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SENATE  
S. B. No. **2208**

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Introduced by Senator Loren Legarda

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**AN ACT CREATING THE DEPARTMENT OF CULTURE, DEFINING ITS POWERS AND FUNCTIONS, RATIONALIZING AND STRENGTHENING ITS ATTACHED AGENCIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

Culture is a nation's DNA. It is responsible for shaping judgements, ethics, and behaviors. Clothing, food, celebrations, language, and creative expressions are only observable aspects of culture, but it must also be viewed in a holistic light. One of the most compendious definitions of culture is by anthropologist Ruth Benedict who said "Culture is learned as a child, and as children we each learned from those around us a particular set of rule, beliefs, priorities and expectations that molded our world into a meaningful whole. That is culture."

The shared values, customs and history are responsible for shaping the way an individual thinks, behaves and views the world. Through cultural heritage, members create a bond and foster a sense of belongings.

Culture is not an add-on, it is a vital component in triggering economic and intellectual vitality in city centers and towns throughout the country. For this reason, it is crucial to institute a department engaged solely in cultural endeavors.

Establishing a Department of Culture is aimed specifically at creating a centralized body dedicated to all matters pertaining to the identification, protection, preservation, conservation, regulation and promotion of culture, cultural heritage and arts on the part of the national government, in furtherance of Sections 14, 15, 16 and 17 of Article XIV of the Constitution:

**Section 14.** The State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression.

**Section 15.** Arts and letters shall enjoy the patronage of the State. The State shall conserve, promote, and popularize the nation's historical and cultural heritage and resources, as well as artistic creations.

**Section 16.** 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.

**Section 17.** The State shall recognize, respect, and protect the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions. It shall consider these rights in the formulation of national plans and policies.

**Section 18.**

1. The State shall ensure equal access to cultural opportunities through the educational system, public or private cultural entities, scholarships, grants and other incentives, and community cultural centers, and other public venues.
2. The State shall encourage and support researches and studies on the arts and culture.

In pursuit of these declared principles, and in response particularly to exigencies and challenges of rapid social change, economic development and climate change, there is a need to foster, strengthen and accelerate the convergence of various existing Departments and cultural agencies, and harmonize, rationalize and consolidate their organizations and functions, particularly in areas of policy, strategic direction, and implementation of the prevailing framework of cultural laws, notably Republic Act No. 10066, otherwise known as the National Cultural Heritage Act of 2009.

Through this bill, the existing structure of the National Commission for Culture and the Arts (NCCA) shall be largely preserved and solely dedicated towards the independent administration of the National Endowment for Culture and Arts established by previous laws, and shall be renamed as such, while existing managerial, administrative and support functions and personnel shall be incorporated into the Department of Culture, to be composed of the Office of the Secretary and five bureaux focusing on core areas of: protection and regulation; management and development; information, education and training (to include and incorporate a National Institute of Culture, Heritage and Arts); cultural institutions, industries and practitioners, and the Rizal Centers or Sentro Rizal envisioned by Congress to be the Philippine counterpart to such cultural networks as the Alliance Française, Instituto Cervantes and Goethe Institut. The proposed Department shall be authorized to establish regional and international offices, and station personnel in posts abroad, in the pursuit of its mandate, responsibilities and functions.

Attached agencies of the Department shall include those within the existing NCCA umbrella, with the addition of the Film Development Council of the Philippines (FDCP), the Intramuros

Administration (IA), the National Parks Development Committee (NPDC), and Nayong Pilipino (NP).

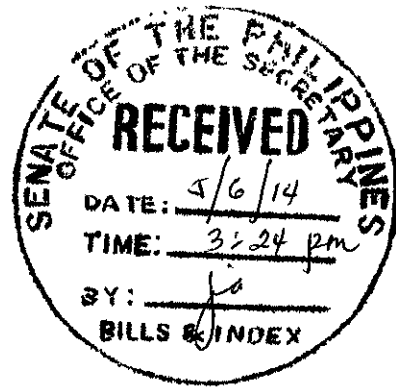
At the same time, key cultural agencies such as the National Archives of the Philippines, National Library of the Philippines, and National Museum of the Philippines are to be further strengthened in support of their established mandates, and in order that they may focus on their core responsibilities and functions, all attached agencies are relieved of their various regulatory functions, which shall be transferred to the Department.

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



**LOREN LEGARDA**

Senator



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**AN ACT CREATING THE DEPARTMENT OF CULTURE, DEFINING ITS POWERS AND FUNCTIONS, RATIONALIZING AND STRENGTHENING ITS ATTACHED AGENCIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

1 **SECTION 1. Short Title.** This Act shall be known as the "Department of Culture Act of 2014."  
2  
3

4 **ARTICLE I**  
5 **POLICIES**  
6

7 **SEC. 2. Declaration of Policy.** It is hereby declared the policy of the State:

- 8 a. To recognize that culture is a unifying, humanizing and modernizing agent of any  
9 society;
- 10 b. To utilize culture as a measure for the formulation of appropriate and significant  
11 political and economic policy that will better serve Filipinos;
- 12 c. To foster, strengthen and accelerate the convergence of various cultural offices and  
13 agencies, and rationalize their organizations and functions;
- 14 d. To ensure that all Filipinos enjoy full cultural rights, take full advantage of a dynamic  
15 cultural experience, and contribute to and celebrate the country's arts and cultural  
16 heritage;
- 17 e. To recognize that cultural education is the right of every Filipino and therefore ensure  
18 that cultural literacy is inculcated in the development and education of all Filipinos;
- 19 f. To promote the national language of the country while enhancing the linguistic  
20 diversity of the Philippines;

- 1 g. To create a centralized body which will develop, manage and be responsible for the  
2 implementation of policy, legislation and strategic direction for the identification,  
3 protection, preservation, conservation, regulation and promotion of culture;  
4 h. To recognize culture as the patrimony and right of every citizen of the Philippines;  
5 and  
6 i. To recognize, protect and promote the independence of cultural practitioners,  
7 particularly artists, and the integrity of their works and associated processes of  
8 creation and production.

9  
10 **ARTICLE II**

11 **THE DEPARTMENT OF CULTURE**

12  
13 **SEC. 3. *Creation of the Department of Culture.*** There is hereby created the Department of  
14 Culture (*KagawaranngKalinangan*), hereinafter referred to as the Department, which shall  
15 carry out the above-declared policies and assume the powers and functions of the following  
16 national offices, agencies and departments in matters pertaining to the identification,  
17 protection, preservation, conservation, regulation, development, promotion of culture and  
18 heritage:

- 19 a. Department of Education  
20 b. Department of Environment and Natural Resources  
21 c. Department of Foreign Affairs  
22 d. Department of Interior and Local Government  
23 e. Department of Public Works and Highways  
24 f. Department of Tourism  
25 g. Department of Trade and Industry  
26 h. Commission on Filipinos Overseas  
27 i. Commission on Higher Education  
28 j. National Commission for Culture and the Arts  
29 k. National Commission on Indigenous People  
30 l. National Museum of the Philippines  
31 m. National Historical Commission of the Philippines  
32 n. National Archives of the Philippines  
33 o. National Library of the Philippines  
34 p. Cultural Center of the Philippines

- 1 q. Komisyonng Wikang Filipino
- 2 r. Film Development Council of the Philippines
- 3 s. Intramuros Administration
- 4 t. National Parks Development Committee
- 5 u. Nayong Pilipino

6

7 **SEC. 4. *Mandate.*** The Department shall be the primary policy, planning, coordinating,  
8 implementing, regulating and administrative entity of the executive branch of the National  
9 Government that will identify, protect, preserve, conserve, regulate, develop and promote  
10 the culture and cultural heritage of the Philippines.

11

12 **SEC. 5. *Powers and Functions.*** The Department shall exercise the following powers and  
13 functions:

- 14 a. Formulate, recommend and implement national policies, plans, programs and  
15 guidelines for the identification, protection, preservation, conservation, regulation,  
16 development and promotion of culture, including movable, immovable, tangible  
17 and intangible cultural heritage, and provide wider and convenient access to the  
18 same;
- 19 b. Harmonize and coordinate all plans and initiatives of government agencies and  
20 local governments related to culture and cultural heritage to ensure overall  
21 consistency with the objectives of this Act in particular, and with national  
22 objectives in general;
- 23 c. Represent the Philippines in matters pertaining to culture in regional and  
24 international organizations and events;
- 25 d. Ensure the convergence of knowledge, information and resource sharing, database  
26 building and agency linkages among various government agencies related to  
27 culture and the objectives of this Act;
- 28 e. Coordinate and support the establishment and accessibility of necessary resources  
29 for the development and growth of cultural sectors, industries and programs;
- 30 f. Encourage and establish guidelines for partnerships with the non-government and  
31 private sectors in the implementation of programs and projects, and the policies  
32 and objectives of this Act;

- 1 g. Coordinate and support the operations, programs and projects of agencies  
2 established and/or attached to the Department by virtue of this Act, and other  
3 concerned institutions;
- 4 h. Coordinate with the Department of Trade and Industry, the Intellectual Property  
5 Office of the Philippines and other concerned government agencies in the  
6 promotion of trade and investment opportunities, the development and  
7 coordination of cultural industries, and safeguarding of investor interests and  
8 intellectual property in cultural protection, preservation, development and  
9 promotion;
- 10 i. In coordination with concerned agencies, promote strategic partnership and  
11 alliances among and between local and international bodies and institutions,  
12 concerned with culture, cultural heritage and arts, and the policies and objectives  
13 of this Act;
- 14 j. Develop, institute and carryout the training and certification of cultural officers  
15 and personnel from concerned agencies of the National Government and local  
16 governments;
- 17 k. Administer the qualification, selection and conferral of the Award for National  
18 Living Treasures (*GawadngManlilikhang Bayan*), the Order of National Artists  
19 (*OrdenngPambansangAlagadngSining*), and all other national awards and  
20 decorations in the field of culture;
- 21 l. Have the exclusive power to recommend for proclamation by the President of the  
22 Philippines of National Cultural Treasures and Important Cultural Properties;
- 23 m. Other powers and functions as may be created, assigned or transferred by the  
24 President of the Philippines in accordance with law.
- 25

26 **SEC. 6. Composition.** The Department of Culture shall be headed by a Secretary. The  
27 Department proper shall be composed of the Office of the Secretary, the offices of the  
28 Undersecretaries and the Assistant Secretaries, and the Bureaux.

29

30 **SEC. 7. Secretary of Culture.** The Secretary shall be appointed by the President of the  
31 Philippines, and shall have the following functions:

- 32 a. Provide executive direction and supervision over the entire operations of the  
33 Department and its attached agencies;

- 1 b. Establish policies and standards for the effective, efficient and economical  
2 operation of the Department, in accordance with the programs of Government;
- 3 c. Rationalize delivery systems necessary for the effective attainment of the  
4 objectives of the Department, in accordance with the programs of Government;
- 5 d. Review and approve requests for financial and human resources of all operating  
6 offices of the Department;
- 7 e. Designate and appoint officers and employees of the Department, excluding the  
8 Undersecretaries and Assistant Secretaries, in accordance with the Civil Service  
9 laws, rules and regulations;
- 10 f. Sit on the governing boards of attached agencies as provided in this Act, as well as  
11 any other agencies or organizations as may be appropriate or designated;
- 12 g. Coordinate with local governments, other agencies and public and private  
13 interests groups, including non-government organizations (NGOs) and people's  
14 organizations (POs) on Department policies and initiatives;
- 15 h. Advise the President of the Philippines and make recommendations on the  
16 promulgation of executive and administrative orders and regulatory and  
17 legislative proposals on matters pertaining to culture, cultural heritage, and arts;
- 18 i. Formulate such rules and regulations, and exercise such other powers as may be  
19 required to implement the objectives of this Act;
- 20 j. Perform such other tasks as may be provided by law or assigned by the President  
21 of the Philippines.

22  
23 **SEC. 8. *Undersecretaries and Assistant Secretaries.*** The Secretary shall be assisted by at least  
24 four (4) Undersecretaries, who shall be appointed by the President of the Philippines upon  
25 the recommendation of the Secretary, at least two (2) of whom shall be career officers. The  
26 Undersecretaries shall be responsible for a) finance and administration, b) legal and  
27 regulatory affairs, c) policy and planning, and d) development and promotion, among other  
28 areas of responsibility as may be established by the Secretary.

29  
30 Likewise, the Secretary shall be assisted by at least four (4) Assistant Secretaries, who shall  
31 be appointed by the President of the Philippines upon the recommendation of the Secretary,  
32 at least three (3) of whom shall be career officers. The Assistant Secretaries shall be  
33 responsible for management and coordination functions, particularly among attached and



1 other concerned agencies and local governments, external and public affairs and  
2 information, among other areas of responsibility as may be established by the Secretary.

3  
4 **SEC. 9. *Qualifications.*** No person shall be appointed Secretary, Undersecretary or Assistant  
5 Secretary of the Department unless he or she is a citizen of the Philippines of good moral  
6 character, and of proven integrity.

7  
8 The Secretary of the Department, in particular, shall be a person recognized as an  
9 accomplished culture or cultural heritage manager or advocate, or a distinguished scholar or  
10 practitioner in the fields of arts, anthropology, history, cultural diplomacy and other fields  
11 of endeavor related to culture or cultural heritage and the mandate and functions of the  
12 Department.

13  
14 **ARTICLE III**  
15 **BUREAUX, REGIONAL AND INTERNATIONAL OFFICES**  
16 **AND ATTACHED AGENCIES**  
17

18 **SEC. 10. *Bureaux of the Department.*** The following five (5) Bureaux shall be established  
19 within the Department:

- 20 a. Bureau of Cultural Protection and Regulation.  
21 b. Bureau of Cultural Management and Development.  
22 c. Bureau of Cultural Information, Education and Training, to incorporate within its  
23 structure a National Institute of Culture, Heritage and Arts (NICHA), the primary  
24 educational, training and certification center of the National Government for  
25 cultural officers and personnel in the public sector.  
26 d. Bureau of Cultural Institutions, Industries and Practitioners.  
27 e. Bureau of Rizal Centers (*KawanihannngSentro Rizal*), as provided for in Article XII of  
28 Republic Act No. 10066, and as amended by this Act.

29  
30 **SEC. 11. *Regional and International Offices of the Department.*** The Department shall  
31 establish regional offices in all the administrative regions of the Philippines. It shall also  
32 establish provincial, satellite, extension and field offices when and wherever necessary,  
33 particularly in locations where significant cultural and heritage properties and concerns are  
34 identified to exist, and to support the operations, programs and projects of its attached and

1 other concerned agencies and institutions. International offices may be established through  
2 the creation of Rizal Centers (*Sentro Rizal*) abroad, in collaboration with the Department of  
3 Foreign Affairs. Likewise, officers and personnel of the Department may be posted as  
4 cultural officers or attachés in overseas Philippine posts as appropriate.

5  
6 **SEC. 12. *Attached Agencies of the Department.*** The following agencies shall be attached to  
7 the Department, with their organizations, mandate, powers, functions and responsibilities  
8 established or otherwise amended, modified, rationalized and strengthened as provided for  
9 in this Act:

- 10  
11 a. National Endowment Fund for Culture and Arts (NEFCA)  
12 b. National Academy of Culture and Arts (NACA)  
13 c. National Historical Commission of the Philippines (NHCP)  
14 d. National Museum of the Philippines (NMP)  
15 e. National Archives of the Philippines (NAP)  
16 f. National Library of the Philippines (NLP)  
17 g. Cultural Center of the Philippines (CCP)  
18 h. Komisyonng Wikang Filipino (KWF)  
19 i. Film Development Council of the Philippines (FDCP)  
20 j. National Parks Development Committee (NPDC)  
21 k. Intramuros Administration (IA)  
22 l. Nayong Pilipino (NP)

23  
24 **SEC. 13. *Supervision and Coordination of Attached Agencies.*** The Department shall exercise  
25 overall supervision and coordinate for budget, policy and strategic purposes the operations  
26 of its attached agencies, which shall otherwise continue to operate and function in  
27 accordance with the charters, laws or orders creating them, insofar as they are not  
28 inconsistent with this Act, and that the independence of the attached agencies, and the  
29 involvement of private-sector and non-governmental representatives appointed thereto, if  
30 any, is maintained as strongly as possible as a matter of principle and policy.



1 **SEC. 15. *Establishment of the National Academy of Culture and Arts.*** There is hereby  
2 created a National Academy of Culture and Arts (NACA), attached to the Department, the  
3 primary function of which shall be to serve as an independent body numbering no more  
4 than thirty (30) persons at any one time that will advise the Department and the Secretary in  
5 all matters of culture and the arts, with the mandate of preserving the patrimony, preserving  
6 the integrity, and fostering appropriately the lasting progress of national culture and  
7 cultural heritage within and throughout local, regional and global contexts.

8  
9 The specific functions and operations of the NACA shall be governed by rules to be  
10 established by the Department and promulgated by the President of the Philippines, as well  
11 as an appropriate organizational structure to serve as the Secretariat of the NACA.

12  
13 All members of the NACA, to be known as Academicians, shall be citizens of the Philippines  
14 recognized for their contributions to culture and heritage, including but not limited to as  
15 practitioners, scholars and managers. Academicians shall be appointed by the President of  
16 the Philippines upon the recommendation of the Secretary, shall be appointed for life,  
17 subject to the rules to be established by the Department, and shall be entitled to an  
18 appropriate *per diem* for attendance at meetings and for other functions to be determined.

19  
20 Upon the creation of the Department, living recipients of the Order of National Artists, living  
21 recipients of other national honors (as defined in the Honors Code of the Philippines,  
22 established by virtue of Executive Order No. 236, series of 2003, as amended) for  
23 contributions to culture and heritage, and living former Chairs of the National Commission  
24 for Culture and the Arts, shall be given priority for consideration to be recommended by the  
25 Secretary of the Department for appointment by the President of the Philippines as founding  
26 members of the NACA.

27  
28 **SEC. 16. *Attachment of the National Parks Development Committee.*** The existing National  
29 Parks Development Committee (NPDC) is hereby transferred to the Department from the  
30 Department of Tourism.

31  
32 The Committee proper of the NPDC shall be headed by the Secretary of the Department as  
33 *ex-officio* Chair, the Secretary of Tourism as *ex-officio* Co-Vice Chair. Other members shall  
34 comprise the Chair of the National Historical Commission of the Philippines, the Director-

1 General of the National Museum of the Philippines, the Executive Director of the National  
2 Library of the Philippines, the Administrator of the Intramuros Administration, the Mayor  
3 of the City of Manila, and the Executive Director of the NPDC. The members shall be  
4 entitled to an appropriate *per diem* for attendance at meetings.

5  
6 The Executive Director shall be appointed to a three (3) year term by the President of the  
7 Philippines upon the recommendation of the Committee proper of the NPDC, renewable for  
8 a maximum of four (4) consecutive terms. The Deputy Executive Director shall likewise be  
9 appointed by the President of the Philippines upon the recommendation of the Committee  
10 proper of the NPDC, but the position shall be covered by the Career Executive Service.

11  
12 The Executive Director as Head of Agency shall be in charge of the overall operations of the  
13 NPDC and implement the policies set by the Committee proper and programs approved by  
14 it. The incumbents in the existing management structure of the NPDC shall be automatically  
15 appointed to the equivalent positions provided for in this Act.

16  
17 **SEC. 17. Attachment of the Intramuros Administration.** The Intramuros Administration  
18 (IA) shall be detached from the Department of Tourism and attached to the Department of  
19 Culture. The Secretary of the Department shall be an *ex-officio* member and Chair of the IA.  
20 The Secretary of Tourism shall likewise be an *ex-officio* member and Co-Vice Chair.

21  
22 **SEC. 18. Attachment of Nayong Pilipino.** Nayong Pilipino (NP) shall be detached from the  
23 Department of Tourism and attached to the Department of Culture. The Secretary of the  
24 Department shall be an *ex-officio* member and Chair of NP. The Secretary of Tourism shall  
25 likewise be an *ex-officio* member and Vice Chair.

26  
27 **SEC. 19. Strengthening of the National Archives of the Philippines.** To enhance its visibility,  
28 dynamism, resources and governance, and to broaden and strengthen the base of its support  
29 through society, a Board of Trustees of the National Archives of the Philippines (NAP) is  
30 hereby created, to comprise the following eleven (11) members: the Chair (Private-Sector  
31 Representative), the Secretary of the Department as *ex-officio* member and Vice Chair, five (5)  
32 Private-Sector Representatives as members, the Chair of the NHCP, the Director-General of  
33 the NMP, the Executive Director of the NLP as *ex-officio* members, and the Executive  
34 Director, NAP as *ex-officio* member.

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Private-sector members of the Board of Trustees shall have a demonstrated interest in the institution and its mandate, and shall be appointed to a three (3) year term by the President of the Philippines upon the recommendation of the Secretary, renewable for a maximum of four (4) consecutive terms. The Chair of the Board of Trustees of the NAP shall be designated as such by the President of the Philippines from among the private-sector members.

The Executive Director shall be appointed to a three (3) year term by the President of the Philippines upon the recommendation of the Board of Trustees, renewable for a maximum of four (4) consecutive terms. The Deputy Executive Director shall likewise be appointed by the President of the Philippines upon the recommendation of the Board of Trustees, but the position shall be covered by the Career Executive Service. The incumbents in the existing management structure of the NAP shall be automatically appointed to the equivalent positions for the first three (3) year term as provided for in this Act.

The Board of Trustees shall elect five (5) of their members as an executive committee, and shall fix the time for the regular meetings of the Board. The Board of Trustees may function notwithstanding vacancies, and, at any meeting of the Board, six (6) shall constitute a quorum to do business. Each member of the Board of Trustees shall serve gratuitously but be paid an appropriate per diem in attending meetings of the Board. The Board of Trustees may establish such other committees as it may deem proper. The Chairman of any committee to be established must be a member of the Board of Trustees.

The Board of Trustees of the NAP is authorized to adopt an official seal which shall be judicially noticed and to make such bylaws, rules, and regulations, as it deems necessary for the administration of its functions under this Act, including, among other matters, by laws, rules and regulations relating to the acquisitions, exhibitions, and loans of, the administration of its endowment fund, and the organization and procedure of the Board of Trustees.

The Executive Director as Head of Agency shall be in charge of the overall operations of the NAP and implement the policies set by the Board of Trustees and programs approved by it.

1 SEC. 20. *Strengthening of the National Library of the Philippines.* To enhance its visibility,  
2 dynamism, resources and governance, and to broaden and strengthen the base of its support  
3 through society, a Board of Trustees of the National Library of the Philippines is hereby  
4 created, to comprise the following eleven (11) members: the Chair (Private-Sector  
5 Representative), the Secretary of the Department as *ex-officio* member and Vice Chair, five (5)  
6 Private-Sector Representatives as members, the Chair of the NHCP, the Director-General of  
7 the NMP, the Executive Director of the NAP as *ex-officio* members, and the Executive  
8 Director, NLP as *ex-officio* member.

9  
10 Private-sector members of the Board of Trustees shall have a demonstrated interest in the  
11 institution and its mandate, and shall be appointed to a three (3) year term by the President  
12 of the Philippines upon the recommendation of the Secretary, renewable for a maximum of  
13 four (4) consecutive terms. The Chair of the Board of Trustees of the NLP shall be designated  
14 as such by the President of the Philippines from among the private-sector members.

15  
16 The Executive Director shall be appointed to a three (3) year term by the President of the  
17 Philippines upon the recommendation of the Board of Trustees, renewable for a maximum  
18 of four (4) consecutive terms. The Deputy Executive Director shall likewise be appointed by  
19 the President of the Philippines upon the recommendation of the Board of Trustees, but the  
20 position shall be covered by the Career Executive Service. The incumbents in the existing  
21 management structure of the NLP shall be automatically appointed to the equivalent  
22 positions for the first three (3) year term as provided for in this Act.

23  
24 The Board of Trustees shall elect five (5) of their members as an executive committee, and  
25 shall fix the time for the regular meetings of the Board. The Board of Trustees may function  
26 notwithstanding vacancies, and, at any meeting of the Board, six (6) shall constitute a  
27 quorum to do business. Each member of the Board of Trustees shall serve gratuitously but  
28 be paid an appropriate per diem in attending meetings of the Board. The Board of Trustees  
29 may establish such other committees as it may deem proper. The Chairman of any  
30 committee to be established must be a member of the Board of Trustees.

31  
32 The Board of Trustees of the NLP is authorized to adopt an official seal which shall be  
33 judicially noticed and to make such bylaws, rules, and regulations, as it deems necessary for  
34 the administration of its functions under this Act, including, among other matters, by laws,

1 rules and regulations relating to the acquisitions, exhibitions, and loans of, the  
2 administration of its endowment fund, and the organization and procedure of the Board of  
3 Trustees.

4  
5 The Executive Director as Head of Agency shall be in charge of the overall operations of the  
6 NLP and implement the policies set by the Board of Trustees and programs approved by it.

7  
8 **SEC. 21. *Strengthening of the National Museum of the Philippines***,The existing National  
9 Museum, established by virtue of Republic Act No. 8492, is hereby renamed as the National  
10 Museum of the Philippines (NMP).

11  
12 To commensurately reflect the scope of its mandate, operations, responsibilities and  
13 accountabilities, the existing management structure established by virtue of Republic Act  
14 No. 8492 shall be supplemented with the addition of five (5) Department Directors to the  
15 existing positions of overall Director and two (2) Assistant Directors, which shall be  
16 upgraded accordingly to Executive Director and Deputy Executive Directors. The Executive  
17 Director and Deputy Executive Directors shall be appointed to a three (3) year term by the  
18 President of the Philippines upon the recommendation of the Board of Trustees, renewable  
19 for a maximum of four (4) consecutive terms. Department Directors shall likewise be  
20 appointed by the President of the Philippines upon the recommendation of the Board of  
21 Trustees, but the positions shall be covered by the Career Executive Service. The incumbents  
22 in the existing management structure of the NMP shall be automatically appointed to the  
23 equivalent positions for the first three (3) year term as provided for in this Act.

24  
25 The existing Board of Trustees of the NMP and its functions shall be preserved, and shall  
26 comprise the existing eight private-sector representatives, including the Chair, together  
27 with, as *ex-officio* members, the Secretary of the Department as Vice-Chair, the Secretary of  
28 Education, the Secretary of Environment and Natural Resources, the Secretary of Tourism,  
29 the Chair of the designated Senate Committee, the Chair of the designated House  
30 Committee, and the Director-General of the NMP. Private-sector members of the Board of  
31 Trustees shall have a demonstrated interest in the institution and its mandate, and shall be  
32 appointed to a three (3) year term by the President of the Philippines upon the  
33 recommendation of the Secretary, renewable for a maximum of four (4) consecutive terms.  
34 The Chair of the Board of Trustees of the NMP shall be designated as such by the President



1 of the Philippines from among the private-sector members. The incumbent private-sector  
2 members in the existing Board of Trustees shall be automatically appointed to the first three  
3 (3) year term as provided for in this Act.

4  
5 In order to enhance public visibility and awareness of the NMP and its location, Finance  
6 Road, between Taft Avenue and Padre Burgos Avenue, in the City of Manila, is hereby  
7 renamed National Museum Avenue.

8  
9 **SEC 22. Representation of the Department on other Attached Agencies.** The Secretary of the  
10 Department shall be an *ex-officio* member and serve as Vice Chair of the Board of  
11 Commissioners of the National Historical Commission of the Philippines, the Board of  
12 Trustees of the Cultural Center of the Philippines, the Board of Commissioners of the  
13 Komisyon ng Wikang Filipino, and the Council of the Film Development Council of the  
14 Philippines.

15  
16 **SEC 23. Transfer of Regulatory Functions to the Department.** Responsibility over all  
17 regulatory functions currently vested in the agencies attached by virtue of this Act to the  
18 Department, including registration, the issuances of all licenses and permits of any kind, and  
19 the declaration of cultural and heritage properties of any kind as National Cultural  
20 Treasures, Important Cultural Properties and Heritage Zones as provided for under  
21 Republic Act No. 10066, and hereby transferred to, and vested exclusively in the  
22 Department, with the exception of: a) regulatory powers which are vested in the Intramuros  
23 Administration by virtue of Presidential Decree No. 1919, as amended; and b) National  
24 Historical Shrines, National Historical Landmarks and National Historical Monuments, the  
25 authority to declare which shall remain vested in the National Historical Commission of the  
26 Philippines, but which shall require the affirmation of the Secretary of the Department  
27 before the declaration enters into legal effect.

28  
29 **SEC 24. Retention of Income and Establishment of Revolving Funds for Attached**  
30 **Agencies.** All agencies attached to the Department by virtue of this Act shall be allowed to  
31 retain fully their income derived from operations and engage in commercial operations  
32 appropriate to their mandates, objectives and functions. Likewise, the attached agencies  
33 shall be allowed to establish, through their governing boards and in coordination with the

1 Department a revolving fund appropriate for the purpose of supporting and enhancing their  
2 operations.

3  
4 **SEC 25. *Establishment of Endowment Funds for Attached Agencies.*** All agencies attached to  
5 the Department by virtue of this Act shall be allowed to establish, through their governing  
6 boards and in coordination with the Department, an endowment fund appropriate for the  
7 purpose of supporting and enhancing their operations, mandate, objectives and functions.  
8 The governing boards of the attached agencies shall manage and direct the investment of  
9 their respective endowment funds, in coordination with the Department and subject to rules  
10 which the Department may establish.

11  
12 **ARTICLE IV**  
13 **REORGANIZATION**

14  
15 **SEC. 26. *Reorganization.*** The laws and rules on government reorganization as provided for  
16 in Republic Act No. 6656, otherwise known as the Reorganization Law, shall govern the  
17 reorganization process of the Department and, where appropriate, its attached agencies.

18  
19 **SEC. 27. *Organizational Structure and Staffing Pattern.*** The Department shall determine its  
20 organizational structure and create divisions or units as it may deem necessary, and shall  
21 appoint officers and employees of the Department in accordance with the Civil Service Law,  
22 rules, and regulations. For this purpose the Department and the agencies attached to the  
23 Department by virtue of this Act shall prepare a reorganization and staffing plan  
24 implementing the provisions of this Act and all related considerations, which shall be  
25 submitted to the Office of the President for approval within ninety (90) days of the  
26 effectivity of this Act.

27  
28 **SEC. 28. *Separation from Service.*** Employees separated from the service as a result of this  
29 reorganization shall, within ninety (90) days therefrom, receive the separation and  
30 retirement benefits to which they may be entitled under Executive Order No. 366. Provided  
31 that such separation pay and retirement benefits shall have priority of payment out of the  
32 savings of the department or agency.

33  
34 **ARTICLE V**

1           **PERMANENT BUILDINGS AND PROPERTIES OF THE DEPARTMENT**

2

3   **SEC. 29.** *Appropriation of the Post Office Building and Metropolitan Theater.* The Post  
4 Office Building and the former Metropolitan Theater are hereby appropriated for the  
5 exclusive use and office premises of the Department of Culture and its attached agencies.

6

7

**ARTICLE VI**

8

**APPROPRIATIONS AND FINAL PROVISIONS**

9

10 **SEC. 30.** *Appropriations.* The amount needed for the initial implementation of this Act shall  
11 be taken from the current fiscal year's appropriation for the NCCA through the Office of the  
12 President, and other appropriations available for the purpose. Thereafter, the amount  
13 needed for the operation and maintenance of the Department proper shall be included in the  
14 General Appropriations Act, provided that for the next fiscal year, the amount shall be no  
15 less than One Billion Pesos (PHP1,000,000,000.00),

16

17 **SEC. 31.** *Implementing Rules and Regulations.* - The Office of the President, in consultation  
18 with other government agencies mentioned in this Act, shall promulgate its implementing  
19 rules and regulations within ninety (90) days after the effectivity of this Act.

20

21 **SEC. 32.** *Repealing Clause.* All laws, decrees, executive orders, rules and regulations and  
22 other issuances or parts thereof that are inconsistent with this Act are hereby repealed,  
23 amended or modified accordingly.

24

25 **SEC. 33.** *Separability Clause.* If any provision of this Act shall be declared unconstitutional  
26 or invalid, the other provisions not otherwise affected shall remain in full force and effect.

27 **SEC. 34.** *Effectivity Clause.* This Act shall take effect fifteen (15) days from its publication in  
28 at least two (2) papers of general circulation.

29

30 *Approved.*