



HOUSE OF REPRESENTATIVES

H. No. 5794

BY REPRESENTATIVES NOEL, ESCUDERO, COJUANGCO (K.), GARCIA (G.),
BELLO (S.), CORTUNA, DELA CRUZ, PAQUIZ, COLLANTES AND UNGAB,
PER COMMITTEE REPORT NO. 739

AN ACT MANDATING THE CONSERVATION OF GABALDON AND
OTHER HERITAGE SCHOOL BUILDINGS NATIONWIDE,
PROVIDING PENALTIES FOR VIOLATIONS, AND
APPROPRIATING FUNDS THEREFOR

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

1 SECTION 1. *Short Title.* -- This Act shall be known as the "Gabaldon
2 and Other Heritage School Buildings Conservation Act".

3 SEC. 2. *Declaration of Policy.* -- It is hereby declared the policy of the
4 State to conserve and promote the country's historical and cultural heritage and
5 resources. Towards this end, it shall strengthen its efforts and pursue a more
6 proactive role in the conservation and restoration of built heritage such as the
7 Gabaldon and other heritage school buildings, to preserve their architectural,
8 historical and social significance.

9 SEC. 3. *Definition of Terms.* -- As used in this Act:

10 (a) *Conservation* refers to all processes and measures of maintaining
11 the cultural significance of Gabaldon and other heritage school buildings
12 including preservation, restoration, reconstruction, protection, adaptation or
13 any combination thereof;

1 (b) *Gabalдон school buildings* refer to school buildings designed by
2 American architect William Parsons and funded through Act No. 1801
3 authored by Assemblyman Isauro Gabaldon; and

4 (c) *Other heritage school buildings* refer to any other heritage
5 structures within the school dating at least fifty (50) years old.

6 SEC. 4. *Conservation of Gabaldon and Other Heritage School*
7 *Buildings.* – The Department of Education (DepED) shall, in consultation
8 with the National Commission for Culture and the Arts (NCCA), the National
9 Historical Commission of the Philippines (NHCP), and the National Museum
10 (NM), implement a program for the identification and conservation of all
11 Gabaldon and other heritage school buildings nationwide.

12 For this purpose, an inventory of all Gabaldon and other heritage school
13 buildings, whether fully functional or condemned, in all public elementary and
14 secondary schools shall be jointly undertaken by the DepED and the NCCA to
15 determine the physical status of each structure. School heads shall submit to
16 their respective schools division superintendent, for appropriate action, a
17 report indicating the existence of and structural damage to any Gabaldon and
18 other heritage school buildings in the school under their supervision.

19 The local government unit having jurisdiction over schools where
20 Gabaldon and other heritage school buildings are located shall likewise adopt
21 measures for the protection and conservation of these structures and shall
22 provide the DepED the necessary assistance in the implementation of any
23 conservation projects.

24 Any modification, alteration, destruction, demolition, or relocation of
25 Gabaldon and other heritage school buildings shall be strictly prohibited.
26 In cases where conservation is necessary, the DepED, together with the NCCA,
27 the NHCP and the NM, shall provide proper technical assistance to school
28 heads to ensure that the original architectural design of the school buildings is

1 maintained: *Provided, however,* That subject to the issuance of permit from
2 the NCCA, modification or alteration of the original architectural design of
3 Gabaldon and other heritage school buildings may be allowed in public
4 elementary and secondary schools where the exigency of constructing new
5 school buildings is a priority in view of the increase in student population
6 and in anticipation of the implementation of Republic Act No. 10533 or the
7 “Enhanced Basic Education Act of 2013”: *Provided, further,* That the façade
8 and/or other distinct features of the original Gabaldon and other heritage
9 school buildings shall, as much as possible, be preserved.

10 SEC. 5. *Appropriation.* — The Secretary of Education shall
11 immediately include in the Department’s program the implementation of
12 this Act, the initial funding of which shall be charged to the current
13 year’s appropriation of the DepED. Thereafter, the amount necessary for the
14 continued implementation of this Act shall be included in the annual General
15 Appropriations Act.

16 SEC. 6. *Penalties.* — Any person who shall abet or cause the
17 unauthorized modification, alteration, destruction, demolition, and relocation
18 of the Gabaldon and other heritage school buildings shall be subject to a fine
19 of not less than two hundred thousand pesos (P200,000.00) or imprisonment
20 for a term of not less than ten (10) years, or both, upon the discretion of the
21 court, and shall likewise pay for the conservation of the structure: *Provided,*
22 That if the violation is committed by a juridical person, its license to operate
23 shall be revoked, and its president, manager, representative, director, agent,
24 or employee shall also be liable for the penalties provided herein: *Provided,*
25 *further,* That if the offender is an alien, the offender shall be placed under the
26 custody of the Bureau of Immigration for appropriate proceedings and shall be
27 summarily deported after serving the applicable sentence.

1 Heads of schools who shall fail to report the existence of or any
2 structural damage to any Gabaldon and other heritage school buildings in the
3 school under their supervision shall be held administratively liable for simple
4 neglect of duty and suspended without pay for a period of six (6) months.

5 SEC. 7. *Implementing Rules and Regulations.* – Within ninety (90)
6 days from the approval of this Act, the DepED and the NCCA shall, in
7 consultation with the NHCP and the NM, promulgate the necessary rules and
8 regulations for the effective implementation of this Act.

9 SEC. 8. *Separability Clause.* – If any provision of this Act is declared
10 unconstitutional, the remainder of this Act or provisions not affected thereby
11 shall remain in full force and effect.

12 SEC. 9. *Repealing Clause.* – All laws, decrees, executive orders, rules
13 and regulations contrary to or inconsistent with the provisions of this Act are
14 hereby repealed, modified or amended accordingly.

15 SEC. 10. *Effectivity.* – This Act shall take effect fifteen (15) days after
16 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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