

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9025



Introduced by HON. GUS S. TAMBUNTING

**AN ACT STRENGTHENING THE RULES ON THE CREATION,
MODIFICATION, CHANGE AND REGISTRATION OF OFFICIAL SEALS AND
OTHER HERALDIC ITEMS AND DEVICES OF GOVERNMENT ENTITIES,
AMENDING FOR THE PURPOSE REPUBLIC ACT 8491 OTHERWISE
KNOWN AS THE FLAG AND HERALDIC CODE OF THE PHILIPPINES**

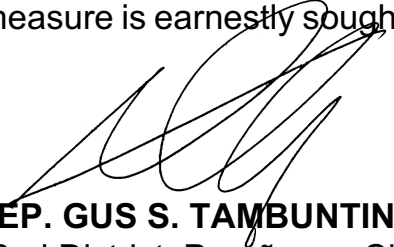
EXPLANATORY NOTE

Recent events have demonstrated that specific government entities have modified or revamped their logos and branding strategies. These changes range from the rebranding of the tourism campaign as "Love the Philippines" to the contentious introduction of a new logo for the Philippine Amusement and Gaming Corporation. Consequently, it is appropriate to enhance and rigorously uphold the criteria governing the development and alteration of official seals and logos.

This bill aims to address the growing importance of standardized and well-regulated visual representations of government entities. In light of recent instances involving changes in logos and branding campaigns of various government agencies, it has become apparent that a more robust and enforceable framework is needed to ensure the integrity, symbolism, and appropriateness of official seals and heraldic devices.

The existing "Flag and Heraldic Code of the Philippines" (Republic Act 8491) already provides guidelines for the proper use of the national flag, anthem, motto, coat-of-arms, and other heraldic items. However, it lacks comprehensive provisions specifically focusing on the creation, modification, and change of official seals and logos of government entities. This proposed legislation seeks to fill this gap by introducing the amendments.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.



REP. GUS S. TAMBUNTING
2nd District, Parañaque City

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

SECTION 1. Section 3 of Republic Act No. 8491 is hereby amended to include the definition of the following terms:

"Section 3. Definition of Terms - Whenever used in this Act, the term:

XXX

"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;

"GOVERNMENT ENTITIES" SHALL MEAN ALL BRANCHES OF THE GOVERNMENT, ITS BUREAUS AND ATTACHED AGENCIES, CONSTITUTIONAL OFFICES, LOCAL GOVERNMENT UNITS, GOVERNMENT OWNED AND CONTROLLED CORPORATIONS, GOVERNMENT FINANCIAL INSTITUTIONS, STATE UNIVERSITIES AND COLLEGES, ARMED FORCES OF THE PHILIPPINES, INCLUDING ITS BASIC COMPONENT UNITS;

"HERALDIC ITEMS AND DEVICES" SHALL MEAN COAT-OF-ARMS, SEALS, LOGOS, INSIGNIA, BADGES, FLASHES, PATCHES, ORDERS AND DECORATIONS, MEDALS, STARS, CITATIONS, LAPEL PINS, TROPHIES,

DRY, WAX OR WET SEALS, AND IMPRINTS ON LETTERHEADS, ENVELOPES AND CARDS; AND

"VEXILLARY ITEMS" SHALL MEAN NATIONAL, LOCAL, HOUSE FLAGS, OR ADMINISTRATIVE, INSTITUTION, CORPORATE, UNIT AND OTHER ORGANIZATION BANNERS.

SEC. 2. Section 44 of Republic Act No. 8491 is hereby amended to read as follows:

"SECTION 44. Any government entity including the military, may adopt appropriate coat-of-arms, administrative seals, logo, insignia, badges, patches, banners and initiate awards, citations, orders or decorations, as may be authorized by the Congress or the Office of the President [.] **, SUBJECT TO THE APPROVAL AND RECOMMENDATION OF THE NATIONAL HISTORICAL COMMISSION OF THE PHILIPPINES fNHCP^"**

SEC. 3. Section 45 of Republic Act No. 8491 is hereby amended to read as follows:

"SECTION 45. Such heraldic devices and items shall be filed with the [Institute] **NHCP** for recording and evaluation as to precedence, design, customs and traditions. The [Institute] **NHCP** shall promulgate the corresponding rules and regulations which shall be submitted for approval to the Office of the President or to Congress."

SEC. 4. A new Section 45-B is hereby inserted to read as follows:

"SECTION 45-B. THE APPLICATION FOR APPROVAL OF DESIGN AND SPECIFICATION OF THE PROPOSED HERALDIC ITEMS AND DEVICES SHALL BE SUPPORTED WITH THE FOLLOWING DOCUMENTS:

A. ORDERS, OR ANY FORMS OF GRANTS, LAWS OF AUTHORITY OR CREATIONS;

B. BRIEF HISTORICAL BACKGROUND, SYMBOLISM, AND SIGNIFICANCE OF EVERY DESIGN COMPONENT; AND

C. PHOTOGRAPHS OF EXISTING STRUCTURES, OBJECTS, SPOTS, ETC. TO BE INCORPORATED IN THE DESIGN."

THE NHCP SHALL RECOMMEND SUCH HERALDIC DESIGN TOGETHER WITH THE NEEDED DOCUMENTS TO THE OFFICE OF THE PRESIDENT OR CONGRESS FOR FINAL APPROVAL.

THE APPROVED DESIGN SHALL BE RETURNED TO THE NHCP FOR PROPER RECORDING IN THE NATIONAL REGISTRY OF HERALDIC ITEMS AND DEVICES AND FOR TRANSMITTAL TO THE REQUESTING GOVERNMENT ENTITY.

SEC.5. A new Section 45-C is hereby inserted to read as follows:

"SECTION 45-C. TO CONFORM TO THE BASIC HERALDIC TRADITIONS, THE FOLLOWING SHALL BE OBSERVED IN THE DESIGN, CREATION, MODIFICATION, REVISION AND APPROVAL OF

HERALDIC ITEMS AND DEVICES:

A. IT MAY FEATURE EITHER ABSTRACT OR NATURAL EMBLEMS OR VISUALS, REPRESENTING SIGNIFICANT ASPECTS, OR EVENTS REPRESENTATIVE OR RELATED TO ITS HISTORY, MANDATES, DUTIES, FUNCTIONS AND VISIONS;

B. COMPONENTS OF HERALDIC DESIGNS MUST FEATURE INDIGENOUS FILIPINO CULTURE, VALUES, HISTORY, TRADITIONS AND SENSE OF NATIONALISM;

C. EVERY COMPONENT MUST BE RECOGNIZABLE AS IF IT IS RENDERED OR REDUCED TO ITS NORMAL REQUIRED SIZES;

D. NO PERSONAL HERALDIC DEVICES SHALL BE ALLOWED EXCEPT THE SEAL OF THE PRESIDENT AND THE VICE PRESIDENT;

E. SYMBOLS, NAMES, INITIALS, LOGOS, PICTURES, SILHOUETTES OR IMAGES OF LIVING PERSONS SHALL NOT BE FEATURED IN THE DESIGN;

F. THE NAME OF THE GOVERNMENT ENTITY OR TITLE OF HERALDIC ITEMS AND DEVICES MUST BE IN PROMINENT POSITIONS;

G. ALL HERALDIC ITEMS AND DEVICES, INCLUDING RIBBONS OR SASHES, MUST BE UNIQUE FROM EACH OTHER;

H. THE NATIONAL COAT-OF-ARMS, WHICH MAY OR MAY NOT INCLUDE THE SCROLL, WHEN USED AS THE MAIN PART OR AS A COMPONENT OF THE SEAL, MUST OCCUPY THE PLACE OF HONOR. IT SHALL BE USED ONLY BY THE MAJOR BRANCHES OF THE GOVERNMENT;

I. IN USING THE NATIONAL COAT-OF-ARMS OR THE GREAT SEAL FOR NUMISMATIC PURPOSES, WET OR DRY SEALS AND PAINTED OR PRINTED IN MONOCHROME, TINCTURE REPRESENTATIONS SHALL BE USED;

J. THE USE OF THE NATIONAL FLAG IS PROHIBITED EXCEPT WHERE THE FLAG HAS BECOME PART OF ITS HISTORY;

K. THE MOTTO, TITLE OR PHRASE TO BE INCORPORATED IN THE HERALDIC ITEMS AND DEVICES MAY BE IN THE NATIONAL LANGUAGE OR IN ANY LOCAL DIALECT; AND
L. THESE HERALDIC ITEMS AND DEVICES SHALL NOT BE REVISED OR CHANGED MORE THAN ONCE EVERY TEN (10) YEARS.

SEC. 6. Section 46 of Republic Act No. 8491 is hereby amended to read as follows:

"Section 46. All government [offices] **ENTITIES**, including the military, are hereby ordered to purchase all [h]Heraldic [i]Items and [d]Devices from manufacturers accredited and authorized by the [Institute] **NHCP**.

ENGRAVERS OR MANUFACTURERS SHALL APPLY FOR ANNUAL ACCREDITATION AT THE NHCP.

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] **NHCP**.

ANY VIOLATION OF REPUBLIC ACT NO. 8491 OR ITS IMPLEMENTING RULES AND REGULATIONS SHALL BE A GROUND FOR SUSPENSION, REVOCATION OR NON-RENEWAL OF ACCREDITATION.

SEC. 7. A new Section 46-A is hereby inserted to read as follows:

"SECTION 46-A. HERALDIC AND VEXILLARY DESIGNS OR ITEMS, SHALL NOT BE USED OR EMPLOYED FOR NUMISMATIC, PHILATELIC, ADVERTISEMENT OR INFOMERCIAL, OR ANY INFORMATIVE PURPOSES UNLESS DULY APPROVED IN WRITING BY THE NHCP."

SEC. 8. Section 50 of Republic Act No. 8491 is hereby amended to read as follows:

"Section 50. Any person WHO or juridical entity which violates any of the provisions of this Act shall, upon conviction, be punished by a fine of not less than Five thousand pesos (PHP 5,000.00) nor more than Twenty Thousand Pesos (PHP 20,000.00) or by imprisonment [for] OF not more than one (1) year, 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 Ih^X.* in case the violation is committed by a juridical person, its President or Chief Executive Officer thereof shall be liable.

THE NHCP MAY PRESCRIBE IN THE IMPLEMENTING RULES AND REGULATIONS OTHER ACTS OR OMISSIONS WHICH SHALL BE DEEMED DISRESPECTFUL, AND THUS PROHIBITED, RELATIVE TO OFFICIAL SEALS AND OTHER HERALDIC ITEMS AND DEVICES.

SEC. 9. *Implementing Rules and Regulations.* - The NHCP shall issue the necessary rules and regulations implementing the provisions of this Act within sixty (60) days from its effectivity. The NHCP shall submit its rules and regulations to the Office of the President and the Congress of the Philippines.

SEC. 10. *Separability Clause.*- Any portion or provision of this Act that maybe declared unconstitutional or invalid shall not have the effect of nullifying the other portions or provisions hereof as long as such remaining portion or provision can still subsist and be given effect.

SEC. 11. *Repealing Cause.* - All laws, decrees, executive orders, rules and regulations, other issuances, part or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 12. *Effectivity Cause.* - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved,