

MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 326  
REGULATING THE OPERATION OF "BARS"

By virtue of the powers vested in me under Commonwealth Act Numbered Six hundred and one, entitled "An Act to regulate the establishment, maintenance and operation of places of amusement in chartered cities, municipalities, and municipal districts," the following rules and regulations governing bars are hereby promulgated:

1. *Definition.*—A "bar" shall include any place or establishment whose principal business is the sale of alcoholic beverages or liquors of any kind to be used or consumed within its premises. A bar that allows music or dancing within its premises shall be considered a night club, cabaret, dancing school, or dance hall, as the case may be, and shall be subject to the provisions of Executive Order No. 319.

2. *Location.*—No bar shall be established within a distance of two hundred lineal meters from any city hall or municipal building, provincial capitol or national capitol building, public plaza, public school, church, hospital, athletic stadium, public park, or any institution of learning or of charity.

3. *Building requirement.*—Bars shall be well lighted at all times leaving no dark corners and shall be maintained under good sanitary condition. There shall be no private rooms nor separate compartments, except those assigned for lavatories, dressing room for ladies and kitchen.

4. *Days and hours of operation.*—Excepting Christmas eve and New Year's eve, bars shall be open only from nine o'clock a. m. to twelve o'clock midnight every day except Saturdays and days preceding official holidays and town fiestas when they can be open until two o'clock in the morning of the following day. In case a bar is also duly licensed to operate a regular restaurant, cafe or refreshment parlor, or is operated in connection with a restaurant, cafe, or refreshment parlor, it may remain open before or after said hours to serve only meals, refreshments or nonintoxicating drinks: *Provided*, That any store, place, or establishment wherein alcoholic beverages or liquors of any kind are sold shall be considered a bar for the purposes of the limitations as to the days and hours of operation prescribed in these regulations.

5. *Restrictions as to persons.*—(a) Minors under eighteen years of age, intoxicated persons, and persons carrying deadly weapons or firearms of any description except government officials performing their public functions, shall not be admitted nor allowed to remain in any bar either as customer, employee or under any capacity: *Provided, however*, That persons under eighteen years of age may be admitted in such establishment when they are in private parties and accompanied by their parents or guardians, but in no case shall minors under fifteen years of age be allowed admission therein.

(b) No woman shall be employed as professional hostess, waitress, or dancer in any bar, unless she is at least twenty-one years of age and without first having obtained a written certificate from the District or City Health Officer that she is free from contagious or infectious disease: *Provided*, That with the written consent of her parents or guardians a woman eighteen years of age or more but below twenty-one years may be so employed. No professional hostess, waitress, or dancer shall be allowed to

continue working as such, upon discovery by the District or City Health Officer that she is suffering from any contagious or infectious disease or after conviction for any disorderly, immodest or immoral conduct, or violation of any provision of this Order or of Executive Order No. 319. The medical certificate required herein shall be obtained once every three months.

(c) No professional hostess, waitress, dancer, or any other female employee of a bar shall be allowed to remain within its premises after its closing hours.

6. *Supervision.*—Bars shall be under the supervision of the Department of the Interior, which is hereby charged with the enforcement of this Order. Whenever public interest requires, or at the request of the operator or concessionaire, the mayor of the city, municipality or municipal district concerned may assign one or more policemen in any such establishment to maintain peace and order in or around its premises and enforce the provisions of this Order and other municipal or sanitary regulations in the premises.

7. *Requisites for the issuance of permit.*—A permit for the opening or operation of a bar shall be issued by the city or provincial treasurer or his duly designated representative: *Provided*, That no permit for the opening or operation of a bar shall be issued unless the applicant has complied with the provisions of this Order.

8. *Licenses.*—In addition to the permit herein required, the operator or concessionaire of a bar shall obtain a license for its operation from the treasurer of the city, municipality or municipal district concerned, which license shall be issued upon payment of a license fee of not less than one hundred pesos annually or twenty-five pesos quarterly: *Provided*, That existing ordinances prescribing higher fees than those herein provided shall remain in force until otherwise prescribed by the President: *Provided, further*, That a city or municipal council desiring to impose a higher fee may do so upon approval of the President.

9. *Complaints.*—Any person who believes that a bar is established or located in any place not authorized by this Order, may file a protest with the Secretary of the Interior, who is hereby authorized after proper investigation to decide the case or cancel the permit and license.

10. *Appeals.*—Any action of the city, provincial or municipal treasurer under the provisions of paragraphs seven and eight of this Order may be appealed to the Secretary of the Interior whose decision shall be final.

11. *Revocation of permit for gambling.*—The Secretary of the Interior shall revoke any permit or license granted under this Order upon satisfactory evidence that gambling or playing of any prohibited game has taken place within the premises of any bar.

12. *Violation of the regulations.*—In case of violation of any of these regulations, the permit for the operation of a bar shall be withdrawn by the Secretary of the Interior and the license revoked. Such revocation of the permit and license shall operate to forfeit to the city or municipality concerned all sums paid therefor.

13. *Transitory provisions.*—All bars in operation on January 1, 1941, that are within the prohibited zones or distances prescribed in paragraph two or do not comply with the building requirements prescribed in paragraph three of this Order shall be given one year's notice within which to close, transfer or otherwise comply with the provisions hereof; but the Secretary of the Interior, with the approval of the President, may in special cases and for justifiable reasons, authorize their continuance in their present location.

Done at the City of Manila, this nineteenth day of February, in the year of Our Lord, nineteen hundred and forty-one, and of the Commonwealth of the Philippines, the sixth.

MANUEL L. QUEZON  
*President of the Philippines*

By the President:  
JORGE B. VARGAS  
*Secretary to the President*

Source: Presidential Museum and Library

Office of the President of the Philippines. (1941). [*Executive Order Nos.: 248 - 399*]. Manila: Presidential Museum and Library.