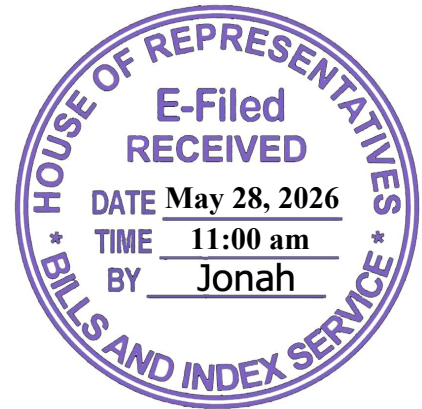




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session



HOUSE BILL NO. 9501

Introduced by Representatives Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Andrew Julian K. Romualdez and Jude A. Acidre

AN ACT
PROVIDING FOR THE DEVELOPMENT, PROTECTION, AND
PROMOTION OF INDIGENOUS CULTURAL ENTERPRISES IN
ANCESTRAL COMMUNITIES, ESTABLISHING MECHANISMS FOR
COMMUNITY-LED LIVELIHOOD SUPPORT, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The Philippine Constitution recognizes and protects the rights of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to preserve and develop their cultures, traditions, institutions, and ancestral domains. Likewise, Republic Act No. 8371, or the Indigenous Peoples' Rights Act of 1997, affirms the State's obligation to uphold indigenous self-determination, cultural integrity, and sustainable development.

Despite these guarantees, many indigenous communities continue to face economic marginalization, cultural erosion, displacement, and the unauthorized commercialization of their traditional knowledge and cultural expressions. Traditional crafts, practices, and indigenous livelihoods that once sustained communities are increasingly threatened by poverty, globalization, imitation products, and the lack of institutional support and market access.

Thus, this bill seeks to establish a framework for the development and protection of Protected Cultural Enterprises in ancestral communities. The bill promotes community-led livelihood initiatives grounded in customary decision-making processes and Free, Prior, and Informed Consent (FPIC). It likewise ensures that indigenous enterprises receive institutional, technical, financial, marketing, and legal support from relevant government agencies.

Furthermore, the measure strengthens safeguards for traditional knowledge and indigenous cultural expressions by providing mechanisms against unauthorized commercialization, fraudulent representation, and misuse of indigenous identity and heritage. It also encourages coordination among the National Commission on Indigenous Peoples (NCIP), local government units, national agencies, and indigenous communities to ensure culturally appropriate and sustainable implementation.

By empowering ICCs/IPs to preserve and strengthen their cultural heritage through sustainable livelihood opportunities, this measure contributes to inclusive economic development, cultural resilience, local tourism promotion, and intergenerational transfer of indigenous knowledge.

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



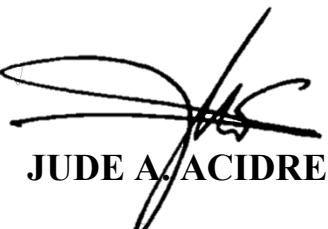
FERDINAND MARTIN G. ROMUALDEZ



YEDDA MARIE K. ROMUALDEZ



ANDREW JULIAN K. ROMUALDEZ



JUDE A. ACIDRE



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

SECTION 1. Short Title. - This Act shall be known as the “*Kabuhayan sa Katutubong Barangay Act.*”

SEC. -. Declaration of Policy. - It is hereby declared the policy of the State, consistent with the Constitution and Republic Act No. 8371, also known as the Indigenous Peoples’ Rights Act of 1997, to recognize, respect, protect, and promote

the rights of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to preserve their culture, traditions, institutions, and ancestral domains. The State likewise recognizes the important role of indigenous cultural enterprises in:

- a. preserving and transmitting traditional knowledge and cultural expressions;
- b. promoting sustainable and community-driven economic development;
- c. strengthening cultural identity and self-determination; and
- d. generating culturally appropriate livelihood opportunities for present and future generations.

Towards this end, the State shall provide institutional, technical, financial, and legal support for the establishment and development of community-led cultural enterprises in ancestral communities.

SEC. -. Definition of Terms. - For purposes of this Act, the following terms are hereby defined:

- a. *Ancestral Barangay* refers to a barangay wholly or partially situated within a formally recognized ancestral domain or ancestral land under Republic Act No. 8371, or as certified by the National Commission on Indigenous Peoples (NCIP);
- b. *Cultural Enterprise* refers to a livelihood activity, cooperative, association, or community-based business rooted in indigenous knowledge systems and practices, including but not limited to weaving, carving, beadwork, herbal medicine, traditional farming, performing arts, storytelling, culinary traditions, and community-based cultural tourism;

- c. *Protected Cultural Enterprise* refers to a community-owned or community-managed cultural enterprise recognized under this Act and entitled to institutional, technical, financial, marketing, and intellectual property protection support from government agencies;
- d. *Traditional Knowledge* refers to systems, practices, innovations, skills, cultural expressions, and knowledge developed, preserved, and transmitted by ICCs/IPs across generations;
- e. *Free, Prior, and Informed Consent (FPIC)* refers to the consensus of all members of the ICCs/IPs to be determined in accordance with their customary laws and practices, free from external manipulation, coercion, and obtained after full disclosure of the intent and scope of the activity, pursuant to Republic Act No. 8371;
- f. *Community Intellectual Property* refers to collectively owned cultural expressions, symbols, designs, traditional knowledge, and other indigenous creations recognized by ICCs/IPs as part of their heritage.

SEC. -. Community-Led Establishment of Protected Cultural Enterprises. -

All ancestral barangays shall be encouraged and institutionally supported to identify, develop, and sustain at least one (1) Protected Cultural Enterprise within two (2) years from the effectivity of this Act, subject to community consent and customary decision-making processes.

The identification, organization, and operation of such enterprises shall:

- a. Be determined through community consensus in accordance with customary laws and FPIC principles;
- b. Respect traditional knowledge, sacred practices, and cultural integrity;

- c. Be owned, managed, or controlled primarily by members of the ICC/IP community;
- d. Promote intergenerational transfer of traditional knowledge and skills;
- e. Encourage the meaningful participation of women, youth, elders, and cultural practitioners; and
- f. Prevent the exploitation, distortion, or unauthorized commercialization of indigenous culture and traditional knowledge.

Registered enterprises may organize as cooperatives, associations, corporations, or other community-based legal entities recognized under Philippine law and customary systems.

SEC. -. Registration and Recognition of Protected Cultural Enterprises. -

Protected Cultural Enterprises established pursuant to this Act shall be registered with:

- a. The Barangay Council;
- b. The concerned Municipal or City Local Government Unit through its appropriate cultural, tourism, livelihood, or economic development office; and
- c. The NCIP Provincial or Regional Office.

The NCIP shall maintain a National Registry of Protected Cultural Enterprises.

SEC. -. Government Support and Assistance. - Registered Protected Cultural Enterprises shall, subject to existing budgeting, auditing, and procurement laws, be entitled to the following forms of assistance:

- a. Technical, entrepreneurial, and financial support from the Department of Trade and Industry (DTI), Department of Labor and Employment (DOLE), Technical Education and Skills Development Authority (TESDA), Department of Science and Technology (DOST), Department of Tourism (DOT), and other relevant agencies;
- b. Preferential access to Shared Service Facilities (SSF), livelihood seeding programs, skills training, product development, and digital commerce initiatives;
- c. Assistance in securing collective marks, trademarks, geographical indication protection, and other forms of intellectual property protection through the Intellectual Property Office of the Philippines (IPOPHL);
- d. Inclusion in local, national, and international trade fairs, cultural exhibitions, tourism promotion activities, and government procurement opportunities where applicable;
- e. Assistance in digital marketing, e-commerce integration, and online promotion through the Department of Information and Communications Technology (DICT) and relevant agencies; and
- f. Access to grants, credit facilities, and financing programs from government financial institutions and accredited support organizations.

SEC. -. Responsibilities of Local Government Units. - Local Government Units (LGUs) shall:

- a. Integrate cultural enterprise development into their Comprehensive Development Plans (CDPs), Comprehensive Land Use Plans (CLUPs), and Annual Investment Programs (AIPs);
- b. Prioritize the allocation of funds from lawful local sources, including the Local Development Fund, for the support and development of Protected Cultural Enterprises;
- c. Establish or designate a Barangay Cultural Enterprise Council (BCEC), or integrate its functions into existing local development or indigenous peoples' bodies, in coordination with ICC/IP elders and the NCIP;
- d. Enact ordinances promoting fair trade practices, cultural preservation, and protection against unauthorized commercial exploitation of indigenous culture;
- e. Assist in market linkage, tourism integration, and local promotion of cultural enterprises; and
- f. Submit annual accomplishment and fund utilization reports to the NCIP.

SEC. -. Cultural Safeguards and Protection of Traditional Knowledge. - The NCIP, in partnership with the National Commission for Culture and the Arts (NCCA), IPOPHL, LGUs, and concerned ICCs/IPs, shall establish mechanisms to:

- a. Preserve and promote indigenous cultural heritage and traditional knowledge systems;

- b. Protect ICCs/IPs from exploitative, misleading, or unauthorized commercial use of indigenous cultural expressions;
- c. Safeguard sacred, confidential, or culturally sensitive knowledge from disclosure without FPIC;
- d. Develop a Community Intellectual Property Protection Program for ICCs/IPs; and
- e. Provide legal and technical assistance in cases involving cultural appropriation, unfair trade practices, or misuse of indigenous identity and products.

SEC. -. Prohibited Acts. - The following acts are prohibited under this Act:

- a. Unauthorized commercialization or reproduction of registered indigenous cultural products, symbols, designs, or traditional knowledge without FPIC;
- b. Misrepresentation of non-indigenous goods or services as authentic ICC/IP cultural products;
- c. Disclosure or exploitation of confidential or sacred traditional knowledge without community consent;
- d. Fraudulent use of government certification, labeling, or indigenous branding systems established under this Act; and
- e. Any act that results in the distortion, desecration, or exploitation of indigenous cultural heritage for purely commercial purposes.

Violations of this Section shall be subject to appropriate civil, criminal, or administrative penalties pursuant to existing laws, without prejudice to the customary laws of the concerned ICCs/IPs.

SEC. -. Monitoring and Evaluation. - The NCIP, in coordination with the DTI, NCCA, DILG, and concerned LGUs, shall conduct periodic monitoring and evaluation of Protected Cultural Enterprises to assess:

- a. Economic sustainability;
- b. Cultural integrity and preservation;
- c. Participation of ICC/IP members;
- d. Effectiveness of government support programs; and
- e. Environmental and social impact.

An annual report on the implementation of this Act shall be submitted to Congress and made publicly accessible.

SEC. -. Funding. - The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the NCIP and participating agencies. Thereafter, such amounts as may be necessary shall be included in the annual General Appropriations Act.

The NCIP may likewise receive grants, donations, endowments, Official Development Assistance (ODA), and other lawful forms of assistance from local or international sources, subject to existing accounting and auditing laws.

Implementation priority shall be given to geographically isolated and disadvantaged ancestral communities.

SEC. -. Implementing Rules and Regulations. - Within ninety (90) days from the effectivity of this Act, the NCIP, in consultation with the DTI, DILG, NCCA, TESDA, DICT, DOLE, IPOPHL, recognized ICC/IP leaders, women, youth, elders, and cultural practitioners, shall promulgate the necessary Implementing Rules and Regulations (IRR) for the effective implementation of this Act.

SEC. -. Separability Clause. - If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

SEC. -. Repealing Clause. - All laws, presidential decrees, executive orders, rules, and regulations inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. -. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,