

1 pine economic, social and political life shall be evolved, promoted
2 and conserved.

3 SEC. 4. *Culture of the People.* - The Filipino national cul-
4 ture shall be: (a) independent, free of political and economic struc-
5 tures which inhibit cultural sovereignty; (b) equitable, effectively
6 creating and distributing cultural opportunities and correcting the
7 imbalance that has long prejudiced the poor and other marginal-
8 ized sectors who have the least opportunities for cultural devel-
9 opment and educational growth; (c) dynamic, continuously develop-
10 ing in pace with scientific, technological, social, economic and polit-
11 ical changes both in national and international levels; (d) progres-
12 sive, developing the vast potential of all Filipinos as responsible
13 change agents of society; and (e) humanistic, ensuring the freedom
14 and creativity of the human spirit.

15 SEC. 5. *Culture by the People.* - The Filipino national cul-
16 ture shall be evolved and developed by the people themselves in a
17 climate of freedom and responsibility. National cultural policies
18 and programs shall be formulated which shall be: (a) pluralistic,
19 fostering deep respect for the cultural identity of each locality,
20 region or ethno-linguistic locality, as well as elements assimilated
21 from other cultures through the natural process of acculturation;

1 (b) democratic, encouraging and supporting the participation of the
 2 vast masses of our people in its programs and projects; (c) non-
 3 partisan, open to all people and institution, regardless of creed, affil-
 4 iation, ideology, ethnic origin, age, gender or class, with no organ-
 5 ized group or sector having monopoly of its services; and (d) libera-
 6 tive, having concern for the decolonization and emancipation of the
 7 Filipino psyche in order to ensure the full-flowering of Filipino
 8 culture.

9 SEC. 6. *Culture for the People.* - The creation of artistic and
 10 cultural products shall be promoted and disseminated to the great-
 11 est number of our people. The level of consciousness of our people
 12 about our own cultural values in order to strengthen our culture and
 13 to instill nationhood and cultural unity, shall be raised formally
 14 through the educational system and informally through extra-scho-
 15 lastic means, including the use of traditional as well as modern
 16 media of communication.

17 SEC. 7. *Preservation of the Filipino Heritage.* - It is the duty
 18 of every citizen to preserve and conserve the Filipino historical and
 19 cultural heritage and resources. The retrieval and conservation of
 20 artifacts of Filipino culture and history shall be vigorously pursued.

TITLE II

ORGANIZATION OF THE NATIONAL COMMISSION FOR CULTURE AND ARTS AND THE ESTABLISHMENT OF THE NATIONAL ENDOWMENT FUND

SEC. 8. The Commission. - A National Commission for Culture and Arts is hereby created to formulate policies for the development of culture and arts; implement these policies in coordination with affiliated cultural agencies; coordinate the implementation of programs of these affiliated agencies; administer the National Endowment Fund for Culture and Arts (NEFCA); encourage artistic creation within a climate of artistic freedom; develop and promote the Filipino national culture and arts; and preserve Filipino cultural heritage. The Commission shall be an independent agency. It shall render an annual report of its activities and achievements to the President and to Congress.

SEC. 9. Composition. - The Commission shall be composed of the following members:

- (1) The Undersecretary of the Department of Education, Culture and Sports;
(2) The Undersecretary of the Department of Tourism;
(3) The Chairman of the House Committee on Education and Culture;

1 (4) The Chairman of the Senate Committee on Education
2 and Culture;

3 (5) The President of the Cultural Center of the Philippines;

4 (6) The Executive Director of the National Historical Insti-
5 tute;

6 (7) The Director of the National Museum;

7 (8) The Director of the National Library;

8 (9) The Director of the Institute of Philippine Languages
9 (Commission on the Filipino Language);

10 (10) The Director of the Records Management and Ar-
11 chives Office;

12 (11) The Executive Director of the NCCA;

13 (12) The Head of the Subcommittee on Cultural Commu-
14 nities and Traditional Arts; and

15 (13) Three (3) representatives from the private sector who
16 shall be the elected Heads of the four (4) Subcommissions identi-
17 fied hereunder, namely: the Subcommittee on Cultural Heritage,
18 the Subcommittee on the Arts, and the Subcommittee on Cultur-
19 al Dissemination. They shall be elected by the Chairpersons of the
20 National Committees under their respective Subcommissions.

1 The Chairman of the Commission shall be elected by the
2 members from among themselves.

3 **SEC. 10. Term of Office and Compensation.** - The non-ex
4 *officio* members of the Commission shall serve for a term of three
5 (3) years, and shall not serve for more than two (2) successive
6 terms. *Non-ex officio* members shall each receive a *per diem* of One
7 thousand pesos (P1,000) for actual attendance in the meetings of
8 the Commission, but not to exceed Five thousand pesos (P5,000) a
9 month, and shall be reimbursed travel expenses incurred for actual
10 attendance of meetings.

11 *Ex officio* members of the Commission shall receive represen-
12 tation and travel allowances (RATA) in accordance with rates
13 recommended by the Department of Budget and Management.

14 **SEC. 11. Membership Restrictions.** - During his/her term as
15 member of the Commission, a Commissioner shall not be eligible
16 for any grant, or such other financial aid from the Commission as
17 an individual: *Provided, however,* That he/she may compete for
18 grants and awards on the same level as other artists one (1) year
19 after his/her term shall have expired.

20 **SEC. 12. Mandate.** - The Commission is hereby mandated
21 to formulate and implement policies and plans in accordance with
22 the principles stated in Title I of this Act.

1 (1) To encourage the continuing and balanced development
2 of a pluralistic culture by the people themselves, it shall:

3 (a) Encourage and ensure the exercise of the freedom of
4 expression by eliminating all forms of censorship inimical to cultural
5 and artistic growth and development without prejudice to the rights
6 of other people to develop their own culture, or to the enhancement
7 of a genuinely Filipino culture;

8 (b) Extend financial and economic assistance such as subsi-
9 dies, artist funds and social security to promote cultural develop-
10 ment and protect artists and cultural workers;

11 (c) Ensure the decentralization of opportunities for creative
12 expression through the establishment of local culture and art cen-
13 ters in various regions, with resources needed for artistic cultural
14 activities;

15 (d) Extend recognition of artistic achievement through
16 awards, grants and services to artists and cultural groups which
17 contribute significantly to the Filipino's cultural legacy;

18 (e) Promote the interests and welfare of artists and cultural
19 workers by protecting their rights to intellectual and artistic proper-
20 ties as well as by associations which shall promote and protect the
21 economic and moral rights of artists all over the country;

1 (f) Encourage and support research into Philippine artistic
2 traditions which may be adopted for the creation of contemporary
3 forms;

4 (g) Adopt measures and recommend legislations to protect
5 the intellectual and artistic rights and properties of Filipino artists,
6 cultural workers and other matters concerning culture and arts; and

7 (h) Explore and adopt the best possible structure of rela-
8 tionship between the public and the private sector at the local level,
9 taking into account varying socio-cultural situations.

10 (2) To conserve and promote the nation's historical and
11 cultural heritage, it shall:

12 (a) Support, monitor and systematize the retrieval and
13 conservation of artifacts of Filipino culture and history and all Fili-
14 pino cultural treasures from all over the archipelago and other
15 countries;

16 (b) Encourage and support the study, recognition and pres-
17 ervation of endangered human cultural resources (such as weavers,
18 chanters, dancers, and other craftsmen) as well as the conservation
19 and development of such artistic, linguistic and occupational skills
20 as are threatened with extinction;

21 (c) Support and promote the establishment and preservation
22 of cultural and historical monuments, markers, names and sites;

1 (d) Encourage and support the establishment and/or main-
 2 tenance all over the country of museums, libraries, archives, private
 3 or public, as repositories, respectively of all cultural/historical arti-
 4 facts and artistic creation, printed works, archival records and all
 5 other materials indispensable to the study and evaluation of Filipino
 6 culture and history;

7 (e) Encourage the private sector to establish and maintain
 8 private museums and libraries;

9 (f) Encourage and support scholarly research into and
 10 documentation of Philippine cultural traditions, arts and crafts, as
 11 well as significant cultural movements, achievements and personali-
 12 ties especially in the literary, visual and performing arts; and in mass
 13 media, as well as the various aspects of Filipino culture;

14 (g) Encourage and support the writing of Philippine history
 15 from the Filipino perspective; and

16 (h) Encourage, support and systematize the audio-visual
 17 documentation of Filipino cultural expressions in the contemporary
 18 period.

19 (3) To ensure the widest dissemination of artistic and cul-
 20 tural products among the greatest number across the country and
 21 overseas for their appreciation and enjoyment, it shall, with the

1 cooperation of the Departments of Education, Culture and Sports,
 2 Tourism, Interior and Local Government, Foreign Affairs and all
 3 other concerned agencies, public and private:

4 (a) Cause to be established and developed an intensified arts
 5 education program at all levels of the educational system, public
 6 and private, to ensure meaningful arts integration across the school
 7 curriculum;

8 (b) Encourage and support programs through publication,
 9 exhibition, production, performance, staging, and reproduction of
 10 original Filipino creations;

11 (c) Coordinate and provide technical and/or financial as-
 12 sistance for cultural events and related activities such as cultural
 13 festivals, competitions, lectures, seminars, fora and symposia;

14 (d) Encourage and monitor a comprehensive translation
 15 program which shall make works by Filipinos and selected foreign
 16 classics equally accessible to Filipino as well as international read-
 17 ers;

18 (e) Promote the popularization of information about artistic
 19 and cultural achievements and programs, in coordination with
 20 government agencies and nongovernment organizations and institu-
 21 tions;

1 (f) Reorient tourism programs to become an instrument for
2 popular education of our people and others about the best of our
3 heritage and creativity;

4 (g) Undertake a systematic collection of statistical and other
5 data which reflects the state of cultural conditions in the country, to
6 serve as essential quantitative and qualitative basis for formulating
7 cultural policies;

8 (h) Create and support a sustained program of international
9 cultural exchange, scholarships, travel grants and other forms of
10 assistance;

11 (i) Promulgate standards and guidelines for the protection
12 and promotion of Filipino artists, cultural workers and creative
13 works in other countries; and

14 (j) Encourage and support the continuous training of cul-
15 tural workers and administrators by qualified trainers.

16 (4) To preserve and integrate traditional culture and its
17 various creative expressions as a dynamic part of the national cul-
18 tural mainstream, it shall:

19 (a) Help set up or encourage, monitor and subsidize com-
20 panion systems at the regional, provincial and local levels, intended
21 to develop traditional cultures such as arts/crafts centers, prefera-
22 bly in community settings apart from the usual museum settings,

1 where exponents of living arts and crafts can practice and teach
2 their art and enrich contemporary designs;

3 (b) Encourage and subsidize cultural research and the re-
4 trieval of cultural practices and information, (e.g. folklore, dance,
5 music, crafts) through the training of students, teachers and cultural
6 researchers, and their revitalization by practice and performance;

7 (c) Ensure that the ultimate beneficiaries of all research
8 efforts, tourism programs and other activities affecting cultural
9 communities are the people and cultural communities that are the
10 subject of research, and that their cultures are nurtured rather than
11 violated, damaged, or exploited;

12 (d) Ensure that relevant information is made available to
13 legislators who introduce laws with cultural implication; and

14 (e) Encourage and support the continuous training of cul-
15 tural workers and administrators by qualified trainers.

16 (5) To ensure that standards of excellence are pursued in
17 programs and activities implementing policies herein stated, it shall
18 encourage and support continuing discussion and debate, through
19 symposia, workshops, publications, etc., on the highest norms avail-
20 able in the matrix of Philippine culture.

21 SEC. 13. *Powers and Functions.* - To carry out its mandate,
22 the Commission shall exercise the following powers and functions:

1 (a) Encourage and facilitate the organization of a network of
 2 regional and local councils for culture and the arts, hereunder de-
 3 scribed, to ensure a broad nationwide, people-based participation in
 4 the formulation of plans, the enforcement of culture-related laws
 5 and regulations, the implementation of programs/projects and the
 6 review of funding requirements;

7 (b) Establish a secretariat under an Executive Director for
 8 the administrative and day-to-day operations of the Commission;

9 (c) Set up a system of networking and coordination with and
 10 among all existing government cultural agencies for the effective
 11 implementation of programs and activities;

12 (d) Create Committees and other mechanisms to help
 13 expedite the implementation of plans and strategies;

14 (e) Call upon and coordinate with other government and
 15 nongovernment art and cultural institutions and agencies for assist-
 16 ance in any form;

17 (f) Generate resources, both from the government and
 18 private sectors, local, national and international, for its operation, as
 19 well as for the National Endowment Fund for Culture and Arts;

20 (g) Receive and accept donations and other conveyances
 21 including funds, materials and services, by gratuitous title;

1 (h) Administer the National Endowment Fund and give
2 grants for the development, protection, preservation and dissemina-
3 tion of Philippine culture and arts, and designate a comptroller;

4 (i) Prepare an annual budget of the Commission and submit
5 the same to the President for inclusion in the annual General
6 Appropriations Act;

7 (j) Advise the President on matters pertaining to culture
8 and the arts, including the creation of a special decoration or award,
9 for persons who have significantly contributed to the development
10 and promotion of Philippine culture and arts;

11 (k) Promulgate rules, regulations and undertake any and all
12 measures as may be necessary to implement this Act; and

13 (l) Regulate activities inimical to preservation/conservation
14 of national cultural heritage/properties.

15 SEC. 14. *The Secretariat.* - The Commission shall organize
16 a Secretariat headed by an Executive Director. The Commission
17 shall fix its staffing pattern, determine the duties, qualifications,
18 responsibilities and functions as well as the compensation scheme
19 for the positions to be created upon the recommendation of the
20 Executive Director. The staffing pattern shall be approved and
21 prescribed by the Commission within one hundred and twenty (120)
22 days from the approval of this Act.

1 **SEC. 15. *The Subcommissions.*** – The Commission shall
 2 oversee the operation and maintenance of National Committees
 3 under the following Subcommissions:

4 (a) Subcommission on Cultural Heritage, which shall cover
 5 but will not be limited to the following areas: libraries and informa-
 6 tion services, archives, museums, galleries, monuments and sites,
 7 and historical research;

8 (b) Subcommission on the Arts, which shall cover but will
 9 not be limited to the following areas: literary arts, visual arts, archi-
 10 tecture, dramatic arts, broadcast arts, musical arts, dance, and film;

11 (c) Subcommission on Cultural Dissemination, which shall
 12 cover but will not be limited to the following areas: language and
 13 translation, cultural events, cultural education and information; and

14 (d) Subcommission on Cultural Communities and Tradi-
 15 tional Arts, which shall cover but will not be limited to the follow-
 16 ing areas: Agta culture and arts, cultures and arts of Northern cul-
 17 tural communities, Southern cultural communities, Muslim cultural
 18 communities, and lowland cultural communities.

19 **SEC. 16. *Local, Provincial or Regional Councils.*** – The
 20 Commission may establish or coordinate with local, provincial or
 21 regional government or nongovernment councils/groups to pro-

1 mote, develop and implement programs and plans of the Commis-
2 sion.

3 SEC. 17. *The National Advisory Board.* - The Chairpersons
4 of the National Committees shall form the National Advisory
5 Board.

6 SEC. 18. *The National Cultural Agencies.* - The Commis-
7 sion shall coordinate with the national cultural agencies including
8 but not limited to the Cultural Center of the Philippines, the Insti-
9 tute of Philippine Languages (Commission on the Filipino Lan-
10 guage), the National Historical Institute, the National Library, the
11 National Museum, the Records Management and Archives Office.
12 However, they shall continue operating under their respective
13 charters or as provided by law where provisions therein are not
14 inconsistent with the provisions of this Act. They shall serve as the
15 national repository and/or showcase, as the case may be, of the best
16 of Philippine culture and arts. For this purpose, these agencies shall
17 submit periodic reports, including recommendations to the Com-
18 mission.

19 SEC. 19. *Program Plans.* - The Commission shall within
20 three (3) months after having been officially constituted and finally
21 staffed, adopt and immediately cause to be implemented in coordi-

1 nation with cultural agencies, a short-range program in support of
 2 relevant existing projects and activities; and within six (6) months, a
 3 long-range three-year development program. This development
 4 program shall be developed and subjected to annual review and
 5 revision by the Commission in coordination with the councils as well
 6 as public and private cultural agencies and organizations.

7 TITLE III

8 MISCELLANEOUS PROVISIONS

9 SEC. 20. *Transitory Provisions.* - (a) All the personnel,
 10 properties, assets and liabilities of the Presidential Commission on
 11 Culture and Arts (PCCA) created by Executive Order No. 118, are
 12 hereby transferred to the Commission as its successor-in-interest.

13 (b) Within a period of one (1) year after the first meeting of
 14 the Commission, it shall harmonize the policies of the cultural
 15 agencies referred to, but not limited to those enumerated in Sec-
 16 tion 18 of this Act, with those of the Commission as over-all policy-
 17 making and coordinating body, as herein indicated.

18 SEC. 21. *Notice or Consent Requirement.* - If any organiza-
 19 tional change herein authorized is of such substance or materiality
 20 as to prejudice third persons with rights recognized by law or con-
 21 tract such that notice to or consent of said persons or creditors is

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20 as to prejudice third persons with rights recognized by law or con-
21 tract such that notice to or consent of said persons or creditors is

1 required to be made or obtained pursuant to any agreement en-
 2 tered into with any of such creditors, such notice or consent re-
 3 quirement shall be complied with prior to the implementation of
 4 such organizational change.

5 **SEC. 22. Separability Clause.** - Any portion or provision of
 6 this Act that may be declared unconstitutional shall not have the
 7 effect of nullifying other portions or provisions hereof as long as
 8 such remaining portions or provisions can still subsist and be given
 9 effect in their entirety.

10 **SEC. 23. Saving Clause.** - All laws, rules, regulations, other
 11 issuances or parts thereof which are inconsistent with this Act are
 12 hereby repealed or modified accordingly. All provisions of Execu-
 13 tive Order No. 118 not inconsistent with this Act shall however
 14 remain in full force and effect.

15 **SEC. 24. Effectivity Clause.** - This Act shall take effect
 16 immediately upon its approval.

Approved,

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