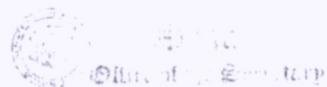


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE
S. B. No. 833

'19 JUL 30 P 4:17

Introduced by Senator SONNY ANGARA

RECEIVED

A handwritten signature in black ink, appearing to read "SF".

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

EXPLANATORY NOTE

Culture, which refers to an array of customs, traditions, knowledge, beliefs, and behaviors, is recognized by the State to have a significant role in our society as it does not only define our identity and unifies all Filipinos but also allows us to co-exist with the other cultures in the world. The Constitution mandates the State to give priority to arts and culture in order to promote nationalism and human development as well as to boost social and economic progress.

However, the positive impact of culture to our country and its people is not commensurate with the importance and prioritization given to it for the past decades. Culture is often ignored as an important factor in economic progress and many members of our society have limited concept of culture.

Since the passage of Republic Act No. 7356 in 1992, the National Commission for Culture and the Arts (NCCA) has served as the overall policy-making and coordinating body of all programs and plans related to the conservation, development, and promotion of Philippine arts and culture. This significant function performed by the NCCA was affirmed by Executive Order No. 80, series of 1999 and further strengthened by RA 9155.

Recognizing the role played by the NCCA in implementing the cultural programs of the government despite the limited resources and the importance of the culture and the arts in the enrichment of the Filipino identity, this bill seeks to reorganize the existing NCCA into the Department of Culture, thereby ensuring its place in the priorities of the government.

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



SONNY ANGARA

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE
S. B. No. 833

*19 JUL 30 P 4:17

RECEIVED BY [Signature]

Introduced by Senator SONNY ANGARA

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

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

1

ARTICLE I

2

GENERAL PROVISIONS

3

Section 1. *Short Title.* – This Act shall be known as the "Department of Culture
4 Act of 2019."

5

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

6

a) To recognize that culture is a unifying, humanizing and modernizing
7 agent/instrument of any society, and the patrimony and right of every citizen
8 of the Philippines;

9

b) To recognize the vital role of culture in nation-building;

10

c) To incorporate considerations of culture in the formulation of appropriate and
11 significant political and economic policy that will better serve Filipinos and
12 ensure that all Filipinos enjoy full cultural rights, take full advantage of a
13 dynamic cultural experience, and be inspired, sustained by, draw from,
14 contribute to and celebrate the country's culture;

15

d) To create a national body which will develop, manage and be responsible for
16 the implementation of policy, legislation and strategic direction for the
17 protection, regulation, preservation, development, management,
18 dissemination and promotion of the country's culture, relative to the immense

- 1 national resources, patrimony and wealth engendered and amassed through
2 countless generations and centuries of distinctive Filipino ways of life and
3 experiences in specific natural and social environments that this represents,
4 and to facilitate the convergence of various agencies with cultural mandates
5 and rationalize their organizations and functions;
- 6 e) To foster, strengthen, and accelerate the convergence of various cultural
7 offices agencies, and rationalize their organizations and functions;
- 8 f) To recognize that cultural education is the right of every citizen and therefore
9 ensure that cultural literacy is inculcated in the development and education of
10 all Filipinos;
- 11 g) To promote the national language of the country while enhancing the linguistic
12 diversity of the Philippines; and,
- 13 h) To secure and improve the welfare of Filipino artists and cultural workers.

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

16 Sec. 3. *Definition of Terms.* – For purposes of this Act, the following terms shall
17 be defined as follow:

- 18 a) *Art* shall refer to the expression or application of human creative skill and
19 imagination;
- 20 b) *Conservation* shall refer to all process and measures of maintaining the cultural
21 significance of a cultural property, including but not limited to, preservation,
22 restoration, reconstruction, protection, adaptive re-use or any combination
23 thereof;
- 24 c) *Cultural agencies* shall refer to any of the following national government
25 agencies with their specific areas of responsibility: National Museum of the
26 Philippines (cultural property), the National Library of the Philippines (books),
27 National Historical Commission of the Philippines (Philippine history), the
28 National Archives of the Philippines (documents) the Cultural Center of the
29 Philippines (culture and arts) and Komisyon sa Wikang Filipino (language);
- 30 d) *Cultural Education* shall refer to the teaching and learning of cultural concepts
31 and processes;

- 1 e) *Cultural Heritage* shall refer to the totality of cultural property preserved and
2 developed through time and passed on to posterity;
 - 3 f) *Cultural Property* shall refer to all products of human creativity by which people
4 and nation reveal their identity, including architecture and sites or human
5 activity [churches, mosques and other places of religious worship, schools]
6 and natural history specimens and sites, whether public or privately owned,
7 movable or immovable, and tangible or intangible;
 - 8 g) *Culture* shall refer to the broad spectrum of people's beliefs, practices,
9 customs and traditions, material culture, arts, and other forms of actual and
10 symbolic expressions and representations which are handed down from one
11 generation to the next in the process of interaction;
 - 12 h) *History* shall refer to a written record of past events relating to Philippine
13 history;
 - 14 i) *Indigenous Cultural Communities/Indigenous Peoples* shall refer to a group of
15 people or homogenous societies identified by self-ascription and ascription by
16 others, who have continuously lived as organized community on communally
17 bounded and defined territory, and who have, under claims of ownership since
18 time immemorial, occupied, possessed and utilized such territories, sharing
19 common bonds of language, customs, traditions and other distinctive cultural
20 traits, or who have, through resistance to political, social and cultural inroads
21 of colonization, non-indigenous religions and cultures, became historically
22 differentiated from the majority of Filipinos. ICCs/IPs shall likewise include
23 peoples who are regarded as indigenous on account of their descent from the
24 populations which inhabited the country, at the time of conquest or
25 colonization, or at the time of inroads of non-indigenous religions and cultures,
26 or the establishment of present state boundaries, who retain some or all of
27 their own social, economic, cultural and political institutions, but who may
28 have been displaced from their traditional domains or who may have resettled
29 outside their ancestral domains; and
 - 30 j) *Intangible Cultural Heritage* shall refer to practices, representations,
31 expressions, knowledge, skills, as well as instrument, objects and artifacts
32 associated therewith, that communities, groups and individual recognize as

1 part of their cultural heritage, such as: (1) oral traditions, usages, customs,
2 languages and other expressions; (2) performing arts; (3) social practices,
3 religious rites, rituals, culinary traditions, and festive events; (4) knowledge
4 and practices concerning nature and the universe, worship and (5) traditional
5 craftsmanship.

6 **ARTICLE II**

7 **THE DEPARTMENT OF CULTURE**

8 Sec. 4. *Creation of the Department of Culture.* – There is hereby created the
9 Department of Culture (*Kagawaran ng Kultura*), hereinafter referred to as the
10 Department, which shall be the primary policy-formulating, planning, coordinating,
11 implementing, and administrative entity of the executive branch of the National
12 Government that will implement the pertinent provisions of the Constitution regarding
13 culture and arts as well as the aforementioned policy of the State.

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

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

22 Sec. 5. *Powers and Functions.* – The Department shall exercise the following
23 powers and functions:

- 24 a) Formulate and implement national policies, plans, programs, and guidelines
25 for the protection, preservation, regulation, development, management,
26 dissemination and promotion of culture, to ensure overall consistency,
27 effectiveness, efficiency, and conformity with the policies of the State
28 articulated in the Constitution as well as in this Act and other pertinent laws
29 and issuances;
- 30 b) Assume and exercise all existing regulatory and quasi-judicial functions
31 established under Republic Act No. 4846, or "The Cultural Properties
32 Preservation and Protection Act;" Presidential Decree No. 374, or "Amending

- 1 *the Cultural Properties Preservation and Protection Act;*" Presidential Decree
2 No. 1616, or "*Creation of the Intramuros Administration;*" Presidential Decree
3 No. 1748, or "*An Act Amending the Charter of the Intramuros Administration;*"
4 Republic Act No. 8491, or "*The Flag and Heraldic Code of the Philippines;*"
5 Republic Act No. 9105, or "*Art and Forgery Act of 2001;*" Republic Act No.
6 10066, or "*The National Cultural Heritage Act of 2009;*" and, Republic Act No.
7 10086 or "*Strengthening Peoples' Nationalism Through Philippine History Act;*"
8 as well as such functions promulgated through executive issuances that
9 pertain to the agencies of the National Government covered under this Act,
10 which are all hereby transferred *in toto* to the Department from the said
11 agencies;
- 12 c) Be responsible for disaster risk reduction and management relative to culture
13 and cultural property, both through its own programs and projects as well as
14 through the National Disaster Risk Reduction and Management Council and
15 Regional Disaster Risk Reduction and Management Councils, on which it shall
16 have full membership, representation and participation;
- 17 d) Recommend to the President of the Philippines the designation, through
18 Presidential Proclamation, with appropriate published guidelines pertaining
19 thereto, of a cultural property, whether immovable or movable, tangible or
20 intangible, as a National Cultural Monument, a category hereby established
21 which incorporates the previously-established legal definitions of, criteria
22 pertaining to, and all cultural property previously declared by authorized
23 agencies as National Cultural Treasure, National Historical Landmark, National
24 Historical Shrine, National Historical Monument, and National Historical Site;
- 25 e) Designate, through Department Order, and with appropriate published
26 guidelines pertaining thereto, cultural property, whether immovable or
27 movable, tangible or intangible, as National Cultural Property, a category
28 hereby established which incorporates the previously-established legal
29 definitions of, criteria pertaining to, and all cultural property previously
30 declared by authorized agencies as Important Cultural Property and Heritage
31 House;
- 32 f) Administer the qualification and selection, with appropriate published

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

- I) Other powers and functions as may be created, assigned or transferred by the President of the Philippines in accordance with law.

Sec. 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.

Sec. 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 have 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.

Sec. 8. Powers and Functions of the Secretary. – The Secretary shall have the following powers and 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 government;
 - c) Promulgate rules and regulations necessary to carry out department mandates, objectives, policies, functions, plans, programs and projects;
 - d) Promulgate administrative issuances necessary for the efficient administration of the offices under the Secretary and for proper execution of the laws relative thereto. These issuances shall not prescribe penalties for their violation, except when expressly authorized by law;
 - e) Rationalize delivery systems necessary for the effective attainment of the objectives of the Department, in accordance with the programs of Government;
 - f) Appoint all officers and employees of the Department except those whose appointments are vested in the President or in some other appointing authority and shall appoint employees to positions in the second level in the regional

- 1 offices as defined in this Act and in accordance with the Civil Service laws,
2 rules and regulations;
- 3 g) Exercise disciplinary powers over officers and employees under the Secretary
4 in accordance with law, including their investigation and the designation of a
5 committee or officer to conduct such investigation;
- 6 h) Sit on the governing boards of attached agencies as provided in this Act, as
7 well as any other agencies or organizations as may be appropriate or
8 designated;
- 9 i) Coordinate with local governments, other agencies and public and private
10 interests' groups, including non-government organizations (NGOs) and
11 people's organizations (POs) on Department policies and initiatives;
- 12 j) Advise the President of the Philippines and make recommendations on the
13 promulgation of executive and administrative orders and regulatory and
14 legislative proposals on matters pertaining to culture;
- 15 k) Formulate and enforce a system of measuring and evaluating periodically and
16 objectively the performance of the Department and submit the same annually
17 to the President;
- 18 l) Prepare and submit to the President through the Department of Budget and
19 Management an estimate of the necessary expenditures of the department
20 during the next fiscal year, on the basis of the reports and estimates submitted
21 by bureaus and officers under the Department;
- 22 m) Exercise jurisdiction over all bureaus, offices, agencies and corporations under
23 the Department as are provided by law; and,
- 24 n) Performs such other functions as may be provided by law or assigned by the
25 President of the Republic of the Philippines.

26 Sec. 9. *Undersecretaries*. – The Secretary shall be assisted by three (3)
27 Undersecretaries, who shall be appointed by the President of the Philippines upon
28 the recommendation of the Secretary, at least two (2) of whom shall be career
29 officers. In general, the undersecretaries shall:

- 30 a) Advise and assist the Secretary in the formulation and implementation of
31 department objectives and policies;

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

13 Sec. 10. *Assistant Secretaries.* – Each Undersecretary shall be assisted by an
14 Assistant Secretary shall be career officers and shall perform duties assigned by the
15 Undersecretaries, who shall be appointed by the President of the Philippines upon
16 the recommendation of the Secretary.

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

ARTICLE III

THE DEPARTMENT SERVICES

25 Sec. 12. *Department Services.* – The Department of Culture shall have services
26 which shall include the General Administrative Service, Financial Management
27 Service, Policy and Planning Service, Legal Affairs Service, Physical Facilities
28 Management Service, Human Resources Development Service, Strategic
29 Communications and Initiatives Service, Knowledge and Information Systems,
30 Project Evaluation and Monitoring Service, Foreign-Assisted and Special Projects
31 Service, Internal Audit Service, Endowment Management Service, Grants
32 Management Service.

ARTICLE IV

THE BUREAUS

Sec. 13. The Bureaus of the Department. – The Department shall exercise supervision and control over the following four (6) Bureaus which are created under it:

- a) Bureau of Cultural Communities and Traditional Arts Development – 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’ institutes for living traditions, encourage the continued practice and development of traditional arts and crafts, document the Indigenous Knowledge Systems and Practices (IKSP), and cause the recognition of outstanding traditional artists.
 - b) Bureau of Cultural Properties Protection and Regulation – 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 – shall formulate and implement plans, programs, and activities for the preservation of tangible and intangible cultural heritage, provide architectural, engineering, scientific and conservation laboratory services, provide support to monuments and sites, museums and galleries and libraries and archives all over the country and establish a National Institute of Heritage Conservation.
 - d) Bureau of Artistic Resources – shall ensure the continuing and balance 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 – 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 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 – shall formulate plans and programs to ignite the innovative and entrepreneurial mindset of Filipino artists and establish industries in the various genre of arts, performing arts, cinema, books and publications, creative designs, culinary and lifestyle and architecture and allied arts, and others.

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 upon the recommendation of the Secretary.

Sec. 14. Powers and Duties of 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. Shall appoint personnel to all positions in his bureau or office, in accordance with 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.

ARTICLE V

THE REGIONAL AND FIELD OFFICES

Sec. 15. Regional Offices of 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. The Regional Director and Assistant Regional Director shall be appointed by the President upon the recommendation of the Secretary: Provided, that they shall be persons recognized as an accomplished manager, advocate, scholar

1 or practitioner in fields of endeavor related to Philippine culture in the region, or any
2 suitably qualified person in accordance with Civil Service Commission (CSC) rules and
3 regulations.

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

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

23 Sec. 16. *Duties of a Regional Director.* – The Regional Director shall perform
24 duties and functions as may be provided by law or further delegated by the head of
25 agency or other proper authorities concerned.

ARTICLE VI

THE ATTACHED AGENCIES, INSTITUTES, ADVISORY COUNCIL, OVERSEAS OFFICES

29 Sec. 17. *The Attached Agencies.* –

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

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

- 5 1. Cultural Center of the Philippines (CCP)
- 6 2. National Museum of the Philippines (NMP)
- 7 3. National Historical Commission of the Philippines (NHCP)
- 8 4. National Library of the Philippines (NLP)
- 9 5. National Archives of the Philippines (NAP)
- 10 6. Komisyon sa Wikang Filipino (KWF)
- 11 7. Intramuros Administration (IA)
- 12 8. National Parks Development Committee (NPDC)
- 13 9. Nayong Pilipino Foundation (NPF)
- 14 10. Film Development Council of the Philippines (FDCP)
- 15 11. National Book Development Board (NBDB)
- 16 12. Design Center of the Philippines

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

20 Sec. 18. *National Institutes.* – The following National Institutes, with their
21 respective networks throughout the country, shall be established under the
22 Department:

- 23 a) The National Institute of Living Traditions, and through it, a network of
24 individual Schools of Living Traditions to be established, which, with the
25 support of appropriate partnerships, shall be responsible for programs and
26 projects related to the safeguarding, sustainability, propagation and
27 intergenerational transmission of intangible cultural heritage, particularly that
28 which pertains to indigenous cultural communities;
- 29 b) The National Institute of Cultural Heritage Preservation, and through it, a
30 network of individual *Escuela Talyer* (Workshop Schools) to be established,
31 which, with the support of appropriate partnerships, shall be responsible for
32 programs and projects related to national capacity building in the area of

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

15 Sec. 19. *National Academy of Culture and Arts.* – There is hereby established
16 under the Department a National Academy of Culture and Arts, which shall be an
17 institutionalized association of the nation's foremost leaders and exponents of culture
18 and arts, the primary purpose of which is to support the mandate of the Department
19 as an independent body of eminent persons. The President of the Philippines shall
20 be the Honorary Patron of the National Academy of Culture and Arts.

21 The structure and organization of the Academy, including the specification of
22 its functions, procedures as to its governance and the selection of its members, and
23 the composition of its secretariat, shall be contained in a charter to be formulated
24 by the Department and promulgated by the President of the Philippines through an
25 Executive Order within one (1) year of the effectivity of this Act.

26 Sec. 20. *Culture and Arts Advisory Councils.* – The Department shall facilitate
27 the creation of a National Culture and Arts Advisory Council, a Regional Culture and
28 Arts Advisory Council, and, a Local Culture and Arts Advisory Council, to assist the
29 Department in the implementation of culture and arts initiatives.

30 Sec. 21. *Sectoral and Industry Task Forces.* – The Department may create a
31 sectoral and industry task forces, technical working groups, advisory bodies or
32 committees for the furtherance of its objectives. Additional private sector

1 representatives, such as from the academe, CSOs, and federation of private
2 industries directly involved in culture and the arts as well as representatives of other
3 LGUs, and GOCCs may be appointed to these working groups.

4 Sec. 22. *Rizal Centers*. – The Department shall, through a dedicated
5 organizational unit to be established for the purpose, establish and manage Rizal
6 Centers or *Sentro Rizal*, including those created under R.A. No. 10066 or the
7 “National Cultural Heritage Act of 2009.” The primary purpose of the Rizal Centers
8 shall be the promotion of, and the facilitation of access by the constituency of each
9 center to, Philippine culture generally as well as the cultural resources managed by
10 the Department and its attached agencies in particular.

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

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

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

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

30 Sec. 23. *Overseas Offices*. – The Department shall establish overseas offices
31 whenever necessary to:

32 a) Implement plans, programs and projects of the Department relative to

- communities of Philippine citizens abroad;
 - b) Promote Filipino culture to the international community;
 - c) Coordinate with international organizations 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.

ARTICLE VII

REORGANIZATION

8 Sec. 24. *Reorganization.* – The laws and rules on government reorganization
9 as provided for in Republic Act No. 6656, otherwise known as the Reorganization
10 Law, shall govern the reorganization process of the Department and, where
11 appropriate, its attached agencies.

12 Sec. 25. *Structure and Staffing Pattern.* – Subject to the approval of the
13 Department of Budget and Management (DBM), the Department and, where
14 appropriate, its attached agencies, shall determine its organizational structure and
15 create new divisions or units as it may deem necessary, and shall appoint officers
16 and employees of the Department and its attached agencies in accordance with the
17 Civil Service Law, rules, and regulations.

Sec. 26. *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.

28 Sec. 27. *Separation from Service.* – Employees separated from the service as
29 a result of this reorganization shall, within ninety (90) days therefrom, receive the
30 separation and retirement benefits to which they may be entitled under Executive
31 Order No. 366. Provided that such separation pay and retirement benefits shall have
32 priority of payment out of the savings of the department or agency.

ARTICLE VIII

PROPERTIES OF THE DEPARTMENT

Sec. 28. *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.

Sec. 29. *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.

ARTICLE IX

APPROPRIATIONS AND FINAL PROVISIONS

Sec. 30. 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).

Sec. 31. 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 effectiveness of this Act.

Sec. 32. Separability Clause. – If any portion or provision of this Act is subsequently declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall remain in full force and effect.

Sec. 33. Repealing Clause. – All other laws, acts, presidential decrees, executive orders, presidential proclamations, issuances, rules and regulations, or parts thereof which are contrary to or inconsistent with any of the provisions of this Act are hereby repealed, amended, or modified accordingly.

Sec. 34. *Effectivity.* – This Act shall take effect fifteen (15) days after its

1 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,