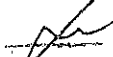


9 OCT -7 P1:13

SENATE

COMMITTEE REPORT NO. 693 RECEIVED BY: 

Submitted by the Committees on Education, Arts and Culture; Ways and Means; and Finance on OCT 07 2009.

Re: Senate Bill No. 3472 (Prepared by the Committees)

Recommending its approval in substitution of S. No. 3313, taking into consideration H. No. 6378

Sponsors: Senators Mar Roxas, Edgardo J. Angara, and Panfilo M. Lacson

Mr. President:

The Committees on Education, Arts and Culture; Ways and Means; and Finance to which were primarily and secondarily referred Senate Bill No. 3313, introduced by Sen. Angara, entitled:

**"AN ACT
CHANGING THE NOMENCLATURE OF THE NATIONAL
HISTORICAL INSTITUTE INTO NATIONAL HISTORICAL
COMMISSION OF THE PHILIPPINES, STRENGTHENING ITS
POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES"**

and House Bill No. 6378, introduced by Reps. De Guzman and Gonzales (N.), entitled:

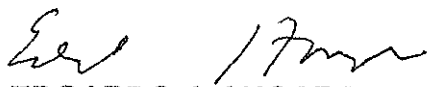
**"AN ACT
CHANGING THE NOMENCLATURE OF THE NATIONAL
HISTORICAL INSTITUTE INTO NATIONAL HISTORICAL
COMMISSION OF THE PHILIPPINES, STRENGTHENING ITS
POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES"**

have considered the same and have the honor to report them back to the Senate with the recommendation that the attached bill, S. No. 3472, prepared by the Committees, entitled:

**"AN ACT
STRENGTHENING PEOPLE'S NATIONALISM THROUGH
PHILIPPINE HISTORY BY CHANGING THE NOMENCLATURE
OF THE NATIONAL HISTORICAL INSTITUTE INTO THE
NATIONAL HISTORICAL COMMISSION OF THE PHILIPPINES,
STRENGTHENING ITS POWERS AND FUNCTIONS, AND FOR
OTHER PURPOSES"**

be approved in substitution of S. No. 3313, taking into consideration H. No. 6378, with Senators Angara and Roxas as authors thereof.

Respectfully submitted:



EDGARDO J. ANGARA
Chairperson
Committee on Finance
Member, Committee on Education, Arts and Culture
Member, Committee on Ways and Means



MAR ROXAS
Chairperson
Committee on Education, Arts and Culture
Member, Committee on Finance
Member, Committee on Ways and Means



PANFILO M. LACSON
Chairperson
Committee on Ways and Means
Member, Committee on Finance

Members



MIRIAM DEFENSOR SANTIAGO
Vice Chairperson, Committee on Finance

JOKER P. ARROYO

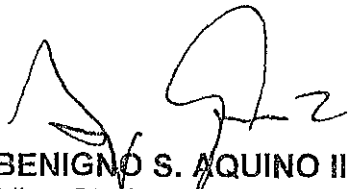
Vice Chairperson, Committee on Finance
Member, Committee on Ways and Means

GREGORIO B. HONASAN

Vice Chairperson, Committee on Finance
Member, Committee on Ways and Means

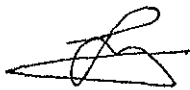
LOREN B. LEGARDA

Vice Chairperson, Committee on Finance
Member, Committee on Education, Arts and Culture
Member, Committee on Ways and Means



BENIGNO S. AQUINO III
Vice Chairperson, Committee on Finance
Member, Committee on Education, Arts and Culture
Member, Committee on Ways and Means

RICHARD J. GORDON
Vice Chairperson, Committee on Finance
Member, Committee on Education, Arts and Culture
Member, Committee on Ways and Means



FRANCIS G. ESCUDERO
Member, Committee on Education, Arts and Culture
Member, Committee on Ways and Means

RODOLFO G. BIAZON
Member, Committee on Education, Arts and Culture
Member, Committee on Finance
Member, Committee on Ways and Means

M.A. MADRIGAL
Member, Committee on Education, Arts and Culture
Member, Committee on Finance
Member, Committee on Ways and Means



MANUEL M. LAPID
Member, Committee on Education, Arts and Culture
Member, Committee on Finance
Member, Committee on Ways and Means

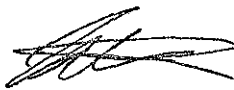


RAMON "BONG REVILLA JR.
Member, Committee on Education, Arts and Culture
Member, Committee on Finance



FRANCIS N. PANGILINAN
Member, Committee on Education, Arts and Culture
Member, Committee on Finance
Member, Committee on Ways and Means

PIA S. CAYETANO
Member, Committee on Education, Arts and Culture
Member, Committee on Finance



ALAN PETER S. CAYETANO
Member, Committee on Education, Arts and Culture
Member, Committee on Finance
Member, Committee on Ways and Means

MANNY VILLAR

*Member, Committee on Education,
Arts and Culture*

Member, Committee on Finance

*Member, Committee on Ways and
Means*

ANTONIO "SONNY" F. TRILLANES IV

Member, Committee on Finance

Ex-Officio Members



JINGGOY EJERCITO ESTRADA
President Pro-Tempore



JUAN MIGUEL F. ZUBIRI
Majority Leader

May amen:



AQUILINO Q. PIMENTEL, JR.
Minority Leader

HON. JUAN PONCE ENRILE

President

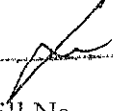
Senate of the Philippines

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

OFFICE OF THE SECRETARY
9 OCT -7 P1:13

SENATE

S.B. No. **3472**

RECEIVED BY: 

(In substitution of Senate Bill No. 3313, taking into consideration House Bill No. 6378)

Prepared by the Committees on Education, Arts, and Culture; Ways and Means; and Finance with Senators Angara and Roxas as authors thereof

AN ACT
STRENGTHENING PEOPLES' NATIONALISM THROUGH PHILIPPINE HISTORY BY CHANGING THE NOMENCLATURE OF THE NATIONAL HISTORICAL INSTITUTE INTO THE NATIONAL HISTORICAL COMMISSION OF THE PHILIPPINES, STRENGTHENING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the "*STRENGTHENING*
2 *PEOPLES' NATIONALISM THROUGH PHILIPPINE HISTORY ACT*".

3 **SEC. 2. *Declaration of Policy.*** – It is hereby declared to be the policy of the
4 State to conserve, promote and popularize the nation's historical and cultural heritage
5 and resources. Pursuant to the Constitution, all the country's artistic and historic
6 wealth constitutes the cultural treasure of the nation and shall be under the
7 protection of the State which may regulate its disposition.

8 Towards this end, the State shall provide the means to strengthen people's
9 nationalism, love of country, respect for its heroes, and pride for the people's
10 accomplishments by reinforcing the importance of Philippine national and local
11 history in daily life with the end in view of raising social consciousness;
12 reinvigorating government support for historical research; and sustaining and
13 enhancing programs for the protection, preservation and conservation of historical
14 relics and memorabilia, monuments, sites and other historical resources.

15 The State shall likewise give utmost priority not only to the research on
16 history but also to the popularization of history. In this way, the State will be able to
17 build a Philippine national identity based on unity and pride in diversity held
18 together by a common history.

1 SEC. 3. *Definition of Terms.* – For purposes of this Act, the following terms shall be
2 defined as follows:

3 (a) “*Built Heritage*” refers to architectural and engineering structures, such as, but
4 not limited to, bridges, government buildings, houses of ancestry and worship, traditional
5 dwellings, technological and industrial complexes and their settings, and landscapes with
6 notable historical and cultural significance;

7 (b) “*Classified*” refers to structures and sites marked and listed as such and
8 recorded in the National Historical Commission of the Philippines’s National Registry of
9 Historic Sites and Structures, and not falling under any of the five categories of historic sites
10 and structures, namely: National Shrines, National Monuments, National Landmarks,
11 Heritage Houses, and Historic Sites;

12 (c) “*Conservation*” refers to all processes and measures of maintaining the cultural
13 significance of a cultural property, including, but not limited to, physical, social or legal
14 preservation, restoration, reconstruction, protection, adaptation or any combination thereof;

15 (d) “*Documentation*” refers to the recording in a permanent format of information
16 derived from research, conservation and other activities of the National Historical
17 Commission of the Philippines;

18 (e) “*Heritage Houses*” refers to houses of ancestry with notable historical, cultural,
19 social, architectural and artistic value and significance as declared by the National Historical
20 Commission of the Philippines;

21 (f) “*Historic Site*” refers to a place recognized to have an important historical
22 significance as declared by the National Historical Commission of the Philippines;

23 (g) “*Historical Street Name*” refers to a street name which has been in existence
24 for at least fifty (50) years;

25 (h) “*History*” refers to the record of people, places and events in the past; it can
26 also mean the discipline involving the study of people, places and events in the past;

27 (i) “*History Museum*” refers to a place where relics and memorabilia and other
28 resources pertaining to important people, places and events in the past are thematically
29 presented and systematically preserved, catalogued or displayed for public appreciation and
30 education;

31 (j) “*Historical Research*” refers to the scholarly investigation of people, places,
32 and events in the past;

1 (k) "*Historical Writing*" refers to the coherent, narrative and scholarly
2 documentation of people, places and events in the past;

3 (l) "*National Historical Landmarks*" refers to sites or structures which are
4 associated with events or achievements significant to Philippine History declared as such by
5 the National Historical Commission of the Philippines;

6 (m) "*National Historical Monuments*" refers to structures erected as a memorial to
7 great heroes or events in Philippine history declared as such by the National Historical
8 Commission of the Philippines;

9 (n) "*National Historical Shrines*" refers to sites or structures hallowed and revered
10 for their history or association declared as such by the National Historical Commission of the
11 Philippines;

12 (o) "*National Registry of Historic Sites and Structures*" refers to the records of all
13 historic sites and structures of the country as found in the documentation of the National
14 Historical Commission of the Philippines;

15 (p) "*Philippine history*" is the study of people, events and places from the dawn of
16 the recorded past of the Philippines to contemporary period;

17 (q) "*Preservation*" refers to all activities that employ means to control, minimize
18 or prevent damage or deterioration to cultural property; and

19 (r) "*Restoration*" refers to the action taken or the technical intervention to correct
20 deterioration and alterations and return cultural property to its original state or condition.

21 SEC. 4. *Renaming of the National Historical Institute.* – The nomenclature of the
22 National Historical Institute (NHI), established pursuant to Presidential Decree No. 1, series
23 of 1972, is hereby changed to National Historical Commission of the Philippines (NHCP).

24 The NHCP shall be an independent agency attached to the National Commission for
25 Culture and the Arts.

26 SEC. 5. *General Mandate.* – The NHCP is the primary government agency responsible
27 for history and has the authority to determine all factual matters relating to official
28 Philippine history.

29 In this regard, the NHCP shall:

30 1. Conduct and support all kinds of research relating to Philippine national and local
31 history;

1 2. Develop educational materials in various media, implement historical educational
2 activities for the popularization of Philippine history, and disseminate information regarding
3 Philippine historical events, dates, places and personages;

4 3. Undertake and prescribe the manner of restoration, conservation and protection of
5 the country's historical movable and immovable objects;

6 4. Manage, maintain, and administer national shrines, monuments, historical sites,
7 edifices and landmarks of significant historico-cultural value;

8 5. Actively engage in the settlement or resolution of controversies or issues relative to
9 historical personages, places, dates and events.

10 SEC. 6. *The Board.* – The NHCP shall be governed by a nine (9)-member Board,
11 which shall be created to formulate and implement NHCP policies relating to the agency's
12 mandate.

13 SEC. 7. *Powers and Functions of the Board.* — The Board of the NHCP shall exercise
14 the following powers and functions:

15 (a) Conduct and encourage all manner of research pertaining to Philippine
16 national and local history;

17 (b) Acquire important historical documents, collections, memorabilia and other
18 objects that have significant historical value;

19 (c) Acquire real property, buildings and other structures for the purpose of
20 preserving, restoring, and conserving their significant historical value;

21 (d) Determine the manner of identification, maintenance, restoration,
22 conservation, and preservation of historical sites, shrines, structures and
23 monuments;

24 (e) Approve the declaration of historic structures and edifices such as national
25 shrines, monuments, and landmarks or heritage houses;

26 (f) Prescribe the manner of celebration or commemoration of significant events
27 pertaining to Philippine history;

28 (g) Initiate and, in cooperation with the appropriate government or private entity,
29 promote programs for the popularization of Philippine history such as, but not
30 limited to, the integration of the subject of history into the school curriculum,
31 among others;

32 (h) Discuss and resolve, with finality, issues or conflicts on Philippine history;

- 1 (i) Implement and enforce Republic Act Number 8491, otherwise known as the
2 Flag Law, and other special laws where the NHCP has been designated as the
3 implementing body;
- 4 (j) Secure and receive local, bilateral and international donations, grants and
5 endowments in support of its programs and projects;
- 6 (k) Develop and implement consortium agreements to link other government
7 agencies and/or private individuals and organizations engaged in or in support
8 of the mandate of the NHCP;
- 9 (l) Regulate activities pertaining to the preservation, restoration, and
10 conservation of historical property or resources;
- 11 (m) Generate funds from government or private sources, local or international, for
12 its program and projects;
- 13 (n) Collect reasonable fees for the use, sale or rent of its resources as well as
14 entrance fees to shrines and landmarks under the jurisdiction of the NHCP;
- 15 (o) Approve grants, create committees or deputize individuals for NHCP projects;
- 16 (p) Conduct public hearings and ocular inspections or initiate factual
17 investigations with respect to disputed historical issues for the purpose of
18 declaring official historical dates, places, personages and events;
- 19 (q) Approve the annual budget of the NHCP before its presentation to DBM and
20 Congress;
- 21 (r) Appoint the Deputy Executive Directors of the NHCP; and
- 22 (s) Exercise oversight functions over the administrative operations of the
23 NHCP.

24 **SEC. 8. *Composition of the Board.*** – The Board shall be headed by a Chairperson and
25 shall be composed of five (5) distinguished historians representing the private sector who
26 shall serve as regular members of the Board and who shall be appointed by the President of
27 the Republic of the Philippines. Only the regular members can vote on matters relating to
28 historical research and similar academic concerns. The following shall serve as ex-officio
29 members:

- 30 (a) The Director of the National Library of the Philippines ;
31 (b) The Director of the National Museum;
32 (c) The Executive Director of the National Archives of the Philippines; and

1 (d) The Executive Director of the National Historical Commission of the
2 Philippines.

3 SEC. 9. *Qualifications of Regular Members of the Board.* – No person shall be
4 appointed or elected to the Board unless he/she possesses the following minimum
5 qualifications:

- 6 (a) A natural born citizen of the Republic of the Philippines;
7 (b) At least thirty-five (35) years of age;
8 (c) With good moral character;
9 (d) Has distinguished himself/herself in the field of Philippine history; and
10 (e) Has published works in Philippine history and other academic fields
11 recognized by scholars and the reading public.

12 SEC. 10. *Regular Members; Term of Office.* – The regular members of the Board shall
13 serve for a term of four (4) years; *Provided*, That the first five (5) appointees pursuant to this
14 law shall be hold office under the following staggered terms, namely: two (2) appointees will
15 have a full term of four (4) years; two (2) appointees will have a term of three (3) years; and
16 the remaining appointee shall have a term of two (2) years; *Provided, further*, That the
17 regular members shall not serve for more than two (2) consecutive terms. Appointment to
18 any vacancy shall only be for the unexpired portion of the term of the predecessor. In no
19 case shall a member be appointed or designated in a temporary or acting capacity,

20 SEC. 11. *Election of the Chairman* - The Board shall be headed by a Chairperson who
21 shall be elected from among the regular members in an election to be participated in by all
22 the members of the Board.

23 SEC. 12. *Term of Office of the Chairman* - The Chairman shall have a term of three
24 (3) years and not serve more than two consecutive terms.

25 SEC. 13. *Functions of the Chairman* - The Chairperson is the head of the agency and
26 shall represent and act for the Board in all matters pertaining to the NHCP. The Chairman,
27 being the public face of the NHCP, shall:

- 28 (a) Provide leadership in the realization of the vision and mission of the NHCP;
29 (b) Advise the President and Congress on matters relating to Philippine history;
30 (c) Preside over meetings of the Board;
31 (d) Propose the agenda for meetings of the Board;
32 (e) Exercise oversight over the Executive Director and Deputy Executive Director
33 to ensure implementation of policies, decisions and resolutions of the Board;

- 1 (f) Represent the NHCP on official matters;
- 2 (g) Represent the NHCP in the Board of the NCCA and other agencies where the
3 NHCP head of agency sits; and
- 4 (h) Perform other such authority, functions or duties which the President of the
5 Philippines or the Board may delegate.

6 SEC. 14. *The Executive Director.* – The Executive Director shall be appointed by the
7 President of the Republic of the Philippines. He/She shall have a rank equivalent to a bureau
8 director.

9 SEC. 15. *Functions of the Executive Director.* – The executive director shall have the
10 following functions:

- 11 (a) Implement the policies and programs approved and promulgated by the NHCP
12 Board;
- 13 (b) Administer the day-to-day operations of the NHCP;
- 14 (c) Represent the NHCP in meetings when authorized or delegated by the Board,
15 and
- 16 (d) Perform such other functions assigned by the NHCP Board.

17 SEC. 16. *The Deputy Executive Directors.* – The executive director shall be assisted
18 by a Deputy Executive Director for Administration and a Deputy Executive Director for
19 Program and Projects.

20 The Deputy Executive Directors shall be appointed by the Board.

21 SEC. 17. *Qualifications of the Executive Director and Deputy Executive Directors.* —
22 No person shall be appointed or designated as Executive Director and Deputy Executive
23 Directors of the NHCP unless he/she possesses the following minimum qualifications:

- 24 (a) A natural born citizen of the Republic of the Philippines;
- 25 (b) Has good moral character;
- 26 (c) Holder of any four-(4) year college degree;
- 27 (d) Has at least five (5) years of actual and relevant experience in managing a
28 government agency in the case of the Executive Director and three (3) years
29 experience in the case of the Deputy Executive Directors; and
- 30 (e) Has career executive service officer (CESO) eligibility only with respect to the
31 Deputy Executive Director position.

32 SEC. 18. *Delegation of Authority.* – The Executive Director shall have authority over
33 and responsibility for the day-to-day operations of the NHCP. He/She may delegate such

1 authority to the Deputy Executive Directors to implement plans and programs. The
2 delegation shall be in writing; shall indicate the name of specific officer to which the
3 delegation is made; shall indicate the duties and responsibilities delegated; shall indicate the
4 length of period of delegated authority; and shall vest sufficient authority to enable the
5 delegate to discharge his/her assigned responsibility.

6 SEC. 19. *Reorganization.* – Within one hundred twenty (120) days from the
7 effectivity of this Act, the Board shall have the authority to reorganize the structure of the
8 NHI, including its staffing pattern in order to carry out its functions pursuant to its expanded
9 mandate as NHCP.

10 Employees of the NHI shall be subsumed in the NHCP and, whenever qualified, be
11 upgraded to their analogous positions. Employees opting to avail of an early retirement
12 scheme shall be granted under the existing DBM guidelines.

13 SEC. 20. *Historic Sites and Structures Documentation Center.* – A Historic Sites and
14 Structures Documentation Center (HSSDC) shall be established within the NHCP, replacing
15 the existing Survey and Documentation Section, which shall be tasked with undertaking the
16 survey, identification, documentation, and recommendation for declaration of historic
17 structures and edifices such as national shrines, monuments, and landmarks or heritage
18 houses by the NHCP Board and maintaining the National Registry of Historic Sites and
19 Structures.

20 SEC. 21. *Local Historical Committees Network.* – The existing work of the agency on
21 historical society affiliations shall constitute the Local Historical Committees Network
22 (LHCN). The LHCN shall monitor, coordinate, support and, upon approval of the Board,
23 affiliate various local historical bodies engaged in the collection, documentation,
24 popularization, conservation, restoration, and preservation of extant historical materials
25 found in different parts of the Philippines. It shall also record the oral histories of towns,
26 cities, provinces, regions and peoples.

27 SEC. 22. *Materials Research Conservation Division.* – The Materials Research
28 Conservation Center of the agency shall be renamed as Materials Research Conservation
29 Division (MRCD). Aside from its regular functions, it shall provide consultancy services to
30 collectors of historical objects that are considered valuable components of Filipino heritage
31 to ensure that preservation, restoration, and conservation techniques and procedures are in
32 accordance with the accepted international standards set in protecting historical objects and
33 materials.

1 The MRCD shall enrich and update knowledge on restoration and preservation
2 techniques through scientific research. It shall likewise establish linkages between the
3 Philippines and various international bodies engaged in the scientific preservation of
4 historical and cultural objects.

5 **SEC. 23. *Tax Exemption on Donations.*** – The provisions of any general or special law
6 to the contrary notwithstanding:

7 (a) The NHCP shall be exempt from all taxes on its income.

8 (b) All donations in any form to the NHCP shall be exempt from the Donor's Tax
9 and the same shall be considered as allowable deduction from the gross income
10 in the computation of the income tax of the donor, in accordance with the
11 provisions of Republic Act Number 8424, otherwise known as the National
12 Internal Revenue Code of 1997, as amended;

13 (c) Importation of scientific, philosophical, historical, and cultural books, supplies,
14 and materials for the use in the conservation or preservation work of the
15 NHCP and duly certified by the Board, shall be exempt from customs duties;
16 and

17 **SEC. 24. *Revolving Fund-*** The income of the NHCP not exceeding the amount of
18 One Million pesos (P1,000,000.00) derived from the proceeds of publications, park entrance
19 fees and donations, the rendering of technical services, conferences and workshop and
20 similar income shall be constituted as a revolving fund to augment the projects where the
21 income was derived subject to government auditing rules and regulations; *Provided, That,*
22 proceeds in excess of the aforementioned amount shall be remitted to the National Treasury
23 and accrue to the General Fund.

24 **SEC 25. *Funding Provision.*** – The amount necessary for the effective implementation
25 of this Act shall be included in the annual General Appropriations Act.

26 **SEC. 26. *Transitory Provisions.*** – The incumbent Chairman, Executive Director and
27 Deputy Executive Director of the NHI shall continue to serve in their respective capacities as
28 the Chairman, Executive Director and Deputy Executive Director of the herein established
29 NHCP for one (1) year after the effectivity of this Act or until a new Chairman, Executive
30 Director shall have been appointed by the President and the two (2) new deputy executive
31 directors shall have been appointed by the Board.

32 All assets, fixed and movable, and all contracts, records and documents relative to the
33 operations of the NHI are hereby transferred to the NHCP.

1 All agreements and contracts entered into by the NHI shall remain in full force and
2 effect unless otherwise terminated, modified or amended by the NHCP.

3 Officials and employees of the NHI shall be absorbed by the NHCP on the basis of
4 merit and fitness: *Provided*, That officers and employees who shall be separated from the
5 service as a result of the abolition of any of the divisions therein, shall be entitled to
6 retirement and other separation benefits provided under existing laws.

7 **SEC. 27. *Implementing Rules and Regulations.*** – The NHCP, in consultation with the
8 other government agencies mentioned in this Act, shall promulgate the implementing rules
9 and regulations within ninety (90) days after the effectivity of this Act.

10 **SEC. 28. *Separability Clause.*** – If any provision of this Act is held invalid or
11 unconstitutional, the same shall not affect the validity and effectivity of the other provisions
12 thereof.

13 **SEC. 29. *Repealing Clause.*** – The pertinent provisions of Presidential Decree No. 1,
14 series of 1972 and all other laws, decrees, executive orders and rules and regulations contrary
15 to or inconsistent with the provisions of this Act are hereby repealed or modified
16 accordingly.

17 **SEC. 30. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
18 publication in at least two (2) newspapers of general circulation.

Approved,