

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Constitution Hills, Quezon City

**TWENTIETH CONGRESS**  
First Regular Session

House Bill No. **4176**



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Introduced by: **REPRESENTATIVE ERIC L. OLIVAREZ**

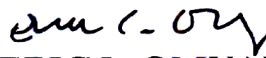
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### **EXPLANATORY NOTE**

Culture, which is the broad spectrum of people's beliefs, practices, customs and traditions, and other forms of actual and symbolic expressions which are handed from generation to generation, plays a big role in creating the country's national identity, despite its diversity. It brings together Filipinos although separated by different islands, beliefs and customs. It is what binds the Filipinos as one. Thus, in order to further develop Philippine culture to reach greater heights in advancing the Philippines' national identity, the creation of a Department of Culture is hereby proposed.

The Department of Culture shall, among others, focus on the protection, preservation, regulation, development, management, dissemination and promotion of the cultural, historical and artistic heritage and resources, tangible and intangible, of the Philippines and the Filipino people.

As such, the passage of this Bill is earnestly sought.

  
**ERIC L. OLIVAREZ**

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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 Republic of the Philippines in Congress assembled.*

**SECTION 1. *Short Title.*** - This Act shall be known as the “Department of Culture Act”.

**SECTION 2. *Definition of Policy.*** - It is hereby declared the policy of the State to:

- a. 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 expression;
- b. Conserve, promote, and popularize the nation's historical and cultural heritage and resources, as well as artistic creations;
- c. Recognize, respect and protect the rights of indigenous cultural communities to preserve and develop their cultures, traditions and institutions;
- d. Create a national body, which will be responsible for the implementation of policy, legislation and strategic direction for the protection, regulation, development, management, dissemination and promotion of the country’s culture;

- e. Ensure equal access to cultural opportunities through the educational system, public or private cultural entities, scholarships, grants and other incentives, and community cultural centers, and other public venues; and
- f. Encourage and support research and studies on the arts and culture.

**SECTION 3. *Definition of Terms.* –**

- 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 Education” shall refer to the teaching and learning of cultural concepts and processes.
- d. “Cultural Heritage” shall refer to the totality of cultural property preserved and developed through time and passed on to posterity.
- e. “Cultural Property” shall refer to all products of human creativity by which people and nation reveal their identity, including architecture and sites of human activity and natural history specimens and sites, whether public or privately owned, movable or immovable, and tangible or intangible.
- f. “Culture” shall refer to the broad spectrum of people's beliefs, practices, customs and traditions and other forms of actual and symbolic expressions which are handed from generation to generation.
- g. “Indigenous Cultural Communities/Indigenous Peoples” shall refer to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as an organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of

colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. It shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains, or who may have resettled outside their ancestral domains.

- h. “Intangible Cultural Heritage” shall refer to practices, representations, expressions, knowledge, skills, as well as instrument, objects and artifacts associated therewith, that communities, groups and individuals recognize as part of their cultural heritage.
- i. “Escuela Taller”- or non-formal schools catering to out of school youth and under privileged yet talented artisans that teach students about the Filipino artistry and craftsmanship of our forebears, and to enable them to contribute towards proper conservation of important cultural assets, such as but not limited to old houses, historic monuments and landmarks, colonial churches and civic buildings, cemeteries and similar cultural assts. They differ from traditional schools by prioritizing experiential learning and often focus on developing specific skills through practical activities and collaborative projects.

**SECTION 4. *Creation of the Department*** - There is hereby created the Department of Culture (hereinafter referred to as the Department), which shall be the primary policy-formulating, planning, coordinating, implementing, and administrative entity of the executive branch of the National Government that will implement the pertinent provisions of the Constitution regarding culture and arts.

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

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

**SECTION 5. *Powers and Functions.*** - The Department shall exercise the following powers and functions:

- 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 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 Cultural Properties Preservation and Protection Act”; Presidential Decree No. 374 or “Amending the Cultural Properties Preservation and Protection Act”; 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 Forgery Act of 2001”; 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 other functions promulgated through executive issuances pertaining to the agencies of the National Government covered under this Act; which all hereby transferred in toto to the Department from the said agencies;
- c. Assume responsibility regarding disaster risk reduction and management relative to culture and cultural property through creation of programs and projects in coordination with 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 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 House;
- f. Administer the qualification and selection, with appropriate published guidelines pertaining thereto, of the Award for National Living Treasures, which is hereby renamed as the Order of National Living Treasures (Order ng mga Pambansang Manlilikha ng Bayan), and the Order of National Artists (Order ng mga Pambansang Alagad ng Sining), and recommend those nominees to either Order who have been qualified and selected by the President of the Philippines for proclamation as such and conferral of the same;
- g. Undertake, through a National Institute of Culture and Arts Management and the Institutes of Living Traditions, to be established for the purpose, in an appropriate partnership with the academic sector, the education, training and certification of cultural officers and personnel as a necessary qualification for employment and promotion in the National Government and in local governments where such might be required by the Department in coordination with the Civil Service Commission and the Career Executive Service Board, at the career sub-professional, career professional, and career executive levels, to include appropriate courses and programs towards certificates, diplomas, and career executive levels, to include appropriate courses and programs towards certificates, diplomas, and undergraduate and graduate degrees;
- h. Administer the qualification, selection and conferral of such other awards as it may establish in support of its mandate;
- i. Support the development of the cultural, artistic and creative industries of the country, in all particulars and at all levels;
- j. Administer the endowment funds established separately under Section 20 of Republic Act No. 7356, the Law Creating the National Commission for Culture and the Arts, and Section 50 of Republic Act No. 10066, which are herein considered into a single National Endowment Fund for Culture and Arts that shall continue to be sourced

and augmented as provided by the aforementioned provisions, and provide financial support from this fund for various national programs through a system of grants drawing from the proceeds, including both principal and interest, of the same, subject to the approval of the Department of Budget and Management;

- k. Represent the Philippines in matters pertaining to culture in overseas regional and international organizations and events; and
- l. Other powers and functions as may be created, assigned or transferred by the President of the Philippines in accordance with law.

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

**SECTION 7. *Secretary of Culture*** - The authority and responsibility for the exercise of the mandate of the Department and for the discharge of its powers and functions shall be vested in the Secretary, who shall supervision and control of the Department and shall be appointed by the President of the Philippines, subject to the confirmation by the Commission on Appointments.

**SECTION 8. *Powers and Function the Secretary*** - The Secretary shall have the following functions:

- a. Provide executive direction and supervision over the entire operations of the 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 programs of the 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 the imposition of penalties for their violation, exception 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 the 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 as may be appropriate or designated;
- i. Coordinate with local governments, other agencies and public and private interests groups, including non-government organizations and people's organizations 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 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.

**SECTION 9. *Undersecretaries*** — The Secretary shall be assisted by three (3) Undersecretaries who shall be appointed by the President of the Philippines upon the recommendation of the Secretary, at least two (2) of whom shall be career officers. The powers of the undersecretaries are:

- a. Advise and assist the Secretary in the formulation and oversee all the operational activities of the bureau or units for which he shall be responsible as assigned by the Secretary;
- b. Coordinate the programs and projects of the same and be responsible for its economical, efficient and effective administration;
- c. Whenever necessary be designated to serve as deputy to the Secretary in all matters relating to the operations of the department; the designated Undersecretary will temporarily discharge the duties of the Secretary in the latter's absence or inability to discharge his or her duties for any cause or in case of vacancy of the said office, unless otherwise provided by law, the President of the Philippines shall likewise make the temporary designation of Acting Secretary to the same; and
- d. Perform such other functions and duties as may be provided by law.

**SECTION 10. *Assistant Secretaries***. — The Secretary shall be assisted by at least five (5) Assistant Secretaries, all of whom shall be appointed by the President of the Philippines upon the recommendation of the Secretary, at least three (3) of whom shall be career officers. The Assistant Secretaries shall be in charge of specific areas of responsibility as may be established by the Secretary.

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

**SECTION 12. *Department Services***. - The Department of Culture shall include the General Administrative Service, Financial Management Service, Policy and Planning Service, Legal Affairs Service, Physical Facilities Management Service, Human Resources Development Service, Strategic Communications and Initiative Service, Knowledge and Information Systems, Project Evaluation and

Monitoring Service, Foreign Assisted and Special Projects Service, Internal Audit Service, Endowment Management Service, Grants Management Service.

**SECTION 13. *The Bureaus of the Department*** - The Department shall exercise supervision and control over the following Bureaus created under it:

- a. ***Bureau of Cultural Communities and Traditional Arts Development.***  
- This Bureau shall formulate and implement plans, programs and activities for the development of the different cultural communities all over the country, ensure the preservation and dissemination of the country's diverse cultures, establish schools for living traditions, encourage the continued practice and development of traditional arts and crafts, document the Indigenous Knowledge Systems and Practices, and cause the recognition of outstanding traditional artists.
- b. ***Bureau of Cultural Properties Protection and Regulation*** - This bureau shall be in-charge of the registration and documentation of the nation's historical and cultural properties, issue permits and licenses, conduct inspection and assessment on cultural properties, implement Disaster Risk Reduction program for the cultural assets, enforce laws on cultural heritage conservation and intellectual property protection for artists and cultural experts.
- c. ***Bureau of Cultural Properties Preservation*** - This bureau shall be responsible for formulating and implementing plans, programs and activities for the preservation of tangible and intangible cultural heritage, providing architectural, engineering, scientific and conservation laboratory services, providing support to monuments and sites, museums and galleries and libraries and archives all over the country and in establishing a National Institute of Heritage Conversation.
- d. ***Bureau of Artistic Development*** - This bureau shall ensure the continuing and balanced development of the nation's artistic heritage in its various forms; performing arts, film and media arts, visual arts, architecture and allied arts and literature, provide support to regional and local culture and arts centers, performing arts and exhibition venues, ensure the welfare of artists and cultural workers, undertake human resource development programs for artists, and establish the National Academy for Culture and Arts and National Institute for Culture and Arts Management.

- e. ***Bureau of Cultural Research, Education and Dissemination*** - This bureau shall undertake cultural research for policy and program development, publish cultural materials, especially on positive Filipino values for dissemination, manage the cultural education program for the country, ensure the development and promotion of Philippine languages, implement national translation program, and implement national promotion program in various forms of media.
- f. ***Bureau of Cultural and Creative Industries*** - This bureau shall formulate plans and programs to ignite the innovative and entrepreneurial mindset of Filipino artists and establish industries in the various genres of arts: performing arts, cinema, books and publications, creative designs, culinary and lifestyle and architecture and allied arts, and others.

**SECTION 14. *The Bureau Director*** - Each Bureau shall be headed by a Bureau Director, who shall be assisted by one (1) Assistant Bureau Director. The Bureau Director and Assistant Bureau Director shall be appointed by the President of the Philippines upon the recommendation of the Secretary.

**SECTION 15. *Powers and Functions of the Bureau Director*** - The Bureau Director shall be its chief executive officer. He shall exercise overall authority in matters within the jurisdiction of the bureau, including those relating to its operations, and enforce all laws and regulations pertaining to it. The Bureau Director shall appoint personnel to all positions in his bureau or office, in accordance with the law. In the case of the line bureau or office, the head shall also appoint the second level personnel of the regional offices, unless such power has been delegated. He shall have the authority to discipline employees in accordance with the Civil Service Law.

**SECTION 16. *Regional Offices the Department*** - The Department is hereby authorized to establish, operate and maintain a Regional Office, whenever appropriate, in each of the administrative regions of the country. Each regional office shall be headed by a Regional Director, who may be assisted by one (1) Assistant Regional Director who shall both be appointed by the President of the Philippines upon the recommendation of the Secretary: *Provided*, That they shall be persons recognized as an accomplished manager, advocate, scholar or practitioner in fields of endeavor related to Philippine culture in a region, or any suitably qualified person in accordance with Civil Service Commission (CSC) rules and regulations.

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

- a. Implement laws, policies, plans, programs, rules and regulations of the department or agency in the regional area;
- b. Provide economical, efficient and efficient service to the people in the area;
- c. Undertake research and gather data on local culture and arts trends and other relevant culture and arts trends and other relevant cultural and artistic information;
- d. Cause to establish and oversee the regional and local culture and arts council (as far as the city and municipal level) to engage participation of local artists and cultural workers;
- e. Coordinate with regional offices of other departments, bureaus and agencies in the area;
- f. Coordinate with local government units in the area;
- g. Make recommendation to the Secretary on all matters relating to culture and arts in the region; and,
- h. Perform such other functions as may be provided by law.

**SECTION 17. *Duties of a Regional Director.*** — The Regional Director shall perform duties and functions as may be provided by law or further delegated by the head of agency or other proper authorities concerned.

**SECTION 18. *The Attached Agencies.*** —

- a. The National Commission for Culture and the Arts (NCCA) is hereby abolished and their powers and functions, applicable funds and appropriations, records, equipment, property, and personnel transferred to the Department.

b. The following agencies are hereby attached to the Department for policy and program coordination, and shall continue to operate and function in accordance with the charters, laws or orders creating them, insofar as they are not inconsistent with this act:

- i. Cultural Center of the Philippines (CCP)
- ii. National Museum of the Philippines (NMP)
- iii. National Historical Commission of the Philippines (NHCP)
- iv. National Library of the Philippines (NLP)
- v. National Archives of the Philippines (NAP)
- vi. Komisyon sa Wikang Filipino (KWF)
- vii. Intramuros Administration (IA)
- viii. National Parks Development Committee (NPDC)
- ix. Nayong Pilipino Foundation (NPF)
- x. Film Development Council of the Philippines (FDCP)
- xi. National Book Development Board (NBDB)
- xii. Design Center of the Philippines

c. The laws and rules on government reorganization as provided for in Republic Act No. 6566, otherwise known as the Reorganization law, shall govern the organization process of the Department.

**SECTION 19. *National Institutes.*** The following National Institutes, with their respective networks throughout the country, shall be established under the Department:

a. The National Institute of Living Traditions, and through it, a network

of individual Schools of Living Traditions to be established, which, with the support of appropriate partnerships, shall be responsible for programs and projects related to the safeguarding, sustainability, propagation and intergenerational transmission of intangible cultural heritage, particularly that which pertains to indigenous cultural communities;

- b. The National Institute of Cultural Heritage Preservation, and through it, a network of individual Escuela Taller to be established, which with the support of appropriate partnerships, shall be responsible for programs and projects related to national capacity building in the area of conservation arts, sciences and trades with respect to the preservation of immovable and movable cultural property and with a particular focus on vocational training for youth; and
- c. The National Institute of Culture and Arts Management, and through it, a network of individual Culture and Arts Management Training Centers to be established, which, with the support of appropriate partnerships, shall be responsible for programs and projects related to the education, training and certification of cultural officers and personnel as a necessary qualifications for employment and promotion in the National Government and in local government where such might be required by the Department in coordination with the Civil Service Commission and the Career Executive Service Board, at the career sub-professional, and career executive levels, to include appropriate courses and programs towards certificates, diplomas, and undergraduate and graduate degrees.

**SECTION 20. *National Academy of Culture and Arts.*** - There is hereby established under the Department a National Academy of Culture and Arts, which shall be an institutionalized association of the nation's foremost leaders and exponents of culture and arts, the primary purpose of which is to support the mandate of the Department as an independent body of eminent persons in culture and the arts. The President of the Philippines shall be the Honorary Patron of the National Academy of Cultural and Arts.

The structure and organization of the Academy, including the specification of its functions, procedures as to its governance and the selection of its members, and the composition of its secretariat, shall be contained in a charter to be formulated by the Department and promulgated by the President of the Philippines through an

Executive Order within one (1) year of the effectivity of this Act.

**SECTION 21. *Cultural and Arts Advisory Councils.*** - The Department shall facilitate the creation of a National Culture and Arts Advisory Council, a Regional Culture and Arts Advisory Council, and a Local Culture and Arts Advisory Council, to assist the Department in the implementation of culture and arts initiatives.

**SECTION 22. *Sectoral and Industry Task Forces.*** The Department may create a sectoral and industry task forces, technical working groups, advisory bodies or committees for the furtherance of its objectives. Additional private sector representatives, such as from the academe, CSOs, and federation of private industries directly involved in culture and the arts as well as representative of other LGUs, and GOCCs may be appointed to these working groups.

**SECTION 23. *Rizal centers.*** — The Department shall, through a dedicated organizational unit to be established for the purpose, establish and manage centers, to be known as Rizal centers (Sentro Rizal), throughout the country and overseas, the primary purpose of which shall be the promotion of, and the facilitation of access by the constituency of each center to, Philippine culture generally as well as the culture generally as well as the cultural resources managed by the Department and its attached agencies in particular.

Domestically, the Department shall establish Sentro Rizal as regional cultural center and hubs, to be supervised and operated appropriately through its regional offices. Such regional centers shall include exhibition and performance venues, and facilities enabling access to knowledge resources, particularly those pertaining to vernacular language resources.

Overseas, the Department shall establish Sentro Rizal as Philippine cultural centers in key places for benefit of the global diaspora of Philippine citizens the global community of Filipino migrant or descendants thereof, and all who are interested in Philippine culture. The Department for this purpose shall coordinate with the Department of Foreign Affairs, the Commission on Filipinos Overseas, and other concerned agencies.

Such Sentro Rizal as may be established overseas shall have a dedicated budget and staff under the Department and be considered as overseas office thereof, shall function as repositories of Philippine cultural resources, shall carry out active programs and projects to engage their respective constituencies, and shall offer courses in the national language and any other Filipino languages as may

appropriate.

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

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

**SECTION 24. *Overseas Offices.*** - The Department shall establish overseas whenever necessary to:

- a. Implement plans, programs and projects of the Department relative to communities of Philippine citizen abroad;
- b. Promote Filipino culture to the international community;
- c. Coordinate with international organization as well as with the overseas offices of other departments, offices and agencies of the Philippine government; and
- d. Perform such other functions as may be provided by law.

**SECTION 25. *Structure and Staffing Pattern.*** The laws and rules on government reorganization as provided for in Republic Act No. 6656, otherwise known as the Reorganization Law, shall govern the reorganization process of the Department and, where appropriate, its attached agencies.

**SECTION 26. *Structure and Staffing Pattern.*** - Subject to the approval of the Department of Budget and Management (DBM), the Department and, where appropriate, its attached agencies, shall determine its organizational structure and create new divisions or units as it may deem necessary and shall appoint officers and employees of the Department and its attached agencies in accordance with the Civil Service Law, rules, and regulations.

**SECTION 27. *Transition Period.*** - The transfer of functions, assets, funds, equipment, properties, transactions, and personnel of affected agencies, and the formulation of the internal organic structure, staffing pattern, operating system, and revised budget of the Department, shall be completed within six (6) months from the

effectivity of this Act, during which time, the existing personnel shall continue to assume their posts in holdover capacities until new appointments are issued: Provided, that after the abolition of the agency, as specified in Section 17(a) of this Act, the Department, in coordination with the DBM, shall determine and create new positions, the funding requirement of which shall not exceed the equivalent cost of positions abolished.

**SECTION 28. *Separation from Service.*** - Employees separated from the service as a result of this reorganization shall, within ninety (90) days therefrom, receive the separation and retirement benefits to which they may be entitled under Executive Order No. 366. Provided, that such separation pay and retirement benefits shall have priority of payment out of the savings of the department or agency.

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

**SECTION 30. *Other Properties.*** - Real and movable properties owned by those agencies abolished or absorbed into the Department under this Act, namely the National Commission for Culture and the Arts Building and the Metropolitan Theatre, shall be transferred to the Department.

**SECTION 31. *Appropriations.*** - The amount needed for the initial implementation of this Act shall be taken from the current fiscal year's appropriation for the NCCA through the Office of the President, and other appropriations available for the purpose. Thereafter, the amount needed for the operation and maintenance of the Department proper shall be included in the General Appropriations Act, provided that for the next fiscal year, the amount shall be no less than Two Billion Pesos (Php2,000,000,000.00).

**SECTION 32. *Implementing Rules and Regulations.*** - The Office of the President, in consultation with other government agencies mentioned in this Act, shall promulgate its implementing rules and regulations within ninety (90) days after the effectivity of this Act.

**SECTION 33. *Repealing Clause.*** - All laws, decrees, executive orders, rules and regulations and other issuances or parts thereof that are inconsistent with this Act are hereby repealed in full force and effect.

**SECTION 34. *Separability Clause.*** - If any provision of this Act shall be declared unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

**SECTION 35. *Effectivity Clause.*** — This Act shall take effect fifteen (15) days from publication in at least two (2) papers of general circulation.

**Approved,**