

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

'04 JUN 30 P3:40

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S E N A T E

S. No. 283

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE


History has an important role in our national life. The way we record and interpret our history determines the outlook that we adopt regarding the future.

At present, the National Historical Institute is the primary entity that oversees the promotion and preservation of the Philippine Historical heritage.

This bill seeks to strengthen the mandate of the National Historical Institute and delineate its jurisdiction and special functions so that matters pertaining to national history can be adequately addressed.

This measure also proposes the creation of other institutions such as the Historic Building Survey and Documentation Center. The Local Historic Committees Network and the Materials Conservation Center.

This measure also proposes to grant tax incentives that will encourage private contributions to the restoration, reconstruction and preservation of historic building.


SERGIO R. OSMEÑA III
Senator

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**AN ACT
PROVIDING FOR THE IMPROVEMENT AND STRENGTHENING OF THE
NATIONAL HISTORICAL INSTITUTE**

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

1 SECTION. 1. *General Mandate.* – The National Historical Institute (NHI)
2 shall be responsible for the promoting and preserving the Philippine cultural
3 heritage by undertaking, among others, studies on Philippine history and Filipino
4 heroes; encouraging historical educational activities, including the widening of
5 local historical committee network; and managing and safeguarding the
6 improvement and restoration of national shrines, monuments, historical sites,
7 buildings and landmarks.

8 SEC. 2. *Specific Functions.* – The NHI shall assume jurisdiction over all
9 matters relative to historical studies and popularization of Philippine history,
10 including the survey and documentation, establishment, development and
11 maintenance of historic sites and structures. Specifically its functions shall be:

12 a. To conduct and accelerate historical research programs, including
13 the translation of Philippine written and oral history here and abroad; and to act
14 as historical research resource center that will provide historical research
15 services to the public by maintaining a historical data bank;

1 b. To undertake the documentation, authentication and evaluation of
2 works of various aspects of Philippine history including the resolution of
3 controversial and conflicting issues;

4 c. To compile and acquire from various sources here and abroad data
5 on historical personages and events, including rare and contemporary Filipiniana
6 materials, through purchase, donation, exchange, or through any other manner,
7 of important historical documents, materials and objects;

8 d. To promote the writing or publishing of works of national heroes
9 and other illustrious Filipinos;

10 e. For purposes stated in sub-paragraphs (c) and (d), to enter into
11 negotiations or agreements, subject to the approval of the Secretary of
12 Education, Culture and Sports with institutions and individuals for purposes of
13 securing original documents or copies, photostat and micro-films thereof, dealing
14 with the Philippines;

15 f. To gather and publish source books, reports, records and
16 documents on historical preservation such as surveys and inventories, and other
17 valuable information relating to historical places, markers, events and personage;

18 g. To encourage research, writing, and publication on Philippine
19 history, including textbooks, biographies of heroes, accounts of historical events,
20 and translations of important scholarly works of Filipinos and foreigners, by
21 providing appropriation as the Institute may deem necessary;

22 h. To set a standard for declaring and classifying historical places,
23 edifices, and landmarks in the country in consonance with the provisions of
24 Presidential Decree No. 260, as amended by Presidential Decree No. 1505;

25 i. To study important historical events; to recommend heroes who
26 should be honored by way of proclamation and special public holidays in their
27 honor; and to plan and arrange for the execution of fitting activities to
28 commemorate the events and birth anniversaries or centenaries of Filipino
29 heroes;

- 1 j. To take charge of all historical activities or projects not otherwise
2 undertaken by any entity or the government;
- 3 k. To identify, designate, declare, classify, register and appropriately
4 mark historic structures and places in the Philippines;
- 5 l. To administer and appropriate with the approval of the Office of the
6 President, funds donated to it by the public and the government, and proceeds
7 from income in pursuance of its duties and functions;
- 8 m. To work in coordination with the Institute of Philippine Languages
9 for the translation of its work and materials into the National Language;
- 10 n. To initiate, with the assistance of the private sector, the restoration,
11 preservation, construction, or reconstruction, operation, and maintenance of
12 national shrines, monuments and landmarks that have been or may hereafter be
13 declared, designated, and erected;
- 14 o. To take charge of the acquisition, by acquisition, donation,
15 exchange or by any other manner; and the preservation and restoration of
16 historical objects, including relics and memorabilia of national heroes and
17 illustrious Filipinos;
- 18 p. To take charge of the preparation, evaluation, verification, and
19 approval of heraldic designs in the country, including the blazoning of the
20 national government and its instrumentalities, the celebration of the Annual Flag
21 Day and the strict observance of the country's National Anthem and Flag Code;
- 22 q. To coordinate and supervise the collection, identification,
23 classification, reproduction, and release of archival materials and other historical
24 papers in the possession of government agencies; and
- 25 r. To work in collaboration with the Department of Tourism towards
26 the preservation, restoration, and/or reconstruction of historic sites,
27 churches/structures and places declared as national shrines, monuments and/or
28 landmarks.

1 SEC. 3. *Historic Building Survey and Documentation.* – A Historic
2 Building Survey and Documentation Center shall be established within the NHI
3 with the existing Survey and Documentation Section as its nucleus, to
4 undertake the survey, identification, documentation, classification, designation,
5 and declaration of historic structures and edifices such as national shrines,
6 monuments, and landmarks and the maintenance of national registry of historic
7 structures.

8 SEC. 4. *Local Historic Committees Network.* – The existing Provincial
9 Historical Committees Section of the Institute shall constitute the Local Historical
10 Committees Network that will monitor, coordinate and support various local
11 historical bodies engaged in the collection, documentation, popularization and
12 preservation of extant historical materials found in different parts of the
13 Philippines; and the recording of the oral histories to towns, cities, provinces and
14 regions.

15 SEC. 5. *Materials Conservation Center.* – The Materials Conservation
16 Section of the Institute shall be renamed Materials Conservation Center. It shall:

17 1) Provide consultancy services to collectors of historical objects that
18 are considered valuable components of Filipino heritage to insure that
19 preservation and recreation techniques and procedures are in accordance with
20 the accepted international standards set in protecting historical objects and
21 materials;

22 2) Enrich and update knowledge on restoration and preservation
23 techniques by conducting scientific research on these techniques to ensure the
24 conservation of Filipino cultural heritage;

25 3) Establish linkages between the Philippines and various
26 international bodies engaged in the scientific preservation of historical and
27 cultural objects.

28 SEC. 6. *Private Sector and Tax Incentives.* – The participation and full
29 support from private individuals and entities shall be solicited for the preservation

1 and restoration of national shrines, monuments, landmarks, and other important
2 historic edifices.

3 Any person, entity or corporate body undertaking the rehabilitation of
4 historical buildings and structures classified, identified and listed in the National
5 Registry of Historic Structures by the National Historical Institute shall be given
6 tax incentives equivalent to fifty percent (50) of the total amount spent for the
7 year the rehabilitation, restoration or preservation works were completed.

8 SEC. 7. *Other Tax Incentives.* – Professional fees derived from the
9 restoration, reconstruction, and preservation of historic buildings protected by the
10 Philippine Government and listed in the National Registry of Historic Structures
11 shall not be included under gross income and shall be exempt from taxation.

12 Historical buildings declared as national shrines, monuments, or
13 landmarks which are listed in the National Registry of Historical Structures and
14 have undergone restoration, preservation and reconstruction shall not be subject
15 to any tax in case of sale, exchange, or any other disposition.

16 SEC. 8. *Fund Raising Programs/Activities.* – Souvenir and history
17 museum shops shall be established by the National Historical Institute at various
18 historical shrines and landmarks under its care in order to provide monetary
19 support for the operation and administration of all historical shrines, monuments
20 and landmarks throughout the country. The Institute is authorized to print,
21 fabricate, reproduce and sell historical souvenirs and replicas of relics or
22 publications and other items of popular interest. Proceeds may be deposited in a
23 special account with a government financial institution, and used in the
24 publication, production and manufacture of suitable items needed in the shops
25 and for the furtherance of the Institute's objective of bringing history closer to the
26 community.

27 SEC. 9. *Utilization of Savings.* – The Director of the National Historical
28 Institute is hereby authorized to use the agency's savings subject to the approval
29 of the President under Section 40, Presidential Decree No. 1177, as amended,

1 for: a) the repair and improvement of various historic sites and structures
2 identified and classified under Presidential Decree No. 260, as amended, subject
3 to the approval of the Secretary of the Department of Education, Culture and
4 Sports; b) the payment of the services of contractual or temporary technical
5 consultants in the specialized fields of conservation, restoration, preservation,
6 and heraldry, including translators, researchers and curators, who may be
7 employed by the Institute from time to time.

8 SEC. 10. *Coordination with Other Agencies.* – The NHI, in coordination
9 with the Bureau of Internal Revenue, is hereby empowered to promulgate rules
10 and regulations for the implementation of the provisions of this Act. Such rules
11 and regulations shall be approved by the Secretary of the Department of
12 Education, Culture and Sports.

13 The NHI shall coordinate with the Department of Tourism and other
14 related agencies of government, for the purpose of implementing tourism projects
15 and activities.

16 SEC. 11. *Repealing Clause.* – All acts, executive orders, and regulations
17 issued pursuant to existing laws or parts thereof which are inconsistent with this
18 Act are hereby repealed or modified accordingly.

19 SEC. 12. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
20 after publication in the Official Gazette or any newspaper of general circulation.

Approved,