

Category Name	Proclamation Number	Title	Subject	Signatory	Date Signed	Content	Popular Name
CULTURAL PROPERTIES	PRESIDENTIAL DECREE NO. 49 s. 1972	DECREE ON THE PROTECTION OF INTELLECTUAL PROPERTY	Intellectual Property Rights	Ferdinand E. Marcos	November 14, 1972	<p>WHEREAS, tremendous strides in science and technology have made necessary updating of the Copyright Law to give fuller protection to intellectual property and to encourage arts and letters, as well as stimulates scientific research and invention, at the same time safeguard the public's right to cultural information;</p> <p>NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081 dated September 21, 1972, and General Order No. 1 dated September 22, 1972, as amended, do hereby, order and make as part of the law of the land the following measure:</p> <p>CHAPTER I Preliminary Provision</p> <p>Section 1. This Decree shall be known as the "Decree on Intellectual Property."</p> <p>Section 2. The Rights granted by this Decree shall, from the moment of creation, subsist with respect to any of the following classes of works:</p> <p>A) Books, including composite and encyclopedic works, manuscripts, directories, and gazetteers;</p> <p>B) Periodicals, including pamphlets and newspapers;</p> <p>C) Lectures, sermons, addresses, dissertations prepared for oral delivery;</p> <p>D) Letters;</p> <p>E) Dramatic or dramatico-musical compositions; choreographic works and entertainments in dumb shows, the acting form of which is fixed in writing or otherwise;</p>	Decree on Intellectual Property

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						<p>F) Musical compositions, with or without words; G) Works of drawing, painting, architecture, sculpture, engraving, lithography, and other works of art; models or designs for works of art; H) Reproductions of a work of art; I) Original ornamental designs or models for articles of manufacture, whether or not patentable, and other works of applied art; J) Maps, plans, sketches, and charts; K) Drawings, or plastic works of a scientific or technical character; L) Photographic works and works produced by a process analogous to photography; lantern slides; M) Cinematographic works and works produced by a process analogous to cinematography or any process for making audio-visual recordings; N) Computer programs; O) Prints, pictorial, illustration, advertising copies, labels, tags, and box wraps; P) Dramatization, translations, adaptations, abridgements, arrangements and other alterations of literary, musical or artistic works or of works of the Philippine Government as herein defined, which shall be protected as provided in Section 8 of this Decree. Q) Collection of literary, scholarly, or artistic works or of works referred to in Section 9 of this Decree which by reason of the selection and arrangement of their contents constitute intellectual creations, the same to be protected as such in accordance with Section 8 of this Decree. R) Other literary, scholarly, scientific and artistic works.</p>	

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						<p>Section 3. The rights granted by this Decree shall not be lost except in the number specifically provided herein. Neither shall they be subject to levy and attachment while in the possession of the creator or his heirs.</p> <p>Section 4. Nothing in this Decree shall be deemed to alter or in any manner impair any other right or remedy of the persons protected by its provisions.</p> <p>CHAPTER II copyright ARTICLE I cope and beneficiaries of copyright</p> <p>Section 5. Copyright shall consist in the exclusive right;</p> <p>A) To print, reprint, publish, copy, distribute, multiply, sell, and make photographs, photo-engravings, and pictorial illustrations of the works;</p> <p>B) To make any translation or other version or extracts or arrangements or adaptations thereof; to dramatize it if it be a non-dramatic work; to convert it into a non-dramatic work if it be a drama; to complete or execute if it be a model or design;</p> <p>C) To exhibit, perform, represent, produce, or reproduce, the work in any manner or by any method whatever for profit or otherwise; it not reproduced in copies for sale, to sell any manuscript or any record whatsoever thereof;</p> <p>D) To make any other use or disposition of the work consistent with the laws of the land.</p> <p>Section 6. The creator or his heirs or assigns shall own the copyright in any of the works mentioned in Section 2 of this Decree. If the works is produced by two or</p>	

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						<p>more persons, the copyright shall belong to them jointly and their respective rights thereto shall be governed by the Rules of the Civil Code on co-ownership.</p> <p>f the work in which copyright subsists was made during and in the course of the employment of the creator, the copyright shall belong to;</p> <p>A) The employee, if the creation of the object of copyright is not a part of his regular duties even if the employee uses the time facilities and materials of the employer.</p> <p>B) The employer, if the work is the result of the performance of his regularly assigned duties, unless there is an agreement, expressed or implied, to the contrary.</p> <p>here the work is commissioned by a person who is not the employer of the creator and who pays or agrees to pay for it and the work is made in pursuance of the commission, the person who so commissioned the work shall have ownership of it but the copyright thereto shall belong joint ownership to him and the creator, unless there is a stipulation to the contrary.</p> <p>The creators of a cinematographic or analogous work are the producer, the author of the scenario, the composer of the music, the film director, the photographic director, and the author of the work adapted. However, subject to contrary or other stipulation among the creators, the producer shall exercise the copyright to an extent required for the exhibition of the work in any manner, except for the right to collect performing fees for the musical compositions, with or without words, which may be</p>	

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						<p>incorporated into the work.</p> <p>The copyright in letters shall belong to the writer, subject to the provisions of Article 723 of the Civil Code.</p> <p>Section 7. For purposes of this Decree, articles and other writings published without the names of the authors or under pseudonyms are considered as the property of the publishers, unless the contrary appears.</p> <p>Section 8. The works referred to in subsections (P) and (O) of Section 2 of this Decree shall, when produced with the consent of the creator or proprietor of the original works on which they are based, be protected as new works; however, such new works shall not affect the force of any subsisting copyright upon the original works employed or any part thereof, or be construed to imply an exclusive right to such use of the original works, or to secure or extend copyright in such original works.</p> <p>Section 9. No copy shall subsist in any work of the Government of the Philippines. However, prior approval of the government agency or office wherein the work is created shall be necessary for exploitation of such work for profit. Such agency or office may, among other things, impose as a condition the payment of royalties. No prior approval or condition shall be required for the use for any purpose of statutes, rules and regulations, and speeches, lectures, sermons, addresses, and dissertations pronounced, read or rendered in courts of justice before administrative agencies, in deliberate assemblies, and in meetings of public character.</p> <p>"Work of the Government of the Philippines" is a work</p>	

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						<p>created by any officer or employee of the Philippine Government or any of its subdivisions and instrumentalities, including government owned or controlled corporations as a part of his regularly prescribed official duties.</p> <p>notwithstanding the foregoing provisions, the Government is not precluded from receiving and holding copyright transferred to it by assignment, bequests or otherwise; nor shall publication or republication by the Government in a public document of any work in which copyright is subsisting be taken to cause any abridgment or annulment of the copyright or to authorize any use of appropriation of such work without the consent of the copyright proprietor.</p> <p>ARTICLE II Limitations on copyright</p> <p>Section 10. When a work has been lawfully made accessible to the public, the author shall not be entitled to prohibit;</p> <p>. Its recitation or performance (A) if done privately and free of charge; of (B) if made for strictly charitable or religious institution or society.</p> <p>. Reproductions, translations and adaptations thereof destined exclusively for personal and private use.</p> <p>Section 11. To an extent compatible with fair practice and justified by the scientific, critical, informatory or educational purpose, it shall be permissible to make quotations or excerpts from a work already lawfully made accessible to the public. Such quotations may be utilized in their original form or in translation.</p> <p>News items, editorials, and articles on current political, social, economic, scientific or religious topic may be</p>	

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						<p>reproduced by the press or broadcast, unless they contain or are accompanied by a notice that their reproduction or publication is reserved. In case of musical works, parts of little extent may also be reproduced.</p> <p>Quotations and excerpts as well as reproduction shall always be accompanied by an acknowledgment of the source and name of the author. If his name appears thereon.</p> <p>Section 12. In reports of a current event by means of photography, cinematography or broadcasting, literary, scientific or artistic works which can be seen or heard in the course of said event may be reproduced and communicated to the public to the extent necessary for the purpose.</p> <p>Section 13. Libraries, public archives and museums have the right, subject to the conditions specified in the succeeding paragraphs, to produce for purposes of their activities by photographic means, and without the consent of the caretaker or proprietor, copies of a literary or artistic work.</p> <p>Materials forming part of the collections mentioned in the preceding paragraph which, by reason of their fragile character reproduced by photography for the purpose of loans. Nevertheless, except in cases where special reasons justify it, not more than two copies may be made.</p> <p>It is equally permissible to make, by means of photography, reproduction of isolated articles contained in composite works, as well as brief portions of other published works, in order to supply them, when this is considered expedient, to persons</p>	

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						<p>requesting their loan for purposes of research or study, instead of lending the volumes or booklets which contain them. Each person seeking loan may only receive one copy of each article or each portion of a work.</p> <p>Then a copy of a work is found to be incomplete, the missing portions may be reproduced by means of photography, provided they only constitute a minor portion of the total work. Nevertheless, it shall not be permitted to produce a volume of a work published in several volumes or to produce missing tomes or part of magazines or similar works, unless the volume, tome of part is out of stock with booksellers, the printing house and the publisher.</p> <p>very library which, by law, is entitled to receive one or two copies of a printed work shall be entitled, when special reasons so require, to reproduce, by means of photography or process analogous to photography, a copy of a published work, the acquisition of which is considered necessary for the collection of the library, but which is out of stock with booksellers, the printing house and the publisher.</p> <p>Work belonging to the collection mentioned in the first paragraph of this Section which has not been disseminated may not be reproduced or published without the consent of the creator or proprietor. However, such work may be reproduced for purposes of preservation.</p> <p>Section 14. If, after the expiration of five years from the date of the first publication of a writing, a translation of such writings has not been published in the national or other local language, as the case may</p>	

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						<p>be, the owner of the right of translation or with his authorization, any citizen may obtain a non- exclusive license from the Director of the National Library, to translate the work and publish the work so translated in the national or other local language in which it has not been published; Provided, That such citizen establishes either that he has requested, and been denied, authorization by the proprietor of the right to make and publish the translation, or that, after due diligence on his part, he was unable to find the owner of the right. A license may also be granted on the same conditions if all previous editions of a translation in such language are out of print. In both cases the terms and conditions of the license, including the royalties of the author or proprietor of the original work, shall be stated therein.</p> <p>If the owner of the right of translation cannot be found, then the applicant for a license shall send copies of his application to the purchaser whose name appears on the work, and, if the nationality of the owner of the right of translation is known, to the diplomatic or consular representative of the state of which such owner is a national, or to the organization which may have been designated by the government of that state. The license shall not be granted before the expiration of two months from the date of the dispatch of the copies of the application. Neither shall it be granted when the author has withdrawn from circulation all copies of the work.</p> <p>The original title and the name of the author of the work shall be printed on all copies of the published translation.</p>	

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						<p>ARTICLE III transfer of work and copyright Section 15. The copyright may, by gift, inheritance or otherwise, be transferred or assigned in whole or in part. Such transfer or assignment shall entitle the transferee or assignee to all rights and remedies which the transferors or assignor had with respect to the copyright. The copyright is not deemed transferred or assigned inter vivos in whole or in part, unless there is a written indication that such is the intention. The submission of a literary, photographic or artistic work to a newspaper, magazine or periodical for publication shall constitute only a license to make a single publication unless a greater right is expressly granted. Section 16. The copyright is distinct from the property in the material object to it. Consequently, the transfer or assignment of the copyright shall not itself constitute a transfer of the material object. Nor shall a transfer or assignment of the sole copy or of one or several copies of the work imply transfer or assignment of the copyright. Section 17. An assignment or transfer inter vivos, or a license, must be in writing, acknowledged before a notary public or other officer authorized to administer oaths or perform notarial acts and certified under the hand and seal of the notary or other officer. This Section and Section 19 shall not apply to cases covered by the last paragraph of Section 15 of this Decree. Section 18. If two or more persons jointly own a</p>	

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						<p>copyright or any part thereof, neither of the owners shall be entitled to grant license without the consent of the other owner or owners.</p> <p>Section 19. Every assignment, license or other instrument relating to any right, title or interest in a copyright and to the work subject to it shall be filed in duplicate with the National Library upon payment of the prescribed fee for registration in books and records kept for the purpose. Upon recording, a copy of the instrument shall be returned to the sender with a notation of the fact of record. Notice of the record shall be published in the Official Gazette.</p> <p>Such instrumentalities shall be void as against any subsequent purchaser or mortgagee for valuable consideration and without notice unless it is recorded in the library prior to the subsequent purchase or mortgage.</p> <p>Section 20. When the creator of a work in which copy right is subsisting dies, it shall be the duty of his heirs or assigns to file with the National Library for registration a written notice under oath of the date of the creator's death. Until this is complied with, the limitation of remedies established in Section 26 of this Decree shall be enforced.</p> <p>ARTICLE IV Duration of copyright</p> <p>Section 21. The copyright conferred by this Decree shall endure during the lifetime of the creator and for fifty years after his death. In case of works of joint creation, the period of fifty years shall be counted from the death of the last surviving co-creator.</p> <p>Section 22. In case of anonymous and pseudonymous</p>	

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						<p>works, the copyright shall last until the end of fifty years following the date of their first publication. However, when the pseudonym adopted by the author leaves no doubt as to his identity, or if the author of anonymous or pseudonymous work discloses his identity during the period mentioned in this Section, the term of the protection shall be that fixed in the next preceding Section.</p> <p>Section 23. In the case posthumous works which do not fall within the categories of the works referred to in the next two preceding Sections, the terms of protection afforded to the heirs or assignees of the creator shall end at the expiration of fifty years after his death.</p> <p>Section 24. Irrespective of the provisions of the foregoing Sections of this article, the term shall be thirty years in the case of: (A) periodicals and newspapers, provided that material contained therein in which an independent copyright may be deemed to subsist shall be accorded the length or protection appropriate to it; (B) works of applied art; (C) cinematographic or photographic works as well as those produced or any process analogous to cinematography or photography or any process for making audio-visual recordings.</p> <p>Section 25. The term of protection subsequent to the death of the creator provided in Section 21 and 23 and the terms provided in Sections 22 and 24 shall run from the date of his death or of publication, but such terms shall always be deemed to begin on the first day of January of the year following the event which gives rise to them.</p>	

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						<p>ARTICLE V</p> <p>deposit and notice</p> <p>Section 26. After the first public dissemination or performance by authority of the copyright owner of a work falling under subsections (A), (B), (C) and (D) of Section 2 of this Decree, there shall, within three weeks, be registered and deposited with the National Library, by personal delivery or by registered mail, two complete copies or reproductions of the work in such form as the Director of said library may prescribe. A certificate of registration and deposit for which the prescribed fee shall be collected. If, within three weeks after receipt by the copyright owner of a written demand from the director for such deposit, the required copies or reproductions are not delivered and the fee is not paid, the copyright owner shall be liable to pay to the National Library the amount of the retail price of the best edition of the work.</p> <p>With or without a demand from the director, a copyright owner who has not made such deposit shall not be entitled to recover damages in an infringement suit and shall be limited to the other remedies specified in Section 23 of this Decree.</p> <p>Section 27. Each copy of a work published or offered for sale shall contain a notice bearing the name of the copyright owner, the year of its first publication, and, in copies produced after the creator's death, the year of such death.</p> <p>Failure to comply with the requirements of this Section shall result in the limitation of remedies in the next preceding Section.</p> <p>ARTICLE VI</p>	

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						<p>Infringement Section 28. Any person infringing a copyright shall be liable: A) To an injunction restraining such infringement. B) To pay to the copyright proprietor or his assigns or heirs such actual damages as he may have due to the infringement as well as the profits the infringer may have made due to such infringement, and in providing profits the plaintiff shall be required to prove sales only and the defendant shall be required to prove every element of cost which he claims, or, in lieu of actual damages and profits, such damages which to the court shall appear to be just and which shall not be less than the sum of One Thousand Pesos, and shall not be regarded as penalty. C) To deliver under oath, for impounding during the pendency of the action, upon such terms and conditions as the court may prescribe, all articles alleged to infringe a copyright. D) To deliver under oath for destruction all infringing copies of devices, as well as all plates, molds, or other means for making such infringing copies as the court may order. E) To such other terms and conditions, including the payment or moral and exemplary damages, which the court may deem proper, wise and equitable. Section 29. Any person infringing any copyright secured by this Decree ordering or abetting such infringement shall be deemed guilty of a crime punishable by imprisonment not exceeding one year or by fine not less than Two Hundred Pesos or more than Two Thousand Pesos or both, in the discretion of the</p>	

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						<p>court.</p> <p>Section 30. Unless authorized by the copyright proprietor concerned, importation into the Philippines of any piratical copies or likeness of any work in which Philippine copyright subsists is prohibited, except when imported under the following circumstances;</p> <p>first. When Copies of the work are not available in the Philippines and:</p> <p>A) Not more than one copy at one time is imported for strictly individual use only; or</p> <p>B) The importation is by authority of and for the use of the Philippine Government; or</p> <p>C) The importation, consisting of not more than three such copies of likeness in any one invoice, is not for sale but for the use only of any religious, charitable, or educational society or institution duly incorporated or registered, or is for the encouragement of the fine arts, or for any state school, college, university, or free public library in the Philippines.</p> <p>Second. When such copies from parts of libraries and personal baggage belonging to persons or families arriving from foreign countries and are not intended for sale provided such copies do not exceed three.</p> <p>Copies imported as allowed by this Section may not lawfully be used in any way to violate the rights of the proprietor of Philippine copyright or annul or limit the protection secured by this Decree, and such unlawful use shall be deemed an infringement and shall be punishable as such without prejudice to the proprietors right of action.</p> <p>The Commissioner of Customs, subject to the approval</p>	

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						<p>of the Secretary of Finance, is hereby empowered to make rules and regulations for preventing the importation of articles the importation of which is prohibited under this Section and for seizing and condemning and disposing of the same in case they are discovered after they have been imported.</p> <p>CHAPTER III</p> <p>Right to Proceeds in Subsequent Transfers</p> <p>Section 31. In every sale or lease of an original work of painting or sculpture or of the original manuscript of a writer or composer, subsequent to the first disposal thereof by the creator, the creator or his heirs shall have an inalienable right to participate in the gross proceeds of the sale or lease to the extent of five per centum (5%).</p> <p>This right shall exist during the lifetime of the creator and for fifty years after his death.</p> <p>Section 32. As a condition precedent to making a claim to the right established in the preceding Section for any work mentioned therein, the work must be registered in the National Library where a separate register shall be kept for this purpose.</p> <p>The creator or his heirs designate a society of artists, writers or composers as agency to claim the right in his or their behalf. In such case, the society shall forward the proceeds to the creator or his heirs upon their demand or at the end of every quarter of each calendar year.</p> <p>Section 33. The provisions of this Chapter shall not supply to prints, etchings, engravings, works of applied art, or works of similar kind wherein the creator primarily derives gain from the proceeds of</p>	

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						<p>reproduction.</p> <p>CHAPTER IV Moral Rights</p> <p>Section 34. Independently of the rights by Chapters II and III of this Decree or the grant of an assignment or license with respect to any of such rights, a creator shall have the right:</p> <p>A) To make alterations of his work prior to, or to withhold it from, publication;</p> <p>B) To require that the authorship of the works be attributed to him;</p> <p>C) To object to any alteration of his work which is prejudicial to his reputation;</p> <p>D) To restrain the use of his name with respect to any work not of his own creation or in a distorted version of his work.</p> <p>Section 35. A creator cannot be compelled to perform his contract to create a work or for the publication of his work already in existence. However, he may be held liable for damages for breach of such a contract.</p> <p>Section 36. A creator may assign or waive his rights mentioned in Section 34 of this Decree by a written instrument expressly so stating, but no such assignment shall be valid where its effects is to permit another:</p> <p>A) To use the name of the creator, or the title of his work, or otherwise to make use of his reputation with respect to any version or adaptation of his work which, because of alterations therein, would substantially tend to injure the literary or artistic reputation of the author;</p> <p>or</p> <p>B) To use the name of the creator with respect to a</p>	

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						<p>work he did not create.</p> <p>Section 37. When a creator contributes to a collective work, like a newspaper or an encyclopedia, his right to have his contribution attributed to him is deemed waived unless he expressly reserves it.</p> <p>Section 38. In the absence of a special contract at the time a creator licenses or permits another to use his work, the necessary editing, arranging or adaptation of such work, for publication, broadcast, use in a motion picture, dramatization, or mechanical or electrical reproduction in accordance with the reasonable and customary standards or requirements of the medium in which the work is to be used, shall not be deemed to contravene the creator's rights secured by this chapter. Nor shall complete destruction of a work unconditionally transferred by the creator be deemed to violate such rights.</p> <p>Section 39. The rights of a creator under this chapter shall be perpetual and imprescriptible. The person or persons to be charged with the posthumous enforcement of these rights shall be named in writing to be filed with the National Library. In default of such person or persons, such enforcement shall devolve upon either the creator's heirs or the Director of the National Library acting in behalf of the heirs. he persons named by the creator in accordance with the foregoing paragraph or, in their absence, the creator's heirs shall have power to make any assignment or license of the rights provided in this chapter which would be within the power of the creator had he lived. If there are no heirs, the Director of the National Library shall exercise the power.</p>	

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						<p>For purposes of this Section, "Person" shall mean any individual, partnership, corporation, association, or society. The Director of the National Library may prescribe reasonable fees to be charged for his services in the application of provisions of this Section.</p> <p>Section 40. Violation of any of the rights conferred by this chapter shall entitle those charged with their enforcement to the same rights and remedies available to a copyright owner. In addition, damages which may be availed of under the Civil Code may also be recovered. Any damages recovered after the creator's death shall be held in trust for and remitted to his heirs.</p> <p>CHAPTER V Rights of Performers, Producers of Sounds, Recordings and Broadcasting Organizations</p> <p>ARTICLE I As used in this Chapter</p> <p>Section 41. As used in this chapter:</p> <p>A) "Performers" mean actors, singers, musicians, dancers, and other persons who act, sing, deliver, declaim, play in, or otherwise perform literary or artistic work.</p> <p>B) "Sound Recording" means any exclusively aural fixation of sounds of a performance or of other sound.</p> <p>C) "Producer of sound records" means the person who, or the legal entity which, first fixes a performance or other sounds.</p> <p>D) "Publication" means the issue of offering to the public of copies of a sound recording in reasonable quantity.</p> <p>E) "Reproduction" means the making of a copy or copies of a recording.</p>	

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						<p>F) "Broadcasting" means the transmission by wireless means for public reception of sounds or of images and sound.</p> <p>G) "Broadcasting organization" shall include a sole proprietorship duly authorized to engage in broadcasting.</p> <p>ARTICLE II Performers</p> <p>Section 42. Performers shall have the exclusive right:</p> <p>A) To record or authorize the recording of their performance on any recording apparatus for image and/or sound.</p> <p>B) To authorize the broadcasting and the communication to the public of their performance.</p> <p>C) To prohibit the reproduction of a recording of their performance; (i) if the original recording itself was made without their consent; (ii) if the reproduction is made for the purposes different from those for which the performers gave their consent; or (iii) If the original recording was made for any of the purposes mentioned in Section 44 of the reproduction is made for a different purpose.</p> <p>Section 43. Performers shall have the right to decide whether their names will be mentioned when their performance is recorded or broadcast. The provisions of chapter IV shall apply to them.</p> <p>Section 44. Notwithstanding the provisions of Section 43 of this Decree, performers may not object to the recording: (A) of parts of their performance to be used in connection with the reporting of current events, or (B) of the entirety therefor which shall be used solely for the purpose of teaching or scientific research. The</p>	

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						<p>provisions of Section 12 of this Decree shall also apply to performances. However, the provisions of this Section shall be without prejudice to those of the next preceding Section.</p> <p>Section 45. For infringement of any of their rights, performers shall be entitled to;</p> <p>A) An injunction restraining such infringement;</p> <p>B) To recover such damages as may be recoverable under the Civil Code, or, in lieu thereof, such damages which to the court shall appear just and which shall not be less than Three Hundred Pesos;</p> <p>C) To the remedies provided in subsections (C) and (D) of Section 28 of this Decree but with respect only to recordings of their performances and devises for making such recordings.</p> <p>ARTICLE III</p> <p>Producers of sound recordings</p> <p>Section 46. Producers of sound recordings shall have the exclusive right to authorize or prohibit the direct or indirect reproduction of their recordings and the placing of these reproductions in the market.</p> <p>Section 47. When a sound recording is used with the intention of making or enhancing profit, the producer of the recording has the right to a fair remuneration from the user.</p> <p>Section 48. The producer of a sound recording may also forbid any use of this recording which would cause serious and unwarranted damage to his industrial interests.</p> <p>Section 49. There shall be indicated in each copy of a sound recording the title of the work recorded, the name of the author and, subject to Section 43 of this</p>	

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						<p>Decree of the principal performers and the date of manufacture.</p> <p>Section 50. Within one month after its manufacture, two copies of a sound recording shall be deposited, by personal delivery or by mail, with the National Library. Upon such deposit, the Director shall issue to the producer a certificate under the seal of the library indicating the fact and date of such deposit. This certificate shall constitute a prima facie evidence of the facts stated therein.</p> <p>Section 51 No suit for violation of the rights of the producer of a sound recording may be instituted until he has complied with the requirements of the next two preceding Sections.</p> <p>ARTICLE IV Broadcasting organizations</p> <p>Section 52. Broadcasting organizations shall enjoy the exclusive right: Complete details: http://www.chanrobles.com/presidentialdecrees/presidentialdecreeno49.html</p>	
CULTURAL PROPERTIES	PRESIDENTIAL DECREE NO. 1988 s 1985	AMENDING CERTAIN SECTIONS OF PRESIDENTIAL DECREE NO. 49	Intellectual Property Rights	Ferdinand E. Marcos	10/05/1985	<p>WHEREAS, piracy and counterfeiting of audio and audio-visual products have become rampant, resulting in serious financial prejudice to the film and recording industries, and the loss of substantial tax revenues to the Government;</p> <p>WHEREAS, it is imperative for the survival and protection of the film and recording industries that certain provisions of Presidential Decree No. 49, otherwise known as "Decree on Intellectual Property," be amended for the purpose of lengthening the period within which a producer of a sound recording must</p>	na

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						<p>deposit two copies thereof with the National Library, and prescribing stiffer penalties for piracy of sound recordings and motion pictures or other audio-visual works;</p> <p>WHEREAS, the current crisis in the movie industry amounts to a grave emergency affecting the economic stability of the nation and the livelihood of hundreds of thousands of families and workers dependent on the industry;</p> <p>WHEREAS, the issuance of this Decree will help in the national economic recovery program designed to meet the emergency facing the industry;</p> <p>NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree:</p> <p>Section 1. Section 50 of Presidential Decree No. 49 is hereby amended to read as follows:</p> <p>"Sec. 50. Within six (6) months after its manufacture, two copies of a sound recording shall be deposited, by personal delivery or by mail, with the National Library. Upon such deposit, the Director shall issue to the producer a certificate under the seal of the library indicating the fact and date of such deposit. This certificate shall constitute a prima facie evidence of the facts stated therein."</p> <p>Section 2. Section 56 of Presidential Decree No. 49 is hereby amended to read as follows:</p> <p>"Sec. 56. The prohibition and penalties provided in Section 29 shall apply to infringement of any of the rights granted in this Chapter; Provided, however, That the mandatory penalty of imprisonment of not less than three (3) months and one (1) day to not more than</p>	

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						<p>one (1) year, plus a fine of not less than Ninety Thousand Pesos, shall be imposed upon any person who shall:</p> <p>(1) Transfer or cause to be transferred, directly or indirectly, any sound recording or motion picture, or other audio-visual work that has been recorded on a phonograph record, disc, wire, tape, film or other article on which sounds, motion pictures, or other audio-visual works are recorded, with intent to sell, lease, publicly exhibit or cause to be sold, leased or publicly exhibited, or to use or cause to be used for profit, such article on which sounds, motion pictures, or other audio-visual works are so transferred, without the written consent of the owner or his assignee; or</p> <p>(2) Sell, lease, distribute, circulate, publicly exhibit, or offer for sale, lease, distribution or possess for the purpose of sale, lease, distribution, circulation or public exhibition, any such article to which sounds, motion pictures or audio-visual recordings thereon have been so transferred, without the written consent of the owner or his assignee; or</p> <p>(3) Offer or make available for a fee, rental or any other form of compensation, directly or indirectly, any equipment, machinery, paraphernalia or any material with the knowledge that such equipment, machinery, paraphernalia or material will be used by another to reproduce, without the consent of the owner, any phonograph record, disc, wire, tape, film or other article on which sounds, motion pictures, or other audio-visual recordings may be transferred;</p> <p>For purposes of this Act, public exhibition shall cover any exhibition wherein fifteen (15) or more persons</p>	

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						<p>are present, for monetary or promotional considerations. Private clubs are likewise herein included."</p> <p>Section 3. All laws, decrees, executive orders, rules, regulations, and other enactments, or parts thereof inconsistent with the provisions of this Decree, are hereby repealed, amended or modified accordingly.</p> <p>Section 4. This Decree shall take effect after fifteen (15) days following its publication in the Official Gazette.</p> <p>DONE in the City of Manila, this 5th day of October, in the year of Our Lord, nineteen hundred and eighty-five.</p>	
CULTURAL HERITAGE	PRESIDENTIAL DECREE NO. 374 s. 1974	AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NO. 4846, OTHERWISE KNOWN AS THE "CULTURAL PROPERTIES PRESERVATION AND PROTECTION ACT"	Amendments to the "Cultural Properties Preservation and Protection Act"	Ferdinand E. Marcos	01/10/1974	<p>PRESIDENTIAL DECREE NO. 374 January 10, 1974 AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NO. 4846, OTHERWISE KNOWN AS THE "CULTURAL PROPERTIES PRESERVATION AND PROTECTION ACT"</p> <p>WHEREAS, the National Museum has the difficult task, under existing laws and regulations, of preserving and protecting the cultural properties of the nation; WHEREAS, innumerable sites all over the country have since been excavated for cultural relics, which have passed on to private hands, representing priceless cultural treasures that properly belongs to the Filipino people as their heritage; WHEREAS, it is perhaps impossible now to find an area in the Philippines, whether government or private property, which has not been disturbed by commercial-minded diggers and collectors, literally destroying part of our historic past;</p>	Cultural Properties Preservation and Protection Act

Category Name	Proclamation Number	Title	Subject	Signatory	Date Signed	Content	Popular Name
						<p>WHEREAS, because of this the Philippines has been charged as incapable of preserving and protecting her cultural legacies;</p> <p>WHEREAS, the commercialization of Philippine relics from the contact period, the Neolithic Age, and the Paleolithic Age, has reached a point perilously placing beyond reach of savants the study and reconstruction of Philippine prehistory; and</p> <p>WHEREAS, it is believed that more stringent regulation on movement and a limited form of registration of important cultural properties and of designated national cultural treasures is necessary, and that regardless of the item, any cultural property exported or sold locally must be registered with the National Museum to control the deplorable situation regarding our national cultural properties and to implement the Cultural Properties Law;</p> <p>NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of the Armed Forces of the Philippines and pursuant to Proclamation No. 1081 dated September 21, 1972, and General Order No. 1 dated September 22, 1972, do hereby decree, order and make as part of the law of the land the following:</p> <p>Sec. 1. Section 2 to 22 of Republic Act No. 4846 are hereby amended to read as follows:</p> <p>Sec. 2. It is hereby declared to be the policy of the state to preserve and protect the important cultural properties and National Cultural Treasures of the nation and to safeguard their intrinsic value."</p> <p>"Sec. 3.</p>	

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Category Name	Proclamation Number	Title	Subject	Signatory	Date Signed	Content	Popular Name
						<p>a. Cultural properties are old buildings, monuments, shrines, documents, and objects which may be classified as antiques, relics, or artifacts, landmarks, anthropological and historical sites, and specimens of natural history which are of cultural, historical, anthropological or scientific value and significance to the nation; such as physical, anthropological, archeological and ethnographical materials, meteorites and tektites; historical objects and manuscripts; household and agricultural implements; decorative articles or personal adornment; works of art such as paintings, sculptures, carvings, jewelry, music, architecture, sketches, drawings, or illustrations in part or in whole; works of industrial and commercial art such as furniture, pottery, ceramics, wrought iron, gold, bronze, silver, wood or other heraldic items, metals, coins, medals, badges, insignias, coat of arms, crests, flags, arms, and armor; vehicles or ships or boats in part or in whole.</p> <p>"b. Cultural properties which have been singled out from among the innumerable cultural properties as having exceptional historical and cultural significance to the Philippines, but are not sufficiently outstanding to merit the classification of "National Cultural Treasures" are important cultural properties.</p> <p>c. A National Cultural Treasure is a unique object found locally, possessing outstanding historical, cultural, artistic and/or scientific value which is highly significant and important to this country and nation.</p> <p>"d. Antiques are cultural properties found locally which are one hundred years or more in age or even less but their production having ceased, they have,</p>	

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						<p>therefore, become or are becoming rare.</p> <p>e. Relics are cultural properties which, either as a whole or in fragments, are left behind after the destruction or decay of the rest of its parts and which are intimately associated with important beliefs, practices, customs and traditions, periods and personages.</p> <p>f. Artifacts are articles which are products of human skills or workmanship, especially in the simple product of primitive arts or industry representing past eras or periods.</p> <p>"g. Natural History Specimens are live or preserved specimens of plants and animals, fossils, rocks and minerals. Only types, presently irreplaceable specimens and those in danger of extinction shall be embraced in this Act.</p> <p>h. Type as mentioned in Section seven-b in the context of this Act is a specimen selected as the best to represent a kind or class of objects consisting of any but almost identical individuals or pieces. In the case of specimen which was used as the basis of description establishing the species, in accordance with the rules of nomenclature.</p> <p>"i. A historical site is any place, province, city, town and/or any location and structure which has played a significant and important role in the history of our country and nation. Such significance and importance may be cultural, political, sociological or historical.</p> <p>j. An archeological site is any place which may be underground or on the surface, underwater or at sea level which contains fossils, artifacts and other cultural, geological, botanical, zoological materials</p>	

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Category Name	Proclamation Number	Title	Subject	Signatory	Date Signed	Content	Popular Name
						<p>which depict and document evidences of paleontological and pre-historic events.</p> <p>"k. An anthropological area is any place where studies of specific cultural groups are being/or should be undertaken in the field of anthropology. Anthropology in this case is descriptive, interpretative and comparative study of all aspects of various cultural linguistic groups including the collection and analysis of their particular material culture.</p> <p>l. Collector is any person or institution who acquires cultural properties and national Cultural Treasures for purposes other than sale.</p> <p>"m. Dealers are persons or enterprises who acquire cultural properties for the purpose of engaging in the acquisition and resale of the same.</p> <p>n. Exporters are dealers who engage in the business of exporting cultural properties.</p> <p>o. For purposes of Republic Act No. 4846 government property covers all lands and marine areas including those covered by licenses or special permits and those owned or administered by government-owned or controlled corporations, institutions or agencies."</p> <p>"Sec. 4. The National Museum, hereinafter referred to as the Museum shall be the agency of the government which, shall implement the provisions of this Act."</p> <p>Sec. 5. The Director of the Museum, hereinafter referred to as the Director, shall undertake a census of the important cultural properties of the Philippines, keep a record of their ownership, location, and condition, and maintain an up-to-date register of the same. Private collectors and owners of important cultural properties and public and private schools in</p>	

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						<p>possession of these items, shall be required to register their collection with the Museum when required by the Director and to report to the same office when required by the Director any new acquisitions, sales, or transfer thereof."</p> <p>"Sec. 6. The Director is authorized to convene panels of experts, as often as the need for their services may arise, each to be composed of three competent men in the specialized fields of anthropology, natural sciences, history and archives, fine arts, philately and numismatics, and shrines and monuments, etc. Each panel shall, after careful study and deliberation, decide which among the cultural properties in their field of specialization shall be designated as 'National Cultural Treasures' or 'Important Cultural Properties.' The Director is further authorized to convene panels of experts to declassify designated 'National Cultural Treasures.'</p> <p>"The Director shall within ten days of such action by the panel transmit their decision and cause the designation-list to be published in at least two newspapers of general circulation. The same procedure shall be followed in the declassification of important cultural properties and national cultural treasures."</p> <p>Sec. 7. In the designation of a particular cultural property as a 'national cultural treasure', the following procedure shall be observed:</p> <p>a. Before the actual designation, the owner, if the property is privately owned, shall be notified at least fifteen days prior to the intended designation, and he shall be invited to attend the deliberation, and given a chance to be heard. Failure on the part of the owner to</p>	

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						<p>attend the deliberation shall not bar the panel to render its decision. Decision shall be given by the panel within a week after its deliberation. In the event that the owner desires to seek reconsideration of the designation made by the panel, he may do so within thirty days from the date that the decision has been rendered. If no request for reconsideration is filed after this period, the designation is then considered final and executory. Any request for reconsideration filed within thirty days and subsequently again denied by the panel, may be further appealed to another panel chaired by the Secretary of Education, with two experts as members appointed by the Secretary of Education. Their decision shall be final and binding.</p> <p>"b. Within each kind or class of objects, only the rare and unique objects may be designated as 'National Cultural Treasures.' The remainder, if any, shall be treated as cultural property.</p> <p>c. Designated 'National Cultural Treasures' shall be marked, described, and photographed by the National Museum. The owner retains possession of the same but the Museum shall keep record containing such information as: name of article, owner, period, source, location, condition, description, photograph, identifying marks, approximate value, and other pertinent data."</p> <p>"Sec. 8. National Cultural treasures shall not change ownership, except by inheritance or sale approved by the Director of the National Museum, without the prior notification to and notations made by the Museum in the records. They may not be taken out of the country for reasons of inheritance. Where there is no heir,</p>	

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Category Name	Proclamation Number	Title	Subject	Signatory	Date Signed	Content	Popular Name
						<p>National Cultural Treasures shall revert to the National Museum or to any other state museum."</p> <p>Sec. 9. National Cultural Treasures may be taken out of the country only with written permit from the Director of the National Museum, and only for the purpose of exchange programs or for scientific scrutiny, but shall be returned immediately after such exhibition or study: Provided, that the Director of the National Museum shall require that the cultural treasures be adequately insured against loss or damage by the owners thereof, and shall be properly accompanied by a duly authorized representative of the National Museum and/or protected.</p> <p>"Sec. 10. It shall be unlawful to export or to cause to be taken out of the Philippines any of the cultural properties defined in Section three of this Act, without previous registration of the objects with the National Museum and a written permit from the Director of the National Museum: Provided, however, that in the granting or the withholding of the permit, the provisions of Section seven of this Act shall have been satisfied."</p> <p>Sec. 11. No cultural property may be imported without an official certification of exportation from the country of origin."</p> <p>"Sec. 12. It shall be unlawful to explore, excavate or make diggings on archaeological or historical sites for the purpose of obtaining materials of cultural historical value without the prior written authority from the Director of the National Museum. No excavation or diggings shall be permitted without the supervision of an archaeologist certified as such by the Director of</p>	

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						<p>the National Museum, or of such other person who, in the opinion of the Director, is competent to supervise the work, and who shall, upon completion of the project, deposit with the Museum a catalogue of all the materials found thereon, and a description of the archaeological context in accordance with accepted archaeological practices. When excavators shall strike upon any buried cultural property, the excavation shall be suspended and the matter reported immediately to the Director of the National Museum who shall take the appropriate steps to have the discovery investigated and to insure the proper and safe removal thereof, with the knowledge and consent of the owner. The suspension shall not be lifted until the Director of the National Museum shall so allow it.</p> <p>All exploration, excavation, or diggings on government and private property for archaeological or historical purposes shall be undertaken only by the National Museum, or any institution duly authorized by the Director of the National Museum."</p> <p>Sec. 13. All restorations, reconstructions, and preservations of government historical buildings, shrines, landmarks, monuments, and sites, which have been designated as 'National Cultural Treasures' and 'important cultural properties' shall only be undertaken with the written permission of the Director of the National Museum who shall designate the supervision of the same.</p> <p>"Sec. 14. Any donation or support by private individuals or institutions to the National Museum, and any investment for the purchase of cultural properties registered with the National Museum or for the support</p>	

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						<p>of scientific and cultural expeditions, explorations, or excavations when so certified by the Director of the National Museum shall be tax exempt and deductible from the income tax returns of the individual or institution.</p> <p>Donations of National Cultural Treasures and important cultural properties to the National Museum or any accredited institution for preservation for posterity, or of any monetary contribution to the National Museum or any accredited institution for the purchase of National Cultural Treasures and important cultural properties shall also be deductible from the income tax returns: Provided, that such donations are duly acknowledged and received by the recipient and certified by the Director of the National Museum."</p> <p>"Sec. 15. Any cultural property for sale as allowed under this Act, should be registered with the National Museum and the proceeds thereof shall be considered as income and therefore subject to taxation; Provided, however, that the Government shall be given the first option for three months to buy these cultural properties when placed on sale."</p> <p>Sec. 16. All dealers of cultural properties shall secure a license as a dealer in cultural properties from the Director of the National Museum."</p> <p>"Sec. 17. All dealers engaged in the business of exporting cultural properties shall secure a license as exporter of cultural properties from the Director of the National Museum.</p> <p>Sec. 18. The Director of the National Museum is hereby empowered to promulgate rules and regulations for the implementation of the provisions of this Act,</p>	

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						<p>which rules and regulations shall be given the widest publicity and also shall be given directly to known collectors, excavators, archaeologists, dealers, exporters and others affected by this Act. Such rules and regulations shall be approved by the Secretary of Education."</p> <p>"Sec. 19. The Museum may collect fees for registration, licenses, inspections, certifications, authorizations, and permits in compliance with the provisions of this Act: Provided, that the objects or materials attempted to be concealed from registration or those intended to be exported in violation of this Act or those intended to be exported in violation of this Act shall be confiscated and forfeited to the Government: Provided, further, that if the violation is committed by a juridical person, the manager, representative, director, agent, or employee of said juridical person responsible for the Act shall be liable to the penalties provided herein."</p> <p>"Sec. 20. Penal Provisions. Any violation of the provisions of this Act shall, upon conviction, subject the offender to a fine of not more than ten thousand pesos or imprisonment for a term of not more than two years or both upon the discretion of the court: Provided, that objects or materials attempted to be concealed from registration or those intended to be exported or excavated in violation of this Act shall be summarily confiscated and forfeited to the National Museum: Provided, further, that if the violation is committed by a juridical person, the manager, representative, director, agent, or employee of said juridical person responsible for the act shall also be</p>	

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						<p>liable to the penalties provided herein."</p> <p>"Sec. 21. There shall be created a division of cultural properties in the national Museum clothed with adequate police power to prosecute violators of this Act."</p> <p>Sec. 22. The sum of one hundred thousand pesos (P100,000) is hereby appropriated annually out of any funds in the National Treasury, not otherwise appropriated, to carry out the provisions of this Act."</p> <p>Sec. 2. Any provisions of existing law, rules and regulations inconsistent with the provisions of this Decree are hereby repealed and modified accordingly.</p> <p>Sec. 3. This Decree shall take effect fifteen (15) days after publication in the Official Gazette.</p> <p>Done in the City of Manila, this 10th day of January, in the year of Our Lord, nineteen hundred and seventy-four.</p> <p>Monuments and sites</p>	
CULTURAL PROPERTIES	REPUBLIC ACT NO. 4846 s. 1966	AN ACT TO REPEAL ACT NUMBERED THIRTY EIGHT HUNDRED SEVENTY FOUR, AND TO PROVIDE FOR THE PROTECTION AND PRESERVATION OF PHILIPPINE CULTURAL PROPERTIES (AS	Philippine Cultural Properties, Works of art	na	06/18/1966	<p>SECTION 1. This Act shall be known as the "Cultural Properties Preservation and Protection Act."</p> <p>SECTION 2. It is hereby declared to the policy, of the state to preserve and protect the important cultural properties and National Cultural Treasurer of the nation and to safeguard their intrinsic value.</p> <p>SECTION 3. Definition of terms:</p> <p>a. Cultural properties - are old buildings, monuments, shrines, documents, and objects which may be classified as antiques, relics, or artifacts, landmarks, anthropological and historical sites, and specimens of natural history which are of cultural, historical, anthropological or scientific value and significance to the nation; such as physical, and anthropological,</p>	Cultural Properties Preservation and Protection Act

Category Name	Proclamation Number	Title	Subject	Signatory	Date Signed	Content	Popular Name
		AMENDED BY P.D. 374)				<p>archaeological and ethnographical materials, meteorites and tektites; historical objects and manuscripts; house and agricultural implements; decorative articles or personal adornment; works of art such as paintings, sculptures, carvings, jewelry, music, architecture, sketches drawings or illustrations in part or in whole; works of industrial and commercial art such as furniture, pottery, ceramics, wrought iron, gold, bronze, silver, wood or other heraldic items, metals, coins, medals, badges, insignias, coat of arms, crests, flags, arms, and armor; vehicles or ships or boats in part or in whole.</p> <p>b. Cultural properties which have been singled out from among the innumerable cultural properties as having exceptional historical and cultural significance to the Philippines, but are not sufficiently outstanding to merit the classification of "National Cultural Treasures." are important cultural properties.</p> <p>c. A National Cultural Treasurer - is a unique object found locally, possessing outstanding historical, cultural, artistic and/or scientific value which is highly significant and important to this country and nation.</p> <p>d. Antiques - are cultural properties found locally which are one hundred years or more in age or even less, but their production having ceased, they have, therefore, become or are becoming rare.</p> <p>e. Relics - are cultural properties which, either as a whole or in fragments, are left behind after the destruction or decay of the rest of its parts and which are intimately associated with important beliefs, practices, customs and traditions, periods and personages.</p>	

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Category Name	Proclamation Number	Title	Subject	Signatory	Date Signed	Content	Popular Name
						<p>f. Artifacts. - are articles which are products of human skills or workmanship, especially in the simple product of primitive arts or industry representing past eras or periods.</p> <p>g. Natural History Specimens - are live or preserved specimens of plants and animals, fossils, rocks and minerals. Only types, presently irreplaceable specimens, and those in danger of extinction shall be embraced in this Act.</p> <p>h. Type - as mentioned in Section seven-b in the context of this Act is a specimen selected as the best to represent a kind or class of objects consisting of any but almost identical individuals or pieces. In the case of specimens of natural history, the type is the individual specimen which was used as the basis of description establishing the species, in accordance with the rules of nomenclature.</p> <p>i. A historical site - is any place, province, city, town and/or any location and structure which has played a significant and important role in the history of our country and nation. Such significance and importance may be cultural, political, sociological or historical.</p> <p>j. An archaeological site - is any place which may be underground or on the surface, underwater or at sea level which contains fossils, artifacts and other cultural, geological, botanical, zoological materials which depict and document evidences of paleontological and pre-historic events.</p> <p>k. An anthropological area - is any place where studies of specific cultural groups are being or should be undertaken in the field of anthropology. Anthropology in this case is descriptive, interpretative and</p>	

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Category Name	Proclamation Number	Title	Subject	Signatory	Date Signed	Content	Popular Name
						<p>comparative study of all aspects of various cultural linguistic groups including the collection and analysis of their particular material culture.</p> <p>l. Collector - is any person or institution who acquires cultural properties and National Cultural Treasures for purposes other than sale.</p> <p>m. Dealers - are persons or enterprises who acquire cultural properties for the purpose of engaging in the acquisition and resale of the same.</p> <p>n. Exporters. - are dealers who engage in the business of exporting cultural properties.</p> <p>o. For purposes of Republic Act No. 4846 government property covers all lands and marine areas including those covered by licenses or special permits and those owned or administered by government-owned or controlled corporations, institutions or agencies.</p> <p>SECTION 4. The National Museum, hereinafter referred to as the Museum shall be the agency of the government which, shall implement the provisions of this Act.</p> <p>SECTION 5. The Director of the Museum, hereinafter referred to as the Director, shall undertake a census of the important cultural properties of the Philippines, keep a record of their ownership, location, and condition, and maintain an up-to-date register of the same. Private collectors and owners of important cultural properties and public and private schools in possession of these items, shall be required to register their collection with the Museum when required by the Director and to report to the same office when required by the Director any new acquisitions, sales, or transfers thereof.</p>	

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Category Name	Proclamation Number	Title	Subject	Signatory	Date Signed	Content	Popular Name
						<p>SECTION 6. The Director is authorized to convene panels of experts, as often as the need for their services may arise, each to be composed of three competent men in the specialized fields of anthropology, natural sciences, history and archives, fine arts, philately and numismatics, and shrines and monuments, etc. Each panel shall, after careful study and deliberation, decide which among the cultural properties in their field of specialization shall be designated as "National Cultural Treasures" or "Important Cultural Properties." The Director is further authorized to convene panels of experts to declassify designated "National Cultural Treasures."</p> <p>The Director shall within ten days of such action by the panel transmit their decision and cause the designation-list to be published in at least two newspapers of general circulation. The same procedure shall be followed in the declassification of important cultural properties and national treasures.</p> <p>SECTION 7. In designation of a particular cultural property as a "national cultural treasure," the following procedure shall be observed:</p> <p>a. Before the actual designation, the owner, if the property is privately owned, shall be notified at least fifteen days prior to the intended designation, and he shall be invited to attend the deliberation and given a chance to be heard. Failure on the part of the owner to attend the deliberation shall not bar the panel to render its decision. Decision shall be given by the panel within a week after its deliberation. In the event that the owner desires to seek reconsideration of the designation made by the panel, he may do so within</p>	

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						<p>days from the date that the decision has been rendered. If no request for reconsideration is filed after this period, the designation is then considered final and executory. Any request for reconsideration filed within thirty days and subsequently again denied by the panel, may be further appealed to another panel chaired by the Secretary of Education, with two experts as members appointed by the Secretary of Education. Their decision shall be final and binding.</p> <p>b. Within each kind or class of objects, only the rare and unique objects may be designated as "National Cultural Treasures." The remainder, if any, shall be treated as cultural property.</p> <p>c. Designated "National Cultural Treasures" shall be marked, described, and photographed by the National Museum. The owner retains possession of the same but the Museum shall keep a record containing such information as: name of article, owner, period, source, location, condition, description, photograph, identifying marks, approximate value, and other pertinent data.</p> <p>SECTION 8. National Cultural Treasures shall not change ownership, except by inheritance or sale approved by the Director of the National Museum, without the prior notification to and notations made by the Museum in the records. They may not be taken out of the country for reasons of inheritance. Where there is no heir, National Cultural Treasures shall revert to the National Museum or to any state museum.</p> <p>SECTION 9. National Cultural Treasures may be taken out of the country only with written permit from the Director of the National Museum, and only for the</p>	

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Category Name	Proclamation Number	Title	Subject	Signatory	Date Signed	Content	Popular Name
						<p>purpose of exchange programs or for scientific scrutiny, but shall be returned immediately after such exhibition or study: provided, that the Director of the National Museum shall require that the cultural treasures be adequately, insured against loss or damage by the owners thereof, and shall be properly accompanied by a duly authorized representative of the National Museum and/or protected.</p> <p>SECTION 10. It shall be unlawful to export or to cause to be taken out of the Philippines any of the cultural properties defined in Section three of this Act, without previous registration of the objects with the National Museum and a written permit from the Director of the National Museum: provided, however, that in the granting or the withholding of permit, the provisions of Section seven of this Act shall have been satisfied.</p> <p>SECTION 11. No cultural property may be imported without an official certification of exportation from the country of origin.</p> <p>SECTION 12. It shall be unlawful to explore, excavate, or make diggings on archaeological or historical sites for the purpose of obtaining materials of cultural historical value without the prior written authority from the Director of the National Museum. No excavation or diggings shall be permitted without the supervision of an archaeologist certified as such by the Director of the National Museum, or of such other person who, in the opinion of the Director, is competent to supervise the work, and who shall, upon completion of the project, deposit with the Museum a catalogue of all the materials found thereon, and a</p>	

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						<p>description of the archaeological context in accordance with accepted archaeological practices. When excavators shall strike upon any buried cultural property, the excavation shall be suspended and the matter reported immediately to the Director of the National Museum who shall take the appropriate steps to have the discovery investigated and to insure the proper and safe removal thereof, with the knowledge and consent of the owner. The suspension shall not be lifted until the Director of the National Museum shall so allow it.</p> <p>All exploration, excavation, or diggings on government and private property for archaeological or historical purposes shall be undertaken only by the National Museum, or any institution duly authorized by the Director of the National Museum.</p> <p>SECTION 13. All restorations, reconstructions, and preservations of government historical buildings, shrines, landmarks, monuments, and sites, which have been designated as "National Cultural Treasures," and "important cultural properties" shall only be undertaken with the written permission of the Director of the National Museum who shall designate the supervision of the same.</p> <p>SECTION 14. Any donation or support by private individuals or institutions to the National Museum, and any investment for the purchase of cultural properties registered with the National Museum or for the support of scientific and cultural expeditions, explorations, or excavations when so certified by the Director of the National Museum, shall be tax exempt and deductible from the income tax returns of the individual or</p>	

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						<p>institution.</p> <p>Donations of National Cultural Treasures and important cultural properties to the National Museum or any accredited institution for preservation for posterity, or of any monetary contribution to the National Museum or any accredited institution for the purchase of National Cultural Treasures and important cultural properties shall also be deductible from the income tax returns: provided, that such donations are duly acknowledge and receipted by the recipient and certified by the Director of the National Museum.</p> <p>SECTION 15. Any cultural property for sale as allowed under this Act, should be registered with the National Museum and the proceeds thereof shall be considered as income and therefore subject to taxation: provided, however, that the Government shall be given the first option for three months to buy these cultural properties placed on sale.</p> <p>SECTION 16. All dealers of cultural properties shall secure a license as a dealer in cultural properties from the Director of the National Museum.</p> <p>SECTION 17. All dealers engaged in the business of exporting cultural properties shall secure a license as exporter of cultural properties from the Director of the National Museum.</p> <p>SECTION 18. The Director of the National Museum is hereby empowered to promulgate rules and regulations for the implementation of the provisions of this Act, which rules and regulations shall be given the widest publicity and also shall be given directly to known collectors, excavators, archaeologists, dealers, exporters and others affected by this Act. Such rules</p>	

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						<p>and regulations shall be approved by the Secretary of education.</p> <p>SECTION 19. The Museum may collect fees for registration, licenses, inspections, certifications, authorizations, and permits in the compliance with the provisions of this Act: provided, that the objects or materials attempted to be concealed from registration or those intended to be exported in violation of this Act shall be confiscated and forfeited to the Government; provided, further, that if the violation is committed by a juridical person, the manager, representative, director, agent, or employee of said juridical person responsible for the Act shall be liable to the penalties provided herein.</p> <p>SECTION 20. Penal Provisions. - Any violation of the provisions of this Act shall, upon conviction, subject the offender to a fine of not more than ten thousand pesos or imprisonment for a term of not more than two years or both upon the discretion of the court: provided, that objects or materials attempted to be concealed from the registration or those intended to be exported or excavated in violation of this Act shall be summarily confiscated and forfeited to the National Museum; provided, further, that if the violation is committed by a juridical person, the manager, representative, director, agent or employee of said juridical person responsible for the act shall also be liable to the penalties provided herein.</p> <p>SECTION 21. There shall be created a division of cultural properties in the National Museum clothed with the adequate police power to prosecute violators of this Act.</p>	

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						SECTION 22. The sum of one hundred thousand pesos (P100,000) is hereby appropriated annually out of any funds in the National Treasury, not otherwise appropriated, to carry out the provisions of this Act. SECTION 23. Repealing Provisions. - Act Three thousand eight hundred and seventy-four entitled "An Act Prohibiting the Exportation of Antiques of the Philippine Islands" and all other Acts or parts thereof contrary to the provisions of this Act are hereby repealed. SECTION 24. This Act shall take effect upon its approval. Approved: June 18, 1966	
CULTURAL AWARDS	Republic Act No. 7355 s. 1992	An act providing for the recognition of national living treasures, otherwise known as the Manlilikha ng Bayan, and the promotion and development of traditional folk	Gawad Manlilikha ng Bayan (GAMABA)	Corazon C. Aquino	04/03/1992	AN ACT PROVIDING FOR THE RECOGNITION OF NATIONAL LIVING TREASURES, OTHERWISE KNOWN AS THE MANLILIKHA NG BAYAN, AND THE PROMOTION AND DEVELOPMENT OF TRADITIONAL FOLK ARTS, PROVIDING FUNDS THEREFOR, AND FOR PURPOSES` <i>Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:</i> SECTION 1. <i>Title.</i> - This Act shall be known as the Manlilikha ng Bayan Act. SEC. 2. <i>Policy and Objectives.</i> - It is hereby declared to be the policy of the State to preserve and promote its traditional folk arts whether visual, performing, or literary, for their cultural value, and to honor and support traditional folk artists for their contribution to the national heritage by ensuring that	Gawad Manlilikha ng Bayan (GAMABA) Act

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						<p>the artistic skills which they have painstakingly cultivated and preserved are encouraged and passed on to future generations of Filipinos.</p> <p>The objectives of this Act shall be as follows:</p> <ul style="list-style-type: none"> a. to acknowledge the importance of traditional folk artist as singular conduit between skills of the past and the future; b. to revitalize a community's artistic tradition thereby protecting a valuable facet of Philippine culture; c. to provide mechanisms for identifying and assisting qualified traditional folk artists to transfer their skills to the community; and d. to create opportunities for popularizing their works locally and internationally. <p>SEC. 3. <i>Definition of Terms.</i> - For the purpose of this Act, Manlilikha ng Bayan shall mean a citizen or a group of citizens engaged in any traditional art uniquely Filipino, whose distinctive skills have reached such a high level of technical and artistic excellence and have been passed on to and widely practiced by the present generation in his/her community with the same degree of technical and artistic competence.</p> <p>"Traditional Folk Art" refers to expressions of distinctiveness and artistic quality created to serve a decorative and/or utilitarian or sociocultural functions of traditional folk artists commonly known for such</p>	

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						<p>works.</p> <p>SEC. 4. Criteria and Qualifications. - To become a Manlilikha ng Bayan, the candidate must satisfy the following minimum criteria:</p> <p>a. <i>Technical and creative skill</i> - The candidate must possess a mastery of the tools and materials needed by the art, and must have an established reputation in the art as master and maker of works of extraordinary technical quality;</p> <p>b. <i>Artistic quality</i> - The work of the candidate must be outstanding aesthetically, and he/she must have consistently produced over a significant period, works of superior quality;</p> <p>2</p> <p>c. <i>Community tradition</i> - The candidate must have transferred and/or willing to transfer to other members of the community, skills in the folk art for which the community has become nationally known;</p> <p>d. <i>Folk art tradition</i> - The candidate must have engaged in a folk art tradition that has been in existence and documented for at least fifty (50) years; and</p> <p>e. <i>Character and integrity</i> - As a precious treasure of the country the candidate must command the respect and admiration of the country for his character and integrity. The implementing agency may require additional criteria and</p>	

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						<p>qualifications in pursuance of the purposes of this Act.</p> <p>SEC. 5. Award and other Incentives. - The award given to the Manlilikha ng Bayan shall be called Gawad sa Manlilikha ng Bayan.</p> <p>In addition, the following incentives shall be enjoyed:</p> <p>a. <i>Plaque/Medal</i> - The awardee shall each receive a commemorative plaque and/or medal, a duplicate set of which is to be donated to and permanently displayed in the pertinent provincial museum or largest cultural center in order to broaden community awareness of the significance of our traditional folk arts and to accord them the recognition they richly deserve;</p> <p>b. An initial grant of One hundred thousand pesos (P100,000.00) and Ten thousand pesos (P10,000.00) a month thereafter for life, shall be given, unless the Commission after due hearing finds good reason to discontinue the grant arising from violations of pertinent terms and conditions herein stated.</p> <p>This grant may be increased whenever circumstances so warrant provided that the increase shall not be given retroactive effect;</p> <p>c. <i>Documentation</i> - All surviving samples of works by the awardee shall be catalogued and photographed, and his/her work methods and shall likewise be documented;</p> <p>d. A vocational course using materials, tools, methods</p>	

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						<p>and designs of the awardee may be offered at the nearest arts and trades school through the cooperative efforts of the Department of Trade and Industry, the Department of Education, Culture and Sports, and a private foundation and/or private corporation, to effect the transfer of his/her skills and the preservation of folk art tradition;</p> <p>e. A feasibility study of converting the awardee's art into a specialized cottage industry in the awardee's province, preferably in the recipient's barangay or town, may be undertaken by the Department of Trade and Industry in collaboration with private investors; and</p> <p>f. The recipient shall be invited to Manila-based and regional cultural events that salute the importance of traditional folk arts in the Filipino cultural heritage;</p> <p>3</p> <p><i>SEC. 6. Duties and Responsibilities of Awardees. -</i> The Manlilikha ng Bayan is a link between the past, in which his/her traditional folk art found fertile soil for growth, and the future, during which he/she seeks his/her art to be permanently sustained. It becomes his/her responsibility therefore to undertake the following:</p> <p>a. to transfer the skills of his/her traditional folk art to</p>	

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						<p>the younger generation through apprenticeship and such other training methods as are found to be effective;</p> <p>b. to cooperate with the implementing agency, as provided for in Section 7 of this Act, in the promotion and propagation of his/her traditional folk arts; and</p> <p>c. to donate to the National Museum a sample or copy of his/her work.</p> <p>SEC. 7. Implementing Agency. -The Presidential Commission on Culture and Arts, created under Executive Order No. 118, dated January 30, 1987, shall develop and adopt a program to effectuate the provisions of this Act and promulgate such rules and regulations and criteria that will govern the selection of the Manlilikha ng Bayan. For purposes of this Act, the Commission shall have the powers and functions:</p> <p>a. to constitute and appoint panels of experts including, but not limited to, the nominees of the Office of Muslim Affairs, Office of Southern Cultural Communities and Office for Northern Cultural Communities in each of the traditional folk arts categories to assist the Commission in a thorough search for and fair awardees; such selection of traditional folk arts shall include but will not be to the following: weaving, woodcarving, metal-working, jewelrymaking,</p>	

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						<p>embroidery, furniture making using indigenous materials, dance, song, instrumental folk music, folk literature, drama, boat-making, pottery-making, and other indigenous technology and architecture such as riceterracing;</p> <p>b. to increase the monetary grant whenever circumstances so warrant provided that the increase shall not be given retroactive effect;</p> <p>c. to design, monitor and evaluate appropriate programs that shall ensure that the Manlilikhang Bayan transfers his/her skills to others, and to coordinate with pertinent agencies, public and private, for program implementation;</p> <p>d. to undertake measures that shall protect the intellectual/cultural property rights of the awardees;</p> <p>e. to promote the widest utilization and improvement of the awardees' design and patterns as well as their materials, tools and techniques in coordination with pertinent agencies, public and private;</p> <p>f. to undertake information dissemination programs intended to broaden community awareness of and instill pride in the achievements of the Manlilikha ng Bayan;</p> <p>g. to facilitate or undertake activities, public and private in coordination with the Department of Trade and Industry, the Department of Science and</p>	

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						<p>4 Technology, and the Department of Tourism, that shall make the efforts of the awardees not only aesthetically rewarding but also economically profitable; and h. to generate funds from the Government and the private sector for the implementation of the provisions of this Act. SEC. 8. <i>Appropriations.</i> - The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter. SEC. 9. <i>Tax Privileges.</i> - Pursuant to the existing provisions under the National Revenue Code (NRC) , as amended, and the Tariff and Customs Code of the Philippines (TCCP), as amended, any gifts or donations which shall be made to or for the use of the Philippine Commission on Culture and Arts, exclusively for the Manlilikha ng Bayan, shall be entitled to the following privileges: a. Exemption from donor's tax pursuant to Section 94 (a) (3) of the NIRC, as amended; b. Deductibility of donations from the donor's gross income for purposes of computing taxable income in accordance with Section 29 and (h) of the NIRC, as amended; and</p>	

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						<p>c. Exemption from taxes and duties of donations from foreign countries subject to the provisions of Section 105 of the TCCP, as amended, and Section 103 of NIRC, as amended.</p> <p>SEC. 10. <i>Repealing Clause.</i> - All laws, issuances, decrees, or any part or parts thereof inconsistent with the provisions of this Act are deemed amended or repealed accordingly.</p> <p>SEC. 11. <i>Effectivity Clause</i> - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.</p> <p>Approved,</p> <p>This Act which is a consolidation of Senate Bill No. 92 and House Bill No. 1947 was finally passed by the Senate and the House of Representatives on October 23, 1987 and October 22, 1987, respectively.</p> <p>Approved:</p>	
CREATION OF COMMISSIONS AND ADMINISTRATIVE BODIES	Republic Act No. 7356 s. 1992	An Act Creating the National Commission for Culture and the Arts, Establishing a National Endowment Fund for Culture and the Arts, and other purposes	National Commission for Culture and the Arts, NCCA	Corazon C. Aquino	04/03/1992	<p>REPUBLIC ACT NO. 7356</p> <p>N ACT CREATING THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS, ESTABLISHING A NATIONAL ENDOWMENT FUND FOR CULTURE AND THE ARTS, AND FOR OTHER PURPOSES</p> <p>Sec. 1. Title. - This Act shall be known at the "Law Creating the National Commission for Culture and the Arts".</p> <p>TITLE I</p>	NCCA law

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						<p>DECLARATION OF PRINCIPLES</p> <p>Sec. 2. Culture as a Human Right. - Culture is a manifestation of the freedom of belief and of expression and is a human right to be accorded due respect and allowed to flourish.</p> <p>Sec. 3. National Identity. - Culture reflects and shapes values, beliefs, aspirations, thereby defining a people's national identity. A Filipino national culture that mirrors and shapes Philippine economic, social and political life shall be evolved, promoted and conserved.</p> <p>Sec. 4. Culture of the People. - The Filipino national culture shall be: a) independent, free of political and economic structures which inhibit cultural sovereignty; b) equitable, effectively creating and distributing cultural opportunities and correcting the imbalance that has long prejudiced the poor and other marginalized sector who have the least opportunities for cultural development and educational growth; c) dynamic, continuously developing in pace with scientific, technological, social, economic and political changes both in national and international levels; d) progressive, developing the vast potential of all Filipinos as responsible change agents of society; and (e) humanistic, ensuring the freedom and creativity of the human spirit.</p> <p>Sec. 5. Culture by the People. - The Filipino national culture shall be evolved and developed by the people themselves in a climate of freedom and responsibility. National cultural policies and programs shall be formulated which shall be: a) pluralistic, fostering deep respect for the cultural identity of each locality,</p>	

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						<p>region of ethno-linguistic locality, as well as elements assimilated from other cultures through the natural process of acculturation; b) democratic, encouraging and supporting the participation of the vast masses of our people in its programs and projects; c) non-partisan, open to all people and institution, regardless of creed, affiliation, ideology, ethnic origin, age, gender or class, with no organized group or sector having monopoly of its services, and d) liberative, having concern for the decolonization and emancipation of the Filipino psyche in order to ensure the full flowering of Filipino culture.</p> <p>Sec. 6. Culture for the People. - The creation of artistic and cultural products shall be promoted and disseminated to the greatest number of our people. The level of consciousness of our people about our own cultural values in order to strengthen our culture and to instill nationhood and cultural unity, shall be raised formally through the educational system and informally through extra-scholastic means, including the use of traditional as well as modern media of communication.</p> <p>Sec. 7. Preservation of the Filipino Heritage. - It is the duty of every citizen to preserve and conserve the Filipino historical and cultural heritage and resources. The retrieval and conservation of artifacts of Filipino culture and history shall be vigorously pursued.</p> <p>TITLE II ORGANIZATION OF THE NATIONAL COMMISSION FOR CULTURE AND ARTS AND THE ESTABLISHMENT OF THE NATIONAL ENDOWMENT FUND</p>	

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						<p>Sec. 8. The Commission. - A National Commission for Culture and Arts is hereby created to formulate policies for the development of culture and arts, implement these policies in coordination with affiliated cultural agencies; administer the National Endowment Fund for Culture and Arts (NEFCA); encourage artistic creation within a climate of artistic freedom; develop and promote the Filipino national culture and arts; and preserve Filipino cultural heritage. The Commission shall be an independent agency. It shall render an annual report of its activities and achievements to the President and to Congress.</p> <p>Sec. 9. Composition. - The Commission shall be composed of the following members;</p> <ol style="list-style-type: none"> 1) the Undersecretary of the Department of Education, Culture and Sports; 2) the Undersecretary of the Department of Tourism; 3) the Chairman of the House Committee on Culture; 4) the Chairman of the Senate Committee on Culture; 5) the President of the Cultural Center of the Philippines; 6) the Executive Director of the National Historical Institute; 7) the Director of the National Museum; 8.) the Director of the National Library; 9.) the Director of the Institute of Philippine Languages; 10) the Director of the Records Management and Archives Office; 11) the Executive Director of the Commission; 12) the Head of the Subcommission on Cultural Communities and Traditional Arts; 	

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						<p>13) three (3) representatives from the private sector who shall be the elected heads of the three (3) Subcommission identified hereunder, namely: the Subcommission on Cultural Heritage, the Subcommission on the Arts and the Subcommission on Cultural Dissemination. They shall be elected by the chairpersons of the national committees under their respective Subcommissions.</p> <p>The Chairman of the Commission shall be elected by the members from among themselves.</p> <p>Sec. 10. Term of Office and Compensation. - The non-ex-officio members of the Commission shall serve for a term of three (3) years, and shall not serve for more than two (2) successive terms. Non-ex-officio members shall each receive a per diem of One thousand pesos (P1,000.00) for actual attendance in the meetings of the Commission, but not to exceed Five thousand pesos (P5,000.00) a month, and shall be reimbursed travel expenses incurred for actual attendance of meetings.</p> <p>Ex-officio members of the Commission shall receive representation and travel allowances (RATA) in accordance with rates recommended by the Department of Budget and Management.</p> <p>Sec. 11. Memberships Restrictions. - During his/her term as member of the Commission, a Commissioner shall not be eligible for any grant or such other financial aid from the Commission as an individual; Provided, however, That he/she may compete for grants and awards on the same level as other artists one (1) year after his/her shall have expired.</p> <p>Sec. 12. Mandate. - The Commission is hereby</p>	

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						<p>mandated to formulate and implement policies and plans in accordance with the principles stated in Title 1 of this Act.</p> <ol style="list-style-type: none"> 1) To encourage the continuing and balanced development of a pluralistic culture by the people themselves, it shall; 2) encourage and ensure the exercise of the freedom of expression by eliminating all forms of censorships inimical to cultural and artistic growth and development without prejudice to the rights of other people to develop their own culture, or to the enhancement of a genuinely Filipino culture; 3) extend financial and economic assistance such as subsidies, artist funds and social security to promote cultural development and protect artists and cultural workers; 4) ensure the decentralization of opportunities for creative expression through the establishment of local culture and art centers in various regions, with resources needed for artistic cultural activities; 5) extend recognition of artistic achievement through awards, grants and services to artists and cultural groups which contribute significantly in the Filipino's cultural legacy; 6) promote the interests and welfare of artists and cultural workers by protecting their rights to intellectual and artistic properties as well as by associations which shall promote and protect the economic and moral rights of artists over the country; 6) encourage and support research into Philippine artistic traditions which may be adopted for the creation of contemporary forms; 	

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						<p>7) adopt measures and recommend legislations to protect the intellectual and artistic rights and properties of Filipino artists, cultural workers and other matters concerning culture and arts;</p> <p>8) explore and adopt the best possible structure of relationship between the public and private sector at the local level, taking into account varying socio-cultural situations.</p> <p>9) To conserve and promote the nation's historical and cultural heritage, it shall;</p> <p>10) support, monitor and systematize the retrieval and conservation of artifacts of Filipino culture and history and all Filipino cultural treasures from all over the archipelago and other countries;</p> <p>11) encourage and support the study, recognition and preservation of endangered human cultural resources such as weavers, chanters, dancers, and other craftsmen as well as the conservation and development of such artistic, linguistic and occupational skills as are threatened with extinction;</p> <p>12) support and promote the establishment and preservation of cultural and historical monuments, markers, names and sites;</p> <p>13) encourage and support the establishment and/or maintenance all over the country of museums, libraries, archives, private or public, as repositories, respectively of all cultural/historical artifacts and artistic creation, printed works, archival records and all other materials indispensable to the study and evaluation of Filipino culture and history;</p> <p>14) encourage the private sector to establish and maintain private museums and libraries;</p>	

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						<p>15) encourage and support scholarly research into and documentation of Philippine cultural traditions, arts and crafts, as well as significant cultural movements, achievements and personalities especially in the literary, visual and performing arts; and in mass media, as well as the various aspects of Filipino culture;</p> <p>16) encourage and support the writing of Philippine history from the Filipino perspective;</p> <p>17) encourage, support and systematize the audio-visual documentation of Filipino cultural expressions in the contemporary period.</p> <p>18) To ensure the widest dissemination of artistic and cultural products among the greatest number across the country and overseas for their appreciation and enjoyment, it shall, with the cooperation of the Departments of Education, Culture and Sports, Tourism, Interior and Local Government, Foreign Affairs and all other concerned agencies, public and private:</p> <p>19) cause to be established and developed an intensified arts education program at all levels of the educational system, public and private, to ensure meaningful arts integration across the school curriculum;</p> <p>) encourage and support programs through publication, exhibition, production, performance, staging, and reproduction of original Filipino creations;</p> <p>) coordinate and provide technical and/or financial assistance for cultural events and related activities such as cultural festivals, competitions, lecturers, seminars, from and symposia;</p> <p>) encourage and monitor a comprehensive translation</p>	

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						<p>program which shall make works by Filipinos and selected foreign classics equally accessible to Filipino as well as international readers;</p> <p>) promote the popularization of information about artistic and cultural achievements and programs, in coordination with government agencies and non-government organizations and institutions;</p> <p>) reorient tourism programs to become an instrument for popular education of our people and other about the best of our heritage and creativity;</p> <p>) undertake a systematic collection of statistical and other data which reflects the state of cultural conditions in the country, to serve as essential quantitative and qualitative basis for formulating cultural policies; and</p> <p>) create and support a sustained program of international cultural exchange, scholarships, travel grants and other forms of assistance;</p> <p>) promulgate standards and guidelines for the protection and promotion of Filipino artists, cultural workers and creative works in other countries;</p> <p>0) encourage and support the continuous training of cultural workers and administrators by qualified trainers.</p> <p>) To preserve and integrate traditional culture and its various creative expressions as a dynamic part of the national cultural mainstream, it shall;</p> <p>) help set up or encourage, monitor and subsidize companion systems at the regional, provincial and local levels, intended to develop traditional cultures such as arts/crafts centers, preferably in community settings apart from the usual museum settings, where</p>	

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						<p>exponents of living and crafts can practice and teach their art an enrich contemporary designs;</p> <p>) encourage and subsidize cultural research and the retrieval of cultural research information (e.g. folklore, dance, music, crafts) through the training of students, teachers, and cultural researchers, and their revitalization by practice and performance;</p> <p>) ensure that the ultimate beneficiaries of all research efforts, tourism programs and other activities affecting cultural communities are the people and cultural communities that are the subject of research, and that their cultures are nurtured rather than violated, damaged, or exploited;</p> <p>) ensure that relevant information is made available to legislators who introduce laws with cultural implication;</p> <p>) encourage and support the continuous training of cultural workers and administrators by qualified trainers.</p> <p>) To ensure that standards of excellence are pursued in programs and activities implementing policies herein stated, it shall encourage and support continuing discussion and debate, through symposia, workshops, publications, etc., on the highest norms available in the matrix of Philippine culture.</p> <p>Sec. 13. Powers and Functions. - To carry out its mandate, the Commission shall exercise the following powers and functions:</p> <p>) encourage and facilitate the organization of a network of regional and local councils for culture and the arts, hereunder described, to ensure a broad nationwide, people-based participation in the</p>	

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						<p>formulation of plans, the enforcement of culture-related laws and regulations, the implementation of programs/projects and the review of funding requirements.</p> <p>) establish a secretariat under an Executive Director for the administrative and day-to day operations of the Commission;</p> <p>) set up a system of networking and coordination with and among all existing government cultural agencies for the effective implementation of programs and activities;</p> <p>) create committees and other mechanisms to help expedite the implementation of plans and strategies;</p> <p>) call upon and coordinate with other government and non-government art and cultural institutions and agencies for assistance in any form;</p> <p>) generate resources, both from the Government and private sectors, local, national and international, for its operation, as well as for the National Endowment Fund for Culture and Arts;</p> <p>) receive and accept donations and other conveyances including funds, materials, and services, by gratuitous title;</p> <p>) administer the National Endowment Fund for Culture and Arts and give grants for the development, protection, preservation and dissemination of Philippine culture and arts, and designate a comptroller;</p> <p>) prepare an annual budget of the Commission and submit the same to the President for inclusion in the annual General Appropriations Act;</p> <p>) advise the President on matters pertaining to culture</p>	

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						<p>and the arts, including the creation of a special decoration or award, for persons who have significantly contributed to the development and promotion of Philippine culture and arts;</p> <p>) promulgate rules, regulations and undertake any and all measures as may be necessary to implement this Act;</p> <p>) regulate activities inimical to preservation/conservation of national cultural heritage/properties.</p> <p>Sec. 14. The Secretariat. - The Commission shall organize a secretariat headed by an Executive Director. The Commission shall fix its staffing pattern; determine the duties, qualifications, responsibilities and functions as well as the compensation scheme for the positions to be created upon the recommendation of the Executive Director. The staffing pattern shall be approved and prescribed by the Commission within one hundred twenty (120) days from the approval of this Act.</p> <p>Sec. 15. The Subcommissions. - The Commission shall oversee the operation and maintenance of National Committees under the following Subcommissions:</p> <p>) Subcommission on Cultural Heritage, which shall cover but will not be limited to the following areas: libraries and information services, archives, museums, galleries, monuments, and sites, and historical research;</p> <p>) Subcommission on the Arts, which shall cover but he will not be limited to the following areas; literary arts, visual arts, architecture, dramatic arts, broadcast arts, musical arts, dance, and film;</p>	

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						<p>) Subcommission on Cultural Dissemination, which shall cover but will not be limited to the following areas: language and translation, cultural events, cultural education and information;</p> <p>) Subcommission on Cultural Communities and Traditional Arts, which shall cover but will not be limited to the following areas; Agta culture and arts, cultures and arts of Northern cultural communities, Southern cultural communities, Muslim cultural communities, and lowland cultural communities.</p> <p>Sec. 16. Local, Provincial or Regional Councils. - The Commission may establish or coordinate with local, provincial, or regional government or non-government councils/groups to promote, develop and implement programs and plans of the Commission.</p> <p>Sec. 17. The National Advisory Board. - The chairpersons of the National Committees shall form the National Advisory Board. and</p> <p>Sec. 18. The National Cultural Agencies. - The Commission shall coordinate with the national cultural agencies including but not limited to the Cultural Center of the Philippines, the Institute of Philippine Languages, the National Historical Institute, the National Library, the National Museum, the Records Management and Archives Office, However, they shall continue operating under their respective charters or as provided by law where provisions therein are not inconsistent with the provisions of this Act. They shall serve as the national repository and/or showcase, as the case may be of the best of Philippine culture and arts. For this purpose, these agencies shall submit periodic reports, including recommendations to the</p>	

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						<p>Commission.</p> <p>Sec. 19. Program Plans. - The Commission shall within three (3) months after having been officially constituted and finally staffed, adopt and immediately cause to be implemented in coordination with cultural agencies, a short-range program in support of relevant existing projects and activities; and within six (6) months, a long range three-year development program. This development program shall be developed and subjected to annual review and revision by the Commission in coordination with the councils as well as public and private cultural agencies and organizations.</p> <p>Sec. 20. The National Endowment Fund for Culture and Arts. - A National Endowment Fund for Culture and Arts (the Fund) is hereby established exclusively for Philippine art and cultural programs, projects and activities all over the country.</p> <p>) The contribution of the Fund shall be the following:) the amount of One hundred million pesos (P100,000,000.00) as seed capital shall be taken from the Philippine Amusement and Gaming Corporation (PAGCOR) fund at Five million pesos (P5,000,000.00) per month for twenty (20) months: Provided, That no grant shall be awarded by the Commission except from the interest drawn from the funds; Provided, further, That no grant shall be awarded until after one (1) year from the organization of the Fund.</p> <p>) ten percent (10%) of the travel tax collection, the share to be taken from the annual allotment of the travel tax given to the Philippine Tourism Authority.</p>	

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						<p>) Government corporations are hereby authorized to give grants to the Fund at their discretion, but not to exceed fifteen percent (15%) of their unimpaired surplus;</p> <p>) The private portion of the Fund shall be raised from donations and other conveyances including funds, materials, property and services, by gratuitous title;</p> <p>) Contributions to the Fund shall be deductible for income tax purposes in accordance with the provisions of Section 29(h)(2)(A) of the National Internal Revenue Code;</p> <p>) For the sound and judicious management of the Fund, the Commission shall appoint a reputable government-accredited investment institution as Fund Manager, subject to guidelines promulgated by the Commission;</p> <p>) The Commission shall be the administrator of the Fund, and as such, shall prepare implementing guidelines and decision-making mechanisms, subject to the following:</p> <p>) unless otherwise stipulated by the private donor, only earnings of private contributions shall be used;</p> <p>) no part of the seed capital of the Fund, including earnings, thereof, shall be used to underwrite overhead expenses for administration;</p> <p>) not more than twenty percent (20%) of the Government's annual contribution to the Fund shall be devoted to administrative functions of the Commission; at least ten percent (10%) shall be earmarked as part of the fund's capital, and the balance shall be used for its programs and projects;</p> <p>) The Commission shall organize a separate staff,</p>	

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						<p>administratively independent of the secretariat to be headed by a comptroller appointed by and directly responsible and accountable to the Commission;) There shall be an external auditor to perform an annual audit of its performance;) The Fund shall be exempt from pre-audit by the Commission on Audit. Sec. 21. Tax Exemption. - The Commission shall be exempt on all its income and duty obligations. All materials that are reasonably necessary and are not manufactured or produced locally for the use of the Filipino artists shall be tax of duty free. sec. 22. Revolving Fund. - The income of the Commission not exceeding the amount of Five hundred thousand pesos (P500,000.00) derived from the proceeds of sales of cultural items or publications shall be constituted as a revolving fund for the fabrication of such items or printing of such publications. Sales proceeds in excess of the aforementioned amount shall be remitted to the National Treasury and shall accrue to the General Fund. TITLE III MISCELLANEOUS PROVISIONS Sec. 23. Transitory Provisions. - a) All the personnel, properties, assets and liabilities of the Presidential Commission on Culture and Arts (PCCA) created by Executive Order No. 188, are hereby transferred to the Commission as its successor-in-interest.) within a period of one year after the first meeting of the Commission, it shall harmonize the policies of the cultural agencies referred to, but limited to those</p>	

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						<p>enumerated in Section 18 of this Act, with those of the Commission as over-all policy-making and coordinating body, as herein indicated.</p> <p>Sec. 24. Notice or Consent Requirement. - If any organizational change herein authorized is of such substance or materiality as to prejudice third persons with rights recognized by law or contract such that notice to or consent of said persons or creditors is required to be made or obtained pursuant to any agreement entered into with any of such creditors, such notice or consent requirement shall be complied with prior to the implementation of such organizational change.</p> <p>Sec. 25. Separability Clause. - Any portion or provision of this Act that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions thereof as long as such remaining portions or provisions can still subsist and be given effect in their entirety.</p> <p>Sec. 26. Saving Clause. - All laws, rules, regulations, other issuances or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly. All provisions of Executive Order No. 118 not inconsistent with this Act shall however remain in full force and effect.</p> <p>Sec. 27. This Act shall take effect immediately upon its approval.</p> <p>Approved: April 3, 1992</p> <p>na</p>	
CREATION OF COMMISSION	Memorandum Circular No. 117 s. 1993	Approving and directing the implementation of	Philippine Development Plan for	Ferdinand E. Marcos	04/07/1993	Na	na

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S AND ADMINISTRATIVE BODIES		the Philippine Development Plan for Culture and the Arts	Culture and the Arts				
CULTURAL HERITAGE	PRESIDENTIAL DECREE NO. 15 s.1972	CREATING THE CULTURAL CENTER OF THE PHILIPPINES, DEFINING ITS OBJECTIVES, POWERS AND FUNCTIONS AND FOR OTHER PURPOSES	CULTURAL CENTER OF THE PHILIPPINE S	Ferdinand E. Marcos	10/05/1972	<p>October 5, 1972 PRESIDENTIAL DECREE NO. 15 CREATING THE CULTURAL CENTER OF THE PHILIPPINES, DEFINING ITS OBJECTIVES, POWERS AND FUNCTIONS AND FOR OTHER PURPOSES</p> <p>WHEREAS, one of the priority measures pending before Congress prior to the promulgation of Proclamation No. 1081 dated September 21, 1972, was House Bill No. 4454 creating the Cultural Center of the Philippines; and</p> <p>WHEREAS, this measure is necessary to establish and enable the Cultural Center of the Philippines as a non-municipal public corporation to implement more effectively and vigorously the constitutional injunction that arts and letters shall be under the patronage of the State.</p> <p>NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081 dated September 21, 1972, and General Order No. 1 dated September 22, 1972, as amended, in order to promote, enhance and develop Philippine culture, do hereby order and decree that House Bill No. 4454 of the Seventh Congress of the Philippines, Sixth Special Session, with certain modifications shall be, as it is hereby</p>	Creation of CCP

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						<p>adopted, approved and made as part of the law of the land, as follows:</p> <p>Sec. 1. Name and Location. - Pursuant to the constitutional mandate that arts and letters shall be under the patronage of the State, there is hereby created a body corporate to be known as the Cultural Center of the Philippines, hereinafter referred to as the Center, with its main executive office in the City of Manila.</p> <p>Sec. 2. Purposes and Objectives. - The Center shall have the following purposes and objectives:</p> <p>(a) To construct, establish and maintain in a single site a national theater, a national music hall, an art gallery and such other buildings and facilities as are necessary or desirable for the holding of conferences, seminars, concerts and the like;</p> <p>(b) To awaken the consciousness of our people to our cultural heritage, and to encourage them to assist in its preservation, promotion, enhancement and development;</p> <p>(c) To cultivate and enhance public interests in, and appreciations of, distinctive Philippine arts in various fields; cd</p> <p>(d) To discover, assist and develop talents, connected with Philippine cultural pursuits and create greater opportunities for individual and national self-expression in cultural affairs;</p> <p>(e) To encourage the organization of cultural groups, associations or societies and the holding or staging of cultural exhibitions, performances and similar activities.</p> <p>Sec. 3. Nature. - The corporation hereby created shall</p>	

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						<p>be a non-municipal public corporation. Its property, real and personal, shall belong to and be managed exclusively by the corporation for the benefit of the Filipino people. Any income that may be derived from its projects and operations shall be invested in a Cultural Development Fund set up to attain the objectives of this Act, or utilized for such purposes as its governing board may decide upon, consistent with the purposes herein provided. It shall enjoy autonomy of policy and operation but may seek the assistance and cooperation of various government offices in pursuit of its objectives.</p> <p>Sec. 4. General Corporate Powers. - The Cultural Center of the Philippines shall have perpetual succession with the power to sue and be sued; to contract and be contracted with; to own and hold such real and personal property as shall be necessary for corporate purposes; to receive real and personal property by gift, devise, or bequest; to adopt a seal and alter the same; to adopt by-laws, rules and regulations not inconsistent with the provisions of this Act; and generally, to do all such acts and things as may be necessary to carry into effect the provisions of this Act.</p> <p>Sec. 5. Existence. - The corporation shall have perpetual succession. Within sixty (60) days from the approval of this Act, the President of the Philippines shall issue a proclamation declaring the dissolution of the trust created by Executive Order No. 30 dated June 25, 1966, known as the Cultural Center of the Philippines and transferring all the properties including the Cultural Development Fund at present managed by</p>	

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						<p>an investment bank and a parcel of land covered by Presidential Proclamation No. 316 dated December 15, 1967, as well as all obligations thereof to the new Center created herein.</p> <p>Sec. 6. Board of Trustees. - The governing powers and authority of the corporation shall be vested in, and exercised by, a Board of nine (9) trustees who shall serve without compensation.</p> <p>(a) The trustees appointed by the President of the Philippines pursuant to Executive Order No. 30 dated June 25, 1966, and currently holding office shall be the first Trustees to serve on the Board of the new Center and shall be known as Founding Trustees. They shall elect the remaining trustees for a complete Board of nine (9) members. Elected trustees shall hold office for a period of four (4) years.</p> <p>(b) Vacancies in the Board of Trustees due to termination of term, resignation, incapacity, death or other cause as may be provided in the By-laws, shall be filled by election by a vote of a majority of the trustees held at the next regular meeting following occurrence of such vacancy. The elected trustee shall then hold office for a complete term of four years unless sooner terminated by reason of resignation, incapacity, death or other cause. Should only one trustee survive, the vacancies shall be filled by the surviving trustee acting in consultation with the ranking officers of the Center. Such officers shall be designated in the Center's Code of By-laws. Should for any reason the Board be left entirely vacant, the same shall be filled by the President of the Philippines acting in consultation with the aforementioned ranking</p>	

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						<p>officers of the Center.</p> <p>(c) No person may serve as trustee who is not a resident of the Philippines, of good moral standing in the community and at least 25 years of age: Provided, That there shall always be a majority of the trustees who are citizens of the Philippines. Trustees may not be reelected for more than two (2) consecutive terms.</p> <p>(d) A trustee who shall seek a political office shall be deemed automatically resigned upon filing of the certificate of candidacy.</p> <p>(e) The majority of the trustees holding office shall constitute a quorum to do business.</p> <p>Sec. 7. By-Laws. - The Board of Trustees shall ordain and promulgate the rules and regulations governing the Center, providing for, among other things, the organization, regular monthly, special and annual meetings of the Board, its officers, their powers and duties, as well as other officers, and their duties, of the Center, in a Code of By-Laws which shall be passed by an affirmative vote of majority plus one of all the members. Amendments thereto shall likewise be made by a similar vote of the trustees at any meeting of the Board duly convened.</p> <p>Sec. 8. Appointment of Personnel. - The Chairman, with the confirmation of the Board, shall have the power to appoint all officers, staff and personnel of the Center with such compensation as may be fixed by the Board, who shall be residents of the Philippines. The Center may elect membership in the Government Service Insurance System and if it so elects, its officers and employees who qualify shall have the same rights and privileges as well as obligations as those enjoyed</p>	

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						<p>or borne by persons in the government service. Officials and employees of the Center shall be exempt from the coverage of the Civil Service Law and Rules.</p> <p>Sec. 9. Chapters. - The Center shall establish regional cultural centers in all regions of the Philippines in pursuit of the purposes and objectives for which it is hereby organized. cd</p> <p>Sec. 10. Title to Properties. - The corporation hereby created shall succeed to all rights, title and interests of the trust created by Executive Order No. 30 dated June 25, 1966, known by the same name, to properties of all classes within the territory of the Philippines and assume all its obligations upon proclamation by the President of the dissolution of the trust and transfer of all its rights and obligations to the corporation.</p> <p>Sec. 11. Finances. - The corporation shall be financed both by the income from its various assets and from its operation, as well as by contributions from the private sector either from local or foreign sources. For permanent support of the Center, the equivalent of five (5%) per centum of the total annual collections of all taxes on amusement is hereby set aside and appropriated for the yearly maintenance and support of the Center. Government corporations are hereby authorized to make such contributions to the Center from time to time as their discretion decide, provided that said contributions do not exceed fifteen per centum (15%) of their annual unimpaired surplus. Contributions to the Center shall be considered as deductions deductible in full and shall not be included for purposes of computing the maximum amounts</p>	

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						<p>deductible under the first paragraph of Section 30 (h) of Commonwealth Act No. 466, as amended.</p> <p>Sec. 12. Title to Land Site. - The parcel of land described in and embraced by Presidential Proclamation No. 316 dated December 15, 1967, is hereby assigned, transferred and conveyed to the Center in fee simple provided only that the same as well as all improvements thereon and all other properties of the Center after payment of obligations shall revert to the Government of the Philippines when and if the Center ceases to exist.</p> <p>Sec. 13. Tax Exemption. - The Center shall be exempt from all forms of taxation whatever and from duties and all other imposts on any equipment, articles or goods that it may import from abroad which may be reasonably necessary for use in or as part of its operations.</p> <p>Sec. 14. Annual Report. - The corporation shall, at the end of every calendar year, submit to the President of the Philippines and Congress an annual report containing the activities of the corporation and showing clearly its exact financial condition, the sources of all receipts and the purposes of all disbursements. cdt</p> <p>Sec. 15. Separability Clause. - If any clause, paragraph or part of this Act shall be adjudged to be invalid, the same shall not affect, impair or invalidate the other provisions of this Act.</p> <p>Sec. 16. Effectivity. - This Act shall take effect upon its approval.</p> <p>DONE in the City of Manila, this 5th day of October, in the year of Our Lord, nineteen hundred and seventy-</p>	

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CULTURAL AWARDS	PRESIDENTIAL DECREE NO. 208 s. 1973	GRANTING CERTAIN PRIVILEGES AND HONORS TO NATIONAL ARTISTS AND CREATING A SPECIAL FUND FOR THE PURPOSE	Recognition of the National Artists	Ferdinand E. Marcos	06/07/1973	two. WHEREAS, the arts and letters are under the patronage of the State, as embodied in the Constitution; WHEREAS, the arts and letters are truly reflective of the national genius, in the manner that they are given expression by artists who can retrieve, for the nation, what is true and what is beautiful in Philippine culture; WHEREAS, it is the policy of the Government to grant special privileges to National Artists, in recognition of their contributions to the cultural heritage of the country, as well as in encouragement of a spirit of excellence in the arts and letters; NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081 dated September 21, 1972, and General Order No. 1 dated September 22, 1972, and in furtherance of Proclamation No. 1144 dated May 15, 1973, do hereby order and decree: The following privileges and honors, among others, shall henceforth be made available to National Artists: 1. A cash award of ten thousand pesos (P10,000) upon conferment of the award and decoration of National Artist; 2. A life pension of two thousand pesos (P2,000) payable monthly; 3. Medical and hospitalization benefits; 4. Coverage by a lifetime insurance policy in the amount of fifty thousand pesos (P50,000) by the Government Service Insurance System and/or private	na

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						<p>insurance companies from date of conferment of the award, in the event the National Artist is insurable, the premiums for which shall be paid by the National Government or by donation from any governmental or private entities;</p> <p>5. A place of honor in state functions, national commemoration ceremonies and all other cultural presentations; and</p> <p>6. A state funeral, the arrangements for and the expenses of which shall be borne by the Government, upon the death of the National Artist.</p> <p>In addition, the National Artists Awards Committee, composed of the members of the Board of Trustees of the Cultural Center of the Philippines created to administer the Award and Decoration of National Artist under Proclamation No. 1144 dated May 15, 1973, may authorize the disbursement of funds for the travel expenses of National Artists to and from the places where their works of art may be on official exhibition, for the benefit of the Philippine public. Any person who has been conferred the award and decoration of National Artist shall, as a condition for the retention of such award and decoration, and the privileges and honors decreed hereunder, remain a citizen of the Philippines.</p> <p>There is hereby created a Special Account in the annual General Appropriations Act, with an initial appropriation of Five Hundred Thousand Pesos which is hereby authorized to be appropriated out of any funds in the National Treasury not otherwise appropriated, to carry out the purposes of this Decree. Thereafter, such sum as may be necessary to replenish</p>	

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						<p>said Special Account shall be included in the annual General Appropriation Act. The National Artists Awards Committee shall make and supervise the disbursement of funds in the Special Account: Provided, That the disbursements shall be subject to audit by the Commission on Audit: And provided, further, That a report of such disbursements shall be submitted to the Office of the President of the Philippines once every six months. This Decree is hereby made part of the law of the land and shall take effect immediately. Done in the City of Manila, this 7th day of June, in the year of Our Lord, nineteen hundred and seventy-three. National Artists</p>	
CULTURAL AWARDS	Proclamation No. 1151 s. 1973	Creating the award and decoration of National artist.	International artists award	Ferdinand E. Marcos	06/07/1973	<p>Proclamation No. 1151 Creating the award and decoration of international artist Whereas, it is the declared policy of the State to promote the arts and letters under the Constitution, giving due recognition to those who have made profound contributions to the development of the artistic and cultural heritage of the Philippines; Whereas, it becomes immediately apparent that such persons are not limited to citizens of the Philippines, the arts and letters being a universal medium of expressions free of the restricting confines of geography and nationality; Now, therefore, I, Ferdinand E. Marcos, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081 dated September 21, 1972, and</p>	na

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						<p>General Order No. 1 dated September 22, 1972, do hereby create an Award and Decoration to be known as International Artist, to be conferred upon artists of foreign nationality who have contributed to the advancement of the arts and of the culture of the Philippines.</p> <p>An International Artists Awards Committee is hereby created to administer the conferment of the category of International Artist upon those deserving thereof. The Committee, which, as in the case of the National Artists Awards Committee, shall be composed of the members of the Board of Trustees of the Cultural Center of the Philippines, shall organize itself immediately and shall draft the rules to guide its deliberation of International Artists. These rules shall ensure that only such foreign artists who are of exceptional excellence in their chosen careers, are of world acceptance and acclaim, and through the use of the arts for international peace and progress, have promoted international unity and understanding, shall receive the award.</p> <p>Whenever practicable, International Artists shall be accorded the same privileges and honors given National Artists under Presidential Decree No. 208 dated June 7, 1973, during their stay in the Philippines. In witness whereof, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.</p> <p>Done in the City of Manila, this 7th day of June in the year of Our Lord, nineteen hundred and seventy-three.</p>	
CREATION OF	PRESIDENTIAL DECREE NO.	CREATING THE PHILIPPINE HIGH	Philippine High School	Ferdinand E. Marcos	January 20, 1978	WHEREAS, the arts complement the sciences in the improvement of the quality of human life and in	na

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COMMISSIONS AND ADMINISTRATIVE BODIES	1287 s. 1978	SCHOOL FOR THE ARTS	for the Arts			<p>working for the integrated and total development of the nation;</p> <p>WHEREAS, it is the total person who can make the most meaningful contribution toward a just and humane society, and in developing national pride and identity;</p> <p>WHEREAS, a just and humane society is necessary for the growth and full development of the precepts on which the new Philippine society is built; and</p> <p>WHEREAS, the Philippine Constitution provides that arts and letters shall be under the patronage of the state.</p> <p>NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order:</p> <p>Section 1. There is hereby established a high school to be known as the Philippine High School for the Arts, which shall be attached to the Cultural Center of the Philippines for policy and program implementation with special emphasis on subjects pertaining to the arts, with the end in view of preparing it students for a career in the arts.</p> <p>Section 2. The School shall be headed by a Director. He shall be appointed by the Chairman of the Board of Trustees as hereinafter provided, which Board shall also fix his compensation and the term of his office. His functions, powers and duties, in addition to those specifically pertaining for in this Decree, shall be those usually pertaining to the office of the principal of any high school in the Philippine educational system.</p> <p>Section 3. The Philippine High School for the Arts</p>	

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						<p>shall have Board of Trustees, hereinafter referred to as the Board, which shall be composed of the President of the Cultural Center of the Philippines, as chairman, the Undersecretary of Education and Culture as vice-chairman, and the following members: the Directors of the Philippine High School for the Arts, and a representative for each of the following fields: music, dance, drama and visual arts. The members shall receive a per diem of two hundred pesos (P200) per session of the Board.</p> <p>The members of the Board representing music, dance, drama and visual arts shall be appointed by the Chairman of the Board.</p> <p>Section 4. The Board shall have all the powers and prerogatives of a board of directors of a private corporation. It shall also have the following powers, among others:</p> <ul style="list-style-type: none"> a) To fix the site of the school; b) To receive and appropriate for the ends specified by law such sums as may be provided by law for the support of the high school; c) To approve appointment made and contracts entered into by the Director in connection with the employment of teachers, lectures and other employees of the school, subject to the provisions of Section twelve of this Decree; to fix their compensation and other conditions of employment; and to remove them for cause after proper investigation; d) To provide fellowships for faculty members and approve the grant of scholarships, stipends and such other allowances to deserving students; e) To establish criteria for the selection and admission 	

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						<p>of students which shall include, among others, national competitive examinations;</p> <p>f) To approve the issuance of certificates or diplomas to successful candidates for graduation;</p> <p>g) To receive in trust legacies, gifts, and donations of real and personal property of all kinds and to administer the same for the benefit of the High School or ford to any of its students.</p> <p>Section 5. A quorum of the Board shall consist of majority of all the members holding office at the time a meeting is called.</p> <p>Section 6. On or before the first of June of each year the Board shall submit to the President of the Philippines a detailed report on the progress, condition and needs of the High School.</p> <p>Section 7. There shall be an Executive Council consisting of the Director, the Assistant Director, as hereinafter provided, the heads of departments, and such, other ranking faculty members or officials of the High School as may be determined by the Director. The Council shall have the power to screen and select the students to be admitted to the High School, to select students who shall be recipients of scholarships, stipends and other allowances, and to develop the curricula, course or study, and rules of discipline. The Council shall implement and execute the policies laid down by the Board and exercise such other functions, powers and duties as the Board may prescribe.</p> <p>Section 8. There shall be an Assistant Director who shall assist the Director in the arts education phase of the school. In the absence of the Director, he shall assume such administrative and supervisory functions</p>	

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						<p>of the Director as may be authorized him by the board. He shall be appointed by the Chairman of the Board subject to the approval of the same Board, which shall also fix his compensation.</p> <p>Section 9. There shall be a register of the High School who shall also act as Secretary of the Board, to be appointed by the Director with the approval of the Board. He shall keep all records of the school.</p> <p>Section 10. There shall be a treasurer of the High School who shall be appointed by the Director with the approval of the Board.</p> <p>All accounts and expenses of the High School are public in nature, and shall be audited by the Chairman of the Commission on Audit or his duly authorized representative.</p> <p>Section 11. All legacies, gifts and donations for the benefit of the High School or for its support and maintenance or ford to any of its students shall be tax-exempt and shall be an allowable deduction from the gross-income of the donors. For the purpose of the income tax, the high school shall be exempt from payment of all taxes, fees, assessments and other charges of the Government, its branches and subdivisions. It shall likewise be exempt from taxes and duties on any equipment, books, articles, goods or services it may import from abroad, including withholding taxes on honoraria or fees paid by the high school to visiting lecturers or professors from abroad.</p> <p>Section 12. All incomes and donations to the High School created under this decree shall be formed into a fund, to be known as the Arts High School fund. This</p>	

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						<p>fund shall be expended as authorized by the Board exclusively for the purpose of this Decree.</p> <p>Section 13. To carry out the purposes of this Decree the amount of one and a half million pesos is hereby appropriated and shall be made available from the funds of the National Treasury not otherwise appropriated. Thereafter, this amount to be utilized for the expenses of the High School, for the purpose above described shall be provided in the yearly General Appropriation Act of the national government.</p> <p>Section 14. All laws, rules and orders inconsistent with the provisions of this Decree are hereby repealed, amended or modified accordingly.</p> <p>Section 15. This Decree shall take effect immediately.</p> <p>Done in the City of Manila, this 20th day of January, in the year of Our Lord, nineteen hundred and seventy-eight.</p>	
CREATION OF COMMISSIONS AND ADMINISTRATIVE BODIES	PRESIDENTIAL DECREE NO. 1779 s. 1981	AMENDING PRESIDENTIAL DECREE NO. 1287 CREATING THE PHILIPPINE HIGH SCHOOL FOR THE ARTS	Creation of the Philippine High School for the Arts	Ferdinand E. Marcos	January 15, 1981	<p>WHEREAS, Presidential Decree No. 1287 was promulgated on 20th of January 1978 creating the Philippine High School for the Arts; and</p> <p>WHEREAS, since organization of said High School, it has been found necessary to enlarge and change the composition of the Board of Trustees thereof, to better serve the purposes and functions of the school;</p> <p>NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order:</p> <p>Section 1. Section 3 of Presidential Decree No. 1287 is hereby amended to read as follows:</p> <p>"Sec. 3. The Philippine High School for the Arts shall have a Board of Trustees, hereinafter referred to as the</p>	na

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						<p>Board, which shall be composed of the Founding Chairman of the Cultural Center of the Philippines, as Chairman, the Undersecretary of Education and Culture as Vice-Chairman, and the following members: two representatives from the Cultural Center of the Philippines Central Administration, the Director of the Philippine High School for the Arts, and one representative each for music, drama, dance and the visual arts. The members shall receive a per diem of Two Hundred Pesos (P200.00) per session of the Board.</p> <p>The members of the Board representing the visual arts, music, dance and drama shall be appointed by the Chairman of the Board.</p> <p>Section 2. This Decree shall take effect immediately. Done in the City of Manila, this 15th day of January, in the year of Our Lord, nineteen hundred and eighty-one.</p>	
CULTURAL HERITAGE	Republic Act No. 8492 s. 1998	An Act establishing a National Museum System, providing for its permanent home and for other purposes	National Museum	Fidel V. Ramos	02/12/1998	<p>REPUBLIC ACT NO. 8492 AN ACT ESTABLISHING A NATIONAL MUSEUM SYSTEM, PROVIDING FOR ITS PERMANENT HOME AND FOR OTHER PURPOSES</p> <p>SECTION 1. Short title. - This Act may be known as the National Museum Act of 1998."</p> <p>SECTION 2. Declaration of policy. - It is the policy of the State to pursue and support the cultural development of the</p>	National Museum Act of 1998

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						<p>Filipino people, through the preservation, enrichment and Dynamic evolution of Filipino national culture, based on the Principle of unity in diversity in a climate of free artistic and intellectual expression.</p> <p>SECTION 3. Conversion of the National Museum. - To implement he above declared State policies, and to ensure its Independence and autonomy, the present National Museum thereafter referred to as the Museum, is hereby converted into a rust of the government. The National Museum is detached from he Department of Education, Culture and Sports and from the National Commission of Culture and the Arts. It shall be placed Solely for budgetary purposes under the Office of the resident.</p> <p>The Museum, as established under this Act shall be known by the name of "National Museum," and by that name shall be known and have perpetual succession with the power, limitations, and Restriction hereafter contained and no other.</p>	

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						<p>the National Museum shall be a permanent institution in the service of the community and its development, accessible to the public, and not intended for profit. It shall obtain, keep, study and present material evidence of man and his environment. The National Museum shall inform the general public about these activities for the purpose of study, education and entertainment.</p> <p>The primary mission of the National Museum shall be to acquire documents, preserve, exhibit, and foster scholarly study and Appreciation of works of art specimens and cultural and historical artifacts.</p> <p>Pending its reorganization by the board of trustees, the National Museum shall be composed of the Museum structure, organization and its collection, properties, assets and liabilities.</p> <p>SECTION 4. Permanent Home; Evidence of title to site and Buildings. - The whole Executive House Building also known as the old Congress Building, the Department of Finance</p>	

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						<p>building and Department of Tourism building on Agrifina Circle shall be the permanent and exclusive site of the Museum. They shall be known as the National Museum Complex. The Executive House shall now be known as the "National Museum."</p> <p>The site and lands selected for the building for the Museum shall be deemed appropriated to the Museum, and the record of the description of such site and lands, or a copy thereof, certified by the Chairman and Secretary of the Board of Trustees, shall be received as evidence in all courts of the extent and boundaries of the lands appropriated to the Museum.</p> <p>SECTION 5. Preservation of the Senate Session Hall. - The National Museum shall preserve the Senate Session Hall as a tribute to the legacy of the great men and women of the Philippine Senate for their invaluable contributions to the Filipino people, and as a relic where democracy and freedom</p>	

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						<p>Reigned and events of national significance transpired.</p> <p>SECTION 6. Objectives. - The Museum shall have the following Objectives:</p> <p>6.1. As an educational institution, the National Museum shall take the lead in disseminating knowledge of Filipino cultural and historical heritage and developing a corps of professional knowledgeable about the preservation, enrichment and dynamic evaluation of the Filipino national culture.</p> <p>6.2. As a scientific institution, the Museum shall continue to conduct basic and systematic research programs combining integrated laboratory and field work in anthropology and archaeology, geology and paleontology, botany, and zoology. It shall maintain reference collection on these disciplines and promote scientific development in the Philippines.</p> <p>6.3. As a cultural center, the Museum shall take the lead in the study and preservation of the nation's rich artistic, and cultural heritage, in the reconstruction and</p>	

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						<p>rebuilding of our past, and the development of the national cultural wealth.</p> <p>SECTION 7. Duties and function. - The Museum shall have the following duties and functions:</p> <p>7.1. Acquire documents, collect, preserve, maintain, administer and exhibit to the public, cultural materials, objects of art, archaeological artifacts, ecofacts, relics and other materials embodying the cultural and natural heritage of the Filipino nation, as well as those of foreign origin. Materials relevant to the recent history of the country shall be likewise acquired, collected, preserved, maintained, advertised and exhibited by the Museum;</p> <p>7.2. Conduct researches, archaeological and scientific, on Philippine flora and fauna; collect, preserve, identify and exhibit to the public systematically all types of plants and animals found in the Philippines, prepare for publication manuscripts and scientific papers on them and maintain a reference collection on such subjects;</p> <p>7.3. Document all objects held by the National Museum in its</p>	

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						<p>collection or borrowed by the Museum by registering them in an inventory and cataloguing them, and manage any movement of the collection both within the Museum and elsewhere in such a way that the Museum is able to locate any object in the collection at any time, initially on paper records, but to be converted to computerized records on a professional museum documentation system as soon as time and budget allow.</p> <p>7.4. Conduct researches on the origin, history and geographic distribution of, and to collect, preserve, study and exhibit rocks, minerals and fossils of plants and animals; maintain a reference collection and to prepare for publication scientific studies on them;</p> <p>7.5. Regulate registration, excavation, preservation and exportation of Philippine cultural properties through a legal department and customs department which shall be established for these purposes;</p> <p>7.6. Implement the pertinent provisions of Presidential Decree No. 374, as further amended, and other related</p>	

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						<p>laws on the protection and conservation of cultural properties;</p> <p>7.7. Undertake research on salvage archaeology, monitor and control archaeological excavations, diggings and researches into Philippine pre-history and proto-history;</p> <p>7.8. Gather, identify, reconstruct, restore and maintain a national archaeological reference collection; study archaeological artifacts and ecofacts, with their corresponding data and deduce archaeological interpretations;</p> <p>7.9. Undertake researches on the pre-history of the Philippines in order to define the foundations of the cultures of the people by conducting systematic and controlled archaeological excavations in different sites on land and underwater, and to supplement existing historical documentation;</p> <p>7.10. Collect, preserve, restore and exhibit to the public objects of arts;</p> <p>7.11. Conduct researches on Philippine arts and its relations to the arts of other countries and prepare for</p>	

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						<p>publication research papers on them;</p> <p>7.12. Carry out researches among different people of the Philippines to define the ethnography of each group, to establish the ethnology and to document for posterity and exhibit to the public their traditional and existing cultures, practices and artistic forms expressive of their culture;</p> <p>7.13. Collect, acquire, identify, reconstruct, restore, preserve and maintain ethnographic items; gather their interpretations; mount exhibitions and prepare technical manuscripts for publication;</p> <p>7.14. Maintain a chemical and physical laboratory where scientific analysis of materials recovered from archaeological and ethnographic sites may be undertaken for their preservation;</p> <p>7.15. Plan, organize and stage exhibitions in all disciplines covered by the Museum geology, cultural properties, zoology, botany, archaeology, arts, anthropology, restoration and engineering;</p> <p>7.16. Plan and organize library services, guided tours, lectures, seminars, symposia or workshops;</p>	

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						<p>7.17. Implement and enforce Presidential Decree Nos. 260, 374, 756, 1109, 1492, 996, 1683 and 1726-A;</p> <p>7.18. Supervise restoration, preservation, reconstruction, demolition, alteration, relocation and remodeling of immovable properties and archaeological landmarks and sites;</p> <p>7.19. Disseminate astronomical knowledge and information through planetarium shows, lectures and demonstrations, exhibits and actual celestial observations;</p> <p>7.20. Maintain, preserve, interpret and exhibit to the public the artifacts in sites of the Paleolithic habitation site of the possible earliest man to the Philippines, the Neolithic habitation of the ancient Filipino at the Tabon Caves, and other important archaeological sites;</p> <p>7.21. Secure and receive bilateral and international grants and endowments to support its programs/projects.</p> <p>7.22. Initiate, promote, encourage and support the establishment and promotion of, and extend management, technical and financial assistance to regional, provincial,</p>	

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						<p>city and/or local museums; and</p> <p>7.23. Develop and implement consortium agreements and linkages with institutions of higher learning and other organizations engaged in similar researches being undertaken by the National Museum.</p> <p>SECTION 8. Board of trustees. - The business of the Museum shall be conducted at the city of Manila by a Board of Trustees to be composed of the Chairmen of the Committees on Education of the Senate and House of Representatives, the Chairperson of the National Commission for Culture and the Arts and seven (7) representatives from the private sector. Of the seven (7) representatives from the private sector, there shall be included, one (1) distinguished Filipino Artist, one (1) distinguished Filipino Scientist, and one (1) distinguished Filipino historian.</p> <p>The private sector representatives shall be selected on the basis of their demonstrated interest in and commitment to arts and culture.</p>	

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						<p>The Director of the National Museum is an ex-officio member of the Board of Trustees.</p> <p>The chairman of the Board shall be appointed by the President of the Philippines. The President shall be the National Museum's Honorary Chairman and patron.</p> <p>SECTION 9. Appointment of trustees. - The private sector Representatives shall be appointed by the President of the Philippines from a short list nominated by recognized NGOs in the Museum and cultural sectors, as well as by prestigious business groups.</p> <p>If the private sector representatives, three (3) shall be Appointed for a four-year term; three (3) shall be appointed or a two-year term; and one (1) shall be appointed for a one-year term.</p> <p>They shall all be eligible for one reappointment. Appointment to a position vacated due to death, disability, resignation or Any similar cause, shall be for the duration of said unexpired</p>	

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						<p>term only.</p> <p>SECTION 10. Organization of board; expenses, gratuitous services; powers. - The Board of Trustees shall meet in the City of Manila and elect five (5) of their members as an executive committee, and shall fix the time for the regular meetings of the Board; and, on application of any three (3) of the trustees to the Director of the Museum, it shall be his duty to call a special meeting of the Board of Trustees, of which he shall give notice, by letter, to each of the members. The Board 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 shall be paid his necessary travel and other actual expenses, in attending meetings of the board, which shall be audited by the executive committee, and recorded by the Director of the Museum; but his service as trustee shall be gratuitous.</p>	

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						<p>The Board may establish such other committees as it may deem proper. The Chairman of any committee to be established must be member of the Board.</p> <p>The Board 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 acquisition, exhibition, and loan of works of art, the administration of its trust funds, and the organization and procedure of the Board.</p> <p>SECTION 11. Director of the National Museum; duties; programs and studies; annual report to Congress. - The Board of Trustees shall appoint the Director of the Museum and two (2) Assistant Directors. The Director shall be in charge of the over-all operations of the Museum and implement the policies set by the Board of Trustees and programs approved by it. The</p>	

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						<p>Director shall have a proven track record of competent administration and shall be knowledgeable about Museum management.</p> <p>The Director assisted by two (2) Assistant Directors shall be in charge of the expanded archaeological sites and the Regional Museum Division of the Museum.</p> <p>SECTION 12. Acting Director. - The Board may, by an instrument in writing filed in the office of the Secretary thereof, designate and appoint an Assistant Director to act as Director when there shall be a vacancy in said office, and whenever the director shall be unable to perform the duties of his office due to illness, absence, or other cause, and in such case the person so appointed may perform all the duties imposed on the director by law until the vacancy shall be filled or such Inability shall cease. The Board may change such designation and appointment from time to time as the interests of the Museum may in its judgment require.</p>	

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						<p>SECTION 13. Salary and removal of Director and Assistants. - he Director and his assistants shall, respectively, receive or their services such sum as may be allowed by the Board of Trustees; and shall be removed by the Board of Trustees whenever, in their judgment, the interests of the Museum require such removal.</p> <p>SECTION 14. Personnel training and development. - The Museum shall undertake training and development programs to upgrade the capabilities of the Museum personnel in the various functions of the Museum.</p> <p>part from the practice of allowing scholars to train abroad on official time, personnel involved in the technical aspects of museology and the graduate programs in the disciplines of anthropology, archaeology, the arts, botany, geology and paleontology, astronomy, and zoology, and services related to he operations of the Museum, shall be allowed to pursue their</p>	

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						<p>graduate programs on official time, subject to the needs of the service, upon approval of the Director.</p> <p>SECTION 15. Exhibition unit and central registry unit. - An exhibition department shall be organized in the Museum that will specialize in the planning, design, and execution of quality exhibitions. The services of highly specialized persons may be engaged. The Director, shall have full supervision over regional museums and their personnel. The regional museums shall serve as information and cultural centers offering comprehensive and substantial collection of local archaeological finds, objects of art and other local cultural treasures.</p> <p>SECTION 17. Reception and arrangement of specimens and objects of art. - Whenever suitable arrangements can be made from time to time for their reception, all objects of art and foreign and Curious research, and all objects of natural history, plants, and geological and mineralogical specimens belonging to the</p>	

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						<p>Philippines, in whosoever custody they may be, shall be delivered to such persons as may be authorized by the Board of trustees to receive them, and shall be so arranged and classified in the Museum as best to facilitate the examination and study of them; and whenever new specimens in natural history, geology, or mineralogy are obtained for the Museum, by exchanges of duplicate specimens, which trustees may in their discretion make, or by donation, which they may receive, or otherwise, the trustees shall cause such new specimens to be appropriately classed and arranged.</p> <p>All specimens, artifacts and objects of art will be registered immediately upon entry to the Museum, and records will be maintained of a objects in the collection or on loan to the museum. An inventory will be kept and updated to reflect any movement of objects within the Museum or elsewhere. The objective will be to add full catalogue entries to the records, based on curatorial expertise. Records will initially be</p>	

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						<p>kept on paper, but should be computerized in a professional museum documentation system as soon as time and budget allow.</p> <p>SECTION 18. Laboratories and facilities. - The Museum shall have laboratories and such other adequate facilities for the conservation, preservation and storage of its collection.</p> <p>SECTION 19. Protection of property. - All laws and ordinances for the protection of public property shall apply to, and be in force for, the protection of the lands, buildings, and other property of the Museum.</p> <p>SECTION 20. Policing of buildings and grounds; authority to deputize. - The Board of Trustees through its secretary, or their authorized representatives, may designate employees of the Museum as special policemen, without additional compensation for duty in connection with the policing of the buildings and grounds of the Museum.</p> <p>The Museum shall also have the authority to deputize</p>	

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						<p>the Philippine National Police and the Armed Forces of the Philippines for the following: 20.1. protection of newly discovered sites from illegal exploitation; 20.2. the reporting of discovery of archaeological sites; and 20.3. the preservation of important archaeological sites in danger of destruction. Pursuant to this authority, it shall be obligatory for the local police and civil authorities, especially city and municipal mayors and barangay chairmen to report to the Museum the discovery of archaeological sites. The local police and civil authorities are tasked with the duty of preventing illegal exploitation by unauthorized persons of discovered sites until such time as the Museum shall have established control over them.</p> <p>SECTION 21. Incentives for discovery of sites. - The Museum is authorized to provide incentives for the reporting of newly discovered archaeological, cultural, and historical sites and</p>	

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						<p>to devise a system of equitable rewards for verified reports of significance.</p> <p>SECTION 22. Appropriation. - The Museum shall continue to submit and receive its annual budget from the general appropriations of the National Government. For this purpose, the Secretary shall submit to Congress annually at the beginning of each regular session thereof a detailed statement of the expenditures of the preceding fiscal year, under appropriations for the "National Museum."</p> <p>The Museum is authorized to include in its estimate of appropriations such sums as may be necessary for the reservation of its art collection.</p> <p>SECTION 23. Museum Endowment Fund. - A Museum Endowment Fund is hereby established to be used for special programs, projects and activities of the Museum in accordance with Section 7 hereof. This Fund shall be administered directly by the Board of Trustees.</p> <p>For this purpose, the sum of Five hundred million pesos (P500,000,000) is hereby appropriated from the</p>	

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						<p>following sources: 23.1 Two hundred fifty million pesos (P250,000,000) from the annual net earnings of the Philippine Charity Sweepstakes Office from its earnings in lotto; 23.2 Two hundred fifty million pesos (P250,000,000) from the annual net earnings of the Philippine Amusement and Gaming Corporation (PAGCOR). Provided, That the foregoing appropriations shall be payable in quarterly remittances within a period of three (3) years until the amount of Five hundred million pesos (P500,000,000) is reached: Provided, further, That the regular operating budget of the Museum, including other operational costs such as the acquisition of collection materials for the national reference collections, procurement of equipment and supplies, studies and research in the various disciplines and exhibition of artistic and historical artifacts, shall be provided for in the General appropriations Act: Provided, finally, That only the</p>	

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						<p>interest of the above Endowment Fund may be expended for the special projects and programs.</p> <p>Donations and bequests to the Endowment Fund from the private sector will be exempt from any and all taxes. The Board of trustees shall direct the investment of the Endowment Fund, and determine annual transfers from its earned interest to the Museum's special projects account.</p> <p>SECTION 24. Disposal of unappropriated money. - The Trustees re authorized to make such disposal of any other moneys which have accrued, or shall hereafter accrue, as interest upon the Museum, not herein appropriated, or not required for the purposes herein provided, as they shall deem best suited for he promotion of the purpose of the Museum.</p> <p>SECTION 25. Exemption from taxes. - The Museum shall be exempt from paying import taxes and tariff duties on all art/display materials and equipment directly used for the</p>	

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						<p>Museum's on-profit programs including but not limited to books, art materials, chemicals for preservation and restoration, exhibit and technical equipment and films.</p> <p>Donations and legacies to the Museum shall be exempt from donor's, estate and inheritance taxes.</p> <p>The Board of Trustees shall recommend to tax authorities the appropriate amount of exemption for donations of objects or donations in kind: Provided, That the Board shall refer to qualified external evaluators to determine the proper evaluation of the donation.</p> <p>SECTION 26. Revolving fund. - The income of the Museum not exceeding the amount of Two million pesos (P2,000,000) derived from the proceeds of the sales of reproductions, cultural items, publications, creation, restoration, conservation, identification, authentication, earnings from planetarium programs, and other auxiliary services shall be constituted as</p>	

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						<p>revolving fund for the use of the Museum.</p> <p>SECTION 27. Merit system; salaries; annual report of salaries. Professional Museum personnel with graduate degrees shall be given the rank and benefits of National Scientists, subject to qualifying standards, equivalent to that prescribed in the scientific career merit system of the government.</p> <p>Museum personnel belonging to the scientific career merit system shall be allowed one (1) year of sabbatical leave for every five years of productive scientific service.</p> <p>With the approval of the Board, the Museum shall prepare and implement a staffing pattern to determine the duties, qualifications, responsibilities and functions as well as the compensation scheme for the personnel, for approval by the Department of Budget and Management.</p> <p>The salaries of the professional and technical staff of the Museum shall be exempt from the salary standardization laws affecting personnel of the civil service.</p>	

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						<p>Report in detail, for the preceding fiscal year, shall be made to Congress annually of the salaries of all officers and employees paid from appropriations under the Museum.</p> <p>SECTION 28. Appointment and compensation of officers and employees; exemption from the attrition law. - The Board may employ such other officers and employees as may be necessary or the efficient administration, operation, and maintenance of the Museum: Provided, That the Board may delegate to the Director the functions provided in this Section.</p> <p>SECTION 29. Exemption from attrition law. - The National Museum shall not be subject to the attrition law.</p> <p>SECTION 30. Hiring of foreign consultants. - Subject to the provisions of the Labor Code and other pertinent legislation, the National Museum may hire foreign consultants and experts.</p> <p>SECTION 31. Health services. - The Museum shall be provided</p>	

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						<p>with adequate health care services.</p> <p>SECTION 32. De-accessioning policy. - The National Museum may provide for a de-accessioning policy for the purpose of upgrading its collection.</p> <p>SECTION 33. The National Museum shall be allowed to charge admission fees. It shall also be open on Saturdays, Sundays and public holidays.</p> <p>SECTION 34. Special budget and audit rules applicable to the Museum. - Recognizing the unique status and special needs of the Museum, the Commission on Audit, Department of Budget and Management and the National Museum shall draw up special rules enhancing and implementing the legislative intention to provide the Museum complete and full flexibility and fiscal autonomy in accordance with generally accepted rules and practices applicable to similar institutions. Said rules shall be drafted and promulgated within sixty (60) days from the effectivity of this Act.</p>	

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						<p>SECTION 35. Penalties. - In addition to the penalties provided under existing laws, any person, including the officers and employees of the museum, found guilty of violating any provision of this Act shall be imprisoned for a term not exceeding two (2) years or a fine not exceeding Ten thousand Pesos (P10,000), or both such imprisonment and fine at the Discretion of the court.</p> <p>SECTION 36. Reorganization. - With the approval of the Board, the Museum shall have the authority to reorganize its structure and staffing pattern in order to carry out its functions.</p> <p>The incumbents in the leadership structure of the existing National Museum shall automatically be upgraded to these analogous positions, with respect to the rest of the personnel, they shall be extended automatic reappointment except those who apt to avail of an early retirement scheme as determined by the Board of Trustees.</p> <p>SECTION 37. Repealing clause. - The provisions of</p>	

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						<p>Philippine Legislative Act No. 3477, Republic Act No. 4846, Presidential Decree No. 374, Executive Order No. 30, Presidential Proclamation No. 913 and other related laws to the extent that they be inconsistent with this Act, are hereby repealed or amended accordingly.</p> <p>SECTION 38. Separability clause. - If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the parts or provisions not affected thereby shall remain in full force and effect.</p> <p>SECTION 39. Effectivity clause. - This Act shall take effect Fifteen (15) days following its publication in the Official gazette or in two (2) newspapers of general circulation, whichever comes first.</p> <p>Approved: February 12, 1998</p>	
CULTURAL COMMUNITIES, MONUMENTS AND SITES	PRESIDENTIAL DECREE NO. 410 s. 1974	DECLARING ANCESTRAL LANDS OCCUPIED AND CULTIVATED BY NATIONAL	Ancestral lands	Ferdinand E. Marcos	March 11, 1974	<p>WHEREAS, it is the avowed policy of the Government to assist landless tenants, whether Christian or Muslim, in acquiring full ownership of the lands occupied or cultivated by them; WHEREAS, tenants in agricultural lands primarily devoted to rice and corn production have been granted</p>	na

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		CULTURAL COMMUNITIES AS ALIENABLE AND DISPOSABLE, AND FOR OTHER PURPOSES				<p>the fullest opportunity to own the land tilled by them in the easiest possible way and under terms less burdensome to them;</p> <p>WHEREAS, under the New Society, the social justice programs are given top priority, and in furtherance thereof a greater portion of the resources of the Government have been channeled to them;</p> <p>WHEREAS, in order to give greater substance to these social justice programs and the endeavors to bring forth equality for all the citizens of this Republic, it is required that landless Muslims and members of other cultural minority groups shall be given the same opportunity to own the lands occupied and cultivated by them, which lands were likewise occupied and cultivated by their ancestors.</p> <p>NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines by virtue of the powers in me vested by the Constitution as Commander-in-Chief of the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081 dated September 21, 1972 and General Order No. 1 dated September 22, 1972, as amended, do hereby decree and order:</p> <p>Section 1. Ancestral Lands. - Any provision of law, decree, executive order, rule or regulation to the contrary notwithstanding all unappropriated agricultural lands forming part of the public domain at the date of the approval of this Decree occupied and cultivated by members of the National Cultural Communities for at least ten (10) years before the effectivity of this Decree, particularly in the provinces of Mountain Province, Cagayan, Kalinga Apayao, Ifugao, Mindoro, Pampanga, Rizal, Palawan, Lanao</p>	

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						<p>del Sur, Lanao del Norte, Sultan Kudarat, Maguindanao, North Cotabato, South Cotabato, Sulu, Tawi-Tawi, Zamboanga del Sur, Zamboanga del Norte, Davao del Sur, Davao del Norte, Davao Oriental, Davao City, Agusan, Surigao del Sur, Surigao del Norte, Bukidnon, and Basilan are hereby declared part of the ancestral lands of these National Cultural Communities and as such these lands are further declared alienable and disposable if such lands have not been earlier declared as alienable and disposable by the Director of Forest Development, to be distributed exclusively among the members of the National Cultural Communities concerned, as defined under the Constitution and under Republic Act Numbered Eighteen hundred eighty-eight: Provided, however, That lands of the public domain heretofore reserved for settlement purposes under the administration of the Department of Agrarian Reform and other areas reserved for other public or quasi-public purposes shall not be subject to disposition in accordance with the provisions of this Decree: Provided, further, That the Government in the interest of its development program, may establish agro-industrial projects in these areas for the purpose of creating conditions for employment and thus further enhance the progress of the people.</p> <p>For purposes of this Decree, ancestral lands are lands of the public domain that have been in open, continuous, exclusive and notorious occupation and cultivation by members of the National Cultural Communities by themselves or through their ancestors, under a bona fide claim of acquisition of ownership</p>	

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						<p>according to their customs and traditions for a period of at least thirty (30) years before the date of approval of this Decree. The interruption of the period of their occupation and cultivation on account of civil disturbance or force majeure shall not militate against their right granted under this Decree.</p> <p>Section 2. In provinces other than those enumerated under Section 1 hereof where there are National Cultural Communities, the President upon the recommendation of the Secretary of Agriculture and Natural Resources shall designate the areas to be set aside as ancestral lands.</p> <p>Section 3. Upon the approval of this Decree, the lands herein mentioned for the National Cultural Communities shall be identified, surveyed and subdivided by the Bureau of Lands into family-sized farm lots not exceeding five (5) hectares each and shall be allocated to members of the National Cultural Communities under such terms and conditions prescribed in this Decree or to be prescribed in the rules implementing this Decree.</p> <p>Section 4. Land Occupancy Certificate shall be issued to all members of the National Cultural Communities who are presently occupying and cultivating lands of the public domain within ancestral lands as defined in this Decree.</p> <p>To expedite the issuance of these Land Occupancy Certificate, the District Land Officers are hereby authorized to sign them in behalf of the Secretary of Agriculture and Natural Resources.</p> <p>Section 5. No land granted in accordance with this Decree shall be transferred, sold or otherwise alienated</p>	

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						<p>within a period of ten (10) years after acquisition of such lands or any right or interest thereto except in favor of the cooperative of which the owner is a member or in favor of the Government or any of its agencies, branches or instrumentalities.</p> <p>Section 6. The Secretary of Agriculture and Natural Resources, who shall be the implementing officer for this Decree, upon the recommendation of the Director of Lands, and the Director of Forest Development shall promulgate rules and regulations necessary for the proper implementation of this Decree.</p> <p>Among others, the implementing rules shall provide:</p> <p>(1) That a recipient of the lands allocated under this Decree must first be a member of a farmer cooperative within his community before a Certificate of Land Occupancy shall be issued to him.</p> <p>(2) That no mortgage of or other encumbrances on any such lands, rights or interest therein, shall be valid unless approved by the Secretary of Agriculture and Natural Resources or his duly authorized representative.</p> <p>Section 7. The Secretary of Agriculture and Natural Resources shall have authority to call upon other departments, bureaus, offices and agencies of the Government for such assistance as may be required to implement the provisions of this Decree, especially the Department of Agrarian Reform.</p> <p>Section 8. Occupants of ancestral lands as defined under this Decree are hereby given a period of ten (10) years from the date of approval hereof within which to file applications to perfect their title to the lands occupied by them, otherwise, they shall lose their</p>	

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						<p>preferential rights thereto and the land shall be declared open for allocation to other deserving applicants.</p> <p>Section 9. Any person or public officer who violates any provision of this Decree, or any regulation promulgated in accordance therewith, shall be punished by a fine of not more than one thousand pesos (P1,000.00) or by imprisonment of not more than six (6) months or both at the discretion of the Court; Provided, That the land acquired by any person in violation of this Decree and of the Public Land Act shall revert to the public domain: Provided, further, That such violation shall bar the violator from again acquiring land under the provisions of this Decree and of the Public Land Act.</p> <p>Section 10. Any provision of law, decree, general order, executive order, rule or regulation contrary hereto are hereby repealed or modified accordingly.</p> <p>Section 11. This Decree shall take effect immediately.</p> <p>Done in the City of Manila, this 11th day of March, in the year of Our Lord, nineteen hundred and seventy-four.</p>	
CULTURAL COMMUNITIES	Republic Act No. 8371 s. 1997	An Act to recognize, protect and promote the rights of the indigenous cultural communities/ indigenous peoples, creating a National Commission on Indigenous Peoples, establishing	indigenous peoples, ancestral domain	Fidel V. Ramos	10/29/1997	<p>LAWS</p> <p>I.</p> <p>REPUBLIC ACT NO. 8371</p> <p>[AN ACT TO RECOGNIZE, PROTECT AND PROMOTE THE RIGHTS OF INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS PEOPLE, CREATING A NATIONAL COMMISSION OF INDIGENOUS PEOPLE, ESTABLISHING IMPLEMENTING MECHANISMS, APPROPRIATING FUNDS</p>	Ancestral Domain Law, the Indigenous Peoples Rights Act of 1997

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		implementing mechanisms, appropriating funds therefor, and for other purpose				<p>THEREFOR, AND FOR OTHER PURPOSES]</p> <p>CHAPTER 1</p> <p>GENERAL PROVISIONS</p> <p>Sec. 1. Short Title.- This Act shall be known as "The Indigenous Peoples Rights Act of 1997."</p> <p>Sec. 2. Declaration of State Policies.- The State shall recognize and promote all the rights of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) hereunder enumerated within the framework of the Constitution:</p> <p>a) The State shall recognize and promote the rights of ICCs/IPs within the framework of national unity and development;</p> <p>b) The State shall protect the rights of ICCs/IPs to their ancestral domains to ensure their economic, social and cultural well being and shall recognize the applicability of customary laws governing property rights or relations in determining the ownership and extent of ancestral domain;</p> <p>c) The State shall recognize, respect and protect the rights of ICCs/IPs to preserve and develop their cultures, traditions and institutions. It shall consider these rights in the formulation of national laws and policies;</p> <p>d) The State shall guarantee that members of the ICCs/IPs regardless of sex, shall equally enjoy the full measure of human rights and freedoms without distinctions or discriminations;</p> <p>e) The State shall take measures, with the participation of the ICCs/IPs concerned, to protect their rights and guarantee respect for their</p>	

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						<p>cultural integrity, and to ensure that members of the ICCs/IPs benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population and</p> <p>f) The State recognizes its obligations to respond to the strong expression of the ICCs/IPs for cultural integrity by assuring maximum ICC/IP participation in the direction of education, health, as well as other services of ICCs/IPs, in order to render such services more responsive to the needs and desires of these communities. Towards these ends, the State shall institute and establish the necessary mechanisms to enforce and guarantee the realization of these rights, taking into consideration their customs, traditions, values, beliefs, their rights to their ancestral domains.</p> <p>CHAPTER II DEFINITION OF TERMS</p> <p>Sec. 3. Definition of Terms.- For purposes of this Act, the following terms shall mean:</p> <p>a) Ancestral Domains - Subject to Section 56 hereof, refer to all areas generally belonging to ICCs/IPs comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by ICCs/IPs, themselves or through their ancestors, communally or individually since time immemorial, continuously to the present except when interrupted by war, force majeure or displacement by</p>	

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						<p>force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals, corporations, and which are necessary to ensure their economic, social and cultural welfare. It shall include ancestral land, forests, pasture, residential, agricultural, and other lands individually owned whether alienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands which may no longer be exclusively occupied by ICCs/IPs but from which their traditionally had access to for their subsistence and traditional activities, particularly the home ranges of ICCs/IPs who are still nomadic and/or shifting cultivators;</p> <p>b) Ancestral Lands - Subject to Section 56 hereof, refers to land occupied, possessed and utilized by individuals, families and clans who are members of the ICCs/IPs since time immemorial, by themselves or through their predecessors-in-interest, under claims of individual or traditional group ownership, continuously, to the present except when interrupted by war, force majeure or</p>	

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						<p>displacement by force, deceit, stealth, or as a consequence of government projects and other voluntary dealings entered into by government and private individuals/corporations, including, but not limited to, residential lots, rice terraces or paddies, private forests, swidden farms and tree lots;</p> <p>c) Certificate of Ancestral Domain Title - refers to a title formally recognizing the rights of possession and ownership of ICCs/IPs over their ancestral domains identified and delineated in accordance with this law;</p> <p>d) Certificate of Ancestral Lands Title - refers to a title formally recognizing the rights of ICCs/IPs over their ancestral lands;</p> <p>e) Communal Claims - refer to claims on land, resources and rights thereon, belonging to the whole community within a defined territory</p> <p>f) Customary Laws - refer to a body of written and/or unwritten rules, usages, customs and practices traditionally and continually recognized, accepted and observed by respective ICCs/IPs;</p> <p>g) Free and Prior Informed Consent - as used in this Act shall mean the consensus of all members of the ICCs/IPs to; be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the activity, in a language an process understandable to the community;</p>	

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						<p>h) Indigenous Cultural Communities/Indigenous Peoples - refer to a group of people or homogenous societies identified by self-ascription and ascription by other, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed customs, tradition and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and culture, became historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains;</p> <p>i) Indigenous Political Structure - refer to organizational and cultural leadership systems, institutions, relationships, patterns and processed for decision-making and participation, identified by ICCs/IPs</p>	

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						<p>such as, but not limited to, Council of Elders, Council of Timuays, Bodong Holder, or any other tribunal or body of similar nature;</p> <p>j) Individual Claims - refer to claims on land and rights thereon which have been devolved to individuals, families and clans including, but not limited to, residential lots, rice terraces or paddies and tree lots;</p> <p>k) National Commission on Indigenous Peoples (NCIP) - refers to the office created under this Act, which shall be under the Office of the President, and which shall be the primary government agency responsible for the formulation and implementation of policies, plans and programs to recognize, protect and promote the rights of ICCs/IPs;</p> <p>l) Native Title - refers to pre-conquest rights to lands and domains which, as far back as memory reaches, have been held under a claim of private ownership by ICCs/IPs, have never been public lands and are thus indisputably presumed to have been held that way since before the Spanish Conquest;</p> <p>m) Nongovernment Organization - refers to a private, nonprofit voluntary organization that has been organized primarily for the delivery of various services to the ICCs/IPs and has an established track record for</p>	

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						<p>effectiveness and acceptability in the community where it serves;</p> <p>n) People's Organization - refers to a private, nonprofit voluntary organization of members of an ICC/IP which is accepted as representative of such ICCs/IPs;</p> <p>o) Sustainable Traditional Resource Rights - refer to the rights of ICCs/IPs to sustainably use, manage, protect and conserve a) land, air, water, and minerals; b) plants, animals and other organisms; c) collecting, fishing and hunting grounds; d) sacred sites; and e) other areas of economic, ceremonial and aesthetic value in accordance with their indigenous knowledge, beliefs, systems and practices; and</p> <p>p) Time Immemorial - refers to a period of time when as far back as memory can go, certain ICCs/IPs are known to have occupied, possessed in the concept of owner, and utilized a defined territory devolved to them, by operation of customary law or inherited from their ancestors, in accordance with their customs and traditions.</p> <p>CHAPTER III RIGHTS TO ANCESTRAL DOMAINS Sec. 4. Concept of Ancestral Lands/Domains.- Ancestral</p>	

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						<p>lands/domains shall include such concepts of territories which cover not only the physical environment but the total environment including the spiritual and cultural bonds to the area which the ICCs/IPs possess, occupy and use and to which they have claims of ownership.</p> <p>Sec. 5. Indigenous Concept of Ownership.- Indigenous concept of ownership sustains the view that ancestral domains and all resources found therein shall serve as the material bases of their cultural integrity. The indigenous concept of ownership generally holds that ancestral domains are the ICC's/IP's private but community property which belongs to all generations and therefore cannot be sold, disposed or destroyed. It likewise covers sustainable traditional resource rights.</p> <p>Sec. 6. Composition of Ancestral Lands/Domains.- Ancestral lands and domains shall consist of all areas generally belonging to ICCs/IPs as referred under Sec. 3, items (a) and (b) of this Act.</p> <p>Sec. 7. Rights to Ancestral Domains.- The rights of ownership and possession of ICCs/IPs to their ancestral domains shall be recognized and protected. Such rights shall include:</p> <p>a. Rights of Ownership.- The right to claim ownership over lands, bodies of water traditionally and actually occupied by ICCs/IPs, sacred places, traditional hunting and fishing grounds, and all improvements made by them at any time within the domains;</p>	

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						<p>b. Right to Develop Lands and Natural Resources.- Subject to Section 56 hereof, right to develop, control and use lands and territories traditionally occupied, owned, or used; to manage and conserve natural resources within the territories and uphold the responsibilities for future generations; to benefit and share the profits from allocation and utilization of the natural resources found therein; the right to negotiate the terms and conditions for the exploration of natural resources in the areas for the purpose of ensuring ecological, environmental protection and the conservation measures, pursuant to national and customary laws; the right to an informed and intelligent participation in the formulation and implementation of any project, government or private, that will affect or impact upon the ancestral domains and to receive just and fair compensation for any damages which they sustain as a result of the project; and the right to effective measures by the government to prevent any interfere with, alienation and encroachment upon these rights;</p> <p>c. Right to Stay in the Territories- The right to stay in the territory and not be removed therefrom. No ICCs/IPs will be relocated without their free and prior informed consent, nor through any means other than eminent domain. Where relocation is considered necessary as an exceptional measure, such relocation shall take place only with the free and prior informed consent of the ICCs/IPs concerned and whenever</p>	

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						<p>possible, they shall be guaranteed the right to return to their ancestral domains, as soon as the grounds for relocation cease to exist. When such return is not possible, as determined by agreement or through appropriate procedures, ICCs/IPs shall be provided in all possible cases with lands of quality and legal status at least equal to that of the land previously occupied by them, suitable to provide for their present needs and future development. Persons thus relocated shall likewise be fully compensated for any resulting loss or injury;</p> <p>d. Right in Case of Displacement.- In case displacement occurs as a result of natural catastrophes, the State shall endeavor to resettle the displaced ICCs/IPs in suitable areas where they can have temporary life support system: Provided, That the displaced ICCs/IPs shall have the right to return to their abandoned lands until such time that the normalcy and safety of such lands shall be determined: Provided, further, That should their ancestral domain cease to exist and normalcy and safety of the previous settlements are not possible, displaced ICCs/IPs shall enjoy security of tenure over lands to which they have been resettled: Provided, furthermore, That basic services and livelihood shall be provided to them to ensure that their needs are adequately addressed:</p> <p>e. Right to Regulate Entry of Migrants.- Right to regulate the entry of migrant settlers and organizations into the domains;</p>	

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						<p>f. Right to Safe and Clean Air and Water.- For this purpose, the ICCs/IPs shall have access to integrated systems for the management of their inland waters and air space;</p> <p>g. Right to Claim Parts of Reservations.- The right to claim parts of the ancestral domains which have been reserved for various purposes, except those reserved and intended for common and public welfare and service; and</p> <p>h. Right to Resolve Conflict.- Right to resolve land conflicts in accordance with customary laws of the area where the land is located, and only in default thereof shall the complaints be submitted to amicable settlement and to the Courts of Justice whenever necessary.</p> <p>Sec. 8. Rights to Ancestral Lands.- The right of ownership and possession of the ICCs/IPs, to their ancestral lands shall be recognized and protected.</p> <p>a. Right to transfer land/property.- Such right shall include the right to transfer land or property rights to/among members of the same ICCs/IPs, subject to customary laws and traditions of the community concerned.</p> <p>b. Right to Redemption.- In cases where it is shown that the transfer of land/property rights by virtue of any agreement or devise, to a non-member of the concerned ICCs/IPs is tainted by the vitiated consent of the ICCs/IPs, or is transferred for an unconscionable consideration or price, the transferor ICC/IP shall have the right to redeem the same within a period not exceeding fifteen (15) years from the date of transfer.</p>	

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						<p>Sec. 9. Responsibilities of ICCs/IPs to their Ancestral Domains.- ICCs/IPs occupying a duly certified ancestral domain shall have the following responsibilities:</p> <p>a. Maintain Ecological Balance- To preserve, restore, and maintain a balanced ecology in the ancestral domain by protecting the flora and fauna, watershed areas, and other reserves;</p> <p>b. Restore Denuded Areas- To actively initiate, undertake and participate in the reforestation of denuded areas and other development programs and projects subject to just and reasonable remuneration; and</p> <p>c. Observe Laws- To observe and comply with the provisions of this Act and the rules and regulations for its effective implementation.</p> <p>Sec. 10. Unauthorized and Unlawful Intrusion.- Unauthorized and unlawful intrusion upon, or use of any portion of the ancestral domain, or any violation of the rights herein before enumerated, shall be punishable under this law. Furthermore, the Government shall take measures to prevent non-ICCs/IPs from taking advantage of the ICCs/IPs customs or lack of understanding of laws to secure ownership, possession of land belonging to said ICCs/IPs.</p> <p>Sec. 11. Recognition of Ancestral Domain Rights.- The rights of ICCs/IPs to their ancestral domains by virtue</p>	

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						<p>of Native Title shall be recognized and respected. Formal recognition, when solicited by ICCs/IPs concerned, shall be embodied in a Certificate of Ancestral Domain Title (CADT), which shall recognize the title of the concerned ICCs/IPs over the territories identified and delineated. Sec. 12. Option to Secure Certificate of Title under Commonwealth Act 141, as amended, or the Land Registration Act 496.- Individual members of cultural communities, with respect to individually-owned ancestral lands who, by themselves or through their predecessors-in-interest, have been in continuous possession and occupation of the same in the concept of owner since the immemorial or for a period of not less than thirty (30) years immediately preceding the approval of this Act and uncontested by the members of the same ICCs/IPs shall have the option to secure title to their ancestral lands under the provisions of Commonwealth Act 141, as amended, or the Land Registration Act 496. For this purpose, said individually-owned ancestral lands, which are agricultural in character and actually used for agricultural, residential, pasture, and tree farming purposes, including those with a slope of eighteen percent (18%) or more, are hereby classified</p>	

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						<p>as alienable and disposable agricultural lands. The option granted under this Section shall be exercised within twenty (20) years from the approval of this Act.</p> <p>CHAPTER IV RIGHT TO SELF-GOVERNANCE AND EMPOWERMENT</p> <p>Sec. 13. Self-Governance.- The State recognizes the inherent right of ICCs/IPs to self-governance and self-determination and respects the integrity of their values, practices and institutions. Consequently, the State shall guarantee the right of ICCs/IPs to freely pursue their economic, social and cultural development.</p> <p>Sec. 14. Support for Autonomous Regions.- The State shall continue to strengthen and support the autonomous regions created under the Constitution as they may require or need. The State shall likewise encourage other ICCs/IPs not included or outside Muslim Mindanao and the Cordillera to use the form and content of their ways of life as may be compatible with the fundamental rights defined in the Constitution of the Republic of the Philippines and other internationally recognized human rights.</p> <p>Sec. 15. Justice System, Conflict Resolution Institutions</p>	

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						<p>and Peace Building Processes.- The ICCs/IPs shall have the right to use their own commonly accepted justice systems, conflict resolution institutions, peace building processes or mechanisms and other customary laws and practices within their respective communities and as may be compatible with the national legal system and with internationally recognized human rights.</p> <p>Sec. 16. Right to Participate in Decision -Making.- ICCs/IPs have the right to participate fully, if they so choose, at all levels of decision-making in matters which may affect their rights, lives and destinies through procedures determined by them as well as to maintain and develop their own indigenous political structures. Consequently, the State shall ensure that the ICCs/IPs shall be given mandatory representation in policy-making bodies and other local legislative councils.</p> <p>Sec. 17. Right to Determine and Decide Priorities for Development.- The ICCs/IPs shall have the right to determine and decide their own priorities for development affecting their lives, beliefs, institutions, spiritual well-being, and the lands they own, occupy or use. They shall participate in the formulation, implementation and evaluation of policies, plans and programs for national, regional and local development which may directly</p>	

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						<p>affect them.</p> <p>Sec. 18. Tribal Barangays.- The ICCs/IPs living in contiguous areas or communities where they form the predominant population but which are located in municipalities, provinces or cities where they do not constitute the majority of the population, may form or constitute a separate barangay in accordance with the Local Government Code on the creation of tribal barangays.</p> <p>Sec. 19. Role of Peoples Organizations.- The State shall recognize and respect the role of independent ICCs/IPs organizations to enable the ICCs/IPs to pursue and protect their legitimate and collective interests and aspirations through peaceful and lawful means.</p> <p>Sec. 20. Means for Development /Empowerment of ICCs/IPs.- The Government shall establish the means for the full development/empowerment of the ICCs/IPs own institutions and initiatives and, where necessary, provide the resources needed therefor.</p> <p>CHAPTER V SOCIAL JUSTICE AND HUMAN RIGHTS</p> <p>Sec. 21. Equal Protection and Non-discrimination of ICCs/IPs.- Consistent with the equal protection clause of the Constitution of the Republic of the Philippines, the Charter of the United Nations, the Universal Declaration</p>	

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						<p>of Human Rights including the Convention on the Elimination of Discrimination Against Women and International Human Rights Law, the State shall, with due recognition of their distinct characteristics and identity, accord to the members of the ICCs/IPs the rights, protections and privileges enjoyed by the rest of the citizenry. It shall extend to them the same employment rights, opportunities, basic services, educational and other rights and privileges available to every member of the society. Accordingly, the State shall likewise ensure that the employment of any form of force of coercion against ICCs/IPs shall be dealt with by law.</p> <p>The State shall ensure that the fundamental human rights and freedoms as enshrined in the Constitution and relevant international instruments are guaranteed also to indigenous women. Towards this end, no provision in this Act shall be interpreted so as to result in the diminution of rights and privileges already recognized and accorded to women under existing laws of general application.</p> <p>Sec. 22. Rights during Armed Conflict.- ICCs/IPs have the right to special protection and security in periods of armed conflict. The State shall observe international standards, in particular, the Fourth Geneva Convention</p>	

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						<p>of 1949, for the protection of civilian populations in circumstances of emergency and armed conflict, and shall not recruit members of the ICCs/IPs against their will into armed forces, and in particular, for the use against other ICCs/IPs; not recruit children of ICCs/IPs into the armed forces under any circumstance; nor force indigenous individuals to abandon their lands, territories and means of subsistence, or relocate them in special centers for military purposes under any discriminatory condition. Sec. 23. Freedom from Discrimination and Right to Equal Opportunity and Treatment.- It shall be the right of the ICCs/IPs to be free from any form of discrimination, with respect to recruitment and conditions of employment, such that they may enjoy equal opportunities as other occupationally-related benefits, informed of their rights under existing labor legislation and of means available to them for redress, not subject to any coercive recruitment systems, including bonded labor and other forms of debt servitude; and equal treatment in employment for men and women, including the protection from sexual harassment. Towards this end, the State shall within the framework</p>	

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						<p>of national laws and regulations, and in cooperation with the ICCs/IPs concerned, adopt special measures to ensure the effective protection with regard to the recruitment and conditions of employment of persons belonging to these communities, to the extent that they are not effectively protected by the laws applicable to workers in general.</p> <p>ICCs/IPs shall have the right to association and freedom for all trade union activities and the right to conclude collective bargaining agreements with employers' conditions. They shall likewise have the right not to be subject to working conditions hazardous to their health, particularly through exposure to pesticides and other toxic substances.</p> <p>Sec. 24. Unlawful Acts Pertaining to Employment.- It shall be unlawful for any person:</p> <p>a. To discriminate against any ICC/IP with respect to the terms and conditions of employment on account of their descent. Equal remuneration shall be paid to ICC/IP and non-ICC/IP for work of equal value; and</p> <p>b. To deny any ICC/IP employee any right or benefit herein provided for or to discharge them for the purpose of preventing them from enjoying any of the rights or benefits provided under this Act.</p> <p>Sec. 25. Basic Services.- The ICC/IP have the right to special measures for the immediate, effective and</p>	

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						<p>continuing improvement of their economic and social conditions, including in the areas of employment, vocational training and retraining, housing, sanitation, health and social security. Particular attention shall be paid to the rights and special needs of indigenous women, elderly, youth, children and differently-abled persons. Accordingly, the State shall guarantee the right of ICCs/IPs to government's basic services which shall include, but not limited to water and electrical facilities, education, health and infrastructure.</p> <p>Sec. 26. Women.- ICC/IP women shall enjoy equal rights and opportunities with men, as regards the social, economic, political and cultural spheres of life. The participation of indigenous women in the decision-making process in all levels, as well as in the development of society, shall be given due respect and recognition. The State shall provide full access to education, maternal and child care, health and nutrition, and housing services to indigenous women. Vocational, technical, professional and other forms of training shall be provided to enable these women to fully participate in all aspects of social life. As far as possible, the State shall ensure that indigenous women have access to all services in their own languages.</p> <p>Sec. 27. Children and Youth.- The State shall recognize the vital role of the children and youth of ICCs/IPs in</p>	

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						<p>nation-building and shall promote and protect their physical, moral, spiritual, moral, spiritual, intellectual and social well-being. Towards this end, the State shall support all government programs intended for the development and rearing of the children and youth of ICCs/IPs for civic efficiency and establish such mechanisms as may be necessary for the protection of the rights of the indigenous children and youth.</p> <p>Sec. 28. Integrated System of Education.- The State shall, through the NCIP, provide a complete, adequate and integrated system of education, relevant to the needs of the children and Young people of ICCs/IPs.</p> <p>CHAPTER VI CULTURAL INTEGRITY</p> <p>Sec. 29. Protection of Indigenous Culture, traditions and institutions.- The state shall respect, recognize and protect the right of the ICCs/IPs to preserve and protect their culture, traditions and institutions. It shall consider these rights in the formulation of national plans and policies.</p> <p>Sec. 30. Educational Systems.- The State shall provide equal access to various cultural opportunities to the ICCs/IPs through the educational system, public or cultural entities, scholarships, grants and other</p>	

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						<p>incentives without prejudice to their right to establish and control their educational systems and institutions by providing education in their own language, in a manner appropriate to their cultural methods of teaching and learning. Indigenous children/youth shall have the right to all levels and forms of education of the State.</p> <p>Sec. 31. Recognition of Cultural Diversity.- The State shall endeavor to have the dignity and diversity of the cultures, traditions, histories and aspirations of the ICCs/IPs appropriately reflected in all forms of education, public information and cultural-educational exchange. Consequently, the State shall take effective measures, in consultation with ICCs/IPs concerned, to eliminate prejudice and discrimination and to promote tolerance, understanding and good relations among ICCs/IPs and all segments of society. Furthermore, the Government shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. The State shall likewise ensure the participation of appropriates.</p>	
ARTS	REPUBLIC ACT NO. 3042 s. 1961	AN ACT APPROPRIATING ANNUALLY THE SUM OF FOUR HUNDRED THOUSAND PESOS AS AID TO THE MUSIC	Overseas Dissemination of the Study of Filipino Folk Arts, Music and Dances	na	06/17/1961	<p>Section 1. There is hereby appropriated annually, out of any funds in the National Treasury not otherwise appropriated, the sum of four hundred thousand pesos as aid of the government to the Music Promotion Foundation in the prosecution of the objectives of the said Foundation pursuant to the provisions of Republic Act Numbered Thirteen hundred and seventy: Provided, That two hundred thousand pesos thereof</p>	na

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		PROMOTION FOUNDATION AND TO CULTURAL GROUPS ENGAGED IN THE STUDY AND IN THE DISSEMINATION ABROAD OF FILIPINO FOLK ARTS, MUSIC AND DANCES				<p>shall be given as aid to Filipino cultural group engaged in the study and in the dissemination of Filipino folk arts, music and dances, which has gained national or international recognition and which may be designated by the President of the Philippines as official cultural representative of the Philippines abroad: Provided, further, That such aid to any cultural group shall be limited only to the necessary transportation expenses of the members thereof from and to the Philippines and overseas transportation expenses from one continent to another as may be necessary to fulfill contracts: Provided, finally, That no such aid shall be given unless the cultural group so applying therefor has an existing contract with a reputable impresario who has previously arranged for the performance or exhibition abroad of the cultural group, and that said impresario has guaranteed, among other things, to defray all inland travel and living and incidental expenses of the members of the cultural group while abroad.</p> <p>Sec. 2. Republic Act Numbered Twenty hundred and eighty-six is repealed.</p> <p>Sec. 3. This Act shall take effect upon its approval.</p> <p>Approved: June 17, 1961</p>	
CULTURAL HERITAGE	SB 66/HB5531 CULTURAL HERITAGE ACT OF 2009 (due for Bicameral meeting and approval this	AN ACT PROVIDING FOR THE PROTECTION AND CONSERVATION OF THE NATIONAL CULTURAL	Protection and Conservation of the National Cultural Heritage	On going		<p>ARTICLE I POLICIES AND PRINCIPLES</p> <p>SEC. 2. Declaration of Principles and Policies.</p> <p>– Sections 14, 15, and 16, and 17, Article XIV of the 1987 Constitution declare that the State shall foster the preservation, enrichment, and dynamic evolution of a Filipino culture based on the principle of unity in diversity in a climate of free artistic and intellectual</p>	“National Cultural Heritage Act of 2009.”

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	year)	HERITAGE, STRENGTHENING THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS (NCCA) AND ITS AFFILIATED CULTURAL AGENCIES, AND FOR OTHER PURPOSES				<p>expression. It shall conserve, develop, promote and popularize the nation’s historical and cultural heritage and resources, as well as artistic creations. Further, 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.</p> <p>In the pursuit of cultural preservation as a strategy for maintaining Filipino identity, this Act shall pursue the following objectives:</p> <p>Protect, preserve, conserve and promote the nation’s cultural heritage, its property and histories, and the ethnicity of local communities;</p> <p>Establish and strengthen cultural institutions; and</p> <p>Protect cultural workers and ensure their professional development and well-being.</p> <p>The State shall likewise endeavor to create a balanced atmosphere where the historic past co-exists in harmony with modern society. It shall approach the problem of conservation in an integrated and holistic manner, cutting across all relevant disciplines and technologies. The State shall further administer the heritage resources in a spirit of stewardship for the inspiration and benefit of the present and future generations.</p> <p>ARTICLE II DEFINITION OF TERMS</p> <p>SEC. 3. Definition of Terms. – For purposes of this Act, the following terms shall be defined as follows:</p> <p>“Adaptive Re-use” refers to the utilization of</p>	

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						<p>buildings, other built-structures, and sites of value for purposes other than that for which they were intended originally, in order to conserve the site, their engineering integrity and authenticity of design;</p> <p>“Anthropological Area” refers to any place where studies of specific ethno-linguistic groups are undertaken, the properties of which are of value to our cultural heritage;</p> <p>“Antique” refers to a cultural property found locally which is one hundred years in age, more or less, the production of which has ceased;</p> <p>“Archaeological Area” refers to any place, whether above or under ground, underwater or at sea level, containing fossils, artifacts, and other cultural, geological, botanical, zoological materials which depict and document culturally relevant paleontological, prehistoric and/or historic events;</p> <p>“Archives” are public and private records in any format which have been selected for permanent preservation because of their evidential, historical informational value; otherwise known as archival materials collection or archival holdings; the place (building/room/storage area) where archival materials are kept and preserved; and an organization or agency or part thereof whose main responsibility is to appraise, arrange, describe, conserve, promote and make archival materials available for reference and research, also known as archival agency;</p> <p>(f) “Built Heritage” refers to architectural and engineering structures, such as but not limited to bridges, government buildings, houses of ancestry, traditional dwellings, technological and industrial</p>	

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						<p>complexes, and their settings, and landscapes with notable historical and cultural significance;</p> <p>(g) "Collector" refers to any person who or institution that acquires cultural property for purposes other than sale;</p> <p>(h) "Commission" shall refer to the National Commission for Culture and the Arts (NCCA);</p> <p>(i) "Conservation" refers to all the processes and measures of maintaining the cultural significance of a cultural property, including but not limited to, preservation, restoration, reconstruction, protection, adaptation or any combination thereof;</p> <p>(j) "Cultural Education" refers to the teaching and learning of cultural concepts and processes;</p> <p>(k) "Cultural Heritage" refers to the totality of cultural property preserved and developed through time and passed on to posterity;</p> <p>(l) "Cultural Heritage Worker" refers to an individual undertaking cultural heritage work;</p> <p>(m) "Cultural Institution" refers to entities engaged primarily in cultural work;</p> <p>(n) "Cultural Property" refers to all products of human creativity by which a people and a nation reveal their identity, including natural history specimens and sites, whether public or privately-owned, movable or immovable, and tangible or intangible;</p> <p>1) "Tangible Cultural Property" refers to a cultural property with historical, archival, anthropological, archaeological, artistic and architectural value, and with exceptional or traditional production, whether of Philippine origin or not, including antiques and natural history specimens with significant value; and</p>	

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						<p>2) "Intangible Cultural Property" refers to the peoples' learned processes along with the knowledge, skills and creativity that inform and are developed by them, the products they create and the resources, spaces and other aspects of social and natural context necessary for their sustainability .</p> <p>(o) "Dealers" refers to natural or juridical persons who acquire cultural property for the purpose of engaging in the acquisition and disposition of the same;</p> <p>(p) "Heritage Zone" refers to historical, anthropological, archaeological, artistic geographical areas and settings that are culturally significant to the country or a particular locality;</p> <p>(q) "History" refers to a written record of past events relating to Philippine history;</p> <p>(r) "Historical Landmarks" refer to sites or structures that are associated with events or achievements significant to Philippine History;</p> <p>(s) "Historical Monuments" refer to structures that honor illustrious persons or commemorate events of historical value;</p> <p>(t) "Historical Shrines" refer to historical sites or structures hallowed and revered for their history or association;</p> <p>(u) "Historical Street Name" refers to a street name which has been in existence for at least fifty (50) years;</p> <p>(v) "Important Cultural Property (ICP)" refers to a cultural property having exceptional cultural, artistic, and historical significance to the Philippines, as shall be determined by the Commission through the appropriate cultural agency ;</p>	

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						<p>(w) “Intangible Cultural Heritage (ICH)” refers to the practices, representations, expressions, knowledge, skills - as well as the instruments, objects and artifacts associated therewith - that communities, groups and individuals recognize as part of their cultural heritage, such as a) oral traditions, languages, and expressions; b) performing arts; c) social practices, rituals, and festive events; d) knowledge and practices concerning nature and the universe; and e) traditional craftsmanship;</p> <p>(x) "Library" refers to an institution where the collection of books, manuscripts, computerized information, and other materials are organized to provide physical, bibliographic, and/or intellectual access to the public, with a librarian that is trained to provide services and programs related to the information needs of its clientele;</p> <p>(y) "Museum" refers to a permanent institution that researches, acquires, conserves, communicates, and exhibits the material evidence of humans and their environment for purposes of education or leisure;</p> <p>(z) “National Cultural Treasure" refers to a unique cultural property found locally, possessing outstanding historical, cultural, artistic and/or scientific value which is highly significant and important to the country and nation, and officially declared as such by pertinent cultural agency;</p> <p>(aa) "Natural Property of Cultural Significance" refers to areas possessing outstanding ecosystem with flora and fauna of national scientific importance under the National Integrated Protected Areas System (NIPAS);</p> <p>(bb) “NCCA Portal Cultural Databank” refers to the</p>	

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						<p>specific domain in the Commission’s intranet for cultural information that is accessed only internally with control and confidentiality. It includes the registry of national cultural property.</p> <p>(cc) “Pre-history” refers to the period of human history before the introduction of the forms of writing;</p> <p>(dd) “Philippine Registry of Cultural Property (PRECUP)” refers to the registry of all cultural property of the country deemed of significant importance to our cultural heritage; and</p> <p>(ee) "Restoration" refers to the action taken or the technical intervention to correct deterioration and alterations.</p> <p>ARTICLE III CULTURAL PROPERTY SEC. 4. Categories. - The Cultural Property of the country shall be categorized as follows: (a) National Cultural Treasures (NCT); (b) Important Cultural Property (ICP); (c) World Heritage Sites (WHS); (d) Autonomous/Administrative Region Cultural Property; (e) Provincial Cultural Property; (f) City/Municipal Cultural Property; (g) Barangay Cultural Property; (h) National Shrine; (i) National Monument; and (j) National Landmark.</p> <p>SEC. 5. Cultural Property Considered Important Cultural Property (ICP). -For purposes of protecting a</p>	

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						<p>cultural property against exportation, modification or demolition, the following works shall be considered Important Cultural Property, unless declared otherwise by the pertinent cultural agency: Unless declared by the Commission, (a) Works by a Manlilikha ng Bayan; (b) Works by a National Artist; Unless declared by the National Museum, (c) Archaeological and traditional ethnographic materials; Unless declared by the National Historical Institute, (d) Works of national heroes; (e) marked structure; (f) Structures dating at least fifty (50) years old; and Unless declared by the National Archives, (g) Archival material/document dating at least fifty (50) years old. The property owner may petition the appropriate cultural agency to remove the presumption of ICP.</p> <p>SEC. 6. World Heritage Sites (WHS). - The WHS in the Philippines shall be under the jurisdiction of the Commission, which shall have the power to regulate and supervise its conservation.</p> <p>SEC. 7. Privileges for Cultural Property. - All cultural properties declared as National Cultural Treasures (NCT) shall be entitled to the following privileges: Priority government funding for protection, conservation and restoration; Incentive for private support of conservation and</p>	

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						<p>restoration through the Commission’s Conservation Incentive Program for National Cultural Property; An official Heritage Marker placed by the cultural agency concerned indicating that the immovable cultural property has been identified as NCT; and In times of armed conflict, natural disasters, and other exceptional events that endanger the cultural heritage of the country, all National Cultural Treasures shall be given priority protection by the Government. All cultural properties declared as Important Cultural Property may also receive government funding for its protection, conservation, and restoration. An official Heritage Marker shall likewise be placed on an immovable cultural property to identify the same as ICP.</p> <p>SEC. 8. Procedure for Declaration, or De-Listing of National Cultural Treasures or Important Cultural Property. - The procedure in declaring as well as in delisting a National Cultural Property or an Important Cultural Property shall be as follows:</p> <p>(a) A declaration or a delisting of a cultural property as a National Cultural Treasure or an Important Cultural Property shall commence upon the filing of a petition by the owner, stakeholder or any interested person, with the Commission, which shall refer the matter to the appropriate cultural agency;</p> <p>(b) Upon verification of the suitability of the property as an NCT or an ICP, the cultural agency concerned shall send notice of hearing to the owner and stakeholders. Stakeholders, including but not limited to local government units, local culture and arts council,</p>	

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						<p>local tourism councils, non-government conservation organizations, and schools, may be allowed to file their support or opposition to the petition;</p> <p>(c) The owner and/or other stakeholders shall file their position paper within fifteen (15) days from receipt of the notice of hearing, furnishing all the parties, including the appropriate cultural agency, with such position paper. Extensions may be allowed, but in no case shall it exceed more than thirty (30) days; and</p> <p>(d) The petitioner/stakeholder shall give their answer within fifteen (15) days upon receipt of any position paper. Thereafter, no further submissions shall be allowed.</p> <p>(e) The appropriate cultural agency shall have a maximum of ninety (90) days from the deadline of the submission of all the answers within which to submit its recommendation before the Commission. Thereafter, the Commission shall render its decision on the application.</p> <p>SEC. 9. Right of First Refusal on the Sale of National Cultural Treasures (NCT). - The Commission shall be given the right of first refusal in the purchase of cultural properties declared as NCT. Prior to the finality of the sale, the Commission may likewise match any offer made for the purchase of an NCT.</p> <p>Sec. 10. Licensing of Dealers of Cultural Property. - All dealers of cultural property shall secure a license to operate as such from the appropriate cultural agency concerned. They shall submit a quarterly inventory of items carried, which shall include a history of each</p>	

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						<p>item. Failure to submit two (2) consecutive inventories shall be a ground for cancellation of the license. All dealers of Cultural Property shall be subject to inspection of the concerned cultural agencies.</p> <p>The cultural agencies may charge and collect fees for registration as well as for licenses, inspections, certifications, authorizations and permits that they issue and undertake in connection with the implementation of this Act. Funds generated from these collection by cultural agencies shall be retained by the cultural agency concerned for its operations.</p> <p>Sec. 11. Dealings of Cultural Property. - No cultural property shall be sold, resold, or taken out of the country without first securing a clearance from the cultural agency concerned. In case the property shall be taken out of the country, it shall solely be for the purpose of scientific scrutiny or exhibit.</p> <p>ARTICLE IV HERITAGE ZONES</p> <p>SEC. 12. Designation of Heritage Zones. - The Commission, in coordination with the National Historical Institute, the Housing and Land Use Regulatory Board (HLURB) or other concerned agencies, shall designate Heritage Zones to protect the historical and cultural integrity of a geographical area.</p> <p>SEC. 13. Maintenance of Heritage Zones. - A Heritage</p>	

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						<p>Zone shall be maintained by the local government unit concerned, in accordance with the following guidelines:</p> <p>(a) Implementation of adaptive re-use of cultural property;</p> <p>(b) Appearance of streets, parks, monuments, buildings, and natural bodies of water, canals, paths and Barangays within a Historical Zone shall be maintained as close to their appearance at the time the area was of most importance to Philippine History as determined by the National Historical Institute; and</p> <p>(c) Local government units shall document and sustain all socio-cultural practices such as but not limited to traditional celebrations, historical battles, recreation of customs, and the re-enactment of battles and other local customs that are unique to a Historical Zone.</p> <p>ARTICLE V REGISTRATION AND CONSERVATION OF CULTURAL PROPERTY</p> <p>SEC. 14. Establishment of a Philippine Registry of Cultural Property (PRECUP). - All cultural property of the country deemed important to cultural heritage shall be registered in the Philippine Registry of Cultural Property, hereinafter referred to as "Registry". The Commission, through the appropriate cultural agencies and local government units, shall establish and maintain this Registry within three (3) years from the effectivity of this Act. The guidelines in the registration of cultural property are as follows:</p> <p>(a) All cultural agencies concerned shall individually</p>	

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						<p>maintain an inventory, evaluation and documentation of all cultural properties it has declared according to their category and shall submit the same to the Commission. For cultural property declared as Immovable Cultural Property, the appropriate cultural agency shall, after registration, give due notice to the Registry of Deeds having jurisdiction for annotation on the land titles pertaining to the same;</p> <p>(b) Local government units, through their cultural offices, shall likewise maintain an inventory of cultural property under its jurisdiction and shall furnish the Commission a copy of the same;</p> <p>(c) Both cultural agencies concerned and local government units shall continuously coordinate in making entries and in monitoring the various cultural properties in their respective inventory;</p> <p>(d) All government agencies and instrumentalities, government-owned and/or controlled corporations and their subsidiaries, including public and private educational institutions, shall report their ownership and/or possession of such items to the pertinent cultural agency and shall register such properties within three (3) years from the effectivity of this Act;</p> <p>(e) Private collectors and owners of cultural property shall register such properties, within three (3) years from the effectivity of this Act. The private collectors and owners of cultural property shall not be divested of their possession and ownership thereof even after registration of said property as herein required.</p> <p>Information on registered cultural properties owned by private individuals shall remain confidential and may be given only upon prior consent of the private owner.</p>	

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						<p>The Commission shall operate the Registry in the NCCA portal cultural databank.</p> <p>SEC. 15. Conservation of Cultural Property. – All intervention works and measures on conservation of National Cultural Treasures, Important Cultural Property, Autonomous/Administrative Region Cultural Property, Provincial Cultural Property, City/Municipal Cultural Property and Barangay Cultural Property, as well as monuments and sites, and structures previously marked by the National Historical Institute before the implementation of this Act shall be undertaken only upon prior approval of the Commission through the appropriate cultural agency which shall supervise the same.</p> <p>The Commission shall approve only those methods and materials that strictly adhere to the accepted international standards of conservation.</p> <p>SEC. 16. Documentation of Traditional and Contemporary Arts. - Local government units shall document traditional and contemporary arts and crafts, including their processes and makers, and sustain the sources of their raw materials. The local government units shall encourage and sustain traditional arts and crafts as active and viable sources of income for the community.</p> <p>The Commission, the Department of Trade and Industry, the Department of Tourism and other government agencies involved directly or indirectly in the production of goods shall assist the local government units in protecting their traditional and</p>	

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						<p>contemporary arts and crafts making them viable for current and future markets, with a view to encouraging and promoting the unique heritage and identities of the said communities.</p> <p>The LGU concerned shall submit an annual inventory of these documentations to the Commission, which will be included in the PRECUP, as established in Section 14 of this Act.</p> <p>SEC. 17. Systematic Research in Natural History. - The National Museum shall have the authority to collect, maintain and develop the national reference collection of Philippine flora and fauna, rocks and minerals through research and field collection of specimens including Important Cultural Property within the territorial jurisdiction of the Philippines. It shall be exempt from any and all permit systems regulating the same.</p> <p>The National Museum shall inform the Department of Environment and Natural Resources and the Department of Agriculture of such collection. All type of specimens collected in the Philippine territory shall be deposited in the National Museum.</p> <p>SEC. 18. Heritage Agreements. - The Commission, upon advice of the concerned cultural agency, may enter into agreements with private owners of cultural properties with regard to the preservation of said properties.</p> <p>Such agreement shall be in the form of a contract, and may include such terms and conditions including, but not limited to:</p>	

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						<p>(a) Public access to the property; (b) Value of the encumbrance; (c) Duration of the servitude of the property; (d) Restriction of the right of the owner or occupant to perform acts on or near the place; (e) Maintenance and management of the property; (f) Provision of financial assistance for the conservation of the property; (g) Procedure for the resolution of any dispute arising out of the agreement. Such agreement should be annotated in the land title to bind future owners and/or occupants of the immovable cultural property.</p> <p>SEC. 19. National Inventory of Intangible Cultural Heritage. - The Commission shall undertake a national inventory of the country's intangible cultural heritage. Pursuant to this, it shall create an intangible cultural heritage office within its structure which will pursue the following objectives: (a) Coordinate all efforts of government and private agencies that have forms of intangible cultural heritage in making the national inventory and working toward the safeguarding of these forms of heritage; and (b) Undertake the responsibilities pertaining to the Philippines as provided for by relevant provisions of the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage through the UNACOM as stipulated on Sec. 30 (j)..</p> <p>SEC. 20. Immovable National Cultural Treasures. - National Cultural Treasures, which are immovable,</p>	

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						<p>shall not be relocated, rebuilt, defaced or otherwise changed in a manner, which would destroy the property's dignity and authenticity, except to save such property from destruction due to natural causes. The site/sites referred to in this provision may only be moved after securing a permit from the Commission or the appropriate cultural agency.</p> <p>SEC. 21. Indigenous properties. - The Commission, in coordination with the National Commission on Indigenous Peoples, shall establish a program and promulgate regulations to assist indigenous people in preserving their particular cultural and historical properties.</p> <p>SECTION 22. Renaming of Historical Streets, Buildings Designated as Cultural Treasure or Important Cultural Property. - The names of historical streets, parks, buildings, shrines, landmarks, monuments and sites designated as National Cultural Treasures or Important Cultural Property shall not be allowed to be re-named by a local or national legislation, unless approved by the National Historical Institute, and only after due hearing on the matter. Furthermore, for changes of names done to historical streets, parks, buildings, shrines, landmarks, monuments, and sites prior to the effectivity of this act, the NHI may direct the local government units to restore their original names, also after due hearing.</p> <p>ARTICLE VI POWERS OF THE COMMISSION/CULTURAL</p>	

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						<p>AGENCIES</p> <p>SEC. 23. Power to Issue a Cease and Desist Order (CDO). - When the physical integrity of the NCTs or ICPs are found to be in danger of destruction or modification from its original state, the Commission, through the appropriate cultural agency, shall immediately issue a Cease and Desist Order suspending all activities that will affect the cultural property. The local government unit which has the jurisdiction over the site where the immovable cultural property is located shall report the same to the Commission immediately upon discovery and shall promptly adopt measures to secure the integrity of such immovable cultural property. The suspension of the activities shall be lifted only upon the written authority of the appropriate cultural agency after due notice and hearing involving as many of the interested parties and stakeholders as possible.</p> <p>SEC. 24. Power to Issue Compulsory Repair Order (CRO). - When a privately-owned heritage site cannot be maintained by the owner or has fallen into disrepair thru neglect to such an extent that it will lose its potential for conservation, the Commission, through the appropriate cultural agency, may serve on the owner or occupant of such property, an order to repair or maintain such site. If the owner fails to comply with said order within 30 to 45 days, repairs may be undertaken by the Commission for the account of the owner. If said owner fails to reimburse the Commission, the property or portions thereof shall be</p>	

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						<p>forfeited in its favor in accordance with the amount spent for the repair after computing interest thereon.</p> <p>SEC. 25. Visitorial Powers. - The cultural agencies concerned, through the Commission, are hereby given the power to inspect National Cultural Treasures and Important Cultural Property at any time to ensure the protection and integrity of such. They may also inspect public or private collection or objects that may be categorized as cultural property.</p> <p>SEC. 26. Power to Deputize Other Government Agencies. – The cultural agencies concerned, through the Commission, shall have the power to deputize the Philippine National Police (PNP), National Bureau of Investigation (NBI), Armed Forces of the Philippines (AFP), Philippine Coast Guard (PCG), and other local or national law enforcement agencies, including the Bureau of Fisheries’ agents, the Department of the Environment and Natural Resources’ rangers, the Bureau of Customs and Immigrations agents, members of the Office of the Special Envoy on Transnational Crimes and other such agencies and their successors in interest, to enforce the provisions of this Act and its implementing rules and regulations. The said agencies shall, upon the request of the Commission, immediately detail their respective personnel to protect the cultural items under the National Registry. Failure to follow deputization order of the Commission or the concerned cultural agency shall be penalized in accordance with Section 41 herein.</p>	

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						<p>SEC. 27. Power to Expropriate. - The Commission, through the appropriate agency and after Consultation with the Secretary of Finance, may expropriate property for its conservation or for any other purpose under this Act.</p> <p>SEC. 28. Anthropological Research and Archaeological Exploration/Excavation. - The Commission through the National Museum shall regulate and control all anthropological research conducted by foreigners; and all archaeological excavation or exploration. Pursuant to the foregoing, the Commission shall deputize other agencies to protect archaeological and anthropological sites. It shall be guided by the following rules:</p> <p>(1) All cultural property found in terrestrial and / or underwater archaeological sites belong to the State.</p> <p>(2) No terrestrial and/or underwater archaeological explorations and excavations for the purposes of obtaining materials and data of cultural value shall be undertaken without written authority and direct site supervision by archaeologists and/or representatives of the National Museum;</p> <p>(3) All anthropological researches, for the purpose of obtaining materials and data of cultural value and where the principal proponent is a foreign national shall be undertaken only with the authority, and under the supervision of the Commission through the National Museum. Anthropological research by Philippine nationals, especially members of the indigenous communities shall be encouraged;</p> <p>(4) Archaeological or anthropological materials</p>	

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						<p>presumed as ICP shall be allowed to leave the country only upon proper evaluation and written permission of the National Museum;</p> <p>(5) All explorations and excavations undertaken wherein the caves, rock shelters and their vicinities may have been used in the prehistoric past by man either for habitation, religious and/or sacred and burial purposes all over the country, shall be under the direct jurisdiction and supervision of archaeologists and/or other experts of the National Museum;</p> <p>(6) All mining activities inside caves, rock shelters and any such other areas shall require a written permit and clearance from the National Museum. An appropriate prior inspection by representatives of the National Museum, funded by the company applying for a mining right, shall be required to ensure that no archaeological materials are present and, possibly, destroyed;</p> <p>(7) Excavations in caves, rock shelters and other areas by laymen are prohibited by this Act. All earth-moving activities in these areas must have the proper permit and clearance from the National Museum and monitored by their representatives;</p> <p>(8) All treasure hunting permits and licenses shall be issued by the Commission through the National Museum, which shall formulate the rules and regulations to adequately control, regulate and monitor all applicants for such undertakings; and</p> <p>(9) The provisions of this Heritage Act on explorations and excavations of terrestrial and underwater archaeological sites shall supersede all local, municipal, regional and autonomous regional</p>	

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						<p>governments resolutions and ordinances.</p> <p>When the presence of any cultural property is discovered, the Commission, through, the National Museum, shall immediately suspend all activities that will affect the site and shall immediately notify the LGU having jurisdiction of the place where the discovery was made. The local government shall promptly adopt measures to protect and safeguard the integrity of the cultural property so discovered and within five (5) days from the discovery shall report the same to the appropriate agency. The suspension of these activities shall be lifted only upon the written authority of the Commission, through the National Museum and only after the systematic recovery of the archaeological materials.</p> <p>The Commission, through the National Museum, shall provide incentives for persons who discover and report heretofore unknown archaeological sites, in accordance with its rules and regulations implementing the provisions of this Act.</p> <p>Any government or non-government infrastructure project or architectural site development shall include anthropological, archaeological, and historical and heritage site conservation concerns in their Environmental Impact Assessment System (EIAS). For this purpose, one percent of the total budget of the program/project shall be held in reserve to underwrite the cost of the study, and the project proponent shall file with the Commission through the National Museum the appurtenant bond guaranteeing the same.</p>	

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						<p>ARTICLE VII ROLE OF CULTURAL AGENCIES</p> <p>SEC. 29. Responsibilities of Cultural Agencies for Designation of Cultural Property. - The cultural agencies, conformably with their respective charters, shall define and delineate their respective areas of responsibility with respect to cultural property and assessment of National Cultural Treasures. These areas shall be subject to periodic re-assessment whenever necessary.</p> <p>For purposes of this Act, the following shall be the responsibilities of cultural agencies in the categorization of cultural property:</p> <p>(a) The Cultural Center of the Philippines (CCP) shall be responsible for cultural property pertaining to the performing arts;</p> <p>(b) The National Archives of the Philippines (NAP) shall be responsible for archival materials;</p> <p>(c) The National Library (TNL) shall be responsible for rare and contemporary books, manuscripts such as, but not limited to, presidential papers, periodicals, newspapers, singly or in collection, and libraries and electronic records;</p> <p>(d) The National Historical Institute (NHI) shall be responsible for movable and immovable cultural property that pertains to Philippine History;</p> <p>(e) The National Museum (NM) shall be responsible for movable and immovable cultural and natural property pertaining to collection of Fine Arts, Archaeology, Anthropology, Botany, Geology, Zoology and Astronomy, including its conservation</p>	

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						<p>aspect; and</p> <p>(f) The Komisyon sa Wikang Filipino (KWF) shall be responsible for the propaganda, development, and promotion of the Filipino national language and the conservation of ethnic languages;</p> <p>SEC. 30. Institutional Linkages of the Commission. - The cultural agencies and other national government agencies, as listed below, shall consult, coordinate and work closely with the Commission in the implementation of their respective programs/projects in the context of this Act. Furthermore, the Commission may link up with other agencies and institutions, as it may deem appropriate, as a way of dealing with conservation on a holistic manner. The Department of Tourism (DOT), and its attached agencies, which shall be responsible for cultural education among tourism services, and protection of cultural property supplemental to the jurisdiction of the cultural agencies as defined in this Act. The implementation and creation of a tourism master plan shall be consistent with this Act;</p> <p>The Intramuros Administration (IA) which shall be responsible for the restoration and administration of the development in Intramuros;</p> <p>The National Parks Development Committee (NPDC), as an attached agency of the DOT, which shall be responsible in supervising the development (beautification, preservation and maintenance) of Quezon Memorial, Fort Santiago, Luneta, Paco Park, Pook ni Maria Makiling and other national parks and satellite projects;</p>	

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						<p>The Department of Education (DepEd) which shall be responsible in instituting the governance of basic education act, and the conservation and restoration of DepEd's built heritage such as the Gabaldon Schools and Houses;</p> <p>The Department of Public Works and Highways (DPWH) which shall be responsible in undertaking major infrastructure projects specifically in the planning, design, construction, and maintenance of national roads and bridges as they impact on heritage structures or aspects of heritage conservation;</p> <p>(f) The National Commission on Indigenous Peoples (NCIP), in behalf of the country's indigenous cultural communities, which shall coordinate with the national agencies on matters pertaining to Cultural Property under its jurisdiction;</p> <p>(g) The Department of Environment and Natural Resources (DENR) which shall be responsible for the establishment and management of the National Integrated Protected Areas System (NIPAS) and the conservation of wildlife resources, including cave and cave resources;</p> <p>(h) The Department of the Interior and Local Government (DILG) which shall coordinate with the national cultural agencies on matters pertaining to Cultural Property under its jurisdiction, and ensure that the provisions of this Act is properly executed by the local government unit;</p> <p>(i) The Office of the Muslim Affairs (OMA) which shall coordinate with the national cultural agencies on matters pertaining to Cultural Property under its jurisdiction;</p>	

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						<p>(j) The United Nations Educational Scientific Cultural Organization-National Commission of the Philippines (UNESCO-NCP)(UNACOM) which shall be responsible for providing the liaison between the cultural agencies of the Philippines and UNESCO;</p> <p>(k) The Housing and Land Use Regulatory Board (HLURB) which shall coordinate with the local government units and the Commission on matters pertaining to the establishment and maintenance of Heritage Zones;</p> <p>(l) The Autonomous Regional Government in Muslim Mindanao (ARMM) and the Cordillera Administrative Region (CAR) which shall coordinate with the national cultural Agencies on matters pertaining to Cultural Property under their respective jurisdictions; and</p> <p>(m) The Office of the Special Envoy on Transnational Crimes (OSETC) which shall have the oversight and operational capacity to go after illicitly trafficked and stolen cultural treasures.</p> <p>SEC. 31. Incorporation of Cultural Property Programs in LGU Budgets. - The local government units shall incorporate programs and budgets for the conservation and preservation of Cultural Property in their environmental, educational and cultural activities.</p> <p>SEC. 32. Training Programs. - The Commission, in coordination with the appropriate cultural agencies shall provide general training programs on conservation to the local government units which have established cultural heritage programs and projects in</p>	

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						<p>their localities.</p> <p>ARTICLE I X CULTURAL PROPERTY INCENTIVES PROGRAM</p> <p>SEC. 33. Tax Exemption for Private Individuals and Institutions. - Any gift or donation by private individuals or institutions to cultural agencies, as certified by the Commission, shall be deductible from the gross taxable income of the donor for any of the following cultural programs or purposes:</p> <ul style="list-style-type: none"> purchase or acquisition of a cultural property, a National Cultural Treasure or an Important Cultural Property for the account of the Commission; support for scientific and cultural research on anthropological projects, explorations and archaeological excavations for the Commission and its cultural agencies and accredited academic and research institutions; cultural, archaeological, anthropological, historical research and exhibitions and performances for the Commission and cultural agencies; purchase and acquisition of equipment, instruments and materials for conservation purposes for cultural agencies; (e) cultural education programs and scholarships; and (f) maintenance of Heritage Zones. <p>Provided, That the deduction shall be equivalent to 150 percent of the value of such donation: Provided further, That other tax incentives shall be promulgated for owners of real estate that have been marked or</p>	

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						<p>identified as national cultural treasure or important cultural treasure: Provided finally, That the Commission, in coordination with the Department of Finance, shall promulgate the necessary implementing guidelines to carry out the purpose of this Section.</p> <p>SEC. 34. National Heritage Resource Assistance Program. - The Commission may provide financial assistance in the form of a grant to historic, archaeological, architectural, artistic organizations for conservation or research on cultural property. No grant made pursuant to this Act shall be treated as taxable income.</p> <p>SEC. 35. Awards and Citations. - To encourage preservation of the national heritage, the Commission shall establish an annual conservation recognition program under which monetary prizes, awards and citations will be given by the President of the Philippines, upon the recommendation of the Commission, for special achievements and important contributions and services in the area of heritage preservation and conservation efforts.</p> <p>ARTICLE X CULTURAL EDUCATION</p> <p>SEC. 36. Incorporation of National Cultural Treasures and Important Cultural Property in the Basic Education System. - Within one (1) year from the effectivity of this Act, the Department of Education in coordination with the Commission's Philippine</p>	

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						<p>Cultural Education Program (PCEP), shall formulate the cultural heritage education programs both for local and overseas Filipinos to be incorporated into the formal, alternative and informal education, with emphasis on the protection, conservation and preservation of cultural heritage property. The Philippine Registry of Cultural Property shall likewise be incorporated into formal, alternative, and informal education by the provincial and local governments.</p> <p>SEC. 37. Cultural Heritage Education Program. - Within one (1) year from the effectivity of this Act, the Department of Education in coordination with the Commission shall set forth in its teaching programs nationwide the following cultural heritage education programs with emphasis at the provincial, city and municipal levels:</p> <ul style="list-style-type: none"> (a) Protection, conservation and preservation of cultural heritage properties; (b) Instructional materials in prints, film and broadcast media on the cultural and historical significance of cultural properties; and (c) Visitation, public accessibility and information dissemination on designated local cultural properties. <p>SEC. 38. Public Accessibility. - Access to historic monuments and sites, whether designated as National Cultural Treasure, Important Cultural Property, Autonomous, Provincial, City, Municipal or Barangay Cultural Property, by the general public for visitation and information, and by government representatives</p>	

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						<p>for inspection, shall not be hindered except on reasonable cause. Fees, as prescribed by the cultural agency concerned, may in appropriate cases be charged to defray cost of conservation, inclusive of general maintenance and upkeep. In the case of privately owned monuments and sites, the National Historical Institute shall arrange with the owners the schedules of visits and regular inspection.</p> <p>ARTICLE XI CULTURAL HERITAGE WORKERS' INCENTIVES PROGRAM</p> <p>SEC. 39. Cultural Heritage Workers' Incentives. - The Commission through the cultural agencies shall institute scholarships, educational training programs, and other measures to protect the well being of curators, conservators, authenticators and valuers/appraisers of cultural property and other cultural heritage workers.</p> <p>(a) Program for Cultural Heritage Workers. Within ninety (90) days from the effectivity of this Act, the Commission through the cultural agencies concerned shall come up with the following:</p> <ol style="list-style-type: none"> 1) An active Roster of Authenticators and Valuers/Appraisers; 2) An education and training plan for conservators, authenticators, valuers/appraisers, and other conservation related workers; and 3) A general training plan on conservation for local government units. <p>(b) Application of Scientific Career Merit System.</p>	

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						<p>Cultural heritage workers in the Civil Service with a Doctorate, Master of Science, or Master of Arts Degree in fields related to cultural heritage promotion and conservation, shall be given the rank and benefits of Scientists, subject to qualifying standards equivalent to those prescribed in the scientific career merit system of the government.</p> <p>A cultural heritage worker involved in science and technology in the government agencies shall be eligible for the benefits under Republic Act 8439 or the Magna Carta for Scientists, Engineers, Researchers and other Science and Technology Personnel in Government. The Commission shall likewise establish a merit award system for non-civil service cultural heritage workers.</p> <p>ARTICLE XII PENAL PROVISIONS SEC. 40. Prohibited Acts. - To the extent that the offense is not punishable by a higher punishment under another provision of law, violations of this Act may be made by whoever intentionally:</p> <p>(1) Destroys, demolishes, mutilates or damages any WHS, NCT, ICP, and archaeological and anthropological sites;</p> <p>(2) Modifies, alters, or destroys the original features of any national shrine, monument, landmark and other historic edifices and structures, declared, classified, and marked by the National Historical Institute as such, without the prior written permission from the Commission. This includes the designated security or buffer zone, extending five meters from the visible</p>	

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						<p>perimeter of the monument or site; (3) Explores, excavates or undertakes diggings for the purpose of obtaining materials of cultural historical value without prior written authority from the National Museum. No excavation or diggings shall be permitted without the supervision of a certified archaeologist; (4) Appropriates excavation finds contrary to the provisions of the New Civil Code and other pertinent laws; (5) Imports, sells, distributes, procures, acquires, or exports cultural property stolen, or otherwise lost against the will of the lawful owner; (6) Illicitly exports cultural property listed in the PRECUP, or those that may be categorized as such upon visitation or incorrectly declares the same during transit; and (7) Deals in cultural property without proper registration and license issued by the cultural agency concerned.</p> <p>SEC. 41. Penal Provisions. - Upon conviction, the offender shall be subject to a fine of not less than Two Hundred Thousand Pesos (P200,000.00) or imprisonment for a term of not less than ten (10) years, or both upon the discretion of the Court: Provided, That any cultural property attempted to be concealed from registration or those intended to be encumbered or excavated in violation of this Act shall be summarily confiscated and forfeited in favor of the Commission: Provided further, That if the violation is committed by a juridical person, the president, manager, representative, director, agent or employee</p>	

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						<p>of said juridical person responsible for the act shall also be liable for the penalties provided herein: Provided furthermore, That if the acts are committed by dealers, they shall suffer, in addition to the penalties provide herein, the automatic revocation of their license to operate: Provided finally, That if the offender is an alien, he shall be placed under the custody of the Commission on Immigration and Deportation for the appropriate proceedings under this Act, and shall be summarily deported after serving his sentence.</p> <p>All heads of departments, commissions, bureaus, agencies or offices, officers and/or agents found in violation of the deputization order under Section 26 of this Act shall upon conviction be subject to a fine of not less than Five Hundred Thousand Pesos (P500,000.00) and/or imprisonment for a term of not less than fifteen (15) years, and shall likewise be dismissed from the service.</p> <p>If the offense involves the non-registration of a cultural property such as those referred to in Section 14, and the non-registration occurs upon or after proper notification by the Commission or the cultural agency concerned, the offender shall be subject to a fine of not less than ten thousand pesos (P10,000.00) but not more than one hundred thousand pesos (P100,000).</p> <p>The concerned head of agency, officer and/or employee of the government entities mentioned in Section 30 shall be held liable for failure to consult and coordinate with the Commission for the damage to the cultural property resulting from the implementation</p>	

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						<p>of the entity's program/project, and shall be meted the penalty mentioned in the first paragraph of this Section: Provided, That the offender/s shall likewise be asked to pay for the repair or rebuilding of what has been damaged.</p> <p>SEC. 42. Appropriations. - Funding for this law shall be taken from the Fifty percent (50%) share of the government in the aggregate gross earnings of the Philippine Amusement and Gaming Corporation (PAGCOR), including other partners in the culture and arts sector from the Government Organizations (GOs) and Non-Government Organizations (NGOs), which shall constitute an additional source of funding for the National Endowment Fund for Culture and the Arts (NEFCA).</p> <p>SEC. 43. Repealing Clause. - The provisions of RA 7356, the NCCA Law or RA 8492, the National Museum Law, Republic Act 9072 or the National Caves and Cave Resources Management and Protection Act, Presidential Decree No. 1505, RA 7942 or the Philippine Mining Act of 1995, and any provision of existing laws, rules, decrees and executive orders inconsistent with the provisions of this Act are hereby repealed and modified accordingly.</p> <p>SEC. 44. Separability Clause. - Any portion or provision of this Act that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions hereof as long as such remaining provisions can still subsist and be given</p>	

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						effect. SEC. 45. Effectivity Clause. - This Act shall take effect fifteen (15) days after its complete and full publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes first. Approved,	

- PD - Presidential Decree
- RA - Republic Act
- SB - Senate Bill
- HB - House Bill
- P - Presidential Proclamation

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