (F) Aguinaldo Shrine in Kawit, Cavite; (G) Barasoain Shrine in Malolos, Bulacan; [the] (H) Tomb of the Unknown Soldier, *Libingan ng mga Bayani* **IN TAGUIG CITY, METRO MANILA**; (I) **ALL MEMORIALS DEDICATED TO THE VETERANS OF THE MILITARY**; (J) *Mausoleo de los Veteranos de la Revolucion* **IN THE NORTH CEMETERY, CITY OF MANILA**; (K) **MARCELA AGONCILLO HISTORICAL LANDMARK IN TAAL, BATANGAS**; (L) **PINAGLABANAN HISTORICAL LANDMARK IN SAN JUAN CITY, METRO MANILA**; (M) all International Ports of Entry and (N) all other places as may be **SUBSEQUENTLY** designated **AND MARKED** by the [Institute] NHI.

“The flag, **ON THE ABOVE-STATED PLACES**, shall be properly illuminated at night.

“SEC. 7. DISPLAY OF FLAG IN PRIVATE BUILDINGS AND OFFICES.

– The flag shall also be displayed in private buildings and residences or raised [in the open on flag-staffs] **ON FLAGPOLES** in front of said buildings [every April 9 (*Araw ng Kagitingan*); May 1 (Labor Day); May 28 (National Flag Day) to June 12 (Independence Day); last Sunday of August (National Heroes Day); November 30 (Bonifacio Day); and December 30 (Rizal Day); and on such other days as may be declared by the President and/or the local chief executives] **DURING FLAG DAYS, AS PROVIDED IN SEC. 25 OF THIS ACT.**

The flag may also be displayed throughout the year in private buildings or offices or raised [in the open on flag-staffs] **ON FLAGPOLES** in front of private buildings: *Provided, That* [they] **THE OCCUPANTS OF THE SAID BUILDING SHALL** observe flag-raising ceremonies in accordance with the **IMPLEMENTING** rules and regulations (IRR) to be issued by the [Office of the President] NHI.

[“SECTION 8. All government agencies and instrumentalities, and local government offices, government-owned corporations and local government units are enjoined to observe flag day with appropriate ceremonies. Socio-civic groups, non-government organizations and the private sector are exhorted to cooperate in making the celebrations a success.]

[B. DISPLAY OF THE NATIONAL FLAG]

“SEC. [9] 8. *DISPLAY OF FLAG ON SEAFARINGVESSELS.* – The flag shall be flown on [merchant ships] **ALL SEAFARING VESSELS** of Philippine registry [of more than one thousand (1000) gross tons and on all naval vessels].

“On board [naval] **SEAFARING** vessels, the flag shall be displayed on the flagstaff at the stern when the ship is at anchor. The flag shall be hoisted to the gaff at the aftermast when the ship is at sea.

“SEC. [10] 9. *THE BLUE, RED AND WHITE FIELDS OFTHE FLAG –* The flag, if [flown from a flagpole] **HOISTED** shall have its blue field on top in time of peace and the red field on top in time of war; if in a hanging position, **THE WHITE FIELD SHALL BE ON TOP**, the blue field shall be to the right (left of the observer) in time of peace, and the **WHITE FIELD SHALL BE ON TOP**, and the red field to the right (left of the observer) in time of war.

[The flagpole staff must be straight and slightly tapering at the top.]

“SEC. [11]10. *FLAGPOLE IN THE OPEN FIELD.* – If planted on the ground, the flagpole shall be at a prominent place and shall be of such height as would give the flag the commanding position in relation to the buildings in the vicinity. **THE FLAGPOLE STAFF MUST BE STRAIGHT AND SLIGHTLY TAPERING AT THE TOP.**

“If attached to a building, the flagpole shall be on top of its roof or anchored on a sill projecting at an angle upward.

“If on stage or platform or government office, the flag shall be at the left **OF THE OBSERVER** (facing the stage) or left of the office upon entering.

"SEC. [12] 11. THE PHILIPPINE FLAG WHEN FLOWN WITH ANOTHER FLAG. – When the Philippine flag is flown with another flag, the flags, if both are national flags, must be flown on separate staffs of the same height and shall be of equal size. The Philippine flag shall be **TO THE LEFT OF THE OBSERVER AND** hoisted first and lowered last.

“If the other flag is not a national flag, it may be flown **DURING SPECIAL OCCASIONS** in the same [lineyard] **HALYARD** as the Philippine flag but below the latter and it cannot be of greater size than the Philippine flag.

"SEC. [13] 12. THE PHILIPPINE FLAG WHEN DISPLAYED WITH ANOTHER FLAG. – When displayed with another flag, the Philippine flag shall be on the right of the other flag (**LEFT OF THE OBSERVER**). If there is a line of other flags, the Philippine flag shall be [in the middle of the line] **AT THE LEFTMOST OF THE OBSERVER.**

“When carried in a parade with flags which are not national flags, the Philippine flag shall be in front of the center of the line.

ADDITIONAL PROTOCOL FOR THE DISPLAY OF THE PHILIPPINE FLAG SHALL BE CONTAINED IN THE IRR TO BE ISSUED BY THE NHI PURSUANT TO THE COMMON PROVISIONS STATED IN THIS ACT.

"SEC. [14] 13. PROPER USE, DISPOSAL AND REPLACEMENT OF WORN OUT FLAG. – **THE FLAG SHALL BE REPLACED IMMEDIATELY BY THE CONCERNED AGENCY/INSTITUTION/OFFICE WHEN IT BEGINS TO SHOW SIGNS OF WEAR AND TEAR.**

[A] **THE** flag worn out through wear and tear shall not be thrown away. It shall be **TURNU OVER TO THE APPROPRIATE BOY SCOUTS OR GIRL SCOUTS LOCAL COUNCIL COMMITTEE FOUND IN THE NEAREST SCHOOL WHO SHALL CONDUCT PROPER DISPOSAL RITES ON THE WORN OUT FLAG/S** [solemnly burned] to avoid misuse or desecration. [The flag shall be replaced immediately when it begins to show signs of wear and tear.]

THE MANNER OF DISPOSAL OF THE WORN OUT FLAG SHALL BE IN ACCORDANCE WITH THE RULES TO BE ISSUED BY THE NHI.

“SEC. [15] 14. *APPROPRIATE TIME FOR FLAG RAISING AND LOWERING.* – The flag shall be raised at sunrise and lowered at sunset. It shall be on the mast at the start of official office hours, AND shall remain flying throughout the day.

“SEC. [16] 15. *MANNER OF DISPLAYING THE FLAG.* – The flag may be displayed:

“(a) Inside or outside a building or on stationary **OR MOVABLE** flagpoles. If the flag is displayed indoors on a flagpole, it shall be placed at the left of the observer as one enters the room;

“(b) From the top of the flagpole, which shall be at a prominent place or a commanding position in relation to the surrounding buildings;

“(c) From a staff projecting upward from the window sill, canopy, balcony or façade of a building;

“(d) In a suspended position from a rope extending from a building **OR LAMPOST** to A pole erected away from the building;

“(e) Flat against the wall vertically with the sun and stars on top; and

“(f) Hanging in a vertical position across a street, with the blue field pointing east, if the road is heading south or north, or pointing north if the road is heading east or west.

“The flag shall not be raised [when the weather is inclement] **DURING INCLEMENT WEATHER. If already raised PRIOR TO INCLEMENT WEATHER,** the flag shall not be lowered.

“SEC. [17]16. *MANNER OF HOISTING THE FLAG.* – The flag shall be hoisted to the top briskly and lowered ceremoniously.

"The flag shall never touch anything beneath it, such as the ground, flood, water or other objects.

"After being lowered, the flag shall be handled and folded solemnly as part of the ceremony.

[C. Conduct of Flag Raising Ceremony]

"SEC. [18] 17. *FLAG CEREMONY IN PUBLIC OFFICES AND EDUCATIONAL INSTITUTIONS.* – All government offices and educational institutions shall henceforth observe the flag-raising ceremony every Monday morning and the flag lowering ceremony every Friday afternoon. The ceremony shall be simple and dignified and shall include the playing [or] **AND MANDATORY** singing of the Philippine National Anthem.

[SEC. 19. The Office of the President upon the recommendation of the Institute shall issue rules and regulations for the proper conduct of flag ceremony.]

"SEC. [20] 18. *DIGNITY IN THE OBSERVANCE OF FLAG CEREMONY.* – The observance of the flag ceremony in official or civic gatherings shall be simple and dignified and shall include the playing [or] **AND MANDATORY** singing of the **NATIONAL** anthem in its original Filipino lyrics and march tempo.

"SEC. [21] 19. *FLAG-RAISING CEREMONY.* – During the flag-raising ceremony, the assembly shall stand in formation facing the flag. At the moment the first note of the anthem is heard, everyone in the premises shall come to attention; moving vehicles shall stop. All persons present shall place their right palms over their chests, those with hats shall uncover, while those in military, scouting, security guard, and citizens in military training uniforms shall give the salute prescribed by their regulations, which salute shall be completed upon the last note of the anthem.

"The assembly shall sing the Philippine [n]National [a]Anthem, accompanied by a band, if available, and at the first note, the flag shall be raised briskly.

"The same procedure shall be observed when the flag is passing in review or in parade.

"SEC. [22] 20. *FLAG-LOWERING CEREMONY.* – During the flag lowering, the flag shall be lowered solemnly and slowly so that the flag shall be down the mast at the sound of the last note of the national anthem. Those in the assembly shall observe the same deportment or shall observe the same behavior as for the flag-raising ceremony.

[D. Half Mast]

"SEC. [23] 21. *FLAG IN HALF-MAST.* – The flag shall be flown at half-mast as a sign of mourning on all the buildings and places [where it is displayed, as provided for in this Act] **WHERE THE DECEASED WAS HOLDING OFFICE,** on the day of official announcement of the death of any of the following officials:

"(a) The President or a former President, **THE FLAG SHALL BE FLOWN AT HALF-MAST** for ten (10) days;

"(b) The Vice-President, the Chief Justice, the President of the Senate, and the Speaker of the House of Representatives, **THE FLAG SHALL BE FLOWN AT HALF-MAST** for seven (7) days; and

"(c) [Other persons to be determined by the Institute,] **THE INCUMBENT MEMBERS OF THE SUPREME COURT, THE CABINET, THE SENATE OR THE HOUSE OF REPRESENTATIVES, AND SUCH OTHER PERSONS AS MAY BE DETERMINED BY THE NHI, THE FLAG SHALL BE FLOWN AT HALF-MAST** for any period less than seven (7) days;

["The flag shall be flown at half-mast on all the buildings and places where the decedent was holding office, on the day of death until the day of interment of an incumbent member of the Supreme Court, the Cabinet, the Senate or the House of Representatives, and such other persons as may be determined by the Institute.]

"The flag when flown at half-mast shall be first hoisted to the peak for a moment then lowered to the half-mast position. The flag shall again be raised briskly to the peak before it is lowered for the day.

[E. Casket]

“SEC. [24]22. *FLAG OVER THE CASKE.* – The flag may be used to cover the caskets of the honored dead of the military, veterans of previous wars, national artists, and of civilians who have rendered distinguished service to the nation, as maybe determined by the local government unit concerned. In such cases, the flag shall be placed such that the white triangle shall be at the head and the blue portion shall cover the right side of the caskets. The flag shall not be lowered to the grave or allowed to touch the ground, but shall be folded solemnly and handed over to the heirs of the deceased.

[F. Pledge to the Flag and Flag Days]

“SEC. [25]23. *PLEDGE OF ALLEGIANCE.* – The following shall be the Pledge of Allegiance to the Philippine Flag:

*“Ako ay Pilipino
Buong katapatang nanunumpa
Sa watawat ng Pilipinas
At sa bansang kanyang sinasagisag
Na may dangal, katarungan at kalayaan
Na pinakikilos ng sambayanang
Maka-Diyos
Maka-tao
Makakalikasan at
Makabansa*

“[Such pledge] **THE PLEDGE OF ALLEGIANCE TO THE PHILIPPINE FLAG** shall be recited while standing with the right hand with palm open raised shoulder high. Individuals whose faith or religious beliefs prohibit them from making such pledge must, nonetheless, show full respect when the pledge is being rendered by standing at attention.

“SEC. [26]24. *OATH OF PATRIOTISM.* – **THE FOLLOWING SHALL BE THE OATH OF PATRIOTISM TO THE PHILIPPINES WHICH SHALL BE**

RECITED BY STUDENTS IN ALL LEVELS IN ADDITION TO THE
PLEDGE OF ALLEGIANCE TO THE PHILIPPINE FLAG:

INIIBIG KO ANG PILIPINAS.

ITO ANG AKING LUPANG SINILANGAN.

ITO ANG TAHANAN NG AKING LAHI.

AKO'Y KANYANG KINUKUPKOP AT TINUTULUNGAN

UPANG MAGING MALAKAS, MALIGAYA, AT

KAPAKIPAKINABANG.

BILANG GANTI, DIRINGGIN KO ANG PAYO NG AKING MGA

MAGULANG.

SUSUNDIN KO ANG MGA TUNTUNIN NG AKING PAARALAN.

TUTUPARIN KO ANG MGA TUNGKULIN NG ISANG

MAMAMAYANG MAKABAYAN AT MASUNURIN SA BATAS.

PAGLILINGKURAN KO ANG AKING BAYAN NANG WALANG PAGIIMBOT

AT NANG BUONG KATAPATAN.

SISIKAPIN KONG MAGING ISANG TUNAY NA PILIPINO,

SA ISIP, SA SALITA, AT SA GAWA.

THE OATH OF PATRIOTISM SHALL BE RECITED WHILE
STANDING WITH THE RIGHT HAND WITH THE PALM OPEN RAISED
SHOULDER HIGH. IT SHALL BE RECITED IN ALL BASIC EDUCATION
INSTITUTIONS AFTER THE SINGING OF THE NATIONAL ANTHEM.
INDIVIDUALS WHOSE FAITH OR RELIGIOUS BELIEFS PROHIBIT
THEM FROM MAKING SUCH PLEDGE MUST, NONETHELESS, SHOW
FULL RESPECT WHEN THE PLEDGE IS BEING RENDERED BY
STANDING AT ATTENTION.

SEC. 25. FLAG DAYS. – The period from **NATIONAL FLAG DAY** (May 28) to **INDEPENDENCE DAY** (June 12) of each year is declared as Flag Days, during which period all offices, agencies and instrumentalities of government, business establishments, institutions of learning and private homes are [enjoined] **OBLIGATED** to display the flag: *PROVIDED, HOWEVER, THAT THE FLAG SHALL BE DISPLAYED IN PRIVATE BUILDINGS AND RESIDENCES OR*

RAISED ON FLAGPOLES IN FRONT OF SAID BUILDINGS EVERY APRIL 9 (*ARAW NG KAGITINGAN*); MAY 1 (*LABOR DAY*); MAY 28 (*NATIONAL FLAG DAY*) TO JUNE 12 (*INDEPENDENCE DAY*); LAST SUNDAY OF AUGUST (*NATIONAL HEROES DAY*); NOVEMBER 30 (*BONIFACIO DAY*); AND DECEMBER 30 (*RIZAL DAY*); AND ON SUCH OTHER DAYS AS MAY BE DECLARED BY THE PRESIDENT AND/OR LOCAL CHIEF EXECUTIVES.

“SEC. 26. OBSERVANCE OF FLAG DAYS. – ALL GOVERNMENT AGENCIES AND INSTRUMENTALITIES, AND LOCAL GOVERNMENT OFFICES, GOVERNMENT-OWNED CORPORATIONS AND LOCAL GOVERNMENT UNITS ARE ENJOINED TO OBSERVE FLAG DAY WITH APPROPRIATE CEREMONIES. SOCIO-CIVIC GROUPS, NON-GOVERNMENT ORGANIZATIONS AND THE PRIVATE SECTOR ARE EXHORTED TO COOPERATE IN MAKING THE CELEBRATION A SUCCESS.

[H Specifications of the National Flag]

“SEC. 27. FLAG PROPORTIONS. – The flag shall have the following proportions. The width of the flag, **ONE** (1); the length of the flag, **TWO** (2); and the sides of the white triangle, **ONE** (1).

“SEC. 28. FLAG TECHNICAL SPECIFICATIONS. – The technical specifications **OF THE FLAG** shall be as follows:

“The blue color shall bear Cable No. 80173; the white color, Cable No. 80001; the red color, Cable No. 80108; and the golden yellow, Cable No. 80068.

“SEC. 29. STANDARDS FOR FLAG REQUISITION. – In order to establish uniform criteria in the making of our national flag and to guarantee its durability by the use of quality materials, the following standards and procedures shall be observed:

“(a) All requisitions for the purchase of the Philippine National Flag must be based on strict compliance with the design, color, craftsmanship and material requirements of the Government;

“(b) All submitted samples of flags by accredited suppliers offered for purchase for government use shall be evaluated as to design, color and craftsmanship specifications by the [Institute] NHI, through its Heraldry and Display Section, which shall stamp its approval or disapproval on the canvass reinforcement of the flag sample submitted. The samples shall be sent to the [Institute] NHI by the requisitioning office, not by the flag supplier; and

“(c) The Industrial Technology Development Institute (ITDI) or the Philippine Textile Research Institute (PTRI) of the Department of Science and Technology (DOST) shall evaluate the quality of material of all flag samples and certify whether the fabric for the blue, white, red and golden-yellow colors, including the canvass submitted, conform to government requirements as to quality of the material. The samples shall be sent annually to the ITDI/PTRI by the manufacturer. The laboratory test results shall be submitted by the said office to the [Institute] NHI.

“**SEC. 30. FLAG PURCHASE INSPECTION.** – All deliveries of the flags requisitioned by the government shall be inspected by the requisitioning agency’s internal inspector and by the Commission on Audit (COA) using the flag stamped approved by the [Institute] NHI as reference.

“[SEC. 31.] In carrying out [its] **THE ABOVE** responsibilities [under Section 4 hereof,] the [Institute] NHI, COA, **AND** the ITDI/PTRI shall prepare guidelines to be approved by [the Office of the President] **ALL THE PARTIES CONCERNED.**

“**SEC. [32]31. STRICT COMPLIANCE WITH REQUIREMENTS.** – All government agencies and instrumentalities shall ensure that the requirements under this Act with respect to the standards, requisitions and delivery of the national flag are strictly complied with.

“**SEC. [33]32. FLAG REQUISITION BUDGET.** – All departments, agencies, offices, and instrumentalities of the government, government-owned or controlled corporations, local government units, including barangays, shall include in their annual budgets the necessary outlay for the purchase of the national flag.

FURTHERMORE, ALL LOCAL GOVERNMENT UNITS ARE DIRECTED TO ALLOCATE APPROPRIATE SUMS FOR A FLAG CODE PUBLIC AWARENESS PROGRAM AS WELL AS THE PROPER IMPLEMENTATION OF THE PROVISIONS OF THE FLAG CODE.

[I. Prohibited Acts]

“SEC. [34]33. **PROHIBITED ACTS.** – It shall be prohibited:

“(a) To mutilate, deface, defile, trample on or cast contempt or commit any act or omission casting dishonor or ridicule upon the flag [or over its surface], **ANTHEM, SEAL, MOTTO, COAT-OF-ARMS, AND OTHER HERALDIC ITEMS AND DEVICES;**

“(b) To dip the flag to any person or object by way of compliment or salute;

“(c) To use the flag:

“(1). As [a] drapery, festoon, tablecloth;

“(2) As covering for ceilings, walls, statues or other objects;

“(3) **AS [a pennant] DRAPERY** in the hood, side, back and top of motor vehicles; **ALL CLOTH FLAGS SHOULD BE DISPLAYED FREELY WAVING IN THE AIR;**

“(4) As a staff or whip;

“(5) **AS COVERING** for unveiling OF monuments or statues; and

“(6) As trademarks or for industrial, commercial or agricultural labels or designs.

“(d) To display the flag:

“(1) Under any painting or picture;

“(2) Horizontally face-up. It shall always be hoisted aloft and be allowed to fall freely;

“(3) Below any platform; or

“(4) In discotheques, cockpits, night and day clubs, casinos, gambling joints an places of vice or where frivolity prevails.

“(e) To wear the Flag, **SEAL, COAT-OF-ARMS** [in whole or in part] as **PART OF** a costume or [uniform] **AS A FASHION ACCESSORY OR MERELY AS A DESIGN ELEMENT: PROVIDED, THAT THE FLAG, SEAL, COAT-OF-ARMS, MAY BE INCORPORATED AS PART OF THE UNIFORM OF**

FILIPINOS REPRESENTING THE PHILIPPINES IN INTERNATIONAL SPORTS, CULTURAL OR SCIENTIFIC COMPETITIONS OR OFFICIAL FUNCTIONS WITH THE APPROVAL OF THE NHI;

“(f) To add any word, figure, mark, picture, design, drawings, advertisements, or imprint [of any nature] on the flag[:], **SEAL, COAT-OF-ARMS OR ANY REPRESENTATION THEREFORE;**

“(g) To print, paint or attach a representation of the flag, **SEAL, COAT-OF-ARMS** on handkerchiefs, napkins, cushions, and other articles of merchandise; **AND**

[h. To display in public any foreign flag, except in embassies and other diplomatic establishments, and non offices of international organizations,]

“[i] **H. TO USE OR DISPLAY THE FLAG, SEAL, COAT OF ARMS, OR BE PART OF ANY ADVERTISEMENT OR INFOMERCIAL WITHOUT THE APPROVAL OF THE NHI** [and].

[j. To display the flag in front of buildings or offices occupied by aliens.]

**CHAPTER II
THE NATIONAL ANTHEM**

“**SEC. [35]34. TITLE OF THE NATIONAL ANTHEM.** – The National Anthem is entitled *Lupang Hinirang*.

“**SEC. [36]35. LANGUAGE AND LYRICS OF THE NATIONAL ANTHEM.** – The National Anthem shall always be sung in the national language within or [without] **OUTSIDE** the country. The following shall be the lyrics of the National Anthem:

*“Bayang magiliw,
Perlas ng Silanganan,
Alab ng puso,
Sa dibdib mo’y buhay.
Lupang hinirang,
Duyan ka ng magiting,
Sa manlulupig,
Di ka pasisiil.
Sa dagat at bundok,
Sa simoy at sa langit mong bughaw,*

*May dilag ang tula,
At awit sa paglayang minamahal.
Ang kislap ng watawat mo'y
Tagumpay na nagniningning,
Ang bituin at araw niya.
Kailan pa ma'y di magdidilim[.].
Lupa ng araw, ng huwalhati't pagsinta,
Buhay ay langit sa piling mo,
Aming ligaya na pag may mang-aapi,
Ang mamatay ng dahil sa iyo.*

"SEC. [37]36. *RENDITION OF THE NATIONAL ANTHEM.* – The rendition of the National Anthem [whether played or sung shall be in accordance with the musical arrangement and composition of Julian Felipe.] **SHALL BE IN ACCORDANCE WITH THE MUSICAL ARRANGEMENT AND COMPOSITION OF JULIAN FELIPE, IN 2/4 BEAT WHEN PLAYED; AND WITHIN THE RANGE OF 100 TO 120 METRONOME, IN 4/4 BEAT WHEN SUNG. THE NHI, IN COORDINATION WITH THE PROPER GOVERNMENT AGENCY, SHALL DISSEMINATE AN OFFICIAL MUSIC SCORE SHEET THAT REFLECTS THE MANNER IN WHICH THE NATIONAL ANTHEM SHOULD BE PLAYED OR SUNG.**

"SEC. [38]37. *MANNER OF SINGING THE NATIONAL ANTHEM.* – When the National Anthem is played at a public gathering, whether by a band [or by singing or both,] or [reproduced by any means,] **THROUGH THE PLAYING OF A RECORDING IN ANY FORMAT,** the attending public shall sing the **NATIONAL** anthem. The singing **SHALL BE MANDATORY AND** must be done with fervor.

"As a sign of respect, all persons shall stand at attention and face the Philippine flag, if there is one displayed, and if there is none, they shall face the band or the conductor. At the first note, all persons shall execute a salute by placing the right palms over their left chests. [Those in military, scouting, citizen's] **THE MILITARY AND THOSE** in military training and security guard uniform shall give

the salute prescribed by their regulations. The salute shall be completed upon the last note of the anthem.

INDIVIDUALS WHOSE FAITH OR RELIGIOUS BELIEFS PROHIBIT THEM FROM MAKING SUCH PLEDGE MUST, NONETHELESS, SHOW FULL RESPECT WHEN THE PLEDGE IS BEING RENDERED BY STANDING AT ATTENTION.

“The **NATIONAL** anthem shall not be played and sung [for] **PRECEDING EVENTS OF** mere recreation, amusement or entertainment purposes except on the following occasions:

“(a) International competitions where the Philippines is the host or has a representative;

“(b) **NATIONAL OR [L] Local SPORTS** competitions;

“(c) During the “signing off” and “signing on” of radio broadcasting and television stations;

“(d) Before the initial and last screening of films or before the opening of theater performances; **PROVIDED, THAT THE OWNERS AND MANAGEMENT OF THE ESTABLISHMENTS SHALL BE MANDATED TO ENFORCE PROPER DECORUM AND IMPLEMENT THE PERTINENT PROVISIONS OF THIS ACT;** and

“(e) Other occasions as may be allowed by the [Institute] NHI.

“**SEC. [39]38. STRICT COMPLIANCE WITH RULES FOR THE RENDITION OF THE NATIONAL ANTHEM.** – All officials and employees of the national and local governmentS, and any agency or instrumentality thereof, including government-owned or controlled corporations, privately-owned entities or offices displaying the national flag and government institutions of learning are hereby directed to comply strictly with the rules prescribed for the rendition of the anthem. Failure to observe the rules shall be a ground for administrative discipline.

“SEC. 39. OBLIGATIONS OF EDUCATION REGULATION AGENCIES.

– THE DEPED, CHED AND TESDA SHALL ENSURE THAT THE NATIONAL ANTHEM, AS ADOPTED BY LAW, SHALL BE COMMITTED TO MEMORY BY ALL STUDENTS OF BOTH PUBLIC AND PRIVATE EDUCATIONAL INSTITUTIONS, AND PERFORMED DURING THE FLAG CEREMONY CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS ISSUED BY THE NHL. IN ADDITION, THEY SHALL MAKE AVAILABLE THE VOCAL, PIANO OR BAND SCORES OF THE NATIONAL ANTHEM, AS ADOPTED BY LAW, TO ALL PRIVATE AND PUBLIC SCHOOLS, AS WELL AS THE GENERAL PUBLIC.

CHAPTER III
THE NATIONAL MOTTO, THE NATIONAL COAT-OF-ARMS AND
THE GREAT SEAL

“SEC. 40. THE NATIONAL MOTTO. – The National Motto shall be **“MAKA-DIYOS, MAKA-TAO, MAKAKALIKASAN AT MAKABANSA”**

“SEC. 41. THE NATIONAL COAT-OF-ARMS. – The National Coat-of-Arms shall have:

“[Paleways] **FIELD** of two (2) pieces, [azure and gules; a chief argent] **BLUE WITH AN EAGLE AND RED WITH A LION RAMPART, A WHITE FIELD** studded with three (3) [mullets] **STARS** equidistant from each other; and, in point of honor, [ovoid argent] **WHITE OVAL** [overall the sun rayonnant with eight minor and lesser rays] **WITH THE PHILIPPINE SUN AT THE CENTER.** Beneath shall be the scroll with the words **“REPUBLIKA NG PILIPINAS,”** inscribed thereon.

[CHAPTER V
THE GREAT SEAL]

“SEC. 42. THE GREAT SEAL. – The Great Seal shall be circular in form, with the arms as described in the preceding section, but without the scroll and the inscription thereon.

Surrounding the whole shall be a double marginal circle within which shall appear the words **“Republika ng Pilipinas.”** For the purpose of placing The Great Seal,

the color of the arms shall not be deemed essential but tincture representation must be used.

[The Great Seal shall bear the National Motto.]

“SEC. 43. WHERE TO AFFIX THE GREAT SEAL. – The Great Seal shall be affixed to or placed upon all commission signed by the President and upon such other official documents and papers of the Republic of the Philippines as may be provided by law, or as may be required by custom and usage. The President shall have custody of the Great Seal.

CHAPTER [VI] IV
[OFFICIAL SEAL AND OTHER] HERALDIC ITEMS
AND DEVICES

“SEC. 44. ADOPTION OF HERALDIC AND SIMILAR DEVICES. – Any government entity, including the military, may adopt appropriate **HERALDIC ITEMS AND DEVICES SUCH AS MEDALS**, coat-of-arms, administrative seals, logo, insignia, badges, patches, and banners; and initiate awards, citations, orders or decorations; as may be authorized by Congress or the Office of the President.

“SEC. 45. REPORTORIAL REQUIREMENTS. – Such heraldic devices and items shall be filed with the [Institute] NHI for recording and evaluation as to precedence, design, customs and traditions. The [Institute] NHI shall promulgate the corresponding rules and regulations which shall be submitted for approval to the Office of the President or to Congress.

“SEC. 46. PURCHASE OF HERALDIC ITEMS AND DEVICES FROM ACCREDITED SOURCES. – All government offices including the military are hereby ordered to purchase all heraldic items and devices from manufacturers accredited and authorized by the [Institute] NHI. Such items and devices shall be subject to inspection by the purchasing agency’s internal inspector and the COA representative using the design and specifications approved by the Office of the President or by the Congress, through the [Institute] NHI.

[SECTION 47. No government official or employee shall accept any orders or decorations from any foreign government without the consent of Congress, and

without prior evaluation and documentation of such order or decoration by the Institute.]

CHAPTER [VII] V PENALTIES

“SEC. [48]47. *PUBLIC CENSURE/CANCELLATION OF PERMIT.* – Failure or refusal to observe the provisions of this Act; and any violation of the corresponding rules and regulations issued by the [Office of the President,] NHI shall after proper notice and hearing, be penalized by public censure which shall be published at least once in a newspaper of general circulation.

“The Department of Education [Culture and Sports] (DEPED) and the Commission on Higher Education (CHED), upon the recommendation of the [Institute] NHI and after the proper notice and hearing, shall cause the cancellation of the recognition or permit of any private educational institution which fails or refuses to observe the provisions of this Act for the second time.

[“SECTION 49 – The Department of Education, Culture and Sports (DECS) and the Commission on Higher Education (CHED) shall ensure that the National Anthem, as adopted by law, shall be committed to memory by all students of both public and private educational institutions, and performed during the flag ceremony conducted in accordance with the rules and regulations issued by the Officer of the President. In addition, they shall make available the vocal, piano or band scores of the National Anthem, as adopted by law, to all private and public schools, as well as the general public.]

“SEC. [50]48. *PUNISHMENT FOR VIOLATIONS.* – Any person **WHO** or ANY juridical entity which violates any of the provisions of this Act shall, upon conviction, be punished by a fine of not less than [Five] **FIFTY** [t]Thousand [p]Pesos (PHP 50,000.00) nor more than [Twenty] **ONE HUNDRED** Thousand Pesos (PHP [2]100,000.00) [or] **AND** by imprisonment for not more than [one (1) year] **TWO** (2) **YEARS**: [or both such fine and imprisonment, at the discretion of the court: *Provided*, That for any second and additional offenses, both fine and imprisonment shall always

be imposed:] *Provided, [further]* That in case the violation is committed by a juridical person, its President or Chief Executive Officer thereof shall be liable.

THE NHI MAY PRESCRIBE IN THE IMPLEMENTING RULES AND REGULATIONS OF THIS ACT OTHER ACTS OF OMISSIONS WHICH SHALL BE DEEMED DISRESPECTFUL, AND THUS PROHIBITED, RELATIVE TO THE FLAG, NATIONAL ANTHEM, GREAT SEAL, COAT-OF-ARMS, NATIONAL MOTTO, AND OTHER HERALDIC ITEMS AND DEVICES.

“SEC. 49. CITIZEN’S ARREST. – ANY CITIZEN SHALL HAVE THE POWER TO CONDUCT A CITIZEN’S ARREST IF A PERSON IS ACTUALLY VIOLATING ANY OF THE PROVISIONS OF THIS ACT IN HIS/HER PRESENCE AND CAN SUMMON ALL LAW ENFORCEMENT OFFICERS TO ASSIST HIM IN CONDUCTING CITIZEN’S ARREST. ALL SECURITY PERSONNEL AND USHERS IN MOVIEHOUSES ARE LIKEWISE AUTHORIZED TO ARREST THE VIOLATORS.

CHAPTER [VIII]VI COMMON PROVISIONS

“SEC. [51]50. ISSUANCE OF RULES AND REGULATIONS AND THEIR ENFORCEMENT. – The [Institute] NHI shall issue the necessary rules and regulations [to implement the provisions of Act] within ninety (90) days after [effectivity] **THE APPROVAL OF THIS ACT.** The [Institute] NHI shall submit its rules and regulations to the Office of the President and the Congress of the Philippines.

“[SECTION 52 -] The [Institute] NHI shall [also] be responsible for the strict enforcement of the provisions of this Act. It may call upon any government department, agency, office, or government instrumentality, including government corporations and local government units, for such assistance as it may deem necessary for the effective discharge of its functions under this Act.”

SEC 2. Separability Clause. – If for any reason, any portion or provision of this Act shall be declared unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 3. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, part or parts thereof, inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 4. *Effectivity* – This Act shall take effect fifteen (15) days from the date of its publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved,