

[**NCCA, April 02, 2004**]

**AMENDED IMPLEMENTING RULES AND REGULATIONS OF
REPUBLIC ACT NO. 7356 (LAW CREATING THE NATIONAL
COMMISSION FOR CULTURE AND THE ARTS) APRIL 2004**

The National Commission for Culture and the Arts hereby promulgates the Amended Rules and Regulations to implement Republic Act No. 7356, otherwise known as the "**Law Creating the National Commission for Culture and the Arts.**"

SECTION 1. Short Title. -These rules shall be known as the "Amended Implementing Rules and Regulations of Republic Act No. 7356 entitled, 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."

**Rule 1
Declaration of Principles**

SECTION 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.

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

SECTION 4. Culture of the People - The Filipino national culture shall be:

4.1 Independent, free of political and economic structures which inhibit cultural sovereignty.

4.2 Equitable, effectively 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;

4.3 Dynamic, continuously developing in pace with scientific, technological, social, economic and political changes, both in national and international levels;

4.4 Progressive, developing the vast potential of all Filipinos as responsible change agents of society; and

4.5 Humanistic, ensuring the freedom and creativity of the human spirit.

SECTION 5. Culture by the People - The Filipino national culture shall be evolved and developed by the people themselves according to their own original and ancestral wisdom.

National cultural policies and programs shall be formulated which shall be:

5.1 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 of acculturation;

5.2 Democratic, encouraging and supporting the participation of the vast masses of the Filipino people in its programs and projects;

5.3 Non-partisan, open to all people and institutions, regardless of creed, affiliation, ideology, ethnic origin, age, gender or class, with no organized group or sector having monopoly of its services;

5.4 Liberative, having concern for the decolonization and emancipation of the Filipino psyche in order to ensure the full flowering of Filipino culture; and

5.5 Nationalistic, the bonding and harmony of people based on the common recognition of cultural heritage.

SECTION 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 the Filipino people about their own cultural values in order to strengthen the Filipino 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.

SECTION 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.

Rule II

Organization of the National Commission for Culture and the Arts and the Establishment of the National Endowment Fund

SECTION 8. Creation of the National Commission for Culture and the Arts (NCCA) - The NCCA is hereby created to:

- 8.1 Formulate policies for the development of culture and arts;
- 8.2 Implement these policies in coordination with affiliated cultural agencies;
- 8.3 Coordinate the implementation of programs of these affiliated agencies;
- 8.4 Administer the National Endowment Fund for Culture and Arts (NEFCA);
- 8.5 Encourage artistic creation within a climate of artistic freedom;
- 8.6 Develop and promote the Filipino national culture and arts; and
- 8.7 Preserve Filipino cultural heritage.

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

- a) Undersecretary, Department of Education Culture and Sports^{*}
(now the Department of Education per RA 9155);
- b) Undersecretary, Department of Tourism;
- c) Chairperson, Committee on Basic Education and Culture, House of Representatives;
- d) Chairman, Committee on Education, Arts and Culture, Senate of the Philippines;
- e) President, Cultural Center of the Philippine;
- f) Executive Director, National Historical Institute^{**}
- g) Director, National Museum;
- h) Director, The National Library;
- i) Chairperson, Komisyon ng Wikang Filipino;
- j) Director, Records Management and Archives Office;
- k) Executive Director, National Commission for Culture and the Arts;
- l) The Head of the Subcommission on Cultural Communities and Traditional Arts (SCCTA); and
- m) Three (3) Representatives from the private sector elected by the Heads of the National Committees within the respective Subcommissions,

namely:

1. The Head of the Subcommittee on Cultural Heritage (SCH);
2. The Head of the Subcommittee on the Arts (SCA); and
3. The Head of the Subcommittee on Cultural Dissemination (SCD).

SECTION 10. Term of Office - Non-ex-officio Members of the Commission shall have a term of three (3) years, reckoned from July 1, 1992.

SECTION 11. Restrictions - During his/her term, all members of the Commission shall not be eligible for any grant or such other financial aid from the Commission as an individual: Provided: however, that the Commissioner may compete for grants and awards on the same level as other artists one (1) year after his/her term shall have expired.

Section 12. General Mandate - The Commission is hereby mandated to formulate and implement policies and plans in accordance with the principles stated in Rule 1 hereof.

Section 13. Development of Pluralistic Culture - To encourage the continuing and balanced development of a pluralistic culture by the people themselves, the Commission shall:

13.1 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;

13.2 Extend financial and economic assistance such as subsidies, artist funds and social security to promote cultural development and protect artists and cultural workers;

13.3 Ensure the decentralization of opportunities for creative expression through the establishment of local culture and arts centers, and organizations on history and arts in various regions, with resources needed for artistic cultural activities;

13.4 Extend recognition of artistic and intellectual achievement through awards, grants and services to artists and cultural groups which contribute significantly to the Filipino's cultural legacy;

13.5 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 over the country;

13.6 Encourage and support research into Philippine artistic traditions in

the hope to revive, popularize, and preserve the artistic traditions which may be adopted for the creation of contemporary forms; provided, that the adoption does not result in the mockery of the tradition;

13.7 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; and

13.8 Explore and adopt the best possible structure of relationship between the public and private sector at the local level, taking into account varying socio-economic situations.

SECTION 14. Promotion of Historical and Cultural Heritage - To conserve, promote and protect the nation's historical and cultural heritage, the commission shall:

14.1 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;

14.2 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 and talents as are threatened with extinction;

14.3 Support and promote the establishment and preservation of cultural and historical monuments, markers, names and sites;

14.4 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;

14.5 Encourage the private sector to establish and maintain private museums, libraries, learning centers, and archives;

14.6 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;

14.7 Encourage and support the writing of Philippine history and pre-history, and Cultural studies from multiple perspectives that will help in the creation of a national identity and give support to activities such as but not limited to conferences, congresses, fora, and symposia on Philippine History;

14.8 Encourage and support scholarly and scientific research and