

[REPUBLIC ACT NO. 7356, April 03, 1992]

**AN ACT CREATING THE NATIONAL COMMISSION FOR CULTURE
AND THE ARTS, ESTABLISHING A NATIONAL ENDOWMENT FUND
FOR CULTURE AND THE ARTS, AND FOR OTHER PURPOSES**

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

SECTION 1. *Title.* - This Act shall be known as the "Law Creating the National Commission for Culture and the Arts".

TITLE I

DECLARATION OF PRINCIPLES

SEC. 2. *Culture as a Human Right.* - Culture is a manifestation of the freedom of belief and of expression and is a human right to be accorded due respect and allowed to flourish.

SEC. 3. *National Identity.* - Culture reflects and shapes values, beliefs, aspirations, thereby defining a people's national identity. A Filipino national culture that mirrors and shapes Philippine economic, social and political life shall be evolved, promoted and conserved.

SEC.4. *Culture of the People.* - The Filipino national culture shall be: a) independent, free of political and economic structures which inhibit cultural sovereignty; b) equitable, effectivities creating and distributing cultural opportunities and correcting the imbalance that has long prejudiced the poor and other marginalized sectors who have the least opportunities for cultural development and educational growth; c) dynamic, continuously developing in pace with scientific, technological, social, economic and political changes both in national and international levels; d) progressive, developing the vast potential of all Filipinos as responsible change agents of society; and (e) humanistic, ensuring the freedom and creativity of the human spirit.

SEC. 5. *Culture by the People.* - The Filipino national culture shall be evolved and developed by the people themselves in a climate of freedom and responsibility.

National cultural policies and programs shall be formulated which shall be: a) pluralistic, fostering deep respect for the cultural identity of each locality, region or ethno-linguistic locality, as well as elements assimilated from other cultures through the natural process acculturation; b) democratic, encouraging and supporting the participation of the vast masses of our people in its programs and projects; c) non-partisan, open to all people and institution, regardless of creed, affiliation, ideology,

ethnic origin, age, gender or class, with no organized group or sector having monopoly of its services; and d) liberative, having concern for the decolonization and emancipation of the Filipino psyche in order to ensure the full-flowering of Filipino culture.

SEC. 6. *Culture for the People.* - The creation of artistic and cultural products shall be promoted and disseminated to the greatest number of our people. The level of consciousness of our people about our own cultural values in order to strengthen our culture and to instill nationhood and cultural unity, shall be raised formally through the educational system and informally through extra-scholastic means, including the use of traditional as well as modern media of communication.

SEC. 7. *Preservation of the Filipino Heritage.* - It is the duty of every citizen to preserve and conserve the Filipino historical and cultural heritage and resources. The retrieval and conservation of artifacts of Filipino culture and history shall be vigorously pursued.

TITLE II

ORGANIZATION OF THE NATIONAL COMMISSION FOR CULTURE AND ARTS AND THE ESTABLISHMENT OF THE NATIONAL ENDOWMENT FUND

SEC. 8. *The Commission.* - A National Commission for Culture and Arts is hereby created to formulate policies for the development of culture and arts; implement these policies in coordination with affiliated cultural agencies; coordinate the implementation of programs of these affiliated agencies; administer the National Endowment Fund for Culture and Arts (NEFCA); encourage artistic creation within a climate of artistic freedom; develop and promote the Filipino national culture and arts; and preserve Filipino cultural heritage. The Commission shall be an independent agency. It shall render an annual report of its activities and achievements to the President and to Congress.

SEC. 9. *Composition.* - The Commission shall be composed of the following members:

- a. the Undersecretary of the Department of Education, Culture and Sports;
- b. the Undersecretary of the Department of Tourism;
- c. the Chairman of the House Committee on Culture;
- d. the Chairman of the Senate Committee on Culture;
- e. the President of the Cultural Center of the Philippines;
- f. the Executive Director of the National Historical Institute;
- g. the Director of the National Museum;
- h. the Director of the National Library;
- i. the Director of the Institute of Philippine Languages;
- j. the Director of the Records Management and Archives Office;
- k. the Executive Director of the Commission;
- l. the Head of the Subcommission on Cultural Communities and Traditional Arts;
- m. three (3) representatives from the private sector who shall be the elected heads of the three (3) Subcommission identified hereunder, namely: the Subcommission on Cultural Heritage, the Subcommission on the Arts, and the Subcommission on Cultural Dissemination. They shall be elected by the

chairpersons of the national committees under their respective Subcommissions.

The Chairman of the Commission shall be elected by the members from among themselves.

SEC. 10. *Term of Office and Compensation.* - The non-ex officio members of the Commission shall serve for a term of three (3) years, and shall not serve for more than two (2) successive terms. Non-ex officio members shall each receive a per diem of One thousand pesos (P1,000.00) for actual attendance in the meetings of the Commission, but not to exceed Five thousand pesos (P5,000.00) a month, and shall be reimbursed travel expenses incurred for actual attendance of meetings.

Ex officio members of the Commission shall receive representation and travel allowances (RATA) in accordance with rates recommended by the Department of Budget and Management.

SEC. 11. *Membership Restrictions.* - During his/her term as member of the Commission, a Commissioner shall not be eligible for any grant, or such other financial aid from the Commission as an individual: Provided, however, That he/she may complete for grants and awards on the same level as other artists one (1) year after his/her term shall have expired.

SEC. 12. *Mandate.* - The Commission is hereby mandated to formulate and implement policies and plans in accordance with the principles stated in Title I of this Act.

a. To encourage the continuing and balanced development of a pluralistic culture by the people themselves, it shall:

1. encourage and ensure the exercise of the freedom of expression by eliminating all forms of censorship inimical to cultural and artistic growth and development without prejudice to the rights of other people to develop their own culture, or to the enhancement of a genuinely Filipino culture;
2. extend financial and economic assistance such as subsidies, artist funds and social security to promote cultural development and protect artists and cultural workers;
3. ensure the decentralization of opportunities for creative expression through the establishment of local culture and art centers in various regions, with resources needed for artistic cultural activities;
4. extend recognition of artistic achievement through awards, grants and services to artists and cultural groups which contribute significantly to the Filipino's cultural legacy;
5. promote the interests and welfare of artists and cultural workers by protecting their rights to intellectual and artistic properties as well as by associations which shall promote and protect the economic and moral rights of artists all over the country;
6. encourage and support research into Philippine artistic traditions which may be adopted for the creation of contemporary forms;
7. adopt measures and recommend legislations to protect the intellectual and artistic rights and properties of Filipino artists, cultural workers and other matters concerning culture and arts;

8. explore and adopt the best possible structure of relationship between the public and the private sector at the local level, taking into account varying socio-cultural situations.
- b. To conserve and promote the nation's historical and cultural heritage, it shall:
1. support, monitor and systematize the retrieval and conservation of artifacts of Filipino culture and history and all Filipino cultural treasures from all over the archipelago and other countries;
 2. encourage and support the study, recognition and preservation of endangered human cultural resources such as weavers, chanters, dancers, and other craftsmen as well as the conservation and development of such artistic, linguistic and occupational skills as are threatened with extinction;
 3. support and promote the establishment and preservation of cultural and historical monuments, markers, names and sites;
 4. encourage and support the establishment and/or maintenance all over the country of museums, libraries, archives, private or public, as repositories, respectively of all cultural/historical artifacts and artistic creation, printed works, archival records and all other materials indispensable to the study and evaluation of Filipino culture and history;
 5. encourage the private sector to establish and maintain private museums and libraries;
 6. encourage and support scholarly research into and documentation of Philippine cultural traditions, arts and crafts, as well as significant cultural movements, achievements and personalities especially in the literary, visual and performing arts; and in mass media, as well as the various aspects of Filipino culture;
 7. encourage and support the writing of Philippine history from the Filipino perspective;
 8. encourage, support and systematize the audio-visual documentation of Filipino cultural expressions in the contemporary period.
- c. To ensure the widest dissemination of artistic and cultural products among the greatest number across the country and overseas for their appreciation and enjoyment, it shall, with the cooperation of the Departments of Education, Culture and Sports, Tourism, Interior and Local Government, Foreign Affairs and all other concerned agencies, public and private:
1. cause to be established and developed an intensified arts education program at all levels of the educational system, public and private, to ensure meaningful arts integration across the school curriculum;
 2. encourage and support programs through publication, exhibition, production, performance, staging, and reproduction of original Filipino creations;
 3. coordinate and provide technical and/or financial assistance for cultural events and related activities such as cultural festivals, competitions, lectures, seminars, for a and symposia;
 4. encourage and monitor a comprehensive translation program which shall make works by Filipinos and selected foreign classics equally accessible to Filipino as well as international readers;
 5. promote the popularization of information about artistic and cultural achievements and programs, in coordination with government agencies and non-government organizations and institutions;