

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



'16 JUL 28 AM 11:20

SENATE

S. B. No. 915

BY: 

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Introduced by SENATOR LOREN LEGARDA

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**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**

Explanatory Note

Amidst the changes being undertaken by the National Museum to improve its existing collections and redevelop its facilities—highlighted by the yet-to-be finished Museum of Natural History at the former Department of Tourism building, there is a clear need to repeal Republic Act 8492 or the National Museum Act of 1998 and replace it with new legislation strengthening the institution's role as the national repository of the country's natural, cultural, and historical heritage for the sake of present and future generations of Filipinos.

Under this bill, the current National Museum shall be known as the National Museum of the Philippines or the *Pambansang Museo ng Pilipinas* whose future complex shall include the entire portion of Rizal Park and of the existing golf course or former moat of Intramuros. By requiring the design of the Master Plan of the National Museum Complex to adhere in "general terms" to the Burnham Plan of 1905, the Museum will enable the residents and visitors of Manila to appreciate and preserve the remaining architectural heritage of Manila as a premier city of Asia right before the devastation in World War II and the unfettered development that followed after.

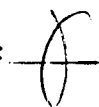
To generate funds for this redevelopment and other projects in the future, the Museum shall be given more flexibility in generating, maintaining, and spending its internally generated income, donations from the private sector and annual appropriations from the national government.

In light of these reasons, immediate passage of this bill is requested.

  
**LOREN LEGARDA**  
Senator

16 JUL 28 AM 12:21

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*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  
2 Museum of the Philippines Act of 2016."  
3

4 **SEC. 2. Declaration of Policy.** - It is the policy of the State to pursue  
5 and support the cultural development of the Filipino people, through the  
6 preservation, enrichment and dynamic evolution of Filipino national  
7 culture, based on the principle of unity in diversity in a climate of free  
8 artistic and intellectual expression.  
9

10 **SEC. 3. Name of the Agency.** - The National Museum is hereby  
11 renamed as the "National Museum of the Philippines" or alternatively in  
12 Filipino "*Pambansang Museo ng Pilipinas*".  
13

14 The shortened name "National Museum" or "*Pambansang Museo*" shall  
15 be understood as exclusively referring to the same, and its use in any  
16 manner or part of any name with respect to any institution within the  
17 Philippines shall be reserved exclusively to the Agency.  
18

19 Hereinafter in this Act, the National Museum of the Philippines shall be  
20 referred to as either the National Museum or the Museum.  
21

22 **SEC. 4. Objectives.**- The Museum shall adhere to the following  
23 objectives:

24 a). As an educational institution, the Museum shall take the lead in  
25 disseminating knowledge of Filipino cultural and historical heritage and  
26 developing a corps of professionals knowledgeable about the  
27 preservation, enrichment and dynamic evaluation of the Filipino national  
28 culture.  
29

30 b). As a scientific institution, the Museum shall continue to conduct  
31 basic and systematic research programs combining integrated laboratory  
32 and field work in anthropology and archaeology, geology and  
33 paleontology, botany, and zoology. It shall maintain reference collections

1 on these disciplines and promote scientific development in the  
2 Philippines.

3 c). As a cultural center, the Museum shall take the lead in the study and  
4 preservation of the nation's rich artistic and cultural heritage, in the  
5 reconstruction and rebuilding of our past, and the development of the  
6 national cultural wealth.

7  
8 The Museum shall be a permanent institution in the service of the  
9 community and its development, accessible to the public, and not  
10 intended for profit. It shall obtain, keep, study and present material  
11 evidence of the human person and the environment. The Museum shall  
12 inform the general public about these activities for the purpose of study,  
13 education and entertainment.

14  
15 The primary mission of the Museum shall be to acquire documents,  
16 preserve, exhibit, and foster scholarly study and appreciation of works of  
17 art specimens and cultural and historical artifacts.

18  
19 Pending its reorganization by the board of trustees, the Museum shall be  
20 composed of the Museum structure, organization and its collections,  
21 properties, assets and liabilities.

22  
23 **SEC. 5. The Museum as a Trust of the Government.** - To ensure its  
24 independence and autonomy, the Museum shall remain a trust of the  
25 government that is detached from the Department of Education and the  
26 National Commission for Culture and the Arts and placed for budgetary  
27 purposes under the Office of the President.

28  
29 The Museum shall have the following general attributes and privileges:

30  
31 a) The Museum shall continue to be classified as a National Government  
32 Agency, primarily for administrative purposes, including receiving its  
33 annual budget from the general appropriations of the National  
34 Government to cover the entirety of its mandated operations and  
35 activities;

36 b) The Museum shall be considered, primarily for administrative  
37 purposes as to staffing pattern and compensation scales, as higher in  
38 level than a Bureau and beneath that of a Department; and

39 c) The Museum shall, in terms of operational flexibility and autonomy,  
40 enjoy such privileges characteristic of both a government-owned and  
41 controlled corporation and a state university or college wherever  
42 possible and which, in any and all cases, promote the objectives of  
43 this Act, and that rules as may be necessary to this effect be  
44 formulated by the Museum, the Department of Budget and  
45 Management, and the Commission on Audit.

46  
47 **SEC. 6. Permanent Home and Evidence of Title to Site and**  
48 **Buildings.** - The whole Executive House Building also known as the old  
49 Congress Building, the Department of Finance building and Department  
50 of Tourism building on Agrifina Circle shall be the permanent and  
51 exclusive site of the Museum. They shall be known as the National  
52 Museum Complex. The Executive House shall now be known as the  
53 "*National Museum.*"

54

1 The site and lands selected for the building for the Museum shall be  
2 deemed appropriated to the Museum, and the record of the description of  
3 such site and lands, or a copy thereof, certified by the Chairman and  
4 Secretary of the Board of Trustees, shall be received as evidence in all  
5 courts of the extent and boundaries of the lands appropriated to the  
6 Museum.

7  
8 **SEC. 7. Preservation of the Senate Session Hall.** – The Museum shall  
9 preserve the Senate Session Hall as a tribute to the legacy of the great  
10 men and women of the Philippine Senate for their invaluable  
11 contributions to the Filipino people, and as a relic where democracy and  
12 freedom reigned and events of national significance transpired.

13  
14 **SEC. 8. Appropriated Lands for the National Museum Complex in**  
15 **Rizal Park, Manila.** –In addition to the buildings appropriated to the  
16 Museum for its National Museum Complex under Section 6 of this Act,  
17 the entirety of the portion of Rizal Park in the City of Manila bounded by  
18 Padre Burgos Drive, Taft Avenue, Teodoro M. Kalaw Avenue and Maria  
19 Orosa Avenue, including the roadways leading to the Agrifina Circle  
20 therein, is hereby appropriated to the Museum for its exclusive  
21 development and use as its National Museum Complex in Rizal Park,  
22 Manila, in accordance with the provisions of this Act.

23  
24 Likewise appropriated for the same purpose is the existing building of the  
25 National Planetarium located in Rizal Park and operated by the Museum  
26 since 1975, and its lot as presently delineated.

27  
28 Further property and lands that are hereby appropriated for the same  
29 purpose include the monument to Gomburza by Solomon Sapid and its  
30 existing associated plaza, the median strip, traffic islands and west side  
31 of Burgos Drive between General Luna Street and Victoria Street,  
32 including the plaza and monument to Juan Luna, and the entire portion  
33 of the existing golf course or former moat of Intramuros between the  
34 aforementioned streets and the walls of Intramuros, together with the  
35 median strip and traffic islands of Finance Road, which is hereby  
36 renamed National Museum Avenue.

37  
38 Within a year of enactment of this Act, the Museum shall ensure that all  
39 titles of sites and lands appropriated for as its permanent home and as  
40 part of the National Museum Complex have been properly transferred  
41 and secured in favor of the Museum.

42  
43 **SEC. 9. Dedication of the National Museum Complex to Dr. Jose**  
44 **Rizal.** –The National Museum Complex of the Museum, being part of  
45 Rizal Park in Manila, shall be dedicated to the life, work, martyrdom and  
46 memory of Dr. Jose Rizal, whose encyclopedic range of intellectual,  
47 professional, and patriotic interests are to be imbued as far as possible in  
48 the Museum's public operations and activities throughout its National  
49 Museum Complex in the fields of history and literature in addition to  
50 anthropology, fine arts, architecture and the natural sciences, among  
51 others.

52  
53 **SEC. 10. Master Plan of the National Museum Complex.** - The  
54 Museum shall develop the National Museum Complex in accordance with  
55 the Burnham Plan for Manila of 1905, to include such institutional

1 exigencies as public exhibition, activity and function halls, office and  
2 operational spaces, museological and technical facilities, premises for  
3 commercial operations, vehicular parking, integrative infrastructure  
4 between its constituent buildings, parks and otherwise green areas, and  
5 other kinds of public spaces, both above and below ground. The  
6 Museum shall likewise implement a design for a large public plaza and  
7 park fronting the Old Legislative Building, integrating it with Intramuros  
8 and exposing features of the former moat in this area.

9  
10 For this purpose, the Museum shall formulate a Master Plan that shall  
11 be approved by its Board of Trustees within one (1) year of the effectivity  
12 of this Act, to be financed by the proceeds of its Endowment Fund should  
13 no appropriation from the General Fund be available for the purpose,  
14 and shall transmit the same to the President of Philippines through the  
15 Department of Budget and Management (DBM) for endorsement to  
16 Congress.

17  
18 The Museum is also authorized to enter into appropriate public-private  
19 partnerships concerning property development and management to  
20 further the implementation of its Master Plan, subject to pertinent laws  
21 and issuances.

22  
23 The Master Plan may establish a distinct identity and delineation for the  
24 National Museum Complex, but should maintain appropriate integration  
25 with the larger area of Rizal Park as well as the surrounding areas of  
26 Intramuros and Ermita, Manila. The entire Complex shall only in name  
27 be considered as part of Rizal Park, and the National Museum, through  
28 the Board of Trustees, shall be authorized to name or rename  
29 appropriately the aforementioned roadways leading to Agrifina Circle and  
30 specific public spaces within the Complex.

31  
32 **SEC. 11. Regional Museums and Satellite Offices.** -The Museum shall  
33 establish a regional museum and satellite office in each administrative  
34 region of the Philippines beyond the National Capitol Region, as well as  
35 area and site museums and offices wherever necessary, with appropriate  
36 staffing patterns for existing and projected such museums and offices to  
37 be formulated and endorsed by the Board of Trustees subject to the  
38 approval of the DBM.

39  
40 The specific sites of the said museums and offices shall be selected based  
41 on considerations of geography, population distribution, and  
42 administrative efficiency as well as of outstanding national artistic,  
43 cultural and natural heritage significance, and educational,  
44 environmental and tourism considerations.

45  
46 **SEC. 12. Duties and Functions of the Museum.** - The Museum shall  
47 have the following duties and functions:

48 a).Acquire documents, collect, preserve, maintain, administer and exhibit  
49 to the public, cultural materials, objects of art, archaeological artifacts,  
50 ecofacts, relics and other materials embodying the cultural and natural  
51 heritage of the Filipino nation, as well as those of foreign origin. Materials  
52 relevant to the recent history of the country shall be likewise acquired,  
53 collected, preserved, maintained, advertised and exhibited by the  
54 Museum;

- 1 b). Conduct research, archaeological and scientific, on Philippine flora  
2 and fauna; collect, preserve, identify and exhibit to the public  
3 systematically all types of plants and animals found in the Philippines,  
4 prepare for publication manuscripts and scientific papers on them and  
5 maintain a reference collection on such subjects;
- 6 c). Document all objects held by the Museum in its collections or  
7 borrowed by the Museum by registering them in an inventory and  
8 cataloguing them, and manage any movement of the collections both  
9 within the Museum and elsewhere in such a way that the Museum is  
10 able to locate any object in the collections at any time.
- 11 d). Conduct research on the origin, history and geographic distribution  
12 of, and to collect, preserve, study and exhibit rocks, minerals and fossils  
13 of plants and animals; maintain a reference collection and to prepare for  
14 publication scientific studies on them;
- 15 e). Regulate registration, excavation, preservation and exportation of  
16 Philippine cultural properties through a legal department and customs  
17 department which shall be established for these purposes;  
18
- 19 f). Implement the pertinent provisions of Presidential Decree No. 374, as  
20 further amended, and other related laws on the protection and  
21 conservation of cultural properties;  
22
- 23 g). Undertake research on salvage archaeology, monitor and control  
24 archaeological excavations, diggings and researches into Philippine pre-  
25 history and proto-history;  
26
- 27 h). Gather, identify, reconstruct, restore and maintain a national  
28 archaeological reference collection; study archaeological artifacts and  
29 ecofacts, with their corresponding data and deduce archaeological  
30 interpretations;  
31
- 32 i). Undertake research on the pre-history of the Philippines in order to  
33 define the foundations of the cultures of the people by conducting  
34 systematic and controlled archaeological excavations in different sites on  
35 land and underwater, and to supplement existing historical  
36 documentation;  
37
- 38 j). Collect, preserve, restore and exhibit to the public objects of arts;  
39
- 40 k). Conduct research on Philippine arts and its relations to the arts of  
41 other countries and cause the publication of the same;  
42
- 43 l). Carry out research among different people of the Philippines to define  
44 the ethnography of each group, to establish the ethnology and to  
45 document for posterity and exhibit to the public their traditional and  
46 existing cultures, practices and artistic forms expressive of their culture;  
47
- 48 m). Collect, acquire, identify, reconstruct, restore, preserve and maintain  
49 ethnographic items; gather their interpretations; and mount related  
50 exhibitions and prepare technical manuscripts for publication;  
51

- 1 n). Maintain a chemical and physical laboratory where scientific analysis  
2 of materials recovered from archaeological and ethnographic sites may be  
3 undertaken for their preservation;  
4
- 5 o). Plan, organize and stage exhibitions in all disciplines covered by the  
6 Museum geology, cultural properties, zoology, botany, archaeology, arts,  
7 anthropology, restoration and engineering;  
8
- 9 p). Plan and organize library services, guided tours, lectures, seminars,  
10 symposia or workshops;  
11
- 12 q). Implement and enforce Presidential Decree Nos. 260, 374, 756, 1109,  
13 1492, 996, 1683 and 1726-A;
- 14 r). Supervise restoration, preservation, reconstruction, demolition,  
15 alteration, relocation and remodeling of immovable properties and  
16 archaeological landmarks and sites;
- 17 s). Disseminate astronomical knowledge and information through  
18 planetarium shows, lectures and demonstrations, exhibits and actual  
19 celestial observations;
- 20 t). Maintain, preserve, interpret and exhibit to the public the artifacts in  
21 sites of the Paleolithic habitation site of the possible earliest man to the  
22 Philippines, the Neolithic habitation of the ancient Filipino at the Tabon  
23 Caves, and other important archaeological sites;
- 24 u). Secure and receive bilateral and international grants and  
25 endowments to support its programs/projects.
- 26 v). Initiate, promote, encourage and support the establishment and  
27 promotion of, and extend management, technical and financial  
28 assistance to regional, provincial, city and/or local museums; and
- 29 w). Develop and implement consortium agreements and linkages with  
30 institutions of higher learning and other organizations engaged in similar  
31 researches being undertaken by the Museum.

32 **SEC. 13. Board of Trustees.**—As the governing board of the Museum, the  
33 Board of Trustees shall have the following functions:

- 34 a). To represent and mobilize pertinent areas of the private sector and the  
35 public sector in support of the mission and aims of the Museum;
- 36 b). To serve as the appointing authority for the Head of Agency and  
37 Agency Management;
- 38 c). To exercise general oversight on behalf of both the private and public  
39 sector over the operations and performance of the Museum through the  
40 Head of Agency and Agency Management;
- 41 d). To approve strategic goals and directions for the Museum where  
42 necessary, and any such special projects and programs as it may  
43 consider appropriate to carry out for its benefit, for implementation  
44 through the Head of Agency and Agency Management;

- 1 e). To administer the Museum Endowment Fund and the Museum  
2 Income Fund as provided for in this Act;
- 3 f). To consider and appropriately dispose of appeals regarding  
4 administrative decisions of the Head of Agency, where appropriate in line  
5 with pertinent laws and issuances; and
- 6 g). To carry out such other functions as provided herein, as well as in  
7 other pertinent laws and issuances.

8 **SEC. 14. Board of Trustees Composition.** - The business of the  
9 Museum shall be conducted by the Board of Trustees comprising of  
10 fifteen (15) members to be composed of the following:

- 11
- 12 a). Eight (8) representatives of the private sector, each with a  
13 demonstrated personal or professional commitment to the mission and  
14 aims of the Museum, to include one (1) distinguished Filipino artist,  
15 architect or cultural worker, one (1) distinguished Filipino anthropologist  
16 or historian, and one (1) distinguished Filipino scientist in the field of  
17 natural history
- 18
- 19 b). The Chairperson of the appropriate Committee of the Senate covering  
20 the field of culture, as an *ex-officio* member;
- 21 c). The Chairperson of the appropriate Committee of the House of  
22 Representatives covering the field of culture, as an *ex-officio* member;
- 23 d). The Secretary of Education, as an *ex-officio* member;
- 24 e). The Secretary of Environment and Natural Resources, as an *ex-officio*  
25 member;
- 26 f). The Secretary of Tourism, as an *ex-officio* member;
- 27 g). The Chairperson of the National Commission for Culture and the Arts,  
28 as an *ex-officio* member; and
- 29 h). The Director-General of the Museum, as an *ex-officio* member.

30 **SEC. 15. Appointment of Trustees.** - The private sector representatives  
31 shall be appointed by the President of the Philippines for a term of four  
32 (4) years and eligible for reappointment for another term. Appointment to  
33 a position vacated due to death, disability, resignation or any similar  
34 cause, shall be for the unexpired duration of said term only.

35

36 The Chairperson and Vice-Chairperson of the Board of Trustees shall be  
37 designated by the President from among the representatives of the  
38 private sector appointed by him or her, and such designation shall be  
39 effective for the current term of the representative concerned. In the  
40 absence of any such designation, the Board may elect an Acting  
41 Chairperson and Acting Vice-Chairperson until such designation is made  
42 by the President.

43

44 This Section shall be effective only with respect to the appointment of  
45 new Trustees after the effectivity of this Act, and upon the expiry of the  
46 respective terms of incumbent Trustees and the designated Chairperson.

47



1 **SEC. 16. Organization of the Board of Trustees.** - The Board of  
2 Trustees shall meet at any agreed location within the Philippines. Due to  
3 its enlarged composition as provided by this Act, eight (8) of its members  
4 shall constitute a quorum.

5  
6 While the service of each member of the Board shall remain gratuitous,  
7 each member of the Board shall be entitled to an appropriate honorarium  
8 for attendance at meetings, in accordance with pertinent laws and  
9 guidelines, as well as appropriate expenses related to travel and  
10 participation in the official activities of the Museum, within the  
11 Philippines and overseas, with the necessity of such to be certified by the  
12 Director-General of the Museum.

13  
14 The Board of Trustees shall establish an Executive Committee of five (5)  
15 members, to include the Chairperson of the Board and the Director-  
16 General of the Museum together with three (3) of their members to be  
17 elected as such. The Board may establish such other committees as it  
18 may deem proper.

19  
20 The President of the Philippines, as honorary chairman and patron of the  
21 Museum shall preside annually over at least one (1) special or regular  
22 meeting of the Board of Trustees, to be held in the first six months of the  
23 year, so as to be informed of the accomplishments of the Museum and its  
24 needs for the future year.

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

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

39 The central museums and regional satellite museums of the Agency shall  
40 be managed under the Director-General and Deputy Directors-General  
41 by a Director, who shall have the rank and emoluments of a Bureau  
42 Chief, as follows:

- 43 a) Director of the National Museum of Fine Arts, National Museum  
44 Complex, Manila;  
45 b) Director of the National Museum of Anthropology, National  
46 Museum Complex, Manila;  
47 c) Director of the National Museum of Natural History, National  
48 Museum Complex, Manila;  
49 d) Director of Northern Luzon National Museums;  
50 e) Director of Central-Southern Luzon and MIMAROPA National  
51 Museums;  
52 f) Director of Visayas National Museums; and

1 g) Director of Mindanao National Museums.

2

3 Each Director enumerated above shall be assisted by an Assistant  
4 Director.

5 All the aforementioned positions shall be occupied by persons with  
6 proven track record of competent administration, appropriate knowledge  
7 of museum management relevant institutional operations, and  
8 demonstrable personal or professional commitment to the mission and  
9 aims of the Museum.

10 **SEC. 18. Appointment and Term of the Head of Agency and Agency**  
11 **Management.** - The Director-General, Deputy Directors-General,  
12 Directors and Assistant Directors provided for herein shall be appointed  
13 by the Board of Trustees of the National Museum for a term of four (4)  
14 years, without prejudice to reappointment for another term. Appointment  
15 to a position vacated due to death, disability, resignation or any similar  
16 cause, shall only be for the duration of said term.

17 Each shall be provided with appropriate support staff of coterminous  
18 term with the incumbent, as endorsed by the Board of Trustees and  
19 approved by the DBM.

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

25 The existing organizational structure of the National Museum shall be  
26 reorganized so as to integrate the provisions of this Act. The incumbent  
27 Director and two (2) Assistant Directors, if any, shall be automatically  
28 upgraded to the posts of Director-General and Deputy Directors-General  
29 as provided herein, and shall serve for one (1) year upon effectivity of this  
30 Act before their performance is subject to review by the Board of Trustees  
31 of the Museum for purposes of reappointment, if any, as provided herein.

32 **SEC. 19. Personnel Training and Development.** -The Museum shall  
33 undertake training and development programs to upgrade the  
34 capabilities of the Museum personnel in the various functions of the  
35 Museum.

36 Apart from the practice of allowing scholars to train abroad on official  
37 time, personnel involved in the technical aspects of museology and the  
38 graduate programs in the disciplines of anthropology, archaeology, the  
39 arts, botany, geology and paleontology, astronomy, and zoology, and  
40 services related to the operations of the Museum, shall be allowed to  
41 pursue their graduate programs on official time as may be reasonable,  
42 subject to the needs of the service and upon approval of the Director.

43 **SEC. 20. Exhibition Unit and Central Registry Unit.** - An exhibition  
44 department shall be organized in the Museum that will specialize in the  
45 planning, design, and execution of quality exhibitions. The services of  
46 highly specialized persons may be engaged whenever necessary for  
47 specific purposes in this regard.

1 A central registry unit shall also be established with the objective of  
2 ultimately integrating documentation of all collections into one  
3 computerized system.

4 **SEC. 21. Reception and Arrangement of Specimens and Objects of**  
5 **Art.** - Whenever suitable arrangements can be made from time to time  
6 for their reception, all objects of art and foreign and curious research,  
7 and all objects of natural history, plants, and geological and  
8 mineralogical specimens belonging to the Philippines, in whosoever  
9 custody they may be, shall be delivered to such persons as may be  
10 authorized by the Board of Trustees to receive them, and shall be so  
11 arranged and classified in the Museum as best to facilitate the  
12 examination and study of them; and whenever new specimens in natural  
13 history, geology, or mineralogy are obtained for the Museum, by  
14 exchanges of duplicate specimens, which trustees may in their discretion  
15 make, or by donation, which they may receive, or otherwise, the trustees  
16 shall cause such new specimens to be appropriately classed and  
17 arranged.

18 All specimens, artifacts and objects of art will be registered immediately  
19 upon entry to the Museum, and records will be maintained of a objects in  
20 the collections or on loan to the Museum. An inventory will be kept and  
21 updated to reflect any movement of objects within the Museum or  
22 elsewhere. The objective will be to add full catalogue entries to the  
23 records, based on curatorial expertise. Records will initially be kept on  
24 paper, but should be computerized in a professional museum  
25 documentation system as soon as time and budget allow.

26 **SEC. 22. Laboratories and Facilities.** - The Museum shall have  
27 laboratories and such other adequate facilities for the conservation,  
28 preservation and storage of its collections.

29 **SEC. 23. Protection of Property.** - All laws and ordinances for the  
30 protection of public property shall apply to, and be in force for, the  
31 protection of the lands, buildings, and other property of the Museum.

32 **SEC. 24. Policing of Buildings and Grounds and Authority to**  
33 **Deputize.** - The Board of Trustees through its secretary, or their  
34 authorized representatives, may designate employees of the Museum as  
35 special policemen without additional compensation for duty in  
36 connection with the policing of the buildings and grounds of the  
37 Museum.

38 The Museum shall also have the authority to deputize the Philippine  
39 National Police and the Armed Forces of the Philippines for the following:

- 40 20.1. protection of newly discovered sites from illegal exploitation;
- 41 20.2. the reporting of discovery of archaeological sites; and
- 42 20.3. the preservation of important archaeological sites in danger  
43 of destruction.

44 Pursuant to this authority, it shall be obligatory for the local police and  
45 civil authorities, especially city and municipal mayors and barangay

1 chairmen to report to the Museum the discovery of archaeological sites.  
2 The local police and civil authorities are tasked with the duty of  
3 preventing illegal exploitation by unauthorized persons of discovered  
4 sites until such time as the Museum shall have established control over  
5 them.

6 **SEC. 25. Incentives for Discovery of Sites.** - The Museum is  
7 authorized to provide reasonable incentives for the reporting of newly  
8 discovered archaeological, cultural, and historical sites and to devise a  
9 system of equitable rewards for verified reports of significance.

10 **SEC. 26. Appropriation.** - The Museum shall continue to submit and  
11 receive its annual budget from the general appropriations of the National  
12 Government. For this purpose, the Secretary shall submit to Congress  
13 annually at the beginning of each regular session thereof a detailed  
14 statement of the expenditures of the preceding fiscal year, under  
15 appropriations for the "*National Museum.*"

16  
17 The Museum is authorized to include in its estimate of appropriations  
18 such sums as may be necessary for the preservation of its art collection.  
19

20 **SEC. 27. Retention of Income and Disposition of Donated Funds.** -  
21 The Museum is hereby authorized to retain the entirety of its income  
22 from all sources of its operations nationwide and overseas, and to expend  
23 the same for any purpose in benefit of the Museum as may be authorized  
24 by its Board of Trustees, in accordance with this Act and other laws  
25 pertinent to the Museum and any special provisions as may be provided  
26 for in the General Appropriations Act for any given fiscal year. Such  
27 income shall be placed in a dedicated Museum Income Fund, and may  
28 accumulate for disbursement in future fiscal years if not expended within  
29 the fiscal year in which it was generated.

30 The Museum shall be authorized to accept anonymous donations of  
31 money from its visitors, which shall be considered as gratuities and part  
32 of the income of the Museum, and which shall be credited to the  
33 Museum Income Fund. The accounting of such donations shall be  
34 subject to rules and regulations to be prescribed by the Museum in  
35 agreement with the Commission on Audit (COA) within six (6) months of  
36 the effectivity of this Act. The Museum shall, in lieu of admission fees  
37 throughout its central and regional network, recommend a schedule of  
38 donations, the accounting of the proceeds of which shall fall under this  
39 provision, with the exception of special temporary exhibitions for which  
40 admission fees may be charged.

41 All proceeds and donations that form part of the Revolving Fund and the  
42 Endowment Fund of the Museum shall form part of the Museum Income  
43 Fund herein established. Donations made to the Endowment Fund of the  
44 Museum as established by Republic Act No. 8492 shall be explicitly  
45 made and executed for the purpose, and once credited shall be  
46 considered as part of the principal of the same.

47 Donations of moneys covered by legally executed deeds of donation shall  
48 be placed in a dedicated Museum Donations Fund, to be disbursed  
49 according to the terms and purposes of the respective deeds or, in cases  
50 where no specific purposes are stipulated, to be otherwise disbursed for

1 any purpose in benefit of the Museum as may be authorized of the Board  
2 of Trustees.

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

10 **SEC. 28. Museum Endowment Fund.** -A Museum Endowment Fund is  
11 hereby established to be used for special programs, projects and  
12 activities of the Museum in accordance with Sec. 6 hereof. This Fund  
13 shall be administered directly by the Board of Trustees.

14  
15 For this purpose, the sum of Five hundred million pesos (P500,000,000)  
16 is hereby appropriated from the following sources:

17 23.1 Two hundred fifty million pesos (P250,000,000) from the  
18 annual net earnings of the Philippine Charity Sweepstakes Office;

19 23.2 Two hundred fifty million pesos (P250,000,000) from the  
20 annual net earnings of the Philippine Amusement and Gaming  
21 Corporation (PAGCOR).

22  
23 *Provided*, That the foregoing appropriations shall be payable in quarterly  
24 remittances within a period of three (3) years until the amount of Five  
25 hundred million pesos (P500,000,000) is reached: *Provided, further*, That  
26 the regular operating budget of the Museum, including other operational  
27 costs such as the acquisition of collection materials for the national  
28 reference collections, procurement of equipment and supplies, studies  
29 and research in the various disciplines and exhibition of artistic and  
30 historical artifacts, shall be provided for in the General Appropriations  
31 Act: *Provided, finally*, That only the interest of the above Endowment  
32 Fund may be expended for the special projects and programs.

33 Donations and bequests to the Endowment Fund from the private sector  
34 will be exempt from any and all taxes. The Board of Trustees shall direct  
35 the investment of the Endowment Fund, and determine annual transfers  
36 from its earned interest to the Museum's special projects account.

37 **SEC. 29. Disposal of Unappropriated Money.** - The Trustees are  
38 authorized to make such disposal of any other moneys which have  
39 accrued, or shall hereafter accrue, as interest upon the Museum, not  
40 herein appropriated, or not required for the purposes herein provided, as  
41 they shall deem best suited for the promotion of the purpose of the  
42 Museum.

43 **SEC. 30. Exemption from Taxes.** -The Museum shall be exempt from  
44 paying import taxes and tariff duties on all art/display materials and  
45 equipment directly used for the Museum's non-profit programs including  
46 but not limited to books, art materials, chemicals for preservation and  
47 restoration, exhibit and technical equipment and films.

48 Donations and legacies to the Museum shall be exempt from donor's,  
49 estate and inheritance taxes.

1 **SEC. 31. Tax Incentives for Donation of Items Forming Part of**  
2 **Museum's Collections.** - All donations of such items as the Museum  
3 might seek to acquire for its collections shall qualify for deductions  
4 against income and/or inheritance taxes based on their estimated  
5 market value in Philippine Pesos as certified by resolution of the Board of  
6 Trustees of the Museum, which shall formulate the said estimate upon  
7 the advice of the Museum and external experts, if appropriate, should no  
8 market or appraised value, in Philippine or foreign currency, within the  
9 last two (2) years be available for the item in question.

10  
11 The extent of the deductions shall be as follows:

- 12 a) One hundred and fifty (150) percent of the estimated market value  
13 in Philippine pesos for any work of national significance which the  
14 Board of Trustees will approve for acceptance by the Museum;  
15 b) Two hundred (200) percent of the estimated market value in  
16 Philippine pesos for any work of important and outstanding  
17 national significance, that of the level of Important Cultural  
18 Property, which the Board of Trustees will approve for acceptance  
19 by the Museum, and will cause to be declared as such by the  
20 Museum as such immediately after its donation; and  
21 c) Three hundred (300) percent of the estimated market value in  
22 Philippine pesos for any work of the most exceptional and  
23 extraordinary national significance, that of the level of National  
24 Cultural Treasure, which the Board of Trustees will approve for  
25 acceptance by the Museum, and will cause to be declared as such  
26 by the Museum as such immediately after its donation.

27  
28 Deductions against taxable inheritance applied for under this Act that  
29 may exceed the total amount owed may be deductible from the taxable  
30 income of the legal heirs within the current year or otherwise spread over  
31 a maximum of five (5) consecutive years including the current year.

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

35 **SEC. 32. Procurement of Items for the Museum's Collections.** - The  
36 procurement of items by the Museum for its collections, charged to any  
37 of its sources of funds as may be allowed, and authorized by the Head of  
38 Agency and/or the Board of Trustees as herein provided, shall be  
39 regarded as a unique and special case, and is thereby exempted from all  
40 laws, rules and regulations regarding government procurement.

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

- 45 a) A written and signed quotation for the sale of the item(s), shall be  
46 issued and addressed to the Museum by the owner, or his or her  
47 agent or representative;  
48 b) A certification that the item to be acquired is of appropriate  
49 significance to the Museum and of importance to the heritage and  
50 patrimony of the Filipino people, that the negotiated price is  
51 reasonable and fair, that no conflicts of interest as may be defined  
52 by prevailing laws, rules and regulations exist, and that the item in

- 1 question has not been illegally acquired or trafficked, shall be  
2 issued by the Head of Agency;
- 3 c) For items above One Million Philippine Pesos (P1,000,000) or its  
4 foreign currency equivalent in price, the Head of Agency shall  
5 recommend in writing to the Board of Trustees the issuance of a  
6 resolution for the approval in principle of the transaction; items  
7 under this amount may be procured upon the sole authority of the  
8 Head of Agency, *provided*, that there is no "splitting" as defined in  
9 pertinent procurement laws, rules and regulations;
- 10 d) A resolution of the Board of Trustees approving in principal the  
11 purchase of the concerned item by the Museum and authorizing  
12 the signing by Head of Agency of a Deed of Sale as well as all other  
13 documents to the transaction shall be issued for items above One  
14 Million Philippine Pesos (P1,000,000) or its foreign currency  
15 equivalent in price;
- 16 e) A resolution of the Bids and Awards Committee of the Museum  
17 verifying that the aforementioned documents, where applicable,  
18 have been produced, certifying as to the availability of funds, and  
19 authorizing the issuance of a Notice of Award pertaining to the  
20 purchase of the item(s) for the signature of the Head of Agency,  
21 shall be issued;
- 22 f) After the Notice of Award has been issued, the execution of the  
23 Deed of Sale by the Head of Agency shall be made, after which the  
24 Bids and Awards Committee of the Museum shall issue the Notice  
25 to Proceed which, once signed by the Head of Agency, shall  
26 authorize the processing of payment in Philippine or foreign  
27 currency to the seller; receipt of payment in Philippine or foreign  
28 currency shall be acknowledged by an official receipt or, in cases  
29 where the issuance of an official receipt is not possible, any legal  
30 equivalent;
- 31 g) Payment for collections items made under this provision shall be  
32 made by the Museum gross of any deductions for tax. It shall be  
33 the sole responsibility of the owner, or the owner's agent or  
34 representative, to pay all direct and indirect taxes owed to  
35 Philippine and pertinent foreign authorities from the sale of the  
36 item as may be due under existing, laws, rules and regulations of  
37 the Philippines and any pertinent foreign jurisdiction; and
- 38 h) Certified true copies of all the aforementioned documents shall be  
39 posted within the designated public place of the Museum and on  
40 its official website for at least six (6) months, as well as transmitted  
41 to the COA through the resident auditor of the Museum, the DBM,  
42 the Government Procurement Policy Board, the Bureau of Internal  
43 Revenue (BIR) and, if the item has been acquired from abroad and  
44 is being imported into the Philippines, the Bureau of Customs  
45 (BOC).

46  
47 **SEC. 33. Commercial Operations of the Museum.** - The Museum shall  
48 be authorized to undertake commercial operations, the proceeds of which  
49 shall be credited to the Museum Income Fund as established herein, and  
50 which shall include but not be limited to the following:

- 51 a) The rental of dedicated areas for external events, functions and  
52 similar activities, the terms and conditions for which shall be  
53 prescribed by the Museum according to a schedule of fees  
54 approved by the Board of Trustees;

- 1        b) The lease of dedicated areas for the erection and operation of  
2        commercial establishments, which the Museum shall be allowed to  
3        award, through public bidding, and giving preference to non-profit  
4        organizations of a nature related to or supportive of its mandate,  
5        for a term of up to five (5) years per contract;  
6        c) The lease of dedicated areas for the erection and operation of  
7        vehicular parking, which the Museum shall be allowed to award,  
8        through public bidding, to qualified firms, for a term of up to five  
9        (5) years per contract; and  
10       d) The production and/or licensing of official merchandise, including  
11       publications and audio-visual media, which the Museum shall be  
12       allowed to award, through public bidding, and giving preference to  
13       non-profit organizations of a nature related to or supportive of its  
14       mandate, for a term of up to five (5) years per contract.  
15

16       The Museum shall be authorized to outsource, through public bidding,  
17       all general and non-museological real property management services,  
18       including security and maintenance operations, particularly its National  
19       Museum Complex in Rizal Park, Manila, for a term of up to five (5) years  
20       per contract, the funds for which shall be provided by general  
21       appropriations in each year.

22       **SEC. 34. Merit System, Salaries and Annual Report of Salaries.** -  
23       Professional Museum personnel with graduate degrees shall be given the  
24       rank and benefits of National Scientists, subject to qualifying standards,  
25       equivalent to that prescribed in the scientific career merit system.  
26       Museum personnel belonging to the scientific career merit system shall  
27       be allowed one (1) year of sabbatical leave for every eight (8) years of  
28       productive scientific service.

29       With the approval of the Board, the Museum shall prepare and  
30       implement a staffing pattern to determine the duties, qualifications,  
31       responsibilities and functions as well as the compensation scheme for  
32       the personnel, for approval by the DBM. The salaries of the professional  
33       and technical staff of the Museum shall be exempt from the salary  
34       standardization laws affecting personnel of the civil service.

35       A report in detail, for the preceding fiscal year, shall be made to Congress  
36       annually of the salaries of all officers and employees paid from  
37       appropriations under the Museum. The same report shall be made public  
38       and available online through its public website and through the website  
39       of the Civil Service Commission (CSC).

40       **SEC. 35. Appointment and Compensation of Officers and Employees**  
41       **and Exemption from Attrition Law.** -The Board may employ such other  
42       officers and employees as may be necessary for the efficient  
43       administration, operation, and maintenance of the  
44       Museum: *Provided*, That the Board may delegate to the Director-General  
45       the functions provided in this Act. The Museum shall be exempted from  
46       the Attrition Law.

47       **SEC. 36 Hiring of Foreign Consultants.** - Subject to the provisions of  
48       the Labor Code and other pertinent legislation, the Museum may hire  
49       foreign consultants and experts.



1 **SEC. 37. De-accessioning Policy.** – The National Museum may provide  
2 for a de-accessioning policy for the purpose of upgrading its collections.

3 **SEC. 38.** The Museum shall be allowed to charge admission fees. It  
4 shall also be open on Saturdays, Sundays and public holidays.

5 **SEC. 39. Special Budget and Audit Rules Applicable to the**  
6 **Museum.** – Recognizing the unique status and special needs of its  
7 organization, the Museum, in coordination with the COA and DBM, shall  
8 draw up special rules enhancing and implementing the legislative  
9 intention to provide the Museum complete and full flexibility in  
10 accordance with generally accepted rules and practices applicable to  
11 similar institutions. Said rules shall be drafted and promulgated within  
12 sixty (60) days from the effectivity of this Act.

13 **SEC. 40. Penalties.** – In addition to the penalties provided under  
14 existing laws, any person, including the officers and employees of the  
15 museum, found guilty of violating any provision of this Act shall be  
16 imprisoned for a term not exceeding five (5) years or a fine not exceeding  
17 One hundred thousand pesos (P100,000), or both such imprisonment  
18 and fine at the discretion of the court.

19 **SEC. 41. Reorganization.** – With the approval of the Board, the  
20 Museum shall have the authority to reorganize its structure and staffing  
21 pattern in order to carry out its functions.

22 The incumbents in the leadership structure of the existing National  
23 Museum shall automatically be upgraded to these analogous positions,  
24 with respect to the rest of the personnel, they shall be extended  
25 automatic reappointment except those who opt to avail of an early  
26 retirement scheme as determined by the Board of Trustees.

27 **SEC. 42. Transfer of Regulatory Functions to the National**  
28 **Commission for Culture and the Arts.** –All regulatory functions of the  
29 Museum, as provided for by Republic Act No. 8492, Republic Act No.  
30 9105, Republic Act No. 10066 and all other laws and issuances, are  
31 hereby transferred to the National Commission for Culture and the Arts,  
32 together with concerned organizational units and personnel in the  
33 central office of the Museum.

34 This section notwithstanding, the Museum is required to provide all  
35 technical and expert assistance within its mandated competencies as the  
36 National Commission for Culture and the Arts may require in the  
37 execution of the said regulatory functions.

38  
39 It shall be a matter of policy that the Museum shall not engage in any  
40 regulatory function, but shall rather be free to focus on developing itself  
41 as the premier museum institution of the State.

42  
43 **SEC. 43. Repealing Clause.** – Republic Act No. 8492, pertinent  
44 provision of Republic Act No. 9105, Republic Act No. 10066 and all other  
45 laws and issuances to the extent that they be inconsistent with this Act,  
46 are hereby repealed or amended accordingly.

47

1 **SEC. 44. Separability Clause.** – If, for any reason, any part or provision  
2 of this Act is declared invalid or unconstitutional, the parts or provisions  
3 not affected thereby shall remain in full force and effect.

4  
5 **SEC. 45. Effectivity Clause.** – This Act shall take effect fifteen (15) days  
6 following its publication in the Official Gazette or in two (2) newspapers  
7 of general circulation, whichever comes first.

8  
9 Approved,