

[REPUBLIC ACT NO. 10066, March 26, 2010]

**AN ACT PROVIDING FOR THE PROTECTION AND CONSERVATION
OF THE NATIONAL CULTURAL HERITAGE, STRENGTHENING THE
NATIONAL COMMISSION FOR CULTURE AND THE ARTS (NCCA)
AND ITS AFFILIATED CULTURAL AGENCIES, AND FOR OTHER
PURPOSES**

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

SECTION 1. *Short Title.* — This Act shall be known as the "National Cultural Heritage
Act of 2009".

ARTICLE I

POLICIES AND PRINCIPLES

SEC. 2. *Declaration of Principles and Policies.* — Sections 14, 15, 16 and 17, Article XIV of the 1987 Constitution declare that the State shall foster the preservation, enrichment and dynamic evolution of a Filipino culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression. The Constitution likewise mandates the State to conserve, develop, promote and popularize the nation's historical and cultural heritage and resources, as well as artistic creations. It further provides that all the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State, which may regulate its disposition.

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

- a. Protect, preserve, conserve and promote the nation's cultural heritage, its property and histories, and the ethnicity of local communities;
- b. Establish and strengthen cultural institutions; and
- c. Protect cultural workers and ensure their professional development and well-being.

The State shall likewise endeavor to create a balanced atmosphere where the historic past coexists in harmony with modern society. It shall approach the problem of conservation in an integrated and holistic manner, cutting across all relevant disciplines and technologies. The State shall further administer the heritage

resources in a spirit of stewardship for the inspiration and benefit of the present and future generations.

ARTICLE II

DEFINITION OF TERMS

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

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

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

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

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

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

(f) "Built heritage" shall refer to architectural and engineering structures such as, but not limited to, bridges, government buildings, houses of ancestry, traditional dwellings, quartels, train stations, lighthouses, small ports, educational, technological and industrial complexes, and their settings, and landscapes with notable historical and cultural significance.

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

(h) "Commission" shall refer to the National Commission for Culture and

the Arts (NCCA).

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

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

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

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

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

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

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

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

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

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

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

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

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

(v) "Historical street name" shall refer to a street name which has been in existence for at least fifty (50) years and over time has been considered historic.

(w) "Important cultural property" shall refer to a cultural property having exceptional cultural, artistic and historical significance to the Philippines, as shall be determined by the National Museum and/or National Historical Institute.

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

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

(z) "Library" shall refer to an institution where the collection of books, manuscripts, computerized information and other materials are organized to provide physical, bibliographic and/or intellectual access to the public, with a librarian that is trained to provide services and programs related to the information needs of its clientele.

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

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

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

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

(ee) "NCCA Portal Cultural Databank" refers to the specific domain in the Commission's intranet for cultural information that is accessed only internally with control and confidentiality. It includes the registry of national cultural property.

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

(gg) "Registry" shall refer to the Philippine Registry of Cultural Property which is the registry of all cultural property of the country deemed of significant importance to our cultural heritage.

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

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

ARTICLE III

CULTURAL PROPERTY

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

- a. National cultural treasures;
- b. Important cultural property;
- c. World heritage sites;
- d. National historical shrine;
- e. National historical monument; and
- f. National historical landmark.

SEC. 5. *Cultural Property Considered Important Cultural Property.* — For purposes of protecting a cultural property against exportation, modification or demolition, the following works shall be considered important cultural property, unless declared otherwise by the pertinent cultural agency:

Unless declared by the Commission,

- a. Works by a Manlilikha ng Bayan;
- b. Works by a National Artist;