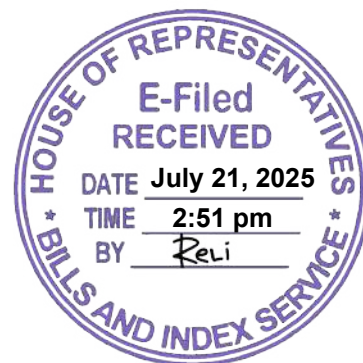


TWENTIETH CONGRESS)
 REPUBLIC OF THE PHILIPPINES)
 First Regular Session)



HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
 Representative Maximo B. Rodriguez, Jr.*

House Bill No. **2146**

EXPLANATORY NOTE

The Constitution declares that it is a policy of the state to inculcate in the youth patriotism and nationalism. One simple way to inculcate nationalism and patriotism not just to the youth but to Filipinos of all ages is to emphasize the importance of the saluting the national flag and the singing of the Philippine National Anthem.

The national flag is the symbol of the country while the national anthem embodies and expresses the aspirations, dreams, ideals, longings, commitment and determination, nationalism and patriotism, sentiment and spirit of the people. The Supreme Court has also held that the flag is an emblem of national sovereignty, of national unity and cohesion and of freedom and liberty which it and the Constitution guarantee and protect

Republic Act No. 8491 otherwise known as the Flag and Heraldic Code of the Philippines states that reverence and respect shall at all times be accorded the flag, the anthem, and other national symbols which embody the national ideals and which express the principles of sovereignty and national solidarity. This law imposes on violators a penalty of fine of P5, 000.00 to P20, 000.00 or imprisonment of one year or both. However, despite the existence of such law, many Filipinos do not accord the respect due our Philippine Flag and National Anthem. This violation usually happens in cinemas where moviegoers do not even stand up when the national anthem is being played.

In the column Opinion of the Philippine Daily Inquirer, May 12, 2008. Jet Hernandez, wrote:

"I've noticed that some moviegoers at SM cinemas don't show respect to the Philippine National Anthem while it's being played. In one instance, I called the attention of a moviegoer who remained sitting and eating with his wife and kid as the anthem was "video-played." He just snapped back, "How can I stand, I'm eating."

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"The singing of our national anthem should be treated as a sacred and solemn act, not unlike the singing of a prayer to God.

"Minus all the economic and political b.s. in the country, the singing of the Philippine National Anthem should provide the only sane moment that reminds a Filipino that he or she is still a Filipino, and everyone else in this country that he or she is still in the Philippines.

"Kaya kung ayaw mong magbigay-pugay sa pambansang awit, get out of the Philippines. This country is not for you."

This article was cited by Conrado de Quiros in his column in Philippine Daily Inquirer, of even date, to wit:

"That was a nice point Jet Hernandez made in his letter last Monday. He is dismayed, he said, that many Filipinos do not stand up when the National Anthem is played. While in one of the SM cinemas at one time, he

noticed a family who kept to their seats when the Anthem was played. He reproached the man, who snapped back, "How can I stand when I'm eating?"

"In fact, says Hernandez, there is such a thing as a Flag and Heraldic Code of the Philippines that imposes a fine of P5, 000-P20, 000 on violators. He demands that establishments like SM enforce that law and has several suggestions on it. I leave the reader to look it up himself (Opinion, May 12)."

He emphasized Jet Hernandez's statement that minus all the economic and political b.s. in this country, the singing of the Philippine National Anthem should provide the only sane moment that reminds a Filipino that he or she is still a Filipino.

He further states:

"I myself didn't know there was such a law - you learn something every day - and I'm glad we do. I share Hernandez's sentiments wholeheartedly. Any practice or ritual that reminds us of something we keep forgetting, probably because we want to, which is our national identity, is worth enforcing, apart from retaining."

This bill seeks to increase the penalties for disrespectful conduct during the playing of the Philippine National Anthem.

In view of the foregoing, the passage of this bill is earnestly sought.



RUFUS B. RODRIGUEZ



MAXIMO B. RODRIGUEZ, JR.

TWENTIETH CONGRESS)
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HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez and
 Representative Maximo B. Rodriguez, Jr.

House Bill No. **2146**

AN ACT

PROVIDING FOR A REVISED FLAG AND HERALDIC CODE OF THE PHILIPPINES,
 REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8491, OTHERWISE KNOWN AS
 THE “FLAG AND HERALDIC CODE OF THE PHILIPPINES”

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

Chapter I GENERAL PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the “Revised Flag and Heraldic Code”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State that reverence and respect shall at all times be accorded the flag, the anthem, and other national symbols which embody national ideals and traditions and the principles of sovereignty and national solidarity. Therefore, all 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, respect and affection for the national flag and anthem, and the proper use of the national motto, coat-of-arms and other heraldic items and devices.

SEC. 3. *Definition of Terms.* – As used in this Act:

(a) *Advertisement or Infomercial* refers to an advertisement or any information material in print, radio, television, cinema, video, outdoor and electronic media, seeking to promote individuals, entities, products or services for commercial, political purposes or information campaigns;

(b) *Display* refers to the manner in which the flag is publicly presented and venerated;

(c) *Festoon* refers to the act of hanging in a curved shape between two points as a decoration, curtain, or drape;

(d) *Flag* refers to the Philippine national flag, unless stated otherwise;

(e) *Fly* refers to the part of the flag outside the hoist or length;

(f) *Government entities* refer to all branches of the government, their bureaus and attached agencies, constitutional offices, local government offices, government-owned and -controlled corporations (GOCCs), government financial institutions, educational institutions, and the Armed Forces of the Philippines (AFP) including its basic component units;

(g) *Half-mast* refers to 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* refers to the long rope where the flag fastens and which runs up the length of the flagpole;

(i) *Hanging position* refers to the situation where a 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 or Heraldic items and devices* refer to the 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, cards, and other objects of similar nature;

(k) *Hoist* refers to the part of the flag nearest the staff or the canvas to which the halyard is attached;

(l) *Inclement weather* refers to a weather condition such as rain or strong wind that will be unfavorable to the raising of the flag since it will lessen the dignity that should be accorded to the flag;

(m) *National anthem* refers to the Philippine national anthem, entitled "*Lupang Hinirang*";

(n) *Official residences* refer to Malacañang and other government-owned structures where the President resides, the Philippine consulates or embassies abroad, and the place where the chief diplomatic or consular representative resides for the duration of the posting;

(o) *Philippine sun* refers to 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;

(p) *Places of frivolity* refer to places marked by or providing boisterous merriment or recreation;

(q) *Seafaring vessels* refer to any kind, class or type of craft or artificial contrivance capable of floating in water, designed and duly registered by the Maritime Industry Authority for use in the carriage of passengers or cargo, or both, utilizing its own motive power or that of another;

(r) *Symbol* refers to any conventional sign which reveals a person'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* refers to all branches of the AFP, those of the Philippine National Police (PNP), Bureau of Jail Management and Penology, Bureau of Fire Protection, Bureau of Immigration, Bureau of Customs, Philippine Coast Guard, and of other agencies that uses insignia to describe rank or position; and

(t) *Vexillary items* refer to national and local house flags, or administrative, institutional, corporate, and other organizational banners.

Chapter II 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.

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).

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. 5. *Standards for Flag Requisition.* – In order to establish a criteria that shall be observed in the fabrication of the national flag, and to guarantee its durability, the following standards and procedures shall be observed:

(a) All requisitions for the purchase of the Philippine flag must be based on strict compliance with the design, color and craftsmanship and material specifications and performance standards as set by 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 and material specifications and performance standards by the National Historical Commission of the Philippines (NHCP), through its Heraldry Section, which shall stamp its approval or disapproval on the canvas reinforcement of the flag sample submitted. The samples shall be sent to the NHCP by the requisitioning office, not by the flag supplier; and

(c) 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 canvas submitted, conform to government requirement as to the quality of material. The samples shall be sent annually to the PTRI by the manufacturer. The laboratory test results shall be submitted by the said office to the NHCP.

SEC. 6. *Flag Purchase Inspection.* – All deliveries of the flags requisitioned by the government shall be inspected by the requisitioning agency's internal inspector using the flag stamped approved by the NHCP as reference.

In carrying out the above responsibilities, the NHCP and the DOST shall prepare guidelines to be approved by all the parties concerned.

SEC. 7. *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 flag are strictly complied with.

SEC. 8. *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 every weekday from Monday to Friday throughout the year.

SEC. 9. *Where Flag Should be Permanently Displayed.* – The flag shall be permanently hoisted, day and night throughout the year, in front of the following:

- (a) Malacañang Palace;
- (b) Senate of the Philippines building;
- (c) House of Representatives building;
- (d) Supreme Court building;

- (e) Rizal Monument in Rizal Park, City of Manila;
- (f) Bonifacio Monument in Caloocan City;
- (g) Emilio Aguinaldo Shrine in Kawit, Cavite;
- (h) Barasoain Church Historical Landmark in Malolos City, Bulacan;
- (i) Tomb of the Unknown Soldier, *Libingan ng mga Bayani* in Taguig City, Metro Manila;
- (j) All memorials dedicated to the veterans of the military;
- (k) *Mausoleo de los Veteranos dela Revolucion*, North Cemetery, City of Manila;
- (l) Marcela Agoncillo Historical Landmark in Taal, Batangas;
- (m) Battle of San Juan Del Monte, Pinaglabanan Shrine in San Juan City, Metro Manila;
- (n) Mt. Samat National Shrine in Pilar, Bataan;
- (o) Mactan Liberty Shrine in Lapu-Lapu City, Cebu;
- (p) Old Legislative Building, City of Manila;
- (q) Angeles Heritage District in Angeles City, Pampanga;
- (r) Battle of Alapan Site in Imus City, Cavite;
- (s) Santa Barbara Plaza in Santa Barbara, Iloilo;
- (t) All international ports of entry; and
- (u) All other places as may be designated and marked by the NHCP.

At the above-stated places, the flag shall be properly illuminated at night.

SEC. 10. Display of Flag in Private Buildings and Residences. – The flag shall also be displayed in private buildings and residences or raised on flagpoles in front of said buildings during flag days, as provided for in Section 28 of this Act.

The flag may also be displayed throughout the year in private buildings or offices or raised on flagpoles in front of private buildings: *Provided*, That the occupants of the said building may observe flag-raising ceremonies in accordance with the implementing rules and regulations to be issued by the NHCP.

SEC. 11. Display of Flag on Seafaring Vessels. – The flag shall be flown on all seafaring vessels of Philippine registry.

On board seafaring vessels, the flag shall be displayed on the flag-staff 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. 12. The Blue, Red and White Fields of the Flag. – In time of peace, the blue field of the flag shall be on top when the flag is hoisted. In a hanging position, the white field shall be on top, and the blue field shall be to the right, which is to the left of the observer.

Conversely, in time of war, the red field should be on top when the flag is hoisted. In a hanging position, the white field shall be on top, and the red field shall be to the right, which is to the left of the observer.

SEC. 13. 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 prominence in relation to the buildings in the vicinity. The flagpole staff must be straight and slightly tapered at the top.

If attached to a building, the flagpole shall be anchored on a sill projecting at an angle upward.

If on a stage or platform, the flag shall be at the left side of the observer (facing the stage) and in an office, must be placed on the left side when viewed by the observer upon entrance thereto the office.

SEC. 14. The Philippine Flag when Flown with another Flag. – When the Philippine flag is flown with another national flag, both must be flown on separate staffs of the same height and

shall be of equal size. The Philippine flag shall be placed to the left of the observer, hoisted first, and lowered last.

If the other flag is not a national flag, it may be flown during special occasions in the same halyard as the Philippine flag but below the latter and it cannot be of greater size than the Philippine flag.

SEC. 15. *The Philippine Flag when Displayed with another Flag.* – When displayed with another flag, the Philippine flag shall be placed to the right of the other flag (left of the observer). If there is a line of other flags, the Philippine flag shall be placed 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 and at the center of the line.

Additional protocol for the display of the Philippine flag shall be contained in the implementing rules and regulations to be issued by the NHCP.

SEC. 16. *Proper Use, Disposal and Replacement of Worn-Out Flag.* – The flag shall be replaced immediately by the concerned agency, institution or office when it begins to show signs of wear and tear.

A flag that is worn out through wear and tear shall not be thrown away. It shall be turned over to the appropriate Boy Scouts or Girl Scouts Local Council Committee in the nearest school which shall, in turn, conduct proper disposal rites to avoid misuse or desecration of the worn-out flag.

The manner of disposal of the worn-out flag shall be in accordance with the rules to be issued by the NHCP.

SEC. 17. *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. 18. *Manner of Displaying the Flag.* – The flag may be displayed only in the following ways:

(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 to the left of the observer as one enters the room;

(b) From the top of a 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 lamppost 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 during inclement weather. If already raised prior to inclement weather, the flag shall not be lowered.

SEC. 19. *Manner of Hoisting the Flag.* – The flag shall be hoisted to the top briskly and lowered in the proper ceremony. After being lowered, the flag shall be handled and folded solemnly as part of the ceremony.

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

SEC. 20. *Flag Ceremony in Public Offices and Educational Institutions.* – All government offices and educational institutions shall hold a flag-raising ceremony every Monday or the next working day if Monday is declared a holiday, and a flag-lowering ceremony every Friday or on the last working day of each week. The ceremony shall be simple and dignified and shall include the playing and singing of the Philippine national anthem in its original lyrics and tempo.

SEC. 21. *Dignity in the Observance of Flag Ceremony.* – Likewise, the observance of the flag ceremony in official or civic gatherings shall be simple and dignified and shall include the playing and mandatory singing of the national anthem in its original Filipino lyrics and tempo.

SEC. 22. *Flag-Raising Ceremony.* – During a flag-raising ceremony, the assembly shall stand in formation facing the flag. A proper announcement shall be made prior to the singing of the national anthem. 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 chest, those with hats shall uncover their heads; while those in military, scouting, security guard, and citizens military training uniforms shall execute a salute as prescribed by their regulations, which salute shall be completed upon the last note of the anthem.

The assembly shall sing the national 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.

Individuals whose faith or religious beliefs prohibit them from singing the national anthem must, nonetheless, show full respect when the singing is being rendered by standing in attention.

SEC. 23. *Flag-Lowering Ceremony.* – 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 anthem. Those in the assembly shall observe the same deportment or behavior prescribed for the flag-raising ceremony.

SEC. 24. *Flag in Half-Mast.* – The flag shall be flown at half-mast as a sign of mourning on all the buildings and places where the deceased was holding office, on the day of official announcement of the death of any of the following officials:

(a) For the President or a former President, the flag shall be flown at half-mast for ten (10) days;

(b) For the incumbent and former Vice President, Chief Justice, President of the Senate and Speaker of the House of Representatives, the flag shall be flown at half-mast for seven (7) days;

(c) For the incumbent and former members of the Supreme Court, the Cabinet, the Senate or the House of Representatives, and such other public officials or persons who have rendered distinguished service of national import or historical significance to the nation, the flag shall be flown at half-mast for any period less than seven (7) days; and

(d) For the incumbent and former elected officials of local government units (LGUs), the flag shall be flown at half-mast for any period less than seven (7) days.

To give due recognition and tribute to the selfless dedication of teachers, faculty, and administrators in all levels of education, the flag shall be allowed to be flown at half-mast as a sign of mourning on the day of the official announcement of the death of an incumbent teacher, faculty, and administrator for a period of not more than five (5) days in Department of Education (DepEd)-supervised schools or district offices, or in higher education institutions where the deceased was assigned to teach.

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.

SEC. 25. Casket. – The flag may be used to cover the caskets of the honored dead who have rendered distinguished service to the nation. 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. At the interment of the honored dead, the flag shall not be lowered to the grave or allowed to touch the ground, but shall be folded solemnly, placed in a rectangular flag case, and handed over to the heirs of the deceased. The rectangular flag case in which the flag is enclosed may be placed by the heirs of the deceased in the appropriate area of their residence or the latter's former office.

(a) The flag, placed as cover to the casket, shall be mandatory for the following:

1. Incumbent and past Presidents and Vice Presidents of the Republic of the Philippines;
2. Incumbent members of the Senate, House of Representatives, and heads of constitutional bodies;
3. Incumbent Justices of the Supreme Court, Court of Appeals, *Sandiganbayan*, and the Court of Tax Appeals;
4. Incumbent cabinet members or officers of similar or equivalent rank;
5. Incumbent Philippine Ambassadors, Consuls General as head of consular post, and other foreign service personnel for meritorious service or deed to the nation as recommended by the Department of Foreign Affairs;
6. Incumbent governors, vice governors, members of the provincial board, mayors, vice mayors, and members of the municipal or city council;
7. Incumbent barangay chairpersons and *Sangguniang Kabataan* chairpersons;
8. National Scientists or *Pambansang Alagad ng Agham ng Pilipinas*, pursuant to Presidential Decree No. 1003-A (dated December 16, 1976);
9. War veterans;
10. Military veterans;
11. National artists and recipients of other awards being implemented and administered by the National Commission for Culture and the Arts (NCCA) and the Cultural Center of the Philippines, such as, recipients of *Gawad Manlilikha Ng Bayan*, as provided under Republic Act No. 7355, or the "*Manlilikha ng Bayan Act*", and the Honors Code as expressed in Executive Order No. 236;
12. Members of the AFP and the PNP;
13. Incumbent career executive officials and career scientists; and
14. Athletes who have won in international sports competitions.

(b) The flag, placed as cover to the casket, shall be discretionary for the following:

1. Former members of the Senate, House of Representatives, and constitutional bodies;
2. Retired Justices of the Supreme Court, Court of Appeals, *Sandiganbayan*, and the Court of Tax Appeals;

3. Incumbent and retired judges of the regional trial courts, municipal trial courts, metropolitan trial courts, and municipal circuit trial courts;
4. Former governors, vice governors, members of the provincial board, mayors, vice mayors, and members of the municipal or city council;
5. Retired Philippine Ambassadors or Consuls General as former head of consular post;
6. Former cabinet members or officers of similar or equivalent rank;
7. Retired career executive officials and career scientists;
8. Former barangay chairpersons and *Sangguniang Kabataan* chairpersons;
9. Incumbent or former presidents of state universities and colleges;
10. Teachers and professors, whether active or retired, in the public schools or government recognized private schools;
11. *Bona fide* members of the media, as certified by the legitimate media organization to which the media practitioner is a member;
12. Athletes who represented the country in international competitions;
13. Filipinos, whether residing in the country or abroad, who have received awards or recognitions, or both, from internationally recognized award giving bodies for their commendable service to the community or to their contribution to society; and
14. Civilians who lost their lives while giving aid or assistance in times of calamity, national emergency, or to a person in serious need.

The flag to be used as cover for the casket, as well as the rectangular flag case of the honored dead listed under paragraph (a) herein, shall be provided by the government office to which the decedent had previously served. For the honored dead listed under paragraph (b), the flag to be used as cover for the casket, as well as the rectangular case, shall be provided by the family of the decedent.

SEC. 26. 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
 Makatao
 Makakalikasan at
 Makabansa.*

The pledge of allegiance shall be recited while standing with the right hand, palm open and 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. 27. 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 pag-iimbot
 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, palm open and 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 oath must, nonetheless, show full respect when the oath is being rendered by standing at attention.

The NHCP shall, in consultation with the Komisyon sa Wikang Filipino (KWF), include in the rules and regulations to be issued for the implementation of this Act the translation of the pledge of allegiance and the oath of patriotism in the other Philippine languages or dialects.

SEC. 28. Flag Days. – The period from May 28 (National Flag Day) to June 12 (Independence Day) 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 shall 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 28 (National Flag Day) to June 12 (Independence Day); last Monday of August (National Heroes Day); November 30 (Bonifacio Day); December 30 (Rizal Day); and on such other days as may be declared by the President or local chief executives.

SEC. 29. Observance of Flag Days. – All government agencies and instrumentalities, local government offices, GOCCs, and LGUs are enjoined to observe Flag Days with appropriate ceremonies. Socio-civic groups, non-government organizations and the private sector are exhorted to cooperate in making the celebration a success.

SEC. 30. Flag Requisition Budget. – All departments, agencies, offices, and instrumentalities of the government, GOCCs, LGUs, including barangays, shall include in their annual budgets the necessary outlay for the purchase of the flag.

Furthermore, all LGUs shall allocate appropriate sums for a public awareness program on the Flag Code as well as on the proper implementation of the provisions of the Flag Code.

SEC. 31. Prohibited Acts. – The following Acts shall be prohibited:

(a) To burn, mutilate, deface, defile, trample on or cast contempt or commit any act or omission casting dishonor, ridicule, or disrespect upon the flag, anthem, seal, motto, coat-of-arms, and other heraldic items and devices;

(b) To dip the flag as a way of paying a compliment to any person or saluting an object;

(c) To use the flag *per se*:

1. As drapery, festoon, tablecloth;
2. As covering for ceilings, walls, statues or other objects;
3. As 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; and
5. As covering for unveiling of monuments or statues.

(d) To display the flag:

1. Under any painting or picture;
2. Horizontally face-up, instead, 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 venues, places of vice or those where frivolity prevails.

It shall likewise be prohibited to:

(a) Wear the flag, seal, coat-of-arms as part of a costume or 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 NHCP;

(b) Add any word, figure, mark, picture, design, drawings, advertisement, or imprint on the flag, seal, coat-of-arms or any representation therefor;

(c) Print, paint or attach a representation of the flag, seal, coat-of-arms on handkerchiefs, napkins, cushions, and other articles of merchandise; and

(d) Use or display the flag, seal, coat-of-arms, or be part of any advertisement or infomercial without the approval of the NHCP.

The NHCP shall 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.

Chapter III THE NATIONAL ANTHEM

SEC. 32. *Title*. – The Philippine national anthem is entitled “*Lupang Hinirang*”.

SEC. 33. *Language and Lyrics*. – The national anthem shall always be sung in the national language within or outside the country using the following prescribed lyrics:

*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
Kaylan pa ma'y di magdidilim.*

*Lupa ng araw, ng l'walhati't pagsinta,
Buhay ay langit sa piling mo;
Aming ligaya na pag may mang-aapi,
Ang mamatay nang dahil sa 'yo.*

SEC. 34. Rendition. – The rendition of the national anthem, whether played or sung, shall be in accordance with the original musical arrangement composed by Julian Felipe.

The NHCP shall, in coordination with the proper government agency, disseminate an official music score sheet that reflects the manner in which the national anthem should be played or sung.

SEC. 35. Manner of Singing. – When the national anthem is played at a public gathering, whether by a band or 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 in 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 their right palms over the left part of the chest. The members of the military, those in military training, and security guards in uniform shall execute 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 singing the national anthem, must, nonetheless, show full respect when the anthem is being sung or played on record by standing in attention.

The national anthem shall not be played and sung 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 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 and 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 NHCP.

SEC. 36. 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 privately-owned entities or offices displaying the Philippine flag and government institutions of learning are hereby directed to comply strictly with the rules prescribed for the rendition of the national anthem. Failure to observe the rules shall be a ground for administrative discipline.

SEC. 37. Obligations of Education Regulation Agencies. – The DepEd, the Commission on Higher Education (CHED), and the Technical Education and Skills Development Authority (TESDA) shall ensure that the national anthem, as mandated by law, shall be committed to memory by all students of both public and private educational institutions, and rendered during the flag ceremony conducted in accordance with the rules and regulations issued by the NHCP. In addition, they shall make available the vocal, piano or band scores of the national anthem, as mandated by law, to all private and public schools.

Chapter IV THE NATIONAL MOTTO, THE NATIONAL COAT-OF-ARMS, AND THE GREAT SEAL

SEC. 38. *The National Motto.* – The national motto shall be “*Maka-Diyos, Maka-Tao, Makakalikasan at Makabansa.*”

SEC. 39. *The National Coat-of-Arms.* – The national Coat-of-Arms shall have paleways of two (2) pieces, azure and gules. It shall have a chief argent studded with three (3) golden stars equidistant from each other, and in point of honor, ovoid argent over all the sun rayonnant with eight minor and lesser rays. On the red field on the sinister side shall be displayed the lion rampant of Spain; on the blue field on the dexter side, shall be displayed proper the American eagle of the United States. A scroll with the words “*Republika ng Pilipinas*” inscribed thereon shall be placed beneath the paleways.

SEC. 40. *The Great Seal.* – The Great Seal shall be circular in form, with the same specification as the Coat-of-Arms as described in Section 39 hereof, but without the scroll and the inscription thereon, and surrounded by a double marginal circle within which shall appear the words “*Republika ng Pilipinas*”. In using the Great Seal, the color of the Coat-of-Arms shall not be deemed essential, but tincture representation must be used.

The Great Seal shall bear the national motto.

SEC. 41. *Where to Affix the Great Seal.* – The Great Seal shall be affixed to or placed upon all commissions 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 V HERALDIC ITEMS AND DEVICES

SEC. 42. *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, logos, insignias, badges, patches, and banners; and initiate awards, citations, orders or decorations, as may be authorized by Congress or by the Office of the President.

SEC. 43. *Reportorial Requirements.* – Such heraldic devices and items shall be filed with the NHCP for recording and evaluation as to precedence, design, custom and tradition. The NHCP shall promulgate the corresponding rules and regulations which shall be submitted for approval to the Office of the President or to Congress.

SEC. 44. *Purchase of Heraldic Items and Devices from Accredited Sources.* – All government offices, including the military shall purchase all heraldic items and devices from manufacturers accredited and authorized by the NHCP. Such items and devices shall conform to the design and specifications approved by the Office of the President or by the Congress, through the NHCP.

Chapter VI PENALTIES

SEC. 45. *Public Censure or 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 NHCP 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 DepEd, CHED, and TESDA shall, upon the recommendation of NHCP and after the proper notice and hearing, 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.

SEC. 46. *Administrative Penalties.* – Any public official or employee who violates any of the provisions of this Act shall be punished in accordance with existing Civil Service laws, rules and regulations, without prejudice to the filing of an appropriate criminal case.

SEC. 47. *Fine or Imprisonment.* – In addition to the provisions on Section 46, any person who, or entity which violates any of the provisions of this Act shall, upon conviction, be punished by a fine of not less than Fifty thousand pesos (P50,000.00) nor more than One hundred thousand pesos (P100,000.00), or by imprisonment for 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*, That in case the violation is committed by a juridical person, its President or Chief Executive Officer shall be liable.

Chapter VII FINAL PROVISIONS

SEC. 48. *Implementing Rules and Regulations (IRR).* – Within ninety (90) days from the approval of this Act, the NHCP shall, in consultation with the NCCA, KWF, DepEd, CHED, TESDA, and representatives of the private sector, promulgate the rules and regulations to implement the provisions of this Act.

SEC. 49. *Separability Clause.* – If any provision of this Act is held invalid or unconstitutional, the other provisions not so declared shall remain in full force and effect.

SEC. 50. *Repealing Clause.* – Republic Act No. 8491, otherwise known as the “Flag and Heraldic Code of the Philippines”, is hereby repealed. All other laws, decrees, orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 51. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,