

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS

FIRST REGULAR SESSION

House Bill No. **4454**



Introduced by Representative **Carlo V. Lopez**

EXPLANATORY NOTE

The proposed legislation seeks to establish the Charter of the National Library of the Philippines (NLP) which is primarily aimed at promoting full intellectual and cultural development of the Filipino people through love for reading all forms of library material imparting lessons and insights which enable and empower them to adapt to global technological changes.

This determines and defines the services and functions of NLP which is a service oriented institution with a comprehensive role in the development of libraries and librarianship throughout the country to make it more competitive especially at this time of digital age.

This bill also proposes to empower the NLP to undertake related cultural activities under the provisions of Republic 10066, the National Cultural Heritage Act of 2009, which states that "National Library of the Philippines shall be responsible for rare and significant contemporary Philippine books, manuscripts such as, but not limited to, presidential papers, periodicals, newspapers, singly or in collection, and libraries and electronic records."

Salient features of the bill:

1. Establishment of the following divisions:
 - 1.1 Digital Library Services (DLS) Division which shall provide non-traditional information services to readers which will include services for Persons with Disabilities (PWDs).
 - 1.2 Copyright Division which shall implement the provisions of Republic act 8293 as amended, otherwise known as the Intellectual Property Code which gives NLP the authority to execute functions concerning copyright.
2. Define specific roles of divisions, particularly the Readers Services division (RSD) and the Technical Services division (TSD).
3. Develops a system of public libraries and information centers throughout

4. Serves as mediator of the public's information needs and the government by creating national policies regarding libraries and their services.
5. As a lead library in promoting digital services online, especially in the field of publishing works online and continuous conduct of research on Philippine libraries and librarianship.
6. Exempting the NLP from all forms of taxes and customs duties in its income, donations, and acquisitions of its resources.
7. Authorizing the NLP to exact reasonable fees and income for services rendered and use/disburse such fees for the improvement of NLP facilities.

In view of the foregoing, early approval of this bill is earnestly sought.


CARLON M. LOPEZ

May 16, 2014

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House Bill No. **4454**

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**AN ACT MODERNIZING THE NATIONAL LIBRARY OF THE PHILIPPINES,
STRENGTHENING ITS POWERS AND FUNCTIONS,
AND FOR OTHER PURPOSES**

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

SECTION 1. *Short Title.* – This Act shall be known as the “National Library of the Philippines Modernization Act of 2014”

SEC. 2. *Declaration of Policy.* – It is the declared policy of the State to give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.

Towards this end, this State, through the National Library of the Philippines shall promote full intellectual and cultural development of the Filipino people through love for reading all forms of library materials imparting lessons and insights which enable and empower them to adapt to global technological changes.

SEC. 3. *Retention of Nomenclature.* – The National Library of the Philippines, hereinafter referred to as NLP shall retain the name given to it by Republic Act No. 10087, “An Act Amending Republic Act No. 3873, Entitled An Act Changing the Name Of the Bureau of Public Libraries To The National Library”.

It shall be an independent agency attached to the National Commission for Culture and the Arts (NCCA) for budgetary purposes.

SEC. 4. *Mandate and Functions.* – The NLP is the official repository of all printed and recorded cultural heritage of the country and other intellectual literary and information sources. It shall provide access to these resources for the Filipino people’s intellectual growth, citizenship building, life-long learning and enlightenment.

In this regard, it shall:

- a) acquire and preserve books, papers, documents, and periodicals of every kind or class, as well as Filipiniana materials through various methods of acquisition such as purchase, donations, bequests, transfers of property, money, or books for the use of the NLP;
- b) provide an efficient online access to the different resources and national bibliographic services of NLP and the Philippine eLib;
- c) develop, in cooperation with the local government units, a system of public libraries and information centers throughout the country;
- d) promote, establish, and maintain national and international standards in library and information services;
- e) conduct continuing research on Philippine librarianship;
- f) become the spearhead organization in promoting digital library services online, especially in the field of publishing works online;
- g) undertake related cultural activities under the provisions of Republic Act 10066, the National Cultural Heritage Act of 2009 which states that "the National Library of the Philippines shall be responsible for rare and significant contemporary Philippine books, manuscripts such as, but not limited to, presidential papers, periodicals, newspapers, singly or in collection, and libraries and electronic records.";
- h) uphold national pride by maintaining and preserving written history on behalf of the government who is responsible for this obligation;
- i) promote works of different languages into the local / national language; and,
- j) serve as mediator of the public clientele's needs and the government by creating national policies regarding libraries and their services;
- k) collect reasonable fees to those who will avail any of its services, such as entrance fees for the use of its reading rooms, admission fees for its cultural activities, among others.

SEC. 5. *Officials and Staff.* – The NLP shall be headed by a Director who shall be appointed by the President of the Philippines. No person may be appointed as Director of NLP unless possessed of the following minimum qualifications:

- a) A natural-born citizen of the Republic of the Philippines;
- b) With a good moral character;
- c) A holder of any Bachelor's degree;
- d) Has acquired at least five (5) years of actual and relevant experience in managing a government agency; and
- e) A registered / licensed librarian.

The Director shall be assisted by an Assistant Director whose qualifications shall be the same as that of the Director.

The Chief of a Division of NLP shall be appointed by the Director. Said Division Chief shall perform such powers and functions as may be enumerated under this Act.

SEC. 6. *Powers and Functions of the Director.* – The Director shall have the following powers and functions:

- a) Serve as Chief Executive Officer of NLP, and directly manage, direct, and supervise its day-to-day operations and internal administration;
- b) Sign all agreements and contracts entered into for and in behalf of the NLP, such as, but not limited to, deeds of sale or donation for the acquisition of books and other Filipiniana materials, contracts for consultation services, and memoranda of agreement;
- c) Approve and authorize registration and issuance of copyright;
- d) Establish policies, standards, and guidelines related to the operation of the NLP and the maintenance of the national library system;
- e) Formulate and implement reasonable rules and regulations;
- f) Execute orders and directives from the National Commission for Culture and the Arts;
- g) Appoint NLP personnel whose appointments are not vested in the President, and discipline them according to Civil Service Rules;
- h) Direct the preparation of annual reports;
- i) Represent NLP before any government office;
- j) Attend official conferences, seminars, and workshops, within the Philippines or abroad;
- k) Use NLP income for the improvement of NLP facilities and enhancement of personnel status; and
- l) Exercise such other powers as may be necessary in the performance of his duties and which may be vested in him/her by law, rule or regulation.

SEC. 7. *Powers and Functions of the Assistant Director.* – The Assistant Director shall exercise the following powers and functions, under the direction of the Director, namely:

- a) Assist the Director in planning, directing, supervising, and coordinating the functions of the NLP;
- b) Assist in the formulation of policies and program activities of the office
- c) Assist in organizing and directing the program of activities of the office as well as the application of procedures and standards;
- d) Evaluate initial papers before they are sent to the Director for signature; and
- e) Supervise the preparation of periodic and special reports;
- f) Act for the Director in case of temporary incapacity or absence, subject to the provisions of Section 8 of this Act.

SEC. 8. *Power to Delegate.* – the Director may, by an instrument in writing, delegate any function under this Act, subject to conditions, limitations or restrictions as may be decided upon, to a person or class of persons who may perform those functions in the same manner and with the same effect as if those functions had been conferred on them under this Act, subject to the provision of Sec. 40, Chapter 8, Book IV of Executive Order No. 292.

SEC. 9. *The Divisions.* – The NLP shall have seven (7) Divisions, each headed by a Division Chief who shall develop and implement plans and programs for the Division. The Division Chief shall also perform the following functions, namely: a) assist in the formulation of library policies, rules and regulations, b) administer library policies and implement rules and regulations to the division, c) submit reports and approve communications, d) issue certifications for legal purposes, and e) perform other duties that may be assigned by the Director from time to time.

a) The Reader Services Division (RSD) shall provide information, reference, and research services and resources to library users, and shall maintain reading room services for said purpose. It shall maintain and preserve foreign library materials as well as select and recommend which library materials shall be acquired by NLP.

The Division shall supervise the following Sections which shall perform the following functions, to wit:

1. Foreign Section. It shall a) maintain and organize the foreign collection (books and periodicals); b) do advisory services and recommend library materials to the readers
2. Filipiniana Section. It shall a) serve as repository of Filipiniana publications as well as official publications of Philippine government agencies and/or bureaus; b) maintain and preserve Filipiniana materials e.g. books, non-books, and special collections.
3. Children's Library & Young Adults Section. It shall a) maintain and organize the collection of children and young adult books; b) provide services and activities that develop children's & young adults' interest in books and reading.
4. Law Library Section. It shall a) maintain and organize law collections for the use of the readers; b) prepare guides for the collection of law books.

b) The Digital Library Services (DLS) Division shall provide non-traditional information services to readers.

The Division shall supervise the following Sections which shall perform the following functions, to wit:

1. Differently Abled Services Section. It shall a) assist Differently Abled readers in accessing various information; b) maintain and organize Braille, LP and audio tapes; c) Transcribe print to Braille and reads and records reference books to audio tapes; d) prepare guides to collections for Differently Abled readers.
2. Multimedia Section. It shall a) maintain and organize multimedia materials i.e. microfilms, microforms, discs, tapes, etc.; b) prepares finding guides of the collection

- c) The Technical Services Division (TSD) shall be responsible with the treatment of printed materials in regards to its technical aspects.

The Division shall supervise the following Sections which shall perform the following functions, to wit:

1. Bibliographic Services Section. It shall a) maintain an up-to-date Philippine National Bibliography (PNB); b) serve as the national center of International Standard Numbering System; c) prepare bibliographies and indexes of the national library's serial holdings.
 2. Catalog Section. It shall a) catalog and classify all library materials for the National Library and its public libraries; b) provide CIP for publishers; c) provide consultative cataloguing services and conducts in-service training.
 3. Collection Development Section. It shall a) select, evaluate, and acquire all types of library materials to enrich and expand the collection of the National Library and its public libraries; b) maintain exchange program with local and foreign institutions; c) implements the provision of PD 812 (Legal Deposit Law).
- d) The Finance and Administrative Division (FAD) shall implement and execute the policies laid down by the Executive Director relative to the organization, operation, and functions of the library. It shall coordinate the activities of the various divisions with respect to administrative and support services, and shall exercise supervision over the following sections, namely: Accounting, Budget, Cash, Human Resource Management, Records, Supply, Maintenance, Janitorial and Security Services.
1. The Accounting Section shall take charge of all accounting transactions of the Office.
 2. The Budget Section shall take charge of the preparation of the budget and other financial matters
 3. The Cash Section shall take charge of the collection of the NLP, receipts and safekeeping, and disbursement of money.
 4. The Records Section shall keep and safeguard the official records of the NLP.
 5. The Supply Section shall be in charge of the handling, purchasing of supplies, materials and equipment of the Office. It shall also take charge of the physical inventory of supplies, materials and equipment.
 6. The Maintenance Section shall take charge of the repairs and maintenance of NLP's buildings as well as its facilities.
- e) The Public Libraries Division (PLD) shall implement the provisions of existing law on public libraries system, in cooperation with local government units. It shall conduct training for public librarians, and assist in the operation of public libraries.

- f) The Information Technology Division (ITD) shall be responsible for the effective use of information and communication technology (ICT) geared towards the improvement of delivery of information and mandated services as well as the improvement of the internal business processes of the NLP.
- g) The Copyright Division shall implement the provisions of Republic Act No. 8293 as amended, otherwise known as the Intellectual Property Code which is a) to receive registration of literary and artistic works and deposit with the NLP and the Supreme Court Library (SCL) for the purpose of completing the records of the NLP under the SCL; b) assign an exclusive license upon registration; c) receive the written instrument which names the person or persons to be charged with the posthumous enforcements of these rights; and, d) the power to determine and collect such fees for the discharge of services under the Act.

SEC. 10. *Tax Exemptions.* – The provision of any general or special law to the contrary notwithstanding:

- a) The NLP shall be exempt from all taxes on its income;
- b) All donations in any form to the NLP shall be exempt from the donor's tax and the same shall be considered as allowable deduction from the gross income in the computation of the income tax of the donor, in accordance with the provisions of Republic Act No. 8424, otherwise known as the National Internal Revenue Code of 1997, as amended; and
- c) Importation of books, papers, documents, and periodicals of any kind, as well as other Filipiniana materials by NLP shall be exempt from customs duties.

SEC. 11. *Funding Provision.* – The amount necessary for the effective implementation of this Act shall be included in the annual General Appropriations Act.

All other income, fees, and revenues earned and collected by the NLP shall constitute a trust fund in the name of the NLP to be managed and used by the library to further carry out the provisions of this Act.

SEC. 12. *Transitory Provisions.* – The incumbent Director and Assistant Director of the NLP shall serve as Director and Assistant Director, respectively, until a new Director and Assistant Director shall have been appointed.

SEC. 13. *Implementing Rules and Regulations.* – The NLP, in consultation with the other government agencies mentioned in this Act, shall promulgate the implementing rules and regulations within ninety (90) days after the effectivity of this Act.

SEC. 14. *Separability Clause.* – If any provision of this Act is held invalid or unconstitutional, the same shall not affect the validity and effectivity of the other provisions thereof.

SEC. 15. *Repealing Clause.* – All other laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 16. *Effectivity Clause.* – This Act shall take effect ten (10) days following its complete publication in any newspaper of general circulation.