Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
22nd City Council

PO22CC-303

91st Regular Session

ORDINANCE NO. SP-3338, S-2024

AN ORDINANCE MANDATING ALL BUSINESS ESTABLISHMENTS IN QUEZON CITY ENGAGED IN THE MANUFACTURE, SALE, OR DISTRIBUTION OF POLICE OR MILITARY UNIFORMS, INSIGNIAS AND OTHER ACCOUTREMENTS TO SECURE PNP OR AFP CERTIFICATE OF DISTRIBUTORSHIP AND PROVIDING PENALTIES FOR VIOLATION THEREOF

Introduced by Councilor TATAY RANNIE Z. LUDOVICA

WHEREAS, on October 4, 2000, former President Joseph Ejercito Estrada issued Executive Order No. 297 entitled "Regulating the Manufacture, Sale, Distribution, and Use of PNP Uniforms, Insignias and other Accoutrements";

WHEREAS, PNP or AFP uniforms, insignias and other accoutrements are symbols of authority, discipline, character, distinctive identity, and images which portray professionalism in the government service and as the protector of the people and the State;

WHEREAS, in view of the influence and power that the PNP and AFP uniforms, insignias and other accoutrements can create, the same became easily available anywhere and many civilian people or lawless individuals are using or wearing the same for their own personal gain or interest;

WHEREAS, despite the enactment of laws and administrative issuances prohibiting the use and wearing of PNP and AFP uniforms, insignias, and other accoutrements, such is still prevalent and many are pretending to be law enforcers due to rampant unauthorized manufacture, sale, and distribution of the same;

WHEREAS, to curtail these activities and to ensure that those being sold in the market are authorized and in accordance with the design and quality standard prescribed by the PNP and AFP, business establishments engaged in the manufacture, sale, and distribution of police and military uniforms, insignias, and other accoutrements shall first secure a PNP or AFP Certificate showing their authority to manufacture, sell, and distribute the same;

WHEREAS, in the exercise of its police power and in relation to the General Welfare Clause of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the Quezon City Council may pass an ordinance regulating the manufacture, sale, and distribution of PNP and AFP uniforms, insignias, and other accoutrements;

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 and cited as the "PNP and AFP Uniforms, Insignias and other Accoutrements Regulation Ordinance of Quezon City."

SECTION 2. DECLARATION OF POLICY. – It is hereby declared the policy of the Quezon City Government to protect the people from lawless elements who are usurping the authority of police and military officers by wearing counterfeit or using unauthorized PNP and AFP uniforms, insignias and other accoutrements.

SECTION 3. SCOPE. – This Ordinance shall cover all business establishments in Quezon City engaged in the manufacture, sale, or distribution of police or military uniforms, insignias and other accoutrements, whether operating a physical store or selling online.

SECTION 4. CERTIFICATE OF DISTRIBUTORSHIP. – It shall be mandatory for all business establishments in Quezon City engaged in the manufacture, sale, or distribution of police or military uniforms, insignias and other accoutrements to secure a Certificate of Distributorship from the concerned office or department of the PNP and AFP.

SECTION 5. PURPOSE. – The purpose of the PNP or AFP Certificate of Distributorship is to ensure that the manufacturer, seller, or distributor of police or military uniforms, insignias and other accoutrements are duly authorized to do so in accordance with the prescribed standard, quality and accuracy by the PNP or AFP, and the items are not counterfeit.

SECTION 6. DEFINITION OF TERMS. – For the purpose of this Ordinance, the following terms or words shall be defined and construed as follows:

a. ***PNP*** *– refers to the Philippine National Police;*

b. ***AFP*** *– refers to the Armed Forces of the Philippines;*

c. ***BPLD*** *– refers to the Business Permits and Licensing Department of Quezon City;*

d. ***PNP or AFP Certificate of Distributorship*** *– refers to a document issued by the concerned PNP or AFP office or department certifying that the manufacturer, seller, or distributor is authorized to manufacture, sell, or distribute PNP or AFP uniforms, insignias, and other accoutrements;*

e. ***Certificate of Conformity*** *– refers to a document issued by the manufacturer, seller or distributor to the re-seller of the PNP or AFP uniforms, insignias and other accoutrements to assure the customers that the goods or services are in accordance with the quality, safety, and performance standards prescribed by the PNP or AFP;*

f. ***PNP or AFP Uniforms, Insignias, and other Accoutrements*** *– refer to the official or authorized clothing, garment or decoration prescribed to bona fide members of the PNP or AFP;*

g. ***Manufacturer*** *– refers to any person, natural or juridical, who makes or produces police or military uniforms, insignias and other accoutrements for sale, regardless of the materials used;*

h. ***Seller*** *– refers to any person, natural or juridical, who sells police or military uniforms, insignias, and other accoutrements;*

i. ***Distributor*** *– refers to any person, natural or juridical, who supplies or delivers police or military uniforms, insignias and other accoutrements for sale;*

j. ***Online Selling*** *– refers to the electronic commerce (e-commerce) or transactions involving the selling of PNP and/or AFP uniforms, insignias and other accoutrements via internet, social media and other similar platforms; and*

k. ***IRR*** *– refers to the Implementing Rules and Regulations of this Ordinance.*

SECTION 7. DISPLAY OF CERTIFICATE OF DISTRIBUTORSHIP AND CERTIFICATE OF CONFORMITY. – The PNP or AFP Certificate of Distributorship, as well as the Certificate of Conformity, as the case may be, shall be displayed conspicuously inside the store or place of business of the manufacturer, seller, distributor or re-seller of police and military uniforms, insignias and other accoutrements. In case of online sellers, the same must be posted in its website or profile.

SECTION 8. COMPLIANCE WITH THE REQUIRED CERTIFICATES. – The manufacturer, seller, distributor or re-seller of police and military uniforms, insignias and other accoutrements must submit a certified true copy of the required PNP or AFP Certificate of Distributorship, as well as the Certificate of Conformity, within 45 days from the issuance of the Business Permit by the BPLD. Otherwise, a Cease-and-Desist Order, Revocation of Business Permit and/or Closure Order will be issued, as the case may be.

SECTION 9. LIST OF MANUFACTURERS, SELLERS AND DISTRIBUTORS. – The BPLD shall secure an updated list of manufacturers, sellers and distributors of the subject police or military uniforms, insignias, and other accoutrements from the PNP and AFP to serve as basis for the inspection, monitoring, and apprehension of the said establishments. Other similar establishments, not covered by the said list, but operating in Quezon City are also governed by this Ordinance.

SECTION 10. INSPECTION. – To ensure compliance with the provisions of this Ordinance, the BPLD and the Department of Public Order and Safety (DPOS), in coordination with the PNP or AFP, shall jointly conduct a semestral ocular inspection of all business establishments in Quezon City engaged in the manufacture, sale, or distribution of police or military uniforms, insignias, and other accoutrements.

SECTION 11. ONLINE SELLING. – Online selling of the PNP and AFP uniforms, insignias, and other accoutrements within the territorial jurisdiction of Quezon City shall also be subject to the provisions of this Ordinance. The online posted address of the seller shall be deemed the place of business operation.

SECTION 12. PENALTIES. – Violation of any provision of this Ordinance shall be penalized as follows:

a. 1st Offense – a fine of Php3,000.00;

b. 2nd Offense – a fine of Php4,000.00; and

c. 3rd Offense – a fine of Php5,000.00 or imprisonment of 1 year, or both such fine and imprisonment at the discretion of the court. It also includes the revocation of Business Permit.

SECTION 13. SEIZURE AND CONFISCATION. – Without prejudice to the penalties provided in Section 11 hereof, upon finding that the concerned establishments are non-compliant with the aforesaid Certificate of Distributorship, the PNP or AFP shall seize and/or confiscate the subject uniforms, insignias and other accoutrements. The seized or confiscated items shall be inventoried and stored in the authorized storage facility of the PNP or AFP subject to the payment of fees and penalties as prescribed in the IRR of this Ordinance.

SECTION 14. IMPLEMENTING BODIES. – The provisions of this Ordinance shall be jointly implemented by the BPLD and DPOS, in coordination with the PNP or AFP.

SECTION 15. IMPLEMENTING RULES AND REGULATIONS. – To effectively carry out the provisions of this Ordinance, the BPLD and DPOS, in consultation with the City Legal Department, shall issue the necessary IRR within 60 days from the approval of this Ordinance.

SECTION 16. SEPARABILITY CLAUSE. – If any section or provision of this Ordinance is held unconstitutional or invalid, the other sections or provisions not affected thereby shall continue to be in full force and effect.

SECTION 17. REPEALING CLAUSE. – All ordinances, resolutions, local executive orders, rules and regulations or parts thereof, not consistent with the provisions of this Ordinance, are hereby repealed or modified accordingly.

SECTION 18. EFFECTIVITY CLAUSE. – This Ordinance shall take effect after its publication in a newspaper of general circulation, and after posting of copies in conspicuous locations within Quezon City.

ENACTED: October 14, 2024.

GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:

ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)

APPROVED: NOV 19 2024

MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on October 14, 2024 and was PASSED on Third/Final Reading on October 16, 2024.

ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)