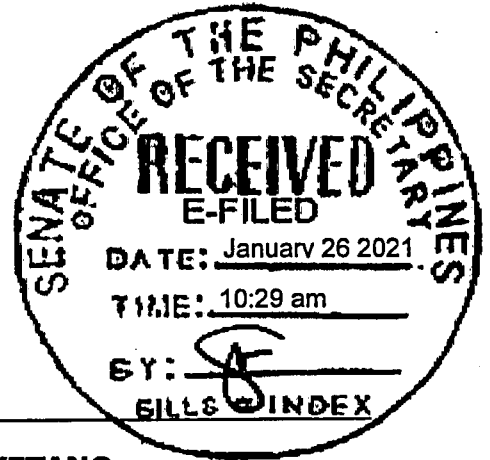


EIGHTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*Second Regular Session*

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**SENATE**  
**S. No. 2020**



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Introduced by **SENATOR PIA S. CAYETANO**

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**AN ACT**  
**ESTABLISHING THE DEPARTMENT OF CULTURE, APPROPRIATING FUNDS**  
**THEREFOR, AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

The Constitution mandates that the State shall "conserve, promote and popularize the nation's historical and cultural heritage and resources, as well as artistic creations."<sup>1</sup> It further emphasizes that "all the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State which may regulate its disposition."<sup>2</sup>

The culture and heritage of our country play an important role in the lives of every Filipino, as it provides a sense of national identity which binds us together as a nation. However, in the past years, we have seen a lack of appreciation and wanton disregard for our cultural properties -- important historical and heritage sites are not properly preserved and protected. The limited regional presence of cultural offices also became a huge hindrance in the implementation of various cultural programs. In order to address these perennial problems, the need for strong policies and effective enforcement of relevant laws on the protection of our culture is immediate and necessary.

This bill proposes to reorganize the National Commission for Culture and the Arts (NCCA) to a Department of Culture, in order to create a national body, with the corresponding personnel and budgetary requirement, that will be responsible for the implementation of policy and strategic direction for the protection, regulation,

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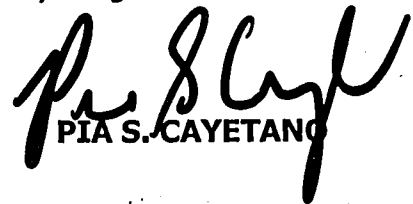
<sup>1</sup> Sec. 15, Art. XIV of the 1987 Constitution

<sup>2</sup> Sec. 16, Art. XIV of the 1987 Constitution

preservation, and management of the country's culture. The Department will also have quasi-judicial functions which will allow it to effectively safeguard the cultural properties of the country.

The Department will likewise ensure support for the development of our cultural, artistic, and creative industries and assist in the implementation of culture and arts initiatives. In line with this, the said Department will help in the attainment of our Sustainable Development Goals, specifically Goal No. 11, Target 11. 4, which calls for strengthening efforts to protect and safeguard the world's cultural and natural heritage.

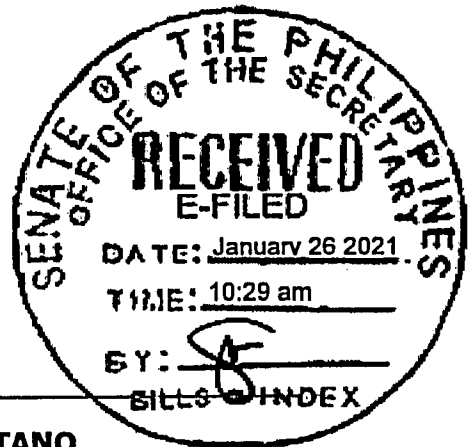
For these reasons, the approval of this bill is earnestly sought.



PIA S. CAYETANO

EIGHTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*Second Regular Session*

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**SENATE**  
**S. No. 2020**



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Introduced by **SENATOR PIA S. CAYETANO**

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**AN ACT**  
**ESTABLISHING THE DEPARTMENT OF CULTURE, APPROPRIATING FUNDS**  
**THEREFOR, AND FOR OTHER PURPOSES**

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

**ARTICLE I**  
**GENERAL PROVISIONS**

1       Section 1. *Short Title.* This Act shall be known as the "*Department of Culture Act.*"

2       Sec. 2. *Declaration of Policy.* It is hereby declared the policy of the State:

- 3       a)   To recognize that culture is a unifying, humanizing and modernizing  
4           agent/instrument of any society, and the patrimony and right of every  
5           citizen of the Philippines;
- 6       b)   To recognize the vital role of culture in nation-building;
- 7       c)   To incorporate considerations of culture in the formulation of appropriate  
8           and significant political and economic policy that will better serve Filipinos  
9           and ensure that all Filipinos enjoy full cultural rights, take full advantage  
10          of a dynamic cultural experience, and be inspired, sustained by, draw from,  
11          contribute to and celebrate the country's culture;
- 12      d)   To create a national body which will develop, manage and be responsible  
13          for the implementation of policy, legislation and strategic direction for the  
14          protection, regulation, preservation, development, management,  
15          dissemination and promotion of the country's culture, relative to the

- 1 immense national resources; patrimony and wealth engendered and  
2 amassed through countless generations and centuries of distinctive Filipino  
3 ways of life and experiences in specific natural and social environments  
4 that this represents, and to facilitate the convergence of various agencies  
5 with cultural mandates and rationalize their organizations and functions;  
6 e) To foster, strengthen, and accelerate the convergence of various  
7 cultural offices agencies, and rationalize their organizations and  
8 functions;  
9 f) To recognize that cultural education is the right of every citizen and  
10 therefore ensure that cultural literacy is inculcated in the development and  
11 education of all Filipinos;  
12 g) To promote the national language of the country while enhancing the  
13 linguistic diversity of the Philippines; and,  
14 h) To secure and improve the welfare of Filipino artists and cultural workers.

15 The Department shall continually review the state and needs of culture and arts in  
16 the context of the country's developmental goals.

17 Sec. 3. *Definition of Terms.* For purposes of this Act, the following terms shall be  
18 defined as follow:

- 19 a) "*Art*" shall refer to the expression or application of human creative skill and  
20 imagination.  
21 b) "*Conservation*" shall refer to all process and measures of maintaining the  
22 cultural significance of a cultural property, including but not limited to,  
23 preservation, restoration, reconstruction, protection, adaptive re-use or  
24 any combination thereof.  
25 c) "*Cultural agencies*" shall refer to any of the following national government  
26 agencies with their specific areas of responsibility: National Museum of the  
27 Philippines (cultural property), the National Library of the Philippines  
28 (books), National Historical Commission of the Philippines (Philippine  
29 history), the National Archives of the Philippines (documents) the Cultural

Center of the Philippines (culture and arts) and Komisyon sa Wikang Filipino (language).

d) "*Cultural Education*" shall refer to the teaching and learning of cultural concepts and processes.

e) "*Cultural Heritage*" shall refer to the totality of cultural property preserved and developed through time and passed on to posterity.

f) "*Cultural Property*" shall refer to all products of human creativity by which people and nation reveal their identity, including architecture and sites or human activity [churches, mosques and other places of religious worship, schools] and natural history specimens and sites, whether public or privately owned, movable or immovable, and tangible or intangible.

g) "*Culture*" shall refer to the broad spectrum of people's beliefs, practices, customs and traditions, material culture, arts, and other forms of actual and symbolic expressions and representations which are handed down from one generation to the next in the process of interaction.

h) "*History*" shall refer to a written record of past events relating to Philippine history.

i) "*Indigenous Cultural Communities/ Indigenous Peoples*" shall refer to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, become historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state

1 boundaries, who retain some or all of their own social, economic, cultural  
2 and political institutions, but who may have been displaced from their  
3 traditional domains or who may have resettled outside their ancestral  
4 domains;

- 5 j) "*Intangible Cultural Heritage*" shall refer to practices, representations,  
6 expressions, knowledge, skills, as well as instrument, objects and artifacts  
7 associated therewith, that communities, groups and individual recognize  
8 as part of their cultural heritage, such as: (1) oral traditions, usages,  
9 customs, languages and other expressions; (2) performing arts; (3) social  
10 practices, religious rites, rituals, culinary traditions, and festive events; (4)  
11 knowledge and practices concerning nature and the universe, worship and  
12 (5) traditional craftsmanship.

## 14 **ARTICLE II**

### 15 **The Department of Culture**

16  
17 *Sec. 4. Creation of the Department of Culture.* There is hereby created the  
18 Department of Culture (*Kagawaran ng Kultura*), hereinafter referred to as the  
19 Department, which shall be the primary policy-formulating, planning, coordinating,  
20 implementing, and administrative entity of the executive branch of the National  
21 Government that will implement the pertinent provisions of the Constitution regarding  
22 culture and arts as well as the aforementioned policy of the State.

23 The Department with its attached agencies shall be responsible for the protection,  
24 preservation, regulation, development, management, dissemination and promotion of  
25 the cultural, historical and artistic heritage and resources, tangible and intangible, of the  
26 Philippines and the Filipino people, all of which, with their physical and social contexts  
27 and environments, are understood as together constituting and pertaining to Philippine  
28 culture for purposes of this Act.

1       The Department shall continually review the state and needs of culture and arts in  
2 the context of the country's developmental goals.

3       Sec. 5. *General Mandates.* The Department shall exercise the following mandates:

- 4       a)       To protect and promote the diversity of cultural and artistic expressions  
5               and foster the development of creative industries;
- 6       b)       To conserve, safeguard, and develop the Nation's historical and cultural  
7               heritage; and,
- 8       c)       To ensure the widest dissemination of the artistic and cultural products  
9               among the greatest number across the country and overseas.

10       Sec. 6. *Powers and Functions.* The Department shall exercise the following powers  
11 and functions:

- 12       a)       Formulate and implement national policies, plans, programs, and guidelines  
13               for the protection, preservation, safeguarding, regulation, development,  
14               management, dissemination and promotion of culture, to ensure overall  
15               consistency, effectiveness, efficiency, and conformity with the policies of  
16               the State articulated in the Constitution as well as in this Act and other  
17               pertinent laws and issuances;
- 18       b)       Assume and exercise all existing regulatory and quasi-judicial functions  
19               established under Republic Act No. 4846, or "*The Cultural Properties*  
20               *Preservation and Protection Act*;" Presidential Decree No. 374, or  
21               "*Amending the Cultural Properties Preservation and Protection Act*;"  
22               Republic Act No. 8491, or "*The Flag and Heraldic Code of the Philippines*;"  
23               Republic Act No. 9105, or "*Art and Forgery Act of 2001*;" Republic Act No.  
24               10066, or "*The National Cultural Heritage Act of 2009*;" and, Republic Act  
25               No. 10086 or "*Strengthening Peoples' Nationalism Through Philippine*  
26               *History Act*;" and all regulatory functions transferred to the National  
27               Commission for Culture and the Arts through Republic Act No. 11333 or  
28               "National Museum of the Philippines Act"; as well as such functions  
29               promulgated through executive issuances that pertain to the agencies of

1 the National Government covered under this Act, which are all hereby  
2 transferred *in toto* to the Department from the said agencies;

3 c) Be responsible for disaster risk reduction and management relative to  
4 culture and cultural property, both through its own programs and projects  
5 as well as through the National Disaster Risk Reduction and Management  
6 Council and Regional Disaster Risk Reduction and Management Councils,  
7 on which it shall have full membership, representation and participation;

8 d) Recommend to the President of the Philippines the designation, through  
9 Presidential Proclamation, with appropriate published guidelines pertaining  
10 thereto, of a cultural property, whether immovable or movable, tangible or  
11 intangible, as a National Cultural Monument, a category hereby established  
12 which incorporates the previously-established legal definitions of, criteria  
13 pertaining to, and all cultural property previously declared by authorized  
14 agencies as National Cultural Treasure, National Historical Landmark,  
15 National Historical Shrine, National Historical Monument, and National  
16 Historical Site;

17 e) Designate, through Department Order, and with appropriate published  
18 guidelines pertaining thereto, cultural property, whether immovable or  
19 movable, tangible or intangible, as National Cultural Property, a category  
20 hereby established which incorporates the previously-established legal  
21 definitions of, criteria pertaining to, and all cultural property previously  
22 declared by authorized agencies as Important Cultural Property and  
23 Heritage House;

24 f) Administer the qualification and selection, with appropriate published  
25 guidelines pertaining thereto, of the Award for National Living Treasures  
26 (*Gawad sa Manlilikha ng Bayan*), which is hereby renamed as the Order of  
27 National Living Treasures (*Orden ng mga Pambansang Manlilikha ng*  
28 *Bayan*), and the Order of National Artists (*Orden ng mga Pambansang*  
29 *Alagad ng Sining*), and recommend those nominees to either Order who

1 have been qualified and selected to the President of the Philippines for  
2 proclamation as such and conferral of the same;

3 g) Administer the qualification, selection and conferral of such other awards  
4 as it may establish in support of its mandate;

5 h) Undertake the education, training and certification of cultural officers and  
6 personnel as a necessary qualification for employment and promotion in  
7 the National Government and in local governments where such might be  
8 required by the Department in coordination with the Civil Service  
9 Commission and the Career Executive Service Board, at the career sub-  
10 professional, career professional, and career executive levels, to include  
11 appropriate courses and programs towards certificates, diplomas, and  
12 undergraduate and graduate degrees, through the establishment of the  
13 following, but not limited to, National Institutes:

14 1. National Institute of Language and Translation

15 2. National Institute of Living Traditions

16 3. National Institute of Cultural Heritage Conservation

17 4. National Institute of Cultural and Creative Industries

18 i) Support the development of the cultural, artistic and creative industries of  
19 the country, in all particulars and at all levels;

20 j) Administer the endowment funds established separately under Section 20  
21 of Republic Act No. 7356, *The Law Creating the National Commission for*  
22 *culture and the Arts;*”and Section 50 of Republic Act No. 10066, which are  
23 herein consolidated into a single National Endowment Fund for Culture and  
24 Arts (NEFCA) that shall continue to be sourced and augmented as provided  
25 by the aforementioned provisions, and provide financial support from this  
26 fund for various national programs through a system of grants drawing  
27 from the proceeds, including both principal and interest, of the same,  
28 subject to the approval of the Department of Budget and Management.

- 1 k) Create a National Culture and Arts Advisory Council, and Regional Culture  
2 and Arts Committees, to assist the Department in the implementation of  
3 culture and arts initiatives.
- 4 l) The Department may create sectoral and industry task forces, technical  
5 working groups, advisory bodies or committees for the furtherance of its  
6 objectives. Additional private sector representatives, such as from the  
7 academe, CSOs, and federation of private industries directly involved in  
8 culture and the arts as well as representatives of other LGUs, and GOCCs  
9 may be appointed to these working groups.
- 10 m) Other powers and functions as may be created, assigned or transferred by  
11 the President of the Philippines in accordance with law.

12 **Sec. 7. *Composition.*** The Department proper shall include the Office of the  
13 Secretary and the staff units directly under it, including the Services established herein.  
14 The Office of the Secretary shall consist of the Secretary, at least three (3)  
15 Undersecretaries, and at least five (5) Assistant Secretaries, together with the personnel  
16 in their immediate offices.

17 **Sec. 8. *Secretary of Culture.*** The authority and responsibility for the exercise of  
18 the mandate of the Department and for the discharge of its powers and functions shall  
19 be vested in the Secretary, who shall have supervision and control of the Department  
20 and shall be appointed by the President of the Philippines, subject to the confirmation  
21 by the Commission on Appointments.

22 **Sec. 9. *Powers and Functions of the Secretary.*** —The Secretary shall have the  
23 following powers and functions:

- 24 a) Provide executive direction and supervision over the entire operations of  
25 the Department and exercise administrative supervision over its attached  
26 agencies;
- 27 b) Establish policies and standards for the effective, efficient and economical  
28 operation of the Department, in accordance with the programs of  
29 government;
- 30

- 1 c) Promulgate rules and regulations necessary to carry out department
- 2 mandates, objectives, policies, functions, plans, programs and projects;
- 3 d) Promulgate administrative issuances necessary for the efficient
- 4 administration of the offices under the Secretary and for proper execution
- 5 of the laws relative thereto. These issuances shall not prescribe penalties
- 6 for their violation, except when expressly authorized by law;
- 7 e) Rationalize delivery systems necessary for the effective attainment of the
- 8 objectives of the Department, in accordance with the programs of
- 9 Government;
- 10 f) Appoint all officers and employees of the Department except those whose
- 11 appointments are vested in the President or in some other appointing
- 12 authority and shall appoint employees to positions in the second level in
- 13 the regional offices as defined in this Act and in accordance with the Civil
- 14 Service laws, rules and regulations;
- 15 g) Exercise disciplinary powers over officers and employees under the
- 16 Secretary in accordance with law, including their investigation and the
- 17 designation of a committee or officer to conduct such investigation;
- 18 h) Sit on the governing boards of attached agencies as provided in this Act,
- 19 as well as any other agencies or organizations as may be appropriate or
- 20 designated;
- 21 i) Coordinate with local governments, other agencies and public and private
- 22 interests' groups, including non-government organizations (NGOs) and
- 23 people's organizations (POs) on Department policies and initiatives;
- 24 j) Advise the President of the Philippines and make recommendations on
- 25 the promulgation of executive and administrative orders and regulatory
- 26 and legislative proposals on matters pertaining to culture;
- 27 k) Formulate and enforce a system of measuring and evaluating periodically
- 28 and objectively the performance of the Department and submit the same
- 29 annually to the President;
- 30

- 1 l) Prepare and submit to the President through the Department of Budget  
2 and Management an estimate of the necessary expenditures of the  
3 department during the next fiscal year, on the basis of the reports and  
4 estimates submitted by bureaus and officers under the Department;  
5 m) Exercise jurisdiction over all bureaus, offices, agencies and corporations  
6 under the Department as are provided by law; and,  
7 n) Represent the Philippines in matters pertaining to culture in overseas  
8 regional and international organizations and events.  
9 o) Performs such other functions as may be provided by law or assigned by  
10 the President of the Republic of the Philippines.

11 Sec. 10. *Undersecretaries.* The Secretary shall be assisted by three (3)  
12 Undersecretaries, who shall be appointed by the President of the Philippines upon the  
13 recommendation of the Secretary, two (2) of whom shall be appointed officers and 1  
14 (one) shall be a career officer. In general, the undersecretaries shall:

- 15 a) Advise and assist the Secretary in the formulation and implementation  
16 of department objectives and policies;  
17 b) Oversee all the operational activities of the bureau or units for which he  
18 shall be responsible as assigned by the Secretary;  
19 c) Coordinate the programs and projects of the same and be responsible  
20 for its economical, efficient and effective administration;  
21 d) Whenever necessary be designated to serve as deputy to the Secretary  
22 in all matters relating to the operations of the department; the designated  
23 Undersecretary will temporarily discharge the duties of the Secretary in the  
24 latter's absence or inability to discharge his or her duties for any cause or in  
25 case of vacancy of the said office, unless otherwise provided by law; the  
26 President of the Philippines shall likewise make the temporary designation of  
27 Acting Secretary to the same; and  
28 e) Perform such other functions and duties as may be provided by law.  
29

**Sec. 11. *Assistant Secretaries.*** Each Undersecretary shall be assisted by an Assistant Secretary shall be career officers and shall perform duties assigned by the Undersecretaries, who shall be appointed by the President of the Philippines upon the recommendation of the Secretary.

Sec. 12. *Qualifications.* No person shall be appointed Secretary, Undersecretary, or Assistant Secretary of the Department unless he or she is a citizen and resident of the Philippines, of good moral character, and of proven integrity, and with at least seven (7) years of competence/ expertise/ experience as manager, advocate, scholar, or practitioner in fields of endeavor related to Philippine culture and the mandate and functions of the Department.

## **ARTICLE II**

### **The Department Services**

Sec. 13. *Department Services.* — Subject to the power of the Secretary, with the approval of the President, to reorganize, restructure, and redefine the functions of the services for the effective discharge of the powers and functions of the Department under this Act, the Department shall provide seven (7) initial services which include the (1) Internal Audit Service, (2) Administrative and Human Resources Development Service, (3) Financial Management Service, (4) Policy and Planning Service, (5) Legal Affairs Service, (6) Program Evaluation and Monitoring Service and (7) National Endowment and Grants Management Services.

Further, recognizing the possible increase of stakeholders served and areas covered, the Department shall, if deemed necessary, expand its services to include the General Administrative Service, Physical Facilities Management Service, Strategic Communications and Initiatives Service, Knowledge and Information Systems, and the Foreign Assisted and Special Project Service.

1 **ARTICLE IV**

2 **The Bureaus**

3  
4 Sec. 14. *The Bureaus of the Department*— The Department shall exercise  
5 supervision and control over the following six (6) Bureaus which are created under it:

- 6 a) *Bureau of Cultural Communities and Traditional Arts Development* – shall  
7 formulate and implement plans, programs and activities for the  
8 development of the different cultural communities all over the country,  
9 ensure the preservation and dissemination of the country's diverse  
10 cultures, establish schools/institute for living traditions, encourage the  
11 continued practice and development of traditional arts and crafts,  
12 document the Indigenous Knowledge Systems and Practices (IKSP), and  
13 cause the recognition of outstanding traditional artists.
- 14 b) *Bureau of Cultural Properties Protection and Regulation* – shall be in-  
15 charge of the registration and documentation of the nation's historical and  
16 cultural properties, issue permits and license, conduct inspection and  
17 assessment on cultural properties, implement Disaster Risk Reduction  
18 program for the cultural assets, enforce laws on cultural heritage  
19 conservation and intellectual property protection for artists and cultural  
20 experts, and accredit and provide standards for the classification and  
21 professionalization of artists.
- 22 c) *Bureau of Cultural Properties Preservation* – shall formulate and implement  
23 plans, programs, and activities for the preservation of tangible and  
24 intangible cultural heritage, provide architectural, engineering, scientific,  
25 and conservation laboratory services, provide support to monuments and  
26 sites, museums and galleries and libraries and archives all over the  
27 country.
- 28 d) *Bureau of Artistic Resources Development* – shall ensure the continuing  
29 and balance development of the nation's artistic heritage in its various  
30 forms; performing arts, film and media arts, visual arts, architecture and

1 allied arts and literature, provide support to regional and local culture and  
2 arts centers, performing arts and exhibition venues, ensure the welfare of  
3 artists and cultural workers, undertake human resource development  
4 programs for artists.

5 e) *Bureau of Philippine Languages, Cultural Research, Education, and*  
6 *Dissemination* – shall undertake cultural research for policy and program  
7 development, publish cultural materials, especially on positive Filipino  
8 values for dissemination, manage the cultural education program for the  
9 country, ensure the development and promotion of Philippine languages,  
10 implement national translation program, and implement national  
11 promotion program in various forms of media.

12 f) *Bureau of Creative Industries* – shall formulate plans and programs to  
13 ignite the innovative and entrepreneurial mindset of Filipino artists and  
14 establish industries in the various genre of arts; performing arts, cinema,  
15 books and publications, creative designs, culinary lifestyle and architecture  
16 and allied arts, and others.

17 Each bureau shall work in close coordination and provide support, if necessary,  
18 to the concerned attached agencies.

19 Each Bureau shall be headed by a Bureau Director, who shall be assisted by one  
20 (1) Assistant Bureau Director. The Bureau Director and Assistant Bureau Director shall  
21 be appointed by the President upon the recommendation of the Secretary. *Provided,*  
22 *that he or she is a citizen and resident of the Philippines, of good moral character, and*  
23 *of proven integrity. Provided, further, that the Assistant Bureau Director shall be either*  
24 *a career officer or with a relevant amount of years of competence/expertise/experience*  
25 *as manager, advocate, scholar, or practitioner in fields of endeavor related to Philippine*  
26 *culture and the arts.*

27 **Sec. 15. Powers and Duties of Bureau Director.** —The Bureau Director shall be its  
28 chief executive officer. He shall exercise overall authority in matters within the  
29 jurisdiction of the bureau, including those relating to its operations, and enforce all laws  
30 and regulations pertaining to it. Shall appoint personnel to all positions in his bureau or

1 office, in accordance with law. In the case of the line bureau or office, the head shall  
2 also appoint the second level personnel of the regional offices, unless such power has  
3 been delegated. He shall have the authority to discipline employees in accordance with  
4 the Civil Service Law.

## 6 **ARTICLE V**

### 7 **The Regional and Field Offices**

8  
9 *Sec. 16. Regional Offices of the Department.* The Department is hereby  
10 authorized to establish, operate and maintain a Regional Office, whenever appropriate,  
11 in each of the administrative regions of the country. Each regional office shall be  
12 headed by a Regional Director, who may be assisted by one (1) Assistant Regional  
13 Director. The Regional Director and Assistant Regional Director shall be appointed by  
14 the President upon the recommendation of the Secretary: Provided, that they shall be  
15 persons recognized as an accomplished manager, advocate, scholar or practitioner in  
16 fields of endeavor related to Philippine culture in the region, or any suitably qualified  
17 person in accordance with Civil Service Commission (CSC) rules and regulations.

18 It may also establish satellite, extension or field offices when and wherever  
19 necessary, particularly in locations where significant cultural and heritage properties  
20 and concerns are identified to exist, and to support the operations, programs and  
21 projects of its attached and other concerned agencies and institutions. A regional office  
22 shall have, within its administrative region, the following functions:

- 23 a) Implement laws, policies, plans, programs, rules and regulations of the  
24 department or agency in the regional area;
- 25 b) Provide economical, efficient and effective service to the people in the  
26 area;
- 27 c) Undertake research and gather data on local culture and arts trends and  
28 other relevant cultural and artistic information;

- 1 d) Cause to establish and oversee the regional and local culture and arts  
2 councils (as far as the city and municipal level) to engage participation of  
3 local artists and cultural workers;  
4 e) Create Regional Committees (RC) to expedite the implementation of plans  
5 and strategies for the furtherance of its objectives, which shall be  
6 composed of experts from various culture and arts disciplines. The rules  
7 and regulations of the Regional Committees shall be determined by the  
8 Regional Office. The Regional Director shall sit as an ex-officio member of  
9 the RCs.  
10 f) Coordinate with regional offices of other departments, bureaus and  
11 agencies in the area;  
12 g) Coordinate with local government units in the area;  
13 h) Make recommendations to the Secretary on all matters relating to culture  
14 and arts in the region; and,  
15 i) Perform such other functions as may be provided by law.

16 *Sec. 17. Duties of a Regional Director.* —The Regional Director shall perform  
17 duties and functions as may be provided by law or further delegated by the head of  
18 agency or other proper authorities concerned.

## 20 **ARTICLE VI**

### 21 **The Attached Agencies, Institutes, Advisory Council, Overseas Offices**

22  
23 *Sec. 18. The Attached Agencies.*

- 24 a) The National Commission for Culture and the Arts (NCCA) is hereby  
25 abolished, and their powers and functions, applicable funds and  
26 appropriations, records, equipment, property, and personnel transferred  
27 to the Department for utilization in accordance with the Department's  
28 mandate.

1           b) All functions in accordance with the charters, laws, or orders of the attached  
2           agencies duplicated by this act shall be appropriately absorbed and  
3           assumed by the Department.

4           c) The following agencies, with the absorption of functions as stated by *sub-*  
5           *paragraph b* of this section, shall accordingly perform the following  
6           functions and are hereby attached to the Department:

7                 1.           *Cultural Center of the Philippines (CCP)*

8           The Cultural Center of the Philippines shall be in-charge of the  
9           administration of the Cultural Center of the Philippines Complex.

10                2.           *National Museum of the Philippines (NMP)*

11           The National Museum of the Philippines shall be tasked with  
12           establishing, managing, and developing the National Museum Complex  
13           at the Rizal Park, Manila and promote the principles of universal access  
14           to the complex.

15                3.           *National Historical Commission of the Philippines (NHCP)*

16           The National Historical Commission of the Philippines shall be tasked  
17           with the conduct of research, the production of materials in various  
18           media and the publication and dissemination of historical works, and the  
19           resolution of historical controversies or issues.

20                4.           *National Library of the Philippines (NLP)*

21           The National Library of the Philippines shall be responsible for the  
22           administration of the National Library building as a repository of the  
23           printed and recorded cultural heritage of the country and other  
24           intellectual literary and other information sources, and shall also be  
25           responsible for the provision of access to such resources.

26                5.           *National Archives of the Philippines (NAP)*

27           The National Archives of the Philippines shall be responsible for the  
28           maintenance and development of the National Archives building to  
29           house the country's archival and public records; and shall conduct  
30           archival researches using archival materials here and abroad and cause

1 the publication and dissemination of valuable archival information that  
2 are public in nature.

3 *6. Komisyon sa Wikang Filipino (KWF)*

4 The Komisyon sa Wikang Filipino shall be tasked with the conduct of  
5 research and other language studies and shall coordinate with the  
6 Bureau of Philippine Languages, Cultural Research, Education, and  
7 Dissemination for the promotion of the evolution, development,  
8 enrichment and eventual standardization of Filipino and other Philippine  
9 Languages.

10 *7. Film Development Council of the Philippines (FDCP)*

11 The Film Development Council of the Philippines shall be responsible  
12 with the establishment and implementation of a Cinema Evaluation  
13 System in accordance with the criteria set forth in RA 9167 and shall  
14 develop and implement an incentive and reward system for the  
15 producers based on merit to encourage the production of quality films.

16 *8. National Book Development Board (NBDB)*

17 The National Book Development Board shall be responsible for the  
18 formulation, adoption, and implementation of a National Book  
19 Development Plan that will serve as the basis for fostering the  
20 progressive growth and viability of the country's book industry.

- 21 d) The laws and rules on government reorganization as provided for in Republic  
22 Act No. 6566, otherwise known as the Reorganization Law, shall govern  
23 the organization process of the Department.

24 **Sec. 19. Culture and Arts Advisory Councils.** The National Culture and Arts  
25 Advisory Council shall be composed of the seventeen (17) representatives from their  
26 respective Regional Committees. The National Culture and Arts Advisory Council shall  
27 perform the following functions:

- 28 a) Assess the general conditions of Philippine culture and the arts, and  
29 propose approaches, including policies and programs that may be adopted  
30 by the Department;

- 1
- 2           b)     Serve as a forum for the discussion of matters affecting the Regional
- 3                   Committees or the cultural sector, anchored on the strengthening of
- 4                   linkages, the exchange of information, and the formulation of coherent
- 5                   guidelines and policies; and
- 6           c)     Initiate, formulate, and advocate a coordinated and common stand on
- 7                   significant cultural issues or concerns; and,
- 8           d)     Perform any other advisory function as may be deemed by the Department.

9           Sec. 20. *Rizal Centers.* — The Department shall, through a dedicated

10           organizational unit to be established for the purpose, establish and manage centers, to

11           be known as Rizal Centers or *Sentro Rizal*, overseas, the primary purpose of which shall

12           be the promotion of, and the facilitation of access by the constituency of each center to,

13           Philippine culture generally as well as the cultural resources managed by the Department

14           and its attached agencies in particular.

15           Overseas, the Department shall establish *Sentro Rizal* as Philippine cultural

16           centers in key places for the benefit of the global diaspora of Philippine citizens, the

17           global community of Filipino migrants or descendants thereof, and all who are interested

18           in Philippine culture. The Department for this purpose shall coordinate with the

19           Department of Foreign Affairs, the Commission on Filipinos Overseas, and other

20           concerned agencies.

21           Such *Sentro Rizal* as may be established overseas shall have a dedicated budget

22           and staff under the Department and be considered as overseas offices thereof, shall

23           function as repositories of Philippine cultural resources, shall carry out active programs

24           and projects to engage their respective constituencies, and shall offer courses in the

25           national language and any other Filipino languages as may appropriate.

26           The operations of the *Sentro Rizal* network of the Department, overseas, shall be

27           considered as one its permanent flagship programs, and shall therefore be specifically

28           provided for in the General Appropriations Act for every fiscal year.

## ARTICLE VII

### REORGANIZATION

Sec. 21. *Reorganization.* The laws and rules on government reorganization as provided for in Republic Act No. 6656, otherwise known as the Reorganization Law, shall govern the reorganization process of the Department and, where appropriate, its attached agencies.

**Sec. 22. *Structure and Staffing Pattern.*** Subject to the approval of the Department of Budget and Management (DBM), the Department and, where appropriate, its attached agencies, shall determine its organizational structure and create new divisions or units as it may deem necessary, and shall appoint officers and employees of the Department and its attached agencies in accordance with the Civil Service Law, rules, and regulations.

**Sec. 23. *Transition Period.*** The transfer of functions, assets, funds, equipment, properties, transactions, and personnel of affected agencies, and the formulation of the internal organic structure, staffing pattern, operating system, and revised budget of the Department, shall be completed within six (6) months from the effectivity of this Act, during which time, the existing personnel shall continue to assume their posts in holdover capacities until new appointments are issued; *Provided*, that after the abolition of the agency, the Department, in coordination with the DBM, shall determine and create new positions.

**Sec. 24. *Separation from Service.*** Employees separated from the service as a result of this reorganization shall, within 6 months therefrom, if entitled thereto, receive the appropriate separation pay and retirement and other benefits under existing laws. Provided that such separation pays and retirement benefits shall have priority of payment out of the savings of the department or agency.

1 **ARTICLE VIII**  
2 **PROPERTIES OF THE DEPARTMENT**  
3

4 Sec. 25. *Post Office Building and Liwasang Bonifacio.* The Post Office Building,  
5 currently the property of the Philippine Postal Corporation (PhilPost), and the area  
6 known as Liwasang Bonifacio (formerly Plaza Lawton), both in the City of Manila, are  
7 hereby appropriated for the exclusive use and central office premises of the Department  
8 of Culture and its attached agencies.

9 Sec. 26. *Other Properties.* Real and movable properties owned by those agencies  
10 abolished or absorbed into the Department under this Act, namely the National  
11 Commission for Culture and the Arts Building and the Metropolitan Theatre, shall be  
12 transferred to the Department for utilization in accordance with its mandate.

13 All other real and movable properties of the attached agencies of the Department  
14 acquired by virtue of their respective charters shall remain under the control and  
15 disposition of these attached agencies, and shall be utilized exclusively in accordance  
16 with their respective mandates.  
17

18 **ARTICLE IX**  
19 **APPROPRIATIONS AND FINAL PROVISIONS**  
20

21 Sec. 27. *Appropriations.* - The amount needed for the initial implementation of  
22 this Act shall be taken from the current fiscal year's appropriation of the National  
23 Commission for Culture and the Arts and all the functions and programs of the attached  
24 agencies that are herein absorbed by the Department. Thereafter, the amount needed  
25 for the operation and maintenance of the Department shall be included in the General  
26 Appropriations Act.

27 Sec. 28. *Implementing Rules and Regulations.* - The Office of the President, in  
28 consultation with other agencies mentioned in this Act, shall promulgate its  
29 implementing rules and government regulations within ninety (90) days after the  
30 effectivity of this Act.

1       Sec. 29. *Repealing Clause.* All laws, decrees, executive orders, rules and  
2 regulations and other issuances or parts thereof that are inconsistent with this Act are  
3 hereby repealed, amended or modified accordingly.

4       Sec. 30. *Separability Clause.* If any provision of this Act shall be declared  
5 unconstitutional or invalid, the other provisions not otherwise affected shall remain in  
6 full force and effect.

7       Sec. 31. *Effectivity Clause.* This Act shall take effect fifteen (15) days from its  
8 publication in at least two (2) papers of general circulation.

*Approved,*