

[NATIONAL COMMISSION FOR CULTURE AND THE ARTS, January 31, 2018]

POLICY ON THE REMOVAL OF THE PRESUMPTION OF IMPORTANT CULTURAL PROPERTY (ICP) ON THE WORK/S OF NATIONAL ARTIST FOR VISUAL ARTS FOR THE ISSUANCE OF A PERMANENT EXPORT PERMIT

Adopted: 21 November 2017

Date Filed: 14 February 2018

Special Resolution

[U]pon motion made and duly seconded, the majority of the Commission approved and confirmed this Special Resolution:

Resolution No. 2017- 309

Adopting the Policy on Removing the Presumption of Important Cultural Property on the Works of National Artist for Visual Arts for the Issuance of a Permanent Export Permit

RESOLVED, as it is hereby RESOLVED, To Adopt the Policy on Removing the Presumption of Important Cultural Property on the Works of National Artist for Visual Arts for the Issuance of a Permanent Export Permit, herewith attached as Annex A.

Prepared by:

(SGD) MYRA T. BUAN
Board Secretary

For the Board:

(SGD) VIRGILIO S.
ALMARIO, NA
Chairman

Annex "A"

POLICY ON THE REMOVAL OF THE PRESUMPTION OF IMPORTANT CULTURAL PROPERTY (ICP) ON THE WORK/S OF NATIONAL ARTIST FOR VISUAL ARTS FOR THE ISSUANCE OF A PERMANENT EXPORT PERMIT

I. PURPOSE

This policy aims to establish the procedures and guidelines on the Removal of the Presumption of Important Cultural Property (ICP) on the work/s of National Artists for Visual Arts for the issuance of a Permanent Export Permit. This is to facilitate compliance with Section 8 of Article 3 and Section 23 of Article VI of Republic Act (RA) No. 10066 (or the National Cultural Heritage Act of 2009 in

relation to and in order to facilitate compliance therewith to achieve the objectives thereof.

II. SCOPE AND COVERAGE

The guidelines covers work/s of National Artists for Visual Arts considered as presumed ICP as defined in Section 5 of R.A. No. 10066.

III. CONSTRUCTION

The guidelines shall be construed and applied in accordance with and in furtherance of the policies and objectives of the law. In case of conflict or ambiguity, which may arise in the implementation of these guidelines, the National Commission for Culture and the Arts (NCCA) shall issue the necessary clarification. In case of doubt, the same shall be construed liberally and in favor of the Constitutional directives to foster preservation, enrichment and dynamic evolution of a Filipino culture.

IV. DEFINITION OF TERMS

For purposes of this guidelines, the following terms shall be defined as follows:

- a) "Artwork, work of art, art piece, piece of art or art object" shall refer to an aesthetic physical item or artistic creation. Apart from "work of art", which may be used of any work regarded as art in its widest sense, including works from literature and music, these terms apply principally to tangible, portable, movable forms of visual art
- b) "Cultural heritage" shall refer to the totality of cultural property preserved and developed through time and passed on to posterity
- c) "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
- d) "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 (NM)
- e) "National Artists of the Philippines" shall refer to Filipinos conferred with the Order of National Artists (ONA) by the Republic of the Philippines in recognition of their significant contributions to the development of Philippine art
- f) "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