

Republic Act No. 8491

Republic of the Philippines

Congress of the Philippines Metro Manila

Tenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday the twenty-eighth day of July, nineteen hundred and ninety-seven.

REPUBLIC ACT NO. 8491

AN ACT PRESCRIBING THE CODE OF THE NATIONAL FLAG, ANTHEM, MOTTO, COAT-OF-ARMS AND OTHER HERALDIC ITEMS AND DEVICES OF THE PHILIPPINES.

Be it enacted by the Senate and Home of Representatives of the Philippines in Congress assembled:

SECTION 1. Short Title — This act shall be known as the “Flag and Heraldic Code of the Philippines.”

SECTION 2. Declaration of Policy - Reverence and respect shall at all times be accorded the flag, the anthem and other national symbols which embody the national ideals and traditions and which express the principles of sovereignty and national solidarity. The heraldic items and devices shall seek to manifest the national virtues and to inculcate in the minds and hearts of our people a just pride in their native land, fitting respect and affection for the national flag and anthem, and the proper use of the national motto, coat-of-arms and other heraldic items and devices.

SECTION 3. Definition of Terms — Whenever used in this Act, the term:

- a. “Military” shall mean all branches of the Armed Forces of the Philippines including the Philippine National Police, the Bureau of Jail Management and Penology, and the Bureau of Fire Protection;
- b. “Festoon” shall mean to hang in a curved shape between two points as a decoration;
- c. “Flag” shall mean the Philippine National Flag, unless stated otherwise;
- d. “Fly” shall mean the part of the flag outside the hoist or length;
- e. “Symbol” shall mean any conventional sign which reveals man’s achievement and heroism (for orders and decorations), identification, authority and a sign of dignity (for coat-of-arms, logo and insignia);
- f. “Half-Mast” shall mean lowering the flag to one-half the distance between the top and bottom of the staff;
- g. “Hoist” shall mean the part of the flag nearest the staff or the canvass to which the halyard is attached;
- h. “Inclement Weather” shall mean that a typhoon signal is raised in the locality;
- i. “National Anthem” shall mean the Philippine National Anthem’
- j. “Official Residences” shall mean Malacañang, and other government-owned structures where the President resides, and other structures occupied by the Philippine Consulate or Embassies abroad;
- k. “Places of Frivolty” shall mean places of hilarity marked by or providing boisterous merriment or recreation; and
- l. “Institute” shall mean the National Historical Institute.

CHAPTER 1

THE NATIONAL FLAG

A. Design of the National Flag

SECTION 4. The flag of the Philippines shall be blue, white and red with an eight-rayed golden-yellow sun and three five-pointed stars, as consecrated and honored by the people.

B. Hoisting and Display of the National Flag

SECTION 5. The flag shall be displayed in all public buildings, official residences public plazas, and institutions of learning everyday throughout the year.

SECTION 6. The flag shall be permanently hoisted, day and night throughout the year, in front of the following; at Malacanang Palace; the Congress of the Philippines building; Supreme Court building; the Rizal Monument in Luneta, Manila; Aguinaldo Shrine in Kawit, Cavite; Barasoain Shrine in Malolos, Bulacan; the Tomb of the Unknown Soldier, *Libingan ng mga Bayani*; Mausuleo de los Beteranos dela Revolucion; all International Ports of Entry and all other places as maybe designated by the Institute.

The flag shall be properly illuminated at night.

SECTION 7. The flag shall also be displayed in private buildings and residences or raised in the open flag-staffs in front of said buildings every April 9 (*Araw ng Kagitingan*); May 1 (*Labor Day*); May 28 (*National Flag Day*) to June 12 (*Independence Day*); last Sunday of August (*National Heroes Day*); November 30 (*Bonifacio Day*); and December 30 (*Rizal Day*); and on such other days as may be declared by the President and/or local chief executives.

The flag may also be displayed throughout the year in private buildings or offices or raised in the open on flag-staffs in front of private buildings: *Provided*, that they observe flag-raising ceremonies in accordance with the rules and regulations to be issued by the Office of the President.

SECTION 8. All government agencies and instrumentalities, and local government offices, government-owned corporations and local government units are enjoined to observe flag day with appropriate ceremonies. Socio-civic groups, non-government organizations and the private sector are exhorted to cooperate in making the celebrations a success.

SECTION 9. The flag shall be flown on merchant ships of Philippine registry of more than one thousand (1000) gross tons and on all naval vessels.

On board naval vessels, the flag shall be displayed on the flagstaff at the stern when the ship is at anchor. The Flag shall be hoisted to the gaff at the aftermast when the ship is at sea.

SECTION 10. The flag, if flown from a flagpole, shall have its blue field on top in time of peace and the red field on top in time of war; if in a hanging position, the blue field shall be to the right (left of the observer) in time of peace, and the red field to the right (left of the observer) in time of war.

The flagpole staff must be straight and slightly tapering at the top.

SECTION 11. If planted on the ground, the flagpole shall be at a prominent place and shall be of such height as would give the flag commanding position in relation to the buildings in the vicinity.

If attached to a building, the flagpole shall be on top of its roof or anchored on a sill projecting at an angle upward.

If on stage or platform or government office, the flag shall be at the left (facing the stage) or the left of the office upon entering.

SECTION 12. When the Philippine flag is flown with another flag, the flags, if both are national flags, must be flown on separate staffs of the same height and shall be of equal size. The Philippine flag shall be hoisted first and lowered last.

If the other flag is not a national flag, it may be flown in the same lineyard as the Philippine flag but below the latter and it cannot be of greater size than the Philippine flag.

SECTION 13. When displayed with another flag, the Philippine flag shall be on the right of the other flag. If there is a line of other flags, the Philippine flag shall be in the middle of the line.

When carried in a parade with flags, which are not national flags, the Philippine flag shall be in front of the center of the line.

SECTION 14. A flag worn out through wear and tear shall not be thrown away. It shall be solemnly burned to avoid misuse or desecration. The flag shall be replaced immediately when it begins to show signs of wear and tear.

SECTION 15. The flag shall be raised at sunrise and lowered at sunset. It shall be on the mast at the start of official office hours, shall remain flying throughout the day.

SECTION 16. The flag may be displayed:

- a. Inside or outside a building or on a stationary flagpoles. If the flag is displayed indoors on a flagpole, it shall be placed at the left of the observer as one enters the room;
- b. From the top of a flagpole, which shall be at a prominent place or a commanding position in relation to the surrounding buildings;
- c. From a staff projecting upward from the window sill, canopy, balcony or facade of a building.
- d. In a suspended position from a rope extending from a building to pole erected away from the building;
- e. Flat against the wall vertically with the sun and stars on top; and
- f. Hanging in a vertical position across a street, with the blue field pointing east, if the road is heading south or north, or pointing north if the road is heading east or west.

The flag shall not be raised when the weather is inclement. If already raised, the flag shall not be lowered.

SECTION 17. The flag shall be hoisted to the top briskly and lowered ceremoniously.

The flag shall never touch anything beneath it, such as the ground, flood, water or other objects.

After being lowered, the flag shall be handled and folded solemnly as part of the ceremony.

C. Conduct of Flag Raising Ceremony

SECTION 18. All government offices and educational institutions shall henceforth observe the flag-raising ceremony every Monday morning and the flag lowering ceremony every Friday afternoon. The ceremony shall be simple and dignified and shall include the playing or singing of the Philippine National Anthem.

SECTION 19. The office of the President upon the recommendation of the Institute shall issue rules and regulations for the proper conduct of the flag ceremony.

SECTION 20. The observance of the flag ceremony in official or civic gatherings shall be simple and dignified and shall include the playing or singing of the anthem in its original Filipino lyrics and march tempo.

SECTION 21. During the flag-raising ceremony, the assembly shall stand in formation facing the flag. At the moment the first note of the anthem is heard, everyone in the premises shall come to attention; moving vehicles shall stop. All persons present shall place their right palms over their chests, those with hats shall uncover, while those in military, scouting, security guard, and citizens military training uniforms shall give the salute prescribed by their regulations, which salute shall be completed upon the last note of the anthem.

The assembly shall sing the Philippine national anthem, accompanied by a band, if available, and at the first note, the flag shall be raised briskly.

The same procedure shall be observed when the flag is passing in review or in parade.

SECTION 22. During the flag lowering, the flag shall be lowered solemnly and slowly so that the flag shall be down the mast at the sound of the last note of the anthem. Those in the assembly shall observe the same deportment or shall observe the same behavior as for the flag-raising ceremony.

D. Half-Mast

SECTION 23. The flag shall be flown at half-mast as a sign of mourning on all buildings and places where it is displayed, as provided for in this Act, on the day of official announcement of the death of any of the following officials:

- a. The President or a former President, for ten (10) days;
- b. The Vice-President, the Chief Justice, the President of the Senate, and the Speaker of the House of Representatives, for seven (7) days; and
- c. Other persons to be determined by the Institute, for any period less than seven (7) days.

The flag shall be flown at half-mast on all the buildings and places where the decedent was holding office, on the day of death until the day of interment of an incumbent member of the Supreme Court, the Cabinet, the Senate or the House of Representatives, and such other persons as may be determined by the Institute.

The flag when flown at half-mast shall be first hoisted to the peak for a moment then lowered to the half-mast position. The flag shall again be raised briskly to the peak before it is lowered for the day.

E. Casket

SECTION 24. The flag may be used to cover the caskets of the honored dead of the military, veterans of previous wars, national artists, and of civilians who have rendered distinguished service to the nation, as maybe determined by the local government unit concerned. In such cases, the flag shall be placed such that the white triangle shall be at the head and the blue portion shall cover the right side of the caskets. The flag shall not be lowered to the grave or allowed to touch the ground, but shall be folded solemnly and handed over to the heirs of the deceased.

F. Pledge to the Flag

SECTION 25. The following shall be the Pledge of Allegiance to the Philippine Flag:

Ako ay Filipino

Buong katapatang nanunumpa

Sa watawat ng Pilipinas

At sa bansang kanyang sinasagisag

Na may dangal, katarungan at kalayaan

Na pinakikilos ng sambayanang

Maka-Diyos

Maka-tao

Makakalikasan at

Makabansa

Such pledge shall be recited while standing with the right hand palm open raised shoulder high. Individuals whose faith or religious beliefs prohibit them from making such pledge must nonetheless show full respect when the pledge is being rendered by standing at attention.

G. Flag Days

SECTION 26. The period from May 28 to June 12 of each year is declared as Flag Days, during which period all offices, agencies and instrumentalities of government, business establishments, institutions of learning and private homes are enjoined to display the flag.

H. Specifications of the National Flag

SECTION 27. The flag shall have the following proportions. The width of the flag, 1; the length of the flag, 2; and the sides of the white triangle, 1.

SECTION 28. The technical specifications shall be as follows:

The blue color shall bear Cable No. 80173; the white color, Cable No. 80001 the red color, Cable No. 80108; and the golden yellow, Cable No. 80068.

SECTION 29. In order to establish uniform criteria in the making of our national flag and to guarantee its durability by the use of quality materials, the following standards and procedures shall be observed:

- a. All requisitions for the purchase of the Philippine National Flag must be based on strict compliance with the design, color, craftsmanship and material requirements of the Government.
- b. All submitted samples of flags by accredited suppliers offered for purchase for government use shall be evaluated as to design, color and craftsmanship specifications by the Institute, through its Heraldry and Display Section, which shall stamp its approval or disapproval on the canvass reinforcement of the flag sample submitted. The samples shall be sent to the Institute by the requisitioning office, not by the flag supplier; and
- c. The Industrial Technology Development Institute (ITDI) or the Philippine Textile Research Institute (PTRI) of the Department of Science and Technology (DOST) shall evaluate the quality of material of all flag samples and certify whether the fabric for the blue, white, red and golden yellow colors, including the canvass submitted, conforms to government requirement as to quality of the material. The samples shall be submitted by the said office to the Institute.

SECTION 30. All deliveries of the flags requisitioned by the government shall be inspected by the requisitioning agency's internal inspector and by the Commission on Audit (COA) using the flag stamped approved by the Institute as reference.

SECTION 31. In carrying out its responsibilities under Section 4 hereof, the Institute, COA, the ITDI/PTRI shall prepare guidelines to be approved by the Office of the President.

SECTION 32. All government agencies and instrumentalities shall ensure that the requirements under this Act with respect to the standards, requisitions and delivery of the national flag are strictly complied with.

SECTION 33. All departments, agencies, offices, and instrumentalities of the government, government-owned or controlled corporations, local government units, including barangays, shall include in their annual budgets the necessary outlay for the purchase of the national flag.

I. Prohibited Acts

SECTION 34. It shall be prohibited

- a. To mutilate, deface, defile, trample, on or cast contempt any act or omission casting dishonor or ridicule upon the flag over its surface;
- b. To dip the flag to any person or object by way of compliment or salute;
- c. To use the flag:
 1. As a drapery, festoon, tablecloth
 2. As covering for ceilings, walls, statues or other objects;
 3. As a pennant in the hood, side, back and top of motor vehicles;
 4. As a staff or whip;
 5. For unveiling monuments or statues; and
 6. As trademarks or for industrial, commercial or agricultural labels or designs.
- d. Display the flag:
 1. Under any painting or picture;
 2. Horizontally face-up. It shall always be hoisted aloft and be allowed to fall freely;
 3. Below any platform; or
 4. In discotheques, cockpits, night and day clubs, casinos, gambling joints and places of vice or where frivolity prevails.
- e. To wear the flag in whole or in part as a costume or uniform;
- f. To add any word, figure, mark, picture, design, drawings, advertisements, or imprint of any nature on the flag;
- g. To print, paint or attach representation of the flag on handkerchiefs, napkins, cushions, and other articles of merchandise;
- h. To display in public any foreign flag, except in embassies and other diplomatic establishments, and in offices of international organizations.
- i. To use, display or be part of any advertisement of infomercial; and
- j. To display the flag in front of buildings or offices occupied by aliens.

CHAPTER II

THE NATIONAL ANTHEM

SECTION 35. The National Anthem is entitled *Lupang Hinirang*.

SECTION 36. The National Anthem shall always be sung in the national language *v*ithin or without the country. The following shall be the lyrics of the National Anthem.

Bayang Magiliw Perlas ng Silanganan Alab ngpuio Sa Dibdib mo'y buhay.

Lupang Hinirang, Duyan ka ng magiting, Sa manlulupig Di ka pasisiil

Sa dagat at bundok,

Sa simoy at sa langit mong bugbaw,

May dilag ang tula

At awit sa paglayang minamahal.

Ang kislap ng watawat mo'y Tagumpay na nagniningning; Ang bituin at araw niya, Kailan pa may di magdidilim

Lupa ng araw, ng luwalhati't pagsinta, Buhay ay langit sa piling mo; Aming ligaya napag may mang-aapi, Ang mamatay nang dahil sa iyo.

SECTION 37. The rendition of the National Anthem, whether played or sung, shall be in accordance with the musical arrangement and composition of Julian Felipe.

SECTION 38. When the National Anthem is played at a public gathering, whether by a band or by singing or both, or reproduced by any means, the attending public shall sing the anthem. The singing must be done with fervor.

As a sign of respect, all persons shall stand at attention and face the Philippine flag, if there is one displayed, and if there is none, they shall face the band or the conductor. At the first note, all persons shall execute a salute by placing their right palms over their left chests. Those in military, scouting, citizen's military training and security guard uniforms shall give the salute prescribed by their regulations. The salute shall be completed upon the last note of the anthem.

The anthem shall not be played and sung for mere recreation, amusement or entertainment purposes except on the following occasions:

- a. International competitions where the Philippines is the host or has a representative;
- b. Local competitions;
- c. During "signing off" and "signing on" of radio broadcasting and television stations;
- d. Before the initial and last screening of films or before the opening of theater performances; and
- e. Other occasions as may be allowed by the Institute.

SECTION 39. All officials and employees of the national and local governments, and any agencies or instrumentalities thereof, including government-owned or controlled corporations, privately-owned entities of offices displaying the national flag and government institutions of learning are hereby directed to comply strictly with the rules prescribed for the rendition of the anthem. Failure to observe the rules shall be a ground for administrative discipline.

CHAPTER III

THE NATIONAL MOTTO

SECTION 40. The national Motto shall be "MAKA-DIYOS, MAKA-TAO, MAKAKALIKASAN AT MAKABANSA."

CHAPTER IV

NATIONAL COAT-OF-ARMS

SECTION 41. The National Coat-of-Arms shall have:

Paleways of two (2) pieces, azure and gules; a chief argent studded with three (3) mullets equidistant from each other; and, in point of honor, ovoid argent over all the sun rayonnant with eight minor lesser rays. Beneath shall be the scroll with the words "REPUBLIKA NG PILIPINAS," inscribed thereon.

CHAPTER V

THE GREAT SEAL

SECTION 42. The Great Seal shall be circular in form, with the arms as described in the preceding section, but without the scroll and the inscription thereon. Surrounding the whole shall be a double marginal circle within which shall appear the words "Republika ng Pilipinas." For the purpose of placing The Great Seal, the color of the arms shall not be deemed essential but tincture representation must be used.

The Great Seal shall bear the National Motto.

SECTION 43. The Great Seal shall be affixed to or placed upon all commissions signed by the President and upon such other official documents and papers of the Republic of the Philippines as may be provided by law, or as may be required by custom and usage. The President shall have custody of the Great Seal.

CHAPTER VI

OFFICIAL SEALS AND OTHER HERALDIC ITEMS AND DEVICES

SECTION 44. Any government entity, including the military, may adopt appropriate coat-of-arms, administrative seals, logo, insignia, badges, patches, banners and initiate awards, citations, orders or decorations, as may be authorized by the Congress or the Office of the President.

SECTION 45. Such heraldic devices and items shall be filed with the Institute for recording and evaluation as to precedence, design, customs and traditions. The institute shall promulgate the corresponding rules and regulations which shall be submitted for approval to the Office of the President or to Congress.

SECTION 46. All government offices including the military are hereby ordered to purchase all heraldic items and devices from manufacturers accredited and authorized by the Institute. Such items and devices shall be subject to inspection by the purchasing agency's internal inspector and the COA representative using the design and specifications approved by the Office of the President or by the Congress, through the Institute.

SECTION 47. No government official or employee shall accept any orders or decorations from any foreign government without the consent of Congress, and without the prior evaluation and documentation of such order or decoration by the Institute.

CHAPTER VII

PENALTIES

SECTION 48. Failure or refusal to observe the provisions of this Act; and any violation of the corresponding rules and regulations issued by the Office of the President shall, after proper notice and hearing, be penalized by public censure which shall be published at least once in a newspaper of general circulation.

The Department of Education, Culture and Sports and the Commission on Higher Education, upon the recommendation of the Institute and after the proper notice and hearing, shall cause the cancellation of the recognition of permit of any private educational institution which fails or refuses to observe the provisions of this Act for the second time.

SECTION 49. The Department of Education, Culture and Sports (DECS) and the Commission on Higher Education shall ensure that the National Anthem, as adopted by law, shall be committed to memory by all students of both public and private educational institutions, and performed during the flag ceremony conducted in accordance with the rules and regulations issued by the Office of the President. In addition, they shall make available the vocal, piano or band scores of the National Anthem, as adopted by law, to all private and public schools, as well as the general public.

SECTION 50. Any person or judicial entity which violates any of the provisions of this Act shall, upon conviction, be punished by a fine of not less than Five thousand pesos (5,000.00) not more than Twenty thousand pesos (P20,000.00), or by imprisonment for not more than one (1) year, or both such fine and imprisonment, at the discretion of the court: *Provided, That* for any second and additional offenses, both fine and imprisonment shall always be imposed: *Provided, That* in case the violation is committed by a juridical person, its President or Chief Executive Officer thereof shall be liable.

CHAPTER VIII

COMMON PROVISION

SECTION 51. The Institute shall issue the necessary rules and regulations to implement the provisions of this Act within ninety (90) days after effectivity. The Institute shall submit its rules and regulations to the Office of the President and the Congress of the Philippines.

SECTION 52. The Institute shall also be responsible for the strict enforcement of the provision of this Act. It may call upon any government department, agency, office, or government instrumentality, including government corporations and local government units, for such assistance as it may deem necessary for the effective discharge of its functions under this Act.

SECTION 53. Separability Clause— If any provision, or part hereof, is held invalid or unconstitutional, the remainder of this Act not otherwise affected shall be valid and subsisting.

SECTION 54. Repealing Clause - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule and regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 55. Effectivity — This Act shall be effective fifteen (15) days from the date of its publication in *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved:

(Sgd.) JOSE DE VENECIA, JR.A

Speaker of the House of Representatives

(Sgd.) NEPTAL I A. GONZALES

President of the Senate

This Act, which is a consolidation of Senate Bill No. 630 and House Bill No. 2586 was finally passed by the Senate and House of Representatives on February 3, 1998 and February 6, 1998 respectively.

(Sgd.) ROBERTO P. NAZARENO

Secretary General

House of Representatives

(Sgd.) HAZEL P. GACUTAN

Secretary of the Senate

Approved on February 12, 1998

(Sgd.) FIDEL V. RAMOS

President of the Philippines