

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS

First Regular Session

House Bill No. 756



Introduced by **HON. ROZZANO RUFINO B. BIAZON**

EXPLANATORY NOTE

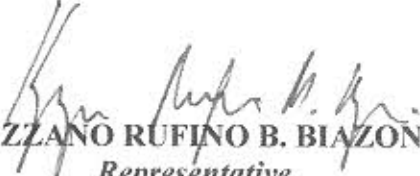
The word "Museum" conjures images of artifacts, antiques, valuable paintings, and the like. Such a restricted notion or view of a museum does not give the Filipino a correct picture of our National Museum. One would be surprised to learn that the National Museum has several divisions, with concerns and interests so diverse yet all pertaining to our national heritage.

Botany, anthropology, archaeology, zoology, geology, museum education, and cultural properties are the seven (7) divisions that comprise the National Museum. Given the sacred task of undertaking research, education and preservation of our culture, the National Museum explores our country's land and water in search of new, undiscovered, plants, animals, and things, whether tangible or otherwise, that are indigenous to us. Thus, it has scientists in its employ to research, verify and authenticate its finds from such a huge scope.

To present the artifacts, paintings, or "collection" that it safeguards, the National Museum has nineteen (19) regional museums scattered throughout the country. Ten (10) of these, regrettably, need immediate rehabilitation.

The organizational structure as well as its functions need to be revised in order to strengthen and enable it to be the primary caretaker and guardian of our national cultural heritage. It is not only proper but high time that an institution that safeguards the heritage of our nation should be given the wherewithal, support and independence to carry out its mandate.

Due to the foregoing, immediate passage of this bill is earnestly requested.


ROZZANO RUFINO B. BIAZON
Representative
Lone District, Muntinlupa City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS

First Regular Session

House Bill No: 756

Introduced by **HON. ROZZANO RUFINO B. BIAZON**

AN ACT
STRENGTHENING THE NATIONAL MUSEUM OF THE PHILIPPINES,
REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8492, OTHERWISE
KNOWN AS THE "NATIONAL MUSEUM ACT OF 1998", AND APPROPRIATING
FUNDS THEREFOR

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

SECTION 1. *Short Title.* – This Act shall be known as the "*National Museum of the Philippines Act*".

SEC. 2. *Declaration of Policy.* – It is the policy of the State to pursue and support the cultural development of the Filipino people, through the preservation, enrichment and 6 dynamic evolution of Filipino national culture, based on the principle of unity in diversity in 7 a climate of free artistic and intellectual expression.

SEC. 3. *Renaming of the National Museum.* – The National Museum is hereby renamed as the "National Museum of the Philippines", or, alternatively in Filipino, "Pambansang Museo ng Pilipinas". The shortened name "National Museum" or "Pambansang Museo" shall be understood as exclusively referring to the same, and its use in 13 any manner or part of any name with respect to any institution within the Philippines shall be reserved exclusively to the Agency.

The National Museum of the Philippines shall hereinafter be referred to in this Act as the "National Museum".

SEC. 4. *Mandate, Duties and Functions.* – The National Museum shall be the primary institution of the State for the management and development of museums and collections of

national scope or significance in the areas of arts, cultural heritage and natural history, for purposes of protecting, preserving, studying and promoting the national patrimony for the benefit of current and future generations, supporting education and social progress, and contributing to economic development through tourism and educational, 2 scientific, cultural and leisure services and industries. It shall be a permanent institution in 3 the service of the entire national community and its development, accessible to the public, 4 and not intended for profit.

The National Museum shall:

- a) function as an educational, cultural and scientific institution that, through its operations, programs and projects, documents, acquires, preserves, exhibits, and fosters scholarly study and public appreciation of works of art, specimens, and cultural and historical artifacts representative of or unique to the artistic and cultural heritage of the Filipino people and the natural history of the Philippines, as well as their significance to the nation: *Provided*, That such mandate shall be harmonized with that of the National Historical Commission of the Philippines to acquire important historical documents, collections, memorabilia and other objects that have significant historical value;
- b) establish, manage and develop the National Museum Complex at the Rizal Park, Manila, as well as central museums, regional museums and other facilities, and promote the principles of universal access: *Provided*, That such mandate shall be harmonized with that of the National Historical Commission of the Philippines to operate historical museums and 21 shrines in various parts of the country;
- c) manage and develop the national collections of the Republic of the Philippines in 24 the areas of arts, cultural heritage, and natural history;
- d) Carry out permanent research programs combining integrated laboratory and field work in biodiversity, geological history, human origins, pre-historical and historical archaeology, maritime and underwater cultural heritage, ethnology, art history, immovable, movable and intangible cultural properties, and similar or associated fields;
- e) disseminate technical and museological skills and support museum development in the country;
- f) extend technical assistance in the preservation and restoration of cultural properties 35 of national significance; and
- g) carry out any and all other functions characteristic of public collecting and 38 research museum institutions of similar mandate and national scope, in line with prevailing 39 international principles and best practices.

SEC. 5. *The National Museum as a Trust of the Government.* – To ensure its independence and autonomy, the National Museum shall be uniquely considered as a trust of the government, attached solely for budgetary coordination and related purposes to the Department of Education.

As a trust of the government, the National Museum shall:

- a) continue to be classified as a National Government Agency, primarily for administrative purposes, including receiving its annual budget from the general appropriations of the National Government, to cover appropriately the entirety of its 51 mandated operations and activities;
- b) be considered as higher in level than a Bureau or Bureau-level agency but beneath that of a Department or Department-level agency, primarily for administrative purposes as to staffing pattern and compensation scales; and
- c) enjoy such privileges and special rules characteristic of both a government-owned or controlled corporation and a state university or college wherever possible and which, in any and all cases, promote the objectives of this Act; and that special rules as may be necessary to this effect be formulated and appropriately promulgated by the National Museum, the Department of Budget and Management (DBM), the Commission on Audit (COA), and other concerned agencies.

SEC. 6. *Permanent Home in the National Capital.* – The whole Executive House also known as the old Congress or Legislative Building, together with the Department of Finance Building and Department of Tourism, originally Agriculture and Commerce, Building on Agrifina Circle in Rizal Park in the City of Manila, shall be the permanent and 16 exclusive site of the National Museum, and shall form the core of the National Museum Complex in the national capital.

Likewise included in the National Museum Complex is the existing building of the National Planetarium, located in Rizal Park and operated by the National Museum since 1975, together with its lot as presently delineated.

The aforementioned buildings and their associated lands shall be deemed appropriated to the National Museum, and the record of the description of such site and lands, or a copy thereof, certified by the Executive Director of the National Museum, shall be received as evidence in all courts of the extent and boundaries Of the lands appropriated to the National Museum.

SEC. 7. *Preservation of the Senate Session Hall.* – The National Museum shall preserve the former Session Halls of the House of Representatives and the Senate in the Old Legislative Building as a tribute to the legacy of the great men and women of the Philippine Legislature for their invaluable contributions to the Filipino people, and as historical sites 33 where democracy and freedom reigned and events of national significance transpired.

SEC. 8. *Dedication of the National Museum Complex to Dr. Jose Rizal.* – The National Museum Complex of the National Museum, being part of Rizal Park in Manila, shall be dedicated to the life, work, martyrdom and memory of Dr. Jose Rizal, whose encyclopedic range of intellectual, professional, and patriotic interests are to be imbued as far as possible in the National Museum's public operations and activities throughout its National Museum Complex in the fields of history and literature in addition to anthropology, fine arts, architecture and the natural sciences, among others.

SEC. 9. *Master Plan of the National Museum Complex.* – The National Museum shall develop the National Museum Complex with reference to the Burnham Plan for Manila of 1905, to include such institutional exigencies as public exhibition, activity and function halls, office and operational spaces, museological and technical facilities, premises for commercial operations, vehicular parking, integrative infrastructure for its constituent buildings, parks and green areas, and other kinds of public spaces, both above and below ground. The National Museum shall likewise implement a design for a large public plaza and park fronting the Old Legislative Building, integrating it with Intramuros and highlighting 51 features of the former moat in this area.

Within one (1) year after the effectivity of this Act, the National Museum shall 2 formulate a Master Plan, if none yet exists. The Master Plan shall be approved by the Board of Trustees and shall be financed by the proceeds from its Endowment Fund and other allowable sources of funds, in accordance with existing laws. Implementation of the approved Master Plan, and consequent administration and operation of the National Museum Complex by the National Museum, shall be given the strongest appropriate support by the 7 agencies of the National Government that have jurisdiction over concerned properties, 8 structures and utilities, as well as by the government of the City of Manila.

The National Museum shall also be authorized to enter into appropriate public-private partnerships concerning property development and management to further the implementation of its Master Plan, in accordance with pertinent laws, rules and regulations.

SEC. 10. *Central Museums, Institute and Conservation Center.* – The central museums of the National Museum shall include the existing National Museum of Fine Arts, National Museum of Anthropology, National Museum of Natural History and the National 17 Planetarium. The National Museum shall also take steps towards the establishment of:

- a) a central museum dedicated to architectural arts and built heritage;
- b) a central museum dedicated to maritime and underwater cultural heritage;
- c) an institute dedicated to professional museological education, training and development; and
- d) a conservation center as the central repository of movable cultural properties of national significance.

SEC. 11. *Regional Museums and Satellite Offices.* – The National Museum shall maintain its existing regional museums and satellite offices and, if none exists, establish a regional museum and satellite office in each administrative region of the Philippines beyond the National Capital Region: *Provided,* That such regional network of the National Museum shall be harmonized with that of the National Historical Commission of the Philippines to prevent institutional duplication.

Area and site museums and offices shall also be established, wherever necessary. The specific sites of the new regional, area and site museums and satellite offices shall be selected based on considerations of geography, population distribution, and administrative efficiency as well as of outstanding national artistic, cultural and natural heritage significance, and educational, environmental and tourism considerations.

Appropriate staffing patterns for existing and projected museums and offices shall be created and endorsed by the Board of Trustees, subject to the approval of the DBM.

SEC. 12. *The Board of Trustees.* – The National Museum shall be governed by a Board of Trustees, hereinafter referred to in this Act as the "Board", vested with the following powers and functions:

- a) to represent and mobilize pertinent areas of the private sector and the public sector in support of the mission and aims of the National Museum;
- b) to exercise general oversight on behalf of both the private and public sector over the operations and performance of the National Museum through the Head of Agency and Agency Management;
- c) to approve strategic policies, goals and directions for the National Museum where necessary, and any such special projects and programs as it may consider appropriate to carry out for its benefit, for implementation through the Head of Agency and Agency Management;
- d) to administer the National Museum Endowment Fund, National Museum Donations Fund, and National Museum Income Fund as provided for in this Act;
- e) to consider and appropriately dispose of appeals regarding administrative decisions of the Head of Agency, where appropriate in line with pertinent laws and issuances; and
- f) to carry out such other functions as provided herein, as well as in other pertinent laws and issuances.

SEC. 13. *Composition of the Board of Trustees.* – The Board shall be comprised of fifteen (15) members:

- a) eight (8) representatives of the private sector, all citizens of the Philippines, each with a demonstrated personal or professional commitment to the mission and aims of the National Museum, to include one (1) distinguished Filipino artist, architect or cultural worker, one (1) distinguished Filipino anthropologist or historian, and one (1) distinguished Filipino scientist in the field of natural history; and
- b) the following as ex-officio members:
 - b1) Chairperson of the appropriate Committee of the Senate covering the field of culture;
 - b2) Chairperson of the appropriate Committee of the House of Representatives covering the field of culture;
 - b3) Secretary of Education;
 - b4) Secretary of Environment and Natural Resources;
 - b5) Secretary of Tourism;
 - b6) Chairperson of the National Commission for Culture and the Arts; and
 - b7) Executive Director of the Museum.

SEC. 14. *Appointment of Trustees.* – The members of the Board representing the private sector shall be appointed by the President of the Philippines to a term of four (4) years, and shall be eligible for reappointment to succeeding terms of four (4) years, based on merit and performance. Appointment to a position vacated due to death, disability, resignation or any similar cause, shall be for the duration of said unexpired term only.

The Chairperson of the Board shall be designated by the President of the Philippines from among the members representing the private sector. Such designation shall be effective for the current term of the representative concerned. In the absence of any such designation, the Board may elect an Acting Chairperson until such designation shall be made by the President.

This section shall be effective only with respect to the appointment of new members of the Board after the effectivity of this Act, and upon the expiry of the respective terms of incumbent members of the Board.

SEC. 15. *Organization of the Board of Trustees.* - The Board shall meet at any agreed location within the Philippines, and the presence of a majority of all its incumbent members shall constitute a quorum.

The members of the Board shall serve without compensation and members representing the private sector shall be entitled to an appropriate honorarium for attendance at meetings as well as appropriate allowances and reimbursement of expenses related to travel and participation in the official activities of the National Museum, within the Philippines and overseas, in accordance with pertinent laws and guidelines, with the necessity of such to be certified by the Executive Director and approved by the Chairperson of the Board.

The Board shall establish an Executive Committee composed of five (5) members, namely:

- a) Chairperson of the Board;
- b) Executive Director of the National Museum; and
- c) three (3) members of the Board.

The Board shall set the functions of the Executive Committee, including taking action on its behalf subject to later ratification at the next meeting of the Board.

The Board may also constitute such other committees as may be necessary, as well as retain the services of paid or pro bono consultants. Advisory boards may likewise be established by the Board, with the members thereof appointed by it entitled to appropriate honoraria for attendance at meetings as well as appropriate allowances and reimbursement of expenses related to travel and participation in the official activities of the National Museum, 38 within the Philippines and overseas, with the necessity of such to be certified by the 39 Executive Director and approved by the Chairperson of the Board.

The President of the Philippines shall be the Patron of the National Museum and 42 Honorary Chairperson of the Board.

The Board shall be authorized to adopt an Official Seal which shall be judicially noticed and to make such bylaws, rules, and regulations as it may deem necessary for the administration of its functions under this Act, including the organization and rules and 47 regulations of the Board and any other matter that falls within the ambit of its powers and 48 functions, in accordance with this Act and other pertinent laws, rules and regulations.

SEC. 16. *Head of Agency and Management of the Museum.* – The National Museum shall be headed by an Executive Director, who shall serve as the Head of Agency with a rank and emoluments of an Undersecretary. The Executive Director shall be assisted by two (2) Deputy Executive Directors of the National Museum, namely, a Deputy Executive Director for Museums and a Deputy Executive Director for Administration, each of whom 3 shall hold the rank and emoluments of an Assistant Secretary.

The central and regional museums and the satellite offices of the National Museum shall be managed and supervised by the Executive Director and Deputy Executive Directors

with the assistance of seven (7) Directors, each of whom shall have the appropriate 8 managerial rank, namely:

- a) Director of the National Museum of Fine Arts;
- b) Director of the National Museum of Anthropology;
- c) Director of the National Museum of Natural History;
- d) Director of Northern Luzon National Museums;
- e) Director of Central-Southern Luzon and MIMAROPA National Museums;
- f) Director of Visayas National Museums; and
- g) Director of Mindanao National Museums.

Each Director may be assisted by an Assistant Director, each of whom shall have the appropriate managerial rank. Changes in designations and ranks of these Museum officials, including the creation of additional plantilla positions up to the level of Director and Assistant Director that may be necessary for the appropriate management and administration of the central and regional museums and offices shall be authorized by the Board, subject to approval of the DBM and the Civil Service Commission (CSC).

The abovementioned positions shall be occupied by citizens of the Philippines, with proven track records of competent administration, appropriate knowledge of museum or relevant institutional operations or management, and demonstrable personal or professional commitment to the mission and aims of the National Museum: Provided, That the applicants of the abovementioned positions shall pass the qualification standards set by the CSC.

Unless otherwise provided by the Board, the Chairperson of the National Commission for Culture and the Arts shall continue to be delegated the authority of administrative supervision over the Executive Director for purposes of leave, travel, performance evaluation, and other related matters, and the Executive Director in turn shall exercise the same for all other officials and staff of the Museum or may delegate such to a pertinent Deputy Executive Director or Director.

SEC. 17. Appointment of the Head of Agency and Agency Management. – The Executive Director and the Deputy Executive Directors shall be appointed by the President of the Philippines. The Directors and the Assistant Directors shall be issued permanent appointments by the CSC, subject to compliance with the eligibility requirements of the positions.

Each National Museum official shall be provided with appropriate support staff, subject to the approval of the DBM and the CSC.

The Board may also appoint or designate persons to the aforementioned positions in an acting capacity in cases of vacancy, illness, absence or other causes, and may change such appointment or designation from time to time as the interests of the National Museum may, in its judgment, require.

The existing organizational structure and the staffing pattern of the National Museum shall be amended so as to integrate appropriately the provisions of this Act: *Provided*, That no employee shall be affected by the amendments of the organizational structures and staffing pattern of the National Museum in accordance with pertinent provisions of Republic Act No. 6656.

SEC. 18. Free Admission to Public Museums, Historical Sites and Landmarks. – The general public is hereby granted free admission to all public museums and national historical shrines and landmarks, subject to capacity and availability as determined by the 15 National Museum or the National Historical Commission of the Philippines.

Appropriate fees may be charged to programs, special activities, or temporary 18 exhibitions upon approval of the pertinent Head of Agency.

SEC. 19. Retention of Income and Disposition of Donated Funds. – The National Museum is hereby authorized to retain the entirety of its income from all sources of its operations nationwide and overseas, and to expend the same for any purpose in benefit of the National Museum as may be authorized by its Board, in accordance with this Act and other laws pertinent to the National Museum and any special provisions as may be provided for in the General Appropriations Act for any given fiscal year.

The existing Revolving Fund of the National Museum is hereby abolished, and its 28 balance shall be transferred to the Museum Income Fund herein established.

Donations of moneys covered by legally executed deeds of donation shall be placed in a dedicated Museum Donations Fund, to be disbursed according to the terms and purposes of the respective deeds or, in cases where no specific purposes are stipulated, to be otherwise disbursed for any purpose in benefit of the National Museum as may be authorized of the Board of Trustees.

The National Museum shall be authorized to accept anonymous donations of money, in Philippine or foreign currency, from its visitors, which shall be considered as gratuities, and be credited to the Museum Donations Fund. Such donations may be accepted through the placement of donation boxes or by persons authorized for the purpose. The handling and accounting of such donations shall be subject to rules and regulations to be prescribed by the 41 National Museum in agreement with the COA within six (6) months after the effectivity of this Act.

As a general principle, and unless otherwise provided for by law, the retained income of, and anonymous donations and donations covered by deeds of donation that do not have any specified purpose to, the National Museum, shall be applied to the purchase of capital assets

for the benefit of the National Museum, including real properties and movable assets such as equipment and collections items. In all cases, the disbursement of such funds shall be subject to the authorization of the Board of Trustees and existing budgeting, accounting and 50 auditing rules and regulations.

SEC. 20. *Museum Endowment Fund.* – The existing Museum Endowment Fund 2 sourced from the Two hundred fifty million pesos (P250,000,000) annual net earnings of the Philippine Charity Sweepstakes Office (PCSO) from its lotto operation and Two hundred fifty million pesos (P250,000,000) from the annual net earnings of the Philippine Amusement and Gaming Corporation (PAGCOR) shall continue to be utilized for the purpose of implementing such special programs, projects and activities of the National Museum that the Board may approve in furtherance of the National Museum's mandate. Taking into account past remittances, the PAGCOR and PCSO shall continue to remit the required contributions to the Fund, to be payable within the period of five (5) years from the effectivity of this Act.

The Museum Endowment Fund shall be administered by the Board, which shall be allowed to appoint professional fund managers for the purpose of appropriately managing and investing the Fund on its behalf. Rules governing such administration, management and investment shall be similar to those pertaining to relevant government financial institutions, and shall be agreed among the Museum, the Department of Finance, and other concerned 16 government agencies.

Donations and bequests made to the Endowment Fund of the National Museum shall be explicitly made and executed for the purpose, and once credited to it shall be considered as part of its principal.

Only the interest of the Museum Endowment Fund may be expended by the Board of Trustees, which shall authorize, as appropriate, the transfer of necessary amounts to a corresponding special projects account to be disbursed through the Head of Agency.

SEC. 21. *Exemption from Taxes, Duties, Fees and Charges.* – The National Museum shall continue to be classified as a National Government Agency, as such:

- a) The National Museum shall be exempt from the payment of taxes, fees and charges imposed by the National Government and its political subdivisions, agencies and instrumentalities;
- b) All donations in any form to the National Museum shall be exempt from the donor's tax and the same shall be considered as allowable deduction from the gross income in the computation of the income tax of the donor, in accordance with the provisions of Republic Act No. 8424, otherwise known as the National Internal Revenue Code of 1997, as amended; and

- c) Importation of scientific, philosophical, historical and cultural books, supplies and 40 materials for the use in the conservation or preservation work of the National Museum, shall 41 be exempt from custom duties.

SEC. 22. *Procurement of Items for the Museum Collections.* – The procurement of unique, special and/or original items by the National Museum, charged to any of its sources of funds as may be allowed, and authorized by the Head of Agency and concurred to by the Board, shall be exempted from applicable laws, rules and regulations regarding government 47 procurement in terms of pricing and competitive bidding.

The National Museum, as a general rule, shall be allowed to procure collections items by means of direct negotiation with the owners of such items, or their duly designated agents or representatives in the Philippines and abroad, as follows:

- a) a written and signed quotation for the sale of the item(s), shall be issued and addressed to the National Museum by the owner, or his or her agent or representative;
- b) a certification that the item to be acquired is of appropriate significance to the National Museum and of importance to the heritage and patrimony of the Filipino people, that the negotiated price is reasonable and fair, that no conflict of interest as defined by prevailing laws, rules and regulations exist, and that the item in question has not been illegally acquired or trafficked, shall be issued by the Head of Agency;
- c) for items above One million pesos (P1,000,000.00) or its foreign currency equivalent in price. The Head of Agency shall recommend in writing to the Board of Trustees the issuance of a resolution for the approval in principle of the transaction; items under this amount may be procured upon the sole authority of the Head of Agency provided that there is no splitting as defined in pertinent procurement laws, rules and regulations;
- d) a resolution of the Board approving in principle the purchase of the concerned item by the National Museum and authorizing the signing by Head of Agency of a Deed of Sale as well as all other documents to the transaction shall be issued for items above One million pesos (P1,000,000.00) or its foreign currency equivalent in price;
- e) a resolution of the Bids and Awards Committee of the National Museum verifying that the aforementioned documents, where applicable, have been produced, certifying as to the availability of funds, and authorizing the issuance of a Notice of Award pertaining to the purchase of the item(s) for the signature of the Head of Agency, shall be issued;
- f) after the Notice of Award has been issued, the execution of the Deed of Sale by the Head of Agency shall be made, after which the Bids and Awards Committee of the National Museum shall issue the Notice to Proceed which, once signed by the Head

of Agency, shall authorize the processing of payment in Philippine or foreign currency to the seller; receipt of payment in Philippine or foreign currency shall be acknowledged by an official receipt or, in cases where the issuance of an official receipt is not possible, any legal equivalent;

- g) payment for collections items made under this provision shall be made by the National Museum gross of any deductions for tax. It shall be the sole responsibility of the owner, or a designated agent or representative, to pay all direct and indirect taxes owed to Philippine and pertinent foreign authorities from the sale of the item as may be due under existing laws, rules and regulations of the Philippines and any pertinent foreign jurisdiction; and
- h) certified true copies of all the aforementioned documents shall be posted within the designated public place of the National Museum and on its official website for at least six (6) months, as well as transmitted to the COA through the resident auditor of the National Museum, the DBM, the Government Procurement Policy Board, the Bureau of Internal Revenue and, if the item has been acquired from abroad and is being imported into the Philippines, the Bureau of Customs.

SEC. 23. Movable Cultural Properties and Collections of the National Government. – All movable cultural properties, including natural history specimens, owned by the National Government that fall within the coverage of the Museum as provided for in Republic Act No. 10066, otherwise known as the "National Cultural Heritage Act of 2009", and this Act, particularly works of fine and applied art, archaeological and historical artifacts, relics of built heritage, and ethnographic materials of national significance, shall be registered with the National Museum and form part of a general inventory and catalogue of national government collections in these areas that will be produced and published by it within three (3) years of the effectivity of this Act, and updated annually thereafter to incorporate any change as reported by the agencies concerned to the National Museum. Such national government collections shall be considered as being held in trust for the Filipino people and shall not be alienated or otherwise disposed of without the approval of the National Museum, in accordance with its policies on de-accessioning required under this Act.

The National Museum shall have the authority to request the transfer or loan of any such national government collections, or any item pertaining thereto, for purposes of protection, preservation, study or public exhibition, and such requests shall be given the very highest consideration by the head of the agency concerned. Likewise, all agencies of the National Government are enjoined to offer for transfer or loan to the National Museum such 14 items of movable cultural property as they may possess, in support of the aforementioned purposes and the mandate of the National Museum.

SEC. 24. Commercial Operations of the National Museum. – The National Museum shall be authorized to undertake commercial operations, the proceeds of which shall be credited to the Museum Income Fund as established herein, and which shall include the following:

- a) the rental of dedicated areas for external events, functions and similar activities, the terms and conditions for which shall be prescribed by the Museum according to a 24 schedule of fees approved by the Board;
- b) the lease of dedicated areas for the erection and operation of commercial establishments, which the National Museum shall be allowed to award, through public bidding, and giving preference to non-profit organizations of a nature related to or supportive of its mandate, for a term of up to five (5) years per contract;
- c) the lease of dedicated areas for the erection and operation of vehicular parking, which the National Museum shall be allowed to award to qualified firms, through public bidding, for a term of up to five (5) years per contract; and
- d) the production and/or licensing of official merchandise, including publications and audio-visual media, which the National Museum shall be allowed to award through public bidding, and giving preference to non-profit organizations of a nature related to or supportive of its mandate, for a term of up to five (5) years per contract.

The National Museum shall be authorized to outsource through public bidding all general, non-museological, property management, including security and maintenance operations, pertaining to its real properties, particularly its National Museum Complex in Rizal Park, Manila, for a term of up to five (5) years per contract, the funds of which shall be provided by general appropriations in each year.

SEC. 25. Personnel Training, Development and Performance Incentives. – The National Museum shall undertake training and development programs to upgrade the capabilities of its personnel in the various functions of the National Museum. Personnel shall be allowed to train or study in the Philippines or abroad, on official time, subject to the needs of the service, upon approval of the Executive Director.

A system of monetary incentives shall be established by the Board to reward the superior performance and milestones of management and administrative and technical personnel, subject to the approval of the DBM and the CSC.

SEC. 26. De-accessioning Policy. – The National Museum shall provide for a de-accessioning policy with regard to its collections, except in those cases where it is restricted by terms of donations or by prevailing laws. The de-accessioning of any item shall require the approval of the Board of Trustees.

SEC. 27. *Internal Audit*. – In order to facilitate the objectives of this Act and ensure the highest standards of audit compliance, an internal audit unit shall be established within the organization of the Museum.

SEC. 28. *Reorganization of the National Museum.* – Except where the provisions of Sections 16 and 17 of this Act shall apply, the Board shall be allowed whenever there is, in its judgment, a need for such, to propose a reorganization of the National Museum, or changes to its organizational structure or staffing pattern, subject to approval of the DBM and the CSC.

SEC. 29. *Appropriations.* – The amount necessary to cover the initial implementation of this Act shall be charged against the appropriation of the National Museum under the current General Appropriations Act. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 30. *Implementing Rules and Regulations.* – Within one hundred twenty days (120) days from the approval of this Act, the National Museum of the Philippines, in consultation with the Department of Education, National Commission for Culture and the Arts, National Historical Commission of the Philippines and other concerned government agencies, shall formulate the rules and regulations implementing the provisions of this Act. The implementing rules and regulations issued pursuant to this section shall take effect thirty (30) days after its publication in a newspaper of general circulation.

SEC. 31. *Separability Clause.* – If any provision of this Act is held invalid or unconstitutional, the other provisions not so declared shall remain in full force and effect.

SEC. 32. *Repealing Clause.* – Republic Act No. 8492, otherwise known as the "National Museum Act of 1998", is hereby repealed. All other laws, decrees, orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 33. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,