

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

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SENATE
S. No. 2663

Introduced by Senator Loren Legarda

AN ACT
MODIFYING AND EXPANDING THE COMPOSITION OF THE BOARD OF
THE NATIONAL COMMISSION FOR CULTURE AND ARTS, MANDATING
THE ESTABLISHMENT AND OPERATION OF CULTURAL FACILITIES AND
REGIONAL OFFICES THEREFOR, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Since the establishment of the National Commission for Culture and the Arts (NCCA) in 1992, a lot of developments have taken place that require revisiting its Charter under Republic Act No. 7356, to ensure that the NCCA is well-equipped to carry out its duties and fulfill its mandates. In particular, recently enacted laws, such as the Cultural Mapping Act, One Town One Product (OTOP) Philippines Act, Philippine Creative Industries Development Act, and local cultural centers and museums laws, among others, have expanded the mandates of the NCCA. The implementation of these laws necessitates collaboration with other national government agencies such as the Department of Foreign Affairs (DFA), the Department of the Interior and Local Government (DILG), the Commission on Higher Education (CHED), and the Technical Education and Skills Development Authority (TESDA). The representation of these government agencies in the NCCA Board will cultivate strengthened working relationships necessary to achieve a coordinated approach in policy and program implementation.

Furthermore, there is a demand for access to NCCA's resources and programs by the different regions in the country. The establishment of regional offices aims to provide effective access to NCCA's services across the country, ensure consistent enforcement of cultural heritage regulations nationwide, and establish closer coordination and linkages with local government units and other organizations for the implementation of NCCA's plans and programs at the local and regional levels. Likewise, the creation of an organization and staffing for the Metropolitan Theater (MET) seeks to sustain its operations that will enable the NCCA to provide the public with free and continuous access to artistic and cultural performances. Currently, the NCCA operates the Metropolitan Theater with "contract of service" staff undertaking important tasks, including theater management. In view of this, there is a need to establish the MET Operations Office headed by a Theater Director.

Finally, the proposed ranks of the NCCA officials aim to reflect the realities of their expanded duties and responsibilities carried out on a day-to-day basis as well as the establishment of regional offices. Through this measure, the NCCA hopes to strengthen interagency coordination, enforce cultural heritage regulations on a national scale, enhance closer engagement with the public, and become more responsive in the implementation of its policies and programs.

In view of the foregoing, the early passage of this bill is earnestly requested.



LOREN LEGARDA

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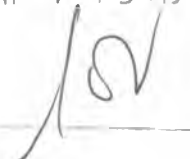
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 **SECTION 1.** Republic Act No. 7356, otherwise known as the "Law Creating the
2 National Commission for Culture and the Arts," is hereby amended to read as
3 follows:

4 "Section 1. *Title.* - x x x

5 Title I

6 Declaration of Principles

7 Section 2. *Culture as a Human Right.* - x x x

8 Section 3. *National Identity.* - x x x

9 Section 4. *Culture of the People.* - x x x

10 Section 5. *Culture by the People.* - x x x

11 Section 6. *Culture for the People.* - x x x

12 Section 7. *Preservation of the Filipino Heritage.* - x x x

1 Title II

2 Organization of the National Commission for Culture and the Arts and the Establishment of
3 the National Endowment Fund

4 Section 8. *The Commission.* - x x x

5 Section 9. *Composition.* - The Composition of the Board of the National
6 Commission for Culture and the Arts shall be modified and expanded to
7 comprise nineteen (19) Commissioners, as follows:

- 8 a) The Secretaries of the following four (4) Departments
- 9 i. Secretary of the Department of Education;
 - 10 ii. Secretary of the Department of Foreign Affairs;
 - 11 iii. Secretary of the Department of Tourism; and
 - 12 iv. Secretary of the Department of the Interior and Local
13 Government.
- 14 b) The Heads of the following eight (8) National Government Agencies
15 and Government-Owned and Controlled Corporations:
- 16 i. Chairman of the Commission on the Filipino Language;
 - 17 ii. President of the Cultural Center of the Philippines;
 - 18 iii. Chairman of the Commission on Higher Education;
 - 19 iv. Executive Director of the National Archives of the Philippines;
 - 20 v. Chairperson of the National Historical Commission of the
21 Philippines;
 - 22 vi. Director of the National Library of the Philippines;
 - 23 vii. Director-General of the National Museum of the Philippines;
24 and
 - 25 viii. Director-General of the Technical Education and Skills
26 Development Authority.
- 27 c) To represent the Congress of the Philippines, the two (2) Chairpersons
28 of the pertinent committees of the House of Representatives and the
29 pertinent committee of the Senate of the Philippines covering culture

1 and the arts:

- 2 i. Chairperson of Senate Committee on Culture and the Arts;
- 3 ii. Chairperson of House of Representatives Committee on Basic
- 4 Education and Culture.

5 d) The four (4) representatives from the private sector who shall be elected
6 heads of the four (4) Subcommissions, namely: the Subcommission on
7 Cultural Heritage, the Subcommission on the Arts, the Subcommission
8 on Cultural Dissemination, and the Subcommission on Cultural
9 Communities and Traditional Arts; and

10 e) The Executive Director of the National Commission for Culture and the Arts,
11 as Head of its Secretariat. Provided, he/ she may not be elected as
12 Chairperson of the Commission.

13 The officials named may be represented by their duly designated
14 representatives, who shall be vested with the authority to act in the name of
15 their principal.

16 Section 10. Rank of the Chairperson, Executive Director, and the Deputy
17 Executive Director. The Chairperson of the Commission, elected from among
18 the members of the Commission to serve without compensation, as provided
19 by Republic Act No. 7356, shall have the rank of a Secretary. The Chairperson
20 may, at the discretion of the President of the Philippines and pursuant to an
21 administrative order issued for the purpose, be designated as a member of the
22 Cabinet.

23 The Executive Director shall have the rank of Undersecretary while the two
24 (2) Deputy Executive Directors shall have the rank of Assistant Secretary.

25 For purposes of protocol, Commissioners under Section 9 (b) and (d) of the
26 Commission shall be regarded as an Undersecretary when designated to
27 represent the Commission officially abroad.

28 Section 11. *Term Office and Compensation.* - x x x

29 Section 12. *Membership Restrictions.* - x x x

30 Section 13. *Mandate.* - x x x

31 Section 14. *Powers and Functions.* - x x x

1 Section 15. Cultural Facilities; Regional, Satellite and Field Offices. - To support
2 its general operations, regulatory functions, and programs, activities and
3 projects, as well as enhance public access to its services, the National
4 Commission for Culture and the Arts shall establish and operate Cultural
5 Facilities, which shall include cultural centers, theaters, galleries, and other
6 physical facilities that allow the public access to culture and the arts, as well as
7 Regional Offices throughout the administrative regions of the Philippines.

8 The organization and staffing of each Cultural Facility shall be appropriate to
9 its physical size and scope of operations. The Metropolitan Theater in the City
10 of Manila owned and operated by the Commission, shall be headed by a
11 Theater Director. Likewise, each Regional Office shall be headed by a Regional
12 Director.

13 At least two (2) Regional Offices in Luzon, one (1) Regional Office in Visayas,
14 and two (2) Regional Offices in Mindanao shall be established, organized,
15 staffed within a period of two (2) years from the effectivity of this Act.

16 Satellite Offices and Field Offices may likewise be established by the NCCA,
17 particularly in areas of exceptional cultural significance and, in coordination
18 with the Department of Budget and Management, organized and staffed as
19 appropriate.

20 Section 16. The Secretariat. - x x x

21 Section 17. The Subcommissions. - x x x

22 Section 18. Local, Provincial or Regional Councils. - x x x

23 Section 19. National Advisory Board. - x x x

24 Section 20. The National Cultural Agencies. - x x x

25 Section 21. Program Plans. - x x x

26 Section 22. National Endowment Fund for Culture and Arts. - x x x

27 Section 23. Tax Exemption. - x x x

28 Section 24. Revolving Fund. - x x x

29 TITLE III

30 Miscellaneous Provisions

31 Section 25. Transitory Provisions. - x x x

1 Section 26. Notice or Consent Requirement. - x x x

2 Section 27. Separability Clause. - x x x

3 Section 28. Saving Clause. - x x x

4 Section 29. Effectivity. - x x x"

5 SEC 2. *Appropriations.* - The amount necessary for the immediate
6 implementation of this Act shall be taken from the current year's appropriations of
7 the NCCA (Proper). Thereafter, the amount necessary for the continued
8 implementation of this Act shall be included in the annual General Appropriations
9 Act.

10 SEC 3. *Separability Clause.* - If for any reason a provision or section of this Act
11 is declared invalid or unconstitutional, other sections or provisions not affected
12 thereby shall remain in full force and effect.

13 SEC 4. *Repealing Clause.* - Section 9 and other pertinent sections of Republic Act
14 No. 7356, otherwise known as the "Law Creating the National Commission for
15 Culture and the Arts, and its Implementing Rules and Regulations, are hereby
16 amended accordingly. All other laws, decrees, executive orders, proclamations, rules
17 and regulations, and other issuances or parts thereof inconsistent with the provisions
18 of this Act are hereby repealed or amended accordingly.

19 SEC 5. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication
20 in the Official Gazette or in a newspaper of general circulation.

Approved,