



REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
Second Regular Session

H. NO. **7207**

Introduced by Rep. AURELIO "DONG" D. GONZALES, JR.

EXPLANATORY NOTE

The Paskuhan Village (Philippine Christmas Village), also known as Hilaga Property in the City of San Fernando, Province of Pampanga, was an environment friendly theme park. It upheld the Filipino tradition of celebrating the longest Christmas ever. The Village was the brainchild of the late Pampanga Governor Bren Z. Guiao and former Tourism Undersecretary Mina Gabor. Aside from giving insight into traditional Filipino Christmas practices, the Village also served as a venue for the display and sale of locally manufactured export quality products and services. It was inaugurated on December 11, 1990.

The first of its kind in Asia, the Village is shaped like a giant lantern sprawling on a 9.3 hectares of land in San Fernando, Pampanga. It features the Village Shops, Christmas Museum, Food Courts, conference facilities and entertainment venues.

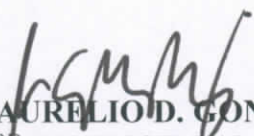
The Paskuhan Village was purchased by then Philippine Tourism Authority (PTA) on November 28, 1989 from Dr. Cristino Lazatin. There are two (2) titles covering the land, namely Transfer Certificate of Title (TCT) No. 297231-R with an area of 43,146 square meters and TCT NO. 376323-R with an area of 50,000 square meters. Both TCTs are in the name of PTA. The Paskuhan Village, now known as the Hilaga Northern Philippines, is being managed and operated by Tourism Infrastructure Enterprise Zone Authority (TIEZA) created under Republic Act No. 9593 otherwise known as the Tourism Act of 2009. PTA, was then replaced by TIEZA.

Although the local government of San Fernando City offered to TIEZA the management and operation the Paskuhan Village the offer was ignored by TIEZA. Section 54 of Republic Act No. 9593 states that "that concerned LGUs interested to manage and operate said assets shall have the right of first refusal." Instead of letting to the LGU of the City of San Fernando the right to operate and manage the Paskuhan Village, TIEZA decided to dispose or sell the property through what it claims as public bidding. Initially, there were four prospective bidders which purchased

bidding documents, namely, SM Development Corporation (SMDC), Premier Central Inc., SM Prime Holdings Corporation, and SEJ Holdings Corp. Records from the Securities and Exchange Commission disclosed that the first three corporations are controlled by the Sy family. Hence, assuming that all 3 participated in the alleged bidding there could possibly be no competition among them as they have a commonality of interest. On the date of bid submission only one bidder submitted a bid which was Premier Central, Inc.

Due to perceived irregularities in the sale of the Paskuhan Village, the sale was the subject of investigation by the House Committee on Good Government and Public Accountability. After a series of hearings by the Committee, the Committee declared the alleged public bidding as farce because aside from the fact that there was only one bidder, the Bids and Awards Committee of TIEZA applied the wrong law, Republic Act No. 9184. This law applies only to procurement of government contracts for infrastructures, goods and consultancy. It does not apply to sale or disposal of government owned land. Although the deed of sale between TIEZA and Premier Central, Inc. was already signed by former TIEZA COO, Mr. Mark Lapid and the authorized representative of Premier Central, Inc. the certificate of title to the property has not been transferred yet to the buyer because of the congressional investigation.

The Paskuhan Village to Kapampangan is a priceless cultural heritage which showcases their culture and must therefore be preserved. Hence, it is imperative that the Paskuhan Village be declared by means of a law as cultural heritage, national treasure and property of public domain to prevent its sale or disposition to private parties for purely commercial purposes.


REP. AURELIO D. GONZALES, JR.
3RD DISTRICT, PAMPANGA



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AN ACT DECLARING THE PASKUHAN VILLAGE IN THE CITY OF SAN FERNANDO,
PROVINCE OF PAMPANGA AS CULTURAL HERITAGE AND FURTHER DECLARING
AS PROPERTY OF PUBLIC DOMAIN

Section 1. Short Title

This Act shall be known as the City of San Fernando Paskuhan Village Act of 2018

Section 2. Declaration of Principle:

Section 2, Article XII of the 1987 Philippine Constitution provides that with the exception of agricultural lands, all other natural resources shall not be alienated. The exploration, development and utilization of natural resources shall be under the full control and supervision of the State.

Section 14, Article XIV of the 1987 Philippine Constitution provides that the State shall foster the preservation, enrichment and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expressions.

Section 16 of Article XIV of the 1987 Philippine Constitution provides that all the country 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.

3. Declaration of Paskuhan Village also known as Hilaga Northern Philippines as Cultural Heritage – In consonance on the affording of protection by the State on cultural treasures of the Nation and since the Paskuhan Village showcases the Kapampangan culture, the Paskuhan Village is hereby declared as national treasure and cultural heritage.

The land where the Paskuhan Village is situated is also declared a property of public domain and therefore inalienable, being beyond the commerce of men.

4. Operation and Management of the Paskuhan Village – The operation and management of the Paskuhan Village is hereby devolved to the local government of the City of San Fernando of the Province of Pampanga and as such it shall be responsible for the improvement, rehabilitation and maintenance of the Paskuhan Village.

5. Assistance of National Government Agencies – The Department of Tourism through its Tourism Infrastructure Enterprise Zone Authority and the National Commission for Culture and the Arts are hereby directed to provide assistance to the local government of San Fernando City in the improvement, rehabilitation and maintenance of the Paskuhan Village.

6. All revenues that will be earned by the local government of San Fernando City in the operation of the Paskuhan Village shall be considered as trust fund which shall be used only in the operation, improvement, maintenance and rehabilitation of the Paskuhan Village including payment of allowances/honoraria of officials/employees of the local government unit of San Fernando City, Tourism Infrastructure and Enterprise Zone Authority and the National Commission for Culture and the Arts that will be involved in activities pertaining to the Paskuhan Village.

7. Repealing Clause – This law repeals Section 64 of Sub-Chapter IV-B, Chapter IV of Republic Act No. 9593 entitled An Act Declaring A National Policy for Tourism As An Engine of Investment, Employment, Growth and National Development and Strengthening the Department of Tourism and Its Attached Agencies to Effectively and Efficiently Implement That Policy and Appropriating Funds Therefor. Any other law, presidential proclamation, executive order, rules and regulations and other issuances inconsistent with the provision of this Act are hereby repealed accordingly.

8. Separability Clause – If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

9. Effectivity Clause – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of national circulation.