



HOUSE OF REPRESENTATIVES

H. No. 6378

BY REPRESENTATIVES DE GUZMAN AND GONZALES (N.), PER COMMITTEE
REPORT NO. 2039

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

*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 “National
2 Historical Commission of the Philippines Act”.

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

9 Towards this end, the State shall provide means to strengthen people’s
10 nationalism, love of country, respect for its heroes, and pride for the people’s
11 accomplishments by reinforcing the importance of Philippine national and

1 local history in daily life; reinvigorating government support for historical
2 research; and sustaining programs for the protection, preservation and
3 conservation of historical artifacts, monuments, sites and other historical
4 resources.

5 The State shall likewise give utmost priority not only to the research on
6 history but also to the popularization of history. This way, the State will be
7 able to build a Philippine national identity based on unity and pride in diversity
8 held together by a common history.

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

11 (a) “Built Heritage” refers to architectural and engineering structures
12 such as, but not limited to, bridges, government buildings, houses of ancestry,
13 traditional dwellings, technological and industrial complexes and their settings,
14 and landscapes with notable historical and cultural significance.

15 (b) “Classified” refers to structures and sites marked and listed as such
16 and recorded in the National Historical Institute’s National Registry of Historic
17 Structures, and not falling under any of the five (5) categories of historic sites
18 and structures, namely: national shrines, national monuments, national
19 landmarks, heritage houses and historic sites.

20 (c) “Conservation” refers to all the processes and measures of
21 maintaining the cultural significance of a cultural property including, but not
22 limited to, preservation, restoration, reconstruction, protection, adaptation or
23 any combination thereof.

24 (d) “Documentation” refers to the recording in a permanent format of
25 information derived from conservation activities.

26 (e) “Heritage houses” refers to houses of ancestry with notable
27 historical, cultural, social, architectural and artistic value and significance.

1 (f) “Historic site” refers to a natural area or place recognized to have
2 important historical significance.

3 (g) “Historical street name” refers to a street name which has been in
4 existence for at least fifty (50) years.

5 (h) “History” refers to the record of people, places and events in the
6 past; it can also mean the discipline involving the study of people, places and
7 events in the past.

8 (i) “History museum” refers to a museum or gallery associated with
9 historical events, personages and places.

10 (j) “Historical research” refers to the scholarly investigation of people,
11 places and events in the past.

12 (k) “Historical writing” refers to the coherent, narrative and scholarly
13 documentation of people, places and events in the past.

14 (l) “National historical landmarks” refers to sites or structures that are
15 associated with events or achievements significant to Philippine history.

16 (m) “National historical monuments” refers to structures that honor
17 illustrious persons or commemorate events of historical value.

18 (n) “National historical shrines” refers to historical sites or structures
19 hallowed and revered for their history or association.

20 (o) “National registry of historic structures” refers to the registry of all
21 historic sites and structures of the country.

22 (p) “Preservation” refers to the protection of cultural property through
23 activities that minimize chemical and physical deterioration and damage and
24 which prevents loss of informational content.

25 (q) “Restoration” refers to the action taken or the technical intervention
26 to correct deterioration and alterations.

27 SEC. 4. *Renaming of the National Historical Institute.* – The
28 nomenclature of the National Historical Institute (NHI), established pursuant to

1 Presidential Decree No. 1, series of 1972, is hereby changed to National
2 Historical Commission of the Philippines (NHCP).

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

5 SEC. 5. *General Mandate.* – The NHCP shall be responsible for the
6 conservation, promotion and popularization of the Philippine historical
7 heritage and resources by undertaking all kinds of research relating to
8 Philippine national and local history; encourage historical educational
9 activities for the popularization of Philippine history; implement dissemination
10 programs regarding historical events; and manage and safeguard the
11 improvement and restoration of national shrines, monuments, historical sites,
12 edifices of significant cultural value and landmarks.

13 The NHCP shall likewise assume jurisdiction over all matters relative to
14 historical studies and popularization of Philippine history, including the survey
15 and documentation, establishment, development and maintenance of historic
16 sites and structures.

17 SEC. 6. *The Board.* – The NHCP shall be governed by a seven
18 (7)-member Board, which shall be created to formulate and implement policies
19 relating to the national historical landmarks, treasures and resources.

20 SEC. 7. *Powers and Functions of the Board.* – The Board of the
21 NHCP shall exercise the following powers and functions:

22 (a) Conduct all manners of research pertaining to Philippine national
23 and local history;

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

26 (c) Purchase real property, buildings and other structures that are of
27 significant historical and enduring value;

- 1 (d) Determine the manner by which historical sites will be identified,
2 maintained and preserved, and place appropriate historical markers to these
3 historical sites;
- 4 (e) Identify, reconstruct, restore, preserve and maintain documents and
5 other historical artifacts important to Philippine history;
- 6 (f) Plan, organize traditional, or initiate new celebrations or
7 commemorations pertaining to Philippine history;
- 8 (g) Initiate and promote programs such as the integration of the subject
9 on history into the school curriculum, among others, for the popularization of
10 Philippine history;
- 11 (h) Implement and enforce the Flag law and other special laws where
12 the NHCP has been designated as implementor;
- 13 (i) Secure and receive local, bilateral and international donations,
14 grants and endowments in support of its programs and projects;
- 15 (j) Develop and implement consortium agreements to link other
16 government agencies and/or private individuals and organizations engaged in
17 or in support of the mandate of the NHCP;
- 18 (k) Regulate activities inimical to the preservation and conservation of
19 historical property or resources;
- 20 (l) Advise the President of the Republic of the Philippines on matters
21 pertaining to Philippine history;
- 22 (m) Generate resources from government or private sources, local or
23 international, for its operation;
- 24 (n) Collect reasonable fees for use, sale or rent of its resources as well
25 as entrance fees to parks which the NHCP has the duty to maintain;
- 26 (o) Create committees or deputize individuals for projects that the
27 NHCP wishes to undertake; and

1 (p) Conduct public hearings and ocular inspections or initiate factual
2 investigations with respect to disputed historical issues for the purpose of
3 declaring official historical dates, places and personages.

4 SEC. 8. *Composition of the Board.* – The Board shall be composed of
5 the following:

6 (a) The Executive Director of the National Library of the Philippines;

7 (b) The Executive Director of the National Museum;

8 (c) The Executive Director of the National Archives of the Philippines;

9 and

10 (d) Four (4) distinguished historians representing the private sector to
11 be appointed by the President of the Republic of the Philippines.

12 The chairperson of the Board shall be elected by the members from
13 among the regular members of the Board.

14 SEC. 9. *Qualifications of Members of the Board.* – No person shall be
15 appointed or elected to the Board unless he/she possesses the following
16 minimum qualifications:

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

18 (b) At least thirty-five (35) years old;

19 (c) Has good moral character;

20 (d) Has distinguished himself/herself in the field of Philippine history;

21 and

22 (e) Has published works in Philippine history and other academic
23 expertise recognized by scholars and the reading public.

24 SEC. 10. *Term of Office.* – The members of the Board shall serve for a
25 term of four (4) years and shall not serve for more than two (2) consecutive
26 terms. Appointment to any vacancy shall only be for the unexpired term of the
27 predecessor and in no case shall a member be appointed or designated in a
28 temporary or acting capacity.

1 SEC. 11. *The Executive Director.* – The executive director shall
2 implement policies and programs approved by the Board and manage and
3 supervise the operation of the NHCP.

4 The executive director shall be appointed by the President of the
5 Republic of the Philippines. He/She shall have a rank equivalent to a bureau
6 director.

7 SEC. 12. *Functions of the Executive Director.* – The executive
8 director shall have the following functions:

9 (a) Implement the policies and programs promulgated by the NHCP
10 Board;

11 (b) Take charge of the day-to-day administration and management of
12 the NHCP;

13 (c) Represent the NHCP in meetings; and

14 (d) Perform such other functions as may be necessary.

15 SEC. 13. *The Deputy Executive Directors.* – The executive director
16 shall be assisted by a deputy executive director for Administrative Affairs and
17 a deputy executive director for Special Programs.

18 The deputy executive directors shall be appointed by the Board.

19 SEC. 14. *Qualifications of the Executive Director and Deputy*
20 *Executive Directors.* – No person shall be appointed or designated as
21 executive director and deputy executive directors of the NHCP unless he/she
22 possesses the following minimum qualifications:

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

24 (b) Has good moral character;

25 (c) Holder of either a master's degree in history, or political science, or
26 public administration, or information management;

1 (d) With at least ten (10) years of actual and relevant experience in
2 managing a government agency in the case of the executive director and five
3 (5) years experience in the case of the deputy executive directors; and

4 (e) With career executive service officer eligibility.

5 SEC. 15. *Delegation of Authority.* – The executive director shall have
6 authority over and responsibility for the operation of the NHCP. He/She may
7 delegate such authority to the deputy executive directors to implement plans
8 and programs. The delegation shall be in writing; shall indicate the name of
9 the specific officer to which the delegation is made; shall indicate the duties
10 and responsibilities delegated; shall indicate the length of period of delegated
11 authority; and shall vest sufficient authority to enable the delegate to discharge
12 his/her assigned responsibility.

13 SEC. 16. *Reorganization.* – Within one hundred twenty (120) days from
14 the effectivity of this Act, the Board shall have the authority to reorganize the
15 structure of the NHI, including its staffing pattern in order to carry out its
16 functions.

17 SEC. 17. *Historic Sites and Structures Documentation Center.* – A
18 Historic Sites and Structures Documentation Center (HSSDC) shall be
19 established within the NHCP, replacing the existing Survey and
20 Documentation Section, which shall be tasked to undertake the survey,
21 identification, documentation, and recommendation for the declaration of
22 historic structures and edifices such as national shrines, monuments, and
23 landmarks or heritage houses by the NHCP Board and the maintenance of
24 national registry of historic structures.

25 SEC. 18. *Local Historical Committees Network.* – The existing work of
26 the NHCP on historical society affiliations shall constitute the Local Historical
27 Committees Network (LHCN). The LHCN shall monitor, coordinate, support,
28 and upon approval of the Board, affiliate various local historical bodies

1 engaged in the collection, documentation, popularization and preservation of
2 extant historical materials found in different parts of the Philippines. It shall
3 also record the oral histories of towns, cities, provinces and regions.

4 SEC. 19. *Materials Research Conservation Division.* – The Materials
5 Research Conservation Center of the NHCP shall be renamed as Materials
6 Research Conservation Division (MRCD). Aside from its regular functions, it
7 shall provide consultancy services to collectors of historical objects that are
8 considered valuable components of Filipino heritage to ensure that
9 preservation and conservation techniques and procedures are in accordance
10 with the accepted international standards set in protecting historical objects and
11 materials.

12 The MRCD shall enrich and update knowledge on restoration and
13 preservation techniques by conducting scientific research on these techniques
14 to ensure the conservation of Filipino cultural heritage. It shall likewise
15 establish linkages between the Philippines and various international bodies
16 engaged in the scientific preservation of historical and cultural objects.

17 SEC. 20. *Tax Exemption on Donations.* – All donations in any form to
18 the NHCP shall be exempt from the donor's tax and the same shall be
19 considered as allowable deduction from the gross income in the computation of
20 the income tax of the donor, in accordance with the provisions of the National
21 Internal Revenue Code of 1997, as amended.

22 SEC. 21. *Transitory Provisions.* – The incumbent executive director and
23 deputy executive directors of the NHI shall continue to serve in their respective
24 capacities as the executive director and deputy executive directors of the herein
25 established NHCP for one (1) year after the effectivity of this Act or until a
26 new executive director shall have been appointed by the President of the
27 Republic of the Philippines and the two (2) new deputy executive directors
28 shall have been appointed by the Board.

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

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

6 Officials and employees of the NHI shall be absorbed by the NHCP on
7 the basis of merit and fitness.

8 *SEC. 22. Implementing Rules and Regulations.* – The NHCP, in
9 consultation with the other government agencies mentioned in this Act, shall
10 promulgate the implementing rules and regulations within ninety (90) days
11 after the effectivity of this Act.

12 *SEC. 23. Separability Clause.* – If any provision of this Act is held
13 invalid or unconstitutional, the same shall not affect the validity and effectivity
14 of the other provisions hereof.

15 *SEC. 24. Repealing Clause.* – Pertinent provisions of Presidential
16 Decree No. 1, series of 1972 and all other laws, decrees, executive orders and
17 rules and regulations contrary to or inconsistent with the provisions of this Act
18 are hereby repealed or modified accordingly.

19 *SEC. 25. Effectivity Clause.* – This Act shall take effect fifteen (15)
20 days after its publication in at least two (2) newspapers of general circulation.

Approved,

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