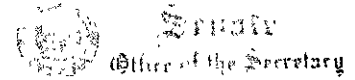



SIXTEENTH CONGRESS OF
THE REPUBLIC OF THE PHILIPPINES
Second Regular Session

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15 JUN 10 P 1:57

SENATE
S. B. NO. 2841

REGISTERED BY: 

Introduced by Senator **PIA S. CAYETANO**

AN ACT
STRENGTHENING THE MECHANISMS FOR THE PROTECTION AND CONSERVATION OF THE NATIONAL CULTURAL HERITAGE BY BROADENING THE MANDATE OF THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS, ENHANCING ITS POWERS AND FUNCTIONS, RATIONALIZING THE POWERS AND DUTIES OF AFFILIATED CULTURAL AGENCIES, PROVIDING STIFFER PENALTIES FOR VIOLATIONS THEREOF, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10066, OTHERWISE KNOWN AS THE "NATIONAL CULTURAL HERITAGE ACT OF 2009" AND REPUBLIC ACT NO. 7356 OTHERWISE KNOWN AS THE "LAW CREATING THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS"

EXPLANATORY NOTE

Enshrined in the 1987 Constitution is the mandate that the State shall "conserve, promote and popularize the nation's historical and cultural heritage and resources, as well as artistic creations."¹ It further provides 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."²

Our history, culture, and heritage are intangible ideas that connect Filipinos to each other and unite us in a national identity. It is this shared history that drives us towards a desire for inclusive progress in our nation.

Unfortunately, in other parts of the country, there is still a lack of appreciation and knowledge towards the preservation and protection of cultural properties. In the recent months following the issue of preserving the vista of the Rizal Monument, there have been numerous reports on the desecration and mutilation of important cultural properties such as the demolition of the Army and Navy Club, gouging of Admiral Hotel along Roxas Boulevard in Manila, impending demolitions of El Hogar in Binondo, Manila, Dampol Arc in Nueva Vizcaya and the ancestral houses in Palo Leyte, and many others.

Due to this continued disregard and wanton destruction of cultural properties within the country, the need to further strengthen the National Cultural Heritage Act (R.A. 10066) and amend the Law Creating The National Commission For Culture And The Arts (R.A. 7356) emerges, to properly and urgently address the threats to our cultural heritage. In the amendment of the said laws, the powers and functions of the National Commission for Culture and the Arts (NCCA) will be enhanced in order for the Commission to directly implement heritage conservation programs and activities as well as enforce laws on heritage conservation. The cultural properties will be properly identified and uniformly categorized, thereby identifying the layer of protection that will cover them. The power to declare, delist, and exempt National Cultural Treasures or Important Cultural Properties are vested in the NCCA or the appropriate cultural agency, which they may exercise *motu proprio* or upon application by any interested party.

¹ Section 15, Article XIV of the 1987 Constitution

² Section 16, Article XIV of the 1987 Constitution

The NCCA's powers to issue a Cease And Desist Order, Protection Order and Restoration Or Rehabilitation Order are further strengthened and procedures are clearly laid out to ensure stronger enforcement and protection. And a new provision was inserted to address the recent issues between development and preservation by requiring Heritage Permits for any construction, alteration, repair, removal, conversion or demolition of any building or structure from the deputized Local Government Unit (LGU) officer or the NCCA to ensure that no cultural property within its jurisdiction will be adversely affected. Moreover, the proposed addition of the Legal Office and the Conservation Division will further strengthen the capacity of the NCCA to perform its mandate.

The overlapping jurisdiction of cultural agencies will also be addressed in this Bill by rationalizing the powers and duties of affiliated cultural agencies. Properly identifying the functions of each cultural agency will help in immediately identifying the agency that is responsible for the protection and preservation of each cultural property.

Private sector support is encouraged by facilitating the conservation, restoration and rehabilitation of cultural property through creative arrangements pursuant to the Build-Operate-and-Transfer (BOT) and the Public-Private Partnership (PPP) laws or other similar laws. Privileges accorded to cultural properties are also expanded to include tax incentives in the form of tax credit, refund, or a deductible expense equivalent to one hundred percent (100%) of the amount assumed by the private property owner for the preservation and/or conservation of the cultural property.

Furthermore, recognizing that the cultural properties of the country are invaluable and immeasurable, this Bill also seeks to amend the penal provisions of R.A. 10066 by providing stiffer penalties.

According to the World Commission on Culture and Development, "culture is the fountain of our progress and creativity and must be carefully nurtured to grow and develop³." Contrary to usual perceptions, culture and heritage can also be catalysts for development, especially when important cultural properties are protected. Preserving the integrity of cultural properties need not stifle development of new structures. Cultural heritage tourism plays an important sector to community economic development, a good example of which is Vigan City. The growth of tourism in Vigan City has contributed to greater income generation and employment opportunities to the community.

In fact, the Hangzhou Declaration recognizes that heritage conservation is a part of a sustainable development plan and advocates placing culture at the heart of public policy. The relevant provision affirms "the potential of culture as a driver for sustainable development, through the specific contributions that it can make – as knowledge capital and a sector of activity – to inclusive social, cultural and economic development, harmony, environmental sustainability, peace and security. This has been confirmed by a wealth of studies and demonstrated by numerous concrete initiatives."⁴

With strong policies in place and their effective implementation, urban development and economic progress can coexist with heritage preservation. Our cultural properties are physical manifestations of this ideal, and sacred symbols of our nationhood and ongoing historical narrative. It is incumbent upon us to preserve these treasures, not only as a reminder of their significance on our identity, but also as a gift to our posterity, the future generations of Filipinos who deserve to inherit a strong sense of culture and history from their forebears.

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


SENATOR PIA S. CAYETANO


³ United Nations Educational, Scientific and Cultural Organization. 2014. *The contribution of culture to sustainable development*. <http://www.unesco.org/new/en/culture/themes/culture-and-development/the-future-we-want-the-role-of-culture/the-contribution-of-culture/>.

⁴<http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/images/FinalHangzhouDeclaration20130517.pdf>

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AN ACT

STRENGTHENING THE MECHANISMS FOR THE PROTECTION AND CONSERVATION OF THE NATIONAL CULTURAL HERITAGE BY BROADENING THE MANDATE OF THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS, ENHANCING ITS POWERS AND FUNCTIONS, RATIONALIZING THE POWERS AND DUTIES OF AFFILIATED CULTURAL AGENCIES, PROVIDING STIFFER PENALTIES FOR VIOLATIONS THEREOF, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10066, OTHERWISE KNOWN AS THE "NATIONAL CULTURAL HERITAGE ACT OF 2009 AND REPUBLIC ACT NO. 7356, OTHERWISE KNOWN AS "THE LAW CREATING THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS"

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

CHAPTER I

AMENDMENTS TO REPUBLIC ACT NO. 7356, OR THE LAW
CREATING THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS

SECTION 1. Sections 8 and 12 of Republic Act No. 7356 is hereby amended as follows:

"SEC. 8. The Commission. A National Commission for Culture and the Arts is hereby created to formulate policies for the development of culture and arts; implement [these] policies **AND PROGRAMS ON ITS OWN OR** in coordination with affiliated cultural agencies; coordinate the implementation of programs of these affiliated agencies; administer the National Endowment Fund for Culture and Arts (NEFCA); encourage artistic creation within a climate of artistic freedom; develop and promote the Filipino national culture and arts; and preserve Filipino cultural heritage. The Commission shall be an independent agency. It shall render an annual report of its activities and achievements to the President and to Congress."

"SEC. 12. Mandate. – The Commission is hereby mandated to **IMPLEMENT AND ENFORCE LAWS ON HERITAGE CONSERVATION, PLAN AND IMPLEMENT HERITAGE CONSERVATION PROGRAMS AND ACTIVITIES,** AND formulate [and implement] policies and plans in accordance with the principles stated in Title 1 of this Act."

"a) xxx

"b) xxx

"8) encourage, support and systematize the audio-visual documentation of Filipino cultural expressions in the contemporary period [.]

1 **“9) ENFORCE LAWS ON HERITAGE CONSERVATION AND**
2 **IMPLEMENT HERITAGE CONSERVATION PROGRAMS AND**
3 **ACTIVITIES.”**

4 **SEC. 2.** Section 13 of Republic Act No. 7356 is hereby amended as follows:

5 “SEC. 13. Powers and Functions. – To carry out its mandate, the Commission
6 shall exercise the following powers and functions:

7 “xxx

8 “l) regulate activities inimical to preservation/conservation of national
9 cultural heritage/properties[.];

10 **“M.) PLAN AND IMPLEMENT HERITAGE CONSERVATION**
11 **PROGRAMS AND ACTIVITIES; AND**

12 **“N.) ENFORCE LAWS ON HERITAGE CONSERVATION.”**

13 **CHAPTER II**
14 **AMENDMENTS TO REPUBLIC ACT NO. 10066, OR**
15 **THE NATIONAL CULTURAL HERITAGE ACT OF 2009**

16 **SEC. 3.** – Article II, Section 3 of Republic Act No. 10066 is hereby amended as follows:

17 “SEC. 3. *Definition of Terms.*– [For purposes of this Act, the following terms shall
18 be defined as follows] As used in this Act:

19 “(a) xxx

20 “(b) xxx

21 “(c) xxx

22 “(d) “Archaeological area” shall refer to any place, whether above or
23 underground, underwater or at sea level, containing fossils, artifacts and
24 other cultural, geological, botanical, zoological materials which depict and
25 document [culturally relevant paleontological], prehistoric and/or historic
26 events.

27 “(e) xxx

28 “(f) xxx

29 “(g) xxx

30 “(h) xxx

31 “(i) xxx

32 “(j) “Cultural agencies” shall refer to the following national government
33 agencies [with their specific areas of responsibility]: National Museum
34 [(cultural property);],[the] National Library **OF THE PHILIPPINES**[(books);],
35 National Historical [Institute] **COMMISSION OF THE PHILIPPINES**

1 [(Philippine history);], National Archives **OF THE PHILIPPINES**
2 [(documents);], Cultural Center of the Philippines [(culture and the arts);],
3 and Komisyon sa Wikang Filipino [(language)].

4 “(k) xxx

5 “(l) xxx

6 **“(M) “CULTURAL HERITAGE MAPPING” SHALL REFER TO THE**
7 **APPROACH USED TO IDENTIFY, RECORD, AND USE CULTURAL**
8 **RESOURCES AND ACTIVITIES FOR BUILDING COMMUNITIES. IT IS A**
9 **SET OF ACTIVITIES AND PROCESSES FOR EXPLORING,**
10 **DISCOVERING, DOCUMENTING, EXAMINING, ANALYZING,**
11 **INTERPRETING, PRESENTING AND SHARING INFORMATION RELATED**
12 **TO PEOPLE, COMMUNITIES, SOCIETIES, PLACES AND THE MATERIAL**
13 **PRODUCTS AND PRACTICES ASSOCIATED WITH THEM.**

14 **“(N) [(m)] “Cultural heritage worker” shall refer to [an individual undertaking]**
15 **ANY PERSON ENGAGED IN cultural heritage work, WHICH SHALL**
16 **INCLUDE CONSERVATION, EDUCATION, RESEARCH AND**
17 **ARCHAEOLOGY, ARCHIVAL, CONSERVATORSHIP, CURATORSHIP,**
18 **AUTHENTICATION, APPRAISAL, EVALUATION AND MANAGEMENT OF**
19 **CULTURAL PROPERTY.**

20 **“(O) [(n)] “Cultural institution” shall refer to entities engaged primarily in**
21 **cultural work.**

22 **“(P) “CULTURAL LANDSCAPE” SHALL REFER TO A GEOGRAPHIC**
23 **AREA INCLUDING BOTH THE CULTURAL AND NATURAL RESOURCES**
24 **AND THE FLORA AND FAUNA FOUND THEREIN ASSOCIATED WITH A**
25 **HISTORIC EVENT, ACTIVITY OR PERSON OR EXHIBITING OTHER**
26 **CULTURAL OR AESTHETIC VALUES.**

27 **“(Q) [(o)] “Cultural property” shall refer to [all products of human creativity by**
28 **which a people and a nation reveal their identity, including churches,**
29 **mosques and other places of religious worship, schools and natural history**
30 **specimens and sites, whether public or privately-owned, movable or**
31 **immovable, and tangible or intangible] **PROPERTY, WHETHER MOVABLE****
32 **OR IMMOVABLE, TANGIBLE OR INTANGIBLE, OR PUBLICLY OR**
33 **PRIVATELY OWNED OR OTHERWISE OWNED UNDER THE**
34 **INDIGENOUS CONCEPT OF OWNERSHIP UNDER R.A. 8371,**
35 **OTHERWISE KNOWN AS THE INDIGENOUS PEOPLES RIGHTS ACT OF**
36 **1997, WHICH, ON RELIGIOUS OR SECULAR GROUNDS, ARE OF**
37 **IMPORTANCE TO A PEOPLE AND NATION FOR ARCHAEOLOGY,**
38 **PREHISTORY, HISTORY, PHILOSOPHY, POLITICS, ANTHROPOLOGY,**
39 **ARTS, AND SCIENCE AND TECHNOLOGY.**

40 **“(R) [(p)] “Dealers” shall refer to natural or juridical persons who acquire**
41 **cultural property for the purpose of engaging in the acquisition and disposition**
42 **of the same.**

43 **“(S) [(q)] “Heritage zone” shall refer to historical, anthropological,**
44 **archaeological, artistic geographical areas and settings that are culturally**
45 **significant to the country, as declared by the National Museum and/or the**
46 **National Historical [Institute] **COMMISSION OF THE PHILIPPINES.****

1 “(T) [(r)] "History" shall refer to a written record of past events relating to
2 Philippine history.

3 “(U) [(s)] "Historical landmarks" shall refer to sites or structures that are
4 associated with events or achievements significant to Philippine history as
5 declared by the National Historical [Institute] **COMMISSION OF THE**
6 **PHILIPPINES.**

7 “(V) [(t)] "Historical monuments" shall refer to structures that honor illustrious
8 persons or commemorate events of historical value as declared by the
9 National Historical [Institute] **COMMISSION OF THE PHILIPPINES.**

10 “(W) [(u)] "Historical shrines" shall refer to historical sites or structures
11 hallowed and revered for their history or association as declared by the
12 National Historical [Institute] **COMMISSION OF THE PHILIPPINES.**

13 “(X) [(v)] "Historical street name" shall refer to a street name which has been
14 in existence for at least fifty (50) years and over time has been considered
15 historic.

16 “(Y) [(w)] "Important cultural property (ICP)" shall refer to a cultural property,
17 **WHETHER TANGIBLE OR INTANGIBLE**, having exceptional cultural,
18 artistic, [and] historical, **AND/OR SCIENTIFIC** significance to the Philippines,
19 as [shall be determined by the National Museum and/or National Historical
20 Institute] **DECLARED BY THE COMMISSION OR THE APPROPRIATE**
21 **CULTURAL AGENCY.**

22 “(Z) [(x)] "Intangible cultural heritage" shall refer to the practices,
23 representations, expressions, knowledge and skills, as well as the
24 instruments, objects and artifacts associated therewith, that communities,
25 groups and individuals recognize as part of their cultural heritage, such as:
26 (1) oral traditions, languages and expressions; (2) performing arts; (3) social
27 practices, rituals and festive events; (4) knowledge and practices concerning
28 nature and the universe; and (5) traditional craftsmanship.

29 “(AA) [(y)] "Intangible cultural property" shall refer to the peoples' learned
30 processes along with the knowledge, skills and creativity that inform and are
31 developed by them, the products they create and the resources, spaces and
32 other aspects of social and natural context necessary for their sustainability.

33 [(z)] "Library" shall refer to an institution where the collection of books,
34 manuscripts, computerized information and other materials are organized to
35 provide physical, bibliographic and/or intellectual access to the public, with a
36 librarian that is trained to provide services and programs related to the
37 information needs of its clientele.]

38 “(BB) “LOCAL CULTURAL PROPERTY” SHALL REFER TO CULTURAL
39 PROPERTY IDENTIFIED BY A LOCAL GOVERNMENT UNIT.

40 “(CC) [(aa)] "Museum" shall refer to a permanent institution that researches,
41 acquires, conserves, communicates and exhibits the material evidence of
42 humans and their environment for purposes of education or leisure.

43 “(DD) [(bb)] "National cultural treasure" shall refer to a unique cultural
44 property, **WHETHER TANGIBLE OR INTANGIBLE** [found locally],
45 possessing outstanding historical, cultural, artistic and/or scientific value
46 which is highly significant and important to the country and nation, and

1 officially declared as such by **THE COMMISSION OR THE APPROPRIATE**
2 **[pertinent]** cultural agency.

3 **“(EE) [(cc)]** "Nationally significant" shall refer to historical, aesthetic, scientific,
4 technical, social and/or spiritual values that unify the nation by a deep sense
5 of pride in their various yet common identities, cultural heritage and national
6 patrimony.

7 **“(FF) [(dd)]** "Natural property of cultural significance" shall refer to areas
8 possessing outstanding ecosystem with flora and fauna of national scientific
9 importance under the National Integrated Protected Areas System.

10 **“(GG) [(ee)]** "NCCA Portal Cultural Databank" refers to the specific domain in
11 the Commission [s intranet for cultural information that is accessed only
12 internally with control and confidentiality] **THAT MAY BE ACCESSED,**
13 **SUBJECT TO RULES AND REGULATIONS THAT MAY BE IMPOSED BY**
14 **THE COMMISSION.** It includes the registry of national cultural property.

15 **“(HH) [(ff)]** "Prehistory" shall refer to the period of human history before the
16 introduction of the forms of writing.

17 **“(II) “PROTECTION” SHALL REFER TO THE OBLIGATION: TO**
18 **SAFEGUARD THE CULTURAL PROPERTY AND UNDERTAKE**
19 **MEASURES NECESSARY FOR SUCH PURPOSE; AND TO PROHIBIT,**
20 **PREVENT AND PUT A STOP TO ANY FORM OF THEFT, PILLAGE OR**
21 **MISAPPROPRIATION OF CULTURAL PROPERTY, AND REFRAIN FROM,**
22 **PREVENT AND PROHIBIT ACTS THAT DESECRATE, DESTROY OR**
23 **DAMAGE THE CULTURAL PROPERTY, INCLUDING THOSE THAT**
24 **ADVERSELY AFFECT ITS INTEGRITY, ITS SURROUNDINGS AND/OR**
25 **VISTA.**

26 **“(JJ) [(gg)]** "Registry" shall refer to the Philippine Registry of Cultural Property
27 which is the registry of all cultural property of the country deemed of
28 significant importance to our cultural heritage.

29 **“(KK) [(hh)]** "Restoration" shall refer to the action taken or the technical
30 intervention to correct deterioration and alterations.

31 **“(LL) [(ii)]** "Tangible cultural property" shall refer to a cultural property with
32 historical, archival, anthropological, archaeological, artistic and architectural
33 value, and with exceptional or traditional production, whether of Philippine
34 origin or not [, including antiques and natural history specimens with
35 significant value]. **IT SHALL INCLUDE PLACES OF RELIGIOUS**
36 **WORSHIP; SCHOOLS AND NATURAL HISTORY SPECIMEN, AND**
37 **ARCHAEOLOGICAL AND OTHER SITES; OBJECTS OF ETHNOLOGICAL**
38 **INTEREST; WORKS OF OR RELATING TO HISTORY AND THE LIFE OF**
39 **NATIONAL LEADERS, THINKERS, SCIENTISTS, AND ARTISTS; RARE**
40 **MANUSCRIPTS AND INCUNABULA, OLD BOOKS, DOCUMENTS AND**
41 **PUBLICATIONS, AND PHOTOGRAPHIC AND CINEMATOGRAPHIC**
42 **MATERIALS OF SPECIAL INTEREST; POSTAGE, REVENUE AND**
43 **SIMILAR STAMPS; ANTIQUITIES; AND ARCHIVES.”**

44 **SEC. 4.** Article III, Section 4 of Republic Act No. 10066 is hereby amended as follows:

45 **“SEC. 4. Categories.** - The cultural property of the country shall be categorized
46 as follows:

- 1 [(a) National cultural treasures;
- 2 (b) Important cultural property;
- 3 (c) World heritage sites;
- 4 (d) National historical shrine;
- 5 (e) National historical monument; and
- 6 (f) National historical landmark.]

7 **“1. CATEGORY I, WHICH SHALL CONSIST OF:**

- 8 **“(A) NATIONAL CULTURAL TREASURES;**
- 9 **“(B) WORLD HERITAGE SITES;**
- 10 **“(C) NATIONAL HISTORICAL SHRINE;**
- 11 **“(D) NATIONAL HISTORICAL MONUMENT;**
- 12 **“(E) NATIONAL HISTORICAL LANDMARK;**

13 **“2. CATEGORY II, CONSISTING OF IMPORTANT CULTURAL PROPERTY;**
14 **AND**

15 **“3. CATEGORY III, CONSISTING OF OTHER CULTURAL PROPERTY.”**

16 **SEC. 5.** Article III, Section 5 of Republic Act No. 10066 is hereby amended as follows:

17 **“SEC. 5. [Cultural Property Considered] PRESUMED Important Cultural**
18 **Property.–** For purposes of **PRESERVING THE INTEGRITY OF CULTURAL**
19 **PROPERTY AND/OR** protecting a cultural property against exportation, modification
20 or demolition, the following works shall be [considered] **PRESUMED** important
21 cultural property, unless declared otherwise by the **COMMISSION OR THE** pertinent
22 cultural agency **IN ACCORDANCE WITH SECTION 8 HEREOF, OR UPON**
23 **EXPIRATION OF SUCH PRESUMPTION:**

- 24 **“(A) WORKS BY A MANLILIKHA NG BAYAN;**
- 25 **“(B) WORKS BY A NATIONAL ARTIST;**
- 26 **“(C) WORKS OF THE MASTERS;**
- 27 **“(D) STRUCTURES DATING AT LEAST FIFTY (50) YEARS OLD AND WHICH,**
28 **PRIMA FACIE QUALIFY AS IMPORTANT CULTURAL PROPERTY (ICP);**
- 29 **“(E) ARCHAEOLOGICAL AND TRADITIONAL ETHNOGRAPHIC**
30 **MATERIALS;**
- 31 **“(F) WORKS OF NATIONAL HEROES;**
- 32 **“(G) MARKED STRUCTURE;**
- 33 **“(H) CULTURAL LANDSCAPES; AND**
- 34 **“(I) ARCHIVAL MATERIAL/DOCUMENT DATING AT LEAST FIFTY (50)**
35 **YEARS OLD.**

36 [Unless declared by the Commission,
37 (a) Works by a Manlilikha ng Bayan;
38 (b) Works by a National Artist;

39 Unless declared by the National Museum,
40 (c) Archaeological and traditional ethnographic materials;

41 Unless declared by the National Historical Institute,
42 (d) Works of national heroes;
43 (e) Marked structure;
44 (f) Structures dating at least fifty (50) years old; and

45 Unless declared by the National Archives,

1 (g) Archival material/document dating at least fifty (50) years old.]

2 "THE PROPERTY OWNER MAY PETITION THE APPROPRIATE
3 CULTURAL AGENCY TO REMOVE THE PRESUMPTION OF IMPORTANT
4 CULTURAL PROPERTY WHICH SHALL NOT BE UNREASONABLY
5 WITHHELD.

6 "THE PRESUMPTION CREATED UNDER THIS SECTION SHALL EXPIRE
7 WITHIN THE FOLLOWING PERIODS FROM THE TIME THE PHILIPPINE
8 REGISTRY OF CULTURAL PROPERTIES UNDER SECTION 16 HEREOF
9 SHALL HAVE BEEN ESTABLISHED BY THE COMMISSION: (A) TWO (2)
10 YEARS FOR IMMOVABLE CULTURAL PROPERTY; AND (B) FIVE (5) YEARS
11 FOR MOVABLE CULTURAL PROPERTY.

12 "THE REMOVAL OR EXPIRATION OF THE PRESUMPTION UNDER THIS
13 SECTION SHALL NOT PREJUDICE THE COMMISSION OR THE
14 APPROPRIATE CULTURAL AGENCY FROM DECLARING THE SAME
15 PROPERTY INTO ANY OF THE CULTURAL PROPERTIES UNDER
16 CATEGORIES I OR II: PROVIDED, THAT ANY PROPERTY WHOSE
17 PRESUMPTION HAS BEEN REMOVED IN ACCORDANCE WITH THIS
18 SECTION MAY ONLY BE DECLARED ON ACCOUNT OF CIRCUMSTANCES
19 SUBSEQUENT TO SUCH REMOVAL."

20 **SEC. 6.** Article III, Section 6 of Republic Act No. 10066 is hereby amended as follows:

21 "SEC. 6. *World Heritage Sites.*—The **COMMISSION** [appropriate cultural agency]
22 shall **UNDERTAKE THE RESPONSIBILITIES PERTAINING TO THE PHILIPPINES**
23 **AS PROVIDED FOR BY RELEVANT PROVISIONS OF THE CONVENTION**
24 **CONCERNING THE PROTECTION OF THE WORLD CULTURAL AND NATURAL**
25 **HERITAGE. IT SHALL** closely collaborate with the **APPROPRIATE CULTURAL**
26 **AGENCY AND THE** United Nations Educational Scientific and Cultural Organization
27 (UNESCO) National Commission of the Philippines in ensuring the conservation and
28 management of world heritage sites of cultural and mixed sites category, in the
29 Philippines."

30 **SEC. 7.** Article III, Section 7 of Republic Act No. 10066 is hereby amended as follows:

31 "SEC. 7. *Privileges for Cultural Property.*— All cultural properties declared as
32 national cultural treasures and national historical landmarks, sites or monuments
33 shall be entitled to the following privileges:

34 "(a) [Priority][g]Government [funding for] protection, **AND PRIORITY**
35 **FUNDING FOR** conservation and restoration;

36 "(b) Incentive for private support of conservation and restoration through
37 the Commission's [Conservation] **CULTURAL PROPERTY IncentiveS'**
38 Program [for national cultural treasures];

39 "(C) **TAX INCENTIVE IN THE FORM OF TAX CREDIT, REFUND, OR A**
40 **DEDUCTIBLE EXPENSE EQUIVALENT TO ONE HUNDRED PERCENT**
41 **(100%) OF THE AMOUNT ASSUMED BY THE PRIVATE PROPERTY**
42 **OWNER FOR THE PRESERVATION AND/OR CONSERVATION OF THE**
43 **CULTURAL PROPERTY, WHICH MAY BE AVAILED OF IN**
44 **ACCORDANCE WITH THE PROVISIONS OF THE NATIONAL INTERNAL**

1 **REVENUE CODE OF 1997, AS AMENDED: PROVIDED, THAT THE**
2 **WORKS SHALL BE PRIORLY APPROVED BY THE COMMISSION;**

3 “(D) [(c)] An official heritage marker placed by the cultural agency
4 concerned indicating that the immovable cultural property has been identified
5 as national cultural treasures and/or national historical landmarks, sites or
6 monuments; and

7 “(E) [(d)] In times of armed conflict, natural disasters and other
8 exceptional events that endanger the cultural heritage of the country, all
9 national cultural treasures or national historical landmarks, sites or
10 monuments shall be given priority protection by the government, **WHICH**
11 **MAY INCLUDE, AMONG OTHERS, GUARDING, HANDLING AND**
12 **TRANSPORTING UNDER SPECIAL PROTECTION OF SUCH PROPERTY.**

13 “All cultural properties declared as important cultural property may also
14 receive government funding for its protection, conservation and restoration. An
15 official heritage marker shall likewise be placed on an immovable cultural
16 property to identify the same as important cultural property.”

17 **SEC. 8.** Article III, Section 8 of Republic Act No. 10066 is hereby amended as follows:

18 “SEC. 8.[*Procedure for*] *Declaration, [or] Delisting* **AND EXEMPTION** of
19 *National Cultural Treasures or Important Cultural Property.*—The **AUTHORITY**
20 **TO DECLARE** [procedure in declaring as well as in delisting a] national cultural
21 [property] **TREASURES** or [an] important cultural propert[y]IES,[shall be as
22 follows] **REMOVE THE PRESUMPTION CREATED UNDER SECTION 5**
23 **HEREOF, OR DELIST CULTURAL PROPERTY FROM THE PHILIPPINE**
24 **REGISTRY OF CULTURAL PROPERTY SHALL VEST IN THE COMMISSION**
25 **OR THE APPROPRIATE CULTURAL AGENCY, AS THE CASE MAY BE.**
26 **SUCH AUTHORITY MAY BE EXERCISED *MOTU PROPRIO* OR UPON**
27 **APPLICATION BY ANY INTERESTED PARTY BY THE FOLLOWING:**

28 “(A) THE COMMISSION, WITH RESPECT TO WORKS BY A
29 MANLIKHA NG BAYAN AND WORKS BY A NATIONAL ARTIST AND
30 STRUCTURES DATING AT LEAST FIFTY (50) YEARS OLD;

31 “(B) THE NATIONAL MUSEUM, WITH RESPECT TO
32 ARCHAEOLOGICAL AND TRADITIONAL ETHNOGRAPHIC MATERIALS
33 AND WORKS OF THE MASTERS;

34 “(C) THE NATIONAL HISTORICAL COMMISSION OF THE
35 PHILIPPINES WITH RESPECT TO WORKS OF NATIONAL HEROES AND
36 MARKED STRUCTURES; AND

37 “(D) THE NATIONAL ARCHIVES, WITH RESPECT TO ARCHIVAL
38 MATERIAL/DOCUMENT DATING AT LEAST FIFTY (50) YEARS OLD.

39 **“IF COMMENCED BY AN APPLICANT, THE PROCEDURE IN**
40 **DECLARING OR DELISTING A NATIONAL CULTURAL PROPERTY OR AN**
41 **IMPORTANT CULTURAL PROPERTY, OR IN REMOVING THE**
42 **PRESUMPTION CREATED UNDER SECTION 5 HEREOF, SHALL BE AS**
43 **FOLLOWS:**

44 [(a) A declaration or a delisting of a cultural property as a national cultural
45 treasure or an important cultural property shall commence upon the filing of a

1 petition by the owner, stakeholder or any interested person, with the
2 Commission, which shall refer the matter to the appropriate cultural agency;

3 (b) Upon verification of the suitability of the property as a national cultural
4 treasure or an important cultural property, the cultural agency concerned shall
5 send notice of hearing to the owner and stakeholders. Stakeholders
6 including, but not limited to, local government units, local culture and arts
7 council, local tourism councils, nongovernment conservation organizations,
8 and schools, may be allowed to file their support or opposition to the petition;]

9 **“(A) THE OWNER, STAKEHOLDER, OR ANY INTERESTED PERSON**
10 **SHALL FILE THE NECESSARY PETITION WITH THE COMMISSION,**
11 **WHICH SHALL DOCKET SAID PETITION. UNLESS THE SUBJECT**
12 **MATTER OF THE PETITION FALL UNDER ITS AREAS OF**
13 **RESPONSIBILITY, THE COMMISSION SHALL REFER THE MATTER TO**
14 **THE APPROPRIATE CULTURAL AGENCY OR AGENCIES, AS THE CASE**
15 **MAY BE, WITHIN FIFTEEN (15) DAYS FROM RECEIPT THEREOF. IN**
16 **CASE THE PETITION INCLUDES A PRAYER FOR INTERIM REMEDIES,**
17 **THE COMMISSION SHALL HAVE THE AUTHORITY TO GRANT THE**
18 **SAME EX PARTE.**

19 **“(B) WITHIN FIFTEEN (15) DAYS FROM RECEIPT OF THE PETITION,**
20 **THE COMMISSION OR THE CULTURAL AGENCY CONCERNED SHALL**
21 **SEND NOTICES OF HEARING TO THE OWNER AND STAKEHOLDERS.**
22 **STAKEHOLDERS, INCLUDING BUT NOT LIMITED TO, LOCAL**
23 **GOVERNMENT UNITS, LOCAL CULTURE AND ARTS COUNCILS,**
24 **LOCAL TOURISM COUNCILS, NONGOVERNMENT CONSERVATION**
25 **ORGANIZATIONS AND SCHOOLS, MAY BE ALLOWED TO FILE THEIR**
26 **COMMENT TO THE PETITION WITHIN FIFTEEN (15) DAYS FROM THE**
27 **DATE OF THE HEARING;**

28 **“(c) The owner, and/or other stakeholders shall file their RESPECTIVE**
29 **position papers within [fifteen (15)] THIRTY (30) days from [receipt of the**
30 **notice of] DATE OF THE hearing [, furnishing] AND FURNISH COPIES**
31 **THEREOF TO all the parties [, including the appropriate cultural agency, with**
32 **such position paper]. Extensions may be allowed, but in no case shall it**
33 **exceed more than thirty (30) days; AND**

34 **[(d) The petitioner/stakeholder shall give their answer within fifteen (15)**
35 **days upon receipt of any position paper. Thereafter, no further submissions**
36 **shall be allowed; and]**

37 **“(D) [(e)] The appropriate cultural agency shall have a maximum of**
38 **ninety (90) days from the deadline of the submission of POSITION PAPERS**
39 **[all the answers] within which to [submit its resolution and render its decision**
40 **on] RESOLVE the application.**

41 **SEC. 9.** Article III, Section 9 of Republic Act No. 10066 is hereby amended as follows:

42 **“SEC. 9. Right of First Refusal on the Sale of National Cultural Treasures.–**
43 **The COMMISSION AND/OR THE appropriate cultural agency shall HAVE [be**
44 **given] the right of first refusal in the purchase of ANY [cultural properties]**
45 **declared [as] national cultural [property] TREASURE, IMPORTANT CULTURAL**
46 **PROPERTY, NATIONAL HISTORICAL LANDMARKS AND NATIONAL**
47 **SHRINES. Prior to the finality of the sale, the COMMISSION AND/OR**

1 appropriate cultural agency may likewise match any offer made for the purchase
2 of [national cultural] **SUCH** property.”

3 **SEC. 10.** Article III, Section 10 of Republic Act No. 10066 is hereby amended as follows:

4 “SEC. 10. *Licensing of Dealers of Cultural Property* **AND REPORTORIAL**
5 **REQUIREMENTS.**—All dealers of cultural property shall secure a license to
6 operate as such from the [appropriate cultural agency concerned]
7 **COMMISSION.** They shall submit **TO THE COMMISSION** a quarterly **REPORT**
8 [inventory of items carried] which shall [include a] **CONTAIN A LIST OF ITEMS**
9 **IN THEIR INVENTORY, THE** history of each item, **AUTHENTICATION**
10 **DOCUMENTS, IF ANY, DEALINGS IN SUCH ITEMS INCLUDING DATE OF**
11 **ACQUISITION AND SALE, AND OTHER DETAILS AS MAY BE REQUIRED**
12 **BY THE COMMISSION.** Failure to submit two (2) consecutive [inventories]
13 **REPORTS** shall be a ground for cancellation of the license. All dealers of
14 cultural property shall be subject to inspection by the **COMMISSION THROUGH**
15 **THE** concerned cultural [agencies] **AGENCY.**”

16 [The cultural agencies may charge and collect fees for registration as well as
17 for licenses, inspections, certifications, authorizations and permits that they issue
18 and undertake in connection with the implementation of this Act. Funds
19 generated from these collections by cultural agencies shall be retained by the
20 cultural agency concerned for its operations.]

21 **SEC. 11.** A new Section 11 under Article III is hereby inserted as follows:

22 “**SEC. 11. FEES.** —**THE COMMISSION AND THE CULTURAL AGENCIES**
23 **MAY CHARGE AND COLLECT FEES FOR REGISTRATION AS WELL AS**
24 **FOR LICENSES, INSPECTIONS, CERTIFICATIONS, AUTHORIZATIONS AND**
25 **PERMITS THAT THEY ISSUE AND UNDERTAKE IN CONNECTION WITH**
26 **THE IMPLEMENTATION OF THIS ACT. FUNDS GENERATED FROM THESE**
27 **COLLECTIONS BY THE COMMISSION AND THE CULTURAL AGENCIES**
28 **SHALL BE RETAINED BY THE COMMISSION AND THE CULTURAL**
29 **AGENCY CONCERNED FOR ITS OPERATIONS.**”

30 **SEC 12.** Article III, Section 11 of Republic Act No. 10066 is renumbered as Section 12
31 and is hereby amended as follows:

32 “SEC. [11] **12. Dealings of Cultural Property.**— No cultural property shall be
33 sold, resold or taken out of the country without first securing **FROM THE**
34 **COMMISSION** a clearance [from] **WHICH SHALL ONLY BE ISSUED WITH**
35 **CONCURRENCE OF THE APPROPRIATE** cultural agency [concerned]. [In
36 case the property shall] **CULTURAL PROPERTY FALLING UNDER**
37 **CATEGORIES I AND II MAY ONLY** be taken out of the country [, it shall solely
38 be] for the purpose of scientific scrutiny or exhibit.”

39 **SEC. 13.** Article III, Section 12 of Republic Act No. 10066 is renumbered as Section 13
40 and is hereby amended as follows:

41 “SEC. [12] **13. Designation of Heritage Zones.**— The **COMMISSION, IN**
42 **CONSULTATION WITH THE** National Historical [Institute] **COMMISSION OF THE**
43 **PHILIPPINES** and the National Museum, [in consultation with the Commission and]
44 the Housing and Land Use Regulatory Board [or] **AND** other concerned agencies,

1 shall designate heritage zones to protect the historical and cultural integrity of a
2 geographical area.”

3 **SEC. 14.** Article III, Section 13 of Republic Act No. 10066 is renumbered as Section 14
4 and is hereby amended as follows:

5 “SEC.[13] **14.** *Maintenance of Heritage Zones.*—A heritage zone shall be
6 maintained by the local government unit concerned, in accordance with the following
7 guidelines:

8 “(a) xxx

9 “(b) Appearance of streets, parks, monuments, buildings, and natural bodies of
10 water, canals, paths and barangays within a locality shall be maintained as close
11 to their appearance at the time the area was of most importance to Philippine
12 history as determined by the National Historical [Institute] **COMMISSION OF**
13 **THE PHILIPPINES**; and

14 “(c) xxx”

15 **SEC. 15.** A new Section 15 under Article IV is hereby inserted as follows:

16 **“SEC. 15. ALTERATION, CHANGE, TRANSFORMATION OR**
17 **MODIFICATION OF HERITAGE ZONES.— HERITAGE ZONES AND ANY**
18 **PROPERTY FOUND THEREIN SHALL NOT BE ALTERED, CHANGED,**
19 **TRANSFORMED OR MODIFIED WITHOUT THE PRIOR WRITTEN**
20 **AUTHORIZATION FROM THE COMMISSION, WHICH SHALL ONLY BE**
21 **ISSUED IN CONSULTATION WITH THE APPROPRIATE CULTURAL**
22 **AGENCY.”**

23 **SEC. 16.** Article V, Section 14 of Republic Act No. 10066 is renumbered as Section 16
24 and is hereby amended as follows:

25 “SEC.[14] **16.** *Establishment of a Philippine Registry of Cultural Property.*—All
26 cultural properties of the country deemed important to cultural heritage shall be
27 registered in the Philippine Registry of Cultural Property.

28 “The Commission [, through the appropriate cultural agencies and local
29 government units,] shall establish, [and] maintain **AND UPDATE** this Registry within
30 three (3) years from the effectivity of this Act. The guidelines in the registration of
31 cultural property are as follows:

32 “(a) All cultural agencies concerned shall individually maintain an inventory,
33 evaluation and documentation of all cultural properties **THEY HAVE** declared
34 according to their category and shall submit the same to the Commission. For
35 cultural property declared as immovable cultural property, the appropriate
36 cultural agency shall, after registration, give due notice to the concerned Registry
37 of Deeds **HAVING JURISDICTION** for annotation on the land titles pertaining to
38 the same;

39 “(b) Local government units [, through their cultural offices,] shall likewise
40 maintain an inventory of cultural property under its jurisdiction and shall furnish
41 the Commission a copy of the same;

1 “(c) xxx

2 “(d) xxx

3 “(e) Private collectors and owners of cultural property shall register such
4 properties within three (3) years from the effectivity of this Act, **AS AMENDED**.
5 The private collectors and owners of cultural property shall not be divested of
6 their possession and ownership thereof even after registration of said property as
7 herein required.

8 “Information on registered cultural properties **EXCEPT BUILT HERITAGE**,
9 owned by private individuals shall remain confidential and may be given only upon
10 prior consent of the private owner. The Commission shall operate the Registry in the
11 NCCA portal cultural databank.

12 **“IN CASE OF ANY DISCREPANCY IN THE INVENTORY OF CULTURAL**
13 **PROPERTY MAINTAINED BY THE CULTURAL AGENCIES, LOCAL**
14 **GOVERNMENT UNITS AND THE COMMISSION, THE ENTRIES IN THE**
15 **REGISTRY OF THE COMMISSION SHALL PREVAIL.”**

16 **SEC. 17.** Article V, Section 15 of Republic Act No. 10066 is renumbered as Section 17
17 and is hereby amended as follows:

18 “SEC. [15] 17. *Conservation of Cultural Property.*– All intervention works and
19 measures on conservation of national cultural treasures, important cultural property,
20 as well as national historical landmarks, sites or monuments and structures
21 previously marked by the National Museum and/or the National Historical [Institute]
22 **COMMISSION OF THE PHILIPPINES** before the implementation of this Act, shall
23 be undertaken [through the appropriate cultural agency which shall supervise the
24 same] **BY OR UNDER THE SUPERVISION OF THE COMMISSION OR THE**
25 **APPROPRIATE CULTURAL AGENCY.**

26 “The [appropriate cultural agency] **COMMISSION AND ALL CULTURAL**
27 **AGENCIES SHALL FORMULATE, USE AND ENFORCE UNIFORM STANDARDS**
28 **OF CONSERVATION THAT** [shall approve only those methods and materials that
29 strictly] adhere to the accepted international standards [of conservation].”

30 **SEC. 18.** Article V, Section 16 of Republic Act No. 10066 is renumbered as Section 18
31 and is hereby amended as follows:

32 “SEC.[16] 18. *Documentation and Preservation of Traditional and Contemporary*
33 *Arts.*– xxx

34 “xxx

35 “The local government unit concerned shall submit an annual inventory of these
36 documentations to the Commission, which will be included in the Philippine Registry
37 of Cultural Property, as established in Section [14] 16 of this Act.”

38 **SEC. 19.** Article V, Section 17 of Republic Act No. 10066 is renumbered as Section 19.

39 **SEC. 20.** Article V, Section 18 of Republic Act No. 10066 is renumbered as Section 20
40 and is hereby amended as follows:

1 “SEC.[18] 20. *Heritage Agreements.*– The Commission, **MOTU PROPIO OR**
2 upon **THE** advice of the concerned cultural agency, may enter into agreements with
3 private owners of cultural properties with regard to the preservation of said
4 properties.

5 “Such agreement shall be in the form of a contract and may include [such] **THE**
6 **FOLLOWING** terms and conditions [including, but not limited to]:

7 “(a) xxx

8 “(b) xxx

9 “(c) xxx

10 “(d) xxx

11 “(e) xxx

12 “(f) xxx

13 “(g) xxx

14 “ xxx ”

15 **SEC. 21.** A new Section 21 under Article V is hereby inserted as follows:

16 “**SEC. 21. CONSERVATION AND RESTORATION AGREEMENTS.– THE**
17 **COMMISSION MAY ENTER INTO AGREEMENTS TO FACILITATE THE**
18 **CONSERVATION, RESTORATION AND REHABILITATION OF CULTURAL**
19 **PROPERTY WHETHER PUBLICLY OR PRIVATELY OWNED INCLUDING**
20 **ENTERING INTO SUCH ARRANGEMENTS AUTHORIZED UNDER AND**
21 **PURSUANT TO REPUBLIC ACT NO. 7718 OR THE PHILIPPINE BUILD-**
22 **OPERATE-AND-TRANSFER (BOT) LAW OR OTHER SIMILAR LAWS.”**

23 **SEC. 22.** Article V, Section 19 of Republic Act No. 10066 is renumbered as Section 22
24 and is hereby amended as follows:

25 “**SEC. [19] 22. National Inventory of Intangible Cultural Heritage.** – The
26 appropriate cultural agency shall closely collaborate with the **COMMISSION AND**
27 **THE UNESCO National Commission of the Philippines (UNACOM)** in safeguarding
28 intangible cultural heritage in the Philippines. [The Philippine Intangible Cultural
29 Heritage Committee established by the UNESCO National Commission of the
30 Philippines shall continue to take the lead role in implementing the provisions of the
31 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, with
32 particular attention to Articles 11 to 15 of the said Convention.]

33 “**PURSUANT TO THIS, THE COMMISSION SHALL CREATE AN INTANGIBLE**
34 **CULTURAL HERITAGE OFFICE WITHIN ITS STRUCTURE WHICH WILL**
35 **PURSUE THE FOLLOWING OBJECTIVES IN COORDINATION WITH THE**
36 **UNACOM:**

37 “**(A) COORDINATE EFFORTS OF GOVERNMENT AND PRIVATE AGENCIES**
38 **THAT HAVE FORMS OF INTANGIBLE CULTURAL HERITAGE IN MAKING THE**
39 **NATIONAL INVENTORY AND WORKING TOWARD THE SAFEGUARDING OF**

1 **THESE FORMS OF HERITAGE; AND**

2 **“(B) UNDERTAKE THE RESPONSIBILITIES PERTAINING TO THE**
3 **PHILIPPINES AS PROVIDED FOR BY RELEVANT PROVISIONS OF THE**
4 **UNESCO CONVENTION FOR THE SAFEGUARDING OF THE INTANGIBLE**
5 **CULTURAL HERITAGE.”**

6 **SEC. 23.** Article V, Section 20 of Republic Act No. 10066 is renumbered as Section 23
7 and is hereby amended as follows:

8 **“SEC. [(20)] 23. *Immovable National Cultural [Property]* TREASURES. –**
9 **DECLARED [immovable] national cultural treasures, IMPORTANT CULTURAL**
10 **PROPERTY AND NATIONAL HISTORICAL LANDMARKS WHICH ARE**
11 **IMMOVABLE, INCLUDING THE SITE ON WHICH THEY ARE FOUND,** shall not be
12 relocated, rebuilt, defaced or otherwise changed in a manner, which would destroy
13 the property’s integrity and authenticity, except to save such property from
14 destruction **DUE TO NATURAL CAUSES.**

15 **“[The site referred to in this provision may only be moved after securing a]**
16 **UNLESS MADE IN TIMES OF NATURAL OR PUBLIC EMERGENCY, ANY**
17 **RELOCATION, REBUILDING, OR CHANGE INTRODUCED ON ANY SUCH**
18 **IMMOVABLE CULTURAL PROPERTY SHALL ONLY BE MADE WITH THE**
19 **PRIOR WRITTEN** permit from the Commission [or the appropriate cultural agency].

20 **“NO CONSTRUCTION, DEVELOPMENT OR IMPROVEMENT THAT WILL**
21 **IMPEDE OR OBSTRUCT THE VIEW OR OTHERWISE CHANGE OR AFFECT**
22 **THE VISTA OF AN IMMOVABLE NATIONAL CULTURAL TREASURE, WORLD**
23 **HERITAGE SITE OR NATIONAL HISTORICAL LANDMARK, OR DESTROY THE**
24 **PROPERTY’S INTEGRITY AND AUTHENTICITY SHALL BE ALLOWED.”**

25 **SEC 24.** Article V, Section 21 of Republic Act No. 10066 is renumbered as Section 24
26 and is hereby amended as follows:

27 **“SEC. [21] 24. *Indigenous Properties.* – The COMMISSION AND/OR THE**
28 **appropriate cultural agency, in consultation with the National Commission on**
29 **Indigenous Peoples, shall establish a program and promulgate regulations to assist**
30 **indigenous people in preserving their particular cultural and historical properties.”**

31 **SEC 25.** Article V, Section 22 of Republic Act No. 10066 is renumbered as Section 25
32 and is hereby amended as follows:

33 **“SEC.[22] 25. *Renaming of Historical Streets, Buildings Designated as Cultural***
34 ***Treasure or Important Cultural Property.*– The names of historical streets, parks,**
35 **buildings, shrines, landmarks, monuments and sites designated as national cultural**
36 **treasures or important cultural property shall not be allowed to be renamed by a**
37 **local or national legislation, unless approved by the National Historical [Institute]**
38 **COMMISSION OF THE PHILIPPINES, and only after due hearing on the matter.**
39 **Furthermore, for changes of names done to historical streets, parks, buildings,**
40 **shrines, landmarks, monuments, and sites prior to the effectivity of this Act, the**
41 **National Historical [Institute] COMMISSION OF THE PHILIPPINES may direct the**
42 **local government units to restore their original names, also after due hearing.”**

43 **SEC 26.** Article VI, Section 23 of Republic Act No. 10066 is renumbered as Section 26
44 and is hereby amended as follows:

1 "SEC.[23] 26. *Export of Cultural Property.* – Whoever desires to export cultural
2 property **SHALL APPLY FOR AN EXPORT PERMIT FROM THE**
3 **COMMISSION.**[registered in the Philippine Registry of Cultural Property shall
4 adhere to the following requirements:]

5 [(a) Authorization from the Commission through the appropriate cultural
6 agencies;

7 (b) Application for export permit shall be submitted thirty (30) days before the
8 intended export from the Philippines; and

9 (c) Application for export permit must include the following: (1) the purpose of
10 the temporary export; (2) the export date of the cultural property; (3) the repatriation
11 date of the cultural property; (4) a description of the cultural property; and (5) the
12 inventory of the cultural property in the Philippine Registry of Cultural Property.

13 The grant of export permit shall be based on the following conditions: (i) the
14 cultural property is exported on a temporary basis; and (ii) export of cultural property
15 is necessary for scientific scrutiny or exhibit.]

16 **"THE APPLICATION SHALL BE FILED WITHIN THIRTY (30) DAYS BEFORE**
17 **THE INTENDED EXPORT FROM THE PHILIPPINES.**

18 **"THE APPLICATION SHALL CONTAIN THE FOLLOWING:**

19 **"(A) A DESCRIPTION OF THE CULTURAL PROPERTY;**

20 **"(B) THE INVENTORY OF THE CULTURAL PROPERTY IN THE PHILIPPINE**
21 **REGISTRY OF CULTURAL PROPERTY, IF ANY;**

22 **"(C) THE PURPOSE OF THE EXPORT;**

23 **"(D) THE INTENDED EXPORT DATE OF THE CULTURAL PROPERTY;**

24 **"(E) THE REPATRIATION DATE OF THE CULTURAL PROPERTY, IF**
25 **APPLICABLE;**

26 **"(F) AN ENDORSEMENT FROM THE APPROPRIATE CULTURAL AGENCY;**
27 **AND**

28 **"(G) SUCH OTHER DETAILS AS MAY BE REQUIRED BY THE COMMISSION.**

29 **"THE COMMISSION MAY CONDUCT SUMMARY HEARINGS TO RESOLVE**
30 **AN APPLICATION FOR AN EXPORT PERMIT, PROVIDED THAT ANY**
31 **APPLICATION IS DECIDED WITHIN FIFTEEN (15) CALENDAR DAYS FROM**
32 **THE RECEIPT THEREOF.**

33 **"ANY EXPORT PERMIT ISSUED BY THE COMMISSION SHALL INDICATE,**
34 **AMONG OTHERS, THE NAME OF THE PERMITTEE, THE PERIOD WITHIN**
35 **WHICH THE CULTURAL PROPERTY MAY REMAIN OUTSIDE THE**
36 **PHILIPPINES, ITS INTENDED DESTINATION/S, AND IN CASE OF CULTURAL**
37 **PROPERTY FALLING UNDER CATEGORIES I AND II, A DIRECTIVE FOR THE**
38 **PERMITTEE TO INFORM, WITHIN FIVE (5) DAYS FROM ARRIVAL AT THE**
39 **PLACE OF DESTINATION, THE PHILIPPINE EMBASSY OR CONSULATE OF**
40 **SUCH FACT."**

41 **SEC 27.** Article VI, Section 24 of Republic Act No. 10066 is renumbered as Section 27
42 and is hereby amended as follows:

43 **"SEC.[24] 27. *AGREEMENTS AND Repatriation [Claims and Agreements].*–**
44 **Should the cultural property [registered in the Philippine Registry of Cultural**
45 **Property be illicitly exported from the country] **EXPORTED IN CONTRAVENTION****
46 **OF ANY LAW, TREATY OR EXECUTIVE AGREEMENT, OR THE TERMS OF**

1 **ANY PERMIT**, the Department of Foreign Affairs shall, upon the recommendation of
2 the **COMMISSION AND/OR THE** appropriate cultural agency, claim the right of
3 repatriation *vis-a-vis* all other contracting States. [Any compensation and costs shall
4 be carried by the Philippine government.]

5 **“THE COSTS FOR REPATRIATION SHALL BE SHOULDERED BY THE**
6 **PHILIPPINE GOVERNMENT WITHOUT PREJUDICE TO THE RECOVERY OF**
7 **SUCH COSTS FROM THE PARTY / PERSON WHO EXPORTED IN**
8 **CONTRAVENTION OF ANY LAW, TREATY OR EXECUTIVE AGREEMENT, OR**
9 **THE TERMS OF ANY PERMIT.**

10 “For the protection of cultural and foreign affairs interests and to secure cultural
11 heritage, the Philippines may conclude international treaties with contracting States
12 on the import and repatriation of cultural property subject to the following conditions:

13 “(a) xxx

14 “(b) xxx

15 “(c) xxx”

16 **SEC. 28.** Article VII, Section 25 of Republic Act No. 10066 is renumbered as Section 28
17 and is hereby amended as follows:

18 “**SEC.[25] 28. Power to Issue a Cease and Desist Order.**— When the [physical]
19 integrity of [the] **A** national cultural treasure[s] or important cultural [properties]
20 **PROPERTY, PRESUMED CULTURAL PROPERTY, NATIONAL HISTORICAL**
21 **LANDMARK, NATIONAL HISTORICAL SITE, WORLD HERITAGE SITE AND**
22 **NATIONAL HISTORICAL MONUMENT , INCLUDING HERITAGE ZONES,** are
23 found to be in danger of destruction or significant alteration from its original state,
24 **OR IS OTHERWISE ADVERSELY AFFECTED BY ANY CONSTRUCTION,**
25 **DEVELOPMENT, IMPROVEMENT, OR ACTION THAT MAY IMPEDE OR**
26 **OBSTRUCT THE VIEW OR OTHERWISE CHANGE OR AFFECT ITS VISTA, THE**
27 **COMMISSION** [the appropriate cultural agency] shall immediately issue a Cease
28 and Desist Order (**CDO**) *ex parte* suspending **ANY AND** all activities that will affect
29 the cultural property.[The local government unit which has the jurisdiction over the
30 site where the immovable cultural property is located shall report the same to the
31 appropriate cultural agency immediately upon discovery and shall promptly adopt
32 measures to secure the integrity of such immovable cultural property. Thereafter,
33 the appropriate cultural agency shall give notice to the owner or occupant of the
34 cultural property and conduct a hearing on the propriety of the issuance of the
35 Cease and Desist Order. The suspension of the activities shall be lifted only upon
36 the written authority of the appropriate cultural agency after due notice and hearing
37 involving the interested parties and stakeholders.]

38 **“THE CEASE AND DESIST ORDER SHALL BE SERVED UPON THE PARTY**
39 **WHOSE ACTIVITIES ARE SOUGHT TO BE ENJOINED AND/OR POSTED IN THE**
40 **PLACE WHERE THE OFFENDING ACTIVITY IS BEING UNDERTAKEN.**

41 **“THE ORDER UNDER THIS SECTION SHALL REMAIN EFFECTIVE UNLESS**
42 **SOONER INVALIDATED BY THE COURT OF APPEALS.**

43 **“THE CITY OR MUNICIPALITY WHICH HAS JURISDICTION OVER THE**
44 **PLACE WHERE THE PROPERTY IS LOCATED OR FOUND SHALL REPORT**
45 **THE SAME TO THE COMMISSION IMMEDIATELY UPON DISCOVERY AND**
46 **SHALL PROMPTLY ADOPT MEASURES TO SECURE THE INTEGRITY OF**

1 SUCH CULTURAL PROPERTY AND PREVENT ANY FURTHER DAMAGE
2 THEREON.

3 "WITHIN SEVENTY TWO (72) HOURS FROM THE ISSUANCE OF THE
4 CEASE AND DESIST ORDER, THE COMMISSION SHALL GIVE NOTICE TO ALL
5 INTERESTED PARTIES, WHICH SHALL INCLUDE THE OWNER, OCCUPANT,
6 OR PERSON UNDERTAKING THE OFFENDING ACTIVITY, THE LOCAL
7 GOVERNMENT UNIT, THE CONCERNED CULTURAL AGENCY, AND OTHER
8 STAKEHOLDERS, AND THEREAFTER CONDUCT A HEARING ON THE
9 PROPRIETY OF THE ISSUANCE OF THE CEASE AND DESIST ORDER. AFTER
10 THE APPROPRIATE PROCEEDINGS, THE COMMISSION MAY LIFT THE
11 CEASE AND DESIST ORDER OR MAKE THE SAME PERMANENT AND ORDER
12 SUCH WORKS TO BE UNDERTAKEN FOR THE ACCOUNT OF THE
13 OFFENDING PARTY TO RESTORE THE PROPERTY TO ITS ORIGINAL STATE.
14 THE COMMISSION SHALL DECIDE ON THE MATTER WITHIN SIXTY (60) DAYS
15 FROM THE ISSUANCE OF THE CDO."

16 **SEC. 29.** Article VII, Section 26 of Republic Act No. 10066 is renumbered as Section 30.

17 **SEC. 30.** New Sections 29 and 31 of Article VII are hereby inserted as follows:

18 **"SEC. 29. PROTECTION OF CULTURAL PROPERTY; POWER TO ISSUE**
19 **PROTECTION ORDER. – WHERE ANY CULTURAL PROPERTY OF THE**
20 **COUNTRY IS IN DANGER OF LOSS, DESTRUCTION OR DAMAGE, OR HAS**
21 **OTHERWISE BEEN DESTROYED OR DAMAGED, DUE TO ARMED**
22 **CONFLICT, NATURAL DISASTERS AND OTHER EXCEPTIONAL EVENTS,**
23 **WHETHER IMPENDING OR OCCURRING, THE COMMISSION SHALL HAVE**
24 **THE POWER TO TAKE SUCH NECESSARY MEASURES TO PROTECT THE**
25 **CULTURAL PROPERTY OR ITS REMNANTS, FRAGMENTS OR RELICS.**
26 **PROTECTION MEASURES MAY INCLUDE GUARDING, PHYSICAL**
27 **REINFORCEMENT OR SUPPORT, RELOCATION, TRANSPORT, STORAGE**
28 **OR REFUGE, OR RETRIEVAL OF CULTURAL PROPERTY OR ITS**
29 **REMNANTS, FRAGMENTS OR RELICS. THE COMMISSION SHALL**
30 **LIKEWISE BE EMPOWERED TO ISSUE SUCH PROTECTION ORDER, AND**
31 **DEPUTIZE OR OTHERWISE CALL UPON ANY PUBLIC OFFICER OR**
32 **PRIVATE PERSON, INCLUDING THE BANTAY PAMANA UNIT PURSUANT**
33 **TO SEC. 42 OF THIS ACT, TO IMPLEMENT THE CONTENTS THEREOF.**

34 **"IN THE IMPLEMENTATION OF THE PROTECTION ORDER, SUCH**
35 **OFFICER OR PERSON SHALL BE ENTITLED TO SUCH PRIVILEGES AND**
36 **IMMUNITIES ACCORDED UNDER EXISTING LAWS, AGREEMENTS, RULES**
37 **AND REGULATIONS. NO OFFICER OR PERSON PERFORMING ITS**
38 **DUTIES UNDER THIS SECTION MAY BE DENIED ACCESS TO THE PLACE**
39 **OR PREMISES WHERE CULTURAL PROPERTY OR ITS REMNANTS,**
40 **FRAGMENTS OR RELICS MAY BE FOUND."**

41 **"SEC. 31. POWER TO ISSUE RESTORATION OR REHABILITATION**
42 **ORDER.– WHEN A NATIONAL TREASURE OR IMPORTANT CULTURAL**
43 **PROPERTY, NATIONAL HISTORICAL LANDMARK, NATIONAL HISTORICAL**
44 **SITE, WORLD HERITAGE SITE AND NATIONAL HISTORICAL MONUMENT**
45 **IS DAMAGED OR DESTROYED, ITS OWNER, CUSTODIAN, POSSESSOR,**
46 **OR ANY INTERESTED PARTY SHALL PRESERVE OR CAUSE ITS**
47 **PRESERVATION, INCLUDING THE SITE ON WHICH ITS REMNANTS ARE**
48 **FOUND, AND UNDERTAKE SUCH NECESSARY MEASURES TO PREVENT**

1 ITS FURTHER DESTRUCTION OR DISSIPATION, AND IMMEDIATELY
2 INFORM THE COMMISSION OF SUCH FACT.

3 "THE COMMISSION MAY, UPON PETITION OF AN INTERESTED PARTY
4 OR *MOTU PROPIO*, ISSUE AFTER DUE NOTICE AND HEARING, AN ORDER
5 TO RESTORE OR REHABILITATE SUCH PROPERTY TO ITS ORIGINAL OR
6 LAST KNOWN STATE: *PROVIDED*, THAT WHERE THE DAMAGE OR
7 DESTRUCTION IS FOUND TO BE DUE TO THE INTENTIONAL ACT OR
8 GROSS NEGLIGENCE OF ANY PARTY, THE COST OF PRESERVATION,
9 RESTORATION OR REHABILITATION SHALL BE FOR THE ACCOUNT OF
10 SUCH PARTY AT FAULT WITHOUT PREJUDICE TO ANY OTHER
11 LIABILITY."

12 **SEC. 31.** Article VII, Section 27 is renumbered as Section 32 and is hereby amended as
13 follows:

14 "SEC.[27] 32. *Visitorial Powers.*- The **COMMISSION AND/OR THE** cultural
15 agencies concerned [, through the Commission,] are hereby given the power to
16 inspect national cultural treasures, important cultural properties, and national
17 historical landmarks, sites or monuments **AND PRESUMED CULTURAL**
18 **PROPERTIES** at any time to ensure the protection and integrity of such. They may
19 also inspect public or private collections or objects that may be categorized as
20 cultural property: *Provided*, That in the case of private collections or objects, the
21 prior written consent of the owner shall be obtained."

22 **SEC. 32.** Article VII, Section 28 is renumbered as Section 33 and is hereby amended as
23 follows:

24 "SEC.[28] 33. *Power to Deputize Other Government Agencies.*- xxx

25 "Failure to follow deputization order of the concerned cultural agency as well as
26 the Commission shall be penalized in accordance with Section [49] 56 herein."

27 **SEC. 33.** Article VII, Section 29 of Republic Act No. 10066 is renumbered as Section 34.

28 **SEC. 34.** Article VII, Section 30 is renumbered as Section 35 and is hereby amended as
29 follows:

30 "SEC.[30] 35. *Anthropological Research and Archaeological*
31 *Exploration/Excavation.* - (a) The National Museum, with respect to
32 cultural/archaeological/ anthropological matters, and the National Historical
33 [Institute]**COMMISSION OF THE PHILIPPINES**, with respect to historical
34 anthropological matters, shall regulate and control all anthropological research
35 conducted by foreigners; and all archaeological excavation or exploration. Pursuant
36 to the foregoing, the National Museum or the National Historical
37 [Institute]**COMMISSION OF THE PHILIPPINES** shall deputize other agencies to
38 protect archaeological and anthropological sites. It shall be guided by the following
39 rules:

40 "1. xxx

41 "2. No terrestrial and/or underwater archaeological explorations and excavations
42 for the purpose of obtaining materials and data of cultural value shall be undertaken
43 without **THE** written [authority] **PERMIT** [and direct site supervision by] **FROM THE**

1 **COMMISSION, WHICH PERMIT SHALL ONLY BE ISSUED WITH THE**
2 **CONCURRENCE OF THE NATIONAL MUSEUM.** [a] Archaeologists and/or
3 representatives of the National Museum **SHALL HAVE DIRECT SITE**
4 **SUPERVISION OVER ANY ARCHAEOLOGICAL EXPLORATION AND/OR**
5 **EXCAVATION;**

6 "3. All anthropological researches, for the purpose of obtaining materials and
7 data of cultural value and where the principal proponent is a foreign national, shall
8 be undertaken only with the authority and under the supervision of the National
9 Museum or the National Historical [Institute] **COMMISSION OF THE PHILIPPINES.**
10 Anthropological research by Philippine nationals, especially members of the
11 indigenous communities, shall be encouraged;

12 "4. Archaeological or anthropological materials presumed as important cultural
13 property shall be allowed to leave the country only upon [proper evaluation and
14 written permission] **WRITTEN EXPORT PERMIT ISSUED BY THE COMMISSION,**
15 **WHICH PERMIT SHALL ONLY BE ISSUED WITH THE CONCURRENCE** of the
16 National Museum or the National Historical [Institute] **COMMISSION OF THE**
17 **PHILIPPINES;**

18 "5. xxx

19 "6. All mining activities inside caves, rock shelters and any such other areas shall
20 require a written permit and clearance from the [National Museum] **COMMISSION.**
21 An appropriate prior inspection by representatives of the National Museum, funded
22 by the company applying for a mining right, shall be required to ensure that no
23 archaeological materials [are present and destroyed] **WILL BE AFFECTED BY**
24 **ANY PROPOSED MINING OR MINING-RELATED ACTIVITY;**

25 "7. Excavations in caves, rock shelters and other areas by laymen are prohibited
26 by this Act. All earth-moving activities in these areas must have the proper permit
27 and clearance from the [National Museum] **COMMISSION, WITH THE**
28 **CONCURRENCE OF THE NATIONAL MUSEUM,** and monitored by their
29 representatives;

30 "8. All treasure hunting permits and licenses shall be issued by the
31 **COMMISSION, WITH THE CONCURRENCE OF THE** National Museum [,]. **THE**
32 **COMMISSION, TOGETHER WITH THE NATIONAL MUSEUM,** shall formulate the
33 rules and regulations to adequately control, regulate and monitor all applicants for
34 such undertakings; and

35 "9. xxx

36 "(b) When the presence of any **CULTURAL** [or historical] **PROPERTY IS**
37 **DISCOVERED,** the **COMMISSION** [National Museum or the National Historical
38 Institute] shall immediately suspend all activities that will affect the site and shall
39 immediately notify the local government unit, **CITY OR MUNICIPALITY** having
40 jurisdiction of the place where the discovery was made. The local government shall
41 promptly adopt measures to protect and safeguard the integrity of the cultural
42 property so discovered and, within five (5) days from the discovery, shall report the
43 same to the appropriate agency. The suspension of these activities shall be lifted
44 only upon the written authority of the **COMMISSION, WITH THE CONCURRENCE**
45 **OF THE** National Museum or the National Historical [Institute] **COMMISSION OF**
46 **THE PHILIPPINES,** and only after the systematic recovery of the archaeological
47 materials.

48 "(c) xxx

1 “(d) xxx”

2 **SEC. 35.** New Sections 36, 37, 38 and 39 under Article VII are hereby inserted as
3 follows:

4 **“SEC. 36. HERITAGE PERMIT.–**ANY PERSON, FIRM, OR CORPORATION,
5 INCLUDING ANY DEPARTMENT, OFFICE, BUREAU, AGENCY OR
6 INSTRUMENTALITY OF THE GOVERNMENT WHICH INTENDS TO
7 CONSTRUCT, ALTER, REPAIR, REMOVE, CONVERT OR DEMOLISH ANY
8 BUILDING OR STRUCTURE, OR CAUSE THE SAME TO BE DONE, SHALL
9 OBTAIN A HERITAGE PERMIT FROM THE COMMISSION, THROUGH ITS
10 DEPUTIZED AGENTS IN THE LOCAL GOVERNMENT UNIT WHICH HAS
11 JURISDICTION OVER THE SUBJECT BUILDING OR STRUCTURE: *PROVIDED*,
12 THAT HERITAGE PERMITS FOR CONSTRUCTIONS, ALTERATIONS, REPAIR,
13 REMOVAL, CONVERSION OR DEMOLITIONS AFFECTING CULTURAL
14 PROPERTY REGISTERED IN THE PHILIPPINE REGISTRY OF CULTURAL
15 PROPERTY (PRECUP) SHALL BE OBTAINED DIRECTLY FROM THE
16 COMMISSION.

17
18 **“NO BUILDING PERMIT SHALL BE ISSUED BY THE BUILDING OFFICIAL**
19 **OF ANY LOCAL GOVERNMENT UNLESS A HERITAGE PERMIT IS OBTAINED**
20 **BY THE APPLICANT THEREOF.**

21 **“EXCEPT FOR HERITAGE PERMITS OBTAINED DIRECTLY FROM THE**
22 **COMMISSION, FEES FOR THE HERITAGE PERMIT ISSUED BY THE**
23 **DEPUTIZED AGENTS OF THE COMMISSION SHALL BE INTEGRATED IN THE**
24 **FEES FOR THE BUILDING PERMIT.**

25 **“TRADITIONAL INDIGENOUS FAMILY DWELLINGS UNDER SECTION**
26 **1.01.04 (D) OF R.A. 6541, OTHERWISE KNOWN AS THE BUILDING CODE OF**
27 **THE PHILIPPINES, SHALL BE EXEMPTED FROM PAYMENT OF THE**
28 **HERITAGE PERMIT.”**

29 **“SEC. 37. OTHER FEES AND CHARGES.–** THE COMMISSION AND THE
30 CONCERNED CULTURAL AGENCY MAY CHARGE AND COLLECT FEES FOR
31 APPLICATIONS, REGISTRATION, AS WELL AS FOR LICENSES, INSPECTION,
32 CERTIFICATIONS, AUTHORIZATIONS, CLEARANCES AND PERMITS THAT
33 THEY ISSUE AND UNDERTAKE IN CONNECTION WITH THE
34 IMPLEMENTATION OF THIS ACT.”

35 **“SEC. 38. RETENTION OF FUNDS. –** FUNDS GENERATED FROM THE
36 HERITAGE PERMIT, AND THE OTHER FEES AND CHARGES SHALL BE
37 RETAINED BY THE COMMISSION AND/OR THE CONCERNED CULTURAL
38 AGENCY, AS THE CASE MAY BE, TO AUGMENT THEIR BUDGETS FOR
39 MAINTENANCE AND OTHER OPERATING EXPENSES AND/OR CAPITAL
40 OUTLAY: *PROVIDED*, THAT TWENTY FIVE PERCENT (25%) OF THE FEES FOR
41 THE HERITAGE PERMIT COLLECTED UNDER SECTION 36 HEREOF SHALL
42 BE RETAINED BY THE LOCAL GOVERNMENT UNIT CONCERNED:
43 *PROVIDED, FURTHER*, THAT TWENTY FIVE PERCENT (25%) OF THE OTHER
44 FEES AND CHARGES COLLECTED UNDER SECTION 37 HEREOF SHALL BE
45 ADDED TO THE NATIONAL ENDOWMENT FOR CULTURE AND THE ARTS
46 ESTABLISHED PURSUANT TO SECTION 50 OF THIS ACT.”

47 **“SEC. 39. POWER TO PROMULGATE RULES ON PLEADING AND**
48 **PRACTICE.–** THE COMMISSION AND THE CULTURAL AGENCIES SHALL

1 **FORMULATE UNIFORM RULES ON PLEADING AND PRACTICE TO GOVERN**
2 **THEIR RESPECTIVE PROCEEDINGS.”**

3 **SEC. 36.** The heading of Article VIII is hereby amended and new Sections 40, 41, 42
4 and 43 under Article VIII are likewise hereby inserted as follows:

5 **ARTICLE VIII**
6 **THE COMMISSION AND THE [ROLE OF] CULTURAL AGENCIES**

7 **“SEC. 40. CREATION OF THE NCCA LEGAL AFFAIRS OFFICE. –THE**
8 **LEGAL AFFAIRS OFFICE IS HEREBY CREATED TO ASSIST THE COMMISSION**
9 **IN THE PERFORMANCE OF ITS MANDATE. THE OFFICE SHALL PERFORM**
10 **THE FOLLOWING FUNCTIONS:**

11 **“1. PROVIDE LEGAL OPINION AND ADVICE TO THE BOARD OF**
12 **COMMISSIONERS AND THE SECRETARIAT;**

13 **“2. INVESTIGATE AND PROSECUTE VIOLATIONS OF THIS ACT, AND OF**
14 **OTHER LAWS ON CULTURAL HERITAGE;**

15 **“3. ASSIST IN EFFORTS FOR THE REPATRIATION AND RECOVERY OF**
16 **CULTURAL PROPERTY;**

17 **“4. HEAR AND DECIDE APPLICATIONS FOR LICENSES, LISTING,**
18 **DELISTING AND EXEMPTIONS, LIFTING OF ORDERS AND OTHER CASES**
19 **PROVIDED FOR UNDER THIS ACT AND IN OTHER LAWS ON CULTURAL**
20 **HERITAGE;**

21 **“5. ADMINISTER, MAINTAIN AND KEEP THE REGISTRY OF LICENSES**
22 **AND PERMITS ISSUED PURSUANT TO THIS ACT AND OTHER LAWS ON**
23 **CULTURAL HERITAGE;**

24 **“6. MAINTAIN REGISTERS OF ASSIGNMENTS, TRANSFERS,**
25 **CONVEYANCES AND OTHER TRANSACTIONS INVOLVING CULTURAL**
26 **PROPERTY; AND**

27 **“7. PERFORM SUCH OTHER DUTIES AND FUNCTIONS AS MAY BE**
28 **DETERMINED BY THE BOARD OF COMMISSIONERS.**

29 **“UNLESS EXPRESSLY WITHDRAWN BY THE OFFICE OF THE SOLICITOR**
30 **GENERAL (OSG), AN OFFICER OF THE LEGAL AFFAIRS DIVISION SHALL BE**
31 **DEEMED DEPUTIZED TO PERFORM PROSECUTORIAL FUNCTIONS.”**

32 **“SEC. 41. CREATION OF THE NCCA CONSERVATION DIVISION.– THE**
33 **CONSERVATION DIVISION IS HEREBY CREATED TO PERFORM THE**
34 **FOLLOWING FUNCTIONS:**

35 **“1. ACT AS THE NATIONAL CLEARING HOUSE FOR CONSERVATION**
36 **PROGRAMS, PROJECTS AND ACTIVITIES, AND FOR THIS PURPOSE:**

37 **“1.1 SET AND APPROVE STANDARDS FOR HERITAGE**
38 **CONSERVATION;**

39 **“1.2 CREATE, APPROVE, CONTROL AND SUPERVISE CONSERVATION**
40 **PROJECTS OR ACTIVITIES, WHETHER UNDERTAKEN BY A PUBLIC OR**
41 **PRIVATE ENTITY;**

1 **"1.3 DIRECT, ASSIGN OR OTHERWISE DESIGNATE CULTURAL**
2 **AGENCIES TO, OR BY ITSELF OR IN COORDINATION WITH A CULTURAL**
3 **AGENCY, UNDERTAKE A CONSERVATION PROJECT OR ACTIVITY;**

4 **"2. PROVIDE TECHNICAL, ADVISORY AND OTHER SERVICES RELATED**
5 **TO THE COMPREHENSIVE CULTURAL HERITAGE MAPPING OF THE**
6 **PHILIPPINES;**

7 **"3. ADMINISTER, MAINTAIN AND KEEP THE PHILIPPINE REGISTRY OF**
8 **CULTURAL PROPERTY;**

9 **"4. EDUCATE THE PUBLIC AND BUILD AWARENESS ON CULTURAL**
10 **HERITAGE;**

11 **"5. ESTABLISH WORKING RELATIONS AND NETWORKS WITH**
12 **RESEARCH AND DEVELOPMENT INSTITUTIONS AS WELL AS LOCAL AND**
13 **INTERNATIONAL HERITAGE PROFESSIONAL GROUPS; AND**

14 **"6. PERFORM SUCH OTHER DUTIES AND FUNCTIONS AS MAY BE**
15 **DETERMINED BY THE BOARD OF COMMISSIONERS."**

16 **"SEC. 42. STRUCTURE, STAFFING AND QUALIFICATIONS OF OFFICERS.–**
17 **THE LEGAL AFFAIRS OFFICE AND CONSERVATION DIVISION SHALL BE**
18 **ORGANIC COMPONENTS OF THE COMMISSION, UNDER THE CONTROL OF**
19 **THE BOARD. FOR ADMINISTRATIVE AND OPERATIONAL EFFICIENCY, THEY**
20 **SHALL BE UNDER THE SUPERVISION OF THE EXECUTIVE DIRECTOR.**

21 **"THE LEGAL AFFAIRS OFFICE SHALL BE HEADED BY A DEPUTY**
22 **EXECUTIVE DIRECTOR WITH THE FOLLOWING QUALIFICATIONS:**

23 **"1. AT LEAST THIRTY FIVE YEARS OF AGE;**

24 **"2. FOR AT LEAST TEN (10) YEARS, MUST HAVE BEEN ENGAGED IN THE**
25 **PRACTICE OF LAW IN THE PHILIPPINES OR HAS HELD PUBLIC**
26 **OFFICE IN THE PHILIPPINES REQUIRING ADMISSION TO THE**
27 **PRACTICE OF LAW FOR AT LEAST TEN (10) YEARS; AND**

28 **"3. OF GOOD MORAL CHARACTER.**

29 **"A BANTAY PAMANA UNIT SHALL BE CREATED UNDER THE LEGAL**
30 **AFFAIRS OFFICE TO SERVE AND EXECUTE THE ORDERS, RULINGS OR**
31 **DECISIONS OF THE OFFICE, THE COMMISSION AND THE CULTURAL**
32 **AGENCIES, AND ENFORCE THE PROVISIONS OF THIS ACT AND CULTURAL**
33 **HERITAGE LAWS. THE UNIT SHALL COMPRISE OF EXISTING OFFICERS**
34 **AND EMPLOYEES OF THE COMMISSION AND THE CULTURAL AGENCIES,**
35 **DEPUTIZED LAW ENFORCEMENT OFFICERS AND VOLUNTEERS."**

36 **"SEC. 43. OTHER OFFICES. – THE COMMISSION MAY CREATE OTHER**
37 **OFFICES AS THE EXIGENCIES OF SERVICE DEMAND. THE**
38 **ORGANIZATIONAL STRUCTURE AND STAFFING PATTERN OF THE LEGAL**
39 **AFFAIRS OFFICE, THE CONSERVATION DIVISION, THE BANTAY PAMANA**
40 **UNIT, AND OTHER OFFICES CREATED BY THE COMMISSION SHALL BE**
41 **ESTABLISHED IN COORDINATION WITH THE DEPARTMENT OF BUDGET AND**
42 **MANAGEMENT (DBM) AND IN ACCORDANCE WITH THE CIVIL SERVICE**
43 **COMMISSION (CSC) LAWS, RULES AND REGULATIONS."**

1 **SEC. 37.** Article VIII, Section 31 of Republic Act No. 10066 is renumbered as Section
2 44 and is hereby amended as follows:

3 “SEC.[31] **44.** *Responsibilities of THE COMMISSION AND THE Cultural*
4 *Agencies [for Designation of] WITH RESPECT TO Cultural Property.*— The
5 **COMMISSION AND** cultural agencies, in conformity with their respective charters
6 and mandates, shall define and delineate their respective areas of responsibility with
7 respect to cultural property and assessment of national cultural treasures and
8 national historical landmarks, sites or monuments. These areas shall be subject to
9 periodic re-assessment whenever necessary.

10 “For purposes of this Act, the [following shall be the responsibilities of cultural
11 agencies in the categorization of cultural property] **COMMISSION AND CULTURAL**
12 **AGENCIES SHALL ASSUME THE POWERS GRANTED AND DUTIES IMPOSED**
13 **HEREIN, WITH RESPECT TO THE FOLLOWING:**

14 “(a) The Cultural Center of the Philippines, **IN MATTERS** [shall be responsible
15 for significant cultural property] pertaining to the performing arts;

16 “(b) The National Archives of the Philippines, **IN MATTERS PERTAINING TO**
17 [shall be responsible for significant] archival materials;

18 “(c) The National Library **OF THE PHILIPPINES, IN MATTERS PERTAINING**
19 **TO** [shall be responsible for] rare and significant contemporary [Philippine] books,
20 manuscripts such as, but not limited to, presidential papers, periodicals,
21 newspapers, singly or in collection, and libraries and electronic records;

22 “(d) The National Historical [Institute] **COMMISSION OF THE PHILIPPINES, IN**
23 **MATTERS PERTAINING TO** [shall be responsible for significant] movable and
24 immovable cultural property that pertains to Philippine history, heroes and the
25 conservation of historical artifacts;

26 “(e) The National Museum **IN MATTERS** [shall be responsible for significant
27 movable and immovable cultural and natural property] pertaining to collections of
28 fine arts, archaeology, anthropology, botany, geology, zoology and astronomy,
29 including its conservation aspect; and

30 “(f) The Komisyon sa Wikang Filipino (KWF) **IN MATTERS AFFECTING** [shall
31 be responsible for] the dissemination, development, and the promotion of the
32 Filipino national language and the conservation of ethnic languages [.] **AND**

33 “**(G) THE COMMISSION, IN MATTERS RELATING TO WORKS OF A**
34 **MANLILIKHA NG BAYAN AND A NATIONAL ARTIST, WORLD HERITAGE**
35 **SITES, CULTURAL LANDSCAPES, AND SUCH OTHER MATTERS NOT WITHIN**
36 **THE AREA OF RESPONSIBILITY OF THE CULTURAL AGENCIES ABOVE.**

37 “**WHERE THERE EXISTS CONFLICT IN THE DECISIONS OF THE**
38 **COMMISSION AND/OR THE CULTURAL AGENCIES ON MATTERS FALLING**
39 **UNDER THEIR CONCURRENT JURISDICTION, THE SAME SHALL BE**
40 **RESOLVED BY THE NCCA BOARD OF COMMISSIONERS, WHICH DECISION**
41 **SHALL BE BINDING UPON ALL.**”

42 **SEC. 38.** Article VIII, Section 32 of Republic Act No. 10066 is renumbered as Section
43 45 and is hereby amended as follows:

1 “SEC.[32] 45. *Institutional Linkages of the National Cultural Agencies.*— The
2 cultural agencies and other national government agencies, as listed below, shall
3 consult, coordinate and work closely with the Commission in the implementation of
4 their respective programs/projects in the context of this Act. Furthermore, the
5 Commission may link up with other agencies and institutions, as it may deem
6 appropriate, as a way of dealing with conservation in a holistic manner:

7 “(a) xxx

8 **“(B) THE COMMISSION ON HIGHER EDUCATION, WHICH SHALL BE**
9 **RESPONSIBLE IN INSTITUTING THE GOVERNANCE OF HIGHER**
10 **EDUCATION;**

11 **“(C) [(b)]** The Intramuros Administration, which shall be responsible for the
12 restoration and administration of the development in Intramuros;

13 **“(D) [(c)]** The National Parks Development Committee, as an attached
14 agency of the Department of Tourism, which shall be responsible in supervising
15 the development (beautification, preservation and maintenance) of the [Quezon
16 Memorial, Fort Santiago,] Luneta, Paco Park, Pook ni Maria Makiling and other
17 national parks and satellite projects;

18 **“(E) [(d)]** The Department of Education, which shall be responsible in
19 instituting the governance of basic education [a] Act, and the conservation and
20 restoration of its built heritage such as the significant Gabaldon school buildings
21 as determined by the National Historical [Institute] **COMMISSION OF THE**
22 **PHILIPPINES;**

23 **“(F) [(e)]** The Department of Public Works and Highways, which shall be
24 responsible in undertaking major infrastructure projects specifically in the
25 planning, design, construction, and maintenance of national roads and bridges
26 as they impact on heritage structures or aspects of heritage conservation;

27 **“(G) [(f)]** The National Commission on Indigenous Peoples, in behalf of the
28 country's indigenous cultural communities, which shall coordinate with the
29 national agencies on matters pertaining to cultural properties under its
30 jurisdiction;

31 **“(H) [(g)]** The Department of Environment and Natural Resources, which
32 shall be responsible for the establishment and management of the National
33 Integrated Protected Areas System and the conservation of wildlife resources,
34 including cave and cave resources and which shall coordinate with the National
35 Commission on Indigenous Peoples, the conservation of natural resources that
36 are cultural sanctuaries of indigenous peoples;

37 **“(I) [(h)]** The Department of the Interior and Local Government, which shall
38 coordinate with the national cultural agencies on matters pertaining to cultural
39 properties under its jurisdiction, and ensure that the provisions of this Act is
40 properly executed by the local government unit;

41 **“(J) [(i)]** The [Office on Muslim Affairs] **COMMISSION ON MUSLIM**
42 **FILIPINOS**, which shall coordinate with the national cultural agencies on matters
43 pertaining to cultural properties under its jurisdiction;

44 **“(K) [(j)]** The UNESCO National Commission of the Philippines, which shall
45 be responsible for providing the liaison between the cultural agencies of the
46 Philippines and the UNESCO as well as assist the national cultural agencies in

1 implementing the agreements and conventions adopted by the UNESCO of
2 which the Philippines has ratified or is in the process of ratification;

3 “(L) [(k)] The Housing and Land Use Regulatory Board, which shall
4 coordinate with the local government units and the Commission on matters
5 pertaining to the establishment and maintenance of heritage zones;

6 “(M) [(l)] The Autonomous Region in Muslim Mindanao and the Cordillera
7 Administrative Region, which shall coordinate with the national cultural agencies
8 on matters pertaining to cultural properties under their respective jurisdictions;
9 and

10 “(N) [(m)] The **PHILIPPINE COMMISSION ON TRANSNATIONAL**
11 **CRIMES AND THE** Office of the Special Envoy on Transnational Crimes, which
12 shall have the oversight and operational capacity to go after illicitly trafficked and
13 stolen cultural treasures.”

14 **SEC. 39.** Article VIII, Sections 33 and 34 of Republic Act No. 10066 are renumbered as
15 Sections 46 and 47, respectively.

16 **SEC. 40.** Article IX, Section 35 of Republic Act No. 10066 is renumbered as Section 48
17 and is hereby amended as follows:

18 “SEC.[35] **48.** *Tax Exemption on Donations.*— All donations in any form to the
19 Commission and its affiliated cultural agencies shall be exempt from the donor’s tax
20 and the same shall be considered as allowable deduction from the gross income in
21 the computation of the income tax of the donor, in accordance with the provisions of
22 the National Internal Revenue Code of 1997, as amended.

23 **DONATIONS TO PRIVATE PROPERTY OWNERS FOR THE PRESERVATION**
24 **AND/OR CONSERVATION OF REGISTERED CULTURAL PROPERTY SHALL**
25 **LIKewise BE ACCORDED THE PRIVILEGES PROVIDED IN THIS SECTION:**
26 **PROVIDED THAT THE DONATION HAS THE PRIOR APPROVAL OF THE**
27 **COMMISSION.**

28 **SEC. 41.** Article IX, Sections 36 and 37 of Republic Act No. 10066 are renumbered as
29 Sections 49 and 50.

30 **SEC. 42.** Article X, Section 38 of Republic Act No. 10066 is renumbered as Section 51.

31 **SEC. 43.** Article X, Section 39 of Republic Act No. 10066 is renumbered as Section 52
32 and is hereby amended as follows:

33 “SEC.[39] **52.** *Cultural Heritage Education Program.*— Within one (1) year from
34 the effectivity of this Act, the Department of Education, the Technical Education and
35 Skills Development Authority and the Commission on Higher Education, in
36 consultation with the Commission, shall set forth in its teaching programs nationwide
37 the following cultural heritage education programs with emphasis at the provincial,
38 city and municipal levels:

39 “(a) xxx

1 “(b) Instructional materials in print, film and broadcast media on the cultural and
2 historical significance of cultural properties; [and]

3 **“(C) INDIGENOUS KNOWLEDGE SYSTEMS, SKILLS AND PRACTICES
4 (IKSSP) THROUGH THE APPROPRIATE “SCHOOLS OF LIVING TRADITIONS
5 (SLTS)” MODELS; AND**

6 **“(D) [(c)]** Visitation, public accessibility and information dissemination on
7 designated local cultural properties.”

8 **SEC. 44.** Article X, Section 40 of Republic Act No. 10066 is renumbered as Section 53
9 and is hereby amended as follows:

10 “SEC.[40] **53. Public Accessibility.**— Access to **IMMOVABLE CULTURAL**
11 **PROPERTY THAT BELONG TO CATEGORIES I AND II** [national historical
12 landmarks, monuments and sites, whether designated as national cultural treasures
13 or important cultural property] by the general public for visitation and information,
14 and by government representatives for inspection, shall not be hindered except on
15 reasonable cause. Fees, as prescribed by the cultural agency concerned, may in
16 appropriate cases be charged to defray the cost of conservation, inclusive of general
17 maintenance and upkeep. In the case of privately-owned monuments and sites, the
18 National Historical [Institute] **COMMISSION OF THE PHILIPPINES** or the National
19 Museum shall arrange with the owners the schedules of visits and regular
20 inspection.”

21 **SEC. 45.** Article XI, Section 41 of Republic Act No. 10066 is renumbered as Section 54.

22 **SEC. 46.** Article XII, Sections 42, 43, 44, 45 and 46 of Republic Act No. 10066 are
23 renumbered as Sections 55, 56, 57, 58 and 59.

24 **SEC. 47.** Article XII, Section 47 of Republic Act No. 10066 is hereby deleted.

25 **SEC. 48.** Article XIII, Section 48 of Republic Act No. 10066 is renumbered as Section 60
26 and is hereby amended as follows:

27 “SEC.[48] **60. Prohibited Acts.**— To the extent that the offense is not punishable
28 by a higher punishment under another provision of law, violations of this Act may be
29 made by whoever [intentionally]:

30 “(a) xxx

31 “(b) xxx

32 “(c) xxx

33 “(d) xxx

34 “(e) xxx;

35 “(f) Illicitly exports cultural property listed in the Philippine Registry of Cultural
36 Property or those that may be categorized as such upon visitation or incorrectly
37 declares the same during transit; [and]

1 “(g) Deals in cultural property without proper registration and license issued by
2 the cultural agency concerned;[.] AND

3 **“(H) FAILS WITHOUT JUST CAUSE TO FOLLOW ANY DECISION, RULING,
4 OR ORDER, OR VIOLATES THE CONDITIONS OR TERMS OF ANY LICENSE,
5 PERMIT OR AUTHORIZATION, ISSUED BY THE COMMISSION AND/OR THE
6 CONCERNED CULTURAL AGENCY, SHALL BE PENALIZED IN ACCORDANCE
7 WITH SECTION 61 HEREIN.”**

8 **SEC. 49.** Article XIII, Section 49 of Republic Act No. 10066 is renumbered as Section 61
9 and is hereby amended as follows:

10 **SEC. [49] 61. Penal Provisions.** – Upon conviction, the offender shall be subject
11 to a fine of **AT LEAST TRIPLE THE VALUE OF THE CULTURAL PROPERTY OR**
12 **AN IMPRISONMENT FROM ONE (1) YEAR BUT NOT MORE THAN SIX (6)** [not
13 less than Two hundred thousand pesos (P200,000.00) or imprisonment for a term of
14 not less than ten (10)] years, or both, upon the discretion of the Court: **PROVIDED,**
15 **THAT THE COURT SHALL CONSIDER THE CATEGORY AND THE VALUE OF**
16 **THE CULTURAL PROPERTY INVOLVED THE IMPOSITION OF THE PENALTY:**
17 *Provided, FURTHER,* That any cultural property attempted to be concealed from
18 registration or those intended to be encumbered or excavated in violation of this Act
19 shall be summarily confiscated and forfeited in favor of the Commission: *Provided,*
20 *further,* That if the violation is committed by a juridical person, the president,
21 manager, representative, director, agent or employee of the said juridical person
22 responsible for the act shall also be liable for the penalties provided herein:
23 *Provided, further[more],* That if the acts are committed by dealers, **HOLDERS OF**
24 **ANY LICENSE, PERMIT, OR AUTHORIZATION, THEIR LICENSE, PERMIT OR**
25 **AUTHORIZATION SHALL BE DEEMED AUTOMATICALLY REVOKED** [they shall
26 suffer, in addition to the penalties provided herein, the automatic revocation of their
27 license to operate]: *Provided, FURTHER [finally],* That if the offender is an alien,
28 he/she shall be placed under the custody of the Bureau of Immigration for the
29 appropriate proceedings under this Act and shall be summarily deported after
30 serving his/her sentence[.]: **PROVIDED, FINALLY, THAT IF THE CULTURAL**
31 **PROPERTY AFFECTED REQUIRES REHABILITATION OR RESTORATION AS**
32 **DETERMINED BY THE COURT, THE OFFENDER SHALL BE REQUIRED, IN**
33 **LIEU OF THE PAYMENT OF FINE, TO RESTORE OR COMPENSATE FOR THE**
34 **RESTORATION OF THE DAMAGE WHICH SHALL ACCRUE TO NATIONAL**
35 **ENDOWMENT FOR CULTURE AND THE ARTS (NECA).**

36 **VALUATION OF THE DAMAGE FOR THIS ACT SHALL TAKE INTO**
37 **ACCOUNT THE HISTORICAL, CULTURAL, AND AESTHETIC VALUE OF THE**
38 **CULTURAL PROPERTY INVOLVED. VALUATION ASSESSED BY THE**
39 **COMMISSION IN COORDINATION WITH THE OTHER CULTURAL AGENCIES**
40 **AND CONCERNED GOVERNMENT AGENCIES SHALL BE PRESUMED**
41 **CORRECT UNLESS OTHERWISE PROVEN BY PREPONDERANCE OF**
42 **EVIDENCE.**

43 **ANY PERSON WHO SHALL INDUCE ANOTHER OR CONSPIRE TO COMMIT**
44 **ANY OF THE ILLEGAL ACTS PROHIBITED IN THIS ACT OR SUFFER THEIR**
45 **WORKERS TO COMMIT ANY OF THE SAME SHALL BE LIABLE IN THE SAME**
46 **MANNER AS THE ONE ACTUALLY PERFORMING THE ACT.**

47 **UPON APPREHENSION, ALL CONVEYANCES, VESSELS, EQUIPMENT,**
48 **PARAPHERNALIA, IMPLEMENTS, GEARS, TOOLS AND SIMILAR DEVICES**
49 **SHALL BE SUBJECT TO IMMEDIATE AND ADMINISTRATIVE CONFISCATION,**
50 **INDEPENDENT OF THE JUDICIAL PROCEEDINGS, SUBJECT HOWEVER TO**

1 DUE PROCESS AND SUBSTANTIAL EVIDENCE REQUIREMENTS. WHEN
2 LEGAL ACTION IS HOWEVER FILED IN THE REGULAR COURTS, THE SAID
3 CONVEYANCES, VESSELS, EQUIPMENTS, PARAPHERNALIA, IMPLEMENTS,
4 GEARS, TOOLS AND SIMILAR DEVICES, INDEPENDENT OF THE
5 ADMINISTRATIVE PROCEEDINGS, SHALL NOT BE RELEASED UNTIL AFTER
6 JUDGMENT HAS BEEN RENDERED. PROCEEDS OF THE SALE OF ALL
7 OBJECTS ADMINISTRATIVELY OR JUDICIALLY CONFISCATED PURSUANT
8 HERETO SHALL ACCRUE TO THE NATIONAL ENDOWMENT FOR CULTURE
9 AND THE ARTS (NECA). THE PROCEDURE FOR THE SALE THEREOF SHALL
10 BE PROMULGATED BY THE COMMISSION. HOWEVER, IN NO CASE SHALL
11 ANY CONFISCATED OR RECOVERED PROTECTED CULTURAL PROPERTY
12 BE SOLD OR IN ANY MANNER DISPOSED OF BUT SHALL BE IMMEDIATELY
13 TURNED OVER TO THE LEGAL AFFAIRS OFFICE, SUBJECT TO EXISTING
14 REGULATIONS.

15 Heads of departments, commissions, bureaus, agencies or offices, officers
16 and/or agents found to have intentionally failed to perform their required duty as
17 prescribed by the deputation order under Section 28 of this Act shall be liable for
18 nonfeasance and shall be penalized in accordance with applicable laws.

19 If the offense involves the non-registration of a cultural property such as those
20 referred to in Section 14, and the non-registration occurs upon or after proper
21 notification by the Commission or the cultural agency concerned, the offender shall
22 be subject to a fine of not less than Ten thousand pesos (P10,000.00) but not more
23 than One hundred thousand pesos (P100,000.00).

24 The concerned head of agency, officer and/or employee of the government
25 entities [mentioned in Section 31] shall be held liable for failure to consult and
26 coordinate with the Commission for the damage to the cultural property resulting
27 from the implementation of the entity's program/project, and shall be meted the
28 penalty mentioned in the first paragraph of this section, **AS APPLICABLE:**
29 *Provided*, That the offender/s shall likewise be asked to pay for the repair or
30 rebuilding of what has been damaged.

31 **SEC. 50.** A new Section 62 under Article XIII is hereby inserted as follows:

32 **"SEC. 62. TURNOVER OF FINES. – FINES COLLECTED UNDER THIS**
33 **ARTICLE AND CIVIL DAMAGES REALIZED FROM THE PROSECUTIONS**
34 **UNDER THIS ACT SHALL BE TURNED OVER ANNUALLY TO THE**
35 **COMMISSION TO AUGMENT ITS BUDGET FOR MAINTENANCE AND OTHER**
36 **OPERATING EXPENSES AND CAPITAL OUTLAY."**

37 **SEC. 51.** Article XIV, Section 50 of Republic Act No. 10066 is hereby renumbered as
38 Section 63 and is hereby amended as follows:

39 **"SEC.[50] 63. National Endowment for Culture and the Arts.–**The sum of Five
40 hundred million pesos (P500,000,000.00) shall be contributed by the Philippine
41 Amusement and Gaming Corporation (PAGCOR) [and/or General Appropriations] at
42 the minimum rate of One hundred million pesos (P100,000,000.00) per year for five
43 (5) years towards the establishment of a National Endowment for Culture and the
44 Arts. Said amount shall be kept separate and deposited in a special account in the
45 Bureau of Treasury specifically earmarked [for culture and the arts.] **TO FINANCE**
46 **CONSERVATION PROGRAMS AND RESTORATION ACTIVITIES."**

1 **SEC. 52.** A new Section 64 under Article XIV is hereby inserted as follows:

2 **"SEC. 64. APPROPRIATIONS. – THE AMOUNT NECESSARY TO CARRY**
3 **OUT THE IMPLEMENTATION OF THIS ACT IS HEREBY AUTHORIZED TO BE**
4 **APPROPRIATED IN THE ANNUAL BUDGET OF THE COMMISSION IN THE**
5 **GENERAL APPROPRIATIONS ACT OF THE YEARS FOLLOWING ITS**
6 **ENACTMENT INTO LAW.**

7 **THE AMOUNT NECESSARY FOR THE OPERATIONS OF THE SENTRO**
8 **RIZAL SHALL BE INCLUDED IN THE ANNUAL BUDGET OF THE NCCA TO BE**
9 **APPROPRIATED IN THE ANNUAL GENERAL APPROPRIATIONS ACT.**

10 **SEC. 53.** Article XII, Sections 51, 52, 53, and 54 of Republic Act No. 10066 are
11 renumbered as Sections 65, 66, 67, and 68.

12 **CHAPTER III**
13 **FINAL PROVISIONS**

14 **SEC. 54. Implementing Rules and Regulations.** – Within one hundred twenty (120)
15 days from the approval of this Act, the Commission, in consultation with other government
16 agencies mentioned in this Act, shall formulate the rules and regulations implementing the
17 provisions of this Act. The implementing rules and regulations issued pursuant to this
18 section shall take effect thirty (30) days after its publication in two (2) national newspapers
19 of general circulation.

20 **SEC. 55. Separability Clause.** – If any provision of this Act is held invalid or
21 unconstitutional, the other provisions not so declared shall remain in force and effect.

22 **SEC. 56. Repealing Clause.** – All laws, issuances or parts thereof inconsistent with this
23 Act are hereby repealed or modified accordingly.

24 **SEC. 57. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in
25 the Official Gazette or in a newspaper of general circulation,

Approved,