EIGHTEENTH CONGRESS
REPUBLIC OF THE PHILIPPINES
Second Regular Session

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 9412

EXPLANATORY NOTE

The Philippine National Police (PNP) uniforms, insignias and other accoutrements are symbolic of a discipline and an image which portray the character and being of every policeman, most representative of a professional Philippine National Police;

Unfortunately, the PNP uniforms, insignias and other accoutrements are easily available and/or procured from any manufacturer, seller, distributor, or supplier by any person, including unscrupulous and lawless individuals who make a mockery of their use for personal gain, unlawful purposes and/or other designs to degrade the policeman and the Philippine National Police.

There have been many incidents of persons wearing PNP uniforms pretending to be members of the PNP.

We need to ensure that PNP uniforms, insignias and other accoutrements are manufactured, sold, distributed or supplied only by authorized manufacturer, distributor, supplier and/or seller and used exclusively by uniformed personnel of the PNP.

In view of the foregoing, immediate approval of this measure is earnestly requested.

RUFUS B. RODRIGUEZ
EIGHTEENTH CONGRESS
REPUBLIC OF THE PHILIPPINES
Second Regular Session

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 9412

AN ACT
IMPLEMENTING STRICTER MEASURES ON THE REGULATION AND CONTROL OF THE USE, MANUFACTURE, SALE, AND DISTRIBUTION OF PNP UNIFORMS, INSIGNIAS, AND ACCOUTREMENTS AND PROVIDING FOR PUNISHMENT ON THE ILLEGAL PRODUCTION, SALE AND USE OF THE SAME

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

SECTION 1. Short Title. – This Act shall be known as the "PNP Tamang Bihis Act."

SEC 2. Declaration of Policy. – It is the desire of the State that only PNP personnel has the exclusive authority to wear the prescribed and authorized PNP uniforms with proper insignias and other accoutrements while in the performance of their official functions.

It is also the policy of the State to impose stricter measures on the regulation and control of the use, manufacture, sale, and distribution of PNP uniform, insignias, and accoutrements and to penalize those who illegally produce, sell, and use the same.

SEC 3. General Guidelines – The PNP ensures that those persons or entities that violate the intellectual property rights of the PNP to the design and texture of its uniform and accoutrements be put to justice thereby strengthening and institutionalizing the legal offensive needed to achieve such purpose.

Moreover, persons or entities authorized by the PNP to manufacture, sell and distribute PNP uniforms and accoutrements are also given the rights and privileges as exclusive distributor of the same in accordance with RA No. 8293 otherwise known as "Intellectual Property Code of the Philippines."

Likewise, all PNP uniformed personnel are expected to wear the prescribed and authorized uniforms at all times.

SEC 4. For the proper implementation of this act, the PNP is empowered to perform the following powers and functions:

a) Issue guidelines to all PNP offices and units particularly on the implementation of NAPOLCOM approved standard specifications for police uniforms and individual equipment;

b) Continue the application for patent on various police uniforms, insignias, and other accoutrements at the IPOPHL and disseminate the registered patents;

c) Issue Certificate of Conformity (COC) to legitimate manufacturers/suppliers/tailoring shops for the workmanship and fabric/material composition of police uniforms and individual equipment which have passed the appropriate test and evaluation conducted by DRD and different testing institutions;
d) Cancel issued COC to legitimate manufacturers/suppliers/tailoring shops who violate the PNP guidelines and policies on the sale and distribution of PNP uniforms, insignias and accoutrements;

e) Conduct plant/factory visits at known manufacturers, dealers, suppliers, and sellers of police uniforms;

f) Initiate the regular conduct of consultative meetings with authorized suppliers of PNP uniforms;

g) Conduct random inspection/survey of uniforms delivered to all PNP recruits to ensure that all uniforms and accoutrements delivered by the winning proponents are in accordance with the NAPOLCOM approved specifications;

h) Issue directive on the different types of police uniforms to be worn during the conduct of their police functions/activities;

i) Register all approved unit PNP patches/logos at NHCP;

j) Undertake research towards the improvement of security marks to detect substandard and fake police uniforms and individual equipment;

k) In the exercise of their law enforcement function, conduct operation against unauthorized persons or entities illegally manufacturing, selling, and distributing PNP uniforms and accoutrements;

l) Conduct annual review, assessment and feedback on the proper implementation of this Act.

SEC 5. Unlawful Acts – It shall be unlawful for any person not member of the Philippine National Police, to use or wear the duly prescribed insignia, uniform, badge or emblem of rank of the members of the PNP, or any colorable imitation thereof: Provided, That forgoing shall not be construed as prohibiting any person from using or wearing any PNP uniform, badge or emblem of rank in any playhouse or theater or in moving naval character not tending to bring discredit or reproach upon the PNP. Provided further, that the use or wearing of any PNP as herein described, shall be subject to supervision and regulation by the NAPOLCOM.

The phrase, "duly prescribe insignia, uniform, badge or emblem of rank", shall, for the purpose of this act, mean any insignia, uniform, badge or emblem of rank which is, or may hereafter be, prescribed by law or any policy of the PNP.

SEC 6. Hereafter the use, wearing, manufacture and sale of any medal or decoration, badge, insignia, uniform, textile for said uniform, patch or identification card which has been, or may hereafter be, authorized by Congress or prescribed or awarded by the President of the Philippines, or the NAPOLCOM, or any colorable imitation thereof, is prohibited except when authorized under such regulations by the PNP.

SEC 7. Any person who confers upon himself or another PNP grade or title in violation of Sections 5 and 6 of this Act shall, upon conviction, be punished by a fine or not less than fifty thousand (Php 50,000) and not exceeding one hundred thousand (Php 100,000) pesos or by imprisonment of not less than five (5) years and not exceeding ten (10) years, or both at the discretion of the court.

In case the violation is committed by a corporation, the manager and all the members of the board of directors or governing body thereof shall be liable individually in accordance with this section.

SEC 8. Implementing Rules and Regulations – The Chief, Philippine National Police, shall revise and promulgate the Rules and Regulations necessary to ensure the effective implementation of this Act.
SEC 9. Repealing Clause. – Any law, decree, ordinance, or administrative circular not consistent with any provision of this Act is hereby amended, repealed or modified accordingly.

SEC 10. Effectivity Clause. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,