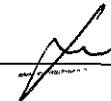




9 JUN -3 PG:24

SENATE

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COMMITTEE REPORT NO. 533

Submitted by the Committee on Constitutional Amendments, Revision of Codes

and Laws JUN - 3 2009

Re: Senate Bill No. 3307, prepared by the Committee.

Recommending its approval in substitution of Senate Bill No. 2590 and 2994.

Sponsor: Senator Escudero.

MR. PRESIDENT:

The Committee on Constitutional Amendments, Revision of Codes and Laws to which were referred Senate Bill No. 2590, introduced by Senator Gordon, entitled:

"AN ACT  
INCREASING THE NUMBER OF RAYS OF THE SUN ON THE  
PHILIPPINE FLAG FROM EIGHT TO NINE, AMENDING FOR  
THIS PURPOSE REPUBLIC ACT NO. 8491, OTHERWISE  
KNOWN AS THE FLAG AND HERALDIC CODE OF THE  
PHILIPPINES"

and Senate Bill No. 2994, introduced by Senator Escudero, entitled:

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"

have considered the same and have the honor to report these bills back to the Senate with the recommendation that the attached bill, S. No. 3307, prepared by the Committee, *entitled:*

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" OTHERWISE  
KNOWN AS THE FLAG AND HERALDIC CODE

be approved in substitution of Senate Bill Nos. 2590 and 2994, with Senators Gordon, Escudero and the members of the Committee, as authors thereof.

*Respectfully submitted:*



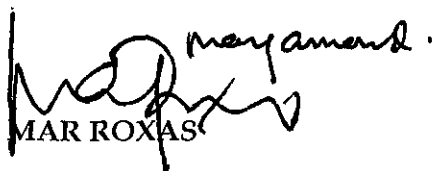
FRANCIS "CHIZ" G. ESCUDERO  
*Chairman*

*Members:*

BENIGNO S. AQUINO III



RODOLFO G. BIAZON



MAR ROXAS



LOREN B. LEGARDA

M.A. MADRIGAL





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"COMPANERA" PIA S. CAYETANO

*Ex Officio Members:*



JINGGOY EJERCITO-ESTRADA  
*President Pro Tempore*



JUAN MIGUEL F. ZUBIRI  
*Majority Leader*



AQUILINO PIMENTEL, JR.  
*Minority Leader*

HON. JUAN PONCE ENRILE  
*Senate President*  
*Senate of the Philippines*  
*Pasay City*

FOURTEENTH CONGRESS OF }  
REPUBLIC OF THE PHILIPPINES }  
Second Regular Session

9 JUN -3 P 6 :24

SENATE

RECEIVED BY



S. NO. 3307

*Prepared by the Committee on Constitutional Amendments, Revision of Codes and Laws, with Senators Gordon, Escudero and the members of the Committee, as authors thereof.*

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" OTHERWISE KNOWN AS THE FLAG AND HERALDIC CODE

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

1 SECTION 1. Section 2 of Republic Act No. 8491 is hereby amended to read as  
2 follows:

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

1           **SECTION 2.** Section 3 of Republic Act No. 8491 is hereby amended to read as  
2 follows:

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

4                           **“[(o)](A)“DISPLAY, HOIST OR RAISE” SHALL REFER TO THE**  
5 **MANNER**

6                           **IN WHICH THE FLAG IS PUBLICLY PRESENTED AND**  
7 **VENERATED.**

8                           “(b) “Festoon” shall mean to hang in a curved shape between two  
9 points as a decoration, **CURTAIN, DRAPE, ETC.;**

10                           “(c) “Flag” shall mean **ANY REPRESENTATION OF** the Philippine  
11 **National Flag IN WHATEVER MEDIA,** unless stated otherwise;

12                           “(d) “Fly” shall mean the part of the flag outside the hoist or length;

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

18                           **“[(m)](F)“HANGING POSITION” SHALL MEAN THE WHITE**  
19 **FIELD SHALL BE ON TOP, THE BLUE FIELD SHALL BE TO THE**  
20 **RIGHT (LEFT OF THE OBSERVER) IN TIME OF PEACE; THE**  
21 **WHITE FIELD SHALL BE ON TOP, AND THE RED FIELD TO THE**  
22 **RIGHT (LEFT OF THE OBSERVER) IN TIME OF WAR;**

1           “(g) “Hoist” shall mean the part of the flag nearest the staff or the  
2           canvass to which the halyard is attached;

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

8           “[(a)](I)“Military” shall mean all branches of the Armed Forces of the  
9           Philippines including the Philippine National Police, the Bureau of Jail  
10           Management and Penology, the Bureau of Fire Protection, **BUREAU**  
11           **OF IMMIGRATION AND DEPORTATION, BUREAU OF**  
12           **CUSTOMS, COAST GUARD, AND OTHER AGENCIES USING**  
13           **RANK INSIGNIA;**

14           “[(i)](J)       “National Anthem” shall mean the Philippine National  
15           Anthem **ENTITLED “LUPANG HINIRANG”;**

16           “[(l)](K)[“Institute”] **“NHI”** shall mean the National Historical  
17           Institute;

18           “[(j)](L)“Official Residences” shall mean Malacañang, and other  
19           government-owned structures where the President resides, [and other  
20           structures occupied by the] Philippine ConsulateS or  
21           Embassies abroad, **AND OTHER STRUCTURES OCCUPIED BY**  
22           **THE NATIONAL AND LOCAL PUBLIC OFFICIALS;**

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

3 "(n) "PHILIPPINE SUN" SHALL MEAN THE GOLDEN  
4 SUNBURST WITH NINE RAYS, EQUALLY SPACED; EACH RAY  
5 HAS ONE MAJOR BEAM, TWICE AS BROAD AS THE TWO  
6 MINOR BEAMS ON EITHER SIDE; AND

7 [(e)](O) "Symbol" shall mean any conventional sign which reveals  
8 man's achievement and heroism (for MEDALS, CITATIONS, orders,  
9 and decorations), identification, authority and a sign of dignity (for  
10 coat-of-arms, logo and insignia);

11 SECTION 3. Section 4 of Republic Act No. 8491 is hereby amended to  
12 read as follows:

13 "CHAPTER I

14 "THE NATIONAL FLAG

15 [A. Design of the National Flag]

16 "SEC. 4. DESIGN OF THE NATIONAL FLAG - The flag of the  
17 Philippines shall be blue, white and red with a[n] NINE [eight]-rayed  
18 golden-yellow sun and three five-pointed stars, as consecrated and  
19 honored by the people.

20 [B. Hoisting and Display of the National Flag]

21 SECTION 4. Section 5 of Republic Act No. 8491 is hereby amended to  
22 read as follows:

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

5                   **SECTION 5.** Section 6 of Republic Act No. 8491 is hereby amended to  
6                   read as follows:

7                   **"SEC. 6. WHERE FLAG SHOULD BE PERMANENTLY**  
8                   **DISPLAYED** - The flag shall be permanently hoisted, day and night  
9                   throughout the year, in front of the following: [at] Malacañang Palace;  
10                  [the] **SENATE OF THE PHILIPPINES BUILDING**; [Congress of the  
11                  Philippines] **HOUSE OF REPRESENTATIVES** building; Supreme  
12                  Court building; the Rizal Monument in Luneta, Manila; Aguinaldo  
13                  Shrine in Kawit, Cavite; Barasoain Shrine in Malolos, Bulacan; the  
14                  Tomb of the Unknown Soldier, *Libingan ng mga Bayani* **IN TAGUIG,**  
15                  **METRO MANILA; ALL MEMORIALS DEDICATED TO THE**  
16                  **VETERANS OF THE MILITARY; *Mausoleo de los Veteranos de la***  
17                  ***Revolucion* IN NORTH CEMETERY, MANILA; MARCELA**  
18                  **AGONCILLO HISTORICAL LANDMARK IN TAAL, BATANGAS;**  
19                  **PINAGLABANAN HISTORICAL LANDMARK IN SAN JUAN,**  
20                  **METRO MANILA;** all International Ports of Entry and all other places  
21                  as may be **SUBSEQUENTLY** designated **AND MARKED** by the  
22                  [Institute] NHI.



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

3           **SECTION 6.** Section 7 of Republic Act No. 8491 is hereby renumbered  
4 and amended to read as follows:

5           **“SEC. 7. DISPLAY OF FLAG IN PRIVATE BUILDINGS AND**  
6 **OFFICES** - The flag shall also be displayed in private buildings and  
7 residences or raised in the open flag-staffs in front of said buildings  
8 [every April 9 (*Araw ng Kagitingan*); May 1 (Labor Day); May 28  
9 (National Flag Day) to June 12 (Independence Day); last Sunday of  
10 August (National Heroes Day); November 30 (Bonifacio Day); and  
11 December 30 (Rizal Day); and on such other days as may be declared  
12 by the President and/or the local chief executives] **DURING FLAG**  
13 **DAYS, AS PROVIDED IN SEC. 24 OF THIS ACT.**

14           **THE FLAG MAY ALSO BE DISPLAYED THROUGHOUT**  
15 **THE YEAR IN PRIVATE BUILDINGS OR OFFICES OR RAISED**  
16 **ON FLAGPOLES IN FRONT OF PRIVATE BUILDINGS:**  
17 **PROVIDED THAT, THEY OBSERVE FLAG CEREMONIES IN**  
18 **ACCORDANCE WITH THE IMPLEMENTING RULES AND**  
19 **REGULATIONS (IRR) TO BE ISSUED BY THE NHI.**

20           **[B. DISPLAY OF THE NATIONAL FLAG]**

21           **SECTION 7.** Section 9 of Republic Act No. 8491 is hereby renumbered  
22 and amended to read as follows:

1                   “SEC. [9]8. *DISPLAY OF FLAG ON SEAFARING VESSELS -*

2                   The flag shall be flown on **ALL SEAFARING VESSELS** of Philippine  
3                   registry [of more than one thousand (1000) gross tons and on all naval  
4                   vessels].

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

8                   **SECTION 8.** Section 10 of Republic Act No. 8491 is hereby renumbered  
9                   amended to read as follows:

10                   “SEC. [10] 9. *THE BLUE, RED AND WHITE FIELDS OF THE*

11                   *FLAG -* The flag, if [flown from a flagpole] **HOISTED** shall have its  
12                   blue field on top in time of peace and the red field on top in time of  
13                   war; if in a hanging position, **THE WHITE FIELD SHALL BE ON**  
14                   **TOP**, the blue field shall be to the right (left of the observer) in time of  
15                   peace, and the **WHITE FIELD SHALL BE ON TOP**, and the red field  
16                   to the right (left of the observer) in time of war.

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

18                   **SECTION 9.** Section 11 of Republic Act No. 8491 is hereby renumbered  
19                   and amended to read as follows:

20                   “SEC. [11] 10. *FLAGPOLE IN THE OPEN FIELD -* If planted on

21                   the ground, the flagpole shall be at a prominent place and shall be of  
22                   such height as would give the flag the commanding position in relation

1 to the buildings in the vicinity. **THE FLAGPOLE STAFF MUST BE**  
2 **STRAIGHT AND SLIGHTLY TAPERING AT THE TOP.**

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

5 "If on stage or platform or government office, the flag shall be at  
6 the left (facing the stage) or left of the office upon entering.

7 **SECTION 10.** Section 12 of Republic Act No. 8491 is hereby  
8 renumbered and amended as follows:

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

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

19 **SECTION 11.** Section 13 of Republic Act No. 8491 is hereby  
20 renumbered and amended as follows:

21 "SEC. [13] 12. **THE PHILIPPINE FLAG WHEN DISPLAYED**  
22 **WITH ANOTHER FLAG** - When displayed with another flag, the  
23 Philippine flag shall be on the right of the other flag (**LEFT OF THE**

1           OBSERVER). If there is a line of other flags, the Philippine flag shall  
2           be [in the middle of the line] **AT THE LEFTMOST OF THE**  
3           **OBSERVER.**

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

6           **ADDITIONAL PROTOCOL FOR THE DISPLAY OF THE**  
7           **PHILIPPINE FLAG SHALL BE CONTAINED IN THE IRR TO BE**  
8           **ISSUED BY THE NHI PURSUANT TO THE COMMON**  
9           **PROVISIONS STATED IN THIS LAW.**

10          **SECTION 12.** Section 14 of Republic Act No. 8491 is hereby  
11          renumbered and amended as follows:

12                 “**SEC. [14] 13. DISPOSAL OF WORN OUT FLAG - [A] THE**  
13                 flag worn out through wear and tear, shall not be thrown away. It  
14                 shall be solemnly burned to avoid misuse or desecration. The flag shall  
15                 be replaced immediately when it begins to show signs of wear and  
16                 tear.

17          **SECTION 13.** Section 15 of Republic Act No. 8491 is hereby  
18          renumbered and amended as follows:

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

1           **SECTION 14.** Section 16 of Republic Act No. 8491 is hereby  
2 renumbered and amended as follows:

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

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

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

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

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

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

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

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

1           **SECTION 15.** Section 17 of Republic Act No. 8491 is hereby  
2 renumbered and amended as follows:

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

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

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

9           [C. Conduct of Flag Raising Ceremony]

10          **SECTION 16.** Section 18 of Republic Act No. 8491 is hereby  
11 renumbered and amended as follows:

12          **"SEC. [18] 17. FLAG CEREMONY IN PUBLIC OFFICES AND**  
13 **EDUCATIONAL INSTITUTIONS** - All government offices [and  
14 educational institutions] shall henceforth observe the flag-raising  
15 ceremony every Monday morning and the flag lowering ceremony  
16 every Friday afternoon. **PROVIDED THAT, ALL EDUCATIONAL**  
17 **INSTITUTIONS UNDER THE DEPARTMENT OF EDUCATION**  
18 **(DEPED), COMMISSION ON HIGHER EDUCATION (CHED),**  
19 **AND TECHNICAL EDUCATION AND SKILLS DEVELOPMENT**  
20 **AUTHORITY (TESDA) SHALL OBSERVE THE FLAG CEREMONY**  
21 **DAILY.** The ceremony shall be simple and dignified and shall include  
22 the playing [or] **AND** singing of the Philippine National Anthem.

23          **SECTION 17.** Section 19 of Republic Act No. 8491 is hereby deleted.

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

4                   SECTION 18. Section 20 of Republic Act No. 8491 is hereby  
5 renumbered and amended as follows:

6                   “SEC. [20] 18. *DIGNITY IN THE OBSERVANCE OF FLAG*  
7 *CEREMONY* - The observance of the flag ceremony in official or civic  
8 gatherings shall be simple and dignified and shall include the playing  
9 [or] **AND** singing of the anthem [in its original Filipino lyrics and  
10 march tempo].

11                  SECTION 19. Section 21 of Republic Act No. 8491 is hereby  
12 renumbered and amended as follows:

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







1 grave or allowed to touch the ground, but shall be folded solemnly and  
2 [handled] **HANDED** over to the heirs of deceased.

3 [F. Pledge to the Flag and Flag Days]

4 **SECTION 23.** Section 25 of Republic Act No. 8491 is hereby  
5 renumbered and amended as follows:

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

8 *“Ako ay Pilipino*

9 *Buong katapatang nanunumpa*

10 *Sa watawat ng Pilipinas*

11 *At sa bansang kanyang sinasagisag*

12 *Na may dangal, katarungan at kalayaan*

13 *Na pinakikilos ng sambayanang*

14 *Maka-Diyos*

15 *Maka-tao*

16 *Makakalikasan at*

17 *Makabansa*

18 “[Such pledge] **THE PLEDGE OF ALLEGIANCE TO THE**  
19 **PHILIPPINE FLAG** shall be recited while standing with the right hand  
20 with palm open raised shoulder high. Individuals whose faith or  
21 religious beliefs prohibit them from making such pledge must,

1           nonetheless, show full respect when the pledge is being rendered by  
2           standing at attention.

3           **SECTION 24.** Section 26 of Republic Act No. 8491 is hereby  
4           renumbered and amended to read as follows:

5                   “**SEC. [26] 24. FLAG DAYS** - The period from **NATIONAL**  
6           **FLAG DAY** (May 28) to **INDEPENDENCE DAY** (June 12) of each year  
7           is declared as Flag Days, during which period all offices, agencies and  
8           instrumentalities of government, business establishments, institutions  
9           of learning and private homes are [enjoined] **OBLIGATED** to display  
10          the flag. **PROVIDED, HOWEVER THAT [T]**the flag shall [also] be  
11          displayed in private buildings and residences or raised [in the open  
12          flag-staffs] **ON FLAGPOLES** in front of said buildings every April 9  
13          (*Araw ng Kagitingan*); May 1 (*Labor Day*); May 28 (*National Flag Day*) to  
14          June 12 (*Independence Day*); last Sunday of August (*National Heroes*  
15          *Day*); November 30 (*Bonifacio Day*); and December 30 (*Rizal Day*); and  
16          on such other days as may be declared by the President and/or local  
17          chief executives.

18          **SECTION 25.** Section 8 of Republic Act No. 8491 is hereby renumbered  
19          and amended to read as follows:

20                   “**SEC. [8] 25. OBSERVANCE OF FLAG DAYS** - All government  
21          agencies and instrumentalities, and local government offices,  
22          government-owned corporations and local government units are  
23          enjoined to observe Flag Day with appropriate ceremonies. Socio-civic

1 groups, non-government organizations and the private sector are  
2 exhorted to cooperate in making the celebrations a success.

3 [H Specifications of the National Flag]

4 **SECTION 26.** Section 27 of Republic Act No. 8491 is hereby  
5 renumbered and amended to read as follows:

6 "SEC. [27] 26. **FLAG PROPORTIONS** - The flag shall have the  
7 following proportions. The width of the flag, **ONE (1)**; the length of the  
8 flag, **TWO (2)**; and the sides of the white triangle, **ONE (1)**.

9 **SECTION 27.** Section 28 of Republic Act No. 8491 is hereby  
10 renumbered and amended to read as follows:

11 "SEC. [28] 27. **FLAG TECHNICAL SPECIFICATIONS** - The  
12 technical specifications **OF THE FLAG** shall be as follows:

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

16 **SECTION 28.** Section 29 of Republic Act No. 8491 is hereby renumbered  
17 and amended to read as follows:

18 "SEC. [29] 28. **STANDARDS FOR FLAG REQUISITION** - In order  
19 to establish uniform criteria in the making of our national flag and to  
20 guarantee its durability by the use of quality materials, the following  
21 standards and procedures shall be observed:

22 "(a) All requisitions for the purchase of the Philippine National  
23 Flag must be based on strict compliance with the design,

1 color, craftsmanship and material requirements of the  
2 Government;

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

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

19 **SECTION 29.** Section 30 of Republic Act No. 8491 is hereby  
20 renumbered and amended to read as follows:

21 “**SEC. [30] 29. FLAG PURCHASE INSPECTION** - All deliveries  
22 of the flags requisitioned by the government shall be inspected by the

1 requisitioning agency's internal inspector and by the Commission on  
2 Audit (COA) using the flag stamped approved by the [Institute] NHI  
3 as reference.

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

8 **SECTION 30.** Section 32 of Republic Act No. 8491 is hereby  
9 renumbered and amended to read as follows:

10 "SEC. [32] 30. **STRICT COMPLIANCE WITH**  
11 **REQUIREMENTS-** All government agencies and instrumentalities  
12 shall ensure that the requirements under this Act with respect to the  
13 standards, requisitions and delivery of the national flag are strictly  
14 complied with.

15 **SECTION 31.** Section 33 of Republic Act No. 8491 is hereby  
16 renumbered and amended to read as follows:

17 "SEC. [33] 31. **FLAG REQUISITION BUDGET -** All  
18 departments, agencies, offices, and instrumentalities of the  
19 government, government-owned or controlled corporations, local  
20 government units, including barangays, shall include in their annual  
21 budgets the necessary outlay for the purchase of the national flag.

22 **FURTHERMORE, ALL LOCAL GOVERNMENT UNITS ARE**  
23 **DIRECTED TO ALLOCATE APPROPRIATE SUMS FOR A FLAG**

1           LAW PUBLIC AWARENESS PROGRAM AS WELL AS THE  
2           PROPER IMPLEMENTATION OF THE PROVISIONS OF THE  
3           FLAG LAW.

4           SECTION 32. Section 34 of Republic Act No. 8491 is hereby  
5           renumbered and amended to read as follows:

6                           [I. Prohibited Acts]

7           “SEC. [34] 32. *PROHIBITED ACTS* - It shall be prohibited:

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

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

14           “(c) To use the flag:

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

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

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

20                           “(4) As a staff or whip;

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

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

3                   “(d) To display the flag:

4                   “(1) Under any painting or picture;

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

7                   “(3) Below any platform; or

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

11                  “(e) To wear the Flag, SEAL, COAT-OF-ARMS [in whole or in part]  
12                  as **PART OF** a costume or [uniform] **AS A FASHION**  
13                  **ACCESSORY OR MERELY AS A DESIGN ELEMENT;**  
14                  **PROVIDED THAT THE FLAG, SEAL, COAT-OF-ARMS,**  
15                  **MAY BE INCORPORATED AS PART OF THE UNIFORM OF**  
16                  **FILIPINOS REPRESENTING THE PHILIPPINES IN**  
17                  **INTERNATIONAL SPORTS, CULTURAL OR SCIENTIFIC**  
18                  **COMPETITIONS OR OFFICIAL FUNCTIONS WITH THE**  
19                  **APPROVAL OF THE NHI;**

20                  “(f) To add any word, figure, mark, picture, design, drawings,  
21                  advertisements, or imprint [of any nature] on the flag[;], SEAL,



1 COAT-OF-ARMS OR ANY REPRESENTATION  
2 THEREFORE;

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

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

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

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

15 SECTION 33. Section 35 Chapter II of Republic Act No. 8491 is hereby  
16 renumbered and amended to read as follows:

17 “CHAPTER II

18 “THE NATIONAL ANTHEM

19 “SEC. [35] 33. TITLE OF THE NATIONAL ANTHEM - The  
20 National Anthem is entitled *Lupang Hinirang*.

21 SECTION 34. Section 36 of Republic Act No. 8491 is hereby  
22 renumbered and amended to read as follows:

1                   “SEC. [36] 34. LANGUAGE AND LYRICS OF THE NATIONAL  
2                   *ANTHEM* - The National Anthem shall always be sung in the national  
3                   language within or without the country. The following shall be the  
4                   lyrics of the National Anthem:

5                   *“Bayang magiliw,*

6                   *Perlas ng Silanganan,*

7                   *Alab ng puso,*

8                   *Sa dibdib mo’y buhay.*

9                   *Lupang hinirang,*

10                  *Duyan ka ng magiting,*

11                  *Sa manlulupig,*

12                  *Di ka pasisiil.*

13                  *Sa dagat at bundok,*

14                  *Sa simoy at sa langit mong bughaw,*

15                  *May dilag ang tula,*

16                  *At awit sa paglayang minamahal.*

17                  *Ang kislap ng watawat mo’y*

18                  *Tagumpay na nagniningning,*

19                  *Ang bituin at araw niya.*

20                  *Kailan pa ma’y di magdidilim[.]*

21                  *Lupa ng araw, ng luwalhati’t pagsinta,*

22                  *Buhay ay langit sa piling mo,*

1                    *Aming ligaya na pag may mang-aapi ,*

2                    *Ang mamamatay ng dahil sa iyo."*

3                    **SECTION 35.** Section 37 of Republic Act No. 8491 is hereby  
4 renumbered and amended to read as follows:

5                    **"SEC. [37] 35. RENDITION OF THE NATIONAL ANTHEM -**

6                    The rendition of the National Anthem, whether played or sung shall be  
7                    in accordance with the musical arrangement and composition of Julian  
8                    **Felipe, THE ORIGINAL COPY OF WHICH IS OFFICIALLY KEPT**  
9                    **AT THE NATIONAL LIBRARY OF THE PHILIPPINES, IN**  
10                    **TWO/FOUR (2/4) BEAT WITHIN THE RANGE OF 100 TO 120**  
11                    **METRONOME.**

12                    **SECTION 36.** Section 38 of Republic Act No. 8491 is hereby  
13 renumbered and amended to read as follows:

14                    **"SEC. [38] 36. MANNER OF SINGING THE NATIONAL**

15                    **ANTHEM -** When the National Anthem is played at a public gathering,  
16                    whether by a band [or by singing or both,] or reproduced by any  
17                    means, the attending public shall sing the anthem. The singing must be  
18                    done with fervor.

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

1 military training and security guard uniform shall give the salute  
2 prescribed by their regulations. The salute shall be completed upon the  
3 last note of the anthem.

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

7 "(a) International competitions where the Philippines is the host or  
8 has a representative;

9 "(b) **NATIONAL OR [L]** local competitions;

10 "(c) During the "signing off" and "signing on" of radio broadcasting  
11 and television stations;

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

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

19 **SECTION 37.** Section 39 of Republic Act No. 8491 is hereby  
20 renumbered and amended to read as follows:

21 "SEC. [39] 37. **STRICT COMPLIANCE WITH RULES FOR THE**  
22 **RENDITION OF THE NATIONAL ANTHEM** - All officials and

1 employees of the national and local government, and any agency or  
2 instrumentality thereof, including government-owned or controlled  
3 corporations, privately-owned entities or offices displaying the  
4 national flag and government institutions of learning are hereby  
5 directed to comply strictly with the rules prescribed for the rendition of  
6 the anthem. Failure to observe the rules shall be a ground for  
7 administrative discipline.

8 **SECTION 38.** Section 40 Chapter III of Republic Act No. 8491 is hereby  
9 renumbered and amended to read as follows:

10 **“CHAPTER III**

11 **“THE NATIONAL MOTTO, THE COAT-OF-ARMS AND THE GREAT**  
12 **SEAL**

13 **“SEC. [40] 38. THE NATIONAL MOTTO -** The National Motto  
14 shall be **“MAKA-DIYOS, MAKA-TAO, MAKAKALIKASAN AT**  
15 **MAKABANSA .”**

16 **SECTION 39.** Section 41 of Republic Act No. 8491 is hereby  
17 renumbered and amended to read as follows:

18 **“SEC. [41] 39. THE NATIONAL COAT-OF-ARMS -** The  
19 National Coat-of-Arms shall have:

20 **“[Paleways] FIELD of two (2) pieces, [azure and gules; a chief argent]**  
21 **BLUE WITH AN EAGLE AND RED WITH A LION RAMPART, A**  
22 **WHITE FIELD** studded with three (3) [mulletts] **STARS** equidistant  
23 from each other; and, in point of honor, [ovoid argent] **WHITE OVAL**

1 [overall the sun rayonnant with eight minor and lesser rays] WITH  
2 THE PHILIPPINE SUN AT THE CENTER. Beneath shall be the scroll  
3 with the words "REPUBLIKA NG PILIPINAS," inscribed thereon.

4 SECTION 40. Section 42, Chapter V of Republic Act No. 8491 is hereby  
5 renumbered and amended to read as follows:

6 [CHAPTER V

7 THE GREAT SEAL]

8 "SEC. [42] 40. *THE GREAT SEAL* - The Great Seal shall be  
9 circular in form, with the arms as described in the preceding section,  
10 but without the scroll and the inscription thereon. Surrounding the  
11 whole shall be a double marginal circle within which shall appear the  
12 words "Republika ng Pilipinas." For the purpose of placing The Great  
13 Seal, the color of the arms shall not be deemed essential but tincture  
14 representation must be used.

15 [The Great Seal shall bear the National Motto. ]

16 SECTION 41. Section 43 of Republic Act No. 8491 is hereby  
17 renumbered and amended to read as follows:

18 "SEC. [43] 41. *WHERE TO AFFIX THE GREAT SEAL* - The  
19 Great Seal shall be affixed to or placed upon all commission signed by  
20 the President and upon such other official documents and papers of the  
21 Republic of the Philippines as may be provided by law, or as may be  
22 required by custom and usage. The President shall have custody of the  
23 Great Seal.

1           **SECTION 42.** Section 44, Chapter VI of Republic Act No. 8491 is  
2 hereby renumbered and amended to read as follows:

3                           “CHAPTER [VI] IV

4           “OFFICIAL SEAL AND OTHER HERALDIC ITEMS AND DEVICES

5                           “**SEC. [44] 42. ADOPTION OF HERALDIC AND SIMILAR**  
6           **DEVICES** - Any government entity, including the military, may adopt  
7 appropriate **HERALDIC ITEMS AND DEVICES SUCH AS**  
8 **MEDALS**, coat-of-arms, administrative seals, logo, insignia, badges,  
9 patches, and banners; and initiate awards, citations, orders or  
10 decorations; as may be authorized by the Congress or the Office of the  
11 President.

12           **SECTION 43.** Section 45 of Republic Act No. 8491 is hereby  
13 renumbered and amended to read as follows:

14                           “**SEC. [45] 43. REPORTORIAL REQUIREMENTS** - Such  
15 heraldic devices and items shall be filed with the [Institute] NHI for  
16 recording and evaluation as to precedence, design, customs and  
17 traditions. The [Institute] NHI shall promulgate the corresponding  
18 rules and regulations which shall be submitted for approval to the  
19 Office of the President or to Congress. .

20           **SECTION 44.** Section 46 of Republic Act No. 8491 is hereby  
21 renumbered and amended to read as follows:.

22                           “**SEC. [46] 44. PURCHASE OF HERALDIC ITEMS AND**  
23 **DEVICES FROM ACCREDITED SOURCES** - All government offices

1 including the military are hereby ordered to purchase all heraldic items  
2 and devices from manufacturers accredited and authorized by the  
3 [Institute] NHI. Such items and devices shall be subject to inspection  
4 by the purchasing agency's internal inspector and the COA  
5 representatives using the design and specifications approved by the  
6 Office of the President or by the Congress, through the [Institute] NHI.

7 **SECTION 45.** Section 47 is hereby deleted.

8 [SECTION 47. No government official or employee shall accept  
9 any orders or decorations from any foreign government without the  
10 consent of Congress, and without prior evaluation and documentation  
11 of such order or decoration by the Institute.]

12 **SECTION 46.** Section 48, Chapter VII of Republic Act No. 8491 is  
13 hereby renumbered and amended to read as follows:

14 "CHAPTER [VII] V

15 "PENALTIES

16 "SEC. [48] 45. *PUBLIC CENSURE/ CANCELLATION OF*  
17 *PERMIT* - Failure or refusal to observe the provisions of this Act; and  
18 any violation of the corresponding rules and regulations issued by the  
19 NHI [Office of the President,] shall after proper notice and hearing, be  
20 penalized by public censure which shall be published at least once in a  
21 newspaper of general circulation.



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

7           **SECTION 47.** Section 50 of Republic Act No. 8491 is hereby  
8           renumbered and amended to read as follows:

9           “**SEC. [50] 46. PUNISHMENT FOR VIOLATIONS** - Any person  
10          **WHO** or juridical entity which violates any of the provisions of this Act  
11          shall, upon conviction, be punished by a fine of not less than Five  
12          thousand pesos (PHP 5,000.00) nor more than Twenty Thousand Pesos  
13          (PHP 20,000.00) or by imprisonment [for] **OF** not more than one (1)  
14          year, or both such fine and imprisonment, at the discretion of the court:  
15          *Provided,* That for any second and additional offenses, both fine and  
16          imprisonment shall always be imposed: *Provided, further* That in case  
17          the violation is committed by a juridical person, its President or Chief  
18          Executive Officer thereof shall be liable.

19                 **THE NHI MAY PRESCRIBE IN THE IMPLEMENTING**  
20                 **RULES AND REGULATIONS OTHER ACTS OF OMISSIONS**  
21                 **WHICH SHALL BE DEEMED DISRESPECTFUL, AND THUS**  
22                 **PROHIBITED, RELATIVE TO THE FLAG, THE NATIONAL**

1 ANTHEM, THE GREAT SEAL, COAT-OF-ARMS, NATIONAL  
2 MOTTO AND OTHER HERALDIC ITEMS AND DEVICES.

3 SECTION 48. Section 49, Chapter VIII of Republic Act No. 8491 is  
4 hereby renumbered and amended to read as follows:

5 "CHAPTER [VIII] VI

6 "COMMON PROVISIONS

7 "SEC. [49] 47. OBLIGATIONS OF EDUCATION

8 REGULATION AGENCIES- The [Department of Education, Culture  
9 and Sports] DEPED, [and the Commission on Higher Education]  
10 CHED AND TESDA shall ensure that the National Anthem, as  
11 adopted by law, shall be committed to memory by all students of both  
12 public and private educational institutions, and performed during the  
13 flag ceremony conducted in accordance with the rules and regulations  
14 issued by the [Office of the President] NHI. In addition, they shall  
15 make available the vocal, piano or band scores of the National Anthem,  
16 as adopted by law, to all private and public schools, as well as the  
17 general public.

18 SECTION 49. Section 51 of Republic Act No. 8491 is hereby  
19 renumbered and amended to read as follows:

20 "SEC. [51] 48. ISSUANCE OF RULES AND REGULATIONS

21 AND THEIR ENFORCEMENT - The [Institute] NHI shall issue the  
22 necessary rules and regulations [to implement the provisions of this  
23 Act] within ninety (90) days after [effectivity] THE APPROVAL OF

1           **THIS ACT.** The [Institute] NHI shall submit its rules and regulations  
2 to the Office of the President and the Congress of the Philippines.

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

9           **SEC 50. Separability Clause.** - If for any reason, any portion or  
10 provision of this Act shall be declared unconstitutional, other parts or  
11 provisions hereof which are not affected thereby shall continue to be in full  
12 force and effect.

13           **SEC. 51. Repealing Clause.** - All laws, decrees, executive orders, rules  
14 and regulations, part or parts thereof, inconsistent with the provisions of this  
15 Act, are hereby repealed or modified accordingly.

16           **SEC. 52. Effectivity** - The Act shall be effective fifteen (15) days from  
17 the date of its publication in at least two (2) newspapers of general circulation.

18           *Approved;*