

**[ NCCA, April 05, 2001 ]**

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

The National Commission for Culture and the Arts hereby approves 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."

**RULE 1**

**Declaration of Purpose and Principles**

**1.1 Purpose**

These rules and regulations are approved by the National Commission for Culture and the Arts pursuant to Sec. 13 k of R.A. No. 7356 which mandates the Commission to promulgate rules, regulations and undertake any and all measures as may be necessary to implement the Act.

**1.2 Declaration of Primary Principles**

1.2.1 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.

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

1.2.3 The Filipino national culture shall be:

- a. independent, free of political and economic structures which inhibit social sovereignty;
- b. 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;
- c. dynamic, continuously developing in pace with scientific, technological, social, economic and political changes, nationally and internationally 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 and imagination.

1.2.4 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 policies shall be:

- a. pluralistic, fostering deep respect for the cultural identity of each locality, as well as elements assimilated from other cultures through the natural process of acculturation;
- b. democratic, encouraging and supporting the participation of the vast masses of the Filipino people in its programs and projects;
- c. 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; and
- d. liberative, having concern for the decolonization and emancipation of the Filipino psyche in order to ensure the full-flowering of Filipino culture.

1.2.5 The creation of artistic and cultural products shall be promoted and disseminated to the greatest number of the Filipino people. The level of consciousness of the Filipino people about their own cultural values in order to strengthen the Filipino culture and to still 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.

1.2.6 It is the duty of every citizen to preserve and conserve the Filipino cultural heritage and resources. The retrieval and conservation of artifacts of Filipino culture and history shall be vigorously pursued.

### 1.3 *Declaration of Secondary Principles*

1.3.1 The NCAA adheres to the spirit of volunteerism and shall be organized in this light. Volunteerism is defined for these purposes as an unselfish act or willingness to assist the Commission in the fulfillment of its mandate and goals with the use of one's expertise and experience in a particular cultural sector, without expectation of financial gain. Acceptance of the services of a volunteer shall be at the discretion of the Commission and shall be in accordance with these Rules and Regulations.

1.3.2 Respect for the intellectual property and artistic rights of creators, whether pertaining to individuals, groups or communities shall be promoted and protected. The preceding notwithstanding, the NCCA shall strive to find the optimum balance between protecting the intellectual property rights of creators and allowing general access to intellectual creations.

1.3.3 The Commission shall adhere to the democratic principle of consultation with the general public, including arts and culture sectors and volunteers, in the formulation of policies and plans of the Commission.

RULE 2  
Structure, Rationale and Functions of the National  
Commission for Culture and Arts

2.1 Nature — The NCCA is an independent agency that is organizationally situated within the Office of the President. It is assigned the following tasks:

- a. formulate policies and plans for the development of culture and the arts;
- b. implement these policies in coordination with affiliated cultural agencies;
- c. coordinate the implementation of programs of these affiliated agencies;
- d. administer the National Endowment Fund for Culture and the Arts (NEFCA);
- e. encourage artistic creation within a climate of artistic freedom;
- f. develop and promote the Filipino national culture and arts;
- g. preserve Filipino cultural heritage; and
- h. enhance and integrate traditional culture and their creative expressions within the national cultural mainstream in relation to f and g hereof.

2.2 *Organizational Units* — The organizational units referred to in these Implementing Rules and Regulations include the following:

- a. National Commission for Culture and the Arts. This is the fifteen person group constituted by Sec. 8 of R.A. No. 7356, variously known as "Commission", "Board of Commissioners" or "Board."
- b. SubCommission. These consist of eminent persons in the various fields of culture and the arts within the respective sectors of Cultural Communities and Traditional Arts, Cultural Heritage, the Arts, and Cultural Dissemination pursuant to Secs. 9 and 15 of R.A. 7356.
- c. Secretariat. The administrative organization responsible for the day to day operations of the Commission, established pursuant to Sec. 13b and Sec. 14 of R.A No. 7356.
- d. National Advisory Board — The chairpersons of the National Committees, in accordance with Sec. 17 of R.A. No. 7356.
- e. National Committee. These consists of individuals who assist in the work of the NCCA, including representatives of associations of artists and cultural workers and other non-government organizations, government organizations, organized into groups pursuant to Sec. 15 of R.A. No. 7356.
- f. Executive Council of National Committees. The working group constituted pursuant to Committee rules and regulations for the purpose of conducting the affairs of the National Committee.

g. Policies and Grants Committee. A Standing Committee of the Commission created to review recommendations of SubCommissions from a multi-sectoral perspective.

h. Cultural Agencies Coordinating Committee. A Standing Committee of the Commission created to identify programs of common action and to encourage coordination and cooperation among cultural agencies of government in the context of E.O. No. 80 and of R.A. No. 7356.

i. Management Committee. A Committee consisting of senior officers of the Secretariat, intended to ensure coordination in the performance of Secretariat functions.

## RULE 2A The Commission

2.1 *Mandate.* The Commission is hereby mandated to formulate and implement policies in accordance with the principles stated in Title I, Sec. 12 of R.A. No. 7356.

2.2 *Powers and Functions.* The Commission shall exercise the following powers and functions:

a. encourage and facilitate the organization of a network of regional and local councils for culture and the arts, hereunder described, to ensure a broad nationwide, people-based participation in the formulation of plans, the enforcement of culture-related laws and regulations, the implementation of programs/projects and the review of funding requirements;

b. establish a Secretariat under an Executive Director for the Administrative and day-to-day operations of the Commission;

c. set up a system of networking and coordination with and among all existing government cultural agencies for the effective implementation of programs and activities and to avoid unnecessary duplication of functions therein;

d. create committees and other mechanisms to help expedite the implementation of plans and strategies;

e. call upon and coordinate with other government and non-government art and cultural institutions and agencies in assistance in any form;

f. generate resources, both from the Government and private sectors, local, national and international, for its operation, as well as for the National Endowment Fund for Culture and Arts;

g. receive and accept donations and other conveyances including funds, materials and other conveyances including funds, materials and services, by gratuitous title;

- h. administer the National Endowment Fund for Culture and Arts, through a Comptroller, and give grants for the development, protection, preservation and dissemination of Philippine culture and the arts;
- i. cause the preparation of the annual budget of the NCCA, approve and submit the same to the President for inclusion in the annual General Appropriations Act;
- j. advise the President on matters pertaining to culture and the arts, including the creation of special decoration or award, for persons who have significantly contributed to the development and promotion of Philippine culture and arts;
- k. regulate activities inimical to preservation/conservation of national cultural heritage/properties;
- l. institute a body to investigate such inimical activities in conjunction with the proper government agencies, such as the Department of Interior and Local Government, the National Historical Institute, the National Museum and other such agencies, with the aim of prosecuting such activities and recommending other action such as legislation, or pursuant to the next succeeding provision, the use of good offices of the Commission. The said body shall be organized under the Legal Services Offices;
- m. may make available the NCCA's good offices for the settlement of disputes concerning issues affecting artist and cultural workers, including issues arising from the activities of various government agencies which may implicate cultural heritage properties if such activities are potentially inimical to their preservation and conservation; and
- n. promulgate other rules, regulations and undertake any and all measures as may be necessary to implement R.A. No. 7356.

2.3 *Composition.* The Commission shall consist of fifteen (15) members as follows:

2.3.1 Officials from the Legislative and Executive Branches of Government, including Heads of cultural agencies, who serve in an ex-officio capacity:

- a. Undersecretary, Department of Education Culture and Sports;
- b. Undersecretary, Department of Tourism;
- c. Chairman, 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 Philippines;