

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



S E N A T E

'17 JUL 31 A11 :33

COMMITTEE REPORT NO. 140 RECEIVED BY: [Signature]

Submitted jointly by the Committees on Education, Arts and Culture, Ways and Means and Finance on JUL 31 2017

Re: Senate Bill No. 1529

Recommending its approval in substitution of Senate Bill Nos. 420, 556, 608, 671, 915, 1081 and 1174.

Sponsor: Senator Escudero

MR. PRESIDENT:

The Committees on Education, Arts and Culture, Ways and Means and Finance to which were referred Senate Bill No. 420, introduced by Senator Loren B. Legarda and Senator Maria Lourdes Nancy S. Binay, entitled:

“AN ACT PRESERVING THE COUNTRY'S TRADITIONAL FOLK ARTS AS PART OF ITS INTANGIBLE CULTURAL HERITAGE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8492, OTHERWISE KNOWN AS THE "NATIONAL MUSEUM ACT OF 1998" AND FOR OTHER PURPOSES”

Senate Bill No. 556, introduced by Senator Antonio “Sonny” F. Trillanes, entitled:

“AN ACT ESTABLISHING THE PHILIPPINE NATIONAL MARITIME MUSEUM, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES”

Senate Bill No. 608, introduced by Senator Antonio “Sonny” F. Trillanes, entitled:

“AN ACT PROVIDING FOR THE RETENTION AND UTILIZATION OF THE INCOME DERIVED BY THE NATIONAL MUSEUM, AMENDING FOR THE PURPOSE SECTION 26 OF REPUBLIC ACT NO. 8492, OTHERWISE KNOWN AS THE NATIONAL MUSEUM ACT OF 1998”

Senate Bill No. 671, introduced by Senator Paolo Benigno “Bam” Aquino IV, entitled:

“AN ACT GRANTING PUBLIC SCHOOL STUDENTS FREE ADMISSION TO ALL PUBLIC MUSEUMS AND NATIONAL HISTORICAL SHRINES AND LANDMARKS”

Senate Bill No. 915, introduced by Senator Loren B. Legarda and Senator Maria Lourdes Nancy S. Binay, entitled:

AN ACT STRENGTHENING THE NATIONAL MUSEUM OF THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8492, OTHERWISE KNOWN AS THE NATIONAL MUSEUM ACT OF 1998, AND APPROPRIATING FUNDS THEREFOR

Senate Bill No. 1081, introduced by Senator Joseph Victor G. Ejercito, entitled:

“AN ACT PROVIDING FOR THE RETENTION AND UTILIZATION OF THE INCOME DERIVED BY THE NATIONAL MUSEUM, AMENDING FOR THE PURPOSE SECTION 26 OF REPUBLIC ACT NO. 8492, OTHERWISE KNOWN AS THE NATIONAL MUSEUM ACT OF 1998”

and Senate Bill No. 1174, introduced by Senator Antonio “Sonny” F. Trillanes, entitled:

“AN ACT GRANTING PUBLIC ELEMENTARY AND HIGH SCHOOL STUDENTS FREE ADMISSION TO ALL PUBLIC MUSEUMS AND NATIONAL HISTORICAL SHRINES AND LANDMARKS”

have considered the same and have the honor to report them back to the Senate with the recommendation that the attached bill, Senate Bill No. 1529, prepared by the Committees, entitled:

“AN ACT STRENGTHENING THE NATIONAL MUSEUM OF THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8492, OTHERWISE KNOWN AS THE NATIONAL MUSEUM ACT OF 1998, AND APPROPRIATING FUNDS THEREFOR”

be approved in substitution of Senate Bill Nos. 420, 556, 608, 671, 951, 1081 and 1174, with Senators Legarda, Binay, Trillanes IV, Aquino IV, Ejercito and Escudero as authors thereof.

Respectfully submitted:



SEN. FRANCIS G. ESCUDERO
Chairperson
Committee on Education, Arts and Culture
Member, Committees on Finance and
Ways and Means

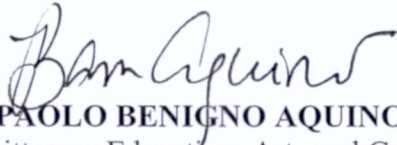


SEN. LOREN B. LEGARDA
Chairperson
Committee on Finance
Vice Chairperson, Committee on Ways and
Means
Member, Committee on Education, Arts and
Culture

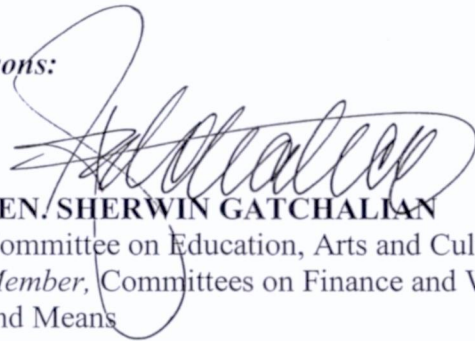


SEN. SONNY M. ANGARA
Chairperson
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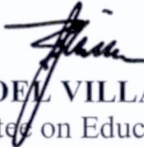
Vice Chairpersons:



SEN. PAOLO BENIGNO AQUINO IV
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SEN. SHERWIN GATCHALIAN
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Member, Committees on Finance and Ways
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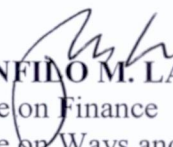


SEN. JOEL VILLANUEVA
Committee on Education, Arts and Culture
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Member, Committee on Finance



SEN. JOSEPH VICTOR G. EJERCITO
Committee on Education, Arts and Culture
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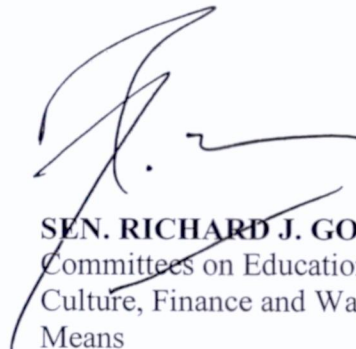
SEN. CYNTHIA A. VILLAR
Committee on Finance
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SEN. PANFILO M. LACSON
Committee on Finance
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Members:

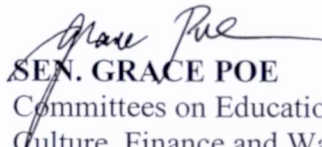
SEN. MARIA LOURDES NANCY S. BINAY
Committees on Education, Arts and Culture,
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SEN. RICHARD J. GORDON
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Committee on Education, Arts and Culture




SEN. GRACE POE
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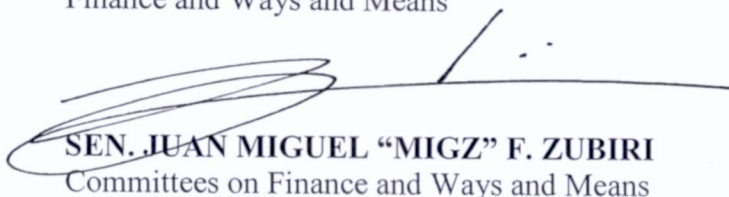
SEN. ANTONIO "SONNY" F. TRILLANES IV
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SEN. RISA HONTIVEROS
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SEN. FRANCIS "KIKO" PANGILINAN
Committees on Education, Arts and Culture,
Finance and Ways and Means



SEN. GREGORIO B. HONASAN II
Committee on Finance



SEN. JUAN MIGUEL "MIGZ" F. ZUBIRI
Committees on Finance and Ways and Means

Ex-Officio Members:



SEN. FRANKLIN M. DRILON
Senate Minority Floor Leader

SEN. VICENTE C. SOTTO III
Senate Majority Floor Leader

SEN. RALPH G. RECTO
Senate President Pro-Tempore

HON. AQUILINO "KOKO" PIMENTEL III
Senate President

SENATE

'17 JUL 31 A11 :33

Senate Bill No. 1529

(In substitution of Senate Bill Nos. 420, 556, 608, 671, 915, 1081 and 1174)

RECEIVED BY



Prepared jointly by the Committees on Education, Arts and Culture, Ways and Means and Finance, with Senators Legarda, Binay, Trillanes IV, Aquino IV, Ejercito and Escudero as authors

AN ACT STRENGTHENING THE NATIONAL MUSEUM OF THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8492, OTHERWISE KNOWN AS THE NATIONAL MUSEUM ACT OF 1998, AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. Short Title.** – This Act shall be known as the “National Museum of the
2 Philippines Act”.

3
4 **SEC. 2. Declaration of Policy.** – It is the policy of the State to pursue and support the cultural
5 development of the Filipino people, through the preservation, enrichment and dynamic evolution of
6 Filipino national culture, based on the principle of unity in diversity in a climate of free artistic and
7 intellectual expression.

8
9 **SEC. 3. Name of the Agency.** – The National Museum is hereby renamed as the “National
10 Museum of the Philippines”, or, alternatively in Filipino, “*Pambansang Museo ng Pilipinas*”.

11
12 The shortened name “National Museum” or “*Pambansang Museo*” shall be understood as
13 exclusively referring to the same, and its use in any manner or part of any name with respect to any
14 institution within the Philippines shall be reserved exclusively to the same.

15
16 Hereinafter in this Act, the National Museum of the Philippines shall be referred to as either the
17 National Museum or the Museum.

18
19 **SEC. 4. Mandate, Duties and Functions.** – The National Museum shall be the primary
20 institution of the State for the management and development of museums and collections of national
21 scope or significance in the areas of historical and cultural heritage, arts, and natural history, for
22 purposes of protecting, preserving, studying and promoting the national patrimony for the benefit of
23 current and future generations, supporting education and social progress, and contributing to economic
24 development through educational, scientific, cultural, tourism and leisure services and industries. It
25 shall be a permanent institution in the service of the entire national community and its development,
26 accessible to the public, and not intended for profit.

27
28 In this regard, the Museum shall:

- 29
30 a) Function as an educational, cultural and scientific institution that, through its operations, projects
31 and programs, documents, acquires, preserves, exhibits, and fosters scholarly study and public
32 appreciation of works of art, specimens, cultural and historical artifacts, indigenous and folk
33 practices, and intangible cultural heritage representative of, or unique to, the historical, cultural and
34 artistic heritage of the Filipino people and the natural history of the Philippines, as well as their
35 significance to the nation;

- 1 b) Establish, manage and develop the National Museum of the Philippines Complex in Rizal Park,
2 Manila, other central museums, as well as regional museums, sites and other facilities, and promote
3 the principles of universal access by the public;
4
- 5 c) Manage and develop the national collections of the Republic of the Philippines in the areas of
6 historical and cultural heritage, arts, and natural history;
7
- 8 d) Carry out permanent research programs combining integrated laboratory and field work in
9 biodiversity, geological history, human origins, pre-historical and historical archaeology, maritime
10 and underwater cultural heritage, ethnology and indigenous practices, art history, immovable,
11 movable and intangible cultural properties, and similar or associated fields;
12
- 13 e) Disseminate technical and museological skills and support museum development in the country;
14
- 15 f) Extend technical assistance in the preservation and restoration of cultural properties of national
16 significance; and
17
- 18 g) Carry out any and all other functions characteristic of public collecting and research museum
19 institutions of similar mandate and national scope, in line with prevailing international principles
20 and best practices.
21

22 **SEC. 5. Agency Classification and Attachment.** – The Museum shall be classified as a
23 National Government Agency and as an attached agency of the National Commission for Culture and
24 the Arts, which shall exercise administrative supervision and budgetary and policy coordination over
25 the Museum through its Head of Agency and in coordination with its Board of Trustees as constituted
26 herein.
27

28 **SEC. 6. Permanent Site and Complex in the National Capital.** – The whole Executive
29 House, also known as the old Congress or Legislative Building, the Department of Finance Building
30 and the Department of Tourism, originally Agriculture and Commerce, Building, on Agrifina Circle in
31 the City of Manila shall be the permanent and exclusive site of the Museum, and shall form the core of
32 the National Museum of the Philippines Complex in the National Capital.
33

34 In addition to these existing buildings, likewise appropriated to the Museum for the
35 establishment and development of its Museum Complex are the following:
36

- 37 a) The entirety of the portion of Rizal Park in the City of Manila bounded by Padre Burgos Avenue,
38 Taft Avenue, Teodoro M. Kalaw Avenue and Maria Orosa Avenue, including the roadways leading
39 to the Agrifina Circle therein;
40
- 41 b) The existing building of the National Planetarium, located in Rizal Park and since 1975 operated
42 by the Museum, with its lot as presently delineated; and
43
- 44 c) The monument to Gomburza by Solomon Sapid and its existing associated plaza, the median strip,
45 traffic islands and west side of Padre Burgos Avenue between General Luna Street and Victoria
46 Street, the entire portion of the existing golf course or former moat of Intramuros between the
47 aforementioned streets and the walls of Intramuros, together with the median strip and traffic
48 islands of Finance Road, which is hereby renamed National Museum Avenue.
49

50 Within one (1) year of the effectivity of this Act, the Museum and all concerned entities shall
51 ensure that these properties and lands have been properly transferred and secured in favor of the
52 Museum.
53

54 **SEC. 7. Evidence of Title to Structures and Lands.** – The record of the description of such
55 structures and lands appropriated to the Museum for its Museum Complex by virtue of this Act, or a
56 copy thereof, certified by the Board of Trustees, shall be received as evidence in all courts of the extent
57 and boundaries of the structures and lands appropriated to the Museum.
58

1 **SEC. 8. Preservation of the Former Senate Session Hall.** – Without prejudice to its
2 appropriate use in the operations of the Museum, the Museum shall preserve the former Senate Session
3 Hall in the Old Legislative Building as a tribute to the legacy of the great men and women of the
4 Philippine Senate for their invaluable contributions to the Filipino people, and as a relic where
5 democracy and freedom reigned and events of national significance transpired.
6

7 **SEC. 9. Dedication of the Museum Complex to Dr. Jose Rizal.** – The Museum Complex,
8 being part of Rizal Park in Manila, shall be dedicated to the life, work, martyrdom and memory of the
9 National Hero, Dr. Jose Rizal, whose encyclopedic range of intellectual, professional, and patriotic
10 interests are to be imbued as far as possible in the Museum's public operations and activities
11 throughout its Museum Complex in the fields of history and literature in addition to anthropology, fine
12 arts, architecture and the natural sciences, among others.
13

14 **SEC. 10. Master Plan of the Museum Complex.** – The Museum shall develop the Museum
15 Complex with reference to the Burnham Plan for Manila of 1905, to include such institutional
16 requirements as public exhibition halls, activity and function halls, office and operational spaces,
17 museological and technical facilities, premises for commercial operations, vehicular parking,
18 integrative infrastructure between its constituent buildings, parks and otherwise green areas, as well as
19 with public transportation networks and systems, including the Light Rail Transit, and other kinds of
20 public spaces, both above and below ground. The Museum shall likewise implement a design for a
21 large public plaza and park fronting the Old Legislative Building, integrating it with Intramuros and
22 exposing features of the former moat in this area.
23

24 For this purpose, the Museum shall formulate a Master Plan that shall be approved by its Board
25 of Trustees within one (1) year of the effectivity of this Act, to be financed by the proceeds of its
26 Endowment Fund should no appropriation from the General Fund be available for the purpose, and
27 shall transmit the same to the President of Philippines for approval and consequent implementation in a
28 systematic manner.
29

30 The Museum is also authorized to enter into appropriate public-private partnerships concerning
31 property development and management to further the implementation of its Master Plan, subject to
32 pertinent laws and issuances.
33

34 The said Master Plan may establish a distinct identity and delineation for the Museum
35 Complex, maintaining appropriate integration with the larger area of Rizal Park as well as the
36 surrounding areas of Intramuros and Ermita in the City of Manila.
37

38 **SEC. 11. Central Museums.** – The central museums of the Museum shall include the existing
39 National Museum of Fine Arts, National Museum of Anthropology, National Museum of Natural
40 History and the National Planetarium. The Museum is hereby directed to also take steps towards the
41 establishment of central museums dedicated to archaeology, maritime and underwater cultural
42 heritage, architectural arts and built heritage, and political and social history, which may be established
43 within its Museum Complex or elsewhere within the National Capital Region as appropriate.
44

45 **SEC. 12. Regional Museums and Satellite Offices.** – The Museum shall maintain its existing
46 regional museums and satellite offices and, if none exists, establish a regional museum and satellite
47 office in each administrative region of the Philippines beyond the National Capitol Region, *provided*,
48 that this regional network of the Museum be harmonized with that of the NCCA and that any
49 institutional duplication be avoided; as such, the appropriate transfer or sharing of regional facilities
50 between the Museum, NCCA and any other attached agencies of NCCA may be undertaken at the
51 initiative of the NCCA Chairman for the purpose of better realizing the collective mandates of the
52 same.
53

54 Area and site museums and offices shall also be established wherever necessary, and under the
55 same terms and conditions with relation to NCCA.
56

57 The specific sites of the new regional, area and site museums and satellite offices shall be
58 selected based on considerations of geography, population distribution, and administrative efficiency

1 as well as of outstanding national artistic, cultural and natural heritage significance, and educational,
2 environmental and tourism considerations.

3
4 Appropriate staffing patterns for such existing and projected museums and offices shall be
5 formulated and endorsed by the Board of Trustees for the approval of the Department of Budget and
6 Management.

7
8 **SEC. 13. The Board of Trustees.** – The Museum shall be governed by a Board of Trustees,
9 with the following powers and functions:

- 10
11 a) To represent and mobilize pertinent areas of the private sector and the public sector in support
12 of the mission and aims of the Museum;
13
14 b) To serve as the appointing authority for the Head of Agency and Agency Management;
15
16 c) To exercise general oversight on behalf of both the private and public sector over the
17 operations and performance of the Museum through the Head of Agency and Agency
18 Management;
19
20 d) To approve strategic policies, goals and directions for the Museum where necessary, and any
21 such special projects and programs as it may consider appropriate to carry out for its benefit,
22 for implementation through the Head of Agency and Agency Management;
23
24 e) To administer the Museum Endowment Fund, Museum Donations Fund and Museum Income
25 Fund as provided for in this Act;
26
27 f) To consider and appropriately dispose of appeals regarding administrative decisions of the
28 Head of Agency, where appropriate in line with pertinent laws and issuances; and
29
30 g) To carry out such other functions as provided herein, as well as in other pertinent laws and
31 issuances.

32
33 **SEC. 14. Composition of the Board of Trustees.** – The Board of Trustees shall be comprise
34 eleven (11) members, to be composed of the following:

- 35
36 a) The NCCA Chairman, as the *ex officio* Chairperson of the Board of Trustees;
37
38 b) Seven (7) representatives of the private sector, all citizens of the Philippines, each with a
39 demonstrated personal or professional commitment to the mission and aims of the Museum, to
40 include one (1) distinguished Filipino artist, architect or cultural worker, one (1) distinguished
41 Filipino anthropologist or historian, and one (1) distinguished Filipino scientist in the field of
42 natural history;
43
44 c) The Chairperson of the appropriate Committee of the Senate covering the field of culture, as an
45 *ex officio* member;
46
47 d) The Chairperson of the appropriate Committee of the House of Representatives covering the
48 field of culture, as an *ex officio* member; and
49
50 e) The Director-General of the Museum, as an *ex officio* member.

51
52 **SEC. 15. Appointment of Trustees.** – The private sector representatives shall be appointed by
53 the President of the Philippines for a term of four (4) years, and are eligible for reappointment to
54 succeeding terms of four (4) years, based on merit and performance. Appointment to a position vacated
55 due to death, disability, resignation or any similar cause, shall be for the duration of said unexpired
56 term only.

57
58 A Co-Chairperson of the Board of Trustees shall be designated by the President from among
59 the representatives of the private sector appointed by him or her, and such designation shall be

1 effective for the current term of the representative concerned. In the absence of any such designation,
2 the Board may elect an Acting Co-Chairperson until such designation is made by the President.

3
4 This Section shall be effective only with respect to the appointment of new Trustees after the
5 effectivity of this Act, and upon the expiry of the respective terms of incumbent Trustees, if any.

6
7 **SEC. 16. Organization of the Board of Trustees.** – The Board of Trustees shall meet at any
8 agreed location within the Philippines, and the presence of six (6) of its members shall constitute a
9 quorum.

10
11 The members of the Board of Trustees shall serve without compensation, but shall be entitled
12 to an appropriate honorarium for attendance at regular meetings to be held no less than once every
13 three (3) months, and at any such special meetings as may be called, in accordance with pertinent laws
14 and guidelines, as well as appropriate expenses and allowances related to travel and participation in the
15 official activities of the Museum, within the Philippines and overseas, with the necessity of such to be
16 certified by the Director-General of the Museum and authorized by the NCCA Chairman.

17
18 The Board of Trustees shall establish an Executive Committee of five (5) members, to include
19 the Co-Chairperson of the Board and the Director-General of the Museum together with three (3) of
20 their members to be elected as such. The Board may establish such other committees as it may deem
21 proper.

22
23 The President of the Philippines shall be the Patron and Honorary Chairperson of the Museum.

24
25 The Board is authorized to adopt an official seal which shall be judicially noticed and to make
26 such bylaws, rules, and regulations, as it deems necessary for the administration of its functions under
27 this Act, including the organization and procedure of the Board and any other matter that falls within
28 the ambit of its powers and functions, pursuant to this Act and existing laws, rules and regulations.

29
30 **SEC. 17. Head of Agency and Management of the Museum.** – The Museum shall be headed
31 by a Director-General, who shall be the Head of Agency and have the rank and emoluments of an
32 Undersecretary. There shall likewise be two (2) Deputy Directors-General of the Museum: one (1)
33 Deputy Director-General for Museums and one (1) Deputy Director-General for Administration, who
34 shall respectively have the rank and emoluments of an Assistant Secretary.

35
36 The central and regional museums and satellite offices of the Museum shall be managed under
37 the Director-General and Deputy Directors-General by the following seven (7) Directors, who shall
38 have the rank and emoluments of a Bureau Chief:

- 39
40 a) Director of the National Museum of Fine Arts;
41 b) Director of the National Museum of Anthropology;
42 c) Director of the National Museum of Natural History and the National Planetarium;
43 d) Director of the National Museum of Archaeology and Maritime Heritage;
44 e) Director of National Museums and Sites (Northern Philippines), covering the six (6) present
45 administrative regions in Luzon of Region I, Region II, the Cordillera Administrative Region,
46 Region III, Region IV-A and and Region V;
47 f) Director of National Museums and Sites (Central Philippines), covering the five (5) present
48 administrative regions in MIMAROPA and the Visayas of Region IV-B, Region VI, the Negros
49 Island Region, Region VII, and Region VIII; and
50 g) Director of National Museums and Sites (Southern Philippines), covering the six (6) present
51 administrative regions in Mindanao and the Sulu Archipelago of Region IX, Region X, Region
52 XI, Region XII, Region XIII, and the Autonomous Region in Muslim Mindanao.

53
54 Each Director enumerated above shall be respectively assisted by an Assistant Director, who
55 shall have the rank and emoluments of an Assistant Bureau Chief. Changes in their designations and
56 any additional such third-level positions as may be necessary to create for the appropriate management
57 of the said central and regional museums and satellite offices provided for by this Act shall be
58 endorsed by the Board of Trustees for the approval of the Department of Budget and Management.

1 All the aforementioned positions shall be occupied by persons who are citizens of the
2 Philippines, with a proven track record of competent administration, superior appropriate knowledge of
3 museum or relevant institutional operations or management, and a demonstrable personal or
4 professional commitment to the mission and aims of the Museum.
5

6 **SEC. 18. Appointment and Term of the Head of Agency and Agency Management.** – The
7 Director-General, Deputy Directors-General, Directors and Assistant Directors provided for herein
8 shall be appointed by the Board of Trustees of the National Museum for a term of four (4) years, and
9 are eligible for reappointment to succeeding terms of four (4) years, based on merit and performance.
10 Appointment to a position vacated due to death, disability, resignation or any similar cause, shall be for
11 the duration of said unexpired term only.
12

13 Each shall be provided with appropriate support staff of coterminous term with the incumbent,
14 as endorsed by the Board of Trustees for the approval of the Department of Budget and Management.
15

16 The Board of Trustees may also appoint or designate persons to the aforementioned positions in
17 an acting capacity in cases of vacancy, illness, absence or other cause, and may change such
18 appointment or designation from time to time as the interests of the Museum may in its judgment
19 require.
20

21 The existing organizational structure and staffing pattern of the National Museum shall be
22 amended so as to integrate appropriately the provisions of this Act. The incumbent Director and two
23 (2) Assistant Directors, if any, shall be automatically upgraded to the posts of Director-General and
24 Deputy Directors-General as provided herein, and shall be granted a term of one (1) year upon
25 effectivity of this Act before their performance is subject to review by the Board of Trustees for
26 purposes of reappointment, if any, as provided herein.
27

28 **SEC. 19. Appropriation.** – The Museum shall continue to submit and receive its annual
29 budget from the general appropriations of the National Government, covering the entirety of its
30 mandated operations and functions, as well as all programs and projects approved by the Department
31 of Budget and Management.
32

33 **SEC. 20. Retention of Income and Disposition of Donated Funds.** – The Museum is hereby
34 authorized to retain the entirety of its income from all sources of its operations nationwide and
35 overseas, and to expend the same for any purpose in benefit of the Museum as may be authorized by its
36 Board of Trustees, in accordance with this Act and other laws pertinent to the Museum and any special
37 provisions as may be provided for in the General Appropriations Act for any given fiscal year. Such
38 income shall be placed in a dedicated Museum Income Fund, and may accumulate for disbursement in
39 future fiscal years if not expended within the fiscal year in which the said income was generated.
40

41 The Museum shall be authorized to accept anonymous donations of money, in Philippine or
42 foreign currency, from its visitors, which shall be considered as gratuities and part of the income of the
43 Museum, and which shall be credited to the said Museum Income Fund. Such donations may be
44 accepted through the placement of donation boxes or by persons authorized for the purpose by the
45 Director-General of the Museum. The handling and accounting of such donations shall be subject to
46 rules and regulations to be prescribed by the Museum in agreement with the Commission on Audit
47 within six (6) months of the effectivity of this Act.
48

49 The Museum shall not charge admission fees to the general public throughout its central and
50 regional network, with the exception of special activities, programs or temporary exhibitions for which
51 appropriate fees may be charged upon approval by the Director-General. The Museum shall be allowed
52 to recommend to visitors a schedule of donations, to be formulated and approved by its Board of
53 Trustees, the handling and accounting of the proceeds of which shall fall within the said agreement
54 between the Museum and the Commission on Audit.
55

56 The existing Revolving Fund of the Museum is hereby abolished, and its balance shall be
57 transferred to the Museum Income Fund as herein established.
58

1 Donations of moneys covered by legally executed deeds of donation shall be placed in a
2 dedicated Museum Donations Fund, to be disbursed according to the terms and purposes of the
3 respective deeds or, in cases where no specific purposes are stipulated, to be otherwise disbursed for
4 any purpose in benefit of the Museum as may be authorized of the Board of Trustees.
5

6 As a general principle, and unless otherwise provided for by law, the retained income of, and
7 anonymous donations and donations covered by deeds of donation that do not have any specified
8 purpose to, the Museum, shall be applied to the purchase of capital assets for the benefit of the
9 Museum, including real properties and movable assets such as equipment and collections items. In all
10 cases, the disbursement of such funds shall be subject to the authorization of the Board of Trustees and
11 consequent approval by the Director-General of the Museum.
12

13 **SEC. 21. Museum Endowment Fund.** – The existing Museum Endowment Fund shall
14 continue to be utilized for the purpose of implementing such special programs, projects and activities
15 of the Museum that the Board of Trustees may approve in furtherance of its mandate and which are not
16 covered by the general appropriations of the Museum that shall continue to fully provide for its regular
17 operating budget.
18

19 The Museum Endowment Fund shall be directly administered by the Board of Trustees, which
20 shall be allowed to appoint professional fund managers for the purpose of appropriately managing and
21 investing the Fund on its behalf. Rules governing such administration, management and investment
22 shall be similar to those pertaining to relevant government financial institutions, and shall be agreed
23 between the Museum, the Department of Finance, and other concerned government agencies.
24

25 The initial principal of the Endowment Fund shall amount to Five Hundred Million Philippine
26 Pesos (P500,000,000), to be derived from the amount of Two Hundred and Fifty Million Philippine
27 Pesos (P250,000,000) from the Philippine Charity Sweepstakes Office and the amount of Two
28 Hundred and Fifty Million Philippine Pesos (P250,000,000) from the Philippine Amusement and
29 Gaming Corporation. Taking into account past remittances, only the outstanding balances from either
30 agency is hereby appropriated, to be payable in quarterly remittances with a period of three (3) years
31 from the effectivity of this Act until the prescribed total amount has been reached.
32

33 Donations made to the Endowment Fund of the Museum shall be explicitly made and executed
34 for the purpose, and once credited to it shall be considered as part of its principal. Such donations and
35 bequests will be exempt from any and all taxes.
36

37 Only the interest of the Endowment Fund may be expended by the Board of Trustees, which
38 shall authorize, as appropriate, the transfer of necessary amounts to a corresponding special projects
39 account to be disbursed through the Head of Agency.
40

41 **SEC. 22. Exemption from Taxes.** – The Museum shall be exempt from paying import taxes
42 and tariff duties on all items that are to be directly used in its operations, including but not limited to
43 books and other printed or digital publications, films and other similar media, art materials, chemicals
44 for preservation and restoration, exhibit and technical supplies and equipment, and any item acquired
45 or in the process of being acquired for its collections.
46

47 Donations and legacies to the Museum in the form of money or in kind, other than collections
48 items as provided for in Section 31, shall be exempt from donor's, estate and inheritance taxes.
49

50 For donations in kind, excepting collections items, the Board of Trustees shall recommend to
51 tax authorities the appropriate amount of exemption for donations of objects or donations in kind:
52 *provided*, that the Board shall refer to qualified external evaluators to determine the proper valuation of
53 the donation.
54

55 **SEC. 23. Tax Incentives for Donations of Items to the Museum Collections.** – All donations
56 of such items as the Museum might seek to acquire for its collections shall qualify for deductions
57 against income and/or inheritance taxes based on their estimated market value in Philippine Pesos as
58 certified by a resolution of the Board of Trustees, which shall formulate the said estimate upon the

1 advice of the Museum and external experts, if appropriate, should no market or appraised value, in
2 Philippine or foreign currency, within the last two (2) years be available for the item in question.

3
4 The extent of the deductions shall be as follows:

- 5
6 a) One hundred and fifty (150) percent of the estimated market value in Philippine pesos for any
7 work of national significance which the Board of Trustees will approve for acceptance by the
8 Museum;
- 9
10 b) Two hundred (200) percent of the estimated market value in Philippine pesos for any work of
11 important and outstanding national significance, that of the level of Important Cultural
12 Property, which the Board of Trustees will approve for acceptance by the Museum, and which
13 the Director-General will endorse for declaration by the pertinent authority as such, if not
14 already so declared, immediately after its donation; and
- 15
16 c) Three hundred (300) percent of the estimated market value in Philippine pesos for any work of
17 the most exceptional and extraordinary national significance, that of the level of National
18 Cultural Treasure, which the Board of Trustees will approve for acceptance by the Museum,
19 and which the Director-General will endorse for declaration by the pertinent authority as such,
20 if not already so declared, immediately after its donation.

21
22 Deductions against taxable inheritance applied for under this Act that may exceed the total
23 amount owed may be deductible from the taxable income of the legal heirs within the current year or
24 otherwise spread over a maximum of five (5) consecutive years including the current year.

25
26 Deductions against taxable income applied for under this Act may be made in full for within
27 the current year or otherwise spread over a maximum of five (5) consecutive years including the
28 current year.

29
30 **SEC. 24. Procurement of Items for the Museum Collections.** – The procurement of items by
31 the Museum for its collections, charged to any of its sources of funds as may be allowed, and
32 authorized by the Head of Agency and/or the Board of Trustees as herein provided, shall be regarded
33 as a unique and special case, and is thereby exempted from all laws, rules and regulations regarding
34 government procurement.

35
36 The Museum, as a general rule, shall be allowed to procure collections items by means of direct
37 negotiation with the owners of such items, or their duly designated agents or representatives, in the
38 Philippines and abroad, as follows:

- 39
40 a) A written and signed quotation for the sale of the item(s), shall be issued and addressed to the
41 Museum by the owner, or his or her agent or representative;
- 42
43 b) A certification that the item to be acquired is of appropriate significance to the Museum and of
44 importance to the heritage and patrimony of the Filipino people, that the negotiated price is
45 reasonable and fair, that no conflicts of interest as may be defined by prevailing laws, rules and
46 regulations exist, and that the item in question has not been illegally acquired or trafficked,
47 shall be issued by the Head of Agency;
- 48
49 c) For items above One Million Philippine Pesos (P1,000,000) or its foreign currency equivalent
50 in price, the Head of Agency shall recommend in writing to the Board of Trustees the issuance
51 of a resolution for the approval in principle of the transaction; items under this amount may be
52 procured upon the sole authority of the Head of Agency *provided*, that there is no “splitting” as
53 defined in pertinent procurement laws, rules and regulations;
- 54
55 d) A resolution of the Board of Trustees approving in principal the purchase of the concerned item
56 by the Museum and authorizing the signing by Head of Agency of a Deed of Sale as well as all
57 other documents to the transaction shall be issued for items above One Million Philippine Pesos
58 (P1,000,000) or its foreign currency equivalent in price;
- 59

- 1 e) A resolution of the Bids and Awards Committee of the Museum verifying that the
2 aforementioned documents, where applicable, have been produced, certifying as to the
3 availability of funds, and authorizing the issuance of a Notice of Award pertaining to the
4 purchase of the item(s) for the signature of the Head of Agency, shall be issued;
5
6 f) After the Notice of Award has been issued, the execution of the Deed of Sale by the Head of
7 Agency shall be made, after which the Bids and Awards Committee of the Museum shall issue
8 the Notice to Proceed which, once signed by the Head of Agency, shall authorize the
9 processing of payment in Philippine or foreign currency to the seller; receipt of payment in
10 Philippine or foreign currency shall be acknowledged by an official receipt or, in cases where
11 the issuance of an official receipt is not possible, any legal equivalent;
12
13 g) Payment for collections items made under this provision shall be made by the National
14 Museum gross of any deductions for tax. It shall be the sole responsibility of the owner, or his
15 agent or representative, to pay all direct and indirect taxes owed to Philippine and pertinent
16 foreign authorities from the sale of the item as may be due under existing, laws, rules and
17 regulations of the Philippines and any pertinent foreign jurisdiction; and
18
19 h) Certified true copies of all the aforementioned documents shall be posted within the designated
20 public place of the Museum and on its official website for at least six (6) months, as well as
21 transmitted to the Commission on Audit through the resident auditor of the Museum, the
22 Department of Budget and Management, the Government Procurement Policy Board, the
23 Bureau of Internal Revenue and, if the item has been acquired from abroad and is being
24 imported into the Philippines, the Bureau of Customs.
25

26 **SEC. 25. Movable Cultural Properties and Collections of the National Government.** - All
27 movable cultural properties of national significance, including natural history specimens, owned by all
28 agencies and instrumentalities of the National Government, including Government Owned and
29 Controlled Corporations, that fall within the coverage of the Museum as provided for in this Act,
30 particularly works of fine and applied art, archaeological and historical artifacts, relics of built heritage,
31 and ethnographic materials, shall be registered with the Museum and form part of a general inventory
32 and catalogue of national government collections in these areas that will be produced and published by
33 it within three (3) years of the effectivity of this Act, and updated annually thereafter to incorporate
34 any changes as reported by the agencies concerned to the Museum. Such national government
35 collections shall be considered as being held in trust for the Filipino people and shall not be alienated
36 or otherwise disposed of without the approval of the Museum, in accordance its policies on de-
37 accessioning as provided for in this Act.
38

39 The Museum shall have the authority to request the transfer or loan of any such national
40 government collections, or any item pertaining thereto, for purposes of protection, preservation, study
41 or public exhibition, and such requests shall be given the very highest consideration by the head of the
42 agency, instrumentality, or government owned or controlled corporation concerned. Likewise, all such
43 entities of the National Government are enjoined to offer for transfer or loan to the Museum such items
44 of movable cultural property as they may possess, in support of the aforementioned purposes and the
45 mandate of the Museum.
46

47 **SEC. 26. Commercial Operations of the Museum.** - The National Museum shall be
48 authorized to undertake commercial operations, the proceeds of which shall be credited to the Museum
49 Income Fund as established herein, and which shall include, but not be limited to, the following:
50

- 51 a) The rental of dedicated areas for external events, functions and similar activities, the terms and
52 conditions for which shall be prescribed by the Museum according to a schedule of fees
53 approved by the Board of Trustees;
54
55 b) The lease of dedicated areas for the erection and operation of commercial establishments,
56 which the Museum shall be allowed to award, through public bidding, and giving preference to
57 non-profit organizations of a nature related to or supportive of its mandate, for a term of up to
58 five (5) years per contract;
59

- 1 c) The lease of dedicated areas for the erection and operation of vehicular parking, which the
2 Museum shall be allowed to award, through public bidding, to qualified firms, for a term of up
3 to five (5) years per contract; and
4
5 d) The production and/or licensing of official merchandise, including publications and audio-
6 visual media, which the Museum shall be allowed to award, through public bidding, and giving
7 preference to non-profit organizations of a nature related to or supportive of its mandate, for a
8 term of up to five (5) years per contract.
9

10 The Museum shall be authorized to outsource, through public bidding, all general, non-
11 museological, property management, including security and maintenance operations, pertaining to its
12 real properties, particularly its Museum Complex, for a term of up to five (5) years per contract, the
13 funds for which shall be provided by general appropriations in each year.
14

15 **SEC. 27. Personnel Training, Development and Performance Incentives.** – The Museum
16 shall undertake training and development programs to upgrade the capabilities of its personnel in the
17 various functions of the Museum. Personnel shall be allowed to train or study, in the Philippines or
18 abroad, on official time, subject to the needs of the service, upon approval of the Director-General of
19 the Museum.
20

21 Museum personnel belonging to the Scientific Career System shall be allowed one (1) year of
22 paid sabbatical leave for every five (5) years of at least very satisfactory service in the Museum,
23 *provided*, that the said sabbatical leave shall contribute appropriately towards the scientific research
24 agenda of the Museum and be embodied in a legally-binding instrument to that effect to be approved
25 by the Director-General of the Museum.
26

27 A system of monetary incentives in addition to general incentives for government employees
28 shall be established in the Museum to reward superior performance and milestones of professional
29 development on the part of management and administrative and technical personnel of the Museum, to
30 be formulated together with appropriate procedures by the Board of Trustees and approved by the
31 Department of Budget and Management and the Civil Service Commission.
32

33 Such monetary incentives may be funded from any available and allowable sources, including
34 the General Fund, Museum Income Fund, Museum Donations Fund and Museum Endowment Fund.
35 The granting of all monetary incentives established by virtue of this section shall be approved of the
36 Board of Trustees.
37

38 **SEC. 28. De-Accessioning Policy.** – The Museum may provide for a de-accessioning policy
39 with regard to its collections, except in those cases where it is restricted by terms of donations or by
40 prevailing laws. The de-accessioning of any item shall require the approval of the Board of Trustees in
41 each and every case.
42

43 **SEC. 29. Reorganization of the Museum.** – Except where the provisions of Section 17 and 18
44 of this Act shall apply, the Board of Trustees shall be allowed whenever there is, it is judgement, a
45 need for such, to propose a reorganization of the Museum, or changes to its organizational structure or
46 staffing pattern, to be endorsed for the approval of the Department of Budget and Management.
47

48 **SEC. 30. Transfer of Regulatory Functions.** – All regulatory functions of the Museum, as
49 provided for by Republic Act No 4846, Presidential Decree No. 374, Republic Act No. 8492, Republic
50 Act No. 9105, Republic Act No. 10066, and all other laws and issuances, are hereby transferred to the
51 National Commission for Culture and the Arts, together with concerned organizational units and
52 regular plantilla items in the central office of the Museum.
53

54 This section notwithstanding, the Museum is enjoined to provide all technical and expert
55 assistance within its mandated competencies as the National Commission for Culture and the Arts may
56 require in the execution of the said regulatory functions.
57

58 It shall be a matter of policy that the Museum not be mandated to engage in any regulatory
59 function, except that which is prescribed in Section 25 of this Act pertaining to national government

1 collections, but shall rather focus exclusively on developing itself as the premier museum institution
2 and repository of the State in the areas provided herein and by other laws.

3
4 **SEC. 31. Repealing Clause.** – Republic Act No. 8492 is hereby repealed *in toto*; Republic Act
5 No. 4846, Presidential Decree No. 374, Republic Act No. 9105, Republic Act No. 10066 and all other
6 laws and issuances to the extent that they are inconsistent with this Act, are hereby repealed or
7 amended accordingly.

8
9 **SEC. 32. Separability Clause.** – If, for any reason, any part or provision of this Act is declared
10 invalid or unconstitutional, the parts or provisions not affected thereby shall remain in full force and
11 effect.

12
13 **SEC. 33. Effectivity Clause.** – This Act shall take effect fifteen (15) days following its
14 publication in the Official Gazette or in two (2) newspapers of general circulation, whichever comes
15 first.

16
17 *Approved,*