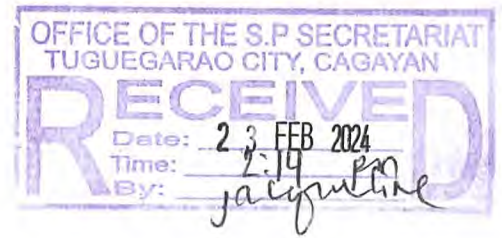


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Republic of the Philippines
Province of Cagayan
Tuguegarao City

OFFICE OF THE CITY MAYOR

23 February 2024

THE PRESIDING OFFICER AND MEMBERS
Sangguniang Panlungsod
This City

Dear Presiding Officer and Members of the Sanggunian:

Greetings of Solidarity and peace!

We are respectfully forwarding to your level the attached letter and Unnumbered Regional Memorandum dated February 19, 2024 from the Department of the Interior and Local Government *re.* "Prevention on the Proliferation of Unauthorized Manufacture, Sale, Distribution, and Use of Uniforms, Insignias, and Other Accoutrements of the Philippine National Police".

For your information and appropriate action.

In the name of public service,


MAILA ROSARIO S. TING-QUE
City Mayor



RELEASED

FEB 20 2024

2:12 PM

Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
TUGUEGARAO CITY, CAGAYAN
2nd Floor, Tuguegarao City Hall, Enrile Boulevard, Carig Sur, Tuguegarao City
dilg.tugcity@gmail.com

OFFICE OF THE CITY LOCAL GOVERNMENT OPERATIONS OFFICER

February 20, 2024

HON. MARIA ROSARIO B. SORIANO
Acting City Mayor
Tuguegarao City, Cagayan

OFFICE OF THE CITY MAYOR
RECEIVED
Date: FEB 20 2024
Time: 2:20 PM
By: [Signature]

THRU : MR. JUANITO A. CALUBAQUIB
City Administrator

Ma'am:


We are respectfully providing you a copy of an Unnumbered Regional Memorandum dated February 19, 2024, with the subject, ***“Prevention on the Proliferation of Unauthorized Manufacture, Sale, Distribution, and Use of Uniforms, Insignias, and Other Accoutrements of the Philippine National Police (PNP),”*** for your information and reference.

In this connection, the PNP earnestly requests the City Government, through the Sangguniang Panlungsod to consider the enactment of an ordinance, which 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.

Thank you and our warmest regards.

Very truly yours,


FERNANDO T. CALABAZARON III
CLGOO

DILGTUGCITY
FTCIII/ein


“Matino, Mahusay at Maaasahan”
Tel. (078) 304-1304



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
DILG-NAPOLCOM Center, EDSA cor. Quezon Avenue, West Triangle, Quezon
www.dilg.gov.ph



MEMORANDUM

TO : ALL PROVINCIAL GOVERNORS, CITY MAYORS, AND MUNICIPAL MAYORS

DILG REGIONAL DIRECTORS, CHIEF OF PHILIPPINE NATIONAL POLICE, AND ALL OTHERS CONCERNED

SUBJECT : PREVENTION ON THE PROLIFERATION OF UNAUTHORIZED MANUFACTURE, SALE, DISTRIBUTION, AND USE OF UNIFORMS, INSIGNIAS, AND OTHER ACCOUTREMENTS OF THE PHILIPPINE NATIONAL POLICE (PNP)

DATE : FEB 14 2024

Articles No. 177 and 179 of the Revised Penal Code, as amended by Presidential Decree No. 38, state that:

"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 government, or who, under pretense of official position, shall perform any act pertaining to any person in authority or public officer of the Philippine Government or of any foreign government, or any agency thereof, without being lawfully entitled to do so, shall suffer the penalty of prison mayor in its minimum and medium period."

and,

"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."

Executive Order (EO) No. 297, s. 2000 was also issued to regulate the manufacture, sale, distribution, and use of Philippine National Police (PNP) uniforms, insignias, and other accoutrements.

However, despite the said legal provisions, the PNP reported that several crime incidents were still committed by perpetrators that usurp the authority of police officers by wearing counterfeit PNP uniforms in nefarious activities. These instances pose a significant risk to public safety and security.

To ensure that a holistic strategy is enforced to combat the proliferation of counterfeit and sub-standard police items, and upon the earnest request of the PNP, all

"Matino, Mahusay at Maaasahan"
Trunkline No. (02) 8876 3454

concerned local government units (LGUs), particularly city and municipal governments, through their respective Sanggunians, are strongly enjoined to consider the enactment of an **ordinance that 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. The provincial governments, through the Sangguniang Panlalawigan, may also provide policy support and enabling measures, in furtherance of the said objectives.

Further, Articles 177 and 179 of the Revised Penal Code, which provide for the penalties for usurpation of authority and illegal use of uniforms and insignia, are hereby reminded. A copy of a sample draft Ordinance is hereto attached, for reference.

All DILG Regional Directors are hereby directed to cause the immediate and widest dissemination of this Memorandum to all LGUs within their respective regional assignments.

Further concern/s and/or clarifications may be directed to the PNP Directorate for Research and Development, through telephone numbers: (02) 8723 0401 or (02) 8537 4500 local 6125, and/or email address: drd@pnp.gov.ph.

For the guidance of all concerned.


ATTY. BENJAMIN C. ABALOS, JR.
Secretary



2023-10-10-056
BLGS/DTT/mlg



ORDINANCE NO. SP _____

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

Introduced by _____

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. No. 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 (Province/City/Municipality) and there are a 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 Quezon City;

NOW, THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF (Province/City/Municipality) IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE OF ORDINANCE – This Ordinance shall be known as: **An Ordinance Mandating Businesses Operating within the Territorial Jurisdiction of (Province/City/Municipality) to Secure a PNP Certificate of Conformity before Manufacturing, Selling, Using, or Distributing PNP Uniforms, Insignias, and Other Accoutrements and Prescribing Penalties for Violations Thereof**

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

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.

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 of the *Department of Public Order and Safety (DPOS)* and the *Information and Technology Department Office* and in coordination with the PNP through the DRD.

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 (Province/City/Municipality) Government of the status of the applicant for business license/permit.

SECTION 7. AUTHORITY TO INSPECT ESTABLISHMENTS – The *DPOS* 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 of fine not exceeding _____ but not less than _____ and/or imprisonment for _____ days.

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 ten (10) days after its publication in a newspaper of general circulation.

ENACTED.