



MC No. 18 s. 2005

MEMORANDUM CIRCULAR

TO : ALL HEADS OF CONSTITUTIONAL BODIES; DEPARTMENTS, BUREAUS, OFFICES AND AGENCIES OF THE NATIONAL GOVERNMENT; LOCAL GOVERNMENT UNITS; STATE COLLEGES AND UNIVERSITIES; AND GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS WITH ORIGINAL CHARTERS

SUBJECT : RULES IMPLEMENTING THE PROVISIONS OF REPUBLIC ACT NO. 9242, OTHERWISE KNOWN AS 'AN ACT PRESCRIBING THE USE OF THE PHILIPPINE TROPICAL FABRICS FOR UNIFORM OF PUBLIC OFFICIALS AND EMPLOYEES AND FOR OTHER PURPOSES

Pursuant to Section 5 of Republic Act No. 9242, the Civil Service Commission, in coordination with the Department of Agriculture, Department of Science and Technology and the Department of Trade and Industry, has promulgated the attached Rules Implementing the Provisions of the said Act.

The Rules were published in the Pilipino Star on June 22, 2005, and took effect fifteen (15) days thereafter.

Heads of Departments and Agencies are enjoined to comply strictly with the provisions of said rules.

KARINA CONSTANTINO-DAVID
Chairman

11 October 2005

csl0/RAF/enb

IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 9242

Pursuant to the provision of Sec. 5 of Republic Act No. 9242, otherwise known as "An Act Prescribing the Use of the Philippine Tropical Fabrics For Uniforms of Public Officials and Employees and For Other Purposes", as published in Malaya newspaper on February 16, 2004 and made effective on March 2, 2004, the following Rules are hereby adopted and prescribed in order to carry out the provisions of said Law.

Rule I COVERAGE AND DEFINITION OF TERMS

Section 1. Coverage

The use of Philippine tropical fabrics for uniforms of public officials and employees shall apply to all government officials and employees, whether appointive or elective, under permanent, temporary or casual status, in all branches, subdivisions, instrumentalities and agencies of the government, including government-owned and controlled corporations with original charters, who, under the law, are entitled to receive office uniform or clothing allowance.

The use of Philippine tropical fabrics for purposes other than official uniforms (e.g. linens, draperies, upholsteries) shall likewise apply to all government agencies, branches, subdivisions and instrumentalities, including government-owned and controlled corporations with original charters.

For purposes of coverage under the Rules, the following personnel are considered government employees:

- 1.1 Employees appointed under Permanent, Temporary, Casual, Contractual or Co-terminous status who have rendered government service for at least six (6) consecutive months, provided they shall continue to serve the agency for another six (6) months, and have not incurred leave of absence without pay for six (6) consecutive months from the day of the grant of the office uniform or allowance.

IMPLEMENTING RULES AND REGULATIONS OF
REPUBLIC ACT NO. 9242

1.2 Teachers, security guards, prison guards, firefighters, medical personnel and other employees whose position titles require them to wear office uniform at all times, regardless of their length of service.

1.3 Part-time medical personnel.

These Rules shall not apply to part-time government personnel, consultants, apprentices and workers hired through job order.

Section 2. Definition of Terms

The following terms are hereby defined in accordance with identified standards:

2.1. Natural Fiber – a class name for the various fibers or filaments of plant, vegetable, animal or mineral origin. (Ref. - ASTM 2001)

The presence of abaca, banana, pineapple, and/or silk in blends with cotton and other natural and/or synthetic fibers, shall constitute the natural fiber component.

2.2. Spinning – the process of producing or manufacturing yarns from staple fibers or discontinuous filaments of specified fineness and sufficient twist to bind the fibers together. (Ref. - PNS/PTRI Std. 17:1991)

2.3. Weaving –the interlacing of warp and weft yarns with one another to form a fabric (Ref. - PNS/PTRI Std. 17:1991)

2.4. Knitting – the art of constructing a fabric with the aid of needles by the interlooping of one or more yarns in several series of connected loops hanging on and supporting one another. (Ref. - *Collaway Textile Dictionary, 1st Ed, 1947*)

IMPLEMENTING RULES AND REGULATIONS OF
REPUBLIC ACT NO. 9242

- 2.5. Finishing – the preparation of greige goods to impart the desired appearance and feel by means of dyeing, bleaching, printing or by any other manner. (Ref. - PNS/PTRI Std. 17:1991)
- 2.6. Local Sources- manufacturers or traders of tropical fabrics within the Philippine territory.

Rule II IMPLEMENTATION

All fabrics to be used for uniforms and for other purposes shall contain at least 5% by weight for either abaca, banana, and pineapple and 15% by weight for silk

All government offices and their officials and employees shall use tropical fabrics following the effectivity of these Rules.

Rule III EXEMPTION FROM THE USE OF PHILIPPINE TROPICAL FABRICS

Exemption from the use of Philippine tropical fabrics may be allowed only if said fabrics' properties and standards do not meet the requirements for specialty type fabrics such as firemen's uniform, sports uniform, bullet-proof vest, etc. of a particular agency/organization.

Rule IV CERTIFICATION REQUIREMENT

Section 1. The Philippine Textile Research Institute (PTRI) of the Department of Science and Technology (DOST) shall develop and issue Guidelines for Securing Certification and other necessary forms and these shall form an integral part of these Rules. (See Annex A)

Section 2. The PTRI shall conduct tests on the fabric composition and other properties to determine whether or not the fabric meets the minimum standard requirements for uniform and other purposes, and shall issue the appropriate certification, or exemption as the case may be.

Section 3. All garment manufacturers, textile producers or fabric suppliers wishing to bid for the uniform and for other purposes of government shall submit their fabrics for mandatory testing.

Section 4. As to the origin of silk, the Fiber Industry Development Authority (FIDA) of the Department of Agriculture (DA) shall issue a Certification of Origin and this shall form an integral part of these Rules.

Rule V PROCUREMENT PROCEDURE

Section 1. The procurement of Philippine tropical fabrics for the uniform of government officials and employees and for other purposes shall be from local sources.

For this purpose, all procuring entities shall adopt the procurement rules, procedures and sanctions embodied in Republic Act No. 9184, entitled: "An Act Providing for the Modernization, Standardization and Regulation of the Procurement Activities of Government and for other Purposes", and its Implementing Rules and Regulations (IRR).

Section 2. The supplier shall submit the required certification from PTRI to the Bidding and Awards Committee (BAC) or its equivalent unit responsible for the procurement of the uniforms and for other purposes of each agency/department.

Section 3. The purchase of Philippine tropical fabric shall be in quantity that will cover the total requirement for uniform and for other purposes of the agency.

Rule VI MONITORING AND EVALUATION

The Civil Service Commission shall monitor and evaluate the implementation of Republic Act No. 9242 and its Implementing Rules and Regulations. It shall submit an Annual Report to the Civil Service Committees of both Houses of Congress on or before the end of December of every year.

Heads of offices shall submit to the Civil Service Commission a periodic report on the implementation of Republic Act No. 9242 in their respective agencies.


Rule VII RESPONSIBILITY AND ACCOUNTABILITY

The heads of offices shall be responsible for the implementation of Republic Act No. 9242 and its Implementing Rules and Regulations, subject to existing civil service law and rules.

Rule VIII EFFECTIVITY

These Rules shall take effect fifteen (15) days from the date of its publication in the Official Gazette or at least two (2) newspapers of general circulation.


KARINA CONSTANTINO-DAVID
Chairman
Civil Service Commission


ESTRELLA F. ALABASTRO
Secretary
Department of Science & Technology


ARTHUR C. YAP
Secretary
Department of Agriculture


JUAN B. SANTOS
Department of Trade & Industry

DEPARTMENT OF AGRICULTURE

in replying pls cite this code :
For Signature: S-05-05-0281
Received : 05/31/2005 01:46 PM



Republic of the Philippines
Department of Science and Technology
PHILIPPINE TEXTILE RESEARCH INSTITUTE

General Santos Avenue, Bicutan, Taguig, Metro Manila
Tel Nos. (632) 837-2071 to 82 loc. 2360 Telefax No. (632) 837-1325
<http://www.ptri.dost.gov.ph>

Annex A

CERTIFICATION FOR RA 9242

Date :

Company :

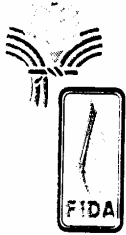
Address :

Based on Test Report No. _____ and the attached Evaluation of Test Results, the Philippine tropical fabric (PTF) submitted for testing:

- meets the fiber composition and minimum performance requirements for
- uniform
 - other purposes
 - curtains
 - bedspread
 - napery and tablecloth
 - upholstery
- did not meet the fiber composition and minimum performance requirements for uniform/other purposes.

CARLOS C. TOMBOC, Ph.D.
Director IV, CESO II

Not valid without seal.



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF AGRICULTURE
FIBER INDUSTRY DEVELOPMENT AUTHORITY

Asiatrust Bank Annex Bldg., 1424 Quezon Avenue, Quezon City
Telephone Nos: (0063)2 373-7489; 373-9241 / Fax No. (0063)2 373-7494
E-mail: fidaoda@i-manila.com.ph

Annex B

CERTIFICATE OF ORIGIN

Date

To Whom It May Concern:

This is to certify that the _____ kg. of silk yarns delivered to

(Name of Processor) with business address at _____
was produced in _____
(district of production)

By the Authority of the Administrator:

FIDA Regional Director