

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 4981

Introduced by **HON. ROZZANO RUFINO B. BIAZON**

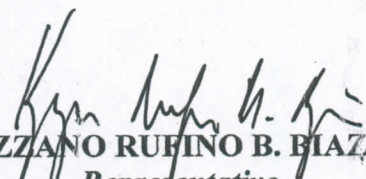
EXPLANATORY NOTE

This proposed legislation seeks to penalize the unauthorized use of official coat of arms, administrative seals, logo, insignia, badges, patches and banners adopted by any national government agency, office or entity of government agencies, offices or entities.

There have been many instances of reported use of stationeries containing the official seal of government agencies, offices or entities. These acts, although seemingly innocent at first glance, obtain a different color when committed by individuals who are not at all connected to these government agencies, offices or entities, and worse, use these stationeries for illegal activities. These acts are, in a way, "unauthorized". Another form of "unauthorized" use of these stationeries are done by government people who do such acts without authority from their superiors and also for illegal purposes.

This situation must not be allowed to flourish. The unauthorized use of official seals and other heraldic symbols that appears to cloak actions of unscrupulous individuals with certain legitimacy must stop. It is high time that the "unauthorized" use of official seals and other heraldic symbols be penalized in order to protect and preserve the integrity and reputation of government agencies, offices and entities.

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


ROZZANO RUFINO B. BIAZON
Representative
Lone District, Muntinlupa City

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AN ACT
PROHIBITING AND PENALIZING THE UNAUTHORIZED USE OF OFFICIAL
SEALS AND OTHER HERALDIC SYMBOLS OF GOVERNMENT AGENCIES,
OFFICES OR ENTITIES

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

SECTION 1. *Prohibited Act.* – The use by any person of the coat of arms, administrative seals, logo, insignia, badges, patches and banners adopted by any government agency, office or entity pursuant to Section 44 of Republic No. 8491, otherwise known as the “Flag and Heraldic Code of the Philippines,” with the intent to misrepresent said government agency, office or entity, is hereby declared unlawful.

Sec. 2. *Who May File the Complaint.* – Any person who has knowledge of the commission of the act prohibited in the preceding section may file a criminal complaint for violation of this Act.

Sec. 3. *Venue.* – A criminal action arising from the violation of this Act shall be filed and prosecuted following the Revised Rules on Criminal Procedure.

Sec. 4. *Penalties and Sanctions.* – The following penalties and sanctions are hereby established for the violation of this Act:

(a) Any person who shall violate this Act shall suffer the penalty of *prision correccional* in its medium period to *prision mayor* in its minimum period and a fine of not less than Fifty Thousand Pesos (PhP50,000.00) but not more than One Hundred Thousand Pesos (PhP100,000.00): *Provided*, That if the offender is a foreigner, he or she shall be immediately deported after servicing his sentence and be barred permanently from entering the Philippines again.

(b) If the person charged under this Section is a government official or employee, any member of the Armed Forces of the Philippines or any member of other law enforcement agencies, the applicable punishment imposed is *prision mayor* in its medium period to *prision mayor* in its maximum period, and the accessory penalty of perpetual absolute disqualification or a fine of not less than fifty thousand pesos (PhP50,000.00) but not more one hundred thousand pesos (PhP100,000.00) or both at the discretion of the court.

Any employee or official of government agencies who violates the provisions of this Act shall be held administratively liable, without prejudice to possible criminal liability should the pieces of evidence indicate that they have directly or indirectly violated this Act.

Sec. 5. *Effectivity*. – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,