



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

17th Congress
First Regular Session

HOUSE BILL NO. 4884

Introduced by: HON. JOSE ANTONIO R. SY-ALVARADO

EXPLANATORY NOTE

This bill seeks to establish a Department for the Culture and the Arts and to strengthen national endowment for culture and the arts. The creation of a department is needed in order to be assured of an empowered agency that will adequately support the preservation, enrichment, and dynamic evolution of a Filipino national culture.

It is one of our declared State Policies, as provided by Section 17, Article II of the Constitution, to give priority to the arts and culture. To this effect, in 1987, then President Corazon C. Aquino penned Executive Order No. 118 creating the Presidential Commission on Culture and Arts. Then, in 1992, Republic Act 7356 was enacted into law creating the National Commission for Culture and the Arts (NCCA). To further boost the NCCA, Republic Act No. 10066 (National Cultural Heritage Act of 2009) became a law on March 26, 2010. This Act provided for the Protection and Conservation of the National Cultural Heritage, and for the strengthening of the National Commission for Culture and the Arts (NCCA) and its Affiliated Cultural Agencies.

The NCCA and its attached agencies are functioning but their powers and resources are simply not enough considering the gargantuan task of preserving, enriching and ensuring the dynamic evolution of the Filipino culture. As a matter of fact, there is a noted decline in the number of practitioners of pottery, of the performers of folk dances and of weavers of local fabrics based on the data gathered by the NCCA.

Our future is bleak if we have no past to guide us since it is often said that history is the best teacher.

It is admitted that similar measures have been made in the past with no success. There is no harm in trying once more since the preservation of the Filipino culture may be a very challenging endeavor but the rewards would be invaluable to the present and future generations.

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

JOSE ANTONIO R. SY-ALVARADO



**SEVENTEENTH CONGRESS
REPUBLIC OF THE PHILIPPINES**
First Regular Session

HOUSE OF REPRESENTATIVES

H.B. No. 4884

Introduced by Hon. Jose Antonio R. Sy-Alvarado

AN ACT ESTABLISHING THE DEPARTMENT FOR CULTURE AND THE ARTS, STRENGTHENING THE NATIONAL ENDOWMENT FOR CULTURE AND THE ARTS, AND FOR OTHER PURPOSES

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

1 **SECTION 1. Title** – This Act shall be known as the “Department of Culture
2 and the Arts Act.”

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4 **SEC. 2. Declaration of Policy.** It is hereby declared the policy of the State to
5 give priority to the culture and the arts to foster patriotism and nationalism,
6 accelerate social progress and promote total human liberation and
7 development. It shall foster the preservation, enrichment, and dynamic
8 evolution of a Filipino national culture based on the principle of unity in
9 diversity in a climate of free artistic and intellectual expression.

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11 **SEC. 3. The Department of Culture and the Arts.** To carry out the policies
12 and purposes of this Act, the National Commission for Culture and the Arts is
13 hereby reorganized into the Department for Culture and the Arts, hereinafter
14 referred to as the Department, in accordance with the provisions of this Act.

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SEC. 4. Powers and Functions of the Department. In furtherance of the objectives of this Act, the Department shall continue to exercise the powers and functions of the National Commission for Culture and the Arts in addition to the powers and functions as herein provided.

SEC. 5. Organization. The Department shall consist of the Department Proper and all its attached agencies and corporations.

SEC. 6. Department Proper. The Department Proper shall consist of the existing staff services as provided for under Republic Act 7356 which are hereby transformed into the following offices:

(a) Office of the Secretary. The office of the Secretary shall consist of the Secretary and his immediate staff.

(b) Office of the Undersecretaries. The Secretary shall be assisted by five (5) Undersecretaries, one (1) on the Arts, one (1) on Cultural Heritage, one (1) on Cultural Dissemination, one (1) on Cultural Communities and the Traditional Arts, and one (1) International Linkages and two (2) career Assistant Secretaries.

SEC. 7. Head of Department. The head of the Department hereinafter referred to as the Secretary shall be appointed by the President subject to confirmation of the Commission on Appointments. The Secretary must have distinguished track record and long-standing commitment to the culture and the arts.

SEC. 8. General Powers, Term of Office and Functions of the Secretary. The authority and responsibility for the exercise of the Department's powers and functions shall be vested in the Secretary, who shall hold office at the pleasure of the President and shall receive the compensation, allowances and other emoluments to which heads of departments are entitled.

1 **SEC. 9. Specific Duties and Functions of the Secretary.** Except for Section
2 13.b., in addition to his powers and functions as provided in Republic Act
3 7356, the Secretary as Department head shall have the following powers and
4 functions:

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6 (a) Prepare and submit periodic reports, including an Annual Report on the
7 Growth and Expenditure of the National Endowment for the Arts, including but
8 not limited to the sponsorship of distinguished arts students and artists for
9 further scholarship and training abroad, and such other reports as the
10 President and Congress may require;

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12 Further, the Secretary is required to ensure the artistic integrity and
13 independence of cultural agencies under its administration, including but not
14 limited to the Cultural Center of the Philippines, particularly in the conferment
15 of the Gawad ng Manlilikha ng Bayan Award, the Orden ng Gawad
16 Pambansang Alagad ng Sining and all other organizational awards it
17 administers, and in safeguarding the academic freedom of the Philippine High
18 School of the Arts—an attached agency of the Cultural Center of the
19 Philippines, including but not limited to the selection of its arts scholars for
20 state patronage.

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22 **SEC. 10. The Office of the Undersecretaries.** The Department shall oversee
23 the operation and maintenance of the National Committees as stated under
24 Republic Act 7356 under the following Offices of the Undersecretaries.

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26 (a) Office of the Undersecretary on Cultural Heritage, which shall cover but will
27 not be limited to the following areas: libraries and information services;
28 archives; museums; galleries, monuments and sites; and historical research;

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1 (b) Office of the Undersecretary on the Arts, which shall cover but will not be
2 limited to the following areas: literary arts, visual arts, architecture, dramatic
3 arts, broadcast arts, musical arts, dance and film;

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5 (c) Office of the Undersecretary on Cultural Dissemination, which shall cover
6 but will not be limited to the following areas: language and translation, cultural
7 events, cultural education and information;

8
9 (d) Office of the Undersecretary on Cultural Communities and Traditional Arts,
10 which shall cover but will not be limited to the following areas: Agta culture
11 and art; cultures and arts of Northern cultural communities, Southern cultural
12 communities, Muslim cultural communities and lowland cultural communities.

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14 (e) Office of the Undersecretary on International Linkages which shall be
15 responsible for coordinating efforts with other relevant government agencies,
16 primarily the Department of Foreign Affairs in the realm of cultural diplomacy
17 with other countries

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19 **SEC. 11. Local, Provincial or Regional Councils.** The Department may
20 establish or coordinate with local, provincial or regional government or non-
21 government councils/groups to promote, develop, and implement programs
22 and plans of the Department.

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24 **SEC. 12. The National Academy of Culture and the Arts.** The Chairpersons
25 of the National Committees shall form the National Academy of Culture and the
26 Arts.

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28 **SEC. 13. Attached Agencies and Corporations.** The Cultural Center of the
29 Philippines, the National Museum, the National Library of the Philippines, the
30 National Historical Commission of the Philippines, the National Archives of the
31 Philippines, the *Komisyon sa Wikang Filipino*, the Film Development Council of

1 the Philippines, and the Movie and Television Review and Classification Board
2 are hereby placed under the supervision of the Department, but shall continue
3 to operate under their respective charters insofar as they are not inconsistent
4 with this Act. Their annual budget shall be included in the budget of the
5 Department to be submitted to Congress for approval.

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7 The Secretary shall, in a concurrent capacity, be the *ex officio* chairman of the
8 respective boards of the Cultural Center of the Philippines, the National
9 Museum, the National Library of the Philippines, the National Historical
10 Commission of the Philippines, the National Archives of the Philippines, the
11 Komisyon sa Wikang Filipino, the Film Development Council of the Philippines,
12 and the Movie and Television Review and Classification Board.

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14 **SEC. 14. The National Endowment for Culture and the Arts.** For the first
15 five years of implementation of this Act, the amount of two hundred million
16 pesos (P200,000,000.00) shall be infused to the existing National Endowment
17 for Culture and the Arts which shall be taken from the annual General
18 Appropriations passed by Congress. Provided, the use of the earnings of the
19 said Endowment shall include but not be limited to the patronage of renowned
20 arts scholars and artists for further training and studies abroad and the
21 promotion of the country's indigenous culture in other parts of the world.

22
23 **SEC. 15. Commissioner of the National Commission for Culture and the**
24 **Arts on Holdover Capacity.** - The incumbent Commissioner of the National
25 Commission for Culture and the Arts shall perform the functions of the
26 Secretary for Culture and the Arts on holdover capacity until such time when a
27 new Secretary shall have been appointed by the President and confirmed by the
28 Commission on Appointments.

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30 **SEC. 16. Transitory Provisions.** - All the personnel, properties, assets and
31 liabilities of the National Commission for Culture and the Arts created by

1 Republic Act 7356, are hereby transferred to the Department as its successor-
2 in-interest.

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4 Within six (6) months after the first meeting of the Department, it shall
5 harmonize the policies of the cultural agencies referred to, but not limited to,
6 those enumerated in Section 13 of this Act, with those of the Department as
7 the overall policy-making and coordinating body. If merited, it shall
8 recommend the abolition, merger, union of existing offices and agencies
9 consistent with the objectives and provisions of Executive Order No. 366 series
10 of 2005.

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12 **SEC. 17. Implementing Rules and Regulations.** – Within ninety (90) days
13 from his appointment, the Secretary shall promulgate rules and regulations
14 necessary to ensure the effective implementation of this Act.

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16 **SEC. 18. Separability Clause.** – If any portion or provision of this Act is
17 declared unconstitutional, the same shall not effect the validity and effectivity
18 of the other provisions not affected thereby.

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20 **SEC. 19. Repealing Clause.** – All laws, decrees, executive orders, rules and
21 regulations, and other issuances or parts thereof which are inconsistent with
22 this Act hereby repealed, amended or modified accordingly. The provisions of
23 Republic Act 7356 shall remain valid insofar as they are not inconsistent with
24 the provisions of this Act.

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26 **SEC. 20. Effectivity.** – This Act shall take effect after fifteen (15) days
27 following its publication in two (2) national newspapers of general circulation.

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29 Approved,