



1 country's artistic and historic wealth constitutes the cultural treasure of the  
2 nation and shall be under the protection of the State, which may regulate its  
3 disposition.

4 In the pursuit of cultural preservation as a strategy for maintaining  
5 Filipino identity, this Act shall pursue the following objectives:

6 (a) Protect, preserve, conserve and promote the nation's cultural  
7 heritage, its property and histories, and the ethnicity of local communities;

8 (b) Establish and strengthen cultural institutions; and

9 (c) Protect cultural workers and ensure their professional development  
10 and well-being.

11 The State shall likewise endeavor to create a balanced atmosphere  
12 where the historic past coexists in harmony with modern society. It shall  
13 approach the problem of conservation in an integrated and holistic manner,  
14 cutting across all relevant disciplines and technologies. The State shall further  
15 administer the heritage resources in a spirit of stewardship for the inspiration  
16 and benefit of the present and future generations.

## 17 ARTICLE II

### 18 DEFINITION OF TERMS

19 SEC. 3. *Definition of Terms.* – For purposes of this Act, the following  
20 terms shall be defined as follows:

21 (a) "Adaptive reuse" shall refer to the utilization of buildings, other  
22 built-structures and sites of value for purposes other than that for which they  
23 were intended originally, in order to conserve the site, their engineering  
24 integrity and authenticity of design.

25 (b) "Anthropological area" shall refer to any place where studies of  
26 specific ethno-linguistic groups are undertaken, the properties of which are of  
27 value to our cultural heritage.

1 (c) "Antique" shall refer to a cultural property found locally which is  
2 one hundred (100) years in age, more or less, the production of which has  
3 ceased.

4 (d) "Archaeological area" shall refer to any place, whether above or  
5 under ground, underwater or at sea level, containing fossils, artifacts and other  
6 cultural, geological, botanical, zoological materials which depict and document  
7 culturally relevant paleontological, prehistoric and/or historic events.

8 (e) "Archives" shall refer to public and private records in any format  
9 which have been selected for permanent preservation because of their  
10 evidential, historical informational value; otherwise known as archival  
11 materials collections or archival holdings; the place (building/room/storage  
12 area) where archival materials are kept and preserved; and an organization or  
13 agency or part thereof whose main responsibility is to appraise, arrange,  
14 describe, conserve, promote and make archival materials available for  
15 reference and research, also known as archival agency.

16 (f) "Built heritage" shall refer to architectural and engineering  
17 structures such as, but not limited to, bridges, government buildings, houses of  
18 ancestry, traditional dwellings, technological and industrial complexes, and  
19 their settings, and landscapes with notable historical and cultural significance.

20 (g) "Collector" shall refer to any person who or institution that acquires  
21 cultural property for purposes other than sale.

22 (h) "Commission" shall refer to the National Commission for Culture  
23 and the Arts.

24 (i) "Conservation" shall refer to all the processes and measures of  
25 maintaining the cultural significance of a cultural property including, but not  
26 limited to, preservation, restoration, reconstruction, protection, adaptation or  
27 any combination thereof.

1 (j) "Cultural agencies" shall refer to the following national government  
2 agencies with their specific areas of responsibility: National Museum (cultural  
3 property); the National Library (books); National Historical Institute  
4 (Philippine history); National Archives (documents); Cultural Center of the  
5 Philippines (culture and the arts); and Komisyon sa Wikang Filipino  
6 (language).

7 (k) "Cultural education" shall refer to the teaching and learning of  
8 cultural concepts and processes.

9 (l) "Cultural heritage" shall refer to the totality of cultural property  
10 preserved and developed through time and passed on to posterity.

11 (m) "Cultural heritage worker" shall refer to an individual undertaking  
12 cultural heritage work.

13 (n) "Cultural institution" shall refer to entities engaged primarily in  
14 cultural work.

15 (o) "Cultural property" shall refer to all products of human creativity  
16 by which a people and a nation reveal their identity, including churches,  
17 mosques and other places of religious worship, schools and natural history  
18 specimens and sites, whether public or privately-owned, movable or  
19 immovable, and tangible or intangible.

20 (p) "Dealers" shall refer to natural or juridical persons who acquire  
21 cultural property for the purpose of engaging in the acquisition and disposition  
22 of the same.

23 (q) "Heritage zone" shall refer to historical, anthropological,  
24 archaeological, artistic geographical areas and settings that are culturally  
25 significant to the country, as declared by the National Museum (NM) and/or  
26 the National Historical Institute (NHI).

27 (r) "History" shall refer to a written record of past events relating to  
28 Philippine history.

1 (s) "Historical landmarks" shall refer to sites or structures that are  
2 associated with events or achievements significant to Philippine history as  
3 declared by the NHI.

4 (t) "Historical monuments" shall refer to structures that honor  
5 illustrious persons or commemorate events of historical value as declared by  
6 the NHI.

7 (u) "Historical shrines" shall refer to historical sites or structures  
8 hallowed and revered for their history or association as declared by the NHI.

9 (v) "Historical street name" shall refer to a street name which has been  
10 in existence for at least fifty (50) years and overtime has been considered  
11 sacrosanct.

12 (w) "Important cultural property (ICP)" shall refer to a cultural property  
13 having exceptional cultural, artistic and historical significance to the  
14 Philippines, as shall be determined by the NM and/or NHI.

15 (x) "Intangible cultural heritage (ICH)" shall refer to the practices,  
16 representations, expressions, knowledge and skills, as well as the instruments,  
17 objects and artifacts associated therewith, that communities, groups and  
18 individuals recognize as part of their cultural heritage, such as: (1) oral  
19 traditions, languages and expressions; (2) performing arts; (3) social practices,  
20 rituals and festive events; (4) knowledge and practices concerning nature and  
21 the universe; and (5) traditional craftsmanship.

22 (y) "Intangible cultural property" shall refer to the peoples' learned  
23 processes along with the knowledge, skills and creativity that inform and are  
24 developed by them, the products they create and the resources, spaces and  
25 other aspects of social and natural context necessary for their sustainability.

26 (z) "Library" shall refer to an institution where the collection of books,  
27 manuscripts, computerized information and other materials are organized to  
28 provide physical, bibliographic and/or intellectual access to the public, with a

1 librarian that is trained to provide services and programs related to the  
2 information needs of its clientele.

3 (aa) "Museum" shall refer to a permanent institution that researches,  
4 acquires, conserves, communicates and exhibits the material evidence of  
5 humans and their environment for purposes of education or leisure.

6 (bb) "National cultural treasure (NCT)" shall refer to a unique cultural  
7 property found locally, possessing outstanding historical, cultural, artistic  
8 and/or scientific value which is highly significant and important to the country  
9 and nation, and officially declared as such by pertinent cultural agency.

10 (cc) "Nationally significant" shall refer to historical, aesthetic,  
11 scientific, technical, social and/or spiritual values that unify the nation by a  
12 deep sense of pride in their various yet common identities, cultural heritage  
13 and national patrimony.

14 (dd) "Natural property of cultural significance" shall refer to areas  
15 possessing outstanding ecosystem with flora and fauna of national scientific  
16 importance under the National Integrated Protected Areas System (NIPAS).

17 (ee) "Prehistory" shall refer to the period of human history before the  
18 introduction of the forms of writing.

19 (ff) "Registry" shall refer to the Philippine Registry of Cultural  
20 Property (PRECUP), which is the registry of all cultural property of the  
21 country deemed of significant importance to our cultural heritage.

22 (gg) "Restoration" shall refer to the action taken or the technical  
23 intervention to correct deterioration and alterations.

24 (hh) "Tangible cultural property" shall refer to a cultural property with  
25 historical, archival, anthropological, archaeological, artistic and architectural  
26 value, and with exceptional or traditional production, whether of Philippine  
27 origin or not, including antiques and natural history specimens with significant  
28 value.

## ARTICLE III

## CULTURAL PROPERTY

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3       SEC. 4. *Categories.* – The cultural property of the country shall be  
4 categorized as follows:

- 5       (a) National Cultural Treasures (NCTs);  
6       (b) Important Cultural Property (ICP);  
7       (c) World Heritage Sites (WHS);  
8       (d) National Historical Shrine;  
9       (e) *National Historical Monument (NHM); and*  
10       (f) National Historical Landmark (NHL).

11       SEC. 5. *Important Cultural Property.* – The pertinent cultural agency  
12 shall declare certain works as Important Cultural Property (ICP) for the  
13 purpose of protecting a cultural property against exportation, modification or  
14 demolition, as follows:

15       (a) As declared by the Cultural Center of the Philippines (CCP) and the  
16 National Commission for Culture and the Arts (NCCA) for:

- 17       (1) Significant works by a Manlilikha ng Bayan; and  
18       (2) Significant works by a National Artist;

19       (b) As declared by the National Library (TNL) for significant books  
20 and manuscripts;

21       (c) As declared by the National Museum (NM) for:

- 22       (1) Significant archaeological and traditional ethnographic materials;  
23       (2) Significant works by other artists; and  
24       (3) Significant structures dating at least fifty (50) years old;

25       (d) As declared by the NHI for:

- 26       (1) Significant works of national heroes;  
27       (2) Marked structure; and  
28       (3) Significant structures dating at least fifty (50) years old; and

1 (e) As declared by the National Archives of the Philippines (NAP) for  
2 significant archival material/document pertaining to the Philippines.

3 The property owner may petition the appropriate cultural agency to  
4 remove the appellation of ICP.

5 SEC. 6. *World Heritage Sites.* – The appropriate cultural agency shall  
6 closely collaborate with the United Nations Educational Scientific and Cultural  
7 Organization (UNESCO) National Commission of the Philippines (NATCOM)  
8 in ensuring the conservation and management of World Heritage Sites (WHS),  
9 of cultural and mixed sites category, in the Philippines.

10 SEC. 7. *Privileges for Cultural Property.* – All cultural properties  
11 declared as NCTs and national historical landmarks, sites or monuments  
12 (NHLSMs) shall be entitled to the following privileges:

13 (a) Priority government funding for protection, conservation and  
14 restoration;

15 (b) Incentive for private support of conservation and restoration  
16 through the Commission's Conservation Incentive Program for NCT;

17 (c) An official heritage marker placed by the cultural agency concerned  
18 indicating that the immovable cultural property has been identified as NCT  
19 and/or NHLSM; and

20 (d) In times of armed conflict, natural disasters and other exceptional  
21 events that endanger the cultural heritage of the country, all NCTs or NHLSMs  
22 shall be given priority protection by the government.

23 All cultural properties declared as ICP may also receive government  
24 funding for its protection, conservation and restoration. An official heritage  
25 marker shall likewise be placed on an immovable cultural property to identify  
26 the same as ICP.



1           SEC. 8. *Procedure for Declaration or Delisting of National Cultural*  
2 *Treasures or Important Cultural Property.* – The procedure in declaring as  
3 well as in delisting NCT or ICP shall be as follows:

4           (a) A declaration or a delisting of a cultural property as NCT or ICP  
5 shall commence upon the filing of a petition by the owner, stakeholder or any  
6 interested person, with the appropriate cultural agency;

7           (b) Upon verification of the suitability of the property as NCT, ICP or  
8 NHLSM, the cultural agency concerned shall send a notice of hearing to the  
9 owner and stakeholders. Stakeholders including, but not limited to, local  
10 government units (LGUs), local culture and arts council, local tourism  
11 councils, nongovernment conservation organizations and schools may be  
12 allowed to file their support or opposition to the petition;

13           (c) The owner and/or other stakeholders shall file their position paper  
14 within fifteen (15) days from receipt of the notice of hearing, furnishing all the  
15 parties, including the appropriate cultural agency, with such position paper.  
16 Extensions may be allowed, but in no case shall it exceed more than thirty (30)  
17 days;

18           (d) The petitioner/stakeholder shall give their answer within fifteen  
19 (15) days upon receipt of any position paper. Thereafter, no further  
20 submissions shall be allowed; and

21           (e) The appropriate cultural agency shall have a maximum of ninety  
22 (90) days from the deadline of the submission of all the answers within which  
23 to submit its resolution and render its decision on the application.

24           SEC. 9. *Right of First Refusal on the Sale of National Cultural*  
25 *Treasures.* – The appropriate cultural agency shall be given the right of first  
26 refusal in the purchase of cultural properties declared as NCTs. Prior to the  
27 finality of the sale, the appropriate cultural agency may likewise match any  
28 offer made for the purchase of NCTs.



1 the reenactment of significant historical events and other local customs that are  
2 unique to a historical zone.

3 ARTICLE V

4 REGISTRATION AND CONSERVATION OF CULTURAL PROPERTY

5 SEC. 14. *Establishment of a Philippine Registry of Cultural Property*  
6 *(PRECUP)*. – All cultural properties of the country deemed important to  
7 cultural heritage shall be registered in the PRECUP.

8 The Commission, through the appropriate cultural agencies and the  
9 LGUs, shall establish and maintain this Registry within three (3) years from the  
10 effectivity of this Act. The guidelines in the registration of cultural property  
11 are as follows:

12 (a) All cultural agencies concerned shall individually maintain an  
13 inventory, evaluation and documentation of all cultural properties declared  
14 according to their category and shall submit the same to the Commission. For  
15 cultural property declared as immovable cultural property, the appropriate  
16 cultural agency shall, after registration, give due notice to the concerned  
17 Registry of Deeds for annotation on the land titles pertaining to the same;

18 (b) LGUs, through their cultural offices, shall likewise maintain an  
19 inventory of cultural property under its jurisdiction and shall furnish the  
20 Commission a copy of the same;

21 (c) Both cultural agencies concerned and LGUs shall continuously  
22 coordinate in making entries and in monitoring the various cultural properties  
23 in their respective inventory;

24 (d) All government agencies and instrumentalities, government-owned  
25 and/or -controlled corporations and their subsidiaries, including public and  
26 private educational institutions, shall report their ownership and/or possession  
27 of such items to the pertinent cultural agency and shall register such properties  
28 within three (3) years from the effectivity of this Act; and

1 (e) Private collectors and owners of cultural property shall register  
2 such properties within three (3) years from the effectivity of this Act. The  
3 private collectors and owners of cultural property shall not be divested of their  
4 possession and ownership thereof even after registration of the said property as  
5, herein required.

6 Information on registered cultural properties owned by private  
7 individuals shall remain confidential and may be given only upon prior consent  
8 of the private owner. The Commission shall operate the Registry in the NCCA  
9 portal cultural databank.

10 SEC. 15. *Conservation of Cultural Property.* – All intervention works  
11 and measures on conservation of NCT or ICP, as well as NHLs and  
12 structures previously marked by the NM and/or the NHI before the  
13 implementation of this Act, shall be undertaken through the appropriate  
14 cultural agency which shall supervise the same.

15 The appropriate cultural agency shall approve only those methods and  
16 materials that strictly adhere to the accepted international standards of  
17 conservation.

18 SEC. 16. *Documentation and Preservation of Traditional and*  
19 *Contemporary Arts.* – The LGUs shall document traditional and contemporary  
20 arts and crafts, including their processes and makers, and sustain the sources of  
21 their raw materials. They shall encourage and sustain traditional arts and crafts  
22 as active and viable sources of income for the community.

23 The Commission, the Department of Trade and Industry (DTI), the  
24 Department of Tourism (DOT) and other government agencies involved  
25 directly or indirectly in the production of goods shall assist the LGUs in  
26 protecting their traditional and contemporary arts and crafts, making them  
27 viable for current and future markets, with a view to encouraging and  
28 promoting the unique heritage and identities of said communities.

1           The LGU concerned shall submit an annual inventory of these  
2 documentations to the Commission, which will be included in the PRECUP, as  
3 established in Section 14 of this Act.

4           SEC. 17. *Systematic Research in Natural History.* – The NM shall have  
5 the authority to collect, maintain and develop the national reference collections  
6 of Philippine flora and fauna, rocks and minerals through research and field  
7 collection of specimens including ICP within the territorial jurisdiction of the  
8 Philippines. It shall be exempt from any and all permit systems regulating the  
9 same.

10           The NM shall inform the Department of Environment and Natural  
11 Resources (DENR) and the Department of Agriculture (DA) of such collection.  
12 All types of specimen collected in the Philippine territory shall be deposited in  
13 the NM.

14           SEC. 18. *Heritage Agreements.* – The Commission, upon advice of the  
15 concerned cultural agency, may enter into agreements with private owners of  
16 cultural properties with regard to the preservation of said properties.

17           Such agreement shall be in the form of a contract and may include such  
18 terms and conditions including, but not limited to:

19           (a) Public access to the property;

20           (b) Value of the encumbrance;

21           (c) Duration of the servitude of the property;

22           (d) Restriction of the right of the owner or occupant to perform acts on  
23 or near the place;

24           (e) Maintenance and management of the property;

25           (f) Provision of financial assistance for the conservation of the  
26 property; and

27           (g) Procedure for the resolution of any dispute arising out of the  
28 agreement.



1 (b) Application for export permit shall be submitted thirty (30) days  
2 before the intended export from the Philippines; and

3 (c) Application for export permit must include the following. (1) the  
4 purpose of the temporary export, (2) the export date of the cultural property,  
5 (3) the repatriation date of the cultural property; (4) a description of the  
6 cultural property; and (5) the inventory of the cultural property in the  
7 PRECUP.

8 The grant of export permit shall be based on the following conditions:  
9 (i) the cultural property is exported on a temporary basis; and (ii) export of  
10 cultural property is necessary for scientific scrutiny or exhibit.

11 *SEC. 23. Repatriation Claims and Agreements.* – Should the cultural  
12 property registered in the PRECUP be illicitly exported from the country, the  
13 Department of Foreign Affairs (DFA) shall, upon the recommendation of the  
14 appropriate cultural agency, claim the right of repatriation *vis-à-vis* all other  
15 contracting States. Any compensation and costs shall be carried by the  
16 Philippine government.

17 For the protection of cultural and foreign affairs interests and to secure  
18 cultural heritage, the Philippines may conclude international treaties with  
19 contracting States on the import and repatriation of cultural property subject to  
20 the following conditions:

21 (a) The scope of the agreement must be cultural property of significant  
22 importance to the cultural heritage of the contracting States,

23 (b) The cultural property must be subject to the existing export policies  
24 for the purpose of protecting cultural heritage; and

25 (c) The contracting States shall grant reciprocal rights.

## ARTICLE VII

## POWERS OF THE COMMISSION/CULTURAL AGENCIES

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3       SEC. 24. *Power to Issue a Cease and Desist Order.* – When the  
4 physical integrity of the NCTs, ICP or NHLSMs are found to be in danger of  
5 destruction or modification from its original state, the appropriate cultural  
6 agency shall immediately issue a cease and desist order suspending all  
7 activities that will affect the cultural property. The LGU, which has the  
8 jurisdiction over the site where the immovable cultural property is located,  
9 shall report the same to the Commission and the appropriate cultural agency  
10 immediately upon discovery and shall promptly adopt measures to secure the  
11 integrity of such immovable cultural property. The suspension of the activities  
12 shall be lifted only upon the written authority of the appropriate cultural  
13 agency after due notice and hearing involving as many of the interested parties  
14 and stakeholders as possible.

15       SEC. 25. *Power to Issue Compulsory Repair Order.* – When a  
16 privately-owned heritage site cannot be maintained by the owner or has fallen  
17 into disrepair through neglect to such an extent that it will lose its potential for  
18 conservation, the appropriate cultural agency, in consultation with the  
19 Commission, may serve on the owner or occupant of such property, an order to  
20 repair or maintain such site. If the owner fails to comply with the said order  
21 within thirty (30) to forty-five (45) days, repairs may be undertaken by the  
22 appropriate cultural agency funded by the Commission for the account of the  
23 owner.

24       SEC. 26. *Visitorial Powers.* – The cultural agencies concerned, through  
25 the Commission, are hereby given the power to inspect the NCTs, ICP and  
26 NHLSMs at any time to ensure the protection and integrity of such. They may  
27 also inspect public or private collections or objects that may be categorized as  
28 cultural property.



1           SEC. 27. *Power to Deputize Other Government Agencies.* – The  
2 cultural agencies concerned shall have the power to deputize the Philippine  
3 National Police (PNP), the National Bureau of Investigation (NBI), the Armed  
4 Forces of the Philippines (AFP), the Philippine Coast Guard (PCG) and other  
5 local or national law enforcement agencies, including the Bureau of Fisheries  
6 and Aquatic Resources (BFAR) agents, the DENR rangers, the Bureau of  
7 Customs (BOC) agents, the Bureau of Immigration (BI) agents, members of  
8 the Office of the Special Envoy on Transnational Crimes and other such  
9 agencies and their successors in interest, to enforce the provisions of this Act  
10 and its implementing rules and regulations. The said agencies shall  
11 immediately detail the respective personnel to protect the cultural items.

12           Failure to follow a deputization order of a cultural agency shall be  
13 penalized in accordance with Section 42 herein.

14           SEC. 28. *Power to Expropriate.* – The Commission, through the  
15 appropriate agency and after consultation with the Secretary of Finance, may  
16 expropriate property for its conservation or for any other purpose under this  
17 Act.

18           SEC. 29. *Anthropological Research and Archaeological Exploration/  
19 Excavation.* – (a) The NM, with respect to cultural/archaeological/  
20 anthropological matters, and the NHI, with respect to historical  
21 anthropological matters, shall regulate and control all anthropological research  
22 conducted by foreigners; and all archaeological excavation or exploration.  
23 Pursuant to the foregoing, the NM or the NHI shall deputize other agencies to  
24 protect archaeological and anthropological sites. It shall be guided by the  
25 following rules:

26           (1) All cultural properties found in terrestrial and/or underwater  
27 archaeological sites belong to the State;

1           (2) No terrestrial and/or underwater archaeological explorations and  
2 excavations for the purpose of obtaining materials and data of cultural value  
3 shall be undertaken without written authority and direct site supervision by  
4 archaeologists and/or representatives of the NM;

5           (3) All anthropological researches, for the purpose of obtaining  
6 materials and data of cultural value and where the principal proponent is a  
7 foreign national, shall be undertaken only with the authority and under the  
8 supervision of the NM or the NHI. Anthropological research by Philippine  
9 nationals, especially members of the indigenous communities, shall be  
10 encouraged;

11           (4) Archaeological or anthropological materials presumed as ICP shall  
12 be allowed to leave the country only upon proper evaluation and written  
13 permission of the NM or the NHI;

14           (5) All explorations and excavations undertaken, wherein the caves,  
15 rock shelters and their vicinities may have been used in the prehistoric past by  
16 man either for habitation, religious and/or sacred and burial purposes all over  
17 the country, shall be under the direct jurisdiction and supervision of  
18 archaeologists and/or other experts of the NM;

19           (6) All mining activities inside caves, rock shelters and any such other  
20 areas shall require a written permit and clearance from the NM. An  
21 appropriate prior inspection by representatives of the NM, funded by the  
22 company applying for a mining right, shall be required to ensure that no  
23 archaeological materials are present and destroyed;

24           (7) Excavations in caves, rock shelters and other areas by laymen are  
25 prohibited by this Act. All earth-moving activities in these areas must have the  
26 proper permit and clearance from the NM and monitored by their  
27 representatives;

1           (8) All treasure hunting permits and licenses shall be issued by the NM,  
2 which shall formulate the rules and regulations to adequately control, regulate  
3 and monitor all applicants for such undertakings; and

4           (9) The provisions of this Act on explorations and excavations of  
5 terrestrial and underwater archaeological sites shall supersede all local,  
6 municipal, regional and autonomous regional governments' resolutions and  
7 ordinances.

8           (b) When the presence of any cultural or historical property is  
9 discovered, the NM or the NHI shall immediately suspend all activities that  
10 will affect the site and shall immediately notify the LGU having jurisdiction of  
11 the place where the discovery was made. The local government shall promptly  
12 adopt measures to protect and safeguard the integrity of the cultural property  
13 so discovered and, within five (5) days from the discovery, shall report the  
14 same to the appropriate agency. The suspension of these activities shall be  
15 lifted only upon the written authority of the NM or the NHI and only after the  
16 systematic recovery of the archaeological materials.

17           (c) The Commission, upon the recommendation of the appropriate  
18 cultural agency, shall provide financial incentives for persons who discover  
19 and report heretofore unknown archaeological sites, in accordance with its  
20 rules and regulations implementing the provisions of this Act.

21           (d) Any government or nongovernment infrastructure project or  
22 architectural site development shall include anthropological, archaeological  
23 and historical and heritage site conservation concerns in their Environmental  
24 Impact Assessment System (EIAS).

## ARTICLE VIII

## ROLE OF CULTURAL AGENCIES

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3       SEC. 30. *Responsibilities of Cultural Agencies for Designation of*  
4 *Cultural Property.* -- The cultural agencies, in conformity with their respective  
5 charters and mandates, shall define and delineate their respective areas of  
6 responsibility with respect to cultural property and assessment of NCTs and  
7 NHLSMs. These areas shall be subject to periodic re-assessment whenever  
8 necessary.

9       For purposes of this Act, the following shall be the responsibilities of  
10 cultural agencies in the categorization of cultural property:

11       (a) The CCP shall be responsible for significant cultural property  
12 pertaining to the performing arts;

13       (b) The NAP shall be responsible for significant archival materials;

14       (c) TNL shall be responsible for rare and significant contemporary  
15 Philippine books, manuscripts such as, but not limited to, presidential papers,  
16 periodicals, newspapers, singly or in collection, and libraries and electronic  
17 records;

18       (d) The NHI shall be responsible for significant movable and  
19 immovable cultural property that pertains to Philippine history, heroes and the  
20 conservation of historical artifacts;

21       (e) The NM shall be responsible for significant movable and  
22 immovable cultural and natural property pertaining to collections of fine arts,  
23 archaeology, anthropology, botany, geology, zoology and astronomy, including  
24 its conservation aspect; and

25       (f) The Komisyon sa Wikang Filipino (KWF) shall be responsible for  
26 the dissemination development, and the promotion of the Filipino national  
27 language and the conservation of ethnic languages.

1           SEC. 31. *Institutional Linkages of the National Cultural Agencies.* –

2   The cultural agencies and other national government agencies, as listed below,  
3   shall consult, coordinate and work closely with the Commission in the  
4   implementation of their respective programs/projects in the context of this Act.  
5   Furthermore, the Commission may link up with other agencies and institutions,  
6   as it may deem appropriate, as a way of dealing with conservation on a holistic  
7   manner:

8           (a) The DOT and its attached agencies, which shall be responsible for  
9   cultural education among tourism services and the protection of cultural  
10   properties supplemental to the jurisdiction of the cultural agencies as defined  
11   in this Act. The implementation and creation of a tourism master plan shall be  
12   consistent with this Act;

13           (b) The Intramuros Administration, which shall be responsible for the  
14   restoration and administration of the development in Intramuros;

15           (c) The National Parks Development Committee as an attached agency  
16   of the DOT, which shall be responsible in supervising the development,  
17   beautification, preservation and maintenance of the Quezon Memorial, Luneta  
18   Park, Paco Park, Pook ni Maria Makiling and other national parks and satellite  
19   projects;

20           (d) The Department of Education (DepED), which shall be responsible  
21   in instituting the Governance of Basic Education Act, and the conservation and  
22   restoration of the DepED's built heritage such as the significant Gabaldon  
23   school buildings as determined by the NHI;

24           (e) The Department of Public Works and Highways (DPWH), which  
25   shall be responsible in undertaking major infrastructure projects specifically in  
26   the planning, design, construction and maintenance of national roads and  
27   bridges as they impact on heritage structures or aspects of heritage  
28   conservation;

1           (f) The NCIP, in behalf of the country's indigenous cultural  
2 communities, which shall coordinate with the national cultural agencies on  
3 matters pertaining to cultural properties under its jurisdiction;

4           (g) The DENR, which shall be responsible for the establishment and  
5 management of the NIPAS and the conservation of wildlife resources,  
6 including cave and cave resources;

7           (h) The Department of the Interior and Local Government (DILG),  
8 which shall coordinate with the national cultural agencies on matters pertaining  
9 to cultural properties under its jurisdiction, and ensure that the provisions of  
10 this Act is properly executed by the LGU;

11           (i) The Office of the Muslim Affairs (OMA), which shall coordinate  
12 with the national cultural agencies on matters pertaining to cultural properties  
13 under its jurisdiction;

14           (j) The UNACOM, which shall be responsible for leading the  
15 coordination with national cultural agencies in implementing the agreements  
16 and conventions adopted by the UNESCO of which the Philippines has ratified  
17 or is in the process of ratification;

18           (k) The HLURB, which shall coordinate with the LGUs and the  
19 Commission on matters pertaining to the establishment and maintenance of  
20 heritage zones;

21           (l) The Autonomous Region in Muslim Mindanao (ARMM) and the  
22 Cordillera Administrative Region (CAR), which shall coordinate with the  
23 national cultural agencies on matters pertaining to cultural properties under  
24 their respective jurisdictions; and

25           (m) The Office of the Special Envoy on Transnational Crimes, which  
26 shall have the oversight and operational capacity to go after illicitly-trafficked  
27 and stolen cultural treasures.



## ARTICLE X

## CULTURAL EDUCATION

1  
2  
3       SEC. 37. *Incorporation of National Cultural Treasures and Important*  
4 *Cultural Property in the Basic Education System.* – Within one (1) year from  
5 the effectivity of this Act, the DepED, in coordination with the Commission’s  
6 Philippine Cultural Education Program (PCEP), shall formulate the cultural  
7 heritage education programs both for local and overseas Filipinos to be  
8 incorporated into the formal, alternative and informal education, with emphasis  
9 on the protection, conservation and preservation of cultural heritage property.

10       The PRECUP shall likewise be incorporated into the formal, alternative  
11 and informal education by the provincial and local governments.

12       SEC. 38. *Cultural Heritage Education Program.* – Within one (1) year  
13 from the effectivity of this Act, the DepED, the Technical Education and Skills  
14 Development Authority (TESDA) and the Commission on Higher Education  
15 (CHED), in consultation with the Commission, shall set forth in its teaching  
16 programs nationwide the following cultural heritage education programs with  
17 emphasis at the provincial, city and municipal levels:

18       (a) Protection, conservation and preservation of cultural heritage  
19 properties;

20       (b) Instructional materials in prints, film and broadcast media on the  
21 cultural and historical significance of cultural properties; and

22       (c) Visitation, public accessibility and information dissemination on  
23 designated local cultural properties.

24       SEC. 39. *Public Accessibility.* – Access to national historical  
25 landmarks, monuments and sites, whether designated as NCT or ICP by the  
26 general public for visitation and information, and by government  
27 representatives for inspection, shall not be hindered except on reasonable  
28 cause. Fees, as prescribed by the cultural agency concerned, may in



1 appropriate cases be charged to defray the cost of conservation, inclusive of  
2 general maintenance and upkeep. In the case of privately-owned monuments  
3 and sites, the NHI or the NM shall arrange with the owners the schedules of  
4 visits and regular inspection.

## 5 ARTICLE XI

### 6 CULTURAL HERITAGE WORKERS' INCENTIVES PROGRAM

7 SEC. 40. *Cultural Heritage Workers' Incentives.* – The national  
8 cultural agencies, in coordination with the CHED, shall initiate scholarships,  
9 educational training programs and other measures to protect the well-being of  
10 curators, conservators, authenticators, cultural researchers or educators,  
11 historians, librarians, archivists and valuator/appraisers of cultural property.  
12 Such cultural workers shall be given grants, incentives and scholarships upon  
13 the endorsement by the head of the appropriate cultural agency.

14 (a) Program for Cultural Heritage Workers. – Within ninety (90) days  
15 from the effectivity of this Act, the national cultural agencies concerned shall  
16 come up with the following:

17 (1) An active roster of authenticators and valuator/appraisers;

18 (2) An education and training plan for conservators, authenticators,  
19 valuator/appraisers and other conservation-related workers; and

20 (3) A general training plan on conservation for LGUs.

21 (b) Application of Scientific Career Merit System. – Cultural heritage  
22 workers in the civil service with a doctorate, master of science or master of arts  
23 degree in fields related to cultural heritage promotion and conservation shall be  
24 given the rank and benefits of scientists subject to qualifying standards  
25 equivalent to those prescribed in the scientific career merit system of the  
26 government.

27 A cultural heritage worker involved in science and technology in  
28 government agencies shall be eligible for the benefits under Republic Act

1 No. 8439 or the “Magna Carta for Scientists, Engineers, Researchers and Other  
2 S & T Personnel in the Government”. The Commission shall likewise  
3 establish a merit award system for non-civil service cultural heritage workers.

#### 4 ARTICLE XII

##### 5 PENAL PROVISIONS

6 SEC. 41. *Prohibited Acts.* – To the extent that the offense is not  
7 punishable by a higher punishment under another provision of law, violations  
8 of this Act may be made by whoever intentionally:

9 (a) Destroys, demolishes, mutilates or damages any WHS, NCT, ICP  
10 and archaeological and anthropological sites;

11 (b) Modifies, alters or destroys the original features of any national  
12 shrine, monument, landmark and other historic edifices and structures declared,  
13 classified and marked by the NHI as such, without the prior written permission  
14 from the NHI. This includes the designated security or buffer zone, extending  
15 five (5) meters from the visible perimeter of the monument or site;

16 (c) Explores, excavates or undertakes diggings for the purpose of  
17 obtaining materials of cultural historical value without the prior written  
18 authority from the NM. No excavation or diggings shall be permitted without  
19 the supervision of a certified archaeologist;

20 (d) Appropriates excavation finds contrary to the provisions of the new  
21 Civil Code and other pertinent laws;

22 (e) Imports, sells, distributes, procures, acquires or exports cultural  
23 property stolen, or otherwise lost against the will of the lawful owner;

24 (f) Illicitly exports cultural property listed in the PRECUP, or those  
25 that may be categorized as such upon visitation or incorrectly declares the  
26 same during transit; and

27 (g) Deals in cultural property without proper registration and license  
28 issued by the cultural agency concerned.

1           SEC. 42. *Penal Provisions.* – Upon conviction, the offender shall be  
2 subject to a fine of not less than Two hundred thousand pesos (P200,000.00) or  
3 imprisonment for a term of not less than ten (10) years, or both, upon the  
4 discretion of the court: *Provided,* That any cultural property attempted to be  
5 concealed from registration or those intended to be encumbered or excavated  
6 in violation of this Act shall be summarily confiscated and forfeited in favor of  
7 the Commission: *Provided, further,* That if the violation is committed by a  
8 juridical person, the president, manager, representative, director, agent or  
9 employee of the said juridical person responsible for the act shall also be liable  
10 for the penalties provided herein: *Provided, furthermore,* That if the acts are  
11 committed by dealers, they shall suffer, in addition to the penalties provided  
12 herein, the automatic revocation of their license to operate: *Provided, finally,*  
13 That if the offender is an alien, he/she shall be placed under the custody of the  
14 BI for the appropriate proceedings under this Act and shall be summarily  
15 deported after serving his/her sentence.

16           Heads of departments, commissions, bureaus, agencies or offices,  
17 officers and/or agents found to intentionally fail to perform their required duty  
18 as prescribed by the deputization order under Section 27 of this Act shall be  
19 liable for nonfeasance and shall be penalized in accordance with applicable  
20 laws.

21           If the offense involves the nonregistration of a cultural property such as  
22 those referred to in Section 14, and the nonregistration occurs upon or after  
23 proper notification by the Commission or the cultural agency concerned, the  
24 offender shall be subject to a minimum fine of Ten thousand pesos  
25 (P10,000.00) but not more than One hundred thousand pesos (P100,000.00).

26           The concerned head of agency, officer and/or employee of the  
27 government entities mentioned in Section 30 shall be held liable for failure to  
28 consult and coordinate with the Commission for the damage to the cultural

1 property resulting from the implementation of the entity’s program/project, and  
2 shall be meted the penalty mentioned in the first paragraph of this section:  
3 *Provided*, That the offender/s shall likewise be asked to pay for the repair or  
4 rebuilding of what has been damaged.

5 ARTICLE XIII

6 FINAL PROVISIONS

7 SEC. 43. *Implementing Rules and Regulations*. – The Commission, in  
8 consultation with other government agencies mentioned in this Act, shall  
9 promulgate the implementing rules and regulations within ninety (90) days  
10 after the effectivity of this Act.

11 SEC. 44. *Repealing Clause*. – Pertinent provisions of Republic Act No.  
12 7356, the “Law Creating the National Commission for Culture and the Arts”;  
13 Republic Act No. 8492, the “National Museum Act of 1998”; Republic Act  
14 No. 9072, the “National Caves and Cave Resources Management and  
15 Protection Act”; and Republic Act No. 7942, the Philippine Mining Act of  
16 1995; and all other laws, presidential decrees, executive orders and rules and  
17 regulations inconsistent with the provisions of this Act are hereby repealed or  
18 modified accordingly.

19 SEC. 45. *Separability Clause*. – Any portion or provision of this Act  
20 that may be declared unconstitutional shall not have the effect of nullifying  
21 other portions or provisions hereof as long as such remaining provisions can  
22 still subsist and be given effect.

23 SEC. 46. *Effectivity Clause*. – This Act shall take effect fifteen (15)  
24 days after its publication in at least two (2) newspapers of general circulation.

Approved,