

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session
5161
House Bill No. _____



Introduced by **MAGDALO Party-List Representative**
HON. MANUEL DG. CABOCHAN III


EXPLANATORY NOTE

There have been many cases wherein perpetrators of crimes take advantage of using or wearing military uniforms and accessories to advance their evil motives and intentions. This misrepresentation may also tarnish the reputation and public image of the members of the military and police.

Republic Act No. 493 prohibits the unauthorized use of titles and wearing of insignia, badge or emblem or rank of members of the Armed Forces of the Philippines and the Philippine Constabulary (now the Philippine National Police). However, the prohibition does not cover the use and wearing of military and police uniforms. The manufacturing and sale of military and police uniforms, as well as the textiles used, are also not included.

This bill seeks to amend RA 493 to include in the coverage of prohibition the illegal use, manufacturing, and sale of military and police uniforms. Stiffer penalties for violations of the Act are also provided to serve as stronger deterrent. Further, military and police uniforms and insignias have attached authority and are conferred only to those deserving of them. This measure also stresses the value and significance of uniforms and insignias.

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


MANUEL DG. CABOCHAN III
Representative
Magdalo Para Sa Pilipino Party-List

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AN ACT

AMENDING REPUBLIC ACT NO. 493 TO INCLUDE IN THE COVERAGE OF PROHIBITION THE USE, WEARING, MANUFACTURE AND SALE OF UNIFORMS AND TEXTILE OF UNIFORMS OF THE MEMBERS OF THE ARMED FORCES OF THE PHILIPPINES AND THE PHILIPPINE NATIONAL POLICE, PRESCRIBING STIFFER PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES

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

1 **SECTION 1.** Section 1 of Republic Act No. 493 is hereby amended to read as follows:

2
3 “SECTION 1. Hereafter it shall be unlawful for any person or association or persons
4 not in the service of the Armed Forces of the Philippines [of the Philippine
5 Constabulary] **OR THE PHILIPPINE NATIONAL POLICE** to use, or confer upon
6 himself or another who is not in the service of the said Armed Forces or [Constabulary]
7 **NATIONAL POLICE**, any military, **POLICE** or naval grade or title which is, or may
8 hereafter be, prescribed by laws and regulations for the use of the Armed Forces or
9 [Constabulary] **NATIONAL POLICE**: *Provided*, That the foregoing shall not be
10 construed as prohibiting the use of such military, **POLICE** or naval grade[s] or title by
11 personnel or persons now authorized by law and by the following persons:

12
13 (a) All veterans of any war when recognized by the Philippine or United States
14 Government and only for the ranks for which they are recognized;

15
16 (b) Commissioned officers and personnel, retired or in active duty, of the [Bureau
17 of Coast and Geodetic Survey] **PHILIPPINE COAST GUARD**, of the quarantine
18 service, and of the customs service;

19
20 (c) Commissioned and enlisted reservists including recognized guerrilla officers on
21 inactive status when using their authorized grades for a purely military purposes;

22
23 (d) Trainees in the Armed Forces **OR THE NATIONAL POLICE** while
24 undergoing any period of trainee instruction pursuant to law.”

25
26 **SEC. 2.** Section 2 of Republic Act No. 493 is hereby amended to read as follows:
27

1 “SEC. 2. Hereafter it shall be unlawful for any person not in the service of the Armed
2 Forces of the Philippines or the Philippine [Constabulary] **NATIONAL POLICE**,
3 except those excluded from the prohibition in section one of this Act, to use or wear the
4 duly prescribed insignia, **UNIFORM**, badge or emblem or rank of the members of the
5 Armed Forces of the Philippines or the Philippine [Constabulary] **NATIONAL**
6 **POLICE**, or any colorable imitation thereof: *Provided*, That the foregoing shall not be
7 construed as prohibiting any person from using or wearing any military, **POLICE** or
8 naval insignia, **UNIFORM**, badge or emblem of rank in any play-house or theater or
9 in moving-picture films while actually engaged in representing therein a military,
10 **POLICE** or naval character not tending to bring discredit or reproach upon the Armed
11 Forces of the Philippines, the Philippine [Constabulary] **NATIONAL POLICE** or the
12 [Bureau of Coast and Geodetic Survey] **PHILIPPINE COAST GUARD**: *Provided*,
13 *further*, That the use or wearing of any military, **POLICE** or naval insignia,
14 **UNIFORM**, badge or emblem of rank while engaged in representing a military,
15 **POLICE** or naval character as hereinabove described, shall be subject to supervision
16 and regulation by the Secretary of National Defense **FOR THE ARMED FORCES**
17 **OF THE PHILIPPINES OR THE SECRETARY OF INTERIOR AND LOCAL**
18 **GOVERNMENT FOR THE PHILIPPINE NATIONAL POLICE**. The phrase
19 "duly prescribed insignia, **UNIFORM**, badge or emblem of rank" shall, for the purpose
20 of this Act, mean any insignia, **UNIFORM**, badge or emblem of rank which is, or may
21 hereafter be, prescribed by Congress, the Secretary of National Defense **FOR THE**
22 **ARMED FORCES OF THE PHILIPPINES** or the [Chief of Constabulary]
23 **SECRETARY OF INTERIOR AND LOCAL GOVERNMENT FOR THE**
24 **PHILIPPINE NATIONAL POLICE**.”

25
26 **SEC. 3.** Section 3 of Republic Act No. 493 is hereby amended to read as follows:

27
28 “SEC.3. Hereafter the use, wearing, manufacture and sale of any medal or decoration,
29 badge, insignia, **UNIFORM**, **TEXTILE OF SAID UNIFORM**, patch, or
30 identification card which has been, or may hereafter be, authorized by Congress or
31 prescribed or awarded by the President of the Philippines, or the Secretary of National
32 Defense for the members of the Armed Forces of the Philippines, **OR THE**
33 **SECRETARY OF INTERIOR AND LOCAL GOVERNMENT FOR THE**
34 **PHILIPPINE NATIONAL POLICE**, or any colorable imitation thereof, is
35 prohibited, except when authorized under such regulations as the Secretary of National
36 Defense **OR THE SECRETARY OF INTERIOR AND LOCAL GOVERNMENT**
37 shall prescribe **AS THE CASE MAY BE**.”

38
39 **SEC.4.** Section 4 of Republic Act No. 493 is hereby amended to read as follows:

40
41 “SEC.4. Any person who confers upon himself or another any military, **POLICE** or
42 naval grade or title in violation of section one of this Act shall, upon conviction, be
43 punished by a fine of not less than [two] **TEN** thousand pesos (**P10,000.00**) and not
44 exceeding [five] **TWENTY** thousand pesos (**P20,000.00**) or by imprisonment for not
45 less than [two] **FIVE (5)** years and not exceeding [five] **TEN (10)** years, or both **AS**
46 **MAY BE DETERMINED BY THE COURT**. Any person who violates any other
47 provision of this Act shall, upon conviction, be punished by a fine of not less than [one
48 hundred] **FIVE THOUSAND** pesos (**P5,000.00**) and not exceeding [two] **TEN**
49 thousand pesos (**P10,000.00**), or by imprisonment for not less than [one month] **TWO**
50 **(2) YEARS** and not exceeding [two] **FIVE (5)** years, or both **AS MAY BE**

1 **DETERMINED BY THE COURT.** In case the violation is committed by a
2 corporation, the manager and all the members of the board of directors or governing
3 body thereof, shall be liable individually in accordance with this section.”
4

5 **SEC. 5. *Implementing Rules and Regulations.*** – The Secretaries of the Departments
6 of National Defense and the Interior and Local Government shall formulate the necessary rules
7 and regulations for the effective implementation of this Act.
8

9 **SEC. 6. *Separability Clause.*** – If any part or provision of this Act is declared invalid
10 or unconstitutional, the other parts not otherwise affected shall remain in full effect and force.
11

12 **SEC. 7. *Repealing Clause.*** – All laws, decrees, executive orders or parts thereof
13 inconsistent with the provisions of this Act is hereby repealed or modified accordingly.
14

15 **SEC. 8. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in
16 the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,