Republic of the Philippines
**QUEZON CITY COUNCIL**
Quezon City
17th City Council

PO2009-26

*59th Regular Session*

*ORDINANCE NO. SP-1929 S-2009*

*AN ORDINANCE PROHIBITING THE UNAUTHORIZED USE, IMITATION AND MISUSE OF THE WORD RED CROSS, RED CRESCENT AND EMBLEM, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.*

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*Introduced by Councilor MARIA DIORELLA G. SOTTO.*
*Co-Introduced by Councilors Francisco A. Calalay, Jr., Bernadette Herrera-Dy, Dorothy A. Delarmente, Victor V. Ferrer, Jr., Joseph P. Juico, Ricardo T. Belmonte, Jr., Winston "Winnie" T. Castelo, Ramon P. Medalla, Allan Butch T. Francisco, Voltaire Godofredo L. Liban III, Eden "Candy" A. Medina, Aiko S. Melendez, Jorge B. Banal, Jr., Franz S. Pumaren, Wencerom Benedict C. Lagumbay, Dante M. De Guzman, Jaime F. Borres, Antonio E. Inton, Jr., Jesus Manuel C. Suntay, Janet M. Malaya, Edcel B. Lagman, Jr. Vincent DG. Belmonte, Bayani V. Hipol, Concepcion S. Malangen and Alexis Grace R. Matias.*

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*WHEREAS, Article II, Section 2 of the 1987 Philippine Constitution states that the Philippines renounces war as an instrument of national policy, adopts the generally accepted principles of international law as part of the law of the land and adheres to the policy of peace, justice, freedom, cooperation and amity with all nations;*

*WHEREAS, the principles, rules and regulations of the Hague Convention and the Geneva Convention on warfare and international humanitarian law form part of the law of the nation;*

*WHEREAS, Sections 14, 15 and 16 of Presidential Decree No. 1264 penalize the unlawful use of any other person or entity, aside from the Medical Services of the Armed Forces of the Philippines and the Philippine National Red Cross, of the words "Red Cross" or "Geneva Cross" or use the emblem Red Greek Cross on a white background or any designation, design, sign or insignia constituting an imitation thereof for any purpose whatsoever;*

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*WHEREAS, recent times have witnessed the rampant misuse of the Red Cross and words "Red Cross" by local establishments and other entities in violation of Presidential Decree No 1264;*

*WHEREAS, in observance of the 60th Anniversary of the 1949 Geneva Convention and fulfill its endeavor to officially declare the Philippines as Emblem misuse Free during the upcoming 29th Biennial National Convention, the enactment of this Ordinance is Quezon City's contribution to the International Red Cross Movement.*

*NOW, THEREFORE,*

*BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:*

*SECTION 1. Short Title – This Ordinance shall be known as the Red Cross, Red Crescent and Emblem Ordinance".*

*SECTION 2. Scope of Implementation – This Ordinance shall govern the use of the Red Cross, Red Crescent and Emblem, within the territorial jurisdiction of Quezon City.*

*SECTION 3. Definition of terms – Unless otherwise defined, the following terms shall be construed and mean as follows:*

*3.1 INDICATIVE USE - Indicative use of the emblem shows that a person or an object is linked to an institution of the International Movement of the Red Cross and Red Crescent. The emblem shall be in small size.*

*3.2 MOVEMENT – The term includes the International Committee on the Red Cross, the International Federation of the Red Cross and Red Crescent (Federation) and national societies.*

*3.3 PROTECTIVE USE – The Red Cross and Red Crescent emblem used as a protective device during armed conflict, is the visible sign of protection conferred by the Geneva Conventions and its Additional Protocols on medical personnel and medical units and transports. The dimension of the emblem shall therefore be as large as possible.*

*SECTION 4. Indicative Use By The Local Philippine National Red Cross/Red Crescent Chapter and other National Societies. – The Local Philippine National Red Cross/Red Crescent Chapter is authorized to the name "Red Cross, Red Crescent and the emblem of the Greek Cross on a white background and Red Crescent. Its personnel shall always wear armlets and carry identity cards during peace time. National Societies of other countries present in the territory of the local government unit, with the consent of the Philippine National Red Cross and Red Crescent shall be entitled to use the emblem under the same conditions.*

*SECTION 5. Indicative Use By The International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent. – The International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent operating within the Local Government unit, with the consent of the Philippine National Red Cross/Red Crescent shall be entitled to use the emblem of the Red Cross/Red Crescent at any time for all their activities.*

*SECTION 6. Unauthorized Use of the Red Cross, Red Crescent and Emblem. – The use of the words "Red Cross", "Red Crescent" or use of the Red Cross or Red Greek Cross, Red Crescent on a white background constituting an imitation thereof for any purpose whatsoever without the consent of the Philippine National Red Cross/Red Crescent is hereby prohibited.*

*SECTION 7. Use of the Word Red Cross, Red Crescent and Emblem for Solicitation, Collection or Receiving Monies, Materials or Property. – Soliciting, collecting or receiving monies, materials or property of any kind falsely representing or pretending to be a member, agent or representative of the Philippine National Red Cross/Red Crescent or Quezon City Red Cross/Red Crescent is hereby prohibited.*

*Existing businesses registered with business name and trade names making use of the name Red Cross/Red Crescent are given a period of One (1) Year to change their business names, trade names and service marks.*

*SECTION 8. Penalties. – Any person and in the case of juridical persons, corporations, partnerships or associations, the President and/or Chief Executive Officer or Managing Director violating any provision of this Ordinance shall be imposed a fine of not less than Five Thousand Pesos (P5,000.00) or imprisonment of one (1) year or both at the discretion of the court for each and*

*SECTION 9. Separability Clause. – If, for any reasons, any part or provisions of this Ordinance be declared unconstitutional or invalid, other parts or provisions hereof which are not affected thereby, shall continue to be in full force and effect.*

*SECTION 10. Effectivity. – This Ordinance shall take effect Fifteen (15) days after publication on a newspaper in general circulation.*

*ENACTED: June 22, 2009.*

*HERBERT M. BAUTISTA*
*Vice-Mayor*
*Presiding Officer*

*ATTESTED:*

*ATTY. JOHN THOMAS S. ALFEROS III*
*City Gov't Asst. Dept. Head III*

*APPROVED:* June 25, 2009

*FELICIANO R. BELMONTE, JR.*
*City Mayor*

*CERTIFICATION*

*This is to certify that this Ordinance which was APPROVED by the City Council on Second Reading on June 15, 2009 was reverted back for second reading on June 22, 2009, was Approved and finally PASSED on Third/Final Reading on the same date.*

*ATTY. JOHN THOMAS S. ALFEROS III*
*City Gov't Asst. Dept. Head III*