

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8125



Introduced by **HON. JOY MYRA S. TAMBUNTING**

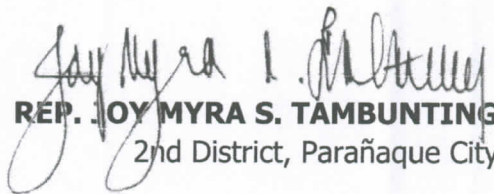
EXPLANATORY NOTE

This proposed measure seeks to amend the National Cultural Heritage Act of 2009 to introduce cultural resource mapping, which is the use of a wide range of research techniques and tools to map our nation's tangible and intangible cultural assets. This said mapping should be made available to the public for scientific and academic research purposes. Furthermore, this measure shall also capacitate local government units for periodic monitoring and evaluation of locally and nationally-declared cultural assets.

In recognition of the need to protect our nation's environmental assets; this measure also adds geological and physiographical formations of the environment and other related ecosystems to national property of cultural significance.

Borrowing from the indigenous concept of identity which is deeply rooted in their lands, our identity as a nation is closely associated to our national heritage which are imprints of the Filipino culture, customs, tradition, languages and the like. It is then imperative that we take proactive measures to ensure that future generations will be able to access them so that they may be able to gain understanding of our nation's long and rich history and culture.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. JOY MYRA S. TAMBUNTING
2nd District, Parañaque City

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HOUSE BILL NO. 8125

Introduced by **HON. JOY MYRA S. TAMBUNTING**

**AN ACT STRENGTHENING THE CONSERVATION AND PROTECTION OF OUR
NATIONAL CULTURAL HERITAGE, THROUGH AN ENHANCED CULTURAL POLICY,
HERITAGE EDUCATION, AND CULTURAL MAPPING PROGRAM, AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 10066 OR THE NATIONAL CULTURAL HERITAGE ACT
OF 2009**

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

SECTION 1. Section 3 of R.A. No. 10066 is hereby amended to read as follows:

"Section 3. Definition of Terms. - For purposes of this Act, the following terms shall
be defined as follows:

(a) "Adaptive reuse" shall refer to the utilization of 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.] **SIGNIFICANCE OF THE SITE AND EXTEND ITS USE
VALUE IN THE CONTEMPORARY AND FUTURE CONTEXT.**

(b) "Anthropological area" shall refer to any place where studies of specific
ethno-linguistic groups are undertaken, the properties of which are of value to our
cultural heritage.

(c) "Antique" shall refer to a cultural property found locally which is one hundred
(100) years in age, more or less, the production of which has ceased.

(d) "Archaeological area" shall refer to any place, whether above or underground,
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.

(e) "Archives" shall refer to 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 collections 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.

(f) "Built Heritage" shall refer to architectural and engineering structures such as, but not limited to, bridges, government buildings, houses of ancestry, traditional dwellings, quartels, train stations, lighthouses, small ports, educational, technological and industrial complexes¹ and their settings, and landscapes with notable historical and cultural significance.

(g) "Collector" shall refer to any person who or institution that acquires cultural property for purposes other than sale.

(h) "Commission" shall refer to the National Commission for Culture and the Arts (NCCA).

(i) "Conservation" shall refer 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.

(j) "Cultural agencies" shall refer to the following national government agencies with their specific areas of responsibility: National Museum (cultural property); the National Library (books); National Historical Institute (Philippine history); National Archives (documents); Cultural Center of the Philippines (culture and the arts); and Komisyon sa Wikang Filipino (language).

(k) "Cultural education" shall refer to the teaching and learning of cultural concepts and processes.

(l) "Cultural heritage" shall refer to the totality of cultural property preserved and developed through time and passed on to posterity.

(M) "CULTURAL HERITAGE MAPPING" SHALL REFER TO THE APPROACH USED TO IDENTIFY, RECORD AND USE CULTURAL HERITAGE RESOURCES AND ACTIVITIES FOR BUILDING AND EMPOWERING COMMUNITIES. IT IS A SYSTEMATIC SET OF ACTIVITIES AND METHODOLOGICAL PROCESSES FOR EXPLORING, DISCOVERING, DOCUMENTING, EXAMINING, ANALYZING, INTERPRETING, PRESENTING AND SHARING INFORMATION RELATED TO PEOPLE, COMMUNITIES, SOCIETIES, PLACES AND THEIR MATERIAL PRODUCTS, PRACTICES AND NARRATIVES.

[(m)] (N) "Cultural heritage worker" shall refer to an individual undertaking cultural heritage work.

[(n)] (O) "Cultural institution" shall refer to entities engaged primarily in cultural work.

[(o)] (P)"Cultural property" shall refer to all products of human creativity by which a people and a nation reveal their identity, including 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 or intangible.

[(p)] (Q)"Dealers" shall refer to natural or juridical persons who acquire cultural property for the purpose of engaging in the acquisition and disposition of the same.

[(q)] (R)"Heritage zone" shall refer to historical, anthropological, archaeological, artistic geographical areas and settings that are culturally significant to the country, as declared by the National Museum and/or the National Historical Institute.

[(r)] (S)"History" shall refer to a written record of past events relating to Philippine history.

[(s)] (T)"Historical landmarks" shall refer to sites or structures that are associated with events or achievements significant to Philippine history as declared by the National Historical Institute.

[(t)] (U)"Historical monuments" shall refer to structures that honor illustrious persons or commemorate events of historical value as declared by the National Historical Institute.

[(u)] (V)"Historical shrines" shall refer to historical sites or structures hallowed and revered for their history or association as declared by the National Historical Institute.

[(v)] (W)"Historical street name" shall refer to a street name which has been in existence for at least fifty (50) years and over time has been considered historic.

[(w)] (X)"Important cultural property" shall refer to a cultural property having exceptional cultural, artistic and historical significance to the Philippines, as shall be determined by the National Museum and/or National Historical Institute.

[(x)] (Y)"Intangible cultural heritage" shall refer to the practices, representations, expressions, knowledge and 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: (1) oral traditions, languages and expressions; (2) performing arts; (3) social practices, rituals and festive events; (4) knowledge and practices concerning nature and the universe; and (5) traditional craftsmanship.

[(y)] (Z)"Intangible cultural property" shall refer 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.

[(z)] **(AA)**"Library" shall refer 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.

[(aa)] **(BB)**"Museum" shall refer 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.

[(bb)] **(CC)**"National cultural treasure" shall refer 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.

[(cc)] **(DD)**"Nationally significant" shall refer to historical, aesthetic, scientific, technical, social and/or spiritual values that unify the nation by a deep sense of pride in their various yet common identities, cultural heritage and national patrimony.

(EE) "NATURAL HERITAGE" SHALL REFER TO FLORA AND FAUNA, PHYSICAL AND BIOLOGICAL FORMATIONS, GEOLOGICAL AND PHYSIOGRAPHICAL FORMATIONS OF THE ENVIRONMENT AND OTHER RELATED ECOSYSTEMS WHETHER TERRESTRIAL, WETLAND OR MARINE.

[(dd)] **(FF)** "Natural property of cultural significance" shall refer to [areas possessing outstanding ecosystem with flora and fauna of national scientific importance] **NATURAL HERITAGE WHICH SIGNIFIES INTENSE BEAUTY, ENDEMICITY AND BIODIVERSITY** under the National Integrated Protected Areas System[.] **ACT, EXPANDED NIPAS ACT, INTERNATIONAL UNION FOR THE CONSERVATION OF NATURE LIST (IUCN), AND/OR WORLD HERITAGE LIST.**

[(ee)] **(GG)** "NCCA Portal Cultural Databank" refers to the specific domain in the Commission's intranet [for cultural information that is accessed only internally with control and confidentiality.] **WHERE DIGITIZED the CULTURAL MAPPING DATABASE IS LODGED FOR CULTURAL INFORMATION THAT IS PUBLICLY ACCESSIBLE FOR SCIENTIFIC, RESEARCH AND ACADEMIC PURPOSES.** It includes the registry of national cultural property.

[(ff)] **(HH)** "Prehistory" shall refer to the period of human history before the introduction of the forms of writing.

(II) PHILIPPINE CULTURE STATISTICS FRAMEWORK (PCSF) SHALL REFER TO A CONCEPTUAL MODEL FOR DEFINING CULTURE FOR STATISTICAL PURPOSES THAT WAS JOINTLY ADOPTED BY THE NCCA AND THE PHILIPPINE STATISTICS AUTHORITY IN 2016 (PSA BOARD RESOLUTION NO.2 SERIES 2016). IT IS A TOOL FOR ORGANIZING

CULTURAL STATISTICS NATIONALLY AND INTERNATIONALLY. IT SUPPORTS THE DEVELOPMENT OF DATA COLLECTION INSTRUMENTS & INDICATORS. IT REPRESENTS A METHODOLOGY TO SUPPORT THE PRODUCTION OF HARMONIZED DATA AND INDICATORS.

[(gg)] **(JJ)** "Registry" [shall refer to the Philippine Registry of Cultural Property which is the registry of all cultural property of the country deemed of significant importance to our cultural heritage.] **OFFICIALLY CALLED THE PHILIPPINE REGISTRY OF CULTURAL PROPERTY, SHALL REFER TO THE LISTING, DOCUMENTATION, AND STATEMENT OF SIGNIFICANCE OF ALL CULTURAL PROPERTIES OF THE COUNTRY THAT HAS BEEN DEEMED WITH LOCAL AND NATIONAL IMPORTANCE TO OUR HERITAGE.**

(KK) "RECONSTRUCTION" SHALL REFER TO AN ACTION OF REPAIR WHEREBY THE STRUCTURE IS RETURNED TO ITS EARLIER STATE BY INTRODUCING NEW MATERIALS, FORM AND TECHNOLOGY.

[(hh)] **(LL)** "Restoration" shall refer to [the action taken or the technical intervention to correct deterioration and alterations.] **AN ACTION OF REPAIR WHEREBY THE STRUCTURE IS RETURNED TO ITS EARLIER STATE BY USING ORIGINAL MATERIALS, FORMS AND TECHNOLOGY.**

[(ii)] **(MM)** "Tangible cultural property" shall refer 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."

SECTION 2. Section 14 of RA No. 10066 is hereby amended to read as follows:

"Section 14. Establishment of a Philippine Registry of Cultural Property. - All cultural properties of the country deemed important to cultural heritage shall be registered in the Philippine Registry of Cultural Property. 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:

- (a) All cultural agencies concerned shall individually maintain an inventory, evaluation and documentation of all cultural properties 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 concerned Registry of Deeds for annotation on the land titles pertaining to the same;
- (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;
- (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. **THE COMMISSION SHALL CAPACITATE THE LGUs FOR PERIODIC MONITORING AND EVALUATION OF LOCALLY AND NATIONALLY-DECLARED CULTURAL PROPERTIES AND TANGIBLE AND INTANGIBLE HERITAGE INCLUDED IN THE INVENTORY;**

- (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;
- (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.

SECTION 3. A new section 15 on Republic Act No. 10066 is hereby inserted to read as follows:

SECTION 15. CULTURAL MAPPING BY LOCAL GOVERNMENT UNITS. - LOCAL GOVERNMENT UNITS ARE HEREBY MANDATED TO CONDUCT A COMPREHENSIVE CULTURAL HERITAGE MAPPING OF THEIR AREAS, INCLUDING (1) TANGIBLE MOVABLE HERITAGE, (2) TANGIBLE IMMOVABLE HERITAGE, (3) INTANGIBLE HERITAGE, (4) NATURAL HERITAGE, (5) CULTURAL INSTITUTIONS (6) SIGNIFICANT PERSONALITIES AND (7) CREATIVE INDUSTRIES. THE LOCAL GOVERNMENT UNITS SHALL MOBILIZE AND PARTNER WITH CONCERNED AGENCIES TO ENSURE PROMPT AND EFFECTIVE IMPLEMENTATION OF THIS ACT. THE LOCAL GOVERNMENT UNITS ARE ALSO HIGHLY ENCOURAGED TO SEEK ASSISTANCE FROM NONGOVERNMENT ORGANIZATIONS, CULTURAL ORGANIZATIONS, ACADEMIC INSTITUTIONS, AND PRIVATE INSTITUTIONS IN THE UNDERTAKING OF THE CULTURAL MAPPING ACTIVITY PROVIDED THAT THESE INSTITUTIONS ADHERE TO PHILIPPINE CULTURE STATISTICS FRAMEWORK (PCSF) STANDARDS SET FORTH BY THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS (NCCA) ON CULTURAL MAPPING AND INVENTORY-BUILDING. ALL FINDINGS AND OUTPUTS SHALL BE SUBMITTED AND REGISTERED IN THE PHILIPPINE REGISTRY OF CULTURAL PROPERTY.

APART FROM THE CULTURAL AGENCIES, LOCAL GOVERNMENT UNITS ARE ALSO ENJOINED TO WORK WITH THE FOLLOWING AGENCIES FOR THE CONDUCT OF CULTURAL MAPPING:

- (i) **COMMISSION ON HIGHER EDUCATION (CHED) FOR THE INSTITUTION OF CULTURAL AWARENESS IN STATE UNIVERSITIES AND COLLEGES; STRENGTHENING OF CULTURE, HERITAGE, ARTS AND HISTORY RESEARCHES THAT IMPACT ON COMMUNITY DEVELOPMENT;**

(ii) DEPARTMENT OF AGRICULTURE (DA) FOR THE DOCUMENTATION OF HERITAGE CROPS, PRODUCTS AND FOOD SOURCES THAT SUSTAIN THE INDIGENOUS LOCAL COMMUNITIES; INVENTORY OF NATURAL FIBER AND RESEARCH ON OTHER NON-TRADITIONAL FIBERS IN THE COUNTRY;

(iii) DEPARTMENT OF EDUCATION (DEPED) FOR THE INSTITUTION OF CULTURAL AWARENESS IN BASIC EDUCATION; CAPACITY-BUILDING PROGRAM FOR TEACHERS IN MAPPING HERITAGE RESOURCES OF LOCAL COMMUNITIES AND CULTURAL PEDAGOGY; LOCALIZATION AND THE CONTEXTUALIZATION OF EDUCATIONAL MATERIAL AND CONTENT BASED ON THE LOCALITIES' CULTURAL MAP TO CULTIVATE AWARENESS AND PRIDE IN COMMUNITY IDENTITY;

(iv) DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) FOR THE INVENTORY OF NATURAL PARKS, BIODIVERSITY, AND ENDEMICITY; ENFORCEMENT OF PROTECTION AND CONSERVATION IN NATURAL HERITAGE SITES; RESEARCH ON THE ECOSYSTEM SERVICES OF THE ENVIRONMENT TO THE LIVES OF THE PEOPLE; PROMOTION OF THE CONCEPT OF CULTURAL LANDSCAPE FOR SUSTAINABLE DEVELOPMENT;

(v) DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH) FOR AWARENESS BUILDING ON CULTURAL HERITAGE SENSITIVITY; INSTITUTION OF GUIDELINES FOR ITS PROGRAMS ON HERITAGE ZONES AND PLACES OF NATURAL AND CULTURAL SIGNIFICANCE;

(vi) DEPARTMENT OF SCIENCE AND TECHNOLOGY (DOST) FOR APPLICATION OF RESEARCH IN CONSERVATION OF MATERIALS AND STRUCTURES; DOCUMENTATION OF RESILIENCY MECHANISM OF COMMUNITIES DURING DISASTERS AND CALAMITIES; INVENTORY ON NATURAL RESOURCES OF DYES AND OTHER PERTINENT RESEARCH AND DEVELOPMENT FOR THE TEXTILE INDUSTRY SECTOR IN THE COUNTRY;

(vii) DEPARTMENT OF TOURISM (DOT) FOR THEIR EXISTING TOURISM PLANS FOR DECLARED NATIONAL (INCLUDING THOSE IN THE LOCAL AND REGIONAL LEVEL) AND WORLD HERITAGE SITES; DEVELOPMENT OF CULTURE BASED PROGRAMS FOR DECLARED NATIONAL (INCLUDING THOSE IN THE LOCAL AND REGIONAL LEVEL) AND WORLD HERITAGE SITES; CAPACITY BUILDING OF TOURISM SECTOR IN CULTURE-BASED NARRATIVES, STORIES AND EXPERIENCES IN THE TOUR DESTINATIONS; AWARENESS BUILDING ON CULTURAL SENSITIVITY;

(viii) DEPARTMENT OF TRADE AND INDUSTRY FOR THE INCORPORATION INTO THE NATIONAL INDUSTRY DEVELOPMENT AGENDA; DEVELOPMENT OF CULTURAL HERITAGE-BASED PRODUCT AND ENTREPRENEURSHIP PROGRAM; INSTITUTION OF CULTURAL SENSITIVE, FAIRTRADE PROMOTIONS AND PROGRAMS;

(ix) DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG) FOR THE STRENGTHENING OF THE COMPREHENSIVE LAND USE PLAN DEVELOPMENT (CLUP) THAT RESPECTS THE VALUE OF HERITAGE SITES AND ZONES; CAPACITY BUILDING OF LOCAL CHIEF EXECUTIVES (LCES) AND THE SANGGUNIAN ON THE CUL TU RE-BASED GOVERNANCE;

(X) DEPARTMENT OF HEALTH FOR THE INVENTORY AND RESEARCH ON LOCAL HEALTH AND WELL-BEING PRACTICES; RESEARCH ON HERBAL MEDICINE AND OTHER TRADITIONAL THERAPEUTICS;

(xi) DEPARTMENT OF NATIONAL DEFENSE FOR AWARENESS BUILDING ON THE CULTURE, HERITAGE AND HISTORY AS BASIS FOR CONFLICT SETTLEMENT; CULTURE BASED APPROACH IN TRAUMA COUNSELING PROCESS; DEPARTMENT OF FOREIGN AFFAIRS FOR THE ENHANCEMENT OF THE PHILIPPINE CULTURAL DIPLOMACY; ACTIVE PARTICIPATION IN THE PROGRAMS OF UNESCO CONVENTIONS AND OTHER INTERNATIONAL ORGANIZATIONS;

(xiii) NATIONAL COMMISSION ON INDIGENOUS PEOPLES FOR THE PROMOTION OF THE DOCUMENTATION OF INDIGENOUS PEOPLES' PRACTICES, REPRESENTATIONS, EXPRESSIONS, KNOWLEDGE SYSTEMS; MAINSTREAM THE INDIGENOUS KNOWLEDGE SYSTEMS SKILLS AND PRACTICES (IKSSP) IN NATIONAL DEVELOPMENT AGENDA; AND

(xiv) DEPARTMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY (DICT) FOR THE DEVELOPMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT) APPROPRIATED FOR IMPROVING PUBLIC ACCESS, RESOURCE SHARING, AND DISSEMINATION OF CULTURAL HERITAGE INFORMATION;

The succeeding sections shall be renumbered accordingly.

SECTION 4. Section 20 of R.A. No. 10066 is hereby amended to read as follows:

"Section 20. Immovable National Cultural Treasures. - Immovable national cultural treasures 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 PROTECTION OF THESE IMMOVABLE NATIONAL CULTURAL TREASURES SHALL ALSO TAKE INTO CONSIDERATION THE MAINTENANCE OF THE INTEGRITY OF ITS VISUAL CORRIDOR AND/OR LINE OF SIGHT."

SECTION 5. Section 39 of R.A. No. 10066 is hereby amended to read as follows:

"Section 39. Cultural Heritage Education Programs. – Within one (1) year from the effectivity of this Act, the Department of Education, the Technical Education and Skills Development Authority and the Commission on Higher Education, in consultation 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:

- (a) Protection, conservation and preservation of cultural heritage properties;
- (b) **RESEARCH AND DOCUMENTATION OF HERITAGE IN VARIOUS PLATFORMS; UTILIZATION OF CULTURAL HERITAGE IN INTERDISCIPLINARY FIELDS TOWARDS SUSTAINABLE DEVELOPMENT;**
- (c) Instructional materials in print, film and broadcast media on the cultural and historical significance of cultural properties;
- (d) **INDIGENOUS KNOWLEDGE SYSTEMS SKILLS AND PRACTICES (IKSSP) THROUGH THE APPROPRIATE "SCHOOLS OF LIVING TRADITIONS (SLTS)" MODELS;**
- (e) Visitation, public accessibility and information dissemination on designated local cultural properties;
- (f) **CAPACITY BUILDING OF AGENCIES AND COMMUNITIES THROUGH CULTURE BASED APPROACHES;**
- (g) **DEVELOPMENT OF THE PHILIPPINE FRAMEWORK FOR CULTURAL HERITAGE COMPETENCY; AND**
- (h) **CONTEXTUALIZATION OF EDUCATIONAL MATERIALS AND CONTENT BASED ON LOCAL CULTURAL MAPS.**

SECTION 6. 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 effect.

SECTION 7. Repealing Clause. – All laws decrees, orders, issuances, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 8. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,