

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. **5368**



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Introduced by Rep. Christopher P. De Venecia

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**AN ACT AMENDING REPUBLIC ACT NO. 7356, OTHERWISE KNOWN AS THE  
"LAW CREATING THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS"**

**EXPLANATORY NOTE**

Culture and arts play an important role not only in the social transformation of an individual, but also in the economic advancement of a country. The culture and arts sector creates employment, attracts investments, generates tax revenues and encourages tourism.

In the Philippines, our creative industries contribute five per cent (5%) to our nation's GDP. Once upon a time, tourism contributed a mere five per cent (5%) to our GDP. Now, it is close to eight per cent (8%), being identified as one of the Duterte Administration's top priorities and among the drivers of our economy. Culture serves as an enhancement of tourism and should be galvanized as an invaluable tool in nation-building and economy development.

The National Commission for Culture and the Arts (NCCA) is the overall policy-making, coordinating, implementing and grants-giving government body for the preservation, development and promotion of Philippine culture, arts and heritage. The NCCA is mandated by Republic Act No. 7356, otherwise known as the "Law Creating the National Commission for Culture and the Arts," to formulate and implement policies and plans: (1) To encourage the continuing and balanced development of a pluralistic culture by the people themselves; (2) To conserve and promote the nation's historical and cultural heritage; (3) To ensure the widest dissemination of artistic and cultural products among the greatest number across the country and overseas for their appreciation and enjoyment; (4) To preserve and integrate traditional culture and its various creative expressions as a dynamic part of the national cultural mainstream; and (5) To ensure that standards of excellence are pursued in programs and activities implementing policies.

In line with President Duterte's 10-point agenda, which includes the promotion of "science, technology, and the creative arts to enhance innovation and creative capacity towards self-sustaining, inclusive development," and the comprehensive and wide-ranging mandate of the NCCA, there is a need to revisit Republic Act No. 7356 to improve and reorganize the structure of the NCCA for a more effective and efficient implementation of the government's cultural program.

It is my humble opinion, based on my experience in the culture and arts industry, that culture and arts practitioners should comprise the board of commissioners to better

address the actual needs of the culture and arts industry, while the heads of the attached cultural agencies (current *ex-officio* members of the Commission), should be freed from the burdens of membership to focus on their respective official duties and responsibilities. As an alternative, the attached cultural agencies may coordinate with the Commission through the proposed Inter-Agency Affairs Office for concerns, collaborations, policy and program alignment.

In addition to the above-mentioned office, this bill aims to create other new offices within the NCCA, with clearly defined roles and responsibilities, to effectively implement the government's cultural program.

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

  
**REP. CHRISTOPHER P. DE VENECIA**  
Fourth District, Pangasinan

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

**SECTION 1.** Section 8 of Republic Act No. 7356, otherwise known as the "Law Creating the National Commission for Culture and the Arts", is hereby amended to read as follows:

**"SEC. 8. *The Commission.*** – A National Commission for Culture and THE arts is hereby created to formulate policies for the development of culture and arts, implement these policies AND PROGRAMS ON ITS OWN OR in coordination with affiliated cultural agencies; coordinate the implementation of programs of these affiliated 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 Congress."

**SECTION 2.** Section 9 of Republic Act No. 7356 is hereby amended to read as follows:

**"SEC. 9. *Composition of the Commission.*** – The Commission shall be composed of A CHAIRMAN AND FIFTEEN (15) MEMBERS: *PROVIDED*, THAT THE CHAIRMAN SHALL BE A PERSON OF PROVEN ADMINISTRATIVE PROFICIENCY, INDEPENDENCE, KNOWLEDGEABLE OF THE DIFFERENT ASPECTS OF THE CULTURE AND THE ARTS, SHALL HAVE AT LEAST TEN (10) YEARS OF ACTUAL EXPERIENCE IN THE CULTURE AND ARTS INDUSTRY, AND FULLY COMMITTED TO THE PROMOTION AND DEVELOPMENT OF PHILIPPINE CULTURE AND ARTS: *PROVIDED, FURTHER*, THAT THE CHAIRMAN AND THE NON-EX-OFFICIO MEMBERS SHALL BE APPOINTED BY THE PRESIDENT OF THE PHILIPPINES.

"THE BOARD SHALL ELECT A VICE-CHAIRMAN FROM AMONG ITS MEMBERS FOR A TERM OF THREE (3) YEARS AND IN THE EVENT OF A VACANCY IN THE OFFICE OF THE CHAIRMAN, THE VICE-CHAIRMAN SHALL

ASSUME SUCH DUTIES AND RESPONSIBILITIES UNTIL SUCH TIME AS A CHAIRMAN IS APPOINTED.

"THE COMMISSION SHALL BE COMPOSED OF THE FOLLOWING MEMBERS:

- "a) A CHAIRMAN, WHO SHALL BE THE CHIEF EXECUTIVE OFFICER OF THE COMMISSION;
- "b) THE UNDERSECRETARY OF THE DEPARTMENT OF EDUCATION;
- "c) THE UNDERSECRETARY OF THE DEPARTMENT OF TOURISM;
- "d) TWELVE (12) PROFESSIONAL ARTISTS OR PRACTITIONERS FROM THE PRIVATE SECTOR, INDIVIDUALLY REPRESENTING EACH OF THE GENERAL AREAS OF (1) MUSICAL ARTS; (2) VISUAL ARTS; (3) LITERARY ARTS; (4) THEATER ARTS; (5) DANCE; (6) CINEMA ARTS; (7) ARCHITECTURE; (8) LANGUAGE; (9) CULTURAL HERITAGE; (10) INDIGENOUS ARTS; (11) CULINARY ARTS; (12) FASHION ARTS.

**SEC. 3.** Section 10 of Republic Act No. 7356 is hereby amended to read as follows:

**"SEC. 10. Term of Office and Compensation.** – THE CHAIRMAN AND THE NON-EX-OFFICIO MEMBERS OF THE COMMISSION SHALL SERVE FOR A TERM OF THREE (3) YEARS, UNLESS SOONER REMOVED BY THE PRESIDENT; PROVIDED, THAT THEY SHALL BE ELIGIBLE FOR REAPPOINTMENT AFTER THE EXPIRATION OF THEIR RESPECTIVE TERMS: PROVIDED, FURTHER, THAT NO CHAIRMAN OR MEMBER SHALL SERVE FOR MORE THAN TWO (2) SUCCESSIVE TERMS. IF THE CHAIRMAN OR NON-EX-OFFICIO MEMBER FAILS TO COMPLETE HIS/HER TERM, THE PERSON APPOINTED TO FILL THE VACANCY SHALL SERVE ONLY FOR THE UNEXPIRED PORTION OF THE VACATED TERM THAT HE/SHE SUCCEEDS: *PROVIDED, FINALLY*, THAT SUCH SERVICES OF THE UNEXPIRED PORTION SHALL NOT BE COUNTED AS A TERM.

"THE CHAIRMAN AND THE NON-EX-OFFICIO MEMBERS SHALL HAVE THE SAME RANK, SALARY, AND PRIVILEGES AS THOSE OF A CABINET SECRETARY AND ASSISTANT SECRETARIES, RESPECTIVELY.

*"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."

**SEC. 4.** Section 12 of Republic Act No. 7356 is hereby amended to read as follows:

**"SEC. 12. *Mandate.*** – The Commission is hereby mandated to formulate and implement policies, [and] plans, PROGRAMS AND ACTIVITIES in accordance with the principles stated in Title I of this Act.

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**SEC. 5.** Section 14 of Republic Act No. 7356 is hereby amended to read as follows:

**"SEC. 14. *The Secretariat.*** – The Commission shall organize a secretariat headed by an executive director, WHO SHALL BE RESPONSIBLE FOR THE ADMINISTRATIVE AND DAY-TO-DAY OPERATIONS OF THE COMMISSION. The Commission shall fix its staffing pattern, determine the duties, qualifications, responsibilities and function 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.

"THE EXECUTIVE DIRECTOR SHALL BE APPOINTED BY THE PRESIDENT UPON RECOMMENDATION OF THE COMMISSION: *PROVIDED*, NO PERSON SHALL BE APPOINTED AS EXECUTIVE DIRECTOR UNLESS HE/SHE POSSESSES THE FOLLOWING MINIMUM QUALIFICATIONS: A FILIPINO CITIZEN, OF GOOD MORAL CHARACTER AND OF UNQUESTIONABLE INTEGRITY, AND A HOLDER OF A FOUR-YEAR COLLEGE DEGREE IN PUBLIC ADMINISTRATION, BUSINESS OR LAW: *PROVIDED, FURTHER*, THAT NO MEMBER OF THE COMMISSION SHALL SIMULTANEOUSLY SERVE AS EXECUTIVE DIRECTOR."

**SEC. 6.** Section 15 of Republic Act No. 7356 is hereby amended to read as follows:

**"SEC. 15. *The Subcommissions.*** – The Commission shall oversee the operations and maintenance of National Committees under the following Subcommissions:

- "a) 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;
- "b) Subcommission on the Arts, which shall cover but will not be limited to the following areas: literary arts, visual arts, architecture, dramatic arts, broadcast arts, musical arts, dance, film, FASHION, AND CULINARY ARTS;
- "c) Subcommission on Cultural Dissemination, which shall cover but will not be limited to the following areas: language and translation, cultural events, and cultural education and information; and
- "d) Subcommission on Cultural Communities, 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.

"FILIPINO CITIZENS WHO ARE OF GOOD STANDING AND ARE RECOGNIZED AND ACTIVE PRACTITIONERS IN HIS OR HER OWN FIELD/ART ARE ELIGIBLE FOR MEMBERSHIP IN THE NATIONAL COMMITTEES.

"THE NATIONAL COMMITTEES SHALL, AMONG OTHER THINGS AND WITHIN THEIR RESPECTIVE FIELDS OF EXPERTISE, ASSIST THE COMMISSION IN THE FORMULATION OF POLICIES AND PROGRAMS, PROGRAM MONITORING AND EVALUATION, AND RECOMMEND INDIVIDUAL ARTISTS AND CULTURAL WORKERS, NON-GOVERNMENT ORGANIZATIONS, ACADEMIC INSTITUTIONS AND OTHER ORGANIZATIONS FOR GRANTS."

**SEC. 7.** A new section to be denominated as section fifteen-A is hereby inserted after section fifteen of Republic Act No. 7356 to read as follows:

**"SEC. 15-A. OFFICES WITHIN THE COMMISSION.** – THE COMMISSION SHALL HAVE THE FOLLOWING OFFICES:

- "a) *LEGISLATIVE LIAISON OFFICE* – THE LEGISLATIVE LIAISON OFFICE SHALL ESTABLISH AND MAINTAIN REGULAR COORDINATION WITH CONGRESS, MONITOR THE PASSAGE OF LEGISLATIVE MEASURES THAT ARE IN THE COMMISSION'S AGENDA, PROVIDE RELEVANT INFORMATION AND TECHNICAL SUPPORT TO MEMBERS OF CONGRESS, AND PERFORM SUCH OTHER RELATED FUNCTIONS AS MAY BE ASSIGNED OR DELEGATED BY THE COMMISSION;
- "b) *INTER-AGENCY AFFAIRS OFFICE* – THE INTER-AGENCY AFFAIRS OFFICE SHALL BE RESPONSIBLE FOR COORDINATION WITH THE NATIONAL CULTURAL AGENCIES, INCLUDING BUT NOT LIMITED TO THE CULTURAL CENTER OF THE PHILIPPINES, THE NATIONAL HISTORICAL COMMISSION OF THE PHILIPPINES, THE NATIONAL MUSEUM, THE NATIONAL LIBRARY, KOMISYON NG WIKANG FILIPINO, NATIONAL ARCHIVES OF THE PHILIPPINES, AND WITH OTHER AGENCIES AND DEPARTMENTS OF THE NATIONAL GOVERNMENT;
- "c) *INTERNATIONAL LIAISON OFFICE* – THE INTERNATIONAL LIAISON OFFICE SHALL BE RESPONSIBLE FOR COORDINATION WITH THE INTERNATIONAL CULTURAL AGENCIES, INTERNATIONAL ORGANIZATIONS, AND OTHER COUNTRIES FOR COLLABORATION AND FUNDING ASSISTANCE, IN COORDINATION WITH THE DEPARTMENT OF FOREIGN AFFAIRS;

- "d) *LOCAL GOVERNMENT UNIT CULTURAL LIAISON OFFICE* – THE LOCAL GOVERNMENT UNIT LIAISON OFFICE SHALL DETERMINE THE BASELINE DATA ON THE STATUS OF LOCAL CULTURE AND ARTS COUNCILS, EXISTING LOCAL CULTURE AND ARTS COUNCILS' PROGRAMS AND PROJECTS, QUANTITATIVE AND QUALITATIVE ASSESSMENT OF CURENT AND PAST NCCA PROJECTS AND PROGRAMS FUNDED THROUGH GRANTS TO THE LOCAL GOVERNMENT UNITS AND/OR FOR ACTIVITIES THAT BENEFITTED LOCAL GOVERNMENT UNITS, DETERMINE KEY INDICATORS FOR SUCCESSFUL LOCAL INSTITUTIONALIZATION OF CULTURE AND ARTS, AND CONDUCT AWARENESS PROGRAMS FOR LOCAL GOVERNMENT UNITS;
- "e) *GRANTS OFFICE* – THE GRANTS OFFICE SHALL FACILITATE ALL GRANTS-RELATED MATTERS FOR THE DEVELOPMENT, PROTECTION, PRESERVATION AND DISSEMINATION OF PHILIPPINE CULTURE AND THE ARTS; *PROVIDED, THAT*, THE COMMISSION SHALL BE THE DECIDING BODY IN AWARDING THE GRANTS TO APPLICANTS;
- "f) *LEGAL ASSISTANCE OFFICE* – THE LEGAL ASSISTANCE OFFICE SHALL ESTABLISH A MECHANISM FOR FREE LEGAL ASSISTANCE FOR ARTISTS AND CULTURAL WORKERS FOR THE PROTECTIONS OF THEIR INTELLECTUAL PROPERTY RIGHTS AND ENFORCEMENT OF CONTRACTUAL OBLIGATIONS IN COORDINATION WITH THE INTEGRATED BAR OF THE PHILIPPINES, AND OTHER NGOS AND VOLUNTEER GROUPS.
- "g) *ARTIST WELFARE OFFICE* – THE ARTIST WEFARE OFFICE SHALL SERVE AS THE PRIMARY OFFICE RESPONSIBLE FOR THE ACCREDITATION OF ARTISTS AND GUILDS AND SHALL ENSURE COMPLIANCE WITH THE PROVISIONS OF THE ARTIST WELFARE PROTECTION ACT."

**SEC. 8.** Section 22 of Republic Act No. 7356 is hereby repealed.

**SEC. 9.** *Separability Clause.* – All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

**SEC. 10.** *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,