

HOUSE OF REPRESENTATIVES

H. No. 8795

BY REPRESENTATIVES CAYETANO, ALEJANO, BIAZON, VARGAS, SAVELLANO, NOEL, REVILLA, DURANO, SUANSING (E.), ZAMORA (M.C.), DE VENECIA, PRIMICIAS-AGABAS, SY-ALVARADO, LAZATIN, DEL ROSARIO, BELARO, GASATAYA, ORTEGA (P.), ROMERO, NIETO, PALMA, BOLILIA, MATUGAS, PIMENTEL, MARTINEZ, GARCIA (J.E.), HERRERA-DY, VELASCO-CATERA, MADRONA, YU, VELOSO, BERTIZ, NOGRALES (J.J.), NAVA, COLLANTES, SUANSING (H.), BRAVO (M.V.), BAUTISTA-BANDIGAN, ZUBIRI, SALON, TAMBUNTING, BERNOS, ORTEGA (V.N.), RODRIGUEZ (M.), BELMONTE (R.), DALIPE, ACOSTA-ALBA, MELLANA, AQUINO-MAGSAYSAY, AGGABAO, SANDOVAL, NUÑEZ-MALANYAON, LOBREGAT, VILLARICA, GO (M.), ARCILLAS, DATOL, HERNANDEZ (P.) AND YAP (V.), PER COMMITTEE REPORT No. 1032

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

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

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

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

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

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

15 SEC. 4. *Mandate, Duties and Functions.* – The National Museum shall be the
16 primary institution of the State for the management and development of museums and
17 collections of national scope or significance in the areas of arts, cultural heritage and natural
18 history, for purposes of protecting, preserving, studying and promoting the national
19 patrimony for the benefit of current and future generations, supporting education and social

1 progress, and contributing to economic development through tourism and educational,
2 scientific, cultural and leisure services and industries. It shall be a permanent institution in
3 the service of the entire national community and its development, accessible to the public,
4 and not intended for profit.

5
6 The National Museum shall:

7
8 a) function as an educational, cultural and scientific institution that, through its
9 operations, programs and projects, documents, acquires, preserves, exhibits, and fosters
10 scholarly study and public appreciation of works of art, specimens, and cultural and historical
11 artifacts representative of or unique to the artistic and cultural heritage of the Filipino people
12 and the natural history of the Philippines, as well as their significance to the nation:
13 *Provided*, That such mandate shall be harmonized with that of the National Historical
14 Commission of the Philippines to acquire important historical documents, collections,
15 memorabilia and other objects that have significant historical value;

16
17 b) establish, manage and develop the National Museum Complex at the Rizal Park,
18 Manila, as well as central museums, regional museums and other facilities, and promote the
19 principles of universal access: *Provided*, That such mandate shall be harmonized with that of
20 the National Historical Commission of the Philippines to operate historical museums and
21 shrines in various parts of the country;

22
23 c) manage and develop the national collections of the Republic of the Philippines in
24 the areas of arts, cultural heritage, and natural history;

25
26 d) carry out permanent research programs combining integrated laboratory and field
27 work in biodiversity, geological history, human origins, pre-historical and historical
28 archaeology, maritime and underwater cultural heritage, ethnology, art history, immovable,
29 movable and intangible cultural properties, and similar or associated fields;

30
31 e) disseminate technical and museological skills and support museum development in
32 the country;

33
34 f) extend technical assistance in the preservation and restoration of cultural properties
35 of national significance; and

36
37 g) carry out any and all other functions characteristic of public collecting and
38 research museum institutions of similar mandate and national scope, in line with prevailing
39 international principles and best practices.

40
41 **SEC. 5. *The National Museum as a Trust of the Government.*** – To ensure its
42 independence and autonomy, the National Museum shall be uniquely considered as a trust of
43 the government, attached solely for budgetary coordination and related purposes to the
44 Department of Education.

45
46 As a trust of the government, the National Museum shall:

47
48 a) continue to be classified as a National Government Agency, primarily for
49 administrative purposes, including receiving its annual budget from the general
50 appropriations of the National Government, to cover appropriately the entirety of its
51 mandated operations and activities;

1 b) be considered as higher in level than a Bureau or Bureau-level agency but beneath
2 that of a Department or Department-level agency, primarily for administrative purposes as to
3 staffing pattern and compensation scales; and
4

5 c) enjoy such privileges and special rules characteristic of both a Government-Owned
6 or Controlled Corporation and a State University or College wherever possible and which, in
7 any and all cases, promote the objectives of this Act; and that special rules as may be
8 necessary to this effect be formulated and appropriately promulgated by the National
9 Museum, the Department of Budget and Management (DBM), the Commission on Audit
10 (COA), and other concerned agencies.
11

12 **SEC. 6. *Permanent Home in the National Capital.*** – The whole Executive House
13 also known as the old Congress or Legislative Building, together with the Department of
14 Finance Building and Department of Tourism, originally Agriculture and Commerce,
15 Building on Agrifina Circle in Rizal Park in the City of Manila, shall be the permanent and
16 exclusive site of the National Museum, and shall form the core of the National Museum
17 Complex in the national capital.
18

19 Likewise included in the National Museum Complex is the existing building of the
20 National Planetarium, located in Rizal Park and operated by the National Museum since
21 1975, together with its lot as presently delineated.
22

23 The aforementioned buildings and their associated lands shall be deemed appropriated
24 to the National Museum, and the record of the description of such site and lands, or a copy
25 thereof, certified by the Executive Director of the National Museum, shall be received as
26 evidence in all courts of the extent and boundaries of the lands appropriated to the National
27 Museum.
28

29 **SEC. 7. *Preservation of the Senate Session Hall.*** – The National Museum shall
30 preserve the former Session Halls of the House of Representatives and the Senate in the Old
31 Legislative Building as a tribute to the legacy of the great men and women of the Philippine
32 Legislature for their invaluable contributions to the Filipino people, and as historical sites
33 where democracy and freedom reigned and events of national significance transpired.
34

35 **SEC. 8. *Dedication of the National Museum Complex to Dr. Jose Rizal.*** – The
36 National Museum Complex of the National Museum, being part of Rizal Park in Manila,
37 shall be dedicated to the life, work, martyrdom and memory of Dr. Jose Rizal, whose
38 encyclopedic range of intellectual, professional, and patriotic interests are to be imbued as far
39 as possible in the National Museum's public operations and activities throughout its National
40 Museum Complex in the fields of history and literature in addition to anthropology, fine arts,
41 architecture and the natural sciences, among others.
42

43 **SEC. 9. *Master Plan of the National Museum Complex.*** – The National Museum
44 shall develop the National Museum Complex with reference to the Burnham Plan for Manila
45 of 1905, to include such institutional exigencies as public exhibition, activity and function
46 halls, office and operational spaces, museological and technical facilities, premises for
47 commercial operations, vehicular parking, integrative infrastructure for its constituent
48 buildings, parks and green areas, and other kinds of public spaces, both above and below
49 ground. The National Museum shall likewise implement a design for a large public plaza and
50 park fronting the Old Legislative Building, integrating it with Intramuros and highlighting
51 features of the former moat in this area.
52

1 Within one (1) year after the effectivity of this Act, the National Museum shall
2 formulate a Master Plan, if none yet exists. The Master Plan shall be approved by the Board
3 of Trustees and shall be financed by the proceeds from its Endowment Fund and other
4 allowable sources of funds, in accordance with existing laws. Implementation of the
5 approved Master Plan, and consequent administration and operation of the National Museum
6 Complex by the National Museum, shall be given the strongest appropriate support by the
7 agencies of the National Government that have jurisdiction over concerned properties,
8 structures and utilities, as well as by the government of the City of Manila.
9

10 The National Museum shall also be authorized to enter into appropriate public-private
11 partnerships concerning property development and management to further the
12 implementation of its Master Plan, in accordance with pertinent laws, rules and regulations.
13

14 **SEC. 10. *Central Museums, Institute and Conservation Center.*** – The central
15 museums of the National Museum shall include the existing National Museum of Fine Arts,
16 National Museum of Anthropology, National Museum of Natural History and the National
17 Planetarium. The National Museum shall also take steps towards the establishment of:
18

- 19 a) a central museum dedicated to architectural arts and built heritage;
- 20
- 21 b) a central museum dedicated to maritime and underwater cultural heritage;
- 22
- 23 c) an institute dedicated to professional museological education, training and
24 development; and
- 25
- 26 d) a conservation center as the central repository of movable cultural properties of
27 national significance.
28

29 **SEC. 11. *Regional Museums and Satellite Offices.*** – The National Museum shall
30 maintain its existing regional museums and satellite offices and, if none exists, establish a
31 regional museum and satellite office in each administrative region of the Philippines beyond
32 the National Capital Region: *Provided*, That such regional network of the National Museum
33 shall be harmonized with that of the National Historical Commission of the Philippines to
34 prevent institutional duplication.
35

36 Area and site museums and offices shall also be established, wherever necessary.
37

38 The specific sites of the new regional, area and site museums and satellite offices
39 shall be selected based on considerations of geography, population distribution, and
40 administrative efficiency as well as of outstanding national artistic, cultural and natural
41 heritage significance, and educational, environmental and tourism considerations.
42

43 Appropriate staffing patterns for existing and projected museums and offices shall be
44 created and endorsed by the Board of Trustees, subject to the approval of the DBM.
45

46 **SEC. 12. *The Board of Trustees.*** – The National Museum shall be governed by a
47 Board of Trustees, hereinafter referred to in this Act as the “Board”, vested with the
48 following powers and functions:
49

- 50 a) to represent and mobilize pertinent areas of the private sector and the public sector
51 in support of the mission and aims of the National Museum;
52

1 b) to exercise general oversight on behalf of both the private and public sector over
2 the operations and performance of the National Museum through the Head of Agency and
3 Agency Management;

4
5 c) to approve strategic policies, goals and directions for the National Museum where
6 necessary, and any such special projects and programs as it may consider appropriate to carry
7 out for its benefit, for implementation through the Head of Agency and Agency Management;

8
9 d) to administer the National Museum Endowment Fund, National Museum
10 Donations Fund, and National Museum Income Fund as provided for in this Act;

11
12 e) to consider and appropriately dispose of appeals regarding administrative decisions
13 of the Head of Agency, where appropriate in line with pertinent laws and issuances; and

14
15 f) to carry out such other functions as provided herein, as well as in other pertinent
16 laws and issuances.

17
18 **SEC. 13. *Composition of the Board of Trustees.*** – The Board shall be comprised of
19 fifteen (15) members:

20
21 a) eight (8) representatives of the private sector, all citizens of the Philippines, each
22 with a demonstrated personal or professional commitment to the mission and aims of the
23 Museum, to include one (1) distinguished Filipino artist, architect or cultural worker, one (1)
24 distinguished Filipino anthropologist or historian, and one (1) distinguished Filipino scientist
25 in the field of natural history; and

26
27 b) the following as ex-officio members:

28
29 b1) Chairperson of the appropriate Committee of the Senate covering the field of
30 culture;

31
32 b2) Chairperson of the appropriate Committee of the House of Representatives
33 covering the field of culture;

34
35 b3) Secretary of Education;

36
37 b4) Secretary of Environment and Natural Resources;

38
39 b5) Secretary of Tourism;

40
41 b6) Chairperson of the National Commission for Culture and the Arts; and

42
43 b7) Executive Director of the Museum.

44
45 **SEC. 14. *Appointment of Trustees.*** – The members of the Board representing the
46 private sector shall be appointed by the President of the Philippines to a term of four (4)
47 years, and shall be eligible for reappointment to succeeding terms of four (4) years, based on
48 merit and performance. Appointment to a position vacated due to death, disability,
49 resignation or any similar cause, shall be for the duration of said unexpired term only.

50
51 The Chairperson of the Board shall be designated by the President of the Philippines
52 from among the members representing the private sector. Such designation shall be effective

1 for the current term of the representative concerned. In the absence of any such designation,
2 the Board may elect an Acting Chairperson until such designation shall be made by the
3 President.

4
5 This section shall be effective only with respect to the appointment of new members
6 of the Board after the effectivity of this Act, and upon the expiry of the respective terms of
7 incumbent members of the Board.

8
9 **SEC. 15. *Organization of the Board of Trustees.*** – The Board shall meet at any
10 agreed location within the Philippines, and the presence of a majority of all its incumbent
11 members shall constitute a quorum.

12
13 The members of the Board shall serve without compensation. The members of the
14 Board representing the private sector shall be entitled to an appropriate honorarium for
15 attendance at meetings as well as appropriate allowances and reimbursement of expenses
16 related to travel and participation in the official activities of the National Museum, within the
17 Philippines and overseas, in accordance with pertinent laws and guidelines, with the necessity
18 of such to be certified by the Executive Director and approved by the Chairperson of the
19 Board.

20
21 The Board shall establish an Executive Committee composed of five (5) members,
22 namely:

- 23
24 a) Chairperson of the Board;
25
26 b) Executive Director of the National Museum; and
27
28 c) three (3) of the members of the Board.
29

30 The Board shall set the functions of the Executive Committee, including taking action
31 on its behalf subject to later ratification at the next meeting of the Board.
32

33 The Board may also constitute such other committees as may be necessary, as well as
34 retain the services of paid or *pro bono* consultants. Advisory boards may likewise be
35 established by the Board, with the members thereof appointed by it entitled to appropriate
36 honoraria for attendance at meetings as well as appropriate allowances and reimbursement of
37 expenses related to travel and participation in the official activities of the National Museum,
38 within the Philippines and overseas, with the necessity of such to be certified by the
39 Executive Director and approved by the Chairperson of the Board.
40

41 The President of the Philippines shall be the Patron of the National Museum and
42 Honorary Chairperson of the Board.
43

44 The Board shall be authorized to adopt an Official Seal which shall be judicially
45 noticed and to make such bylaws, rules, and regulations as it may deem necessary for the
46 administration of its functions under this Act, including the organization and rules and
47 regulations of the Board and any other matter that falls within the ambit of its powers and
48 functions, in accordance with this Act and other pertinent laws, rules and regulations.
49

50 **SEC. 16. *Head of Agency and Management of the Museum.*** – The National
51 Museum shall be headed by an Executive Director, who shall serve as the Head of Agency
52 with a rank and emoluments of an Undersecretary. The Executive Director shall be assisted

1 by two (2) Deputy Executive Directors of the National Museum, namely, a Deputy Executive
2 Director for Museums and a Deputy Executive Director for Administration, each of whom
3 shall hold the rank and emoluments of an Assistant Secretary.
4

5 The central and regional museums and the satellite offices of the National Museum
6 shall be managed and supervised by the Executive Director and Deputy Executive Directors
7 with the assistance of seven (7) Directors, each of whom shall have the appropriate
8 managerial rank, namely:
9

- 10 a) Director of the National Museum of Fine Arts;
- 11
- 12 b) Director of the National Museum of Anthropology;
- 13
- 14 c) Director of the National Museum of Natural History;
- 15
- 16 d) Director of Northern Luzon National Museums;
- 17
- 18 e) Director of Central-Southern Luzon and MIMAROPA National Museums;
- 19
- 20 f) Director of Visayas National Museums; and
- 21
- 22 g) Director of Mindanao National Museums.
- 23

24 Each Director may be assisted by an Assistant Director, each of whom shall have the
25 appropriate managerial rank. Changes in designations and ranks of these Museum officials,
26 including the creation of additional plantilla positions up to the level of Director and Assistant
27 Director that may be necessary for the appropriate management and administration of the
28 central and regional museums and offices shall be authorized by the Board, subject to
29 approval of the DBM and the Civil Service Commission (CSC).
30

31 The abovementioned positions shall be occupied by citizens of the Philippines, with
32 proven track records of competent administration, appropriate knowledge of museum or
33 relevant institutional operations or management, and demonstrable personal or professional
34 commitment to the mission and aims of the National Museum: *Provided*, That the applicants
35 of the abovementioned positions shall pass the qualification standards set by the CSC.
36

37 Unless otherwise provided by the Board, the Chairperson of the National Commission
38 for Culture and the Arts shall continue to be delegated the authority of administrative
39 supervision over the Executive Director for purposes of leave, travel, performance evaluation,
40 and other related matters, and the Executive Director in turn shall exercise the same for all
41 other officials and staff of the Museum or may delegate such to a pertinent Deputy Executive
42 Director or Director.
43

44 **SEC. 17. *Appointment of the Head of Agency and Agency Management.*** – The
45 Executive Director and the Deputy Executive Directors shall be appointed by the President of
46 the Philippines. The Directors and the Assistant Directors shall be issued permanent
47 appointments by the CSC, subject to compliance with the eligibility requirements of the
48 positions.
49

50 Each National Museum official shall be provided with appropriate support staff,
51 subject to the approval of the DBM and the CSC.
52

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

5
6 The existing organizational structure and the staffing pattern of the National Museum
7 shall be amended so as to integrate appropriately the provisions of this Act: *Provided*, That
8 no employee shall be affected by the amendments of the organizational structures and
9 staffing pattern of the National Museum in accordance with pertinent provisions of Republic
10 Act No. 6656.

11
12 **SEC. 18. *Free Admission to Public Museums, Historical Sites and Landmarks.*** –
13 The general public is hereby granted free admission to all public museums and national
14 historical shrines and landmarks, subject to capacity and availability as determined by the
15 National Museum or the National Historical Commission of the Philippines.

16
17 Appropriate fees may be charged to programs, special activities, or temporary
18 exhibitions upon approval of the pertinent Head of Agency.

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

26
27 The existing Revolving Fund of the National Museum is hereby abolished, and its
28 balance shall be transferred to the Museum Income Fund herein established.

29
30 Donations of moneys covered by legally executed deeds of donation shall be placed in
31 a dedicated Museum Donations Fund, to be disbursed according to the terms and purposes of
32 the respective deeds or, in cases where no specific purposes are stipulated, to be otherwise
33 disbursed for any purpose in benefit of the National Museum as may be authorized of the
34 Board of Trustees.

35
36 The National Museum shall be authorized to accept anonymous donations of money,
37 in Philippine or foreign currency, from its visitors, which shall be considered as gratuities,
38 and be credited to the Museum Donations Fund. Such donations may be accepted through
39 the placement of donation boxes or by persons authorized for the purpose. The handling and
40 accounting of such donations shall be subject to rules and regulations to be prescribed by the
41 National Museum in agreement with the COA within six (6) months after the effectivity of
42 this Act.

43
44 As a general principle, and unless otherwise provided for by law, the retained income
45 of, and anonymous donations and donations covered by deeds of donation that do not have
46 any specified purpose to, the National Museum, shall be applied to the purchase of capital
47 assets for the benefit of the National Museum, including real properties and movable assets
48 such as equipment and collections items. In all cases, the disbursement of such funds shall be
49 subject to the authorization of the Board of Trustees and existing budgeting, accounting and
50 auditing rules and regulations.

51

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

10
11 The Museum Endowment Fund shall be administered by the Board, which shall be
12 allowed to appoint professional fund managers for the purpose of appropriately managing and
13 investing the Fund on its behalf. Rules governing such administration, management and
14 investment shall be similar to those pertaining to relevant government financial institutions,
15 and shall be agreed among the Museum, the Department of Finance, and other concerned
16 government agencies.

17
18 Donations and bequests made to the Endowment Fund of the National Museum shall
19 be explicitly made and executed for the purpose, and once credited to it shall be considered as
20 part of its principal.

21
22 Only the interest of the Museum Endowment Fund may be expended by the Board of
23 Trustees, which shall authorize, as appropriate, the transfer of necessary amounts to a
24 corresponding special projects account to be disbursed through the Head of Agency.

25
26 **SEC. 21. *Exemption from Taxes, Duties, Fees and Charges.*** – The National
27 Museum shall continue to be classified as a National Government Agency, as such:

28
29 a) The National Museum shall be exempt from the payment of taxes, fees and
30 charges imposed by the National Government and its political subdivisions, agencies and
31 instrumentalities;

32
33 b) All donations in any form to the National Museum shall be exempt from the
34 donor’s tax and the same shall be considered as allowable deduction from the gross income in
35 the computation of the income tax of the donor, in accordance with the provisions of
36 Republic Act No. 8424, otherwise known as the National Internal Revenue Code of 1997, as
37 amended; and

38
39 c) Importation of scientific, philosophical, historical and cultural books, supplies and
40 materials for the use in the conservation or preservation work of the National Museum, shall
41 be exempt from custom duties.

42
43 **SEC. 22. *Procurement of Items for the Museum Collections.*** – The procurement of
44 unique, special and/or original items by the National Museum, charged to any of its sources
45 of funds as may be allowed, and authorized by the Head of Agency and concurred to by the
46 Board, shall be exempted from applicable laws, rules and regulations regarding government
47 procurement in terms of pricing and competitive bidding.

48
49 The National Museum, as a general rule, shall be allowed to procure collections items
50 by means of direct negotiation with the owners of such items, or their duly designated agents
51 or representatives in the Philippines and abroad, as follows:

52

1 a) a written and signed quotation for the sale of the item(s), shall be issued and
2 addressed to the National Museum by the owner, or his or her agent or representative;

3
4 b) a certification that the item to be acquired is of appropriate significance to the
5 National Museum and of importance to the heritage and patrimony of the Filipino people,
6 that the negotiated price is reasonable and fair, that no conflict of interest as defined by
7 prevailing laws, rules and regulations exist, and that the item in question has not been
8 illegally acquired or trafficked, shall be issued by the Head of Agency;

9
10 c) for items above One million pesos (P1,000,000.00) or its foreign currency
11 equivalent in price, the Head of Agency shall recommend in writing to the Board of Trustees
12 the issuance of a resolution for the approval in principle of the transaction; items under this
13 amount may be procured upon the sole authority of the Head of Agency provided that there is
14 no splitting as defined in pertinent procurement laws, rules and regulations;

15
16 d) a resolution of the Board approving in principle the purchase of the concerned
17 item by the National Museum and authorizing the signing by Head of Agency of a Deed of
18 Sale as well as all other documents to the transaction shall be issued for items above One
19 million pesos (P1,000,000.00) or its foreign currency equivalent in price;

20
21 e) a resolution of the Bids and Awards Committee of the National Museum verifying
22 that the aforementioned documents, where applicable, have been produced, certifying as to
23 the availability of funds, and authorizing the issuance of a Notice of Award pertaining to the
24 purchase of the item(s) for the signature of the Head of Agency, shall be issued;

25
26 f) after the Notice of Award has been issued, the execution of the Deed of Sale by the
27 Head of Agency shall be made, after which the Bids and Awards Committee of the National
28 Museum shall issue the Notice to Proceed which, once signed by the Head of Agency, shall
29 authorize the processing of payment in Philippine or foreign currency to the seller; receipt of
30 payment in Philippine or foreign currency shall be acknowledged by an official receipt or, in
31 cases where the issuance of an official receipt is not possible, any legal equivalent;

32
33 g) payment for collections items made under this provision shall be made by the
34 National Museum gross of any deductions for tax. It shall be the sole responsibility of the
35 owner, or a designated agent or representative, to pay all direct and indirect taxes owed to
36 Philippine and pertinent foreign authorities from the sale of the item as may be due under
37 existing laws, rules and regulations of the Philippines and any pertinent foreign jurisdiction;
38 and

39
40 h) certified true copies of all the aforementioned documents shall be posted within
41 the designated public place of the National Museum and on its official website for at least six
42 (6) months, as well as transmitted to the COA through the resident auditor of the National
43 Museum, the DBM, the Government Procurement Policy Board, the Bureau of Internal
44 Revenue and, if the item has been acquired from abroad and is being imported into the
45 Philippines, the Bureau of Customs.

46
47 **SEC. 23. Movable Cultural Properties and Collections of the National Government.**

48 – All movable cultural properties, including natural history specimens, owned by the National
49 Government that fall within the coverage of the Museum as provided for in Republic Act No.
50 10066, otherwise known as the “National Cultural Heritage Act of 2009”, and this Act,
51 particularly works of fine and applied art, archaeological and historical artifacts, relics of
52 built heritage, and ethnographic materials of national significance, shall be registered with

1 the National Museum and form part of a general inventory and catalogue of national
2 government collections in these areas that will be produced and published by it within three
3 (3) years of the effectivity of this Act, and updated annually thereafter to incorporate any
4 change as reported by the agencies concerned to the National Museum. Such national
5 government collections shall be considered as being held in trust for the Filipino people and
6 shall not be alienated or otherwise disposed of without the approval of the National Museum,
7 in accordance with its policies on de-accessioning required under this Act.

8
9 The National Museum shall have the authority to request the transfer or loan of any
10 such national government collections, or any item pertaining thereto, for purposes of
11 protection, preservation, study or public exhibition, and such requests shall be given the very
12 highest consideration by the head of the agency concerned. Likewise, all agencies of the
13 National Government are enjoined to offer for transfer or loan to the National Museum such
14 items of movable cultural property as they may possess, in support of the aforementioned
15 purposes and the mandate of the National Museum.

16
17 **SEC. 24. *Commercial Operations of the National Museum.*** – The National Museum
18 shall be authorized to undertake commercial operations, the proceeds of which shall be
19 credited to the Museum Income Fund as established herein, and which shall include the
20 following:

21
22 a) the rental of dedicated areas for external events, functions and similar activities,
23 the terms and conditions for which shall be prescribed by the Museum according to a
24 schedule of fees approved by the Board;

25
26 b) the lease of dedicated areas for the erection and operation of commercial
27 establishments, which the National Museum shall be allowed to award, through public
28 bidding, and giving preference to non-profit organizations of a nature related to or supportive
29 of its mandate, for a term of up to five (5) years per contract;

30
31 c) the lease of dedicated areas for the erection and operation of vehicular parking,
32 which the National Museum shall be allowed to award to qualified firms, through public
33 bidding, for a term of up to five (5) years per contract; and

34
35 d) the production and/or licensing of official merchandise, including publications and
36 audio-visual media, which the National Museum shall be allowed to award through public
37 bidding, and giving preference to non-profit organizations of a nature related to or supportive
38 of its mandate, for a term of up to five (5) years per contract.

39
40 The National Museum shall be authorized to outsource through public bidding all
41 general, non-museological, property management, including security and maintenance
42 operations, pertaining to its real properties, particularly its National Museum Complex in
43 Rizal Park, Manila, for a term of up to five (5) years per contract, the funds of which shall be
44 provided by general appropriations in each year.

45
46 **SEC. 25. *Personnel Training, Development and Performance Incentives.*** – The
47 National Museum shall undertake training and development programs to upgrade the
48 capabilities of its personnel in the various functions of the National Museum. Personnel shall
49 be allowed to train or study in the Philippines or abroad, on official time, subject to the needs
50 of the service, upon approval of the Executive Director.

51

1 A system of monetary incentives shall be established by the Board to reward the
2 superior performance and milestones of management and administrative and technical
3 personnel, subject to the approval of the DBM and the CSC.
4

5 **SEC. 26. De-accessioning Policy.** – The National Museum shall provide for a de-
6 accessioning policy with regard to its collections, except in those cases where it is restricted
7 by terms of donations or by prevailing laws. The de-accessioning of any item shall require
8 the approval of the Board of Trustees.
9

10 **SEC. 27. Internal Audit.** – In order to facilitate the objectives of this Act and ensure
11 the highest standards of audit compliance, an internal audit unit shall be established within
12 the organization of the Museum.
13

14 **SEC. 28. Reorganization of the National Museum.** – Except where the provisions of
15 Sections 16 and 17 of this Act shall apply, the Board shall be allowed whenever there is, in its
16 judgment, a need for such, to propose a reorganization of the National Museum, or changes to
17 its organizational structure or staffing pattern, subject to approval of the DBM and the CSC.
18

19 **SEC. 29. Appropriations.** – The amount necessary to cover the initial implementation
20 of this Act shall be charged against the appropriation of the National Museum under the
21 current General Appropriations Act. Thereafter, such sums as may be necessary for the
22 continued implementation of this Act shall be included in the annual General Appropriations
23 Act.
24

25 **SEC. 30. Implementing Rules and Regulations.** – Within one hundred twenty days
26 (120) days from the approval of this Act, the National Museum of the Philippines, in
27 consultation with the Department of Education, National Commission for Culture and the
28 Arts, National Historical Commission of the Philippines and other concerned government
29 agencies, shall formulate the rules and regulations implementing the provisions of this Act.
30 The implementing rules and regulations issued pursuant to this section shall take effect thirty
31 (30) days after its publication in a newspaper of general circulation.
32

33 **SEC. 31. Separability Clause.** – If any provision of this Act is held invalid or
34 unconstitutional, the other provisions not so declared shall remain in full force and effect.
35

36 **SEC. 32. Repealing Clause.** – Republic Act No. 8492, otherwise known as the
37 “National Museum Act of 1998”, is hereby repealed. All other laws, decrees, orders and
38 rules and regulations contrary to or inconsistent with the provisions of this Act are hereby
39 repealed or amended accordingly.
40

41 **SEC. 33. Effectivity.** – This Act shall take effect fifteen (15) days after its publication
42 in the *Official Gazette* or in a newspaper of general circulation.
43

44 Approved,