

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



74 MAR 25 P1 58

SENATE
S. B. No. 2177

RECEIVED BY: JSN

INTRODUCED BY SENATOR SONNY M. ANGARA

AN ACT
AMENDING REPUBLIC ACT NO. 10086 OTHERWISE KNOWN AS "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 FUNCTION, AND FOR OTHER PURPOSES"

EXPLANATORY NOTE

This bill amending R.A. No. 10086 addresses two weaknesses in the law that constrain the National Historical Commission of the Philippines (NHCP) from attaining its objective and effectively delivering its services.

First, Section 17(e) requires the Deputy Executive Director of the NHCP to possess career executive service officer (CESO) eligibility as a qualification for the position.

The position of the NHCP Deputy Executive Director is classified as a second-level executive/managerial position which, per Civil Service Commission Memorandum Circular No. 13 of 2011 (Policies for Executive/Managerial Positions in the Second Level) does not require CESO eligibility. The managerial knowhow needed by the Deputy Executive Director position is fulfilled by the Civil Service requirement that the position holder has prior administrative experience. Rather than require CESO eligibility, it is better that in addition to administrative experience as per Civil Service rules, the Deputy Executive Directors possess some knowledge of and experience in the field of Philippine history and heritage. Such background will complement and support the historical expertise of the Chair as the head of agency. Between the general CESO eligibility requirement and the more specific requirement of knowledge of and experience in the field of Philippine history and heritage, the NHCP will benefit more from the latter.

Second, Section 24 of R.A. No. 10086 imposes a one-million-peso (Php 1,000,000.00) cap or ceiling on the revolving fund of the Commission (NHCP), which is sourced from the proceeds of publications, entrance fees and donations, and fees for technical services, conferences and workshops, and similar income. The law provides that any income in excess of this cap "shall be remitted to the National Treasury and accrue to the General Fund."

By today's standards and especially in light of the museum modernization program of the NHCP, a ceiling of one million pesos is insufficient to augment the cost of maintaining its 22 museums, let alone other projects of the Commission. Worse, it becomes a disincentive for the NHCP to even collect entrance fees that would enable it to be less dependent on the national government for the maintenance of its shrines and museums. Higher revenue generation by the NHCP from new rates will not improve its cost-recovery and fiscal performance, because all income in excess of one million pesos will simply go to the National Treasury—contrary to the lawful purpose for which the fees and donations were collected.

A review of more or less analogous statutes, moreover, shows that no cap or ceiling, of whatsoever amount, is imposed on similar income generated by entities like the Film Development Council of the Philippines, National Commission on Muslim Filipinos, Mindanao Development Authority and the Philippine Rubber Research Institute.

In view of the foregoing, passage of this bill is earnestly sought.



SENATOR SONNY M. ANGARA

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

1 **SECTION 1.** Section 17 of R.A. No. 10086 is hereby amended to read as
2 follows:

3
4 **"SEC. 17. Qualifications of the Executive Director and Deputy Executive**
5 *Director.* – No person shall be appointed or designated as Executive Director and
6 Deputy Executive Directors of the NHCP unless he/she possesses the following
7 minimum qualifications:

8
9 (a) A natural-born citizen of the Republic of the Philippines;

10 (b) Has good moral character;

11 (c) Holder of any four (4)-year college degree; AND

12
13 (d) Has at least five (5) years of actual and relevant experience in managing a
14 government agency in the case of the Executive Director and three (3) years
15 experience in the case of the Deputy Executive Directors. [; and]

16
17 [(e) Has career executive service officer (CESO) eligibility only with respect to the
18 Deputy Executive Director position.]"

19
20 **SECTION. 2.** Section 24 of R.A. No. 10086 is hereby amended to read as
21 follows:
22

1 **"SEC. 24. *Revolving Fund.*** – The income of the NHCP [not
2 exceeding the amount of One million pesos (P1,000,000.00)] derived
3 from the proceeds of publications, park entrance fees and donations, the
4 rendering of technical services, conferences and workshops and similar
5 income shall be constituted as a revolving fund to augment the projects
6 where the income was derived, subject to government auditing rules and
7 regulations[:]. [Provided, That proceeds in excess of the aforementioned
8 amount shall be remitted to the National Treasury and accrue to the
9 General Fund.]”

10
11 **SECTION. 3. *Repealing Clause.*** – All provisions of existing laws, orders, rules
12 and regulations inconsistent with or contrary to this Act are hereby repealed or modified
13 accordingly.

14
15 **SECTION. 4. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after
16 its publication in the Official Gazette or in at least two newspapers of general circulation.

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18
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20 **Approved,**