



ORDINANCE NO. 22-07 S. 2024

AN ORDINANCE MANDATING BUSINESSES OPERATING WITHIN THE TERRITORIAL JURISDICTION OF BATANGAS CITY TO SECURE A PHILIPPINE NATIONAL POLICE (PNP) CERTIFICATE OF CONFORMITY AND/OR CERTIFICATE OF DISTRIBUTORSHIP BEFORE MANUFACTURING, SELLING, OR DISTRIBUTING PNP UNIFORMS, INSIGNIAS, AND OTHER ACCOUTREMENTS AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF

AUTHOR : SP MEMBER ARMANDO C. LAZARTE
Chairman, Committee on Peace and Order and Public Safety

WHEREAS, Section 16 of the Local Government Code or Republic Act No. 7160, also known as the General Welfare Clause provides in part that every local government unit shall ensure and support the maintenance of peace and order within their respective territorial jurisdiction;

WHEREAS, Executive Order No. 297 entitled: "Regulating the Manufacture, Sale, Distribution and Use of PNP Uniforms, Insignias and Other Accoutrements" was signed on October 4, 2000 to control and manage the unauthorized manufacture, sale, and distribution of PNP uniforms, insignias and other accoutrements;

WHEREAS, E.O. 297 imposes as penalties the immediate closure of establishment; cancellation of business license or permit, condemnation, seizure and forfeiture of unauthorized items, and, imposition of reasonable fines for violators of the said order, all of which could be undertaken by the local government units concerned;

WHEREAS, the unauthorized manufacture, sale, use and distribution of PNP uniforms, insignias and other accoutrement impose serious concerns since such symbolic PNP identifiers, instead of providing a comforting sense of security, could be used by lawless elements in the commission of crimes within the city;

WHEREAS, considering that the PNP National Headquarters sits within the territorial jurisdiction of Batangas City and there are number of business establishments that engage in the manufacture, sale and distribution of PNP uniforms, insignias, and other accoutrement, there is a dire need to enact a corresponding city ordinance to mitigate, or even eradicate, the proliferation of the unauthorized PNP uniforms and commission of illegal activities within Batangas City.

NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED by the Sangguniang Panlungsod of Batangas City in session assembled, that:

SECTION 1. TITLE. - This Ordinance shall be known as "Batangas City Ordinance Requiring Conformity Certification of PNP Uniforms and Other Accoutrements".

HON. NELSON J. CHAVEZ
HON. ARMANDO C. LAZARTE
HON. GUYVER L. MACATANGAY
HON. VESTOR E. DIMACUHA
HON. ANDREA LOISE F. MACARAIG
HON. KARLOS EMMANUEL A. BUTED
HON. HAMILTON G. BLANCO
HON. ALYSSA RENEE A. CRUZ

HON. MARCUS MANUEL D. CASTILLO
HON. ANGELITO DONDON A. DIMACUHA
HON. MICHAEL C. VILLENA
HON. LORENZO A. GAMBORA JR.
HON. ISIDRA M. ATIENZA
HON. ZESTER CARLO M. HERNANDEZ
HON. JOSE JONASH LUIS F. TOLENTINO



Continuation of Ordinance No. 22-07 S. 2024

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SECTION 2. SCOPE AND APPLICATION. - All businesses, whether in physical, online or in digital platforms, engaged in the manufacture, sale, and distribution of Philippine National Police uniforms, insignias, and other accoutrements. It includes enterprises dealing with raw materials for the production, selling and distribution of aforementioned items.

SECTION 3. DEFINITION OF TERMS. - For purposes of implementation of this Ordinance, the following definitions shall be binding and controlling:

- a) **PNP uniforms, insignias and accoutrements** – these are authorized clothing, garment, distinguishing mark, emblem, merchandise, or decorations worn by bona fide members and officially acknowledged by the PNP.
- b) **PNP Certificate of Conformity** – a certification issued by the PNP through the Directorate for Research and Development (DRD) which signifies authority to manufacture, sell, or distribute PNP uniforms, insignias and accoutrements.
- c) **Distributor** – an authorized agent of a supplier or manufacturer to supply or deliver PNP uniforms, insignias and accoutrements wherein the latter has a valid PNP Certificate of Conformity.
- d) **Manufacture and Sale** – act of producing or trading of fit-to-use, ready-to-wear, or ready-to-use PNP uniforms, insignias, and other accoutrements.
- e) **Certificate of Distributorship** – a certification issued by a holder of PNP Certificate of Conformity which warrants that the person/company is authorized to distribute, supply, or sell specific PNP uniforms, insignias, and other accoutrements.
- f) **Accoutrements** – a badge or distinguishing mark of military rank, office, or membership of an organization; an official emblem; symbolic of discipline and professionalism, and their use projects a distinctive recognition exclusive to every policeman and the Philippine National Police.

SECTION 4. REQUIREMENT FOR PNP CERTIFICATE OF CONFORMITY AND/OR CERTIFICATE OF DISTRIBUTORSHIP. - All businesses engaged and dealing with PNP uniforms, insignias and accoutrements must secure a PNP Certificate of Conformity and/or a Certificate of Distributorship before applying for a corresponding business license or permit. All existing businesses must likewise secure the same certification prior to its application for business license/permit renewal.

HON. ALYSSA RENEE A. CRUZ

HON. HAMILTON G. BLANCO

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SECTION 5. IMPLEMENTING OFFICES. – The *Business Permit and Licensing Office (BPLO)* is the primary office mandated to make the Implementing Rules and Regulations (IRR) and to execute the provisions of this Ordinance, with the assistance and coordination of the PNP.

SECTION 6. COORDINATION WITH THE PNP. – The BPLO will regularly coordinate with the PNP DRD for the latest list of manufacturers, suppliers, sellers, distributors, etc., with valid and existing PNP Certificate of Conformity and/or Certificate of Distributorship. The updated list will be the basis of verification by the Batangas City Government of the status of the applicant for business license/permit.

SECTION 7. AUTHORITY TO INSPECT ESTABLISHMENTS. – The PNP together with the BPLO shall be authorized to conduct inspection of business establishments requiring the presentation of its respective PNP Certificates of Conformity and/or Certificate of Distributorship. Authorized distributors of PNP uniforms, insignias, and other accoutrements shall likewise present acceptable proof of authority to supply, sell or trade the aforementioned items.

SECTION 8. PENALTIES. – Failure to present or submit a PNP Certificate of Conformity and/or PNP Certificate of Distributorship is a ground for denial of application for issuance/renewal of business permit or license for the covered businesses.

For purposes of this Ordinance, after thirty (30) days from the initial findings of non-compliance, continued and subsequent failure to comply with the provisions of this Ordinance shall constitute ground for suspension, revocation, or cancellation of establishment's business permit.

In case of violations found during the aforementioned inspections for failure to present competent proof of authority to deal PNP uniforms, insignias and other accoutrements, the items found therein shall be seized or confiscated subject to proper disposal, without prejudice to the cancellation or revocation of business license/permit and the filing of appropriate administrative, civil or criminal case.

Any violator of the aforementioned provisions shall be imposed of a penalty based on the Revised Penal Code of the Philippines Article 179, Illegal use of uniform or insignia – the penalty of prison mayor in its maximum period shall be imposed upon any person who shall publicly and improperly make use of insignia, uniforms or dress pertaining to an office not held by such person or to a class or persons of which he is not a member.

HON. WILSON J. CHAVEZ
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SECTION 9. SEPARABILITY CLAUSE. - If for any reason, any section of this Ordinance shall be held unconstitutional or invalid, other sections which are not affected thereby shall continue to be in full force and effect.

SECTION 10. REPEALING CLAUSE. - All ordinances, rules and regulations or parts thereof in conflict with this Ordinance are hereby repealed, provided that the rights that are vested upon the effectivity of this Ordinance shall not be impaired.

SECTION 11. EFFECTIVITY CLAUSE. - This Ordinance shall take effect fifteen (15) days upon the approval of the City Mayor and its publication in a newspaper of general circulation.

ENACTED by the Sangguniang Panlungsod this 7th day of May, 2024.

ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:

ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer

APPROVED:

BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: MAY 15 2024

HON. ARMANDITO DONDON A. DIMACUHA

HON. NESTOR E. DIMACUHA

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**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON MAY 7, 2024 AT THE SANGGUNIANG SESSION HALL**

PRESENT:

| | |
|-------------------------------------|--------------------------------|
| Hon. Alyssa Renee A. Cruz | Presiding Officer |
| Hon. Hamilton G. Blanco, | Sangguniang Panlungsod Member |
| Hon. Karlos Emmanjuel A. Buted, | ” |
| Hon. Andrea Loise F. Macaraig, | ” |
| Hon. Nestor E. Dimacuha, | ” |
| Hon. Oliver Z. Macatangay, | ” |
| Hon. Armando C. Lazarte, | ” |
| Hon. Nelson J. Chavez, | ” |
| Hon. Jose Jonash Luis F. Tolentino, | ” |
| Hon. Zester Carlo M. Hernandez, | ” |
| Hon. Isidra “Ched” M. Atienza, | ” |
| Hon. Lorenzo A. Gamboa, Jr., | ” |
| Hon. Michael C. Villena, | ” |
| Hon. Angelito Dondon A. Dimacuha, | Liga ng mga Barangay President |
| Hon. Marcus Manuel D. Castillo. | SK Pederasyon President |

“On motion of SP Member Lazarte seconded by SP Member Blanco, the following Resolution was Adopted:

RESOLUTION NO. 22-230 S. 2024

**APPROVING ON THIRD AND FINAL READING THE ORDINANCE MANDATING
BUSINESSES OPERATING WITHIN THE TERRITORIAL JURISDICTION OF
BATANGAS CITY TO SECURE A PHILIPPINE NATIONAL POLICE (PNP)
CERTIFICATE OF CONFORMITY AND/OR CERTIFICATE OF DISTRIBUTORSHIP
BEFORE MANUFACTURING, SELLING OR DISTRIBUTING PNP UNIFORMS,
INSIGNIAS AND OTHER ACCOUTREMENTS AND PRESCRIBING PENALTIES FOR
VIOLATIONS THEREOF**

RESOLVED, to approve on Third and Final Reading the Ordinance Mandating Businesses Operating Within the Territorial Jurisdiction of Batangas City to Secure a Philippine National Police (PNP) Certificate of Conformity and/or Certificate of Distributorship before Manufacturing, Selling or Distributing PNP Uniforms, Insignias and Other Accoutrements and Prescribing Penalties for Violations Thereof.


UNANIMOUSLY APPROVED.”



Continuation of Resolution No. 22-230 S. 2024

**APPROVING ON THIRD AND FINAL READING THE ORDINANCE MANDATING
BUSINESSES OPERATING WITHIN THE TERRITORIAL JURISDICTION OF
BATANGAS CITY TO SECURE A PHILIPPINE NATIONAL POLICE (PNP)
CERTIFICATE OF CONFORMITY AND/OR CERTIFICATE OF DISTRIBUTORSHIP
BEFORE MANUFACTURING, SELLING OR DISTRIBUTING PNP UNIFORMS,
INSIGNIAS AND OTHER ACCOUTREMENTS AND PRESCRIBING PENALTIES FOR
VIOLATIONS THEREOF**

I hereby certify that the foregoing Resolution No. 22-230 S. 2024 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on May 7, 2024.


LUNYNGNING A. AQUINO
Board Secretary III

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


ATTY. ALYSSA RENEE A. CRUZ
Presiding Officer



Republic of the Philippines
Batangas City
Office of the Sangguniang Panlungsod

COMMITTEE ON PEACE AND ORDER AND PUBLIC SAFETY

COMMITTEE REPORT

SUBJECT: AN ORDINANCE MANDATING BUSINESSES OPERATING WITHIN THE TERRITORIAL JURISDICTION OF BATANGAS CITY TO SECURE A PHILIPPINE NATIONAL POLICE (PNP) CERTIFICATE OF CONFORMITY AND/OR CERTIFICATE OF DISTRIBUTORSHIP BEFORE MANUFACTURING, SELLING OR DISTRIBUTING PNP UNIFORMS, INSIGNIAS, AND OTHER ACCOUTREMENTS AND PRESCRIBING PENALTIES FOR VIOLATIONS

BACKGROUND

The Committee on Peace and Order and Public Safety held the committee hearing on April 16, 2024 at 10:00 in the morning at the Sangguniang Panlungsod Session Hall, Batangas City.

In attendance were the following:

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|------------------------------------|----------------------|
| Hon. Armando C. Lazarte | Committee Chairman |
| Hon. Nestor E. Dimacuha | \$P/Committee Member |
| Hon. Nelson J. Chavez | \$P/Committee Member |
| Hon. Lorenzo A. Gamboa, Jr. | \$P/Member |
| Hon. Isidra M. Atienza | \$P/Member |
| Hon. Karlos Emmanjuel A. Buted | \$P/Member |
| Hon. Angelito A. Dimacuha | \$P/Member |
| Hon. Andrea Loise F. Macaraig | \$P Member |
| Hon. Jose Jonash Luis F. Tolentino | \$P Committee Member |
| Hon. Zester Carlo M. Hernandez | \$P Member |
| Hon. Michael C. Villena | \$P Member |

Representatives from other relevant offices were:

| | |
|-------------------------|----------------------------|
| Ms. Ditas A. Rivera | BPLO |
| Ms. Annalyn G. Faytaren | Supervising Admin. Officer |
| Atty. Mel Gainza | City Legal |

Proponents present were:

| | |
|--------------------|-----|
| PEMS R.L. Magsino | PNP |
| PMAJ JC Villanueva | PNP |



Republic of the Philippines
Batangas City
Office of the Sangguniang Panlungsod

COMMITTEE ON PEACE AND ORDER AND PUBLIC SAFETY

DISCUSSIONS AND OBSERVATIONS

The following observations resulted after extensive deliberations of all present during the Committee hearing, to wit:

1. The proposed ordinance aims to establish sustainable measures for applicants of licenses to operate local business enterprises and establishments especially those engaged in the manufacture sale and distribution of PNP uniforms, insignias and other accoutrements.
2. In Section 2 Scope and Application – omit the word “use” since there is already an existing law apprehending civilians who are using PNP or military uniforms based on the following:
 - a. Revised Penal Code of the Philippines Article 179, “Illegal Use of uniform or insignia. — The penalty of prision mayor in its maximum period shall be imposed upon any person who shall publicly and improperly make use of insignia, uniforms or dress pertaining to an office not held by such person or to a class or persons of which he is not a member.”
 - b. RPC of the Philippines Article 177, “Usurpation of Authority or official functions - Any person who shall knowingly and falsely represent himself to be an officer, agent or representative of any department or agency of the Philippine Government or of any foreign”.
3. To add the definition of “accoutrements” in Section 3.
4. In Section 5, Implementing Offices – delete the “Department of Public Order and Safety” and “Information and Technology Department Office”
5. In Section 7, Authority to Inspect – The “*Department of Public Order and Safety*” will be replaced with “*PNP together with the BPLO*”
6. In Section 7, Penalties – Incorporate the Revised Penal Code of the Philippines, Article 179.

RECOMMENDATIONS

In accordance with the proceedings and based on the observations and discussions during the committee hearing, the Committee on Peace and Order and Public Safety hereby recommends the following:

1. The adoption of this Committee Report; and
2. Scheduling for second reading on the next regular session.



Code: QM-SPB-RR-2.21
Effectivity: March 1, 2024
Revision No. 0

Tracking No. 001

Republic of the Philippines
Batangas City
Office of the Sangguniang Panlungsod

COMMITTEE ON PEACE AND ORDER AND PUBLIC SAFETY

Respectfully submitted, April 17, 2024.

Committee on Peace and Order and Public Safety

HON. ARMANDO C. LAZARTE
Chairman

HON. NESTOR E. DIMACUHA
Member

HON. NELSON J. CHAVEZ
Member

HON. OLIVER Z. MACATANGAY
Member

HON. JOSE JONAST L. TOLENTINO
Member