

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. **8408**



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

Republic Act No. 9155 or the “Governance of Basic Education Act” was enacted in 2001 in order to set the framework for the governance of basic education which shall set the general directions for educational policies and standards and establish authority, accountability and responsibility for achieving higher learning outcomes. The then Department of Education, Culture, and Sports (DECS) was renamed as the Department of Education (DepEd).

RA No. 9155 transferred the administration of Cultural Agencies, namely Komisyon ng Wikang Pilipino, National Historical Institute, Record Management and Archives Office, and the National Library. The transfer of the cultural agencies sidelined the effective promotion of the Philippine culture and arts.

Filipinos fail to appreciate the significance of culture and arts in nation-building. We often see art and culture as a form of expression and/ or a form of entertainment. However, we fail to realize that Filipino art and culture reflects our country’s identity. Arts and Culture is an essential tool for nation-building as it will promote our national identity which will provide unity and direction to our nation toward development.

Hence, this bill proposes to reorganize the National Commission for Culture and the Arts (NCCA) into an independent Department of Culture which will promote and develop our cultural traditions, as we acknowledge its vital role in nation-building. The creation of the said Department is essential to having a legitimate government body that would coordinate all activities of promoting “national identity and culture.”

In view of the foregoing, and to effectively preserve our Filipino heritage as well as promote the importance of Philippine arts and culture to our constituents, the passage of this bill is earnestly sought.


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT
ESTABLISHING THE DEPARTMENT OF CULTURE APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

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

SEC. 1. *Short Title.* This Act shall be known as the "Department of Culture Act."

ARTICLE I
DECLARATION OF POLICY

SEC.2. *Declaration of Policy.* It is hereby declared the policy of the State:

- a. To recognize that culture is a unifying, humanizing and modernizing agent/instrument of any society, and the patrimony and right of every citizen of the Philippines;
- b. To recognize the vital role of culture in nation-building;
- c. To Incorporate considerations of culture in the formulation of appropriate and significant political and economic policy that will better serve Filipinos and ensure that all Filipinos enjoy full cultural rights, take full advantage of a dynamic cultural experience, and be inspired, sustained by, draw from, contribute to and celebrate the country's culture;
- d. To create a national body which will develop, manage and be responsible for the implementation of policy, legislation and strategic direction for the protection, regulation, preservation, development, management, dissemination and promotion of the country's culture, relative to the immense national resources, patrimony and wealth engendered and amassed through countless generations and centuries of distinctive Filipinos ways of life and experiences in specific natural and social environments that this represents, and to facilitate the convergence of various agencies with cultural mandates and rationalize their organizations and functions;

- e. To foster, strengthen, and accelerate the convergence of various cultural offices agencies, and rationalize their organizations and functions;
- f. To recognize that cultural education is the right of every citizen and therefore ensure that cultural literacy is inculcated in the development and education of all Filipinos;
- g. To promote the national language of the country while enhancing the linguistic diversity of the Philippines; and
- h. To secure and improve the welfare of Filipino artists and cultural workers.

The Department shall continually review the state and needs of culture and arts in the context of the country's developmental goals.

SEC.3. Definition of Terms. For purposes of this Act, the following terms shall be defined as follow:

- a. **"Art"** shall refer to the expression or application of human creative skill and imagination.
- b. **"Conservation"** shall refer to all process and measures of maintaining the cultural significance of a cultural property, including but not limited to, preservation, restoration, reconstruction, protection, adaptive re-use or any combination thereof.
- c. **"Cultural agencies"** shall refer to any of the following national government agencies with their specific areas of responsibility: National Museum of the Philippines (cultural property), the National Library of the Philippines (books), National Historical Commission of the Philippines (Philippine history), the National Archives of the Philippines (documents) the Cultural Center of the Philippines (culture and arts) and Komisyon sa Wikang Filipino (language).
- d. **"Cultural Education"** shall refer to the teaching and learning of cultural concepts and process.
- e. **"Cultural Heritage"** shall refer to the totality of cultural property preserved and developed through time and passed on to posterity.
- f. **"Cultural Property"** shall refer to all products of human creativity by which people and nation reveal their identity, including architecture and sites or human activity [churches, mosques and other places of religious worship, schools] and natural history specimens and sites, whether public or privately owned, movable or immovable and tangible and intangible.
- g. **"Culture"** shall refer to the broad spectrum of people's beliefs, practices, customs and traditions, material culture, arts and other forms of actual and symbolic expressions and representations which are handed down from one generation to the next in the process of interaction.

1
2 h. **"History"** shall refer to a written record of past events relating to
3 Philippine history.
4

5 i. **"Indigenous Cultural Communities/Indigenous Peoples"** shall refer to a
6 group of people or homogenous societies identified by self-ascription and
7 ascription by others, who have continuously lived as organized community
8 on communally bounded and defined territory, and who have, under claims
9 of ownership since time immemorial, occupied, possessed and utilized
10 such territories, sharing common have, through resistance to political,
11 social and cultural inroads of colonization, majority of Filipinos. ICCs/IPs
12 shall likewise include peoples who are regarded as indigenous on account
13 of their descent from the populations which inhabited the country, at the
14 time of conquest or colonization, or at the time of inroads of non-
15 indigenous religious and cultures, or the establishment of present state
16 boundaries, who retain some or all of their own social, economic, cultural
17 and political institutions, but who have been displaced from traditional
18 domains or who may have resettled outside their ancestral domains;
19

20 j. **"Intangible Cultural Heritage"** shall refer to practices, representations,
21 expressions, knowledge, skills, as well as instruments, objects and artifacts
22 associated therewith, that communities, groups and individuals recognize
23 as part of their cultural heritage, such as: (1) oral traditions, usages,
24 customs, languages and other expressions; (2) performing arts; (3) social
25 practices, religious rites, rituals, culinary traditions, and festive events; (4)
26 knowledge and practices concerning nature and the universe, worship and
27 (5) traditional craftsmanship.
28

29 **ARTICLE II**
30 **THE DEPARTMENT OF CULTURE**
31

32 **SEC.4. *Creation of the Department of Culture.*** – There is hereby created the
33 Department of Culture (*Kagawaran ng Kultura*), hereinafter referred to as the Department,
34 which shall be the primary policy-formulating, planning, coordinating, implementing, and
35 administrative entity of the executive branch of the National Government that will implement
36 the pertinent provisions of the Constitution regarding culture and arts as well as the
37 aforementioned policy of the State.
38

39 The Department with its attached agencies shall be responsible for the protection,
40 preservation, regulation, development, management, dissemination and promotion of the
41 cultural, historical and artistic heritage and resources, tangible and intangible, of the
42 Philippines and the Filipino people, all of which, with their physical and social contexts and
43 environments, are understood as together constituting and pertaining to Philippine culture for
44 purposes of this Act.
45

46 The Department shall continually review the state and needs of culture and arts in the
47 context of the country's developmental goals.
48

49 **SEC.5. *Powers and Functions.*** The Department shall exercise the following powers
50 and functions:

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- a. Formulate and implement national policies, plans, programs, and guidelines for the protection, preservation, regulation, development, management, dissemination and promotion of culture, to ensure overall consistency, effectiveness, efficiency, and conformity with the policies of the State articulated in the Constitution as well as in this Act and other pertinent laws and issuances;
 - b. Assume and exercise all existing regulatory and quasi-judicial functions established under Republic Act No. 4846, or the "*The Cultural Properties Preservation and Protection Act*;" Presidential Decree No. 374, or "*Amending the Cultural Properties Preservation and Protection Act*;" Presidential Decree No. 1616, or "*Creation of the Intramuros Administration*;" Presidential Decree No. 1748, or "*An Act Amending the Charter of the Intramuros Administration*;" Republic Act No. 8491, or "*The Flag and Heraldic Code of the Philippines*;" Republic Act No. 9105, or "*Art and Forgery Act of 2001*;" and, Republic Act No. 10066, or "*The National Cultural Heritage Act of 2009*;" and, Republic Act No. 10086 or "*Strengthening Peoples' Nationalism Through Philippine History Act*;" as well as such functions promulgated through executive issuances that pertain to the agencies of the National Government covered under this Act, which are all hereby transferred in *toto* to the Department from the said agencies;
 - c. Be responsible for disaster risk reduction and management relative to culture and cultural property, both through its own programs and projects as well as through the National Disaster Risk Reduction and Management Council and Regional Disaster Risk Reduction and Management Councils, on which it shall have full membership, representation and participation;
 - d. Recommend to the President of the Philippines the designation, through Presidential Proclamation, with appropriate published guidelines pertaining thereto, of a cultural property, whether immovable or movable, tangible or intangible, as a National Cultural Monument, a category hereby established which incorporates the previously-established legal definitions of, criteria pertaining to, and all cultural property previously declared by authorized agencies as National Cultural Treasure, National Historical Landmark, National Historical Shrine, National Historical Monument, and National Historical Site;
 - e. Designate, through Department Order, and with appropriate published guidelines pertaining thereto, cultural property, whether immovable or movable, tangible or intangible, as National Cultural Property, a category hereby established which incorporates the previously-established legal definitions of, criteria pertaining to, and all cultural property previously declared by authorized agencies as Important Cultural Property and Heritage House;
 - f. Administer the qualification and selection, with appropriate published guidelines pertaining thereto, of the Award for National Living Treasures (*Gawad ng Manlilikha ng Bayan*), which is hereby renamed as the Order of National Living Treasures (*Orden ng mga Pambansang Manlilikha ng Bayan*), and the Order of National Artists (*Orden ng mga Pambansang Alagad ng Sining*), and recommend those nominees to either Order who have been qualified and selected to the President of the Philippines for proclamation as such and conferral of the same;

- 1 g. Undertake, through a National Institute of Culture and Arts Management and the
2 Institutes of Living Traditions to be established for the purpose, in an appropriate
3 partnership with the academic sector, the education, training and certification of
4 cultural officers and personnel as a necessary qualification for employment and
5 promotion in the National Government and in local governments where such
6 might be required by the Department in coordination with the Civil Service
7 Commission and the Career Executive Service Board, at the career sub-
8 professional, career professional, and career executive levels, to include
9 appropriate courses and programs towards certificates, diplomas, and
10 undergraduate and graduate degrees;
11
12 h. Administer the qualification, selection and conferral of such other awards as it
13 may establish in support of its mandate;
14
15 i. Support the development of the cultural, artistic and creative industries of the
16 country, in all particulars and at all levels;
17
18 j. Administer the endowment funds established separately under Section 20 of
19 Republic Act No. 7356, *The Law Creating the National Commission for Culture*
20 *and the Arts;* and Section 50 of Republic Act No. 10066, which are herein
21 consolidated into a single National Endowment Fund for Culture and Arts
22 (NEFCA) that shall continue to be sourced and augmented as provided by the
23 aforementioned provisions, and provide financial support from this fund for
24 various national programs through a system of grants drawing from the proceeds,
25 including both principal and interest, of the same, subject to the approval of the
26 Department of Budget and Management.
27
28 k. Represent the Philippines in matters pertaining to culture in overseas regional and
29 international organizations and events.
30
31 l. Other powers and functions as may be created, assigned or transferred by the
32 President of the Philippines in accordance with law.
33

34 **SEC.6. *Composition.*** – The Department proper shall include the Office of the
35 Secretary and the staff units directly under it, including the Services established herein. The
36 Office of the Secretary shall consist of the Secretary, at least three (3) Undersecretaries, and
37 at least five (5) Assistant Secretaries, together with the personnel in their immediate offices.
38

39 **SEC.7. *Secretary of Culture.*** The authority and responsibility for the exercise of the
40 mandate of the Department and for the discharge of its powers and functions shall be vested
41 in the Secretary, who shall have supervision and control of the Department and shall be
42 appointed by the President of the Philippines, subject to the confirmation by the Commission
43 on Appointments.
44

45 **SEC.8. *Powers and Functions of the Secretary.***– The Secretary shall have the
46 following powers and functions:
47

- 48 a. Provide executive direction and supervision over the entire operations of the
49 Department and exercise administrative supervision over its attached agencies;

- b. Establish policies and standards for the effective, efficient and economical operation of the Department, in accordance with the program of government;
- c. Promulgate rules and regulations necessary to carry out department mandates, objectives, policies, functions, plans, programs and projects;
- d. Promulgate administrative issuances necessary for the efficient administration of the offices under the Secretary and for proper execution of the laws relative thereto. These issuances shall not prescribe penalties for their violation, except when expressly authorized by law;
- e. Rationalize delivery systems necessary for the effective attainment of the objectives of the Department, in accordance with the programs of Government;
- f. Appoint all officers and employees of the Department except those whose appointments are vested in the President or in some other appointing authority and shall appoint employees to positions in the second level in the regional offices as defined in this Act and in accordance with the Civil Service laws, rules and regulations;
- g. Exercise disciplinary powers over officers and employees under the Secretary in accordance with law, including their investigation and the designation of a committee or officer to conduct such investigation;
- h. Sit on the governing boards of attached agencies as provided in this Act, as well as any other agencies or organizations ad may be appropriate or designated;
- i. Coordinate with local governments, other agencies and public and private interests' groups, including non-government organizations (NGOs) and people's organizations (POs) on Department policies and initiatives;
- j. Advise the President of the Philippines and make recommendations on the promulgation of executive and administrative orders and regulatory and legislative proposals on matters pertaining to culture;
- k. Formulate and enforce a system of measuring and evaluating periodically and objectively the performance of the Department and submit the same annually to the President;
- l. Prepare and submit to the President through the Department of Budget and Management an estimate of the necessary expenditures of the department during the next fiscal year, on the basis of the reports and estimates submitted by bureaus and officers under the Department;
- m. Exercise jurisdiction over all bureaus, offices, agencies and corporations under the Department as are provided by law; and
- n. Performs such other functions as may be provided by law or assigned by the President of the Republic of the Philippines.

1 **SEC.9. Undersecretaries.** The Secretary shall be assisted by three (3)
2 Undersecretaries, who shall be appointed by the President of the Philippines upon the
3 recommendation of the Secretary, at least two (2) of whom shall be career officers. In
4 general, the undersecretaries shall:

- 5
6 a. Advise and assist the Secretary in the formulation and implementation of
7 department objectives and policies;
8
9 b. Oversee all the operational activities of the bureau or units for which he shall be
10 responsible as assigned by the Secretary;
11
12 c. Coordinate the programs and projects of the same and be responsible for its
13 economical, efficient and effective administration;
14
15 d. Whenever necessary be designated to serve as deputy to the Secretary in all
16 matters relating to the operations of the department; the designated Undersecretary
17 will temporarily discharge the duties of the Secretary in the latter's absence or
18 inability to discharge his or her duties for any cause or in case of vacancy of the
19 said office, unless otherwise provided by law; the President of the Philippines
20 shall likewise make the temporary designation of Acting Secretary to the same;
21 and
22
23 e. Perform such other functions and duties as may be provided by law.
24

25 **SEC.10. Assistant Secretaries.-** The Secretary shall be assisted by at five (5)
26 Assistant Secretaries, who shall be appointed by the President of the Philippines upon the
27 recommendation of the Secretary, at least three (3) of whom shall be career officers. The
28 Assistant Secretaries shall be in charge of specific areas of responsibility as may be
29 established by the Secretary.
30

31 **SEC.11. Qualifications.-** No person shall be appointed Secretary, Undersecretary, or
32 Assistant Secretary of the Department unless he or she is a citizen and resident of the
33 Philippines, of good moral character, and of proven integrity, and with at least seven (7) years
34 of competence/expertise/experience as manager, advocate, scholar or practitioner in fields of
35 endeavor related to Philippine culture and the mandate and functions of the Department.
36

37 **ARTICLE III**
38 **THE DEPARTMENT SERVICES**
39

40 **SEC.12. Department Services. -** The Department of Culture shall have series which
41 shall include the General Administrative Service, Financial Management Service, Policy and
42 Planning Service, Legal Affairs Service, Physical Facilities Management Service, Human
43 Resources Development Service, Strategic Communications and Initiatives Service,
44 Knowledge and Information Systems, Project Evaluation and Monitoring Service, Foreign-
45 Assisted and Special Projects Service, Internal Audit Service, Endowment Management
46 Service, Grants Management Service;
47

48 **ARTICLE IV**
49 **THE BUREAUS**
50

1 **SEC.13. The Bureaus of the Department.** –The Department shall exercise
2 supervision and control over the following six (6) Bureaus which are created under it:

- 3
- 4 a. ***Bureau of Cultural Communities and Traditional Arts Development*** – shall
5 formulate and implement plans, programs and activities for the development of
6 the different cultural communities all over the country, ensure the preservation
7 and dissemination of the country's diverse cultures, establish schools/ institutes
8 for living traditions, encourage the continued practice and development of
9 traditional arts and crafts, document the Indigenous Knowledge Systems and
10 Practices (IKSP), and cause the recognition of outstanding traditional artists.
11
- 12 b. ***Bureau of Cultural Properties Protection and Regulation-*** shall be in-charge of
13 the registration and documentation of the nation's historical and cultural
14 properties, issue permits and license, conduct inspection and assessment on
15 cultural properties, implement Disaster Risk Reduction program for the cultural
16 assets, enforce laws on cultural heritage conservation and intellectual property
17 protection for artists and cultural experts.
18
- 19 c. ***Bureau of Cultural Properties Preservation*** – shall formulate and implement
20 plans, programs, and activities for the preservation of tangible and intangible
21 cultural heritage, provide architectural, engineering, scientific and conservation
22 laboratory services, provide support to monuments and sites, museums and
23 galleries and libraries and archives all over the country and establish a National
24 Institute of Heritage Conservation.
25
- 26 d. ***Bureau of Artistic Resources Development-*** shall ensure the continuing and
27 balance development of the nation's artistic heritage in its various forms;
28 performing arts, film and media arts, visual arts, architecture and allied arts and
29 literature provide support to regional and local culture and arts centers, performing
30 arts and exhibition venues, ensure the welfare of artists and cultural workers,
31 undertake human resource development programs for artists, and establish the
32 National Academy for Culture and Arts and National Institute for Culture and Arts
33 Management.
34
- 35 e. ***Bureau of Cultural Research, Education and Dissemination.-*** shall undertake
36 cultural research for policy and program development, publish cultural materials,
37 especially on positive Filipino values for dissemination, manage the cultural
38 education program for the country, ensure the development and promotion of
39 Philippine languages, implement national translation program, and implement
40 national promotion program in various forms of media.
41
- 42 f. ***Bureau of Cultural and Creative Industries.-*** shall formulate plans and programs
43 to ignite the innovative and entrepreneurial mindset of Filipino artist and establish
44 industries in the various genre of arts; performing arts, cinema, books and
45 publication, creative designs, culinary and lifestyle and architecture and allied
46 arts, and others.
47

48 Each Bureau shall be headed by a Bureau Director, who shall be assisted by one (1)
49 Assistant Bureau Director. The Bureau Director and Assistant Bureau Director shall be
50 appointed by the President upon the recommendation of the Secretary.

1 **SEC.14. Powers and Duties of Bureau Director.-** The Bureau Director shall be its
2 chief executive officer. He shall exercise overall authority in matters within the jurisdiction of
3 the bureau, including those relating to its operations, and enforce all laws and regulations
4 pertaining to it. Shall appoint personnel to all positions in his bureau or office, in accordance
5 with law. In the case of the line bureau or office, the head shall also appoint the second level
6 personnel of the regional offices, unless such power has been delegated. He shall have the
7 authority to discipline employees in accordance with the Civil Service Law.

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10 **ARTICLE V**
11 **THE REGIONAL AND FIELD OFFICES**
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13 **SEC. 15. Regional Offices of the Department.** The Department is hereby authorized
14 to establish, operate and maintain a Regional Office, whenever appropriate, in each of the
15 administrative regions of the country. Each regional office shall be headed by a Regional
16 Director, who may be assisted by one (1) Assistant Regional Director. The Regional Director
17 and Assistant Regional Director shall be appointed by the President upon the
18 recommendation of the Secretary: Provided, That they shall be persons recognized as an
19 accomplished manager, advocate, scholar or practitioner in fields of endeavor related to
20 Philippine culture in the region, or any suitably qualified person in accordance with Civil
21 Service Commission (CSC) rules and regulations.

22
23 It may also establish satellite, extension or field offices when and wherever necessary,
24 particularly in locations where significant cultural and heritage properties and concerns are
25 identified to exist, and to support the operations, programs and projects of its attached and
26 other concerned agencies and institutions. A regional office shall have, within its
27 administrative region, the following functions:

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29 a. Implement laws, policies, plans, programs, rules and regulations of the department
30 or agency in the regional area;
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32 b. Provide economical, efficient and effective service to the people in the area;
33
34 c. Undertake research and gather data on local culture and arts trends and other
35 relevant cultural and artistic information;
36
37 d. Cause to establish and oversee the regional and local culture and arts councils (as
38 far as the city and municipal level) to engage participation of local artists and
39 cultural workers;
40
41 e. Coordinate with regional offices of other departments, bureaus and agencies in the
42 area;
43
44 f. Coordinate with local government units in the area;
45
46 g. Make recommendations to the Secretary on all matters relating to culture and arts
47 in the region; and,
48

- 1 h. Perform such other functions as may be provided by law.

2
3 **SEC.16. Duties of a Regional Director.-** The Regional Director shall perform duties
4 and functions as may be provided by law or further delegated by the head of agency or other
5 proper authorities concerned.

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7 **ARTICLE VI**
8 **THE ATTACHED AGENCIES, INSTITUTES, ADVISORY COUNCIL,**
9 **OVERSEAS OFFICES**

10
11 **SEC.17. The Attached Agencies.**

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13 a. The National Commission for Culture and Arts (NCAA) is hereby abolished, and
14 their powers and functions, applicable funds and appropriations, records,
15 equipment, property, and personnel transferred to the Department.
16
17 b. The following agencies are hereby attached to the Department for policy and
18 program coordination, and shall continue to operate and function in accordance
19 with the characters, laws or orders creating them, insofar as they are not
20 inconsistent with this act.
21
22 1. Cultural Center of the Philippines (CCP)
23 2. National Museum of the Philippines (NMP)
24 3. National Historical Commission of the Philippines (NHCP)
25 4. National Library of the Philippines (NLP)
26 5. National Archives of the Philippines (NAP)
27 6. Komisyon sa Wikang Filipino (KWF)
28 7. Intramuros Administration (IA)
29 8. National Parks Development Committee (NPDC)
30 9. Nayong Pilipino Foundation (NPF)
31 10. Film Development Council of the Philippines (FDCP)
32 11. National Book Development Board (NBDB)
33 12. Design Center of the Philippines
34
35 c. The laws and rules on government reorganization as provided for in the Republic
36 Act No. 6566, otherwise known as the Reorganization Law, shall govern the
37 organization process of the Department.
38

39 **SEC.18. National Institutes.** The following National Institutes, with their respective
40 networks throughout the country, shall be established under the Department:

- 41
42 a. The National Institute of Living Traditions, and through it, a network of individual
43 Schools of Living Traditions to be established, which, with the support of
44 appropriate partnership, shall be responsible for programs and projects related to
45 the safeguarding, sustainability, propagation and intergenerational transmission of
46 intangible cultural heritage, particularly that which pertains to indigenous cultural
47 communities;
48

- 1 b. The National Institute of Cultural Heritage Preservation, and through it, a network
2 of individual *Eskwela Talyer* (Workshop Schools) to be established, which, with
3 the support of appropriate partnerships, shall be responsible for programs and
4 projects related to national capacity building in the area of conservation arts,
5 sciences and trades with respect to the preservation of immovable and movable
6 cultural property and with a particular focus on vocational training for youth; and
7
8 c. The National Institute of Cultural and Arts Management, and through it, a network
9 of individual Culture and Arts Management Training Centers to be established,
10 which with the support of appropriate partnerships, shall be responsible for
11 programs and projects related to the education, training and certification of
12 cultural officers and personnel as a necessary qualification for employment and
13 promotion in the National Government and in local governments where such
14 might be required by the Department in coordination with the Civil Service
15 Commission and the Career Executive Service Board, at the career sub-
16 professional, career professional, and career executive levels, to include
17 appropriate courses and programs towards certificates, diplomas, and
18 undergraduate and graduate degrees;

19
20 **SEC. 19. National Academy of Culture and Arts.** There is hereby established under
21 the Department of National Academy of Culture and Arts, which shall be an institutionalized
22 association of the nation's foremost leaders and exponents of culture and arts, the primary
23 purpose of which is to support the mandate of the Department as an independent body of
24 eminent persons. The President of the Philippines shall be the Honorary Patron of the
25 National Academy of Culture and Arts.

26
27 The structure and organization of the Academy, including the specification of its
28 functions, procedures as to its governance and the selection of its members, and the
29 composition of its secretariat, shall be contained in a charter to be formulated by the
30 Department and promulgated by the President of the Philippines through and Executive Order
31 within one (1) year of the effectivity of this Act.

32
33 **SEC. 20. Culture and Arts Advisory Council.** - The Department shall facilitate the
34 creation of a National Culture and Arts Advisory Council, a Regional Culture and Arts
35 Advisory Council, and, a Local Culture and Arts Advisory Council, to assist the Department
36 in the implementation of culture and arts initiatives.

37
38 **SEC. 21. Sectoral and Industry Task Forces.** - The Department may create a
39 sectoral and industry task forces, technical working groups, advisory bodies or committees
40 for the furtherance of its objectives. Additional private sector representatives, such as from
41 the academe, CSOs, and federation of private industries directly involved in culture and the
42 arts as well as representatives of other LGUs, and GOCCs may be appointed to these working
43 groups.

44
45 **SEC. 22. Rizal Centers.**- The Department shall, through a dedicated organizational
46 unit to be established for the purpose, establish and manage centers, to be known as Rizal
47 Centers or *Sentro Rizal*, throughout the country and overseas, the primary purpose of which
48 shall be the promotion of, and the facilitation of access by the constituency of each center to,

1 Philippine culture generally as well as the cultural resources managed by the Department and
2 its attached agencies in particular.

3
4 Domestically, the Department shall establish *Sentro Rizal* as regional cultural centers
5 and hubs, to be supervised and operated appropriately through its regional offices. Such
6 regional centers shall include exhibition and performance venue, and facilities enabling
7 access to knowledge resources, particularly those pertaining to vernacular language
8 resources.

9
10 Overseas, the Department shall establish *Sentro Rizal* as Philippine cultural centers in
11 key places for the benefit of the global diaspora of Philippine citizen, the global community
12 of Filipino migrants or descendents thereof, and all who are interested in the Philippine
13 culture. The Department for this purpose shall coordinate with the Department of Foreign
14 Affairs, the Commission on Filipino Overseas, and other concerned agencies.

15
16 Such *Sentro Rizal* as may be established oversea shall have a dedicated budget and
17 staff under the Department and considered as overseas offices thereof, shall function as
18 repositories of Philippines cultural resources, shall carry out active programs and projects to
19 engage their respective constituencies, and shall offer courses in the national language and
20 any other Filipino language as may appropriate.

21
22 The operations of the *Sentro Rizal* network of the Department, both domestically and
23 overseas, shall be considered as one its permanent flagship programs, and shall therefore be
24 specifically provided for in the General Appropriations Act for every fiscal year.

25
26 Article XII, including Sections 42 to 47, of Republic Act No. 10066 is hereby
27 repealed.

28
29 **SEC.23. Overseas Offices.** The Department shall establish overseas offices whenever
30 necessary to:

- 31
32 a. Implement plans, programs and projects of the Department relative to
33 communities of Philippine citizens abroad;
34
35 b. Promote Filipino culture to the international community;
36
37 c. Coordinate with international organizations as well as with the overseas offices of
38 other departments, offices and agencies of the Philippine government; and
39
40 d. Perform such other functions as may be provided by law.

41
42 **ARTICLE V**
43 **REORGANIZATION**
44

45 **SEC. 24. Reorganization.-** The laws and rules on government reorganization as
46 provided for in Republic Act No. 6656, otherwise known as the Reorganization Law, shall
47 govern the reorganization process of the Department and, where appropriate, its attached
48 agencies.

1
2 **SEC.25. Structure and Staffing Pattern.** Subject to the approval of the Department
3 of Budget and Management (DBM), the Department and, where appropriate, its attached
4 agencies, shall determine its organizational structure and create new divisions or units as it
5 may deem necessary, and shall appoint officers and employees of the Department and its
6 attached agencies in accordance with the Civil Service Law, rules and regulations.

7
8 **SEC.26. Transition Period.-** The transfer of functions, assets, funds, equipment,
9 properties, transactions and personnel of affected agencies, and the formulation of the internal
10 organic structure, staffing pattern, operating system, and revised budget of the Department
11 shall be completed within six (6) months from the effectivity of this Act, during which time,
12 the existing personnel shall continue to assume their posts in holdover capacities until new
13 appointments are issued; *Provided*, that after the abolition of the agency, as specified in
14 Section 16(a) of this Act, the Department, in coordination with the DBM, shall determine and
15 create new positions, the funding requirement of which shall not exceed the equivalent cost
16 of positions abolished.

17
18 **SEC.27. Separation from Service.-** Employees separated from the service as a result
19 of this reorganization shall within ninety (90) days therefrom, receive the separation and
20 retirement benefits to which they may be entitled under Executive Order No. 366. *Provided*
21 that such separation pay and retirement benefits shall have priority of payment out of the
22 savings of the department or agency.

23
24 **ARTICLE VI**
25 **PROPERTIES OF THE DEPARTMENT**
26

27 **SEC.28. Post Office Building and Liwasang Bonifacio.** The Post Office Building,
28 currently the property of the Philippine Postal Corporation (PhilPost), and the area known as
29 Liwasang Bonifacio (formerly Plaza Lawton), both in the City of Manila, are hereby
30 appropriated for the exclusive use and central office premises of the Department of Culture
31 and its attached agencies.

32
33 **SEC. 29. Other Properties.** – Real and movable properties owned by those agencies
34 abolished or absorbed into the Department under this Act, namely the National Commission
35 for Culture and the Arts Building and the Metropolitan Theatre, shall be transferred to the
36 Department.

37
38 **ARTICLE VII**
39 **APPROPRIATIONS AND FINAL PROVISIONS**
40

41 **SEC. 30. Appropriations.-** The amount needed for the initial implementation of this
42 Act shall be taken from the current fiscal year's appropriation for the NCCA through the
43 Office of the President, and other appropriations available for the purpose. Thereafter, the
44 amount needed for the operation and maintenance of the Department proper shall be included
45 in the General Appropriations Act, provided that for the next fiscal year, the amount shall be
46 no less than Two Billion Pesos (PHP 2,000,000,000.00)

1 **SEC.31. *Implementing Rules and Regulations.*** The Office of the President, in
2 consultation with other government agencies mentioned in this Act, shall promulgate its
3 implementing rules and regulations within ninety (90) days after the effectivity of this Act.
4

5 **SEC.32. *Repealing Clause.-*** All laws, decrees, executive orders, rules and
6 regulations and other issuances or parts thereof that are inconsistent with this Act are hereby
7 repealed, amended or modified accordingly.
8

9 **SEC.33. *Separability Clause.-*** If any portion or provision of this Act is declared
10 unconstitutional, the remainder of this Act or any provision not affected thereby shall remain
11 in force and effect.
12

13 **SEC.34. *Effectivity.-*** This Act shall take effect after fifteen (15) days following the
14 completion of its publication either in the Official Gazette or in newspaper of general
15 circulation in the Philippines.

Approved,