



Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL NORTE
 Municipality of Piñan
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 84th REGULAR SESSION OF THE 11TH SANGGUNIANG BAYAN OF PIÑAN, ZAMBOANGA DEL NORTE HELD ON MARCH 4, 2024 AT THE SB SESSION HALL

Present:

Honorable Rommel I. Gudmalin	Municipal Vice-Mayor <i>Presiding Officer</i>
Honorable Glecerio Y. Redillas, Jr.	Sangguniang Bayan Member
Honorable Benedicto C. Cainta II	Sangguniang Bayan Member
Honorable Gina R. Aleta	Sangguniang Bayan Member
Honorable Al Immanuel U. Cantila	Sangguniang Bayan Member
Honorable Ricardo R. Sabandal	Sangguniang Bayan Member
Honorable Celso M. Montemayor	Sangguniang Bayan Member
Honorable Jose Antonio L. Galan	Sangguniang Bayan Member
Honorable Greg C. Belangoy	Sangguniang Bayan Member
Honorable Ignacio L. Galan	Ex-Officio Sangguniang Bayan Member <i>(Liga ng mga Punong Barangay- President)</i>
Honorable Joel Audrey Cristal P. Galvez	Ex-Officio Sangguniang Bayan Member <i>SKF President</i>
Honorable Jodilyn P. Tatad	Ex-Officio Sangguniang Bayan Member <i>IPMR</i>

Absent: None

MUNICIPAL ORDINANCE NO. 2024-005
Series of 2024

AN ORDINANCE PROHIBITING THE UNAUTHORIZED PRODUCTION, MANUFACTURE, STORAGE, SALE, DISTRIBUTION AND POSSESSION OR USE OF UNIFORMS AND ACCOUTREMENTS OF LAW ENFORCEMENT AGENCIES IN THIS MUNICIPALITY OF PIÑAN, ZAMBOANGA DEL NORTE

WHEREAS, Article 179 of the Revised Penal Code provides that 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 of persons which he is not a member shall be penalized;

WHEREAS, Republic Act No. 493 prohibits the use of or conferring of military or naval grades or titles by or upon persons not in the service of the Armed Forces of the Philippines or the Philippine Constabulary, to regulate the wearing, use, manufacture and sale of insignias, decorations and medals, badges and patches and identification cards prescribed for the said enforcement agency;

WHEREAS, Executive Order No. 297 otherwise known as "Regulating the Manufacture, Sale, Distribution, and Use of PNP Uniforms, Insignias and other Accoutrements" also provides its use and regulations;

WHEREAS, in order to fully implement the existing laws relative to the storage, manufacture, sale distribution, possession and use of uniforms of law enforcement agencies, hence, this enactment;

NOW, THEREFORE, on motion of Honorable Ricardo R. Sabandal, severally seconded by the members of the Sangguniang Bayan of Piñan present, it was

BE IT ORDAINED AND PROMULGATED by this Honorable Body during its regular session assembled.

SECTION 1. TITLE OF ORDINANCE. – This ordinance shall be known as "*Prohibiting the Unauthorized Production, Manufacture, Storage, Sale Distribution and Possession or Use of Uniforms and Accoutrements of law Enforcement Agencies in this Municipality of Piñan Zamboanga del Norte*".

SECTION 2. DECLARATION OF POLICY AND OBJECTIVES. – It is hereby declared the policy of the Municipality of Piñan to protect the image of the AFP, PNP and other law enforcement agencies as a unified, well-disciplined and respectable organizations.

The military and police uniform represents visual evidence of the authority and responsibility vested in the individual. There have been instances wherein such uniforms were used to intimidate or harass other people and even perpetrate crimes. As the defense establishment and our uniformed personnel strive hard to cleanse their ranks of corrupt elements, the illegal use of their uniform by people who do not belong to the organization posing as legitimate members while doing unlawful activities, cause harm to the entire force and negatively affect the people's trust and confidence to the authorities.

Thus, this Local Government Unit of Piñan set polices in support of the law enforcements agencies to ensure that law enforcement uniforms, insignias and other accoutrements are manufactured, sold, distributed or supplied only by authorized manufacturer, distributor, supplier and/or seller and used exclusively by these agencies.

SECTION 3. COVERAGE. – For the purpose of the Ordinance, all person or persons, individual/s, establishment/s engaged in business of production, manufacture, sale or distribution of uniforms and other accoutrements of Bureau of Fire Protection (BFP); Philippine Drug Enforcement Agency (PDEA), Philippine National Police (PNP), National Bureau of Investigation (NBI); Bureau of Customs (BOC); Bureau of Jail Management and Penology (BJMP) , and other uniformed law enforcement agencies are covered in this Ordinance.

SECTION 4. DEFINITION OF TERMS. – For the purpose of the Ordinance, the following terms shall mean:

1. **Person** – shall refer to any individual, store, establishment or plant, office, and/or entity engaged in the manufacture, sale and distribution of PNP uniforms, insignias and other accoutrements.
2. **Insignia** – shall mean distinguishing marks of authority, office or honor; badge; emblem; a typical and characteristic marks or signs by which anything is distinguished.
3. **Accoutrements** – means dress, trappings, equipment, details of personal outfit of uniformed personnel, belt sword hanger and all objects other than clothes and weapons.

SECTION 5. POSTING OF ACCREDITATION CERTIFICATE. – All establishments that sale, distribute, manufacture or produce uniforms or insignia and other accoutrements shall post their accreditation certificate in public and conspicuous area within the establishment, and shall record transactions involving uniforms and accoutrements by documenting the details of the authorization certificate.

SECTION 6. PRESENTATION OF IDENTIFICATION CARD. All accredited establishments shall require the members of AFP, PNP and other law enforcement agencies to present their official and valid AFP, PNP, or law enforcement agency identification card prior to any purchase.

Any person other than members of law enforcement agencies, who shall purchase uniforms or accoutrements shall be required to show authorization for purchase from the immediate supervisor of the said agency and show photocopy of the official and valid identification card of the principal buyer and person authorized to purchase on his behalf, prior to any transaction.

SECTION 7. SUBMISSION OF AFFIDAVIT OF UNDERTAKING. – Any person who shall use uniforms or accoutrements for the purposes authorized under RA 493, and EO 297, is required to submit an Affidavit of Undertaking stating the purpose of duration and use thereof, to the local or regional head of office of the AFP, PNP, BJMP, BFP or respective law enforcement agency for the issuance of authorization for use.

SECTION 8. PROHIBITED ACTS. – The following prohibited acts include:

- a. Purchase or use of uniforms or other accoutrements by individuals who are not members of AFP, PNP or other uniformed law enforcement agencies, except when duly authorized;
- b. The production, manufacture, storage, sale, distribution or possession of uniforms or other accoutrements without the proper accreditation certificates issued by the concerned agency and the business or mayor's permit issued by the business bureau;
- c. Failure to record, by any persons or establishment, every transaction, including details of the distribution of uniforms and other accoutrements; and
- d. The use of any uniform or accoutrements for the purposes other than what is covered by the issued authorization of use.

SECTION 9. EXEMPTION. – Any person using or wearing any insignia, badge, emblem of rank and other accoutrements of uniformed law enforcement agencies in any play-house, theater, or in moving picture films while actually engage in representing therein a character not intending to bring discredit or reproach upon any of the law enforcement agencies is not prohibited. However, the use thereof, shall be subject to supervision and regulations by the immediate supervisor of the said agency.

SECTION 10. PENALTIES. – The following penalties shall be imposed in violation of Section 8 of this Ordinance.

a. For individual:

1st Offense – Confiscation of item and a fine of One Thousand Pesos (P 1,000.00)

2nd Offense- Confiscation of item and a fine of One Thousand Five Hundred Pesos (P 1,500.00)

3rd Offense – Confiscation of item, fine of Two Thousand Five Hundred Pesos (P 2,500.00 and imprisonment of not more than six (6) months at the discretion of the court.

b. In case violation is committed by an establishment, or juridical persons, it shall result to confiscation of items, the revocation of business license or permit, immediate closure of the establishment, including its offices, buildings, warehouses, stockrooms or any other place where uniforms or other accoutrements are being produced, manufactured, stored, sold/or distributed, and forfeiture of all paraphernalia used in the same, without prejudice to the imposition of fines as imposed in this Section.

SECTION 11. All penalties stated in Section 7 shall not apply to the violations covered by RA 493 and Executive Order No. 297, Series of 2000.

SECTION 12. 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 13. REPEALING CLAUSE. – All ordinances, rules and regulations or parts thereof in conflict with this ordinance are hereby repealed, provide that rights that are vested at the time of the effectivity of this Ordinance shall not be Impaired.

SECTION 14. EFFECTIVITY CLAUSE. – This ordinance shall take effect fifteen (15) days after its approval, posted in at least three (3) conspicuous places in the Municipality and its publication in the official gazette of this Province.

CARRIED UNANIMOUSLY.

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I HEREBY CERTIFY to the correctness of the foregoing Municipal Ordinance.


MARIA CELESTE B. CANOY
Secretary to the Sangguniang Bayan

CERTIFIED CORRECT AS TO ITS
PASSAGE ON THE THIRD AND
FINAL READING:


ROMMEL I. GUDMALIN
Vice-Mayor
(Residing Officer)

APPROVED:


CECILIA J. CARREON
Municipal Mayor

02 APR 2024