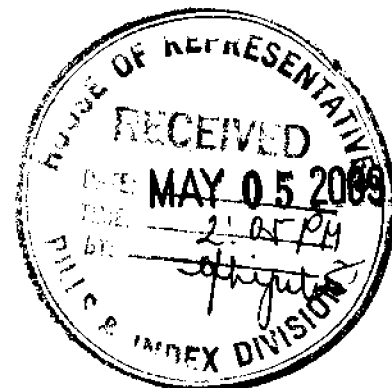


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FOURTEENTH CONGRESS
Second Regular Session

HOUSE RESOLUTION NO. 1137



Introduced by **Bayan Muna Partylist Representative Teodoro A. Casiño**

**A resolution to conduct an inquiry, in aid of legislation,
on the correct manner of singing the Philippine national anthem given the
controversy surrounding the rendition of singer Martin Nievera
during the Hatton-Pacman fight on May 3, 2009
and whether there is a need to amend Republic Act No. 8491
or the 'Flag and Heraldic Code of the Philippines'**

Whereas, on May 3, 2009, singer Martin Nievera sang the Lupang Hinirang at the opening of the Hatton-Pacquiao boxing match in Las Vegas, Nevada in a manner not in keeping with the original arrangement of its composer Julian Felipe;

Whereas, Mr. Nievera is not the first artist who has sang the national anthem in a different style and tempo. As in the past, such non-traditional renditions elicit much debate among policymakers and the public at large as to the proper way of singing the national anthem and whether artists have the license to deviate from tradition;

Whereas, officials of the National Historical Institute have been quoted in media as saying that Mr. Nievera and his arranger violated Section 37 of Chapter II of Republic Act. No. 8491 which states: "The rendition of the National Anthem, whether played or sung, shall be in accordance with the musical arrangement and composition of Julian Felipe."

Whereas, Section 50 of the same law further states: "Any person or juridical 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 (P5,000) nor more than Twenty thousand pesos (P20,000), 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, further, That in case the violation is committed by a juridical person, its President or Chief Executive Officer thereof shall be liable."

Whereas, the law notwithstanding, society also recognizes the artists' right to free expression and to interpret the national anthem or depict the Philippine flag as they see fit, provided that such national symbols are revered and not desecrated;

Whereas, it would do well for Congress to review Republic Act No. 8491 to see whether its restrictions on the singing of the national anthem, displaying of the flag and other national symbols are still appropriate, whether it should be relaxed or strengthened given the realities on the ground;

Therefore, be it resolved as it is hereby resolved, that the House conduct an inquiry, in aid of legislation, on the correct manner of singing the Philippine national anthem given the controversy surrounding the rendition of singer Martin Nievera during the Hatton-Pacman fight on May 3, 2009 and whether there is a need to amend Republic Act No. 8491 or the 'Flag and Heraldic Code of the Philippines'.

Adopted _____,



Rep. Teodoro A. Casiño
Bayan Muna Party List