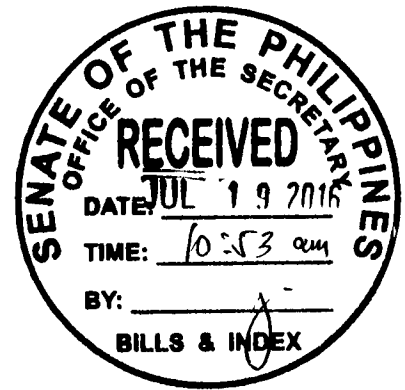


SEVENTEENTH CONGRESS )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



SENATE

S. B. NO. 450

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Introduced by SENATOR LOREN LEGARDA

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**AN ACT STRENGTHENING THE CONSERVATION AND PROTECTION OF THE NATIONAL CULTURAL HERITAGE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10066 OR THE NATIONAL CULTURAL HERITAGE ACT OF 2009**

Explanatory Note

Our culture is our story as a nation. It is the narrative that binds Filipinos regardless of ethnicity, social class, or educational background into a common chronicle of tradition, trials, and triumph.

According to the United Nations Educational, Scientific and Cultural Organization (UNESCO), there are two approaches for preserving cultural heritage. The first approach is to record it in a tangible form, documenting and putting it in archives; the other is preservation through living form to ensure that it will be passed on to the next generation as well as practiced in everyday life.

The UNESCO considers cultural mapping as a vital tool and technique in providing society an overall framework in the preservation of its tangible and intangible cultural assets. The documentation of these cultural elements cover a wide range of areas--built heritage such as architecture, tangible heritage such as traditional dwellings, intangible heritages such as indigenous skills, and natural heritage. The fundamental goal of cultural mapping is to educate and help the nation visualize its rich heritage while allowing for reflection of what it stand to lose as a result its collective apathy.

The Schools of Living Traditions (SLTs) was established in response to the approach of preservation of the arts through living form with the aim of transmitting indigenous skills and techniques to the young. It hopes to create and nurture the talents of culture specialist/master to "continue with their own work, develop and expand the frontiers of that work, and train younger people to take their place in the future."

The National Commission for Culture and the Arts (NCCA) has successfully instituted and managed the growth of SLTs. In the last fifteen years, the number of SLTs across the country among different ethno-linguistic groups has grown in number. The mode of teaching of SLTs is usually non-formal, oral and through practical demonstrations. The location of SLTs may be as simple as

simple as in the house of the living master, a community social hall, or a simple center that has been constructed for the purpose.

To further strengthen heritage conservation in the country, this bill seeks to amend Republic Act No. 10066 to mandate local government units (LGUs) to conduct a cultural heritage mapping of their areas for both tangible and intangible and natural and built heritage. This will be conducted in coordination with the Commission on Higher Education (CHED), Department of Education (DepEd), Department of Environment and Natural Resources (DENR), Department of Public Works and Highways (DPWH), Department of Science and Technology (DST), and Department of Tourism (DOT).

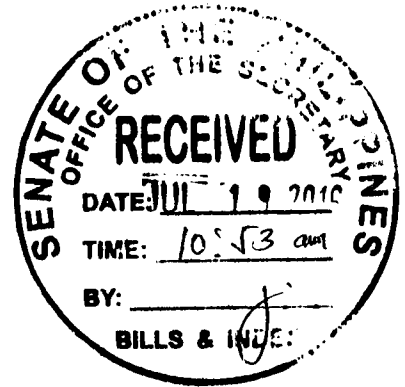
Furthermore, the country's key educational agencies—the DepEd, CHED and the TESDA—shall collaborate and work with the NCCA in implementing plans and programs that integrate and mainstream Philippine arts and culture, including SLTs, in the basic, tertiary, and technical-vocational education system.

For the above-cited reasons, the passage of this bill is urgently sought.



**LOREN LEGARDA**  
Senator

SEVENTEENTH CONGRESS )  
REPUBLIC OF THE PHILIPPINES )  
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*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

1 **SECTION 1.** Section 3 of R.A. No. 10066 is hereby amended to read as follows:  
2

3 **Section 3. Definition of Terms.** - For purposes of this Act, the following  
4 terms shall be defined as follows:

5 (a) "Adaptive reuse" shall refer to the utilization of buildings, other built-  
6 structures and sites of value for purposes other than that for which they  
7 were intended originally, in order to conserve the site, their engineering  
8 integrity and authenticity of design.

9 (b) "Anthropological area" shall refer to any place where studies of specific  
10 ethno-linguistic groups are undertaken, the properties of which are of  
11 value to our cultural heritage.

12 (c) "Antique" shall refer to a cultural property found locally which is one  
13 hundred (100) years in age, more or less; the production of which has  
14 ceased.

15 (d) "Archaeological area" shall refer to any place, whether above or  
16 underground, underwater or at sea level, containing fossils, artifacts and  
17 other cultural, geological, botanical, zoological materials which depict and  
18 document culturally relevant paleontological, prehistoric and/or historic  
19 events.

20 (e) "Archives" shall refer to public and private records in any format which  
21 have been selected for permanent preservation because of their evidential,  
22 historical informational value; otherwise known as archival materials  
23 collections or archival holdings; the place (building/room/storage area)  
24 where archival materials are kept and preserved; and an organization or  
25 agency or part thereof whose main responsibility is to appraise, arrange,  
26 describe, conserve, promote and make archival materials available for  
27 reference and research, also known as archival agency

1 (f) "Built heritage/**TANGIBLE HERITAGE**" shall refer to architectural and  
2 engineering structures such as, but not limited to, bridges, government  
3 buildings, houses of ancestry, traditional dwellings, quartels, train  
4 stations, lighthouses, small ports, educational, technological and  
5 industrial complexes, and their settings, and landscapes with notable  
6 historical and cultural significance. **PROTECTION OF THESE**  
7 **STRUCTURES SHALL ALSO TAKE INTO CONSIDERATION THE**  
8 **MAINTENANCE OF THE INTEGRITY OF ITS VISUAL CORRIDOR**  
9 **AND/OR LINE OF SIGHT.**  
10

11 (g) "Collector" shall refer to any person who or institution that acquires  
12 cultural property for purposes other than sale.

13 (h) "Commission" shall refer to the National Commission for Culture and  
14 the Arts (NCCA).

15 (i) "Conservation" shall refer to all the processes and measures of  
16 maintaining the cultural significance of a cultural property including, but  
17 not limited to, preservation, restoration, reconstruction, protection,  
18 adaptation or any combination thereof.

19 (j) "Cultural agencies" shall refer to the following national government  
20 agencies with their specific areas of responsibility: National Museum  
21 (cultural property); the National Library (books); National Historical  
22 Institute (Philippine history); National Archives (documents); Cultural  
23 Center of the Philippines (culture and the arts); and Komisyon sa Wikang  
24 Filipino (language).

25 (k) "Cultural education" shall refer to the teaching and learning of cultural  
26 concepts and processes.

27 (l) "Cultural heritage" shall refer to the totality of cultural property  
28 preserved and developed through time and passed on to posterity.

29 **(M) "CULTURAL HERITAGE MAPPING" SHALL REFER TO THE**  
30 **APPROACH USED TO IDENTIFY, RECORD, AND USE CULTURAL**  
31 **RESOURCES AND ACTIVITIES FOR BUILDING COMMUNITIES. IT IS A**  
32 **SET OF ACTIVITIES AND PROCESSES FOR EXPLORING,**  
33 **DISCOVERING, DOCUMENTING, EXAMINING, ANALYZING,**  
34 **INTERPRETING, PRESENTING AND SHARING INFORMATION**  
35 **RELATED TO PEOPLE, COMMUNITIES, SOCIETIES, PLACES AND THE**  
36 **MATERIAL PRODUCTS AND PRACTICES ASSOCIATED WITH THE**  
37 **PEOPLE AND PLACES.**  
38

39 ~~[(m)]~~ **(N)** "Cultural heritage worker" shall refer to an individual undertaking  
40 cultural heritage work.

41 ~~[(n)]~~ **(O)** "Cultural institution" shall refer to entities engaged primarily in  
42 cultural work.

43 ~~[(o)]~~ **(P)** "Cultural property" shall refer to all products of human creativity  
44 by which a people and a nation reveal their identity, including churches,  
45 mosques and other places of religious worship, schools and natural

1 history specimens and sites, whether public or privately-owned, movable  
2 or immovable, and tangible or intangible.

3 **[(p)] (Q)** "Dealers" shall refer to natural or juridical persons who acquire  
4 cultural property for the purpose of engaging in the acquisition and  
5 disposition of the same.

6 **[(q)] (R)** "Heritage zone" shall refer to historical, anthropological,  
7 archaeological, artistic geographical areas and settings that are culturally  
8 significant to the country, as declared by the National Museum and/or the  
9 National Historical Institute.

10 **[(r)] (S)** "History" shall refer to a written record of past events relating to  
11 Philippine history.

12 **[(s)] (T)** "Historical landmarks" shall refer to sites or structures that are  
13 associated with events or achievements significant to Philippine history as  
14 declared by the National Historical Institute.

15 **[(t)] (U)** "Historical monuments" shall refer to structures that honor  
16 illustrious persons or commemorate events of historical value as declared  
17 by the National Historical Institute.

18 **[(u)] (V)** "Historical shrines" shall refer to historical sites or structures  
19 hallowed and revered for their history or association as declared by the  
20 National Historical Institute.

21 **[(v)] (W)** "Historical street name" shall refer to a street name which has  
22 been in existence for at least fifty (50) years and over time has been  
23 considered historic.

24 **[(w)] (X)** "Important cultural property" shall refer to a cultural property  
25 having exceptional cultural, artistic and historical significance to the  
26 Philippines, as shall be determined by the National Museum and/or  
27 National Historical Institute.

28 **[(x)] (Y)** "Intangible cultural heritage" shall refer to the practices,  
29 representations, expressions, knowledge and skills, as well as the  
30 instruments, objects and artifacts associated therewith, that communities,  
31 groups and individuals recognize as part of their cultural heritage, such  
32 as: (1) oral traditions, languages and expressions; (2) performing arts; (3)  
33 social practices, rituals and festive events; (4) knowledge and practices  
34 concerning nature and the universe; and (5) traditional craftsmanship.

35 **[(y)] (Z)** "Intangible cultural property" shall refer to the peoples' learned  
36 processes along with the knowledge, skills and creativity that inform and  
37 are developed by them, the products they create and the resources, spaces  
38 and other aspects of social and natural context necessary for their  
39 sustainability.

40 **[(z)] (AA)** "Library" shall refer to an institution where the collection of  
41 books, manuscripts, computerized information and other materials are  
42 organized to provide physical, bibliographic and/or intellectual access to  
43 the public, with a librarian that is trained to provide services and  
44 programs related to the information needs of its clientele.

1 [(aa)] **(BB)** "Museum" shall refer to a permanent institution that  
2 researches, acquires, conserves, communicates and exhibits the material  
3 evidence of humans and their environment for purposes of education or  
4 leisure.

5 [(bb)] **(CC)** "National cultural treasure" shall refer to a unique cultural  
6 property found locally, possessing outstanding historical, cultural, artistic  
7 and/or scientific value which is highly significant and important to the  
8 country and nation, and officially declared as such by pertinent cultural  
9 agency.

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

14 **(EE) "NATURAL HERITAGE" SHALL REFER TO THE FLORA AND**  
15 **FAUNA, THE NATURAL BIOLOGICAL AND PHYSICAL COMPONENTS**  
16 **OF THE ENVIRONMENT AND OTHER RELATED ECOSYSTEMS AND**  
17 **BIODIVERSITY, WHETHER TERRESTRIAL, WETLAND OR MARINE.**

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

22 [(ee)] **(GG)** "NCCA Portal Cultural Databank" refers to the specific domain  
23 in the Commission's intranet for cultural information that is accessed only  
24 internally with control and confidentiality. It includes the registry of  
25 national cultural property

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

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

31 [(hh)] **(JJ)** "Restoration" shall refer to the action taken or the technical  
32 intervention to correct deterioration and alterations.

33 [(ii)] **(KK)** "Tangible cultural property" shall refer to a cultural property with  
34 historical, archival, anthropological, archaeological, artistic and  
35 architectural value, and with exceptional or traditional production,  
36 whether of Philippine origin or not, including antiques and natural history  
37 specimens with significant value.

38  
39 **SECTION 2.** A new Section 14 on Republic Act 10066 is hereby inserted to read  
40 as follows:

41  
42 **ARTICLE V**  
43 **CULTURAL MAPPING**  
44

45 **SECTION 14. CULTURAL MAPPING BY LOCAL GOVERNMENT UNITS. -**  
46 **LOCAL GOVERNMENT UNITS ARE HEREBY MANDATED TO CONDUCT A**  
47 **COMPREHENSIVE CULTURAL HERITAGE MAPPING OF THEIR AREAS,**

1 INCLUDING TANGIBLE AND INTANGIBLE HERITAGE AND NATURAL AND  
2 BUILT HERITAGE STRUCTURES. THE LOCAL GOVERNMENT UNITS SHALL  
3 MOBILIZE AND PARTNER WITH CONCERNED AGENCIES TO ENSURE  
4 PROMPT AND EFFECTIVE IMPLEMENTATION OF THIS ACT. ALL FINDINGS  
5 AND OUTPUTS SHALL BE SUBMITTED AND REGISTERED IN THE  
6 PHILIPPINE REGISTRY OF CULTURAL PROPERTY.

7  
8 APART FROM CULTURAL AGENCIES, LOCAL GOVERNMENT UNITS  
9 ARE ALSO ENJOINED TO WORK WITH THE FOLLOWING AGENCIES FOR  
10 THE CONDUCT OF CULTURAL MAPPING:

- 11  
12 (i) COMMISSION ON HIGHER EDUCATION (CHED) FOR  
13 INSTITUTING CULTURAL AWARENESS IN STATE  
14 UNIVERSITIES AND COLLEGES;  
15 (ii) DEPARTMENT OF AGRICULTURE (DA) FOR THE INVENTORY  
16 OF NATURAL FIBER IN THE COUNTRY;  
17 (iii) DEPARTMENT OF EDUCATION (DEPED) FOR INSTITUTING  
18 CULTURAL AWARENESS IN BASIC EDUCATION;  
19 (iv) DEPARTMENT OF ENVIRONMENT AND NATURAL  
20 RESOURCES (DENR) FOR THE INVENTORY OF NATURAL  
21 PARKS, BIODIVERSITY AND ENDEMICITY;  
22 (v) DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH)  
23 FOR ITS PROGRAMS ON HERITAGE ZONES AND SITES AND  
24 PLACES OF SIGNIFICANCE;  
25 (vi) DEPARTMENT OF SCIENCE AND TECHNOLOGY (DOST) FOR  
26 ITS INVENTORY ON NATURAL SOURCES OF DYES AND  
27 OTHER PERTINENT RESEARCH AND DEVELOPMENT FOR  
28 THE TEXTILE INDUSTRY SECTOR IN THE COUNTRY;  
29 (vii) DEPARTMENT OF TOURISM (DOT) FOR THEIR EXISTING  
30 TOURISM PLANS FOR DECLARED NATIONAL AND WORLD  
31 HERITAGE SITES.

32  
33 The succeeding sections shall be renumbered accordingly.

34  
35 **SECTION 3.** Section 39 of R.A. No. 10066 is hereby amended to read as follows:

36  
37 **“Section 39. Cultural Heritage Education Programs.** – Within one (1) year  
38 from the effectivity of this Act, the Department of Education, the Technical  
39 Education and Skills Development Authority and the Commission on Higher  
40 Education, in consultation with the Commission, shall set forth in its teaching  
41 programs nationwide the following cultural heritage education programs with  
42 emphasis at the provincial, city and municipal levels:

- 43  
44 (a) Protection, conservation and preservation of cultural heritage  
45 properties;  
46 (b) Instructional materials in print, film and broadcast media on the  
47 cultural and historical significance of cultural properties; **[and]**  
48 (c) **INDIGENOUS KNOWLEDGE SYSTEMS, SKILLS AND PRACTICES**  
49 **(IKSSP) THROUGH THE APPROPRIATE “SCHOOLS OF LIVING**  
50 **TRADITIONS (SLTS)” MODELS; AND**  
51 (d) Visitation, public accessibility and information dissemination on  
52 designated local cultural properties.”

53  
54 **SECTION. 4. Separability Clause.** - Any portion or provision of this Act that  
55 may be declared unconstitutional shall not have the effect of nullifying other

1 portions or provisions hereof as long as such remaining provisions can still  
2 subsist and be given effect.

3 **SECTION 5. Repealing Clause.** - All laws, executive orders, presidential  
4 decrees, rules and regulations or parts thereof inconsistent with any provisions  
5 of this Act are hereby repealed, amended or modified accordingly.

6 **SECTION 6. Effectivity Clause.** - This Act shall take effect fifteen (15) days after  
7 its publication in at least two (2) newspapers of general circulation.

8 Approved,