 <small>NATIONAL MUSEUM PAMBANSANG MUSEO</small>	NATIONAL MUSEUM Cultural Properties Regulation Division- Procedure and Work Instruction Manual	PAWIM VOLUME 1- 001	
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PROCEDURE AND WORK INSTRUCTION MANUAL (PAWIM)

CULTURAL PROPERTIES REGULATION DIVISION




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CULTURAL PROPERTIES REGULATION DIVISION

The National Museum (NM) is the official repository and guardian of Philippine natural and cultural heritage and one of the leading cultural agencies that have been tasked to achieve the goals of instilling cultural consciousness and a sense of pride and nationalism among Filipino citizens through its diverse activities covering Science, Education, and Culture.

The task of preserving and protecting the natural and cultural properties has been assigned to the Cultural Properties Regulation Division (CPRD), formerly Cultural Properties Division (CPD), of the National Museum (NM) having been established by virtue of Republic Act No. 4846 as amended by Presidential Decree No. 374, otherwise known as “**Cultural Properties Preservation and Protection Act**”. The mandate of the CPRD includes law enforcement; monitoring, documentation and registration of cultural properties; issuance of licenses, certificates and permits; information dissemination; and research.

The CPRD has been tasked in preserving and protecting the natural and cultural properties; and in monitoring the flow of antiquities through-out the country. Its

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specific mission includes law enforcement; monitoring, documentation and registration of cultural properties; declaration of significant cultural properties; issuance of licenses, certificates and permits; information dissemination; technical assistance; and research.


Objectives of the CPRD

1. To monitor research activities in the various fields of Arts and Sciences;
2. To facilitate access to museum collections;
3. To provide stringent regulation on movements through registration and census of all cultural properties of the country;
4. To declare significant cultural properties of the country;
5. To provide measures regarding exportation of cultural properties;
6. To monitor sales of cultural properties either locally or abroad;
7. To protect and preserve anthropological areas, historic sites and archaeological sites;
8. To strengthen the implementation of R.A. No. 4846 as amended by P.D. No. 374, R.A. No. 8492, R.A. No. 9105, R.A. 10066 and other laws through information dissemination campaign.

An Overview on the Services rendered by CPRD

Documentation / Registration of Cultural Property

Importance of documentation

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1. Captures and preserves an object's history;
2. Provides a record of legal title; legal ownership is easily determined;
3. Means of monitoring the physical condition of the collection;
4. Management is systematic;
5. Efficient access to the object and its security improved.

Declaration of Significant Cultural Properties

1. National Cultural Treasure
2. Important Cultural Property


Issuance of License, Authorization, Certificates and Permits

The CPRD issues the following:

1. Dealer's License
2. Export Permit
3. Special Authority to Explore and Excavate
4. Permit to Explore and Excavate
5. Certificate of Non-Coverage
6. Permit to Transport Cultural Property

Surveillance / Technical Assistance

1. Conducts initial verification of reported archaeological site

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2. Acts on illicit trafficking of cultural properties
3. Acts on forger

Site Development of Cultural Sites

Supervises the sustainable development of cultural sites to ensure its preservation and protection for the present and future generations of Filipinos.


Deputization of Cultural Heritage Officer

The NM through its CPRD designates the following to ensure the full implementation of the Preservation and Cultural properties Act

1. Cultural Worker in the private sector
2. Local Government Unit officials and employees
3. Members of the academe
4. Barangay captains
5. Local and government officials (DENR, DFA, DF, Bureau of Customs)
6. Law enforcers – NP, AFP, Phil. Coast Guard, NBI etc.

Regulation and Monitoring of Treasure Hunting Activities

1. Regulation of treasure hunting in the Philippines
2. Monitoring of treasure hunting activities

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Definition of Terms


CULTURAL PROPERTY

Cultural Property refers to all products of human creativity by which a people and a nation reveal their identity, including such as natural history specimens and sites, with cultural significance, whether public or privately owned, intangible or tangible, movable or immovable.

Intangible cultural property refers to learned processes like dance, religion, song, epic, culinary arts and other practices, while tangible cultural property are touchable cultural property with historical, archival, anthropological, archaeological, artistic and architectural values, such as artifacts, antiques, natural history specimens, type specimens, paintings, ethnographic materials, historical site, archaeological site, anthropological area.

These cultural properties bear witness to the history and identity of the Filipino culture and designated as being important for Archaeology, Prehistory, History, Literature, Arts and Sciences. They are priceless and irreplaceable assets and protected by various cultural agencies.


Article VIII of the R.A. No. 10066 states that the responsibilities of cultural agencies in protecting cultural properties shall be in conformity with their respective charters and mandates. Hence, the NM's areas of responsibility with respect to cultural property are governed by the following definitions.

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The **National Museum** is responsible for immovable cultural properties and movable cultural and natural properties pertaining to collections of Fine Arts, Archaeology, Anthropology, Botany, Geology, Zoology and Astronomy

Immovable Cultural Property


1. Anthropological Area or site refers to any place where studies of specific ethno-linguistic groups are undertaken, the properties of which are of value to our cultural heritage.
2. Archaeological Area or site refers to any place, whether above or underground, 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;
3. Built Heritage refers to architectural and engineering structures, such as but not limited to bridges, government buildings, ancestral houses, places of worship, traditional dwellings, military installations, train stations, lighthouses, small ports, city and street scopes, educational technological and industrial complexes and their settings, and landscapes with notable historical and cultural significance.
4. Heritage Zone refers to historical, anthropological, archaeological, artistic geographical areas and settings that are culturally significant to the country.

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5. Natural Property of Cultural Significance refers to areas possessing outstanding ecosystem with flora and fauna of national scientific importance under the National Integrated Protected Areas System.


Movable Cultural Property

1. Fine Arts collection includes elements of built heritage with artistic, aesthetic, architectural, cultural, social and spiritual significance.
2. Works of arts such as paintings, sculptures, carvings, jewelry, music, architecture, sketches, drawings or illustrations in part or in whole; household and agricultural implements; decorative articles or personal adornment; works of industrial and commercial art such as furniture, pottery, ceramics, wrought iron, gold, bronze, silver, wood or other heraldic items, metals, coins, medals, badges, insignias, coat of arms, crests, flags, arms and armor, vehicles or ships or boats in part or in whole; and other objects classified as antiques.
3. Antique refers to a cultural property found locally which is one hundred (100) years in age, more or less, the production of which has ceased.
4. Archaeological collection refers to artifacts and ecofacts;
 - a. Artifacts are articles which are products of human skills or workmanship, especially in the simple product of primitive arts or industry representing

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past eras or periods.

- b. Ecofacts are organic materials, such as plant remains, shells, bones and other animal remains with cultural significance.
5. Anthropological collection refers to ethnographic items that are products of human culture that are presently made and those that ceased to exist.
6. Astronomical collection refers to any extraterrestrial objects, such meteorites and tektites, that may fall in the Philippines.
7. Natural History Specimens are organisms and objects (live or preserved) that are collected or studied in the Philippines; collection, either of whole specimens or derivatives (such as parts, tissue samples, or genetic samples), are collected for the establishment of reference collection and / or taxonomic study.
 - a. Botanical collection refers to plant-like micro-organisms, fungi; and spore bearing and flowering plants(Kingdom Protista, Fungi and Plantae).
 - b. Geological collection refers to rocks, mineral and fossils.
 - c. Zoological collection refers to all organisms belonging to Kingdom Animalia.

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Natural History specimens considered cultural properties are holotypes of fossils, plants and animals, specimens that are in danger of extinction; and irreplaceable specimens such as fossils, and specimens that are 100 years old or more


POLICIES / GUIDELINES ON THE ACCESS TO MUSEUM COLLECTIONS

SCOPE, POLICY STATEMENT and PROCEDURE DETAILS

The National Museum (NM) being a trust of the Philippine government and managed by a Board of Trustees under the Office of the President as created under Republic Act 8492 is mandated to collect natural science specimens, such as plants and animals, and rocks, minerals and fossils, archaeological and anthropological materials and works of arts.

The functions of the NM are to conduct basic, systematic and applied scientific research pertaining to these fields; to systematically store, curate and maintain these valuable collections for general reference and scientific study; and to make the collections and data for a long term availability to the present and future generation.

The NM encourages collaboration and joint efforts with institutions and organizations as well as scientists in undertaking research and studies relating to natural history and culture history of mankind.


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The NM being the custodian of these important scientific and cultural resources, reserves the right to establish guidelines on the access to the collections and data in the interest of the Filipino.

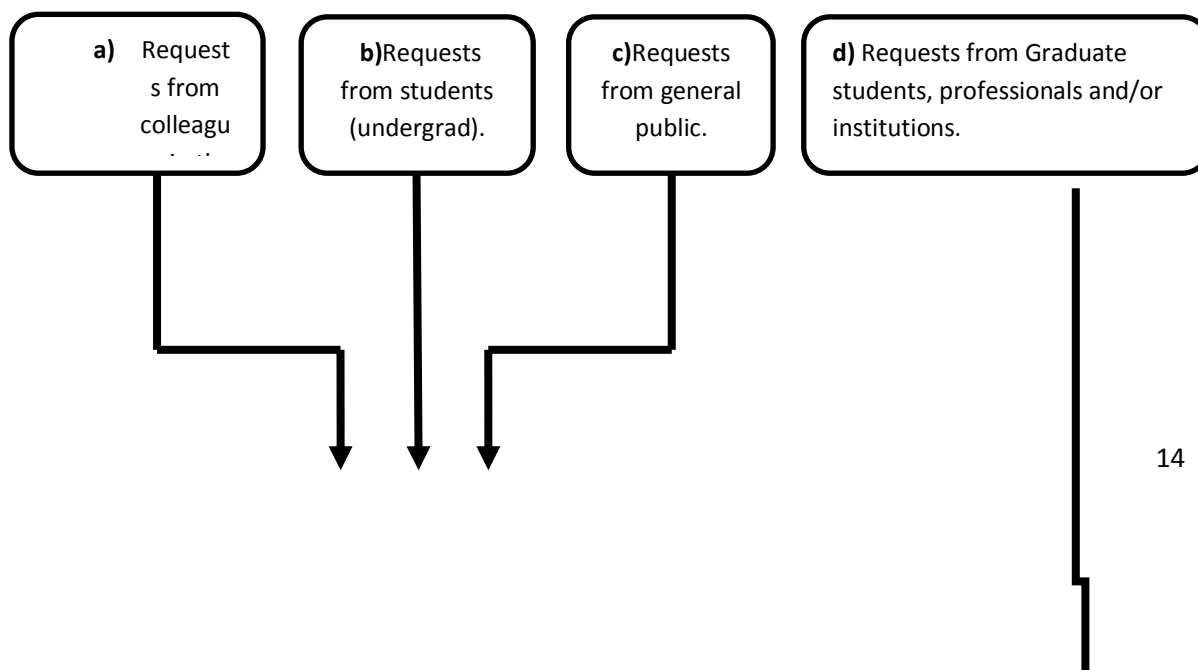
PROCEDURE DETAILS


The following are rules, regulations, procedures and protocols on the access to the collections and data of the NM, including collections from regional branches:

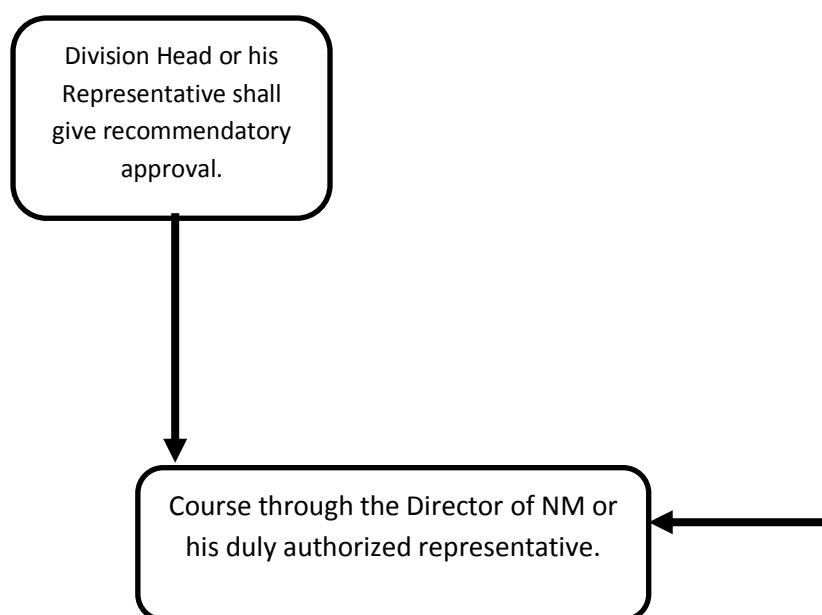
1. Access to the collections and data, i.e. for plants, animals, rock, minerals and fossils as well as archaeological- anthropological materials and works of arts can only be made following prescribed procedures as stated below:
 - a. Requests from colleagues in the NM for the purpose of scientific collaboration, study and publication for the furtherance of science may be approved by the division head or his representative;
 - b. Requests from students (undergraduate) solely to accomplish academic requirements shall be approved by the division head or his representative;
 - c. Requests from general public not intended for publication shall be approved by the division head or his representative;
 - d. All requests from Graduate students, professionals and or institutions for access to the data on the collections, including the actual examination of the specimens, must be coursed through the Director of the NM or his duly authorized representative who shall make the necessary actions on the request.

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REQUESTS FOR ACCESS TO MUSEUM COLLECTIONS




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PROCEDURE DETAILS

This shall be subject to the procedures below:

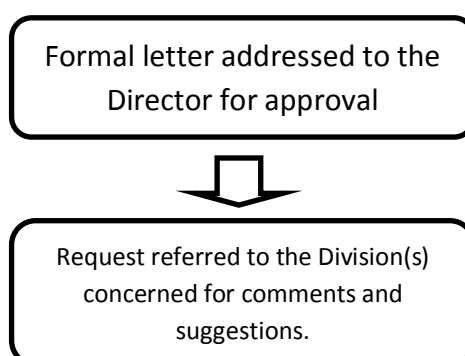
- 1) A formal letter shall be addressed to the Director for approval and the content shall include purpose of the research, list of collections when necessary, kind of information needed;
- 2) The request shall be referred to the Division (s) concerned for comments and suggestions;
- 3) If the request is approved by the Director, the requesting party shall fill-up an application form (available in all technical divisions) and


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shall enter into agreement with the NM through a Memorandum of Agreement (MOA). Concerned division shall submit a copy of the memorandum to Cultural Properties Division;

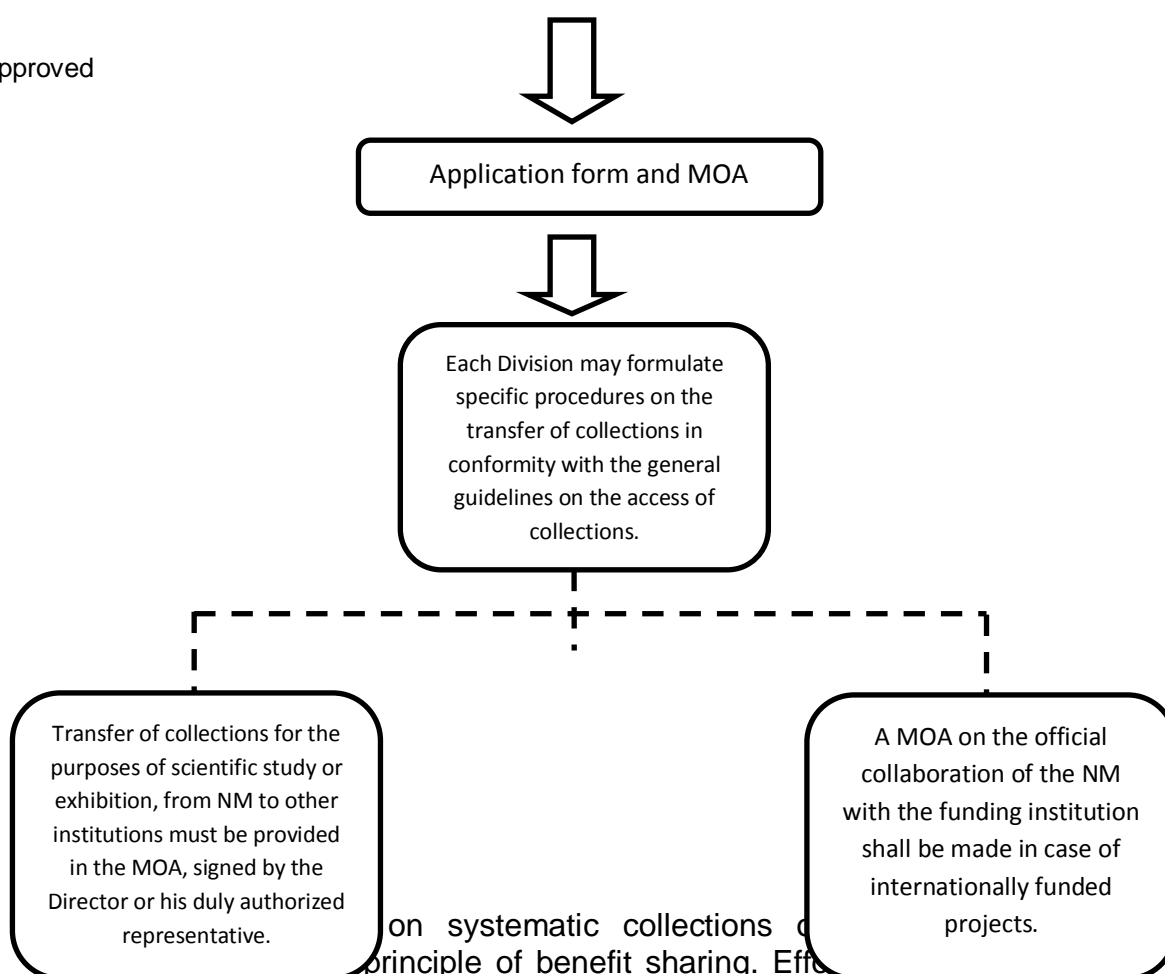
- 4) No collections shall be transferred from the NM to other institutions unless provided in the MOA as the case may be, and this be signed by the Director or his duly representative of the NM and the requesting party;
- 5) Each division may formulate specific procedures on the transfer of collections (loan, exchange and donation) provided that they conform with the general guidelines on the access of collections;
- 6) In case of internationally funded projects, a MOA on the official collaboration of the NM with the funding institution shall be made.

PROCEDURE ON THE ACCESS TO MUSEUM COLLECTIONS




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If approved



on systematic collections of the NM shall be made in accordance with the principle of benefit sharing. Efforts shall be made to ensure that both the users of the data / specimens and the NM shall be mutually benefited. Donations in kinds or monetary considerations can be made, subject to government rules and regulations, and internal policy of the NM.

- Users of data, information and actual specimens of the NM shall acknowledge the NM, the Director or his duly designated representative, appropriate Division/s and staff who attended to the requests, in all scientific and popular publications and all other media, printed or electronic media

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(through internet, etc) as well as oral presentations with bearing to these collections. Such acknowledgment shall be observed in any subsequent use of the NM.

3. The NM retains the right to disallow access to specific data on their data bases and information on systematic collections on valid grounds including new, endangered and rare species; valuable minerals and rocks; newly discovered archaeological, anthropological and geological sites; collections and data being studied by NM researchers; unpublished research work; and other confidential data determined by the Director or the researcher concerned.
4. Access to the data and information of the NM collections shall be only be used under the condition and purpose as stated by the applicant and as approved by the Director. In no circumstances will the data be used for other purposes, without the written authorization and approval of the NM.
5. Violation of this conditions shall subject the applicant and the organization/ institution that he represents to penalties in accordance with the provisions of R.A. No. 10066 (National Cultural Heritage Act of 2009), R.A. No. 8492 (National Museum Act of 1998), R.A.No. 4846 as amended by Presidential Decree no. 374 (Cultural Properties Preservation and Protection Act) and other relevant rules and regulations.

**GUIDELINES ON THE DESIGNATION OF
NATIONAL MUSEUM RESEARCH ASSOCIATES
(NMRA)**

(NM Office Order No. 22, series 2004; No. 14, series 2008; No. 67, series 2013)

SCOPE and POLICY STATEMENT

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Numerous scientists and researchers – Anthropologists, Archaeologists, Botanists, Chemists, Ethnographers, Social Anthropologists, Geologists, Zoologists, Architects, Chemists, Conservators, Artists, Art Historians, Museologists and Educators – all from different fields of expertise collaborate, or seek the assistance of, or act as resource persons for and / or consultants to the different scientific divisions of the National Museum of the Philippines (NMP) for research activities, and other endeavors.

Hence, there is a need for a more appropriate category for scientists and researchers who are formally affiliated with the NMP scientific and technical divisions and whose research activities may result in the expansion of the NMP's publication base and research effort. In 2004, the NMP issued an Office Order No. 22 series 2004 creating an honorary research position known as the National Museum Research Associate (NMRA).

PROCEDURE DETAILS


The guidelines to be followed in the selection of qualified scientists / researchers for the NMRA are presented hereunder.

1. The candidates for the designation as NMRA must have the following qualifications:
 - a. A holder of Doctorate Degree in Philosophy or Science;
 - b. Involved in research for at least five years;
 - c. Published articles in scientific journals; and
 - d. With good moral character.
2. Using the official form for the NMRA application, the applicant shall submit this document with two passport photographs to the Director's Office (DO), list of publications, project proposal and a letter of recommendation from the


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head of host institution or from a respected scientist or researcher in the same field of expertise;

3. The DO shall turn-over the application to the concerned division of the NMP for endorsement;
4. If the concerned division endorses the application, the said division shall forward the application to the Cultural Properties Division (CPRD) for appropriate action, such as, the preparation of the Memorandum of Agreement (MOA) and Certificate of Designation; Further, the CPRD shall inform the applicant on the results of the evaluation and shall be asked to report to the CPRD to sign the MOA;
5. The CPRD shall submit the aforementioned documents to the DO for the signature of the Director IV;
6. After signing, the documents shall be returned to the CPRD for control numbering and filing purposes;
7. The CPRD shall provide the Personnel Section of the Administrative Division a copy of the Certificate of Designation and one passport photograph of the NMRA for the issuance of the Identification Card;
8. To differentiate the NMRA ID card from the NM personnel ID card, the color shall be green;
9. The Cultural Properties Division shall prepare the NMRA ID card, submit it to the DO for the signature of the Director IV;
10. After signing, the DO shall turn-over the signed ID card to the CPRD;
11. The CPRD shall forward the said documents and the ID card at the Records Section of the Administrative Division;


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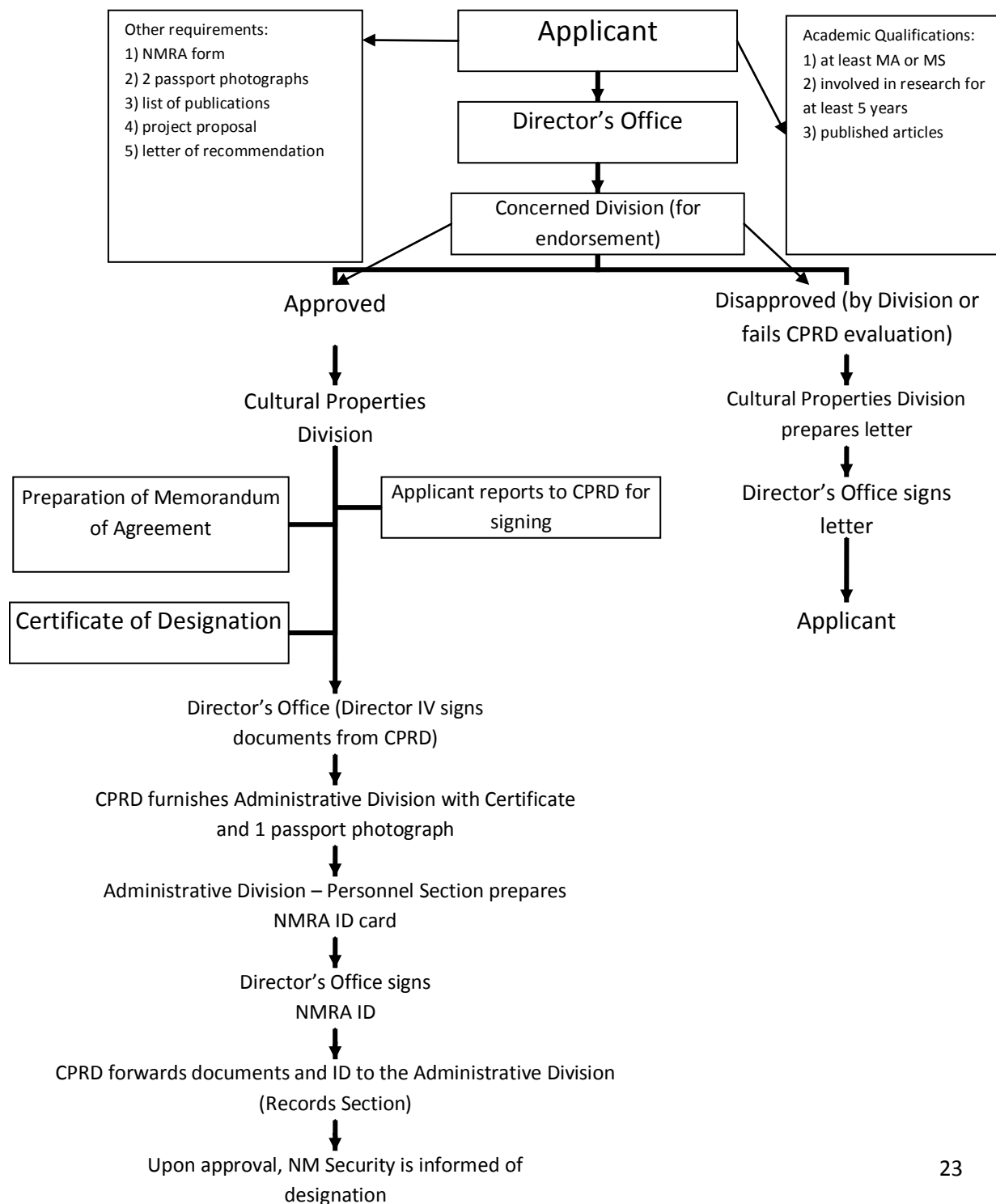
12. The NM Security Committee shall be informed of the designation, upon approval;
13. If the concerned division shall not endorse the application or if the CPRD's evaluation, in case of renewal, does not favor its approval, the CPRD shall prepare a letter informing the results of the evaluation to be signed by the Director IV;
14. The appointment is good for three years; such appointment, however, can be revoked at any time by the Director IV if there are violations or non-compliance with the stipulations mentioned in the MOA;
15. NMRA shall submit an accomplishment report or a scientific paper every year;
16. Upon the completion of the project, the NMRAs shall deposit with the NMP a catalogue or an inventory of all materials collected and the terminal report to the concerned division and the CPRD;
17. The appointment can be renewed after the evaluation and assessment of his / her past records by the CPRD;
18. NMRAs shall not receive a salary from the NMP nor do they receive permanent office space;
19. NMRAs are expected to use their official title when publishing or lecturing on work associated with the NMP;
20. NMRAs may upon request, in writing to the Director of the NMP and might be eligible for logistic support from the NMP, when available, which include:
 - a. Use of a Visiting Scientist Space;


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- b. Limited access to the Scientific Division's libraries;
- c. Limited access to the Collections Holdings of his fields of interest;
Subject to the discretion of the Division Chief or Curator II

21. NMRAs shall follow the guidelines on the access to the systematic collection and data of the NMP;
22. NMRAs are encouraged to lend or donate equipment, supplies and other materials that are lacking or needed by the NMP;
23. NMRAs are encouraged to seek outside funding for research activities to be undertaken with Scientists and / or researchers of the NMP;
24. NMRAs are expected to uphold the high moral standards expected of a NMP employee.

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REPUBLIC OF THE PHILIPPINES

OFFICE OF THE PRESIDENT

National Museum

Cultural Properties Division


Requirements for NM Research Associate

- { } Letter of Application (addressed to the Director)
- { } Duly Filled-up Application Form
- { } 2 pcs passport photograph - recent
- { } Updated Curriculum Vitae
- { } Latest Publications
- { } Letter of Recommendation
 - a. Host Institution
 - b. NM respective Division
- { } Project Proposal
 - a. Technical Proposal
 - b. Financial Proposal

COMMENT/S:

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ANGEL P. BAUTISTA

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Museum Curator II, CPRD



National Museum
Of the Philippines

**RESEARCH ASSOCIATE
APPLICATION FORM**

NAME: _____

POSITION: _____

Office and _____

Address: _____

Telephone: _____


Fax No. _____

E-Mail: _____

Educational Attainment: _____

University: _____

Degree: _____

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Year Graduated:


Field of Research:

NOTE: Please attach Curriculum Vitae

Recommending Approval:

APPROVED:

JEREMY BARNS
Director IV

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 Republic of the Philippines Office of the President NATIONAL MUSEUM RESEARCH ASSOCIATE CPD-RA-2010-11 VALID UNTIL JANUARY 22, 2013	RESEARCH ASSOCIATE	<p style="text-align: center;">IMPORTANT</p> <ol style="list-style-type: none"> 1. This card must be worn at all times while inside the Museum premises. 2. If lost, report immediately to the Office of the Director. 3. Surrender ID upon termination of appointment. <div style="text-align: center; margin-top: 20px;"> <hr/> JEREMY BARNS Director IV  <small>NATIONAL MUSEUM P. Burgos Street, Manila Tel. No. 527-12-15</small> </div>
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LEONOR P. TUAZON
 Museologist

GUIDELINES ON LOAN AGREEMENTS (NM Office Order No. 87, series 2010, July 2, 2010)


In view of the need to standardize policies on the access to museum collections and data, specifically on loan agreements, the following are the rules and regulations that should be followed:

SCOPE and POLICY STATEMENT

1. Loans can be made only by institutions, and not individuals. If any loan is desired, any head of institution should communicate directly with the Director IV of the National Museum of the Philippines who shall refer the request to the concerned Curator II for appropriate action.


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2. Loans shall only involve exhibition and scientific study of NMP objects.
3. The institution that requested the loan must prepare a list of NMP objects, a written account of the method of packing and the amount of insurance. Packing and transport costs shall be undertaken by the loaning institution.
4. The concerned division shall fill up the standard Memorandum of Understanding (MOU) (Annex A) stating all provisions to ensure that the NMP objects are protected from deterioration during transport, exhibition and or scientific scrutiny.
5. The duration of the loan should not exceed one year. However, extension can be made upon written request.
6. Loan Agreement Form (Annex B) shall be an integral part of the MOU.
7. The concerned division shall provide the official object list with detailed information of the selected objects with valuation for insurance purpose only. (Annex C).
8. Status report on the present condition of the object(s) shall be prepared by the Chemistry and Conservation Laboratory Division of the NMP.
9. The Cultural Properties Division shall prepare all documents pertinent to export of cultural properties as provided by law. The signed MOU shall be submitted to the CPRD as one of the requirements for the issuance of Permit to Export.
10. Any change(s) or amendment(s) on the signed MOU shall require at least one month before the date on which the change is to occur, and must be in writing.
11. The concerned Curator II and Chief Conservator or any official of the NMP authorized by Director IV shall serve as courier of the NMP objects, local or abroad.
12. The institution that requested the loan shall inform the Director IV of the NMP as soon as possible upon receipt of loaned NMP objects.

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13. The Head of the borrowing institution shall be the accountable for the safety of museum objects pursuant to the MOU.
14. After the exhibition or scientific scrutiny, the concerned Curator II and Chief Conservator or the authorized official shall prepare a report to be submitted to the Director IV.
15. All documents pertinent to loan agreement shall be submitted to the Legal Section, Director's Office and to the Records Section of the Administrative Division of the NMP.
16. Divisions of the NMP with collections may establish their own specific guidelines but in conformity with the general guidelines on loan agreements.



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LOAN AGREEMENT

This Agreement is entered into by and between:

The **NATIONAL MUSEUM OF THE PHILIPPINES**, with address at the National Art Gallery Building, P. Burgos Street, Manila, Philippines, represented by its Director IV, Mr. Jeremy Barns, hereinafter referred to as the **FIRST PARTY**; and


The _____ and having office address at _____ represented herein by _____ and having an office at _____, who is duly authorized for the purpose, herein referred to as the **SECOND PARTY**;

WITNESSETH: THAT

WHEREAS, the FIRST PARTY is the owner of the following described Museum Objects;

Qty.	Description	Prop. No.	Valuation
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Hereinafter collectively referred to as Museum Objects;

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WHEREAS, the SECOND PARTY is holding an exhibit/show _____ from _____ to _____;

WHEREAS, in connection with the aforesaid exhibit/show, the SECOND PARTY has requested the FIRST PARTY to loan to the museum objects stated above, and the FIRST PARTY has agreed thereto, subject to the terms and conditions hereunder;

NOW, THEREFORE, in consideration of the foregoing premises and mutual covenants, the parties hereby agree as follows:

1. OBJECT. The object of this Agreement is the gratuitous loan of the Museum Object(s) by the _____ and in favor of the SECOND PARTY for public exhibition and display in _____.

2. PERIOD. This loan shall commence on _____ and shall expire on _____.


3. REMOVAL OF THE MUSEUM OBJECT(S) NUMBER. In no event and under no circumstances shall the museum objects be removed from the aforesaid exhibit premises unless with prior written consent of the FIRST PARTY, and/or for the purpose of returning the Museum objects to the FIRST PARTY and neither shall its property number or identification marks be removed.

4. OBLIGATIONS OF THE SECOND PARTY. The SECOND PARTY, in addition to and except as may be provided in the stipulations herein, shall have the obligations of the Bailee under Section 2, Chapter I, Title XI, Book IV of the Civil Code of the Philippines.

5. EXPENSES. The SECOND PARTY shall be liable for the following expenses in addition to those already provided for herein:

5.1 Transportation/hauling expenses to be incurred for the delivery of the Museum object(s) to its premises up to its return to the premises of the FIRST PARTY.

5.2 All expenses for the protection and preservation of the Museum Object(s) while in its possession.

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6. **INSURANCE.** The SECOND PARTY shall insure, at its own expense, the full market value of the Museum object(s) with a reputable insurance company acceptable to the FIRST PARTY for the duration of this AGREEMENT against loss, damage or destruction by fire, burglary and similar or other hazard for the benefit of the FIRST PARTY, who shall be designated as the beneficiary of the insurance contract and proceeds hereof.

7. **TAXES AND FEES.** All taxes, fees, charges, imposts and similar impositions, if any, made by competent government authorities over the Museum Object(s) as a consequence of its exhibition/public showing shall be borne by the SECOND PARTY.

8. **LIABILITY OF THE SECOND PARTY:**


8.1 The SECOND PARTY shall be liable for the loss, damage or injury to the Museum Object(s) so long as the same are in its possession. For this purpose, the SECOND PARTY shall be considered as in possession from the moment that the same is duly received or taken by its duly authorized agents or employees up to the time that the same is received and duly accepted by the FIRST PARTY.

8.2 The SECOND PARTY's liability under this section shall exist even in the absence of fault or negligence on the part of its agents and employees or the cause of the loss or damage be due to a fortuitous event. For this purpose, the SECOND PARTY waives any right or benefit that it may have under Article 1942 and 1943 of the Civil Code of the Philippines.

8.3 In case of loss or total destruction of any or all of the Museum Object(s), the SECOND PARTY shall promptly pay for its current appraised value or, should it still be possible to restore/repair the same in the original state, the full cost of the repair and restoration.

9. **RIGHT OF EXAMINATION.** The duly authorized agent/officer/employee of the FIRST PARTY shall have access to _____ at any reasonable hour for the purpose of conducting an inspection of the Museum object(s).

10. **RETURN OF THE MUSEUM OBJECT(S).** The SECOND PARTY agrees to return

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the Museum Object(s) to the FIRST PARTY in as good condition as it was received upon expiration of the period under Section 2 hereof, or if the same is extended in writing, then upon the expiration of the extended period.


11. ENTRY BY FIRST PARTY TO TAKE POSSESSION. In the event the SECOND PARTY fails to return the Museum Object(s) in accordance with the preceding section and after the lapse of twenty one (21) days from receipt of a written demand to return the Museum Object(s) to the FIRST PARTY, the SECOND PARTY hereby consents to the peaceable entry of duly authorized agent/officer/employee of the FIRST PARTY to _____ premises, with or without any legal processes, court-issued writs, warrants/for orders, and take possession of and remove the Museum Object(s) For this purpose, the SECOND PARTY waives whatever right for an action for trespass, damages or injury caused that it may have against the FIRST PARTY by reason of the exercise of the latter of its rights under this section.

12. NON-WAIVER OF RIGHTS. Failure of the FIRST PARTY to insist, in one or several instances, on strict performance of any of the terms and conditions of this AGREEMENT or to exercise any option herein contained, shall not be considered an abandonment or waiver of such term(s) and condition(s), and the same shall continue to be in full force and effect. Receipt or acceptance by the FIRST PARTY of the Museum Object(s) shall not be construed as abandonment of its right to claim for damages for whatever loss, injury or damage, patent or hidden, that the ARTWORK may have sustained while in the possession of the SECOND PARTY. No waiver by the FIRST PARTY shall be valid unless in writing.

13. VENUE OF LEGAL ACTION. The parties agree that any claim or dispute cognizable by the courts shall be instituted exclusively in the proper court of Manila, Philippines where the FIRST PARTY'S main office is located.

14. COPYRIGHT. All copyright and other intellectual property rights of the Museum Object(s) remain with the FIRST PARTY. For the purpose of the exhibit, the FIRST PARTY grants the SECOND PARTY permission to reproduce the Museum Object(s) in any form or medium for publicity, catalogues, and educational purposes including interactive media and guidebooks.

IN WITNESS WHEREOF, the parties have hereunto set their hands on this _____ day of _____ in the City of Manila, Philippines

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NATIONAL MUSEUM OF THE
PHILIPPINES

BY:

JEREMY BARNS

Director IV

BY:

Director

Signed in the Presence of:

Curator II, Concerned Division

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)


CITY OF MANILA

) S.S.

BEFORE ME, a Notary Public for and in the City of Manila, Philippines on this _____ day of _____ personally appeared the following:

MR. JEREMY BARNS, with Community Tax Certificate No. _____

Issued at _____ on _____ 2010, known to me and to me known to be the same person who acknowledged to me that the same is her own free and voluntary act and deed and that of the institution she represent.

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This contract consists of eight (8) pages, including this page wherein the acknowledgement is written, signed in each and every page by the parties thereof and their instrumental witnesses.

WITNESS MY HAND AND NOTARIAL SEAL on the date and place first above written.

NOTARY PUBLIC

Doc. No. _____;

Page No. _____;


Book No. _____;

Series of 2010.

ACKNOWLEDGEMENT

_____)
) S.S.

BEFORE ME, a Notary Public for and in _____, this _____ day of _____ personally appeared:

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_____, with Passport No. _____ issued at _____ on _____ both known to me and to me known to be the same person who acknowledged to me that the same is his own free and voluntary act and deed and that of the institution he represent.

This contract consists of eight (8) pages, including this page wherein the acknowledgement is written, signed in each and every page by the parties thereof and their instrumental witnesses.

WITNESS MY HAND AND NOTARIAL SEAL on the date and place first above written.


NOTARY PUBLIC

Doc. No. _____;

Page No. _____;

Book No. _____;

Series of 2010.


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NATIONAL MUSEUM OF THE PHILIPPINES

LOAN AGREEMENT INFORMATION FORM

1. Name of Borrower Institution Persons responsible	
2. Address	
3. Commencement Date for Loan	
4. End Date of Loan	
5. Delivery Date	
6. Delivery Location	
7. Location for Return	

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8. Photographs a. Permit to use existing photographs b. Permit to take new photographs	
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OBJECT LIST


A PASSAGE TO ASIA

(NATIONAL MUSEUM OF THE PHILIPPINES)

(Sample List)

Manunggul Jar Burial Jar 64-M-74 Earthenware Clay; height – 66.5 cm; max. width – 51.5 cm Secondary burial jar Manunggul Cave, Tabon Cave Complex, Quezon, Palawan Stand dimension: height – 13.5 cm Diameter – 30 cm	
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DOCUMENTATION OF CULTURAL PROPERTIES

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IMMOVABLE AND MOVABLE CULTURAL PROPERTIES

GUIDELINES GOVERNING THE DECLARATION AND DELISTING OF CULTURAL PROPERTIES AS NATIONAL CULTURAL TREASURES AND IMPORTANT CULTURAL PROPERTIES; AND ITS DEALINGS AND CONSERVATION ASPECTS

(NM Office Order No. 110, series 2011, May 12, 2011; No. 35, series 2012,
January 30, 2012;

SCOPE and POLICY STATEMENT


Pursuant to Section 6 of the “**Cultural Properties Preservation and Protection Act**” (R. A. No. 4846 as amended by P.D. No. 374), Presidential Decree 260; the “**National Museum Act of 1998**” (R.A. No. 8492) and Sections 4,7, and 8 of Article III and Section 23 of Article VI of the Republic Act No. 10066, otherwise known as “**The National Cultural Heritage Act of 2009**”, the following guidelines governing the ***Declaration or Delisting of Cultural Properties as National Cultural Treasures (NCTs) and Important Cultural Properties (ICPs)***; and its dealings and conservation aspects are hereby promulgated for the guidance of all concerned:

Declaration of Policy

The Constitution of the Philippines provides that the “State shall promote and popularize the nation’s historical and cultural heritage resources”. It is also the policy of the state to preserve and protect National Cultural Treasures and Important Cultural Properties of the nation and to safeguard their intrinsic value.

These cultural properties of the nation are necessary and indispensable in the understanding of its history and culture.

Scope and Coverage


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These guidelines shall govern the declaration of intangible and tangible cultural properties that will include both movable and immovable cultural properties.

The responsibility of the National Museum shall be guided by the following:

1. Fine Arts collection includes built heritage with artistic, aesthetic, architectural, technological, cultural, social and spiritual or religious significance; paintings, sculptures, works of arts and other objects classified as antiques;
2. Archaeological collection refers to artifacts, ecofacts and features;
3. Anthropological collection refers to ethnographic items that are product of human culture that are presently made and those that ceased to exist;
4. Botanical collection refers to spore bearing and flowering plants (Kingdom Plantae) and plant-like organisms (Kingdom Protista and Fungi);
5. Geological collection refers to rocks, mineral and fossils;
6. Zoological collection refers to all organisms belonging to Kingdom Animalia; and
7. Astronomical collection refers to any extraterrestrial objects that may fall in the Philippines.

Objectives

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The objectives of these Guidelines are:

- 3.1 To establish policies and procedures on the declaration and delisting of significant cultural properties as NCTs and ICPs; and
- 3.2 To provide appropriate guidelines for dealings and conservation of NCTs and ICPs and disposition thereof, to protect the interest of the Government and to preserve the cultural heritage of the Filipino people.

Definition of Terms


As used in and for purposes of these guidelines, the following terms shall mean:

- 4.1. **Archaeological materials** are fossils, artifacts, relics, antiques, and other cultural, geological, botanical, zoological materials collected from any place, whether above or underground, underwater or at sea level, which depict and document culturally relevant paleontological, prehistoric and/or historic events.
- 4.2. **Antique** refers to a cultural property found locally which is one hundred (100) years in age, more or less, the production of which has ceased.
- 4.3. **Artifacts** refers to articles that are products of human skills or workmanship, especially in the simple product of primitive arts or industry representing past eras or periods.
- 4.4. **Cultural Property** refers 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

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history specimens and sites, whether public or privately-owned, movable or immovable, and tangible or intangible.

- 4.5. **Ecofacts** are organic materials from archaeological sites, such as bones, shells and plant remains with cultural significance but not modified by man.
- 4.6. **Grades of Cultural Property** refers to the different ranks of cultural properties (Grade I, Grade II and Grade III) classified according to its level of significance.
- 4.7. **Important Cultural Property (ICP)** refers to a cultural property having exceptional cultural, artistic, historical and / or scientific significance to the Philippines, as shall be determined by the National Museum.
- 4.8. **Intangible Cultural Property** refers to the peoples' learned processes along with the knowledge, skills and creativity that inform and are developed by them, the products and other manifestations they create and the resources, spaces and other aspects of social and natural context necessary for their sustainability.
- 4.9. **National Cultural Treasure** refers 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 the National Museum.
- 4.10. **Nationally significant** refers 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.

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4.11. Natural History Specimens classified as cultural property shall include type (Holotype) specimens, endangered and irreplaceable (fossils, plants and animals).

4.12. Relics refer to objects possessing cultural properties which, either as a whole or in fragments, are left behind after the destruction or decay of the rest or parts, and which are intimately associated with important beliefs, practices, customs and traditions, persons and personages.

4.13. Tangible Cultural Property refers 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.


4.14. Traditional Ethnographic Materials are tangible cultural materials made and used by ethno-linguistic groups of the Philippines; Replicas of ethnographic materials for commercial purposes are not classified as cultural property.

Grades of Cultural Property

The following are **Grades of Cultural Property** classified according to its level of significance:

5.1. National Cultural Treasure (Grade I) is a cultural property with highest significance, having criteria previously defined by the National Museum;

5.2. Important Cultural Property (Grade II) is cultural property of high significance, again, having criteria previously defined by National Museum; and

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5.3. Cultural Property (Grade III) refers to all the other cultural properties outside Grades I and II that have been listed in the National Museum Registry of Cultural Property.

PROCEDURE DETAILS

Procedures for Declaration, or Delisting of National Cultural Treasures and Important Cultural Properties

6.1. The National Museum (NM) through its Cultural Properties Division (CPRD) in coordination with concerned division shall identify cultural property that are potential National Cultural treasure (NCT) and Important Cultural Property (ICP);


6.2. Owners of cultural property and other individuals, organizations and Institutions may request the NM to declare cultural property as NCT or ICP;

6.3. In case of a local government unit, a ***Sanguniang Bayan*** Resolution requesting the NM to declare a significant cultural property as NCT and/ or ICP is a requirement;


6.4. The petitioners shall submit a written commitment to a shared responsibility in the maintenance, preservation and protection of the significant cultural property;

6.5. The CPRD and a representative from the concerned division shall conduct an initial and / or ocular assessment and evaluation of cultural property using the following criteria:


6.5.1. Represents a masterpiece of Filipino creativity;

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- 6.5.2. Bears a unique or at least exceptional testimony to Philippine cultural tradition (extinct or extant);
- 6.5.3. An outstanding or highly exceptional example of type of building, architectural or technological ensemble or landscape which illustrates significant stages in Philippine History;
- 6.5.4. An outstanding or highly exceptional example of traditional human settlement which is representative of a culture or human interaction with the environment;
- 6.5.5. Associated with events or living traditions with ideas, or with beliefs, with artistic and literary works of outstanding or highly exceptional significance;
- 6.5.6. Buildings and structures at least 50 years old; must reasonably intact – 70% authentic; interiors must have been preserved most of its original furnishings; and architecture must be an excellent representation of artistic style or technique;
- 6.5.7. Contains superlative natural phenomenon or areas of exceptional natural beauty and aesthetic importance;
- 6.5.8. An outstanding or highly exceptional example representing major stages of Philippine geological history or events;
- 6.5.9. An outstanding or highly exceptional example representing significant ecological and biological processes;
- 6.5.10. Contains the most important and significant natural habitat for *in-situ* conservation of biological diversity; and
- 6.5.11. Plants and animals that are classified as holotype specimens.


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- 6.6. The CPRD personnel and the representative from the concerned division of the NM shall fill up the official forms for intangible and tangible cultural properties – movable and immovable (Annexes A, B, C);
- 6.7. If the cultural property meets one or more of the criteria mentioned above, the owner(s) or administrators thereof shall be required to provide the NM with pertinent data as to their source, date of acquisition and other matters relative thereto;
- 6.8. Upon verification of the suitability of the property as a NCT or an ICP, the NM shall send the dossiers of identified cultural properties compiled by the CPRD, to the National Commission for Culture and the Arts (NCCA) through its appropriate office;
- 6.9. The NCCA shall send notices of hearing to the owner and stakeholders. Stakeholders, including but not limited to local government units, local culture and arts council, local tourism councils, non-government conservation organizations, and schools, may be allowed to file their support or opposition to the petition; the representatives from the CPRD and the concerned division shall participate actively in the hearings;
- 6.10. The results of the hearings shall be forwarded to the NM by the NCCA for appropriate action;
- 6.11. The NM Director, after having a compilation of potential NCTs and ICPs, shall create and convene, as often as the need arises, a panel of experts to evaluate and designate the proper classification of those cultural properties;
- 6.12. The Panel of Experts is a body composed of at least three competent men or women in the specialized fields of anthropology, natural sciences, history and archives, fine arts, philately and numismatics, or shrines and monuments, duly designated by the Director IV to


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evaluate and designate NCTs and ICPs or to declassify the same as need arises;

- 6.13. If the cultural property has also an outstanding historical value, the NM shall coordinate with the National Historical Commission of the Philippines. Such coordination may take the form of joint declarations;
- 6.14. The panel shall issue a resolution regarding the declaration; the Director IV affirms or negates the resolution; this may be done through a referendum;
- 6.15. Fifteen (15) days prior to the meeting of the panel of experts, an invitation shall be sent to the owner to attend in the deliberation and to be given a chance to be heard; failure on the part of the owner to attend the deliberation shall not bar the panel from renderings its decision;
- 6.16. The declaration which shall be given by the panel duly affirmed by the Director IV within a week after its deliberation shall become final and binding thirty (30) days from the date of the declaration. Within thirty (30) days from the date of declaration, a written motion for reconsideration may be filed by the owner thereof and if the same is denied by the panel, it may be further appealed to the Chairman of the NM Board of Trustees with two experts as members or the Chairman of the National Commission for Culture and the Arts. Their decision shall be final and binding;
- 6.17. The time during which motion for reconsideration or appeal has been pending shall stay the period of the finality of the judgment;
- 6.18. Procedure for declassification or delisting of NCTs and ICPs shall be made in accordance with the preceding provisions; the grounds for delisting shall be the following:

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- 6.18.1. New evidence and substantial proof that the NCT and / or ICP does not merit the outstanding significance and recognition given to it;
 - 6.18.2. Misrepresentation by the owner, administrator or custodian of the NCT and or ICP;
 - 6.18.3. Reconstruction and restoration works undertaken without the approval of the NM;
 - 6.18.4. Unwarranted intervention, damage and degradation so severe as to diminish or destroy its authenticity or integrity; and restoration introduced is found to be untenable; and
 - 6.18.5. NCTs declared by law (Presidential Decrees and Presidential Proclamations) may be delisted unless by a specific act from the Office of the President or legislature revoking or amending the declaration.
- 6.19. All NCTs and ICPs shall be included in the Philippine Registry of Cultural Property;
 - 6.20. All declarations shall be covered with a Memorandum of Agreement between the NM and the administrator of the NCT and / or ICP; the agreement shall detail the powers, obligations and limitations agreed upon regarding the maintenance and use of the of the concerned cultural property; and
 - 6.21. A public declaration shall be conducted prior to the unveiling of the NCT and or ICP marker; during public declaration, the NM shall provide the owner, administrator or the custodian an original copy of the resolution and declaration fastened in an official certificate folder of the NM with its logo on the cover; the color of the folder is maroon and the logo is gold (Appendices D, E and F).

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Dealings of National Cultural Treasures and Important Cultural Properties

- 7.1. The National Museum shall be given the right of first refusal in the purchase of cultural properties declared as National Cultural Treasures. The National Museum shall appropriate funds annually or use its donated funds for such purpose;
- 7.2. No Cultural Properties under Grades I and II shall be sold, resold, or taken out of the country without first securing a clearance from the National Museum;
- 7.3. Cultural Properties under the category Grades I and II shall not change ownership, except by inheritance or by sale duly approved by the National Museum; provided, however, that it may not be taken out of the country for reasons of inheritance or sale;
- 7.4. Cultural Properties under the category Grades I and II may be taken out of the country only with the Permit To Export from the National Museum and only for purposes of exhibition or for scientific scrutiny but shall be returned immediately after such exhibition or study; provided, however, that necessary safeguards have been duly complied with, as required by the concerned cultural agency; and
- 7.5 Cultural Properties under the category Grade III may be taken out of the country only with the Permit to Export from the National Museum.

Privileges of NCTs and ICPs

All cultural properties declared as NCTs shall be entitled to the following privileges:

- 8.1. Priority government funding for protection, conservation and restoration;

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8.2. Incentive for private support of conservation and restoration through the Commission's Conservation Incentive Program for National Cultural treasures;

8.3. In times of armed conflict, natural disasters, and other exceptional events that endanger the cultural heritage of the country, all NCTs shall be given utmost priority protection by the Government; and

8.4. All cultural property declared as ICPs may also receive government funding for its protection, conservation, and restoration.

Issuance of Certificate and Installation of NCT and ICP Marker

9.1. For all cultural properties, movable and immovable, declared as NCTs and ICPs, a certificate of declaration shall be issued as a documentary evidence of its significance;


9.2. A Heritage Marker indicating that the immovable cultural property
Has been identified as NCTs and or ICPs shall be placed on an
Immovable cultural property;

9.3. The official certificate (legal size) shall be written in English while the NCT and ICP markers shall be written in Filipino, the national language;


9.4. The NM shall bear the cost of marker fabrication;

9.5. Upon request, the marker may be written in local language or dialect but the cost of fabrication shall be borne by the requesting party;

9.6. The NM shall coordinate with the ***Komisyon ng Wikang Pambansa*** in the translation of the text of the marker to Filipino and local languages / dialects;

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- 9.7. The NCT / ICP marker shall be made of cast iron material, having a molded text plate / panel on which the declaration is embossed; the dimension of the marker is height: 24 inches; width:18 inches;
- 9.8. The official seal of the Republic of the Philippines and the year of the marker shall be placed at the top of the marker;
- 9.9. The marker shall be attached to the wall at eye level in the interior of the declared building where it can be best viewed by the public, or installed on a separate pedestal at appropriate location;
- 9.10. The unveiling of the marker shall be held in conjunction with the significant event or upon request of the administrator / owner of the NCT and/ or ICP; in coordination with the NM, the administrator or owner of the NCT and / or ICP shall prepare a program to commemorate the unveiling of the marker;
- 9.10. The official certificate and NCT / ICP markers appear in Appendices G and H;
- 9.11. For joint declaration, the NHCP Heritage marker may include in the text the designation of the cultural property as a National Cultural Treasure;
- 9.12. The marker is government property and as such may not be removed, altered or destroyed without the written authority from the Director of the NM. Anyone who vandalizes the marker or violates this provision shall be charged criminally in keeping with the law;
- 9.13. The marker shall not be removed from the original site or structure, neither shall it be transferred to another site or location without the prior written permission from the NM Director; and

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9.14. In case of a lost marker, a replacement shall be fabricated that retains the seal of the Republic, year of original installation, and the original agency which installed the marker.

Conservation of NCTs and ICPs

10.1. The NM shall prioritize technical assistance projects in the urgency of the need for conservation or restoration;

10.2. Technical assistance to be provided by the Restoration and Engineering Division and / or Chemistry and Conservation Laboratory Division, shall consist of feasibility studies, architectural, structural and other technical plans and drawings;

10.3. All intervention works and measures on conservation of NCTs and ICPs shall be undertaken only upon prior approval of the NM which shall Supervise the same;


10.4. The NM through its Restoration and Engineering Division and / or Chemistry and Conservation Laboratory Division shall approve only those methods and materials that strictly adhere to the accepted international standards of conservation;

The NM shall comply with international principles of conservation as set forth in the following:

10.4.1. International Charter for Conservation and Restoration of Monuments and Sites, 1946 / 1981 (Venice Charter);

10.4.2. Charter on the Conservation of Historic Towns and Urban Areas, 1987 (Washington Charter);

10.4.3. Nara Document on Authenticity;


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10.4.4. Code of Ethics of the American Institute for Conservation of Historic and Artistic Works; and

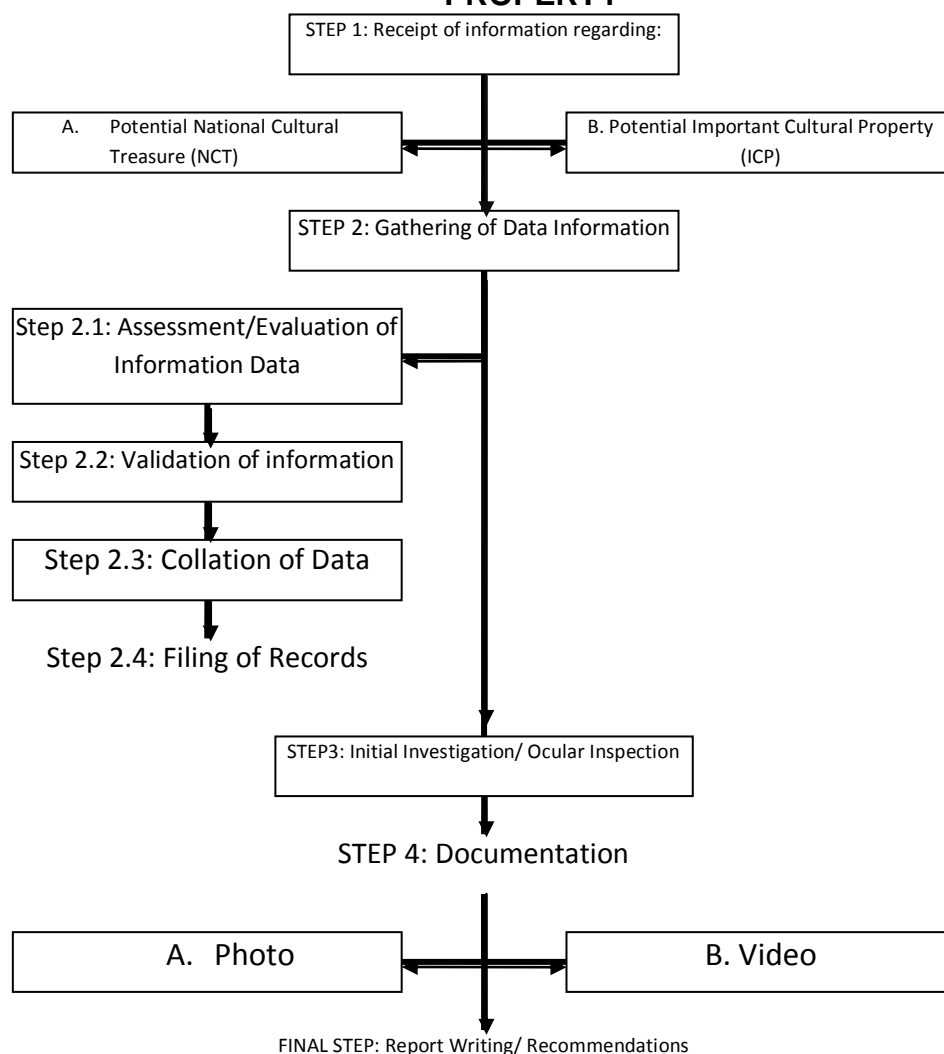
10.4.5. Other universally accepted standards of conservation.


10.5. Given the potentially large number of NCTs and ICPs, the cost of the maintenance, conservation and restoration, the extent of need and budgetary constraints, the principle of shared responsibility between the NM and concerned government units or private parties shall be vigorously encouraged; this responsibility shall also include raising public awareness of the NCT or ICP; and

10.6. Immovable NCTs and ICPs shall not be relocated, rebuilt, defaced or otherwise changed in a manner, which would destroy the property's dignity and authenticity, except to save such property from destruction due to natural causes.

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FLOWCHART FOR THE DECLARATION OF CULTURAL PROPERTY AS NATIONAL CULTURAL TREASURE AND IMPORTANT CULTURAL PROPERTY



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CPRD – NCT/ICP – Form A



Republic of the Philippines
NATIONAL MUSEUM
 CULTURAL PROPERTIES DIVISION
INTANGIBLE CULTURAL PROPERTY




ENTRY NUMBER

REGION	PROVINCE	YEAR	NUMBER	
DATE				

NAME OF CULTURAL PROPERTY
Common:
Local Name:

LOCATION		
Number and Street		
Barangay/Barrio:		
City/Municipality:	Province:	Region:

CLASSIFICATION				
ORAL TRADITIONS	PERFORMING ARTS	SOCIAL PRACTICES	KNOWLEDGE	TRADITIONAL CRAFTSMANSHIP
Customs <input type="radio"/> Language <input type="radio"/> Customary <input type="radio"/>	Songs <input type="radio"/> Dance <input type="radio"/> Epic <input type="radio"/>	Religious rites <input type="radio"/> Rituals <input type="radio"/> Culinary traditions <input type="radio"/>	Practices on nature <input type="radio"/> Beliefs on universe <input type="radio"/>	Weaving <input type="radio"/> Metallurgy <input type="radio"/> Pottery <input type="radio"/>


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Laws		Festive Events <input type="radio"/>	Worship <input type="radio"/>	Basketry <input type="radio"/>
		Writing <input type="radio"/>		Sculpture <input type="radio"/>

ASSOCIATED CULTURAL PROPERTY	
IMMOVALBE CULTURAL PROPERTY <input type="radio"/>	MOVABLE CULTURAL PROPERTY <input type="radio"/>
Cultural Landscape <input type="radio"/> Cave / Rock Shelter <input type="radio"/> Rock Formation <input type="radio"/> House / building <input type="radio"/>	Musical Instruments <input type="radio"/> Implements <input type="radio"/> Ornaments <input type="radio"/> Weapons <input type="radio"/> Clothing <input type="radio"/>

OWNER OF PROPERTY	
Owner/Administrator:	
Address:	
City/Municipality	Province:


INTEGRITY / AUTHENTICITY	
ALTERED <input type="radio"/> UNALTERED <input type="radio"/> MOVED <input type="radio"/> ORIGINAL SITE <input type="radio"/>	

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Describe : SOCIAL AND NATIONAL CONTEXT

PHOTOGRAPHS


PERIOD/DATE OF ORIGIN / NATURE	RELIGIOUS
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Pre-colonial <input type="radio"/> Spanish <input type="radio"/> American <input type="radio"/> Post War <input type="radio"/>	Islamic <input type="radio"/> Christian <input type="radio"/> Indigenous <input type="radio"/> Others: (Specify) <input type="radio"/> <hr/> <hr/>
---	---


AREAS OF SIGNIFICANCE (Check one or more as appropriate)			
Anthropology <input type="radio"/>	Entertainment <input type="radio"/>	Painting <input type="radio"/>	Social/Humanitarian <input type="radio"/>
Architecture <input type="radio"/>	Industry <input type="radio"/>	Philosophy <input type="radio"/>	Transportation <input type="radio"/>
Commerce <input type="radio"/>	Landscape <input type="radio"/>	Political <input type="radio"/>	Urban Planning <input type="radio"/>
Communication <input type="radio"/>	Literature <input type="radio"/>	Religion <input type="radio"/>	Works of Arts <input type="radio"/>
Education <input type="radio"/>	Military <input type="radio"/>	Science <input type="radio"/>	Others (specify) <input type="radio"/>
Engineering <input type="radio"/>	Music <input type="radio"/>	Sculpture <input type="radio"/>	<hr/> <hr/>

ASSESSMENT OF SIGNIFICANCE			
PRIMARY CRITERIA NATIONAL REGIONAL			
Historical Significance	Yes <input type="radio"/>	No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>
Cultural Significance	Yes <input type="radio"/>	No <input type="radio"/>	
Aesthetic, Artistic or	Yes <input type="radio"/>	No <input type="radio"/>	

 <small>NATIONAL MUSEUM PAMBANSANG MUSEO</small>	<h1 style="text-align: center;">NATIONAL MUSEUM</h1> <h2 style="text-align: center;">Cultural Properties Regulation Division- Procedure and Work Instruction Manual</h2>	PAWIM VOLUME 1- 001	
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Architectural Significance			
Scientific, Research or Technological Significance	Yes	<input type="radio"/>	No <input type="radio"/>
Social or Spiritual Significance	Yes	<input type="radio"/>	No <input type="radio"/>
<hr/>			
COMPARATIVE CRITERIA			
Provenance	Yes	<input type="radio"/>	No <input type="radio"/>
Representativeness	Yes	<input type="radio"/>	No <input type="radio"/>
Rarity	Yes	<input type="radio"/>	No <input type="radio"/>
Interpretive Potential	Yes	<input type="radio"/>	No <input type="radio"/>

STATEMENT OF SIGNIFICANCE

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MAJOR BIBLIOGRAPHIC REFERENCE	
RECOMMENDATION	
National Cultural Treasure	<input type="radio"/>
Important Cultural Property	<input type="radio"/>
Cultural Property	<input type="radio"/>

FORM PREPARED BY:
NAME : DESIGNATION:
ORGANIZATION/OFFICE: ADDRESS:

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CPRD-NCT/ICP- Form B

 NATIONAL MUSEUM PAMBANSANG MUSEO	Republic of the Philippines NATIONAL MUSEUM CULTURAL PROPERTIES DIVISION TANGIBLE CULTURAL PROPERTY MOVABLE CULTURAL PROPERTY	
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ENTRY NUMBER

REGION	PROVINCE	YEAR	NUMBER	DATE


NAME OF CULTURAL PROPERTY
Common:
Local Name:

LOCATION
Number and Street
Barangay/Barrio:
City/Municipality: Province: Region:

CLASSIFICATION			
Category	Ownership		Accessible to Public
Archaeological Materials <input type="radio"/>	Private <input type="radio"/>	Public Acquisition:	
Ethnographic items <input type="radio"/>		In Progress <input type="radio"/>	Yes <input type="radio"/>
Antiques <input type="radio"/>	Public <input type="radio"/>	Being Considered <input type="radio"/>	No <input type="radio"/>
Relics <input type="radio"/>	Both <input type="radio"/>		
Natural History Specimens <input type="radio"/>			

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OBJECT TYPE / DESCRIPTION				
Archaeological materials	Ethnographic Items	Antiques	Relics	Natural History Specimens
Artifacts Stone tools <input type="radio"/> Stone Ornaments <input type="radio"/> Ceramics <input type="radio"/> Earthenware <input type="radio"/> Stoneware <input type="radio"/> Porcelain <input type="radio"/> Metal <input type="radio"/> Glass <input type="radio"/> Modified Shell <input type="radio"/> Modified Bone <input type="radio"/> Ecofacts Shells <input type="radio"/> Bones <input type="radio"/> Fossils <input type="radio"/> Plant Remains <input type="radio"/>	Agricultural / <input type="radio"/> cultivation implements Architecture <input type="radio"/> Clothing <input type="radio"/> Communication, <input type="radio"/> Records , Measures Decorative articles <input type="radio"/> Games and <input type="radio"/> Hobbies Household items <input type="radio"/>	Works of Arts Painting <input type="radio"/> Sculpture <input type="radio"/> Carvings <input type="radio"/> Jewelry <input type="radio"/> Sketches <input type="radio"/> Drawings/Illustration <input type="radio"/> Religious objects Images <input type="radio"/> Priests clothing <input type="radio"/> Liturgical object <input type="radio"/> Works of Industrial / commercial arts <input type="radio"/> Furniture <input type="radio"/> Ceramics <input type="radio"/> Metal heraldic items <input type="radio"/>	Human bone <input type="radio"/> Animal bone <input type="radio"/> Shell <input type="radio"/> Wood <input type="radio"/>	Fossil <input type="radio"/> Plant <input type="radio"/> Animal <input type="radio"/> Holotype <input type="radio"/> Endangered species <input type="radio"/> Irreplaceable <input type="radio"/> Extra terrestrial Meteorites <input type="radio"/> Tektites <input type="radio"/>

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	Musical Instruments <input type="radio"/>	Wood heraldic items <input type="radio"/>		
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	Personal <input type="radio"/> ornamementations Ritual Implements <input type="radio"/> Trade Commodities <input type="radio"/> Weapons <input type="radio"/>	Medals <input type="radio"/> Badges <input type="radio"/> Coins <input type="radio"/> Insignias <input type="radio"/> Coat of Arms <input type="radio"/> Crests <input type="radio"/> Flags <input type="radio"/> Buttons <input type="radio"/> Arms and ammunition <input type="radio"/> Vehicles <input type="radio"/> Ship or boat <input type="radio"/> Clothing <input type="radio"/> Elements of immovable <input type="radio"/> cultural property		
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OWNER OF PROPERTY
Owner/Administrator:

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Address:	
City/Municipality	Province:

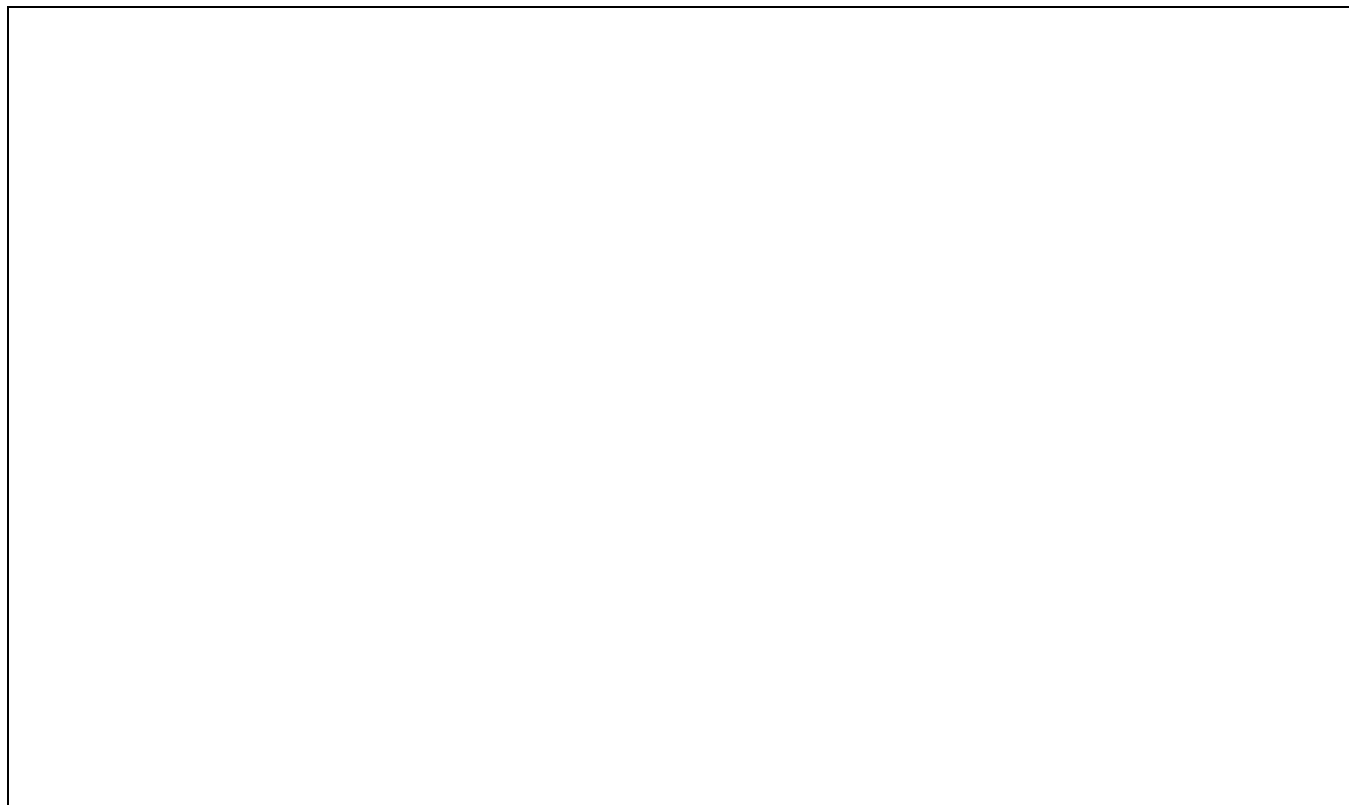
CONDITION	INTEGRITY
EXCELLENT (at least 90% intact) <input type="radio"/>	ALTERED <input type="radio"/> UNALTERED <input type="radio"/>
GOOD (at least 70% intact) <input type="radio"/>	
FAIR (at least 50% intact) <input type="radio"/>	
DETERIORATED (at least 10% intact) <input type="radio"/>	

OBJECT HISTORY

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Institution Inventory number :	_____
(if available)	_____
Materials used:	_____
Measurement:	_____
Function:	_____
Creator Name:	_____
Creation Date:	_____
Creation Place:	_____
Region, country or culture:	_____
Acquisition History :	_____
(Date and place of acquisition)	_____
Past and present owners name:	_____

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PHOTOGRAPH

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PERIOD/DATE		
PRE HISTORIC	HISTORIC	RELIGIOUS
Paleolithic <input type="radio"/>	Spanish <input type="radio"/>	Islamic <input type="radio"/>
Neolithic <input type="radio"/>	American <input type="radio"/>	Christian <input type="radio"/>
Metal Age <input type="radio"/>	Japanese <input type="radio"/>	Indigenous <input type="radio"/>
Age of Trade/ Age of Contact <input type="radio"/>	Post War <input type="radio"/>	Others: (Specify) <input type="radio"/>

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Specific Date(s) :


AREAS OF SIGNIFICANCE (Check one or more as appropriate)			
Anthropology <input type="radio"/>	Entertainment <input type="radio"/>	Natural History <input type="radio"/>	Social/Humanitarian <input type="radio"/>
Archaeology <input type="radio"/>	Industry <input type="radio"/>	Painting <input type="radio"/>	Technology <input type="radio"/>
Architecture <input type="radio"/>	Landscape <input type="radio"/>	Philosophy <input type="radio"/>	Transportation <input type="radio"/>
Commerce <input type="radio"/>	Literature <input type="radio"/>	Political <input type="radio"/>	Works of Arts <input type="radio"/>
Communication <input type="radio"/>	Military <input type="radio"/>	Religion <input type="radio"/>	Others (specify)
Education <input type="radio"/>	Museology <input type="radio"/>	Science <input type="radio"/>	_____
Engineering <input type="radio"/>	Music <input type="radio"/>	Sculpture <input type="radio"/>	_____

ASSESSMENT OF SIGNIFICANCE

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MAJOR BIBLIOGRAPHIC REFERENCE


RECOMMENDATION
<div> <div>National Cultural Treasure</div> <div> <input type="radio"/> </div> </div> <div> <div>Important Cultural Property</div> </div>

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Cultural Property <input type="radio"/>

FORM PREPARED BY:
NAME : DESIGNATION:
ORGANIZATION/OFFICE: ADDRESS:

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CPRD- NCT/ICP Form C



Republic of the Philippines
NATIONAL MUSEUM
 CULTURAL PROPERTIES DIVISION
 TANGIBLE CULTURAL PROPERTY
IMMOVABLE CULTURAL PROPERTY




ENTRY NUMBER

REGION	PROVINCE	YEAR	NUMBER	DATE

NAME OF CULTURAL PROPERTY	
Common:	
Local Name:	

LOCATION	
Number and Street	
Barangay/Barrio:	
City/Municipality:	Province:
Region:	
Coordinates:	Longitude :
	Latitude :

CLASSIFICATION			
Category	Ownership	Status	Accessible to Public
Building <input type="radio"/>	Private <input type="radio"/>	Public Acquisition:	Yes <input type="radio"/>
Cave <input type="radio"/>	In Progress <input type="radio"/>	Occupied <input type="radio"/> Unoccupied <input type="radio"/>	

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Open Site <input type="radio"/>	Public	Being Considered <input type="radio"/>	Preservation work in Progress <input type="radio"/>	No <input type="radio"/>
Structure <input type="radio"/>	Both <input type="radio"/>			
Underwater <input type="radio"/>				

PRESENT USE					
Agriculture <input type="radio"/>	Entertainment <input type="radio"/>	Landmark <input type="radio"/>	Pasture <input type="radio"/>	Ornamental <input type="radio"/>	
Commerce <input type="radio"/>	Government <input type="radio"/>	Military <input type="radio"/>	Private Residence <input type="radio"/>	Technological <input type="radio"/>	
Ecclesiastical/Religion <input type="radio"/>	Health <input type="radio"/>	Monument <input type="radio"/>	Reservation <input type="radio"/>	Transportation <input type="radio"/>	
Education <input type="radio"/>	Industrial <input type="radio"/>	Museum <input type="radio"/>	Scientific <input type="radio"/>	Others <input type="radio"/>	
				None <input type="radio"/>	

OWNER OF PROPERTY	
Owner/Administrator:	
Address:	
City/Municipality	Province:


LOCATION OF LEGAL DESCRIPTION
Registry of Deeds:
Number and Street:
City or Municipality:
Approximate area of property (square meters):

CONDITION	INTEGRITY
-----------	-----------

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(Attach other photographs and sketches in separate sheets)


PERIOD/DATE		
PRE HISTORIC	HISTORIC	RELIGIOUS
Paleolithic <input type="radio"/> Neolithic <input type="radio"/> Metal Age <input type="radio"/> Age of Trade <input type="radio"/>	Spanish <input type="radio"/> American <input type="radio"/> Post War <input type="radio"/>	Islamic <input type="radio"/> Christian <input type="radio"/> Indigenous <input type="radio"/> Others: (Specify) <input type="radio"/> <hr/> <hr/>
Specific Date(s) :		

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AREAS OF SIGNIFICANCE (Check one or more as appropriate)			
Anthropology <input type="radio"/>	Entertainment <input type="radio"/>	Music <input type="radio"/>	Sculpture <input type="radio"/>
Archaeology <input type="radio"/>	Heritage Site <input type="radio"/>	Painting <input type="radio"/>	Social/Humanitarian <input type="radio"/>
Architecture <input type="radio"/>	Industry <input type="radio"/>	Philosophy <input type="radio"/>	Transportation <input type="radio"/>
Commerce <input type="radio"/>	Landscape <input type="radio"/>	Political <input type="radio"/>	Urban Planning <input type="radio"/>
Communication <input type="radio"/>	Literature <input type="radio"/>	Religion <input type="radio"/>	Others (specify) <input type="radio"/>
Education <input type="radio"/>	Military <input type="radio"/>	Science <input type="radio"/>	
Engineering <input type="radio"/>			


ASSESSMENT OF SIGNIFICANCE									
PRIMARY CRITERIA									
NATIONAL	REGIONAL	PROVINCIAL		<input type="radio"/>		<input type="radio"/>		<input type="radio"/>	
Historical Significance	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>
Cultural Significance	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>
Aesthetic, Artistic or Architectural Significance	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>
Scientific, Research or Technological Significance	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>
Social or Spiritual Significance	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/>

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COMPARATIVE CRITERIA

Provenance	Yes <input type="radio"/>	No <input type="radio"/>
Representativeness	Yes <input type="radio"/>	No <input type="radio"/>
Rarity	Yes <input type="radio"/>	No <input type="radio"/>
Interpretive Potential	Yes <input type="radio"/>	No <input type="radio"/>


STATEMENT OF SIGNIFICANCE
MAJOR BIBLIOGRAPHIC REFERENCE

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RECOMMENDATION	
National Cultural Treasure	<input type="radio"/>
Important Cultural Property	<input type="radio"/>
Cultural Property	<input type="radio"/>
Heritage Zone	<input type="radio"/>

FORM PREPARED BY:
NAME : DESIGNATION:
ORGANIZATION/OFFICE: ADDRESS:

CHECKLIST
PETITION FOR DECLARATION OF CULTURAL PROPERTY AS NATIONAL
CULTURAL TREASURE OR IMPORTANT CULTURAL PROPERTY

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PETITION NO.: _____

This will serve as an acknowledgement receipt of application. The following are the mandatory requirements to be complied with.

STAGE 1 Formal Request for Declaration:

☐

Petitioner (Owner; Administrator; Concerned Entity; LGU; or National Museum) submitted a written request to the National Museum (NM);

STAGE 2 Evaluation Process:

☐

Cultural Properties Division (CPRD) and a representative from concerned division has conducted an initial ocular assessment and evaluation of cultural property following certain criteria provided;

☐

Passed the evaluation of CPRD and a representative from concerned division based on the Intangible/Movable/Immovable Evaluation Form;

☐

Submitted dossiers of the cultural property to the National Commission for Culture and the Arts (NCCA);

STAGE 3 Hearing by NCCA / NM :

☐

Petitioner received notice of hearing from the NCCA;

☐

Results of hearing forwarded to the NM by the NCCA for appropriate action;

STAGE 4 Deliberations by Panel of Experts:

☐

Petitioner received an invitation from the Panel of Experts convened by the NM Director for the purpose of evaluating and classifying the subject cultural property (must be received within 15 days prior to said meeting);


STAGE 5 Issuance of Resolution, Declaration, Unveiling and Issuance of Certificate:

☐

A Resolution regarding the declaration issued by the Panel of Experts;

☐

The Resolution is final and binding (automatic after 30 days from declaration);

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- ☐ Petitioner submitted a written commitment to a shared responsibility in the maintenance, preservation and protection of the cultural property;
- ☐ Date for public declaration has been agreed upon by the NM and Petitioner;
- ☐ Unveiling of the marker and issuance of Certificate of Declaration.
- ☐ Publication of Declaration in two (2) newspapers of general circulation
- ☐ Publication of trivia on declared NCTs and ICPs

NOTE:


Request for declaration may be done by the owner, administrator or concerned entity; it may also be done by the Local Government Unit concerned through a Sanggunian Resolution; or by initiative of the National Museum through the concerned division;


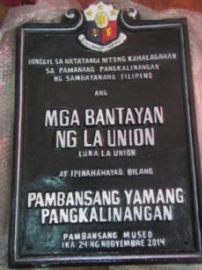
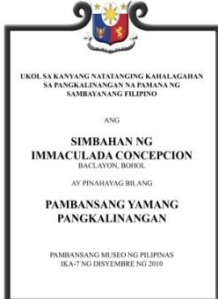
Where the cultural property did not pass the evaluation made by the CPRD and representative from concerned division, Petitioner will receive a letter from the NM stating therein the reasons for rejection of application;

In cases where the cultural property subject of request for declaration has an outstanding historical value, the National Museum shall coordinate with the National Historical Commission of the Philippines;

The NM Director IV may negate the issuance of the resolution by the panel of expert through a referendum;

A written Motion for Reconsideration (MR) may be filed by the owner of the cultural property within 30 days from the date of declaration with the right to appeal to the Chairman of the NCCA Board of Commissioners.

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GUIDELINES FOR THE SENDING OF INTANGIBLE CULTURAL HERITAGE DECLARED AS NATIONAL CULTURAL TREASURE OUTSIDE OF THE COUNTRY

SCOPE and POLICY STATEMENT

When an invitation for the Philippines to send a contingent of chanters of intangible cultural heritage declared as National Cultural Treasures by the NMP, the guiding principle should be that the best representatives should be sent. In this light, the following provisions should be followed in accordance with the provisions covering National Cultural Treasures under RA 4846 as amended by PD 374 and RA 8492.

1. Chanters should be led by a qualified chanter who is recognized by a local council for cultural heritage, National Museum of the Philippines (NMP) and National Commission for Culture and the Arts (NCCA);

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2. Groups winning in chanting competition should also be considered as country's representatives, especially provincial winners;
3. A representative from the NMP or the NCCA shall accompany the National Cultural Treasure in the trip abroad, provided that the representative must be articulate on the tangible cultural heritage not only on the structure and organization of the performance, but also the cultural background of the chant, as well as culture of the ethno-linguistic group;
4. The NMP or NCCA representative shall submit a narrative report on the completed trip to the NMP within two weeks of arrival.


**GUIDELINES GOVERNING THE CATEGORIZATION AND DEALINGS OF
ARCHAEOLOGICAL AND TRADITIONAL ETHNOGRAPHIC MATERIALS**
 (NM Office Order No. 108, series 2011, May 2, 2011)

SCOPE and POLICY STATEMENT

Pursuant to Sections 5 and 11 of Article III, and Sections 23 and 24 of Article VI of the Republic Act No. 10066, otherwise known as “**The National Cultural Heritage Act of 2009**”, the following guidelines are hereby promulgated for the guidance of all concerned:

Section 1. Declaration of Policy

The Constitution of the Philippines provides that the “State shall promote and popularize the nation’s historical and cultural heritage resources”. It is also the

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policy of the state to preserve and protect Important Cultural Properties and National Cultural Treasures of the nation and to safeguard their intrinsic value.

These cultural properties of the nation are necessary and indispensable in the understanding of its history and culture.

Section 2. Scope and Coverage

These guidelines shall govern the categorization and dealings of archaeological and traditional ethnographic materials for the purposes of protecting, and regulating the export, transit, import and repatriation of cultural property.

Section 3. Objectives


The objectives of these Guidelines are:

- 3.3 To rationalize the system of categorization of archaeological and traditional ethnographic materials;
- 3.4 To provide appropriate guidelines for dealings of cultural property and disposition thereof, to protect the interest of the Government and to preserve the cultural heritage of the Filipino people.


Section 4. Definition of Terms

As used in and for purposes of these guidelines, the following terms shall mean:


- 4.15. Archaeological materials** are fossils, artifacts, relics, antiques, and other cultural, geological, botanical, zoological materials collected from any place, whether above or underground, underwater or at sea level, which depict and document culturally relevant paleontological, prehistoric and/or historic events.
- 4.16. Antique** refers to a cultural property found locally which is one hundred (100) years in age, more or less, the production of which has ceased.

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- 4.17. Artifacts** refers to articles that are products of human skills or workmanship, especially in the simple product of primitive arts or industry representing past eras or periods.
- 4.18. Ching (Qing) Dynasty** is the period in Chinese history that started from 1664 AD to 1912 AD under the Manchu rule.
- 4.19. Cultural Property** refers 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.
- 4.20. Ecofacts** are organic materials from archaeological sites, such as bones, shells and plant remains with cultural significance but not modified by man.
- 4.21. Five Dynasties** is a period in Chinese history known as the era of disunion that started from 907 AD to 960 AD.
- 4.22. Grades of Cultural Property** refers to the different ranks of cultural properties (Grade I, Grade II and Grade III) classified according to its level of significance.
- 4.23. Important Cultural Property (ICP)** refers to a cultural property having exceptional cultural, artistic, historical and / or scientific significance to the Philippines, as shall be determined by the National Museum.
- 4.24. Intangible Cultural Property** refers to the peoples' learned processes along with the knowledge, skills and creativity that inform and are developed by them, the products and other manifestations they create and the resources, spaces and other aspects of social and natural context necessary for their sustainability
- 4.25. Ming Dynasty** is a period in Chinese history that started from 1368 AD to 1644 AD, the era when the Chinese re-asserted control in China and Eastern Asia.
- 4.26. Metal Age** is the period in Philippine Cultural Chronology marked by the introduction of metals from 2,000 to 1,500 years ago.

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- 4.27. National Cultural Treasure** refers 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 the National Museum.
- 4.28. Nationally significant** refers 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.
- 4.29. Neolithic Age** refers to the New Stone Age, the period in which plants and probably animals were domesticated from 10,000 to 2,000 years ago.
- 4.30. Paleolithic Age** refers to the Old Stone Age, dating from the first use of stone by humans from 800,000 to 10,000 years ago.
- 4.31. Relics** refer to objects possessing cultural properties which, either as a whole or in fragments, are left behind after the destruction or decay of the rest or its parts, and which are intimately associated with important beliefs, practices, customs and traditions, persons and personages.
- 4.32. Song Dynasty** was a ruling dynasty in China between 960 and 1279 is divided into two distinct periods: the Northern Song and Southern Song.
- 4.33. Tang Dynasty** was the most radiant historic period in China's history that started from 618 AD and ending in 907 AD.
- 4.34. Tangible Cultural Property** refers 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.
- 4.35. Traditional Ethnographic Materials** are tangible cultural materials made and used by ethno-linguistic groups of the Philippines; Replicas of ethnographic materials for commercial purposes are not classified as cultural property.

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- 4.36. Yuan Dynasty** was a ruling dynasty founded by Kublai Khan, who ruled most of present-day China, Mongolia and its surrounding areas from 1271 AD to 1368 AD.

Section 5. Categories of Archaeological and Traditional Ethnographic Materials

The following are **Grades of Cultural Property** classified according to its level of significance:

- 5.4. National Cultural Treasure (Grade I)** is a cultural property with highest significance, having criteria previously defined by the National Museum.
- 5.5. Important Cultural Property (Grade II)** is cultural property of high significance, again, having criteria previously defined by National Museum.
- 5.6. Cultural Property (Grade III)** refers to all the other cultural properties outside Grades I and II that have been listed in the Registry of National Museum Data Bank.


Section 6. Classification of Archaeological and Traditional Ethnographic Materials

The Classification of Archaeological and Traditional Ethnographic Materials into Categories / Grades is guided by the following:

6.1. National Cultural Treasure (Grade I)

- 6.1.1. Archaeological and Traditional Ethnographic materials with outstanding historical, cultural, artistic and/or scientific value which is nationally significant and important to the country and nation, and officially declared as such by the National Museum and supported by the Panel of Experts.

6.2. Important Cultural Property (Grade II)

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6.2.1. Archaeological materials dated back to Paleolithic, Neolithic, and Metal Periods

6.2.2. Archaeological materials attributed to Tang, Five and Yuan Dynasties

6.2.3. Archaeological materials attributed to Song, Ming and Ching Dynasties; and other archaeological materials from other countries with exceptional cultural, artistic, and historical significance to the Philippines, as determined by the National Museum and supported by the Panel of Experts.

6.2.4. Ethnographic materials that are at least 100 years old from the date of collection, with cultural significance and extensive documentation.

6.3 Cultural Property (Grade III)


6.3.1 Archaeological materials not classified as Grades I and II that have been listed in the Registry of National Museum Data Bank.

6.3.2. Ethnographic materials that are at least 50 years old from the date of collection, with cultural significance and proper documentation.

Section 7. Dealings of Archaeological and Traditional Ethnographic Materials

7.1. The National Museum shall be given the right of first refusal in the purchase of Archaeological and Traditional Ethnographic materials declared as National Cultural Treasures. The National Museum shall appropriate funds annually or use its donated funds for such purpose.

7.2. No archaeological and Traditional Ethnographic materials under Grades I and II shall be sold, resold, or taken out of the country without first securing a clearance from the National Museum.

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7.6. Archaeological and Traditional Ethnographic materials under the category Grades I and II shall not change ownership, except by inheritance or by sale duly approved by the National Museum; provided, however, that it may not be taken out of the country for reasons of inheritance or sale.

7.7. Archaeological and Traditional Ethnographic materials under the category Grades I and II may be taken out of the country only with the Permit To Export from the National Museum and only for purposes of exhibition or for scientific scrutiny but shall be returned immediately after such exhibition or study; Provided, however, that necessary safeguards have been duly complied with, as required by the concerned cultural agency.

7.8 Archaeological and Traditional Ethnographic materials under the category Grade III may be taken out of the country only with the Permit to Export from the National Museum.

Section 8. Separability Clause


If any of the provisions of these rules and regulations is held or declared to be unconstitutional or invalid by a competent court, the other provisions hereof shall continue to be in force as if the provision so annulled or voided had never been incorporated in these rules and regulations.

Section 9. Repealing and Amending Clause

These Guidelines amends and/or revoke other orders, rules and regulations inconsistent herewith.

Section 10. Effectivity

This Office Order shall take effect fifteen (15) days after its complete publication in a newspaper of general circulation and fifteen days after registration with the Office of the National Administrative Register.

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REGISTRATION OF CULTURAL PROPERTIES (FOR PRIVATE COLLECTORS)


SCOPE, POLICY STATEMENT and PROCEDURE

A. Cultural Properties That Do Not Require Outside Inspection


If items to be registered are less than 20 pieces or can be transported without any difficulty by reason of its size, volume or weight, such cultural items shall be brought to the National museum of the Philippines (NMP) for registration.

The procedure in the registration of these items follows:

1. A formal letter of request addressed to the Director of the NMP;
2. Formal requests shall be approved by the Director who shall then endorse the said request to the Head of the Cultural Properties Division (CPRD) for appropriate action;
3. The Head of the Division shall forward the request to the CPRD Registration Section;
4. The Head of the Registration Section or any of its officers shall coordinate with the collector for scheduling and other information and requirements needed by the NMP;
5. The Coordinator (personnel from the Registration Section) shall inform the collector of the following requirements:
 - 5.1. Colored photographs of each item subject showing diagnostic features (3"x5");

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- 5.2. Deed of Sale or a photocopy of Registration from the National Museum of previous owner if acquired from private person or sales invoice (approved by the BIR) if the cultural properties were bought from licensed dealers;
- 5.3. Affidavit of Ownership of items to be registered stating how these items were acquired in the absence of a Deed of Sale;
6. The requesting collector or applicant shall sign the Application Form for Registration of Cultural Artifacts;
7. After proper inspection, verification and providing a technical description of each and every cultural item applied for registration, the National Museum stamps shall then be affixed on the respective cultural items;
8. An Order of Payment shall be prepared and signed by the Assessing Officer. The Head of the Registration Section shall then affix his initials endorsing the same to the Head of the Division attesting that all documents required for registration of cultural items are in order;
9. The Order of Payment shall be signed by the Head of the Division / Officer in Charge, and then forwarded to the requesting party or collector. The collector or his representative shall countersign on the space provided indicating conformity to the amount to be paid;
10. The Order of Payment shall be handed to the collector or his duly authorized representative who shall then pay the respective amount at the NM Cashier's Office;
11. The Order of Payment with attached Official Receipt issued by the Cashier's Office shall be returned to the Registration Section of the Cultural Properties Division;
12. Simultaneous with the processing of payment, the Head of the Registration Section shall prepare or process the Certificate of

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Registration. The Certificate shall be signed by the following CPRD personnel:

12.1 Registering Officer (Registration Section)- manifesting that the cultural artifacts have been inspected and evaluated;

12.2 Initialed by the Officer In Charge or Curator II of the Cultural Properties Division manifesting that all documents are in order;

13 Approval by the Director manifesting that the Certificate of Registration was processed and issued in accordance with the procedure stated above.


14 Original copy of the Certificate of Registration together with the respective Official Receipt shall be issued to the Collector while second copy shall be filed at CPRD Record Section and the remaining copy shall be forwarded to Records Section (Central File) of the NMP.

B. Cultural Properties Requiring Inspection outside the NM


If the items to be registered are twenty (20) pieces or more and/or risk or difficulty in transporting the cultural items by reason of size, volume or weight, will be encountered such items can be registered at the office or residence of the collector.

The procedure in the Registration of these items follows:

1. A formal letter request addressed to the Director of the NMP;
2. Formal requests shall be approved by the Director who shall then endorse the said request to the Head of the Cultural Properties Division (CPRD) for appropriate action;

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3. The Head of the Division shall then forward the approved request to the CPRD Registration Section;
4. The Head of the Registration Section or any of its officers shall coordinate with the collector for scheduling and other pertinent information and requirements needed by the NMP;
5. The Coordinator (personnel from the Registration Section) shall inform the collector of the following requirements:
 - 5.1. Exact number of items applied for registration;
 - 5.2. Colored photographs of each item subject showing diagnostic features (3"x5");
 - 5.3. Deed of Sale or a photocopy of Registration from the National Museum of previous owner if acquired from private person, or corresponding sales invoice (approved by the BIR) if the cultural properties were bought from licensed dealers;
 - 5.4. Affidavit of Ownership of items to be registered stating how these items were acquired in the absence of Deed of Sale;
 - 5.5. Cultural items in the home of private collectors shall be so arranged that NMP personnel assigned to register/inspect such items can work properly within a minimum time;
 - 5.6. The requesting party or the collector is requested to provide food, transportation and if necessary, accommodation for the Museum personnel from and back to the NMP.
 - 5.7. Handy men should be provided to lift big and / or heavy objects such as jars, porcelain and the like for the NMP personnel to inspect;
6. The requesting collector or applicant shall sign an Application Form for Registration of Cultural Artifacts;

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7. After proper inspection, verification and providing a technical description of each and every cultural item applied for registration, the National Museum stamps shall then be affixed on the respective cultural items;
8. The Order of Payment shall be prepared and signed by the Assessing Officer or the Researcher of the said Section. The Head of the Registration Section shall then affix his initial endorsing the same to the Head of the Division attesting that all documents required for registration of cultural items are in order;
9. The Order of Payment shall then be signed by the Head of the Division or Officer-In-Charge and then forwarded to the requesting party or collector. The collector or his representative shall sign the document indicating conformity to the amount to be paid;
10. Order of Payment shall then be handed to the collector or his duly authorized representative who shall then pay the respective amount at the NM Cashier's Office;
11. Order of Payment with attached Official Receipt issued by the Cashier's Office shall be returned to the Registration Section of the Cultural Properties Division;
12. Simultaneous with the processing of the Order of payment, the Head of the Registration Section shall prepare or process the Certificate of Registration;

The following CPRD personnel shall sign the Certificate:

- 12.1. Registering Officer (Registration Section)- manifesting that they have inspected and evaluated the cultural artifacts;

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12.2 Initialed by the Officer In Charge or Curator II of the Cultural Properties Division manifesting that all documents are in order;

13. Approval by the Director manifesting that the Certificate of Registration was processed and issued in accordance with the procedure stated above;

14. Original copy of the Certificate of Registration with Official Receipt shall be released to the Collector while second copy shall be filed at CPRD Record Section and the remaining copy shall be forwarded to Records Section (Central File) of the NMP.

REGISTRATION OF CULTURAL PROPERTIES (FOR DEALERS)


SCOPE, POLICY STATEMENT and PROCEDURE

A. Cultural Properties that do not require Inspection Outside the NM


If the items are less than 20 pieces or can be transported without any risk or difficulty by reason of size, volume or weight, such cultural items shall be brought to the Museum for registration.

The procedure in Registration of these items follows:

1. A formal letter request addressed to the Director or the Head of CPRD of the National Museum;
2. Verification of the applicant's license to deal on cultural artifacts. Registration shall be denied in case of absence or expiry thereof;

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3. After verification that the applicant or dealer has the proper license, the Head of the CPRD shall forward the request to the CPRD Registration Section;
4. The Head of the Registration Section or any of its officers shall assess and evaluate the cultural items brought by the dealer for registration;
5. In the meantime, Order of Payment shall be prepared and signed by the Assessing Officer and initialed by the Head of the CPRD Registration Section;
6. The Order of Payment shall be countersigned by the Dealer or applicant which shall be forwarded to the Head of the Division for its signature;
7. The dealer or his authorized representative shall pay the necessary amount at the NM Cashier's Office. The order of payment including the official receipt shall then be returned to CPRD;
8. After proper inspection, verification and providing a technical description of each and every cultural item applied for registration, the National Museum stamps shall be affixed to the respective cultural items;
9. After proper payment by the dealer or his authorized representative and after evaluation and providing the technical description of the cultural artifact applied for registration, the Head of the Registration Section shall prepare or process the Certificate of Registration. The Certificate shall be signed by the following CPRD personnel:
 - 9.1. Registering Officer (Registration Section)- manifesting that the cultural artifacts have been inspected and evaluated;
 - 9.2. Initialed by the Officer In Charge or Curator II of the Cultural Properties Division manifesting that all documents are in order;


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10. Approval by the Director manifesting that the Certificate of Registration was processed and issued in accordance with the procedure stated above;
11. Original copy of the Certificate of Registration together with the respective Official Receipt shall be issued to the Collector while second copy shall be filed at CPRD Record and the remaining copy shall be forwarded to Records Section (Central File) of the National Museum.


B. Cultural Properties Requiring Inspection Outside the NM

1. Letter request addressed to the Director or Head of the Cultural Properties Division;
2. Verification of the applicant's license to deal on cultural artifacts. Registration shall be denied in case of absence or expiry thereof;
3. After verification that the applicant or dealer has the proper license, the Head of the CPRD shall forward the request to the CPRD Registration Section;
4. The Head of the Registration Section or any of its officer shall coordinate with the dealer for schedules, requirements and other information needed by the NMP;
5. The Coordinator (personnel from the Registration Section) shall inform the dealer of the following requirements:

- 5.1. exact number of items applied for registration;

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- 5.2. Cultural items in the dealer's store shall be arranged so that National Museum personnel assigned to register/inspect such items can work properly within a minimum time;
- 5.3. The Dealer is requested to provide food, per diem, transportation and if necessary, accommodation to Museum personnel from and back to the National Museum;
- 5.4. Handy men should be provided to lift big and / or heavy objects such as jars, porcelain and the like for the National Museum personnel to inspect;
6. After proper inspection, verification and providing a technical description of each and every cultural item applied for registration, the National Museum stamps shall then be affixed to the respective cultural items;
7. An Order of Payment shall be prepared and signed by the Assessing Officer. The Head of the Registration Section shall then affix his initials endorsing the same to the Head of the Division attesting that all documents for registration of cultural items are in order;
8. The Order of Payment shall be signed by the Head of the Division or Officer In Charge and then forwarded to the requesting party or collector. The dealer or his representative shall countersign on the space provided indicating conformity to the amount to be paid;
9. The Order of Payment shall be handed to the dealer or his duly authorized representative who shall then pay the respective amount at the NM Cashier's Office;
10. The Order of Payment with attached Official Receipt issued by the Cashier's Office shall be returned to the Registration Section of the CPRD;

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11. Simultaneous with the processing of payment, the Head of the Registration Section shall prepare or process the Certificate of Registration. The following CPRD personnel shall sign the Certificate:

11.1 Registering Officer (Registration Section)- manifesting that the cultural artifacts have been inspected and evaluated;

11.2 Initialed by the Officer In Charge or Curator II of the Cultural Properties Division manifesting that all documents are in order;


12. Approval by the Director manifesting that the Certificate of Registration was processed and issued in accordance with the procedure stated above;

13. Original copy of the Certificate of Registration with Official Receipt shall be released to the Dealer while second copy shall be filed at CPRD Record Section and the remaining copy shall be forwarded to Records Section (Central File) of the NMP.

12. The dealer or his authorized representative shall pay the necessary amount at the NM Cashier's Office. The order of payment including the official receipt shall then be returned to CPRD;

13. After proper inspection, verification and providing a technical description of each and every cultural item applied for registration, the National Museum stamps shall be affixed to the respective cultural items;

14. After proper payment by the dealer or his authorized representative and after evaluation and providing the technical description of the cultural artifact applied for registration, the Head of the Registration Section shall prepare or process the Certificate of Registration. The Certificate shall be signed by the following CPRD personnel:

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14.1. Registering Officer (Registration Section)- manifesting that the cultural artifacts have been inspected and evaluated;

14.2. Initialed by the Officer In Charge or Curator II of the Cultural Properties Division manifesting that all documents are in order;

15. Approval by the Director manifesting that the Certificate of Registration was processed and issued in accordance with the procedure stated above;

16. Original copy of the Certificate of Registration together with the respective Official Receipt shall be issued to the Collector while second copy shall be filed at CPRD Record and the remaining copy shall be forwarded to Records Section (Central File) of the National Museum.


B. Cultural Properties Requiring Inspection Outside the NM

14. Letter request addressed to the Director or Head of the Cultural Properties Division;

15. Verification of the applicant's license to deal on cultural artifacts. Registration shall be denied in case of absence or expiry thereof;

16. After verification that the applicant or dealer has the proper license, the Head of the CPRD shall forward the request to the CPRD Registration Section;

17. The Head of the Registration Section or any of its officer shall coordinate with the dealer for schedules, requirements and other information needed by the NMP;

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18.The Coordinator (personnel from the Registration Section) shall inform the dealer of the following requirements:


- 18.1. exact number of items applied for registration;
- 18.2. Cultural items in the dealer's store shall be arranged so that National Museum personnel assigned to register/inspect such items can work properly within a minimum time;
- 18.3. The Dealer is requested to provide food, per diem, transportation and if necessary, accommodation to Museum personnel from and back to the National Museum;
- 18.4. Handy men should be provided to lift big and / or heavy objects such as jars, porcelain and the like for the National Museum personnel to inspect;

19.After proper inspection, verification and providing a technical description of each and every cultural item applied for registration, the National Museum stamps shall then be affixed to the respective cultural items;


20.An Order of Payment shall be prepared and signed by the Assessing Officer. The Head of the Registration Section shall then affix his initials endorsing the same to the Head of the Division attesting that all documents for registration of cultural items are in order;

21.The Order of Payment shall be signed by the Head of the Division or Officer In Charge and then forwarded to the requesting party or collector. The dealer or his representative shall countersign on the space provided indicating conformity to the amount to be paid;


22.The Order of Payment shall be handed to the dealer or his duly authorized representative who shall then pay the respective amount at the NM Cashier's Office;

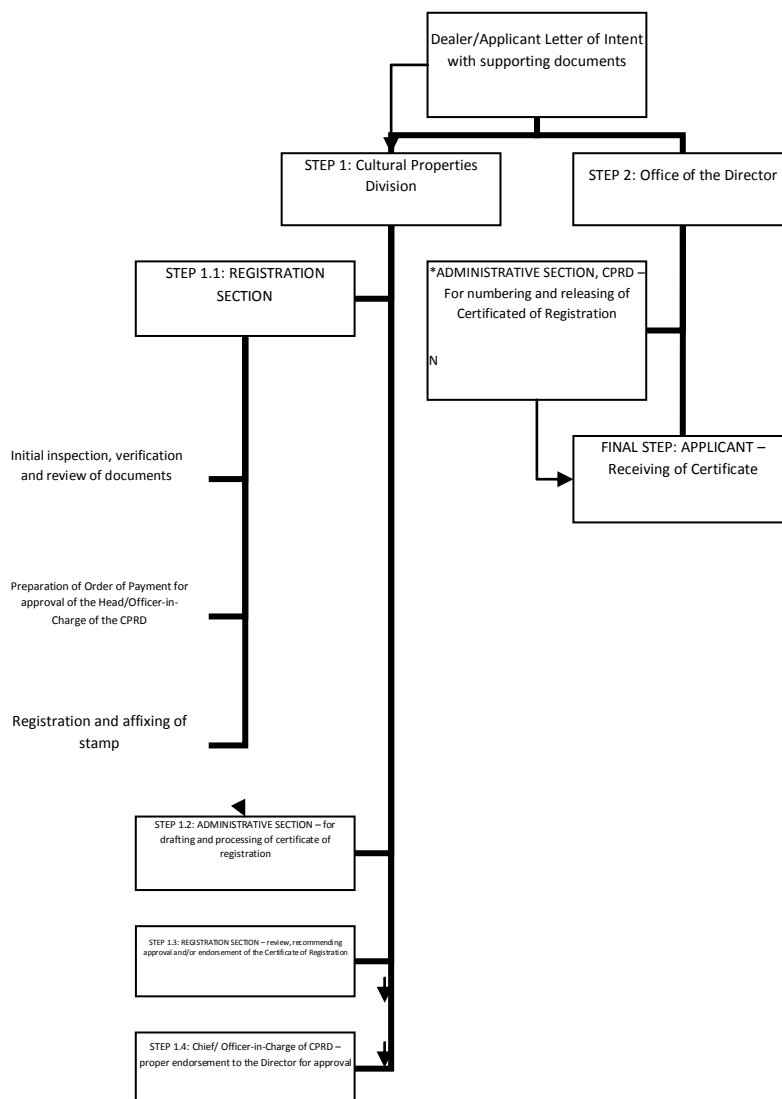
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23. The Order of Payment with attached Official Receipt issued by the Cashier's Office shall be returned to the Registration Section of the CPRD;
24. Simultaneous with the processing of payment, the Head of the Registration Section shall prepare or process the Certificate of Registration. The following CPRD personnel shall sign the Certificate:
- 11.3 Registering Officer (Registration Section)- manifesting that the cultural artifacts have been inspected and evaluated;
- 11.4 Initialed by the Officer In Charge or Curator II of the Cultural Properties Division manifesting that all documents are in order;
25. Approval by the Director manifesting that the Certificate of Registration was processed and issued in accordance with the procedure stated above;
26. Original copy of the Certificate of Registration with Official Receipt shall be released to the Dealer while second copy shall be filed at CPRD Record Section and the remaining copy shall be forwarded to Records Section (Central File) of the NMP.

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FLOW CHART
REGISTRATION OF MOVABLE CULTURAL PROPERTIES BY DEALERS

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GUIDELINES ON THE REGISTRATION OF WORKS OF NATIONAL ARTISTS

SCOPE and PROCEDURE DETAILS

I – Application:


1. A formal letter to register works of art must be forwarded to the National Museum providing certain information regarding the item/s applied for registration;
2. With the said letter, an affidavit must be attached attesting the ownership of the item its authenticity and the manner of acquisition;
3. A copy of the said letter of affidavit must also be forwarded to National Commission for Culture and the Arts for their information and perusal;
4. Three (3) 3R size pictures of the item with e-form copy should also be provided to the National Museum;

II – Verification:

1. After submitting all the requirement, schedule for verification shall be made;
2. Physical inspection and verification shall be conducted to determine or compare the description provided by the applicant to the actual artwork;
3. The National Museum is authorized to subject the item for further analysis if it deem necessary;

III – Registration:

1. Upon verification and submitting all the required documents, an order of payment for registration shall be given to the applicant;
2. Payment shall be based on the existing policy regarding registration of Cultural Property;


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3. Upon payment, a Certification of Registration shall be issued which shall be added to the CPRD registration databank;
4. It is understood that the certificate is not for authentication of the item registered;

IV – Issuance:

1. Upon registration, the certificate of registration shall be released to the applicant.
2. A copy of registration shall also be forwarded to the NCCA.

<p align="center">NATIONAL MUSEUM Cultural Properties Division P. Burgos Drive, Manila Telephone: (02) 527-2216</p>	
<p align="center">Certificate of Registration</p>	
<p>Registration Number: <u>CPD-R-PC-2015-062</u></p>	
NAME OF OWNER	: <u>AERA Memorial Foundation</u>
ADDRESS	: <u>Villa Escudero, Tiaong Quezon</u>
DATE OF REGISTRATION	: <u>06-May-2015</u>
<p>This is to certify that the following cultural property is registered with this office in accordance with Presidential Decree No. 374 (R.A. 4946 as amended, the Cultural Properties Preservation and Protection Act of 1966) and described as follows:</p>	
Inventory Number:	0464
RP-NM Stamp Number:	0101842
Type of Item:	EWER
Description:	 <p>Celadon, trumpet mouth, ovoid shape, flat loop handle, long curving spout, lobed body, unglazed base.</p>
Height:	22 cm. Sung Dynasty
<p align="center">XXXXXXXXXXXXXXXXXXXXXXXXXXXX Nothing Follows Good for one(1) item only</p>	
<p align="center">THIS DOES NOT SERVE AS AN AUTHENTICATION CERTIFICATE</p>	
Registered by:	Approved:
 EDWIN J. DELA ROSA Senior Museum Researcher	 ANGEL P. BAUTISTA Curator II – Chief of CPD Acting Director III
 OSCAR G. DESEMBRANA Museum Researcher II	
 EMMANUEL Q. LOYOLA Museum Researcher II	
<p><small>NOTE: This is not an Export Permit</small></p>	

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**GUIDELINES GOVERNING THE CATEGORIZATION AND DEALINGS OF
ARCHAEOLOGICAL AND TRADITIONAL ETHNOGRAPHIC MATERIALS (NM
Office Order No. 108, series 2011, May 2, 2011)**

SCOPE and POLICY STATEMENTS

Pursuant to Sections 5 and 11 of Article III, and Sections 23 and 24 of Article VI of the Republic Act No. 10066, otherwise known as “**The National Cultural Heritage Act of 2009**”, the following guidelines are hereby promulgated for the guidance of all concerned:


Section 1. Declaration of Policy

The Constitution of the Philippines provides that the “State shall promote and popularize the nation’s historical and cultural heritage resources”. It is also the policy of the state to preserve and protect Important Cultural Properties and National Cultural Treasures of the nation and to safeguard their intrinsic value.

These cultural properties of the nation are necessary and indispensable in the understanding of its history and culture.

Section 2. Scope and Coverage

These guidelines shall govern the categorization and dealings of archaeological and traditional ethnographic materials for the purposes of protecting, and regulating the export, transit, import and repatriation of cultural property.

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Section 3. Objectives

The objectives of these Guidelines are:


3.5 To rationalize the system of categorization of archaeological and traditional ethnographic materials;

3.6 To provide appropriate guidelines for dealings of cultural property and disposition thereof, to protect the interest of the Government and to preserve the cultural heritage of the Filipino people.

Section 4. Definition of Terms


As used in and for purposes of these guidelines, the following terms shall mean:

- 4.37. Archaeological materials** are fossils, artifacts, relics, antiques, and other cultural, geological, botanical, zoological materials collected from any place, whether above or underground, underwater or at sea level, which depict and document culturally relevant paleontological, prehistoric and/or historic events.
- 4.38. Antique** refers to a cultural property found locally which is one hundred (100) years in age, more or less, the production of which has ceased.
- 4.39. Artifacts** refers to articles that are products of human skills or workmanship, especially in the simple product of primitive arts or industry representing past eras or periods.
- 4.40. Ching (Qing) Dynasty** is the period in Chinese history that started from 1664 AD to 1912 AD under the Manchu rule.
- 4.41. Cultural Property** refers to all products of human creativity by which a people and a nation reveal their identity, including churches,

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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.

- 4.42. **Ecofacts** are organic materials from archaeological sites, such as bones, shells and plant remains with cultural significance but not modified by man.
- 4.43. **Five Dynasties** is a period in Chinese history known as the era of disunion that started from 907 AD to 960 AD.
- 4.44. **Grades of Cultural Property** refers to the different ranks of cultural properties (Grade I, Grade II and Grade III) classified according to its level of significance.
- 4.45. **Important Cultural Property (ICP)** refers to a cultural property having exceptional cultural, artistic, and historical significance to the Philippines, as shall be determined by the National Museum.
- 4.46. **Ming Dynasty** is a period in Chinese history that started from 1368 AD to 1644 AD, the era when the Chinese re-asserted control in China and Eastern Asia.
- 4.47. **Metal Age** is the period in Philippine Cultural Chronology marked by the introduction of metals from 2,000 to 1,500 years ago.
- 4.48. **National Cultural Treasure** refers 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 the National Museum.
- 4.49. **Nationally significant** refers 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.
- 4.50. **Neolithic Age** refers to the New Stone Age, the period in which plants and probably animals were domesticated from 10,000 to 2,000 years ago.
- 4.51. **Paleolithic Age** refers to the Old Stone Age, dating from the first use of stone by humans from 750,000 to 10,000 years ago.

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- 4.52. Relics** refer to object possessing cultural properties which, either as a whole or in fragments, are left behind after the destruction or decay of the rest or its parts, and which are intimately associated with important beliefs, practices, customs and traditions, persons and personages.
- 4.53. Song Dynasty** was a ruling dynasty in China between 960 and 1279 is divided into two distinct periods: the Northern Song and Southern Song.
- 4.54. Tang Dynasty** was the most radiant historic period in China's history that started from 618 AD and ending in 907 AD.
- 4.55. Traditional Ethnographic Materials** are products of human culture that are presently made and those that ceased to exist.
- 4.56. Yuan Dynasty** was a ruling dynasty founded by Kublai Khan, who ruled most of present-day China, Mongolia and its surrounding areas from 1271 AD to 1368 AD.

Section 5. Categories of Archaeological and Traditional Ethnographic Materials

The following are **Grades of Cultural Property** classified according to its level of significance:

- 5.7. National Cultural Treasure (Grade I)** is a cultural property with highest significance, having criteria previously defined by the National Museum.
- 5.8. Important Cultural Property (Grade II)** is cultural property of high significance, again, having criteria previously defined by National Museum.
- 5.9. Cultural Property (Grade III)** refers to all the other cultural properties outside Grades I and II that have been listed in the Registry of National Museum Data Bank.

Section 6. Classification of Archaeological and Traditional Ethnographic Materials

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The Classification of Archaeological and Traditional Ethnographic Materials into Categories / Grades is guided by the following:

6.1. National Cultural Treasure (Grade I)

6.1.1. Archaeological and Traditional Ethnographic materials with outstanding historical, cultural, artistic and/or scientific value which is nationally significant and important to the country and nation, and officially declared as such by the National Museum and supported by the Panel of Experts.

6.2. Important Cultural Property (Grade II)


6.2.1. Archaeological materials dated back to Paleolithic, Neolithic, and Metal Periods

6.2.2. Archaeological materials attributed to Tang, Five and Yuan Dynasties

6.2.5. Archaeological materials attributed to Song, Ming and Ching Dynasties; and other archaeological materials from other countries with exceptional cultural, artistic, and historical significance to the Philippines, as determined by the National Museum and supported by the Panel of Experts.

6.2.6. Ethnographic materials that are more than 100 years, or less where the production has already ceased.

6.3 Cultural Property (Grade 1)

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6.3.1 Archaeological materials not classified as Grades I and II that have been listed in the Registry of National Museum Data Bank.

5.3.2. Ethnographic materials that are at least 50 years old.


Section 7. Dealings of Archaeological and Traditional Ethnographic Materials

7.1. The National Museum shall be given the right of first refusal in the purchase of Archaeological and Traditional Ethnographic materials declared as National Cultural Treasures. The National Museum shall appropriate funds annually or use its donated funds for such purpose.

7.2. No archaeological and Traditional Ethnographic materials under Grades I and II shall be sold, resold, or taken out of the country without first securing a clearance from the National Museum.

7.9. Archaeological and Traditional Ethnographic materials under the category Grades I and II shall not change ownership, except by inheritance or by sale duly approved by the National Museum; provided, however, that it may not be taken out of the country for reasons of inheritance or sale.

7.10 . Archaeological and Traditional Ethnographic materials under the category Grades I and II may be taken out of the country only with a written permit from the National Museum and only for purposes of exhibition or for scientific scrutiny but shall be returned immediately after such exhibition or study; Provided, however, that necessary safeguards have been duly complied with, as required by the concerned cultural agency.

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7.11 Archaeological and Traditional Ethnographic materials under the category Grade III may be taken out of the country only with the Permit to Export from the National Museum and only for education purposes.

**GUIDELINES GOVERNING THE CATEGORIZATION, DEALINGS,
COLLECTION, AND RESEARCH ON NATURAL HISTORY SPECIMENS (NM
Office Order No. 147, series 2011, August 23, 2011)**


SCOPE and POLICY STATEMENT

Pursuant to Sections 17 of Article V of the Republic Act No. 10066, otherwise known as “**The National Cultural Heritage Act of 2009**”, the following guidelines are hereby promulgated for the guidance of all concerned:

Section 1. Declaration of Policy

The Constitution of the Philippines provides that the “State shall promote and popularize the nation’s historical and cultural heritage resources”. It is also the policy of the state to preserve and protect Important Cultural Properties and National Cultural Treasures of the nation and to safeguard their intrinsic value.

Cultural property also includes natural associations, such as natural history specimens and sites, with cultural and / or scientific significance, which may be owned publicly or privately. These cultural properties of the nation are necessary and indispensable in the understanding of its history and culture.

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Section 2. Scope and Coverage

These guidelines shall govern the categorization; dealings of natural history specimens classified as cultural property for the purposes of protecting, and regulating the export, transit, import and repatriation; and collection by the National Museum.

Section 3. Objectives

The objectives of these Guidelines are:


3.7 To rationalize the system of categorization of natural history specimens;

3.8 To provide appropriate guidelines for dealings, collection, and research on natural history specimens classified as cultural property and disposition thereof, to protect the interest of the Government and to preserve the cultural heritage of the Filipino people.


Section 4. Definition of Terms

As used in and for purposes of these guidelines, the following terms shall mean:

4.57. Cultural Property refers 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.

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- 4.58. Endangered species** is a population of organisms, identified by the International Union for Conservation of Nature (IUCN), which is at risk of becoming extinct because it is either few in numbers, or threatened by changing environmental or predation parameters. Organisms that are classified as Critically Endangered based on the DENR A.O. 2007-01 shall be covered by this Office Order.
- 4.59. Extinct** is an organism that no longer exists.
- 4.60. Grades of Cultural Property** refers to the different ranks of cultural properties (Grade I, Grade II and Grade III) classified according to its level of significance.
- 4.61. Holotype** is one of several possible biological types. A type is what fixes a name to a taxon. A holotype is a single physical example (or illustration) of an organism, known to have been used when the species (or lower-ranked taxon) was formally described.
- 4.62. Important Cultural Property (ICP)** refers to a cultural property having exceptional cultural, artistic, historical and / or scientific significance to the Philippines, as shall be determined by the National Museum.
- 4.63. National Cultural Treasure** refers 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 the National Museum.
- 4.64. National Museum Registry of Cultural Property** refers to the registry of National Cultural Treasures, Important Cultural Properties and Cultural Properties which will be submitted to the National Commission for Culture and the Arts for the establishment of ***Philippine Registry of Cultural Property (PRECUP)***.
- 4.65. Nationally significant** refers 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.
- 4.66. Natural Property of Cultural Significance”** refers to areas possessing outstanding ecosystem with flora and fauna of national

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scientific importance under the National Integrated Protected Areas System.

- 4.67. Natural History specimens** are organisms and objects (live, preserved or petrified) that are collected or studied in the Philippines.
- 4.68. Natural History specimens classified as cultural property** are holotypes, irreplaceable specimens such as fossils, endangered species and specimens that are at least 100 years old.


Section 5. Categories of Natural History Specimens classified as Cultural Property

The following are **Grades of Cultural Property** classified according to its level of significance:

- 5.10 . National Cultural Treasure (Grade I)** is a cultural property with highest significance, having criteria previously defined by the National Museum.
- 5.11 . Important Cultural Property (Grade II)** is cultural property of high significance, again, having criteria previously defined by National Museum.
- 5.12 . Cultural Property (Grade III)** refers to all the other cultural properties outside Grades I and II that have been listed in the Registry of National Museum Data Bank.

Section 6. Classification of Natural History Specimens

The Classification of Natural History Specimens designated as Cultural Property into Categories / Grades is guided by the following:

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6.1. National Cultural Treasure (Grade I)

6.1.1. Natural History specimens with outstanding historical, cultural, and/or scientific value which is nationally significant and important to the country and nation, and officially declared as such by the National Museum and supported by a Panel of Experts.

6.2. Important Cultural Property (Grade II)

6.2.1. Holotypes

6.2.2. Irreplaceable natural history specimens – fossils

6.3 Cultural Property (Grade III)

6.3.1. Preserved plants and animals, that are at least 100 years old from the date of collection;


6.3.2. Living plants and animals that are more than 100 years old and located within declared Heritage Zone.

Section 7. Dealings of Natural History Specimens designated as Cultural Property

PROCEDURE DETAILS

7.1. The National Museum shall be given the right of first refusal in the purchase of Natural History specimens declared as National Cultural Treasures. The National Museum shall appropriate funds annually or use its donated funds for such purpose.

7.2. No Natural History specimens under Grades I and II shall be sold, resold, or taken out of the country without first securing a clearance from the National Museum.

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7.12 . Natural History specimens under the category Grades I and II shall not change ownership, except by inheritance or by sale duly approved by the National Museum; provided, however, that it may not be taken out of the country for reasons of inheritance or sale.

7.13 . Natural History specimens under the category Grades I and II may be taken out of the country only with the Permit to Export from the National Museum and only for purposes of exhibition or for scientific study but shall be returned immediately after such exhibition or study; Provided, however, that necessary safeguards are duly complied with, as required by the concerned cultural agency.


7.14 .Natural History specimens under the category Grade III may be taken out of the country only with the Permit to Export from the National Museum.

7.15 . For Natural History specimens of the National Museum intended for export and are not classified as cultural property, a Certificate of Non-Coverage shall be issued by the said agency.

Section 8. Collection of Natural History Specimens


8.1. The National Museum shall have the authority to collect, maintain and develop the national reference collections of Philippine flora and fauna, fossils, rocks and minerals through research and field collection of specimens within the territorial jurisdiction of the Philippines. Its hall be exempt from any and all permit systems regulating the same. All collaborative work with the other institutions shall be covered with the Memorandum of Agreement with the National Museum;

8.2. The National Museum shall be exempt from applying for permits pertinent to collection, transport and research on Natural History specimens within the Philippines. Such research / collection activities shall be accompanied by a Travel Order and Authority to Collect and

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transport duly signed by the Director or his duly authorized representative of the National Museum.

- 8.3. The Authority to Collect and Transport Natural History Specimens shall be issued by the Director IV or his duly designated representative through the Cultural Properties Division, to National Museum personnel involved in research.
- 8.4. Collection, either of whole specimens or parts / derivatives (such as tissue samples, or genetic samples), shall be allowed only for the establishment of reference collection, taxonomic study and exchange (duplicates).
- 8.5. The National Museum shall inform the Department of Environment and Natural Resources and the National Commission on Indigenous People for the collection of terrestrial species. It shall inform the Department of Agriculture for the collection of aquatic / marine species.
- 8.6. The local officials from the barangays to municipal and or city government officers shall also be informed of the collection. The Palawan Council for Sustainable Development (PCSD) shall be likewise be notified in case the collections is conducted in Palawan.
- 8.7. Official repository of holotypes is the National Museum. All Holotypes of fossils, plants and animals collected in the Philippine territory since March 26, 2010 by other institutions or entities shall be deposited in the National Museum.
- 8.8. All government agencies, academic institutions, as well private entities involved in collection and research on Natural History shall submit the list of holotypes with their corresponding information to the National Museum.
- 8.9. The National Museum shall maintain a storage facilities for holotypes to ensure their preservation. A National Museum of Natural History and

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the National Herbarium of the Philippines shall be established at the National Museum of the Philippines Complex in Manila.

- 8.10 . Natural History specimens collected in the Philippines by the National Museum acquired through exchange and collaborative work, donation, gift and purchase shall be deposited in the National Museum storage facilities.
- 8.11 The National Museum shall curate, maintain, manage, enhance and develop the National Geological and Paleontological Reference Collection, the National Zoological Reference Collection, and the National Herbarium.
- 8.12 . Natural History specimens can be accessed by the public following the rules and regulations on the access to museum collections and data.


ISSUANCE OF LICENSES, AUTHORIZATION, CERTIFICATES AND PERMITS

GUIDELINES ON AUTHORITY TO CONDUCT ARCHAEOLOGICAL EXPLORATION AND EXCAVATION

SCOPE and PROCEDURE DETAILS

Pursuant to Republic Act 4846 as amended by Presidential Decree 374 and Republic Act 8492, the National Museum of the Philippines shall issue an Authority to Conduct Archaeological Exploration and Excavation to all Team Leaders of the Archaeology and Cultural Properties Division who are on official mission in the different parts of the country. Such authority shall be prepared by the CPRD Permit and Licensing Section and shall be signed by the Director IV or his or her duly representative.

This authorization is valid for one year and shall be given to all team leaders every January.

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**GUIDELINES ON SPECIAL AUTHORITY TO CONDUCT ARCHAEOLOGICAL
EXPLORATION AND EXCAVATION**
(NM Office Order No. 15, series 2008, March 31, 2008)

SCOPE, POLICTY STATEMENT AND PROCEDURE DETAILS

To strengthen the National Museum of the Philippines' (NMP) relationship with scientific and educational institutions, a special authority to conduct archaeological studies shall be issued only to designate National Museum Research Associate (NMRA) provided the requirements are followed:

1. The field of expertise is Archaeology and a member in good standing of Katipunan ng Arkeologist ng Pilipinas (KAPI) or any organization recognized by the NMP;
2. A letter of request for a Special Authority to Conduct Archaeological Exploration and Excavation together with the a detailed information of the project proposal and detailed archaeological report on the results of the exploratory studies on the area; and prior clearance from the owner of the property in case of private land and / or from other government agencies that require such clearance, shall be submitted to the Director IV of the NMP at least two weeks before the start of the exploration or excavation;
3. Favorable endorsement from the Head of the Archaeology Division and approval of the Director IV or his duly authorized representative;

The Permit and Licensing Section of the Cultural Properties Division (CPRD) shall prepare the Special Authority to be signed by the Director IV or his / her duly designated representative. After signing, the aforementioned document shall be turned-over to the Records' Section of the Administrative Division for its release. The records Section shall provide copies of the Special Authority to the CPRD and the Archaeology Division. It is understood that the archaeological activity, both in the exploratory and excavation stage must be monitored by CPRD personnel.

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After the completion of the project, the NMRA shall submit a terminal report and an inventory of collections and all archaeological materials collected to the Archaeology Division of the National Museum. A duplicate copy of the terminal report shall also submitted to the CPRD.

GUIDELINES ON AUTHORITY TO EXCAVATE

PROCEDURE DETAILS

In connection with the unified guidelines for the recovery from the Philippines of the remains of Japanese World War II soldiers prepared by the Department of Foreign Affairs, National Museum and Department of Health, an Authority to Excavate shall be issued to the Japanese Mission and to organization(s) authorized by the Japanese Embassy in collecting aforementioned bones in the Philippines by Director IV provided that Mission Teams shall be accompanied by representative/s of the National Museum (NM) or of another individual/expert (e.g. Deputy) who in the opinion of the Director IV is competent to supervise the work, for the duration of the recovery mission to ensure that no cultural properties, immovable (built heritage) or movable (artifacts/ecofacts) are disturbed or destroyed. In the event that cultural properties were affected or exposed; the recovery shall be stopped and Archaeology Division or Cultural Properties Division staff of the National Museum shall assess the site and conduct systematic recovery of the said cultural properties.

With regard to transport of the remains of Japanese soldiers, the permit to transport shall only be issued by the Department of Health. In line with this, the Japanese mission shall be responsible in accomplishing the necessary requirements and procedures in the procurement of said permit (for transport of the remains). Japanese human remains are not considered cultural properties; hence they are not within the domain of the mandate of the NM.

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GUIDELINES FOR THE VERIFICATION AND INSPECTION OF BOTH LAND AND UNDERWATER SITES

PROCEDURE DETAILS

- Formal Letter addressed to the Director of the National Museum should include the following:

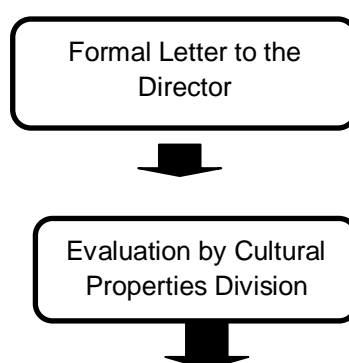
Exact Address or Barangay, Municipality and Province of reported site


Visual proof or evidence.

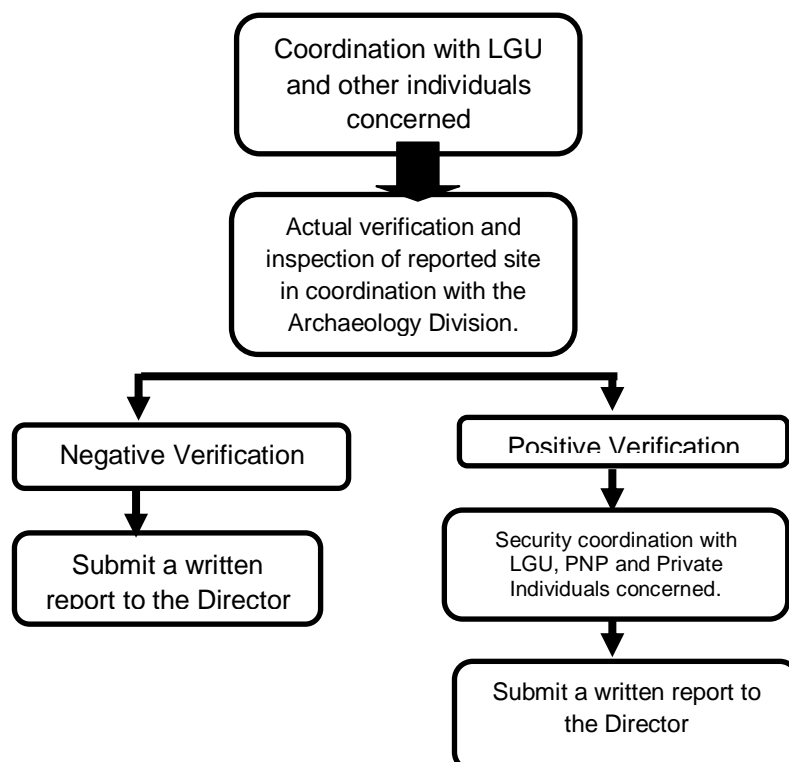
Said letter shall in turn be referred to the Cultural Properties Division for Evaluation.

- Coordination with different Local Government Units and/or Private Individuals having jurisdiction of the reported site/s
- Actual verification and inspection of reported site, limited to ocular and documentation activities shall be conducted by the staff of the CPRD. If the site is underwater, coordination with the Underwater Archaeology Section of the Archaeology Division shall be done.
- In case of positive verification, coordination regarding the security of the site with the LGU, PNP and Private Individuals concerned.
- Preparation of report to be submitted to the Director of the National Museum for study and further action.

Process of Verification and Inspection of both Land and Underwater Sites




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PERMIT TO CONDUCT LAND ARCHAEOLOGICAL EXPLORATION

SCOPE and PROCEDURE DETAILS

Any private individual or entity whose expertise was hired to provide archaeological work or studies; or entities involved in the recovery of artifacts and ecofacts shall acquire the necessary archaeological permits. The following requirements and procedure must be submitted and complied with;

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1. Letter – request addressed to the Director of the National Museum of the Philippines (NMP) indicating intention including detailed information relative to the request;
 - a. Resume, in case of an individual, with supporting documents or company profile, in case of an institution, with supporting documents;
 - b. Favorable recommendation from KAPI, however, said requirement does not preclude the NMP to issue without said recommendation;
 - c. A copy of technical proposal submitted to the principal;
2. All the submitted documents shall be evaluated by the NM Committee on Archaeological Permits (NMCAP);
3. After proper compliance by the proponent and favorable evaluation by the NMCAP, notice of approval shall be issued by the Director IV of the NMP, approving the request and stating the fees to be paid by the former. However, in case of disapproval due to justifiable grounds, a corresponding notice of disapproval shall be issue citing reason of said disapproval. Within seven (7) days from receipt of the said disapproval, the proponent may file a request for reconsideration. After which the decision shall be final;
4. Simultaneously with the approval of the said request, a Memorandum of Agreement (MOA) shall be prepared;
5. After the signing of the MOA, Application of Permit to Conduct Archaeological Exploration, Order of Payment and other documents shall be prepared by the Licensing and Permit Section of the CPRD;


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6. After payments have been made and documents have been prepared, Permit to Conduct Archaeological Exploration shall be prepared, signed and released.
7. Progress Report on the results of the exploration in triplicate copy, inventory and archaeological collections(if any) should be submitted to the NMP;

PERMIT TO CONDUCT ARCHAEOLOGICAL EXCAVATION (LAND)

PROCEDURE DETAILS


1. Letter of intent to conduct archaeological excavation;
2. Detailed archaeological report on the results on the exploratory studies on the area covered by the Permit to Explore;
3. Technical proposal for archaeological excavation on the are applied for;
4. Written clearance from the owner of the property and/ or any government agency mandated by law;
5. Certified true copy of Certificate of Registration issued by the Securities and Exchange Commission (SEC) and other documents pertinent to the corporation/ associations;
6. Upon submission of documents, these shall be evaluated by the National Museum Committee on Archaeological Permits (NMCAP) composed of the senior staff of the Archaeology and Cultural Properties Divisions;
7. After proper compliance by the proponent and favorable evaluation by the NMCAP, notice of approval shall be issued by the Director IV of the NMP, approving the request and stating the fees to be paid by the former. However, in case of disapproval due to justifiable grounds, a corresponding notice of disapproval shall be issue citing reason of said disapproval. Within seven (7) days from receipt of the said disapproval, the proponent may file a request for reconsideration. After which the decision shall be final;

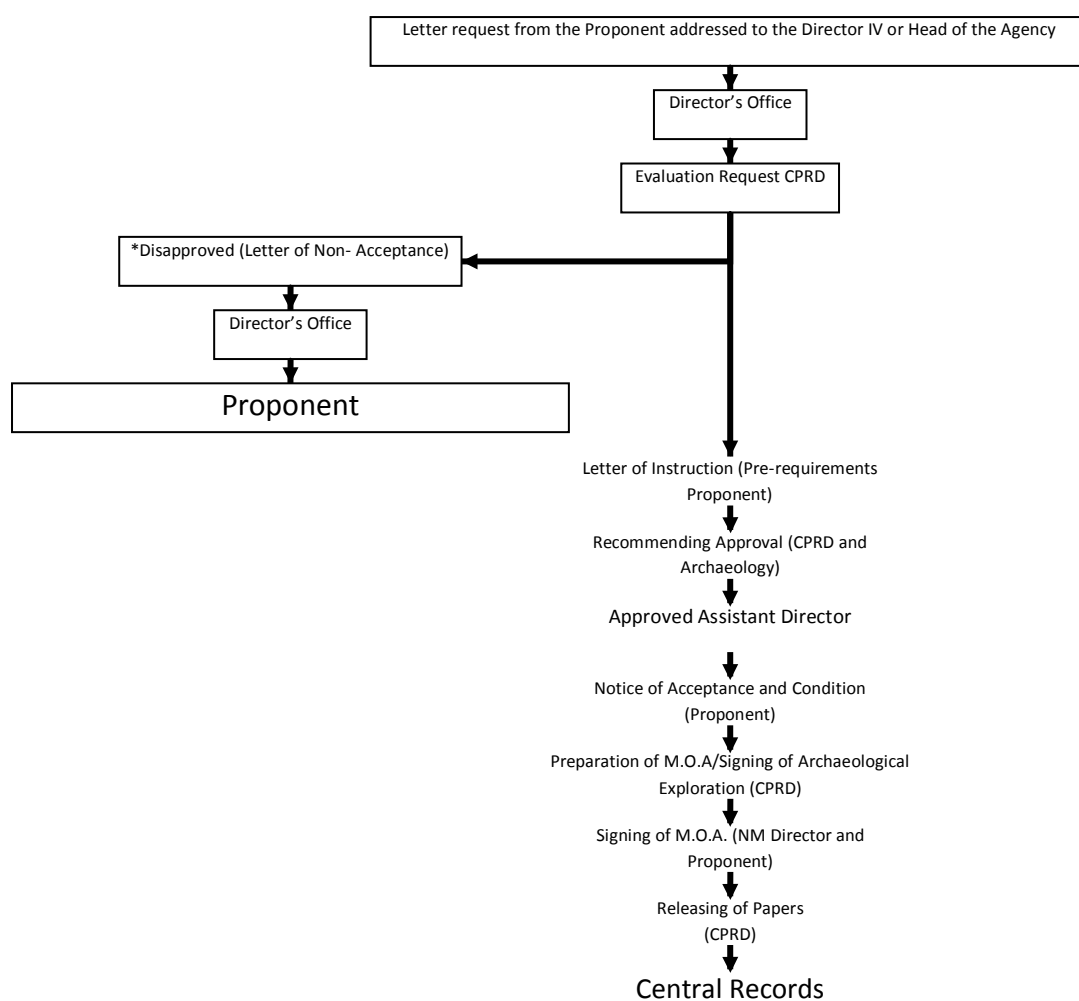
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8. Simultaneously with the approval of the said request, a Memorandum of Agreement (MOA) shall be prepared;
9. After the signing of the MOA, Application of Permit to Conduct Archaeological Excavation, Order of Payment and other documents shall be prepared by the Licensing and Permit Section of the CPRD;
10. After payments have been made and documents have been prepared, Permit to Conduct Archaeological Excavation shall be prepared, signed and released.
11. Final Report in triplicate copy, inventory and archaeological collections must be submitted to the NMP;


It is understood that the archaeological activity, both in the exploratory and excavation stage must be monitored by CPRD personnel.

FLOW CHART PERMIT TO CONDUCT ARCHAEOLOGICAL EXPLORATION

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GUIDELINES, PROCEDURE AND REQUIREMENT FOR PERMIT TO CONDUCT UNDERWATER ARCHAEOLOGICAL EXPLORATION (NM Office Order No. 30, series 2013, February 4, 2013)

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PROCEDURE DETAILS

1. Letter of intent to conduct underwater exploration from the proponent address to the Director IV stating among others, the following:


Brief profile of the proponent or foundation; and specific location of the area applied for.

2. Proponents intent shall be evaluated based on the following:

- a. Juridical personality or individual capacity to conduct research;
- b. Previous activities with the National Museum;
- c. Whether or not the proponent is black listed;
- d. Whether or not the site proposed to be explored has already been applied for by other applicants;
- e. Whether or not the proponent has already been issued a permit;

3. Letter of Instruction shall be forwarded informing the proponent of the following pre-qualification requirements to be submitted to the Chief of the Cultural Properties Division:


- a. Company profile;
- b. Authentic copy of certificate of Registration from the Security and Exchange Commission including its by-laws;
- c. Detailed profile of the financial capacity to undertake the project;
- d. List of personnel including their respective resume;
- e. In case of foreign personnel, working permit from Bureau of Immigration and Deportation;
- f. Resident Secretary (copy of resolution authorizing the said secretary to legally represent the proponent in their undertaking);
- g. List of available equipment to be used in the undertaking;
- h. Technical and Administrative proposal (Proposed schedule of work);
- i. In case the NM denied the proponent application, a formal notice shall be forwarded to the applicant; stating the reason.

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An appeal can be made within fifteen (15) days upon receipt of the said formal notice;

4. All documents shall be evaluated and reviewed by the National Museum Committee on Archaeological Permits;
5. A formal recommendation shall be forwarded to the Director IV and/or Asst. Director for approval;
6. After approval, a notice of acceptance shall be forwarded to the proponent- approving his application and informing him of the following requirements and / or fees:
 1. Application for Exploration Permit
 2. Application for Permit to Survey
 3. Permit to Explore
 4. Authority to Supervise
 5. Performance bond either in cashier's check, manager's check or cash
 6. Fees for MOA
7. Upon complying with the requirements mentioned above, a Memorandum of Agreement including Permit to Undertake Archaeological Exploration shall be prepared and signed;
8. The Releasing Unit of the Cultural Properties Division shall be responsible in releasing the permit and necessary documents;
9. It is understood that all other permits and or clearances required by other government or local entity in relation to this activity, shall be the responsibility of the proponent.


**PERMIT TO CONDUCT UNDERWATER ARCHAEOLOGICAL
EXCAVATION**
(NM Office Order No. 30, series 2013, February 4, 2013)

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PROCEDURE DETAILS


A permit to conduct underwater archaeological excavation shall be issued after the following requirements have been complied with:

1. An extensive exploration activity have been conducted by the proponent as verified by the NMP. The underwater archaeological exploration must be in accordance with the Memorandum of Agreement and the implementing rules and regulations acted by the NMP.
2. A letter request must be submitted by the proponent to the Director of the NMP requesting issuance of permit to conduct underwater archaeological excavation together with the following documents:
 - a. Detailed Technical Report of the Exploration activities
 - b. Technical and administrative and other necessary proposal for the implementation of the underwater archaeological excavation. Related schedule of work and GANTT Chart, must be included in the proposal;
 - c. Complete list of equipment to be used and list of equipment available;
 - d. List of complete personnel which will be involved in the activities which shall include their respective resume. In case of foreign personnel, a certified true copy of the working permit from the Bureau of Immigration and Deportation must also provided;
 - e. Proof of financial capability to undertake this project; (Certificate of Bank Deposit or Financial Declaration)
 - f. All documents to be submitted must be sealed and signed by the President or the duly authorized representative of the Foundation;
3. After proper evaluation by the NMCAP have been made, notice of Acceptance shall be forwarded to the proponent formally instructing

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the same to pay the necessary fees. However, in case the request is denied, a formal notice shall also be forwarded to the proponent. An appeal can be made within 15 days upon receipt of the said formal notice;


4. Upon compliance with necessary payment, a Memorandum of Agreement to conduct archaeological excavation shall be prepared and signed;
5. Release of Permit from Cultural Properties Division.

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**RENEWAL OF PERMIT TO CONDUCT UNDERWATER ARCHAEOLOGICAL
EXPLORATION / EXCAVATION**
(NM Office Order No. 30, series 2013, February 4, 2013)

PROCEDURE DETAILS

1. Letter of intent to renew the permit to conduct underwater archaeological exploration with supporting documents:
 - a. Progress and technical report of the proponent;
 - b. Proposed schedule of work for the duration of permit requested; (GANTT Chart);
 - c. National Museum Technical Report;
 - d. Update on the List of Personnel involved in the project both on the Administrative and Technical aspects;
 - e. List of equipment to be used;
 - f. Proof of financial capability to continue with the project.
2. After evaluation, Notice of Acceptance shall be forwarded to the proponent, formally instructing the same to pay the necessary fees. However, in case the request is denied, a formal notice shall be forwarded to the proponent. An appeal can be made within 15 days upon receipt of the said formal notice.
3. No renewal shall be made, if there is/are evidences of breach of contract or violation of the implementing rules and regulations. Any unnecessary delay as exclusively determined by the NMP shall be considered a violation.

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**GUIDELINES GOVERNING THE UNDERWATER ARCHAEOLOGICAL
RESEARCH, EXPLORATION AND EXCAVATION IN PHILIPPINE WATERS (NM
Office Order No.30, series 2013, February 4, 2013)**

SCOPE and POLICY STATEMENT

Pursuant to Section 30 of Article VI of the Republic Act No. 10066, otherwise known as “**The National Cultural Heritage Act of 2009**”, the following guidelines are hereby promulgated for the guidance of all concerned:

Section 1. Declaration of Policy

The Constitution of the Philippines provides that the “State shall promote and popularize the nation’s historical and cultural heritage resources”. It is also the policy of the state to preserve and protect Important Cultural Properties and National Cultural Treasures of the nation and to safeguard their intrinsic value.

These cultural properties of the nation are necessary and indispensable in the understanding of its history and culture.

Section 2. Scope and Coverage

These guidelines shall govern the underwater archaeology exploration and excavation in Philippine waters for the purposes of regulating the archaeological research and recovery of cultural property.


Section 3. Objectives

The objectives of these Guidelines are:

3.9 To regulate and control all underwater archaeological research, exploration and excavation;


3.10 To provide appropriate guidelines for dealings of cultural property and disposition thereof, to protect the interest of the Government and to preserve the cultural heritage of the Filipino people.

Section 4. Definition of Terms


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As used in and for purposes of these guidelines, the following terms shall mean:

- 4.69. Archaeological materials** are fossils, artifacts, relics, antiques, and other cultural, geological, botanical, zoological materials collected from any place, whether above or underground, underwater or at sea level, which depict and document culturally relevant paleontological, prehistoric and/or historic events.
- 4.70. Antique** refers to a cultural property found locally which is one hundred (100) years in age, more or less, the production of which has ceased.
- 4.71. Artifacts** refers to articles that are products of human skills or workmanship, especially in the simple product of primitive arts or industry representing past eras or periods.
- 4.72. Ching (Qing) Dynasty** is the period in Chinese history that started from 1664 AD to 1912 AD under the Manchu rule.
- 4.73. Cultural Property** refers 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.
- 4.74. Ecofacts** are organic materials from archaeological sites, such as bones, shells and plant remains with cultural significance but not modified by man.
- 4.75. Five Dynasties** is a period in Chinese history known as the era of disunion that started from 907 AD to 960 AD.
- 4.76. Grades of Cultural Property** refers to the different ranks of cultural properties (Grade I, Grade II and Grade III) classified according to its level of significance.
- 4.77. Important Cultural Property (ICP)** refers to a cultural property having exceptional cultural, artistic, historical and / or scientific significance to the Philippines, as shall be determined by the National Museum.

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- 4.78. Ming Dynasty** is a period in Chinese history that started from 1368 AD to 1644 AD, the era when the Chinese re-asserted control in China and Eastern Asia.
- 4.79. Metal Age** is the period in Philippine Cultural Chronology marked by the introduction of metals from 2,000 to 1,500 years ago.
- 4.80. National Cultural Treasure** refers 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 the National Museum.
- 4.81. Nationally significant** refers 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.
- 4.82. Neolithic Age** refers to the New Stone Age, the period in which plants and probably animals were domesticated from 10,000 to 2,000 years ago.
- 4.83. Paleolithic Age** refers to the Old Stone Age, dating from the first use of stone by humans from 800,000 to 10,000 years ago.
- 4.84. Relics** refer to objects possessing cultural properties which, either as a whole or in fragments, are left behind after the destruction or decay of the rest or its parts, and which are intimately associated with important beliefs, practices, customs and traditions, persons and personages.
- 4.85. Song Dynasty** was a ruling dynasty in China between 960 and 1279 is divided into two distinct periods: the Northern Song and Southern Song.
- 4.86. Tang Dynasty** was the most radiant historic period in China's history that started from 618 AD and ending in 907 AD.
- 4.87. Tangible Cultural Property** refers to a cultural property with historical, archival, anthropological, archaeological, artistic and architectural value, and with exceptional or traditional production,

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whether of Philippine origin or not, including antiques and natural history specimens with significant value.

- 4.88. Yuan Dynasty** was a ruling dynasty founded by Kublai Khan, who ruled most of present-day China, Mongolia and its surrounding areas from 1271 AD to 1368 AD.


Section 5. General Provisions

- 5.1. Permits to explore or excavate shall be issued only to the following:**

- 5.1.1. Duly accredited scientific and educational institutions
- 5.1.2. Duly Philippine registered non-stock and non-profit corporation group or organizations in the field of underwater archaeology
- 5.1.3. Other government agencies or instrumentalities of proven ability to conduct underwater archaeological work
- 5.1.4. Juridical groups under sponsorship by a scientific or educational institution; or who upon the judgment of the National Museum are competent and qualified to conduct underwater archaeological work
- 5.1.5. Foreign institutions in the field of underwater archaeology which link-up with any local corporation or foundation registered with the Securities and Exchange Commission and allowed to do business in the Philippines.

- 5.2.** A formal letter of application for a permit to explore or excavate shall be addressed to the Director of the National Museum at least one (1) month prior to the commencement of the Project. The letter of application shall include the following:

- 5.2.1. Project Design
 - 5.2.1.1. Proponents
 - 5.2.1.2. Cooperating Agencies

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5.2.1.3. Summary of Project

5.2.1.4. Objectives

5.2.1.5. Significance

5.2.1.6. Procedure

5.2.1.7. Time Table

5.2.1.8. Financial Plan

5.2.1.9. Personnel

5.2.1.10. References

5.2.1.11. Historical/Archival Documentation


5.2.2. Financial Statement

5.2.3. Listing of capital investments in terms of Equipment and facilities

5.2.4. Evidence of competence and experience in the field of underwater archaeology to be validated by the Head of the Underwater Archaeology Section, Chief of the Archaeology Division and Chief of the Cultural Properties Division

5.2.5. List of certified divers and their respective positions (Dive Director, Dive supervisor, rescue divers, dive doctor, divers) who will be involved in the scientific underwater archaeological work. Foreign personnel should have the proper Philippine Visa and working permits secured from the concerned Philippine government agencies (DFA/BI).

5.2.6. The applicant shall file a cash performance bond of Php 500,000.00 refundable subject to limitations upon completion or cessation of the project. Interest gained from such performance bond shall revert to the Philippine Treasury as stipulated in the General Appropriations Act.

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5.3. Exploration and Excavation Permits

5.3.1. Exploration Permit

5.3.1.1. The maximum area to be allowed for each application permit shall not exceed 30 square kilometers in total area, expressed in terms of longitude and latitude. Exploration permit shall not apply to verification of reported sites.

5.3.1.2. No two proponents or applicants may overlap in terms of area covered by each permit.

5.3.1.3. Exploration permits are only valid for six months and can be renewed for another six months after evaluation of the grantee's activities based on its submitted field report.

5.3.1.4. An applicant is limited to two exploration permits at any given time.

5.3.1.5. Recovery of materials from exploration work is limited to samples only. Such samples shall belong to the National Museum and the limit of the samples shall be decided only by the National Museum representatives.

5.3.1.6. The fee for an exploration permit for one site is


Php 10,000.00.

5.3.1.7. The performance bond for an exploration permit for one site is Php 500,000.00, or whichever is higher in the prevailing exchange rate.

5.3.2. Excavation Permit

5.3.2.1. Applications for permit to excavate must specify the map coordinates of the specific site to the nearest minute.

5.3.2.2. The site must be described in detail to establish identity.

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5.3.2.3. Excavation permits are limited to a period of one year and renewable for another year in areas unaffected by seasonal climatic variations; in affected areas excavation permits are limited to six (6) months and renewable for another eighteen (18) months. Excavation and Exploration permits can only be renewed after thorough evaluation by the Underwater Archaeology Section of the Archaeology Division of the Field Report submitted by the permit grantee on his previous activities. An evaluation report, duly signed by the Head of the Underwater Section and Chief of the Archaeology Division, shall be attached to the renewal application.

5.3.2.4. In areas unaffected by seasonal climatic variations only one excavation permit may be granted to an applicant at any one time. In affected areas, two excavation permits may be granted the applicant working alternately between the two sites as weather condition warrants.


5.3.2.5. The fee for an excavation permit for one site is Php 10,000.00.

5.3.2.6. The performance bond for an exploration permit is extended into the excavation phase if an excavation permit is granted.

5.4. Permits for underwater archaeological explorations and/or excavations may be limited to sites whose depths are those that can be worked on safely by (Self-Contained Underwater Breathing Apparatus) SCUBA divers of the National Museum and where archaeological methods and techniques of excavation and recovery may be applied. However, archaeological sites with depths exceeding the limits of SCUBA may be considered if the proponent could provide adequate and safe equipment for diving such depths without compromising the safety of divers.

Section 6. Exploration Activities

6.1. Activities during the exploration of underwater archaeological sites are limited to the assessment of the potential(s) of the sites for future archaeological excavation work. The result of all activities

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limited to underwater exploration, shall be submitted to the Underwater Archaeology Section, National Museum after the period of exploration with the following information:

6.1.1. Results of remote sensing and other non-destructive probing and the verification by ocular survey and photo-documentation

6.1.2. Identification of the underwater archaeological site, if possible the shipwreck and the period

6.1.3. Determination of the condition of wreck

6.1.4. Recording of the general environment:

6.1.4.1. nature, depth and mobility sediments

6.1.4.2. form and structure of outcrops, boulder spill

6.1.4.3. wave trends


6.1.4.4. current direction, strength, and periodicity

6.1.4.5. flora and fauna present, and effects on the archaeological materials

6.1.4.6. Quantification of the exposure of the site to wind and heavy sea.

6.2. The archaeological materials to be recovered are limited to samples of small finds and diagnostic materials enough to help in the identification and dating of the site. These materials shall belong to the National Museum.

6.3. Two (2) National Museum representatives in underwater archaeological exploration projects will serve as coordinator/supervisors. They shall have the authority to recommend termination of any project anytime when provisions of these guidelines are not adhered to, and if they, by their logical judgments, believe that the interests of the State will be compromised.

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Section 7. Excavation Activities

7.1. Underwater archaeological excavations are to be undertaken after the submission of the exploration report, duly verified by the Chief of the Underwater Archaeology Section. Archaeological excavations shall follow internationally accepted methods and techniques, which include:

7.1.1. General mapping of the site prior to excavation where feasible. A differential Global Positioning System (GPS) reading should be taken topside both from the North and South ends of the site (wrecksite), or whichever directions the site is oriented lengthwise.

7.1.1.1. contour mapping

7.1.1.2. location map

7.1.1.3. grid map


7.2. Archaeological recording of materials to show spatial relationships with other materials and environmental features.

7.2.1. Use of National Museum forms applicable to the excavation of archaeological sites, i.e. inventory forms (Form 5a), Site Discovery Forms, and grid forms.

7.2.2. Systematic and detailed documentation, which include illustrations and photo-documentation of the various stages of the excavations.

7.2.3. Implementation of adequate recovery procedures to minimize damage to fragile archaeological materials.

7.2.4. A set of procedures for the conservation and preservation of materials both at the site and the laboratory should be in place prior to the commencement of the archaeological excavation.

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7.2.5. Submission to the National Museum of Status and preliminary reports and final report of the activities and results of the excavations in the following format:

7.2.5.1. Introduction

7.2.5.2. Literature/archival Research

7.2.5.3. Methodology

7.2.5.3.1. Mapping

7.2.5.3.2. Equipment Set-up

7.2.5.3.3. Dive Procedures

7.2.5.3.4. Daily Dive log (time, no. of divers, no. of back-up divers, decompression table, remarks)

7.2.5.3.5. Excavation

7.2.5.3.6. Processing of Materials (desalination, inventory and accessioning, preliminary conservation, etc.)


7.2.5.3.7. Retrieval Procedures (include security measures undertaken during transport of materials (if applicable) from the excavation site to temporary storage or laboratory).

7.2.5.4. Results and Discussion

7.2.5.5. Recommendation

7.2.5.6. References/Bibliography

7.2.6. Status or progress reports shall include the current phase of the excavation activities and preliminary assessment of the archaeological materials so far recovered. It shall also include reports

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on any accidents and major problems encountered during the course of the excavation.

7.2.6.1.A joint authorship between the proponent (underwater archaeologist/s) and the National Museum on the publication of a complete final report on the results of the excavations, copies of which should be furnished to both.

7.2.7. Two (2) National Museum representatives in underwater archaeological excavation projects will serve as coordinator/supervisors. They shall have the authority to recommend termination of any project anytime when provisions of these guidelines are not adhered to, and if they, by their logical judgments, believe that the interests of the State will be compromised.

Section 8. Other Provisions


8.1. A log book should be maintained to record daily activities, features, notes and other related information which may not otherwise appear in other records, including the detailed description of the methods used during explorations and excavations. The documentation can be in English or Filipino.

8.2. Underwater archaeological work, both exploratory and actual excavations, shall be carried out only in the presence of at least two National Museum representatives.

8.3. Actual commencement of the work shall be subject to the availability of National Museum representatives.

8.4 The proponent shall bear all expenses related to the conduct of archaeological activities including, but not limited to, on-site accommodation and food costs. In cases where significant archaeological finds are discovered in situ, any extension of work deemed necessary by Museum representatives are likewise reimbursable.

8.5. The proponent shall also bear the museum representatives the

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Following:

8.5.1. Per diem = Php 800.00/day

8.5.2. Hazard Pay = Php 700.00/day

8.5.3. Honorarium = Php 4000 (per effective permit)

8.6. The permit grantee shall guarantee a minimum of twenty (20) days of diving for and in each calendar month from inception of the project, however subject to meteorological, climatic, technical or physical factors.

8.7. The start of the operations shall be no more than thirty (29) days after the date stipulated in the approved timetable unless otherwise agreed upon by both parties. Absence of communication from proponent after the prescribed period has lapsed will make the proponent in default and be grounds for revocation of permit.


8.9. The National Museum shall be furnished with copies of all documents, such as but not limited to accession and inventory records, logbook, negatives, photographs and other records pertinent to the project. Such copies must be submitted to the National Museum within three (3) months after particular documentation has been completed.

8.10 Right to Loan Artifacts for Exhibit and Analysis

8.11 Aside from the National Museum, the proponent shall have the right of first refusal to loan the artifacts for purposes of documentation, exhibition, and analysis.

8.12. Sharing of Recovered Underwater Specimens

8.13 The sharing of recovered materials, objects, or items will be limited only to Grade III Cultural Property, as described in Section 7.1 of the Implementing Rules and Regulations of R.A. 10066 and shall be undertaken, allowed or permitted only after a complete documentation of the same is finished. Sharing shall be done in Manila after prior notification and by mutual agreement between both parties.

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8.14 The proponent shall be bounded in a Memorandum of Agreement with the National Museum that its share of materials shall not be sold or given to any party other than legitimate museums for exhibition.

8.15 A field report on the project shall be submitted to the National Museum before any sharing of the recovered materials, objects or items is allowed.


8.16 All fragmentary materials such as sherds, organic and inorganic materials and so on recovered as a result of the project shall belong to the National Museum. A type collection of these materials may be provided to the proponent, to a university or similar educational or cultural institutions by the National Museum upon request.

8.17 All rare, unique pieces and items which are one of a kind automatically belong to the National Museum. However, sharing of other archaeologically recovered specimens shall be subject to negotiation in a Memorandum of Agreement between the National Museum and the proponent. The material cost of the total conservation of the recovered materials shall be borne by the proponents until sharing is completed. The technical expertise in the conservation of the materials may be provided by the National Museum.

8.18 No technical or professional paper, article or book may be released without the prior consent of the National Museum on the specific project.

8.19 The use of explosives in underwater archaeological work is prohibited; only shaped charges that will not harm the environment may be used but must be with prior clearance from the National Museum, the Armed Forces of the Philippines, and other concerned government agencies.

8.20 The National Museum is not liable and will not assume responsibility for accidents, losses or damages resulting from underwater archaeological operations in Philippine waters; the proponent is liable if through their negligence during the course of

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operations representatives of the National Museum undergoes harm in any form.

8.21. Landforms in sites shall be left undisturbed if possible and the destruction of these during the course of the work shall be minimized; all landforms must be restored as closely to the original as possible upon completion of the project.

8.22. Sub-contracting of underwater archaeological work or third party arrangements is not permitted. Permits from the National Museum are not non-transferable, nor can the proponent assign his rights to the permit and the implementation of permits to other persons or entities for whatever considerations.

8.23. Arbitration when necessary on any consideration shall be done in Philippine courts of law.


8.24. The permit grantee must provide underwater diving equipment to National Museum representatives which shall be used by them ONLY during the period of the archaeological work. Ownership of these equipment, however, shall be retained by the grantee.

8.25. The permit grantee must provide for the coverage of accident insurance of National Museum representatives assigned to the site for the duration of the archaeological project with a premium of not less than Php 500,000.00 or \$ 10, 000.00, or whichever is higher in the prevailing exchange rate.

8.26. The permit grantee shall provide for a decompression chamber whenever decompression dives are required at the site.

8.27. No exploration or excavation may commence until the applicant has signed these Rules and Regulations, Memorandum of Agreement, and permits to explore and/or excavate in Philippine waters are granted.

8.28. The National Museum has the absolute right to revoke the permit issued to the permit grantee because of the following reasons: violation of the provisions stipulated in this rules and regulations, and/or

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its inability to comply with the same; withholding any information regarding the presence or location of any item or object recovered from the site or any part thereof with the intention of defrauding the National Museum; possession, traffic, or use of prohibited drugs by any member of the permit grantee's team during the diving operations; and illegal possession of firearms and ammunitions, and any object that may endanger lives of other members of the team.

Section 9. Separability Clause

If any of the provisions of these rules and regulations is held or declared to be unconstitutional or invalid by a competent court, the other provisions hereof shall continue to be in force as if the provision so annulled or voided had never been incorporated in these rules and regulations.

Section 10. Repealing and Amending Clause

These Guidelines amends and/or revoke other orders, rules and regulations inconsistent herewith.

Section 11. Effectivity

This Office Order shall take effect after registration with the Office of the National Administrative Register.

NM FORM No. PD 374-7a
(Enclosure to NM Form No. Pd 374-7)
Revised February 1984
Owner's Copy


Application No.

Date filed.....

APPLICATION FOR PERMIT TO EXPLORE OR EXCAVATE Archaeological and Historical Sites

The DIRECTOR
National Museum
Manila

Sir:

 <div>NATIONAL MUSEUM PAMBANSANG MUSEO</div>	<div>NATIONAL MUSEUM</div> <div>Cultural Properties Regulation Division- Procedure and Work Instruction Manual</div>	PAWIM VOLUME 1- 001	
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TO WHOM IT MAY CONCERN:

Pursuant to the provisions of Presidential Decree No. 374 and its implementing rules and regulations, permission is hereby granted to.....

.....

.....of.....

.....

to explore, excavate or make diggings as herein specified:

Location.....

.....

Sitio/Barrio

City/Municipality

Province

Owner(s) of

Property.....

Total

Area.....

...

Duration of

Investigation.....to.....

.....

Purpose.....

.....

.....

.....

Supervisor of Exploration/


Excavation:.....

Authority to Supervise

No.....dated.....

Valid until.....

This permit is issued subject to the conditions specified by Rule VI of Presidential Decree No. 374.

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Note: Exploration and excavation should
be done only with the presence
of the designated supervisor.

Permit to Explore/ Excavate Fee: P150.00
O.R. No.....
Date.....

NM FORM No. PD 374-7a
(Enclosure to NM Form No. Pd 374-7)
Revised February 1984
Owner's Copy

Director


Application No.

Date filed.....

**APPLICATION FOR CERTIFICATE OF AUTHORITY TO SUPERVISE
EXPLORATION OR EXCAVATION**

Archaeological and Historical Sites

The DIRECTOR
National Museum

 NATIONAL MUSEUM PAMBANSANG MUSEO	NATIONAL MUSEUM Cultural Properties Regulation Division- Procedure and Work Instruction Manual	PAWIM VOLUME 1-001	
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Manila

Sir:

Pursuant to the provisions of P.D. 374 and its Implementing Rules and Regulations, I have the honor to request the permission to explore, excavate or make diggings as herein specified.

Location.....

Sitio/Barrio

City/Municipality

Province

Owner(s) of

Property.....

Total

Area.....

Duration of

Investigation.....to.....

Purpose.....

.....

Permit to Explore or Excavate

No.....Dated.....

Applicant

Application Fee: P20.00

OR. No.....Date.....


NM FORM No. PD 374-7a

(Enclosure to NM Form No. Pd 374-7)

Revised February 1984

Owner's Copy

Application No.

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Date filed.....

NATIONAL MUSEUM OF THE PHILIPPINES

CERTIFICATE OF AUTHORITY TO SUPERVISE EXPLORATION OR EXCAVATION

Archaeological and Historical Sites

TO WHOM IT MAY CONCERN:

Pursuant to the provisions of Presidential Decree No. 374 and its implementing rules and regulations, this Certificate of Authority is hereby issued to:

.....of.....
.....

Subject to the conditions specified by Rule VI of P.D. No. 374 to supervise the exploration, excavation or diggings as herein specified.

Location.....
.....

Sitio/Barrio

City/Municipality

Province

Owner(s) of
Property.....


Total
Area.....

Duration of
Investigation.....to.....
.....

Purpose.....
.....
.....

Supervisor of Exploration/

Excavation:.....

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Authority to Supervise

No.....Dated.....

This authority valid

until.....

Director


.....
Signature of Supervisor

Certification Fee: P50.00

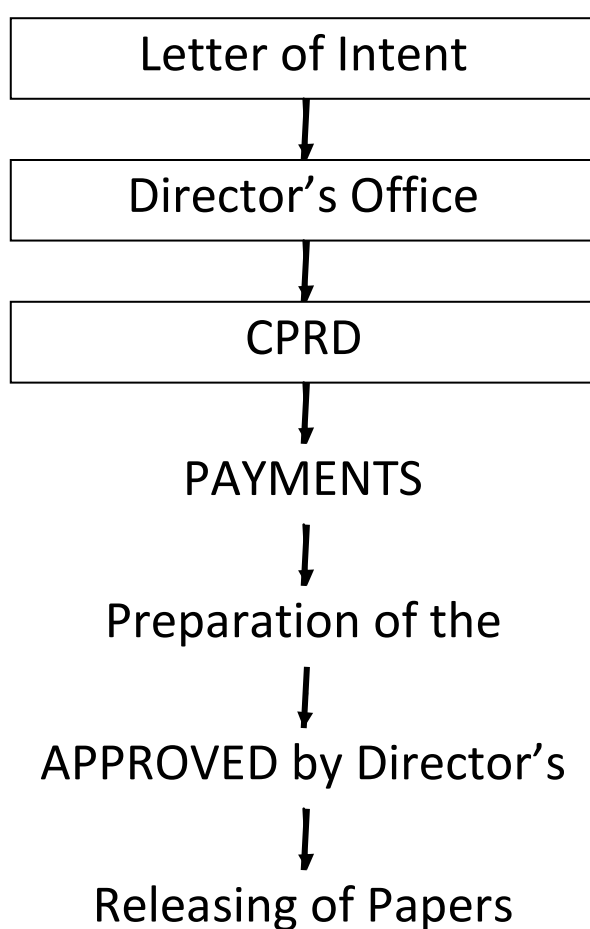
O.R. No.....


Date.....

FLOW CHART

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RENEWAL TO CONDUCT UNDERWATER ARCHAEOLOGICAL EXPLORATION



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**ISSUANCE OF PERMIT TO TRANSPORT
ARCHAEOLOGICAL MATERIALS
(NM Office Order No. 6, series 2009)**


SCOPE, POLICY STATEMENT and PROCEDURE DETAILS

The National Museum, under existing laws and regulations ,is tasked to preserve and protect Philippine cultural property including but not limited to archaeological sites and the artifacts and ecofacts found therein. Archaeological sites whether, in government or private property, have been disturbed by commercially minded diggers and collectors, destroying part of the Philippine Prehistoric and Early Historic Periods.

Hence, there is a need for stricter regulation of the movement of archaeological materials in the Philippines. Therefore, a Permit to Transport shall be issued to an individual or an institution provided that all the following requirements are followed:

1. A letter of request to transport archaeological materials citing the reason(s) the request is made shall be submitted to the Director of the National Museum;
2. The request shall be provided with the list of archaeological materials and photographs;
3. If the materials were purchased, an official receipt and a sworn affidavit of ownership shall be submitted to the NM;
4. If the materials were retrieved from an archaeological site, a copy of prior and pertinent Permit to Excavate or Explore must be submitted.

The Permit and Licensing Section of the Cultural Properties Division (CPRD) shall prepare the Permit to Transport to be approved by the Director IV or his / her duly designated representative only when and after the above have been satisfied. After signing, the aforementioned document shall be turned-over to the Records Section of the Administrative Division for its release. The Records Section shall provide copies of the permit to the CPRD and the Archaeology Division.

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A copy of the permit shall be also submitted to the concerned municipality or city for conformity.

**GUIDELINES ON AUTHORITY
TO CONDUCT ANTHROPOLOGICAL RESEARCHES BY
A FOREIGN NATIONAL**


SCOPE, POLICY STATEMENT and PROCEDURE DETAILS

Pursuant to Republic Act 4846 as amended by Presidential Decree 374 and Republic Act 8492, the National Museum of the Philippines shall issue an Authority to Conduct Archaeological Exploration and Excavation to all Team Leaders of the Archaeology and Cultural Properties Division who are on official mission in the different parts of the country. Such authority shall be prepared by the CPRD Permit and Licensing Section and shall be signed by the Director IV or his or her duly representative.


This authorization is valid for one year and shall be given to all team leaders every January.

PERMIT TO EXPORT CULTURAL PROPERTIES

1. Cultural Properties intended for export should be brought to the National Museum for inspection and appraisal. Items in boxes or in crates should not be sealed without prior inspection and/or appraisal;
2. Together with the cultural items to be exported, the following documents must be submitted to the NM at least three (3) days before departure;
 - 2.1. Photocopy/ies of sales invoices the numbers of which are in the authorized statement for printing invoices that are approved by the BIR and which were submitted to the NMP by the dealers/exporters of cultural properties duly licensed by the National Museum;

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- 2.2. Notarized Certificate of Ownership (affidavit) of the items to be exported stating how these items were acquired in the absence of sales invoices; or
- 2.3. Certificate of Registration of the cultural properties to be exported duly prepared by authorized personnel of the CPRD and approved and signed by the Director of the National Museum;
- 2.4. Colored photograph of each item to be exported or a digital picture thru compact disc and hard copy;
- 2.5. Complete address of the addressee should be submitted together with other papers. The National Museum reserves the right to deny issuance of an export permit to an exportee with an incomplete address.
3. After complying with the above requirements, and after proper verification by the personnel of the Licensing and Permit Section, CPRD, the applicant shall sign the Application Form which shall be countersigned by the Head of the Licenses and Permit Section, and noted by the Head of the Division;
4. Order of Payment shall be prepared and signed by the Assessing personnel of the Licenses and Permit Section and noted by the Head of the Division and countersigned by the applicant confirming the amount assessed by the CPRD assessing personnel. Basis of payment shall be 10% of the acquired value manifested in the official receipt or five hundred pesos (P500.00) whichever is higher plus fifty pesos (P50.00) for application fee;
5. Issuance of Order of Payment to the applicant who shall then directly pay the amount at the National Museum Cashier's Office;

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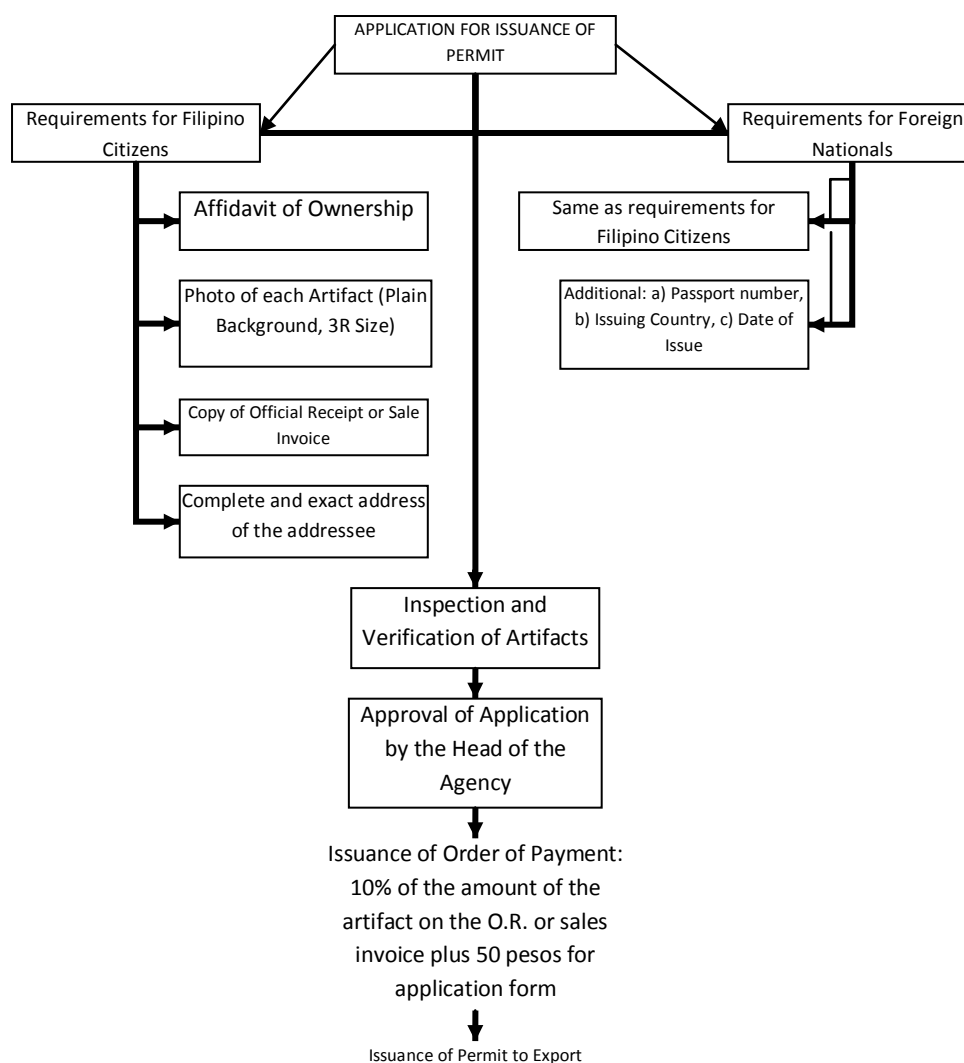
6. Order of Payment with attached Official Receipt issued by the Cashier's Office shall be returned to the Licensing and Permit Section, CPRD;
7. Simultaneous with the processing of the Order of Payment, the Permit to Export cultural property shall be prepared;


The Certificate (Permit to Export) shall be signed by the following CPRD personnel:

- 7.1. CPRD personnel who prepares the permit;
- 7.2. Head of the Division or the Officer-in-Charge shall affix his initials manifesting that all documents are in order;
8. The Director of the National Museum shall approve the said permit.
9. It must be expressly stated in the export permit to be issued that the NMP does not object to any additional requirements demanded by any other concern government agencies.

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FLOW CHART PERMIT TO EXPORT CULTURAL PROPERTIES



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LICENSING OF DEALERS

SCOPE, POLICY STATEMENT and PROCEDURE DETAILS


Any cultural property for sale as allowed under this Act, should be registered with the National Museum and the proceeds thereof shall be considered as income and therefore subject to taxation: **Provided**, however, that the government shall be given the first option for three months to buy these cultural properties when placed on sale.

Cultural properties for sale should be registered. And as such, no entity shall engage in business of antiquity without the necessary license or permit to deal issued by this office. All dealers of cultural properties shall secure a license as a dealer in cultural properties from the Director of the National Museum of the Philippines.

I. The following documents to be submitted by New Applicants:

1. Letter of intent;
2. Mayor's Permit
3. Certificate of Registration with the Department of Trade and Industry and SEC;
4. List of present stock inventory to be duly inspected and registered by NM personnel;
5. Names of authorized agent/s including their respective bio-data;

Upon compliance by the dealer and after further evaluation by the office and found the documents submitted complete or regular, letter of understanding, application form and order of payment shall be accomplished and signed by the applicant.

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After payment, license shall be prepared, processed and release to the applicant by the CPRD;

II. The following documents to be submitted for renewal of permit to deal:

1. Mayor's Permit
2. List of present stock
3. Latest list of authorized agent/s.

If the documents submitted are in order, renewal of understanding and commitment including the application form and order of payment shall be accomplished and signed by the applicant.


The following amount shall be paid

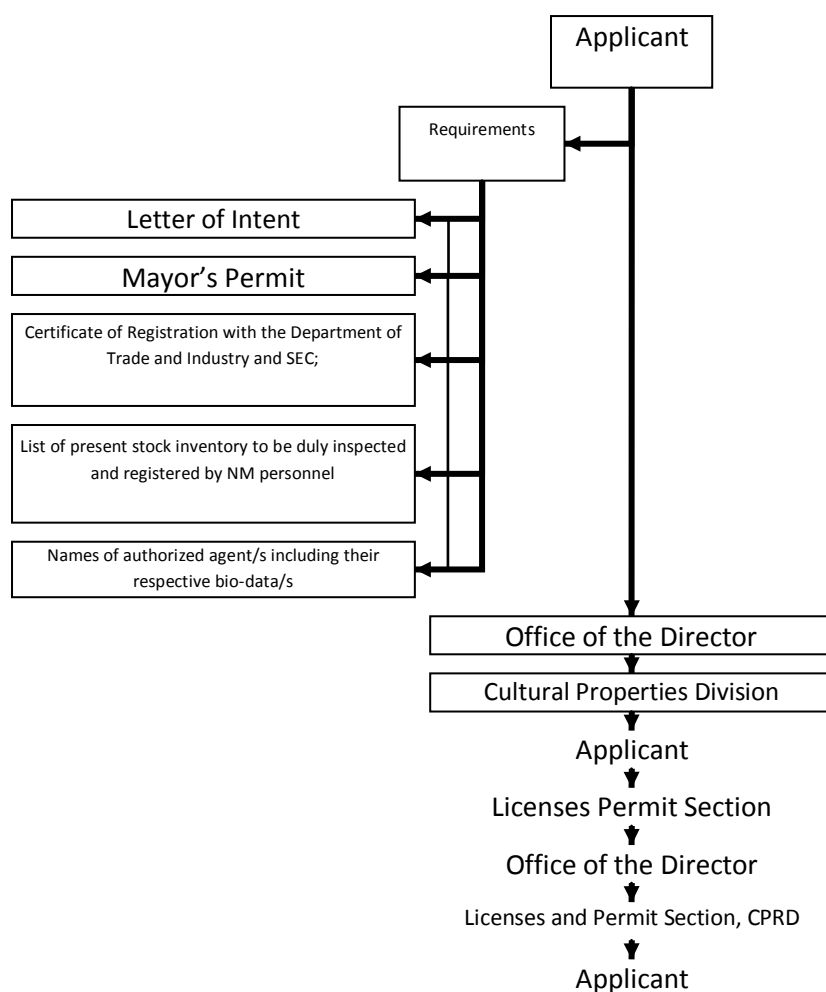
License fee for dealers1,000.00
 License fee for agents 500.00


Surcharges for late renewal of licenses

March	5%	of	P 1,000.00	P 50.00
April	10%	of	1,000.00	100.00
May	15%	of	1,000.00	150.00
June	20%	of	1,000.00	200.00
July	25%	of	1000.00	250.00
August	30%	of	1,000.00	300.00
September	35%	of	1,000.00	350.00
October	40%	of	1,000.00	400.00
November	45%	of	1,000.00	450.00
December	50%	of	1,000.00	500.00.

After payment, license shall be prepared, processed and released to the applicant by the CPRD.

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EXPORT PERMIT FOR NATURAL HISTORY SPECIMENS

PROCEDURE DETAILS

The following are the guidelines and requirements for the export of natural history specimens:

1. National Museum specimens to be taken out of the country must have a formal approval from the Director IV;
2. Specimens to be taken out of the country must be listed and categorizes whether they are holotypes, endangered specimens, specimens which are irreplaceable or common species;
3. Export permit shall only cover natural history specimens from the National Museum and other research or academic institutions which are classified as holotype;
4. Holotypes are plants and animals that were used as bases in the classification and identification of the species and shall be treated as cultural property;
5. All holotypes shall be registered by the CPRD following the procedures used in the registration of relics, artifacts and antiques;
6. The said list must be signed by the Curator II or OIC of the division concerned;
7. The said list with attached letter of approval from Director IV shall be forwarded to the Cultural Properties Division;

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8. Validation and assessment of the list shall be conducted by the personnel of the CPRD including the processing of export permit;
9. Certification of non-coverage shall be issued to specimens which are classified as common.

GRATUITOUS PERMIT TO EXPORT ARTWORKS


SCOPE, POLICY STATEMENT and PROCEDURE DETAILS

B. All artworks, more than a hundred year old, owned by **private collector** and/or institution, intended to be brought out of the Philippines, solely and exclusively for exhibition, may be issued a gratuitous permit to export provided the following requisites are followed:

1. A letter request specifying, the artworks to be brought out, the place of exhibit, the duration of exhibit and any other information which is vital to the issuance of the permit;
2. Together with the letter request, supporting documents shall also be submitted;
 - 2.1. Certificate from the administrator, curator or owner of the establishment (museum, trade fair, etc...) where the exhibit is to be held certifying that the artworks to be exported shall be used solely and exclusively for exhibition; It shall also be stated in the certificate the extent or duration of exhibition;
 - 2.2. An affidavit of undertaking from the applicant that the artwork to be exhibited shall be returned immediately to the Philippines after the exhibition;
 - 2.3. Affidavit of Ownership;

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- 2.4. Colored photograph of the said artwork (3"x5");
 - 2.5. Certificate of Registration of Artifacts;
 - 2.6. Performance Bond in the form of Surety Bond, cash manager's check amounting to Fifty Thousand Pesos (P50,000.00) or 20% of the total amount of the item to be exported;
3. Approval of the Director, upon proper recommendation of the Chief or OIC of the Cultural Properties Division;
 4. Upon the return of the artwork in the Philippines, the applicant shall immediately notify the National Museum for proper inspection;
 5. In case the duration of exhibit is extended, proper notice should be made by the applicant to the National Museum;
 6. All artwork covered by the gratuitous permit which were not returned to the Philippines shall be considered illegally brought out of the country;
 7. Upon compliance with the necessary requirement stated in condition nos. 1, 2 & 3 of the guidelines, the Licensing and Permit Section of the Cultural Properties Division shall process the issuance of the said gratuitous permit;
 8. Order of payment shall be made in the amount of Fifty Pesos (P50.00) as processing fee.
- C. All artworks, more than a hundred year old, owned by **government institution** intended to be brought out of the Philippines solely and exclusively for exhibition purposes may be issued a gratuitous permit to export provided the following requirements are followed:

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1. Letter request from the government institution, stating the artwork to be brought out, the place of exhibit, the duration of exhibit and any other information which is vital to the issuance of permit;
 2. Together with the letter request, a certificate from the administrator, curator or owner of the establishment (Museum, trade fair, etc...) where the exhibit is to be held, certifying that the artwork is intended solely and exclusively for exhibition. The certificate shall also state the duration of exhibit;
 3. Approval of the Director, upon the recommendation of the Chief or OIC of the Cultural Properties Division;
 4. Payment of Fifty Pesos (P50.00) for processing fee;
 5. Processing of necessary permit shall be conducted by the Cultural Properties Division personnel;
 6. In case the exhibition is extended, formal notice shall immediately be made by the applicant;
- D. National Museum collection including natural history specimens intended to be exhibited abroad or intended for scientific studies, must have prior authority and approval from the Head of the Agency before issuance of any Permit to Export or Certificate of Non-Coverage.

Requirements and Guidelines for the Issuance of Permit to Export Works of Art by National Artists and Old Filipino Masters

SCOPE, POLICY STATEMENT and PROCEDURE DETAILS


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1. All Works of Art by National Artists and Old Masters intended to be brought out for profit or sale shall be issued a permit to export provided the following requirements are submitted:
 - a. *Letter – request* addressed to the Director of the National Museum.
 - b. *Affidavit of Ownership* stating, among others, circumstances of acquisition;
 - c. 3R colored picture of the items;
 - d. *Complete address* of the exporter and the exportee including means of transport;
2. Approval of the Director, upon recommendation from the Chief or OIC of the CPRD;
3. Notice of approval shall be issued including the fees to be paid;
4. In case of disapproval, corresponding notice shall be forwarded stating the reason for said disapproval;
5. Order of Payment for Permit to Export shall be **10% of the appraised value** recommended by the panel of experts for the arts;
6. The work of art must be brought to the National Museum for inspection.

* Attached herewith are the lists of the National Artists and Old Filipino Masters

NATIONAL ARTISTS

1. Fernando Amorsolo, N.A. in Painting, 1972
2. Carlos V. Frascisco, N.A. in Painting, 1973
3. Guillermo Tolentino, N.A. in Sculpture, 1973
4. Napoleon Abueva, N.A. in Sculpture, 1976
5. Victorio Edades, N.A. in Painting, 1976
6. Vicente Manansala, N.A. in Painting, 1981

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7. Cesar Legaspi, N.A. in Painting, 1990
8. Hernando Ocampo, N.A. in Painting, 1991
9. Arturo Luz, N.A. in Sculpture, 1997
10. Jerry Navarro, N.A. in Sculpture, 1999
11. AngKiukok, N.A. in Painting, 2001
12. Jose Joya, N.A. in Painting, 2003


CONSIDERED MASTERS IN PHILIPPINE ARTS

1. Juan Luna
2. Felix Ressurrecion Hidalgo
3. Lorenzo Ma. Guerrero
4. Felix Hidalgo
5. Simon Flores Y dela Rosa
6. Jorge Pineda
7. Miguel Zaragoza
8. Dominador Castaneda
9. Antonio Malantic
10. Damian Domingo

GUIDELINES FOR ISSUANCE OF CERTIFICATE OF NON-COVERAGE (P.D.374)

SCOPE AND PROCEDURE DETAILS


1. All items shall be brought to the Licensing and Permit Section, Cultural Properties Division for inspection;
2. In case the item cannot be brought to the National Museum, a formal request must be forwarded to this office by the applicant requesting for an inspection of items to be exported. It is understood that the Museum personnel who will inspect the item shall be fetched and be brought back to the National Museum.

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3. Upon inspection and/or assessment, a certificate of non-coverage shall be issued in case the item is not covered by P.D. 374;

As a general rule, items which are less than 100 years old are not covered by P.D. 374 (except art works crafted by National Artist)

4. Upon inspection and verification of item/items, a formal recommendation shall be made by the Licensing and Permit Section, that the item is not covered by P.D. 374;
5. Simultaneously, a certificate of non-coverage shall be prepared including the order of Payments which shall be based on the following:
 - a. P 250.00 – certificate
 - b. P 10.00 – filing fees
6. Payments shall be made directly to the cashier office by the applicant;
- 7.
8. Upon presentation of official receipt, the certificate of non-coverage shall be issued and released by the releasing unit of CPRD.
9. It is understood that the travel of Museum personnel who will inspect the item shall be handled by the applicant

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Regulation and Monitoring of Treasure Hunting Activities

Republic of the Philippines

GUIDELINES GOVERNING THE ISSUANCE OF PERMITS FOR TREASURE HUNTING (NM Office Order No. 83; series 2011, January 5, 2011)

SCOPE, POLICY STATEMENT and PROCEDURE DETAILS

Pursuant to No. 8, Section 29 of Article VII of the Republic Act No. 10066, otherwise known as The National Cultural Heritage Act of 2009, the following guidelines are hereby promulgated for the guidance of all concerned:


Section 1. Declaration of Policy

It is the policy of the State that the discovery/recovery of hidden treasures and their disposition shall be under the full control and supervision of the State in order to ensure the interest of the Government which also includes rehabilitation of disturbed areas and the preservation of important cultural properties and national cultural treasures.

Section 2. Scope and Coverage

This guideline shall govern the issuance of Permits for the following:

2.1 Treasure hunting activities in Government land or private land;

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2.2 Disposition of recovered hidden treasures or things of value hoarded in secret/undisclosed places prior to the effectivity of these rules and regulations. This includes transport and/or sale of hoarded gold bars, gold coins, platinum, silver, nickel babbitts, jewelries, gemstones, etc., or the so called “Yamashita Treasures.”

These guidelines, however, do not cover the issuance of permits for the discovery/recovery of cultural and historical values, such as objects of arts, archaeological artifacts, ecofacts, relics and other materials embodying the cultural and natural heritage of the Filipino nation, as well as those of foreign origin, which shall be governed by Republic Act No. 4846 as amended by Presidential Decree 374 or “The Preservation and Protection of Cultural Properties Act”; Republic Act No. 8492, the National Museum Act of 1998; and Republic Act No. 10066, otherwise known as National Cultural Heritage Act of 2009.


Section 3. **Objectives**

The objectives of these Guidelines are:


- 3.11 To rationalize the system of evaluation of applications for Treasure Hunting;
- 3.12 To provide appropriate guidelines for hunting hidden treasure and disposition thereof, to protect the interest of the Government and to preserve the cultural heritage of the Filipino people.

Section 4. **Definition of Terms**

As used in and for purposes of these guidelines, the following terms shall mean:


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- 4.1 Area Clearance** – refers to a clearance issued by the agency allowing an applicant to conduct treasure hunting activities as shown in the submitted technical and environmental work programs
- 4.2 Agency-** refers to the National Museum of the Philippines
- 4.3 Artifacts** – refers to articles that are products of human skills or workmanship, especially in the simple product of primitive arts or industry representing past eras or periods.
- 4.4 Digging** – refers to the process or activities of excavating hidden treasures buried underground for years or centuries.
- 4.5 Director** – means the Director of the National Museum of the Philippines.
- 4.6 Environmental Compliance Certificate (ECC)** – refers to a document issued by the Secretary or the concerned Regional Executive Director of the Department of Environmental and Natural Resources certifying that based on the representation of the proponent and the preparer, the proposed project or undertaking will not cause significant negative environmental impact and that the proponent is committed to undertake all the mitigation stated in the Initial Environmental Examination.
- 4.7 Environmental Impact Assessment** – refers to a process of predicting the likely environmental consequences of implementing a project or undertaking and designing appropriate, preventive, mitigating and enhancement measures.
- 4.8 Environmental Work Program** – refers to a comprehensive and strategic management plan to achieve the environmental objectives, criteria and commitments including protection and

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rehabilitation of the disturbed environment during and after the treasure hunting

- 4.9 Hidden Treasure** – refers to any hidden money, jewelry, or other precious objects, the lawful ownership of which does not appear.
- 4.10 Initial Environmental Impact Examination (IEIE)** – refers to the document required of proponents describing the environmental impact or and mitigation enhancement measures for projects or undertakings located in an **Environmentally Critical Area**.
- 4.11 Permit** – refers to the Permit issued for Treasure Hunting.
- 4.12 Permit Holder** – refers to a holder of a Permit for Treasure Hunting.
- 4.13 Private Land** – refers to title belonging to any private person or entity which includes alienable and disposable land being claimed by the holder, claimant or occupant who has already acquired a vested right thereto under the law, although the corresponding certificate of evidence of title or patent has not been actually issued.
- 4.14 Relics** – refers to object possessing cultural properties which, either as a whole or in fragments, are left behind after the destruction or decay of the rest or it's parts and which are intimately associated with important beliefs, practices, customs and traditions, persons and personages.
- 4.15 Technical Work Program** – refers to a detailed outline of activities and financial plan to be followed in the treasure hunting.

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4.16 Treasure Hunting – refers to any and all inland activities such as but not limited to locating, digging or excavating, transporting and disposition of recovered treasures.

4.17 Site – refers to the actual ground location of diggings and excavations.

Section 5. **Qualifications of Applicants**

The following entities may apply for a Treasure Hunting Permit:

5.1 In case of an individual – must be a Filipino citizen, of legal age, with capacity to enter into contract and capable of conducting Treasure Hunting.


5.2 In case of partnership, association or corporation - must be organized or authorized for the purpose of engaging in Treasure Hunting, duly registered in accordance with law, and with technical and financial capability to undertake Treasure Hunting activities.

Section 6. **Filing of Application**

All applications for Treasure Hunting shall be made under oath and shall be filed with the Agency where all legal, technical, financial and operational requirements shall be evaluated.

An application fee based on the categories mentioned below shall be followed:

6.1 Small scale treasure hunting activity (if the area is less than one hectare) –
P 3,000

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6.2 Medium scale treasure hunting activity (private/ commercial area)
- P 5,000

6.3 Large scale treasure hunting activity (area is one hectare or more
/public land) P 10,000

Section 7. **Requirements**

All applications shall be accompanied by the following:

7.1.A Legal and Administrative

7.1.1. Prescribed personal and/or Corporate Information Sheet


7.1.2 For partnership, associations or corporations

7.1.2.1 Certified true copy of Certificate of Registration issued by the Securities and Exchange Commission (SEC) or concerned authorized Government agency;

7.1.2.2 Certified true copy of Articles of Incorporation/Partnership/Association and Bylaws; and

7.1.2.3 Organizational and Operational Structure

7.1.3 Consent of landowner(s) concerned, when the activities are


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bound to affect private lands or consent of the concerned Government agency, when the activities affect government buildings, dams, watersheds and other areas or site reserved or used for purposes affecting vital national interest, military or naval camps, bases and reservations, shrines and other hallowed places; or consent of concessionaires when the permit area affects aquaculture or fishery projects or beach/marine recreational areas, if applicable:

- 7.1.4 Area Clearance from concerned Government agency, when the activities affect public land.
- 7.1.5 Certified true copy of Joint Venture Agreement(s), if any; and
- 7.1.6 Free and prior informed consent if indigenous cultural community in areas covered by ancestral land/domain.
- 7.1.7 ECC and/or IEIE in **Environmentally Critical Area** identified by the Department of Environment and Natural Resources.

7.2 Technical

- 7.2.1 Technical description of the site expressed in terms of latitude and longitude.
- 7.2.2 Technical Work Program, including appropriate technology, manpower, equipment, cost estimates and safety measures.

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7.2.3 Environmental Work Program, including the nature and extent of predicted damages to the environment, if any, and the proposed restoration/rehabilitation program and budgetary requirements. This shall be the basis for the assessment of the required surety bond for the restoration/rehabilitation works. The said program must conform or must have prior clearance from concerned local government unit (Municipal or City level).

7.2.4 Curriculum Vitae or technical person/s who shall undertake the Technical and Environmental Work Programs.

7.3 Financial

7.3.1 Latest income/corporate tax return, if applicable;

7.3.2 Certified true copies of latest audited financial statements, if applicable; and


7.3.3 Bank guarantees/references, credit lines, cash deposits, and other proofs of the sources of funding.

Section 8. Evaluation and Approval

Within thirty (30) working days upon payment of a non-refundable application fee and submission of the complete requirements to the agency, the application shall be processed and evaluated by the Cultural Properties Division (CPRD) which shall be approved by the Director.

The CPRD shall assist the Director on the following:

8.1 Plotting of area applied for in control map(s);

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8.2 Evaluation and review of applications;

8.3 Determination of the amount of surety bond to be posted;

8.4 Monitoring of compliance with the permitting terms and conditions;

8.5 Recommendation of any measure in connection with authorized activities; and

8.6 Preparation of progress report on the said activities.


If necessary, the evaluation shall include a field assessment/verification of the location, public or private structures that may be affected based on the submitted Technical and Environmental Work Programs. The corresponding field verification fee of One Thousand Five Hundred Pesos (P1,500.00) per field man per day shall be paid by the applicant. However, all spot inspections verifying the progress of the approved treasure hunting activity shall be shouldered by the National Museum.

The Chief of the Cultural Properties Division shall endorse the results of the technical evaluation of the application to the director for consideration and approval, including the recommendation for the amount of surety bond to be posted by the applicant.

After the approval, the permit shall be forwarded to the Permit Section of the CPRD for numbering.

8.7 No permit shall be issued in cave sites within 500 meters from the mouth of the cave, archaeological, and/or declared historical zones, and anthropological reservations.

8.8 No permit shall be issued on any shipwreck activities;

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8.9 No permit shall be issued on all identified or recorded archaeological sites;

Section 9. **Posting of Bond and Releasing of Permit**

A surety bond shall be posted by the applicant upon approval but before the release of the permit, to answer for and guarantee payment to whatever actual damages that may be incurred during locating, digging and excavating activities. The applicant shall post the bond in the Government Service Insurance System (GSIS) or any reputable bonding company in case of the former's failure to provide the same. The proof of posting of the surety bond shall then be submitted to the agency prior for numbering and release of the Permit of the applicant.


Section 10. **Term of the Permit**

The Permit shall have a term of one (1) year renewable once for a period of one (1) year.

Section 11. **Terms and Conditions of the Permit**

The Permit shall contain the following terms and conditions:

- 11.1 The permit for treasure hunting shall be for the exclusive use and benefit of the Permit Holder and shall not be transferred or assigned, except in case of death or total incapacitation of individual permit holder where succession would only be to next of kin;

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11.2 The Permit area may be inspected and examined at any time by the Director or his authorized representative(s). Other concerned agencies may also undertake inspection in the Permit Area in coordination with the agency;

11.3 The Permit Holder shall commence its activities within three (3) months from the issuance of the Permit;


11.4 The Permit Holder shall not destroy any building or structure erected on the Permit Area without the consent of the owner.

11.5 The Permit Holder shall submit a quarterly report detailing thereon the accomplishment/progress of work as per submitted and approved Technical Work and Environmental Work Programs not later than ten (10) days after the end of each quarter.

11.6 The Permit Holder shall immediately notify the agency within twenty
four (24) hours upon discovery of valuable items in the area applied for;

11.7 The Permit Holder shall assume full responsibility and be liable for damages that may incur during its operation under the Permit or activities or omission incidental to its operation;

11.8 Upon the recommendation of the Chief of the Cultural Properties Division, the director may at any time suspend or revoke the Permit when in his opinion, public interest so requires or upon failure of the Permit Holder to comply with the terms and conditions thereof as to the expenditures that might have been

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incurred or as to other damages that might have been suffered by the Permit Holder;

11.9 The Permit Holder shall conform to applicable laws, rules and regulations on Treasure hunting activities;

11.10 Withdrawal by the Permit Holder from the Permit Area shall not release it from any and all financial, environmental, legal and/or other obligations.

11.11 The Permit Holder shall comply with any additional terms and conditions which the Director may impose, or requirements that the agency may thereafter prescribe;

Section 12. **Transport of Treasure Finds**


12.1 No Treasure Finds (gold bullions, platinum, jewelries, etc.) shall be moved from one destination to another without prior permit to transport issued by the National Museum; to this effect, the following documents shall be provided:

12.1.1. Formal Request to transport from the original place to a place of destination;

12.1.2. Copy of Treasure Hunting Permit;

12.1.3. List of Inventory to be transported;

12.2 The inventory of treasure finds shall be conducted by the agency together with the applicant or his/her authorized representative.

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Section 13. **Valuation and Disposition of Recovered Treasure/Valuable Cargoes**

Upon discovery of valuable items such as monies, things and article of value, resulting from Treasure Hunting, the agency shall determine whether or not they are considered to have cultural and/or historical value. In the event that the items are considered to have historical and cultural value, it shall be turned over to the National Museum for appropriate action. Otherwise, the same shall be turned-over to the Oversight Committee for valuation and disposition.

All treasures found shall be allowed for export only upon the approval of the National Museum in coordination with the Central Bank of the Philippines.


Section 14. **Oversight Committee**

An NM Oversight Committee shall be created within thirty (30) days from the date of effectivity of these rules and regulations to oversee all the diggings, excavations and to take possession for valuation and eventual disposition of all monies, things, and articles of value without historical and cultural value. The Committee shall be composed of the Director or his duly authorized representative as Chairperson; technical personnel from the National Museum, Central Bank and the Permit Holder or his representative as members.

Section 15. **Sharing**

After an audited report of expenses has been evaluated and approved by the Oversight Committee, the sharing of the net proceeds shall be as follows:

15.1 For Treasure Hunting within Public Lands – Fifty percent (50%) to the Government, fifty percent (50%) to the Permit Holder;

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An intellectual property rights arising from the documentation or recording of the discovery, recovery and other such activities pertaining to Treasure Hunting by means of still photography, film, video or other forms of electronic media, publication of the images generated thereby and other forms of reproduction or dissemination of the same belong to the Government and shall be governed by appropriate laws.

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All information submitted by the applicants in support of their applications and other data supplied by the Permit Holder shall be treated as confidential by the Government from the time they are submitted/supplied to Agency and/or Oversight Committee up to a period of two (2) years from the expiration of the permit. Likewise, illegal treasures activities reported to the National Museum must be treated with strict confidentiality. And as such, the National Museum shall be liable in case of leak of information of said report.

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Rehabilitation of disturbed areas shall be monitored in accordance with the permit itself. In cases of forfeiture, both the rehabilitation fee and the posted bond shall be used to rehabilitate the area and shall not be limited to rehabilitation activities but may include repair and maintenance of adjacent areas.

Section 19. **Terms and Conditions**

The Permit shall have a maximum term of one (1) year renewable once for the same period and shall contain the following terms and conditions:

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19.1. The boundaries of the permit area for treasure hunting shall be properly marked;

19.2 The permit holder shall immediately formally notify in writing the agency within twenty four (24) hours upon discovery of valuable items in the area covered by the permit. Failure to notify the agency within the required period shall render the collection and/or gathering as illegal and shall constitute as a violation of the Guidelines on Treasure Hunting;

19.3 The permit holder shall assume full responsibility and be liable to damages that may be occasioned by its operation under the permit.

Section 20. **Termination and Cancellation of the Permit**

The grounds for the termination or cancellation of the Permit shall be as follows:


20.1 Failure of the TH permit holder to comply with the terms and conditions of the Permit;

20.2 Violation of any of the provisions of R.A. 10066 and applicable environment and natural resources laws, rules and regulations;

20.3 When the national interest so requires as determined by the agency. In cases of violations the bond shall automatically accrue for rehabilitation works.

Section 21. **Permit Renewal**

Treasure Hunting Permit (THP) renewal shall be subject to the following conditions:

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21.1 Payment based on the category mentioned in Section 6 of this order for application fee, submission of new/revised work program, certification of performance or accomplishment reports, submission of area clearances and proofs of financial capability as specified in Section 7.3 of this order and payment of bond.

Section 22. **Penal Provision**

Any violation on the provisions of these rules and regulations shall be penalized in accordance with R.A. 10066 or the National Cultural Heritage Act of 2009 and other existing applicable laws, rules and regulations.


Section 23. **Transitory and Miscellaneous Provisions**

All existing Treasure Hunting permit previously issued by the DENR – Mines and Geosciences Bureau shall be evaluated and validated by the National Museum. All pending, new and renewal of applications shall be endorsed to the Chief of the Cultural Properties Division for evaluation to be approved by the Director.

Section 24. **Separability Clause**

If any of the provisions of these rules and regulations is held or declared to be unconstitutional or invalid by a competent court, the other provisions hereof shall continue to be in force as if the provision so annulled or voided had never been incorporated in these rules and regulations.

Section 25. **Repealing and Amending Clause**

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These Guidelines amends and/or revoke other orders, rules and regulations inconsistent herewith.


Recommended for Approval:

ANGEL P. BAUTISTA

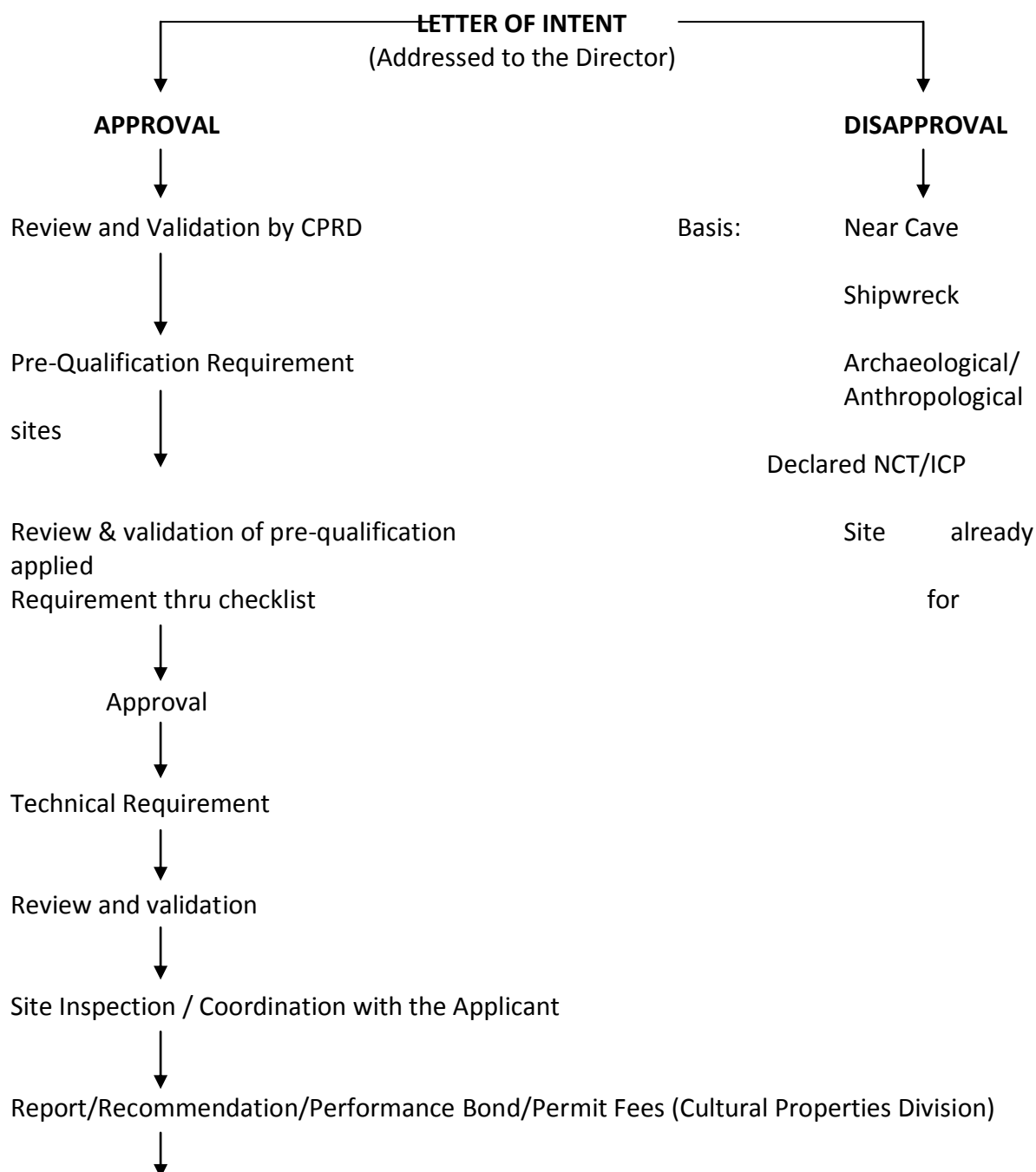
Chief, Cultural Properties Division


JEREMY BARNS

Director IV

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(FLOWCHART)



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Approval (Office of the Director)



Released by CPRD Administrative Section

Republic of the Philippines
NATIONAL MUSEUM OF THE PHILIPPINES
 National Museum Building
 P. Burgos St., Manila
 Tel. Nos. (02) 527-1215; (02)527-1216

OFFICE ORDER
 No. 2011- 83

January 05, 2011


**SUBJECT: GUIDELINES GOVERNING THE ISSUANCE OF
PERMITS FOR TREASURE HUNTING**

SCOPE, POLICY STATEMENT and PROCEDURE DETAILS

Pursuant to No. 8, Section 29 of Article VII of the Republic Act No. 10066, otherwise known as The National Cultural Heritage Act of 2009, the following guidelines are hereby promulgated for the guidance of all concerned:

Section 1. Declaration of Policy

It is the policy of the State that the discovery/recovery of hidden treasures and their disposition shall be under the full control and supervision of the State in order to ensure the interest of the Government which also includes rehabilitation of disturbed areas and the preservation of important cultural properties and national cultural treasures.

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Section 2. **Scope and Coverage**

This guideline shall govern the issuance of Permits for the following:

2.3 Treasure hunting activities in Government land or private land;

2.4 Disposition of recovered hidden treasures or things of value hoarded in secret/undisclosed places prior to the effectivity of these rules and regulations. This includes transport and/or sale of hoarded gold bars, gold coins, platinum, silver, nickel babbitts, jewelries, gemstones, etc., or the so called “Yamashita Treasures.”


These guidelines, however, do not cover the issuance of permits for the discovery/recovery of cultural and historical values, such as objects of arts, archaeological artifacts, ecofacts, relics and other materials embodying the cultural and natural heritage of the Filipino nation, as well as those of foreign origin, which shall be governed by Republic Act No. 4846 as amended by Presidential Decree 374 or “The Preservation and Protection of Cultural Properties Act”; Republic Act No. 8492, the National Museum Act of 1998; and Republic Act No. 10066, otherwise known as National Cultural Heritage Act of 2009.

Section 3. **Objectives**

The objectives of these Guidelines are:

3.13 To rationalize the system of evaluation of applications for Treasure Hunting;


3.14 To provide appropriate guidelines for hunting hidden treasure and disposition thereof, to protect the interest of the Government and to preserve the cultural heritage of the Filipino people.

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Section 4. **Definition of Terms**


As used in and for purposes of these guidelines, the following terms shall mean:

- 4.18 Area Clearance** – refers to a clearance issued by the agency allowing an applicant to conduct treasure hunting activities as shown in the submitted technical and environmental work programs
- 4.19 Agency-** refers to the National Museum of the Philippines
- 4.20 Artifacts** – refers to articles that are products of human skills or workmanship, especially in the simple product of primitive arts or industry representing past eras or periods.
- 4.21 Digging** – refers to the process or activities of excavating hidden treasures buried underground for years or centuries.
- 4.22 Director** – means the Director of the National Museum of the Philippines.
- 4.23 Environmental Compliance Certificate (ECC)** – refers to a document issued by the Secretary or the concerned Regional Executive Director of the Department of Environmental and Natural Resources certifying that based on the representation of the proponent and the preparer, the proposed project or undertaking will not cause significant negative environmental impact and that the

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proponent is committed to undertake all the mitigation stated in the Initial Environmental Examination.

- 4.24 Environmental Impact Assessment** – refers to a process of predicting the likely environmental consequences of implementing a project or undertaking and designing appropriate, preventive, mitigating and enhancement measures.
- 4.25 Environmental Work Program** – refers to a comprehensive and strategic management plan to achieve the environmental objectives, criteria and commitments including protection and rehabilitation of the disturbed environment during and after the treasure hunting
- 4.26 Hidden Treasure** – refers to any hidden money, jewelry, or other precious objects, the lawful ownership of which does not appear.
- 4.27 Initial Environmental Impact Examination (IEIE)** – refers to the document required of proponents describing the environmental impact or and mitigation enhancement measures for projects or undertakings located in an **Environmentally Critical Area**.
- 4.28 Permit** – refers to the Permit issued for Treasure Hunting.
- 4.29 Permit Holder** – refers to a holder of a Permit for Treasure Hunting.
- 4.30 Private Land** – refers to title belonging to any private person or entity which includes alienable and disposable land being claimed by the

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holder, claimant or occupant who has already acquired a vested right thereto under the law, although the corresponding certificate of evidence of title or patent has not been actually issued.

- 4.31 Relics** – refers to object possessing cultural properties which, either as a whole or in fragments, are left behind after the destruction or decay of the rest or it's parts and which are intimately associated with important beliefs, practices, customs and traditions, persons and personages.
- 4.32 Technical Work Program** – refers to a detailed outline of activities and financial plan to be followed in the treasure hunting.
- 4.33 Treasure Hunting** – refers to any and all inland activities such as but not limited to locating, digging or excavating, transporting and disposition of recovered treasures.
- 4.34 Site** – refers to the actual ground location of diggings and excavations.

Section 5. **Qualifications of Applicants**

The following entities may apply for a Treasure Hunting Permit:

- 5.3 In case of an individual – must be a Filipino citizen, of legal age, with capacity to enter into contract and capable of conducting Treasure Hunting.
- 5.4 In case of partnership, association or corporation - must be organized or authorized for the purpose of engaging in Treasure Hunting, duly registered in accordance with law, and with technical and financial capability to undertake Treasure Hunting activities.

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Section 6. **Filing of Application**

All applications for Treasure Hunting shall be made under oath and shall be filed with the Agency where all legal, technical, financial and operational requirements shall be evaluated.

An application fee based on the categories mentioned below shall be followed:

6.3 Small scale treasure hunting activity (if the area is less than one hectare) –
P 3,000

6.4 Medium scale treasure hunting activity (private/ commercial area)
- P 5,000


6.3 Large scale treasure hunting activity (area is one hectare or more /public land)
P 10,000

Section 7. **Requirements**

All applications shall be accompanied by the following:

7.1.A Legal and Administrative

7.1.1. Prescribed personal and/or Corporate Information Sheet

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7.3.2 For partnership, associations or corporations

7.3.2.1 Certified true copy of Certificate of Registration issued by the Securities and Exchange Commission (SEC) or concerned authorized Government agency;

7.3.2.2 Certified true copy of Articles of Incorporation/Partnership/Association and Bylaws; and

7.3.2.3 Organizational and Operational Structure


7.3.3 Consent of landowner(s) concerned, when the activities are

bound to affect private lands or consent of the concerned Government agency, when the activities affect government buildings, dams, watersheds and other areas or site reserved or used for purposes affecting vital national interest, military or naval camps, bases and reservations, shrines and other hallowed places; or consent of concessionaires when the permit area affects aquaculture or fishery projects or beach/marine recreational areas, if applicable:

7.3.4 Area Clearance from concerned Government agency, when the activities affect public land.

7.3.5 Certified true copy of Joint Venture Agreement(s), if any; and

7.3.6 Free and prior informed consent if indigenous cultural community in areas covered by ancestral land/domain.

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- 7.3.7 ECC and/or IEIE in **Environmentally Critical Area** identified by the Department of Environment and Natural Resources.

7.4 Technical

- 7.2.1 Technical description of the site expressed in terms of latitude and longitude.


- 7.4.2 Technical Work Program, including appropriate technology, manpower, equipment, cost estimates and safety measures.

- 7.4.3 Environmental Work Program, including the nature and extent of predicted damages to the environment, if any, and the proposed restoration/rehabilitation program and budgetary requirements. This shall be the basis for the

assessment of the required surety bond for the restoration/rehabilitation works. The said program must conform or must have prior clearance from concerned local government unit (Municipal or City level).

- 7.4.4 Curriculum Vitae or technical person/s who shall undertake the Technical and Environmental Work Programs.

7.5 Financial

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7.3.4 Latest income/corporate tax return, if applicable;

7.3.5 Certified true copies of latest audited financial statements, if applicable; and


7.3.6 Bank guarantees/references, credit lines, cash deposits, and other proofs of the sources of funding.

Section 8. **Evaluation and Approval**

Within thirty (30) working days upon payment of a non-refundable application fee and submission of the complete requirements to the agency, the application shall be processed and evaluated by the Cultural Properties Division (CPRD) which shall be approved by the Director.

The CPRD shall assist the Director on the following:

- 8.10 Plotting of area applied for in control map(s);
- 8.11 Evaluation and review of applications;
- 8.12 Determination of the amount of surety bond to be posted;
- 8.13 Monitoring of compliance with the permitting terms and conditions;
- 8.14 Recommendation of any measure in connection with authorized activities; and
- 8.15 Preparation of progress report on the said activities.

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If necessary, the evaluation shall include a field assessment/verification of the location, public or private structures that may be affected based on the submitted Technical and Environmental Work Programs. The corresponding field verification fee of One Thousand Five Hundred Pesos (P1,500.00) per field man per day shall be paid by the applicant. However, all spot inspections verifying the progress of the approved treasure hunting activity shall be shouldered by the National Museum.


The Chief of the Cultural Properties Division shall endorse the results of the technical evaluation of the application to the director for consideration and approval, including the recommendation for the amount of surety bond to be posted by the applicant.

After the approval, the permit shall be forwarded to the Permit Section of the CPRD for numbering.

- 8.16 No permit shall be issued in cave sites within 500 meters from the mouth of the cave, archaeological, and/or declared historical zones, and anthropological reservations.
- 8.17 No permit shall be issued on any shipwreck activities;
- 8.18 No permit shall be issued on all identified or recorded archaeological sites;

Section 9. Posting of Bond and Releasing of Permit

A surety bond shall be posted by the applicant upon approval but before the release of the permit, to answer for and guarantee payment to whatever actual damages that may be incurred during locating, digging and excavating activities. The applicant shall post the bond in the Government Service Insurance System (GSIS) or

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any reputable bonding company in case of the former's failure to provide the same. The proof of posting of the surety bond shall then be submitted to the agency prior for numbering and release of the Permit of the applicant.


Section 10. **Term of the Permit**

The Permit shall have a term of one (1) year renewable once for a period of one (1) year.

Section 11. **Terms and Conditions of the Permit**

The Permit shall contain the following terms and conditions:

- 11.7 The permit for treasure hunting shall be for the exclusive use and benefit of the Permit Holder and shall not be transferred or assigned, except in case of death or total incapacitation of individual permit holder where succession would only be to next of kin;
- 11.8 The Permit area may be inspected and examined at any time by the Director or his authorized representative(s). Other concerned agencies may also undertake inspection in the Permit Area in coordination with the agency;
- 11.9 The Permit Holder shall commence its activities within three (3) months from the issuance of the Permit;
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four (24) hours upon discovery of valuable items in the area applied for;

11.12 The Permit Holder shall assume full responsibility and be liable for damages that may incur during its operation under the Permit or activities or omission incidental to its operation;

11.13 Upon the recommendation of the Chief of the Cultural Properties
Division, the director may at any time suspend or revoke the Permit when in his opinion, public interest so requires or upon failure of the Permit Holder to comply with the terms and conditions thereof or of relevant laws, rules and regulations and local ordinances without any responsibility on the part of the Government as to the expenditures that might have been incurred or as to other damages that might have been suffered by the Permit Holder;

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Recommended for Approval:

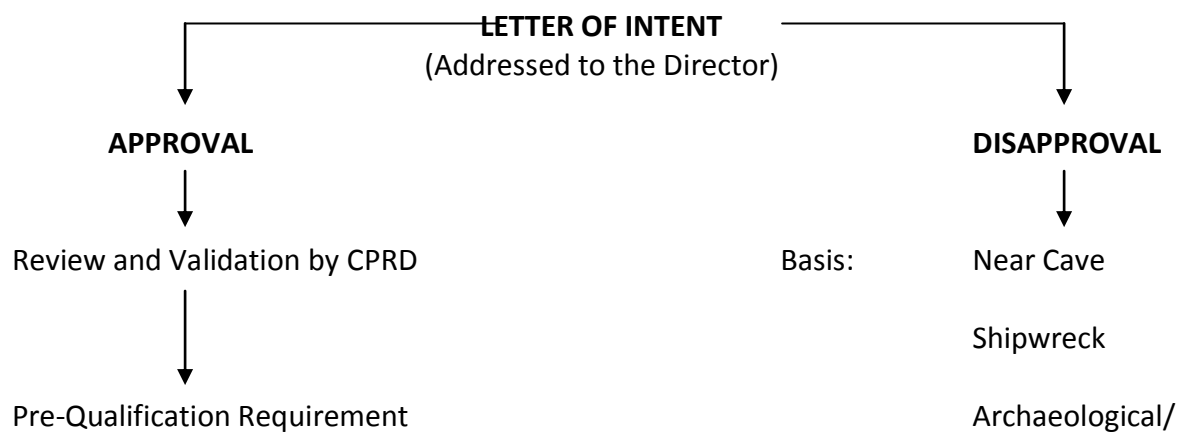
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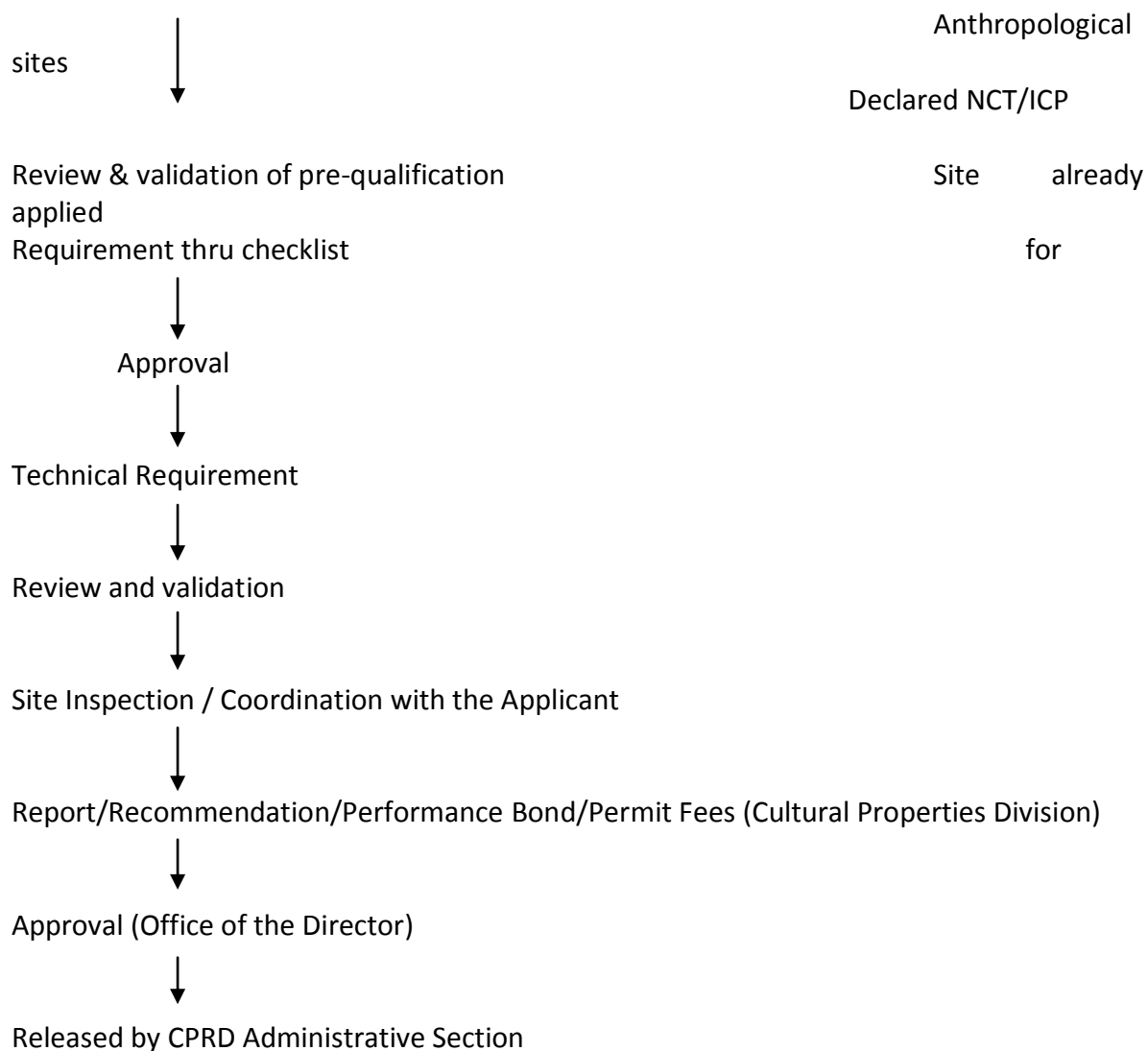
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JEREMY BARNS
Director IV

TREASURE HUNTING PERMIT (FLOWCHART)




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GUIDELINES GOVERNING THE ISSUANCE OF PERMITS FOR TREASURE HUNTING

SCOPE, POLICY STATEMENT and PROCEDURE DETAILS

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Section 2. **Scope and Coverage**

This guideline shall govern the issuance of Permits for the following:

2.5 Treasure hunting activities in Government land or private land;

2.6 Disposition of recovered hidden treasures or things of value hoarded in secret/undisclosed places prior to the effectivity of these rules and regulations. This includes transport and/or sale of hoarded gold bars, gold coins, platinum, silver, nickel Babbitt's, jewelries, gemstones, etc., or the so called "Yamashita Treasures."

These guidelines, however, do not cover the issuance of permits for the discovery/recovery of cultural and historical values, such as objects of arts, archaeological artifacts, ecofacts, relics and other materials embodying the cultural and natural heritage of the Filipino nation, as well as those of foreign origin, which shall be governed by Republic Act No. 4846 as amended by Presidential Decree 374 or "The Preservation and Protection of Cultural Properties Act"; Republic Act No. 8492, the National Museum Act of 1998; and Republic Act No. 10066, otherwise known as National Cultural Heritage Act of 2009.

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Section 3. **Objectives**


The objectives of these Guidelines are:

- 3.15 To rationalize the system of evaluation of applications for Treasure Hunting;
- 3.16 To provide appropriate guidelines for hunting hidden treasure and disposition thereof, to protect the interest of the Government and to preserve the cultural heritage of the Filipino people.

Section 4. **Definition of Terms**

As used in and for purposes of these guidelines, the following terms shall mean:

- 4.35 Area Clearance** – refers to a clearance issued by the agency allowing an applicant to conduct treasure hunting activities as shown in the submitted technical and environmental work programs
- 4.36 Agency-** refers to the National Museum of the Philippines
- 4.37 Artifacts** – refers to articles that are products of human skills or workmanship, especially in the simple product of primitive arts or industry representing past eras or periods.
- 4.38 Digging** – refers to the process or activities of excavating hidden treasures buried underground for years or centuries.
- 4.39 Director** – means the Director of the National Museum of the Philippines.

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4.40 Environmental Compliance Certificate (ECC) – refers to a document issued by the Secretary or the concerned Regional Executive Director of the Department of Environmental and Natural Resources certifying that based on the representation of the proponent and the preparer, the proposed project or undertaking will not cause significant negative environmental impact and that the proponent is committed to undertake all the mitigation stated in the Initial Environmental Examination.

4.41 Environmental Impact Assessment – refers to a process of predicting the likely environmental consequences of implementing a project or undertaking and designing appropriate, preventive, mitigating and enhancement measures.


4.42 Environmental Work Program – refers to a comprehensive and strategic management plan to achieve the environmental objectives, criteria and commitments including protection and rehabilitation of the disturbed environment during and after the treasure hunting

4.43 Hidden Treasure – refers to any hidden money, jewelry, or other precious objects, the lawful ownership of which does not appear.

4.44 Initial Environmental Impact Examination (IEIE) – refers to the document required of proponents describing the environmental impact or and mitigation enhancement measures for projects or undertakings located in an Environmentally Critical Area.

4.45 Permit – refers to the Permit issued for Treasure Hunting.

4.46 Permit Holder – refers to a holder of a Permit for Treasure Hunting.

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4.47 Private Land – refers to title belonging to any private person or entity which includes alienable and disposable land being claimed by the holder, claimant or occupant who has already acquired a vested right thereto under the law, although the corresponding certificate of evidence of title or patent has not been actually issued.

4.48 Relics – refers to object possessing cultural properties which, either as a whole or in fragments, are left behind after the destruction or decay of the rest or it's parts and which are intimately associated with important beliefs, practices, customs and traditions, persons and personages.

4.49 Technical Work Program – refers to a detailed outline of activities and financial plan to be followed in the treasure hunting.


4.50 Treasure Hunting – refers to any and all inland activities such as but not limited to locating, digging or excavating, transporting and disposition of recovered treasures.

4.51 Site – refers to the actual ground location of diggings and excavations.

Section 5. **Qualifications of Applicants**

The following entities may apply for a Treasure Hunting Permit:

5.5 In case of an individual – must be a Filipino citizen, of legal age, with capacity to enter into contract and capable of conducting Treasure Hunting.

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5.6 In case of partnership, association or corporation - must be organized or authorized for the purpose of engaging in Treasure Hunting, duly registered in accordance with law, and with technical and financial capability to undertake Treasure Hunting activities.

Section 6. **Filing of Application**

All applications for Treasure Hunting shall be made under oath and shall be filed with the Agency where all legal, technical, financial and operational requirements shall be evaluated.

An application fee based on the categories mentioned below shall be followed:

6.5 Small scale treasure hunting activity (if the area is less than one hectare) –
P 3,000

6.6 Medium scale treasure hunting activity (private/ commercial area)
- P 5,000

6.3 Large scale treasure hunting activity (area is one hectare or more /public land)
P 10,000


Section 7. **Requirements**

All applications shall be accompanied by the following:

7.1.A Legal and Administrative

7.1.1. Prescribed personal and/or Corporate Information Sheet

7.5.2 For partnership, associations or corporations

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7.5.2.1 Certified true copy of Certificate of Registration issued by the Securities and Exchange Commission (SEC) or concerned authorized Government agency;

7.5.2.2 Certified true copy of Articles of Incorporation/Partnership/Association and Bylaws; and


7.5.2.3 Organizational and Operational Structure

7.5.3 Consent of landowner(s) concerned, when the activities are bound to affect private lands or consent of the concerned Government agency, when the activities affect government buildings, dams, watersheds and other areas or site reserved or used for purposes affecting vital national interest, military or naval camps, bases and reservations, shrines and other hallowed places; or consent of concessionaires when the permit area affects aquaculture or fishery projects or beach/marine recreational areas, if applicable:

7.5.4 Area Clearance from concerned Government agency, when the activities affect public land.

7.5.5 Certified true copy of Joint Venture Agreement(s), if any; and

7.5.6 Free and prior informed consent if indigenous cultural community in areas covered by ancestral land/domain.

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7.5.7 ECC and/or IEIE in Environmentally Critical Area identified by the Department of Environment and Natural Resources.

7.6 Technical

7.2.1 Technical description of the site expressed in terms of latitude and longitude.


7.6.2 Technical Work Program, including appropriate technology, manpower, equipment, cost estimates and safety measures.

7.6.3 Environmental Work Program, including the nature and extent of predicted damages to the environment, if any, and the proposed restoration/rehabilitation program and budgetary requirements. This shall be the basis for the assessment of the required surety bond for the restoration/rehabilitation works. The said program must conform or must have prior clearance from concerned local government unit (Municipal or City level).

7.6.4 Curriculum Vitae or technical person/s who shall undertake the Technical and Environmental Work Programs.

7.7 Financial

7.3.7 Latest income/corporate tax return, if applicable;

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7.3.8 Certified true copies of latest audited financial statements, if applicable; and

7.3.9 Bank guarantees/references, credit lines, cash deposits, and other proofs of the sources of funding.


Section 8. **Evaluation and Approval**

Within thirty (30) working days upon payment of a non-refundable application fee and submission of the complete requirements to the agency, the application shall be processed and evaluated by the Cultural Properties Division (CPRD) which shall be approved by the Director.

The CPRD shall assist the Director on the following:

- 8.19 Plotting of area applied for in control map(s);
- 8.20 Evaluation and review of applications;
- 8.21 Determination of the amount of surety bond to be posted;
- 8.22 Monitoring of compliance with the permitting terms and conditions;
- 8.23 Recommendation of any measure in connection with authorized activities; and
- 8.24 Preparation of progress report on the said activities.

If necessary, the evaluation shall include a field assessment/verification of the location, public or private structures that may be affected based on the submitted Technical and Environmental Work Programs. The corresponding

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field verification fee of One Thousand Five Hundred Pesos (P1,500.00) per field man per day shall be paid by the applicant. However, all spot inspections verifying the progress of the approved treasure hunting activity shall be shouldered by the National Museum.

The Chief of the Cultural Properties Division shall endorse the results of the technical evaluation of the application to the director for consideration and approval, including the recommendation for the amount of surety bond to be posted by the applicant.

After the approval, the permit shall be forwarded to the Permit Section of the CPRD for numbering.

8.25 No permit shall be issued in cave sites within 500 meters from the mouth of the cave, archaeological, and/or declared historical zones, and anthropological reservations.


8.26 No permit shall be issued on any shipwreck activities;

8.27 No permit shall be issued on all identified or recorded archaeological sites;

Section 9. **Posting of Bond and Releasing of Permit**

A surety bond shall be posted by the applicant upon approval but before the release of the permit, to answer for and guarantee payment to whatever actual damages that may be incurred during locating, digging and excavating activities. The applicant shall post the bond in the Government Service Insurance System (GSIS) or any reputable bonding company in case of the former's failure to provide the same. The proof of posting of the surety bond shall then be submitted to the agency prior for numbering and release of the Permit of the applicant.

Section 10. **Term of the Permit**


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The Permit shall have a term of one (1) year renewable once for a period of one (1) year.

Section 11. **Terms and Conditions of the Permit**

The Permit shall contain the following terms and conditions:

- 11.13 The permit for treasure hunting shall be for the exclusive use and benefit of the Permit Holder and shall not be transferred or assigned, except in case of death or total incapacitation of individual permit holder where succession would only be to next of kin;
- 11.14 The Permit area may be inspected and examined at any time by the
Director or his authorized representative(s). Other concerned agencies may also undertake inspection in the Permit Area in coordination with the agency;
- 11.15 The Permit Holder shall commence its activities within three (3) months from the issuance of the Permit;
- 11.16 The Permit Holder shall not destroy any building or structure erected on the Permit Area without the consent of the owner.
- 11.17 The Permit Holder shall submit a quarterly report detailing thereon the
accomplishment/progress of work as per submitted and approved Technical Work and Environmental Work Programs not later than ten (10) days after the end of each quarter.

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11.6 The Permit Holder shall immediately notify the agency within twenty four (24) hours upon discovery of valuable items in the area applied for;

11.17 The Permit Holder shall assume full responsibility and be liable for damages that may incur during its operation under the Permit or activities or omission incidental to its operation;

11.18 Upon the recommendation of the Chief of the Cultural Properties


Division, the director may at any time suspend or revoke the Permit when in his opinion, public interest so requires or upon failure of the Permit Holder to comply with the terms and conditions thereof or of relevant laws, rules and regulations and local ordinances without any responsibility on the part of the Government as to the expenditures that might have been incurred or as to other damages that might have been suffered by the Permit Holder;

11.19 The Permit Holder shall conform to applicable laws, rules and regulations;

11.20 Withdrawal by the Permit Holder from the Permit Area shall not release it from any and all financial, environmental, legal and/or other obligations.

11.21 The Permit Holder shall comply with any additional terms and conditions which the Director may impose, or requirements that the agency may thereafter prescribe;

Section 12. **Transport of Treasure Finds**

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12.1 No Treasure Finds (gold bullions, platinum, jewelries, etc.) shall be moved from one destination to another without prior permit to transport issued by the National Museum; to this effect, the following documents shall be provided:

12.1.1. Formal Request to transport from the original place to a place of destination;

12.1.2. Copy of Treasure Hunting Permit;

12.1.3. List of Inventory to be transported;


12.2 The inventory of treasure finds shall be conducted by the agency together with the applicant or his/her authorized representative.

Section 13. **Valuation and Disposition of Recovered Treasure/Valuable Cargoes**

Upon discovery of valuable items such as monies, things and article of value, resulting from Treasure Hunting, the agency shall determine whether or not they are considered to have cultural and/or historical value. In the event that the items are considered to have historical and cultural value, it shall be turned over to the National Museum for appropriate action. Otherwise, the same shall be turned-over to the Oversight Committee for valuation and disposition.

All treasures found shall be allowed for export only upon the approval of the National Museum in coordination with the Central Bank of the Philippines.

Section 14. **Oversight Committee**

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An NM Oversight Committee shall be created within thirty (30) days from the date of effectivity of these rules and regulations to oversee all the diggings, excavations and to take possession for valuation and eventual disposition of all monies, things, and articles of value without historical and cultural value. The Committee shall be composed of the Director or his duly authorized representative as Chairperson; technical personnel from the National Museum, Central Bank and the Permit Holder or his representative as members.

Section 15. **Sharing**

After an audited report of expenses has been evaluated and approved by the Oversight Committee, the sharing of the net proceeds shall be as follows:

15.5 For Treasure Hunting within Public Lands – Fifty percent (50%) to the Government, fifty percent (50%) to the Permit Holder;


15.6 For Treasure Hunting in Private Lands – Seventy percent (70%) to the applicant and thirty percent (30%) to the government.

Section 16. **Government Rights**

An intellectual property rights arising from the documentation or recording of the discovery, recovery and other such activities pertaining to Treasure Hunting by means of still photography, film, video or other forms of electronic media, publication of the images generated thereby and other forms of reproduction or dissemination of the same belong to the Government and shall be governed by appropriate laws.

Section 17. **Confidentiality of Information**

All information submitted by the applicants in support of their applications and other data supplied by the Permit Holder shall be treated as confidential by the

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Government from the time they are submitted/supplied to Agency and/or Oversight Committee up to a period of two (2) years from the expiration of the permit. Likewise, illegal treasures activities reported to the National Museum must be treated with strict confidentiality. And as such, the National Museum shall be liable in case of leak of information of said report.

Section 18. **Rehabilitation**

Rehabilitation of disturbed areas shall be monitored in accordance with the approved ECC and the permit itself. In cases of forfeiture, both the rehabilitation fee and the posted bond shall be used to rehabilitate the area and shall not be limited to rehabilitation activities but may include repair and maintenance of adjacent areas.


Section 19. **Terms and Conditions**

The Permit shall have a maximum term of one (1) year renewable once for the same period and shall contain the following terms and conditions:

19.1. The boundaries of the permit area for treasure hunting shall be properly marked;

19.2 The permit holder shall immediately formally notify in writing the agency within twenty four (24) hours upon discovery of valuable items in the area covered by the permit. Failure to notify the agency within the required period shall render the collection and/or gathering as illegal and shall constitute as a violation of the Guidelines on Treasure Hunting;

19.3 The permit holder shall assume full responsibility and be liable to damages that may be occasioned by its operation under the permit.

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Section 20. **Termination and Cancellation of the Permit**

The grounds for the termination or cancellation of the Permit shall be as follows:

20.1 Failure of the TH permit holder to comply with the terms and conditions of the Permit;

20.2 Violation of any of the provisions of R.A. 10066 and applicable environment and natural resources laws, rules and regulations;


20.3 When the national interest so requires as determined by the agency.

In cases of violations the bond shall automatically accrue for rehabilitation works.

Section 21. **Permit Renewal**

Treasure Hunting Permit (THP) renewal shall be subject to the following conditions:

21.1 Payment based on the category mentioned in Section 6 of this order for application fee, submission of new/revised work program, certification of

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performance or accomplishment reports, submission of area clearances and proofs of financial capability as specified in Section 7.3 of this order and payment of bond.

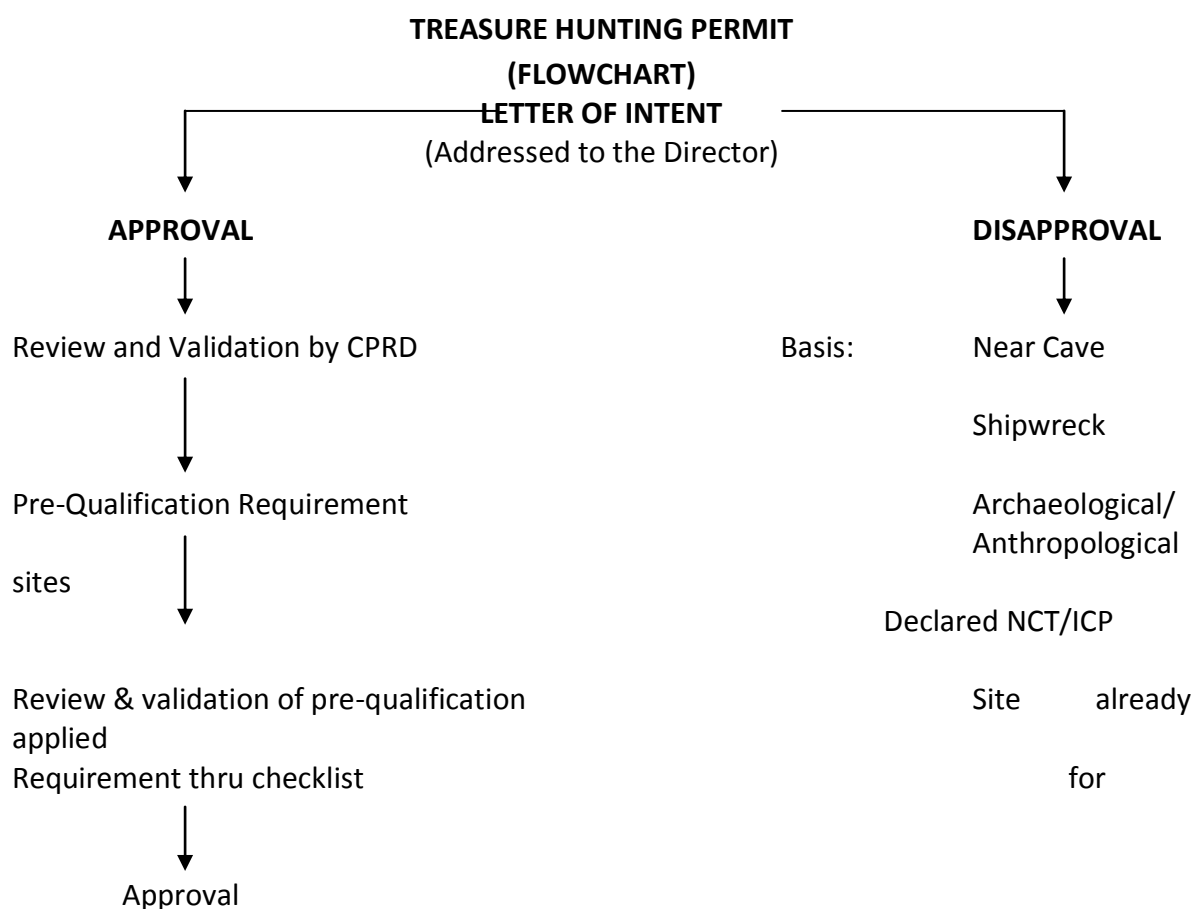
Section 22. Penal Provision


Any violation on the provisions of these rules and regulations shall be penalized in accordance with R.A. 10066 or the National Cultural Heritage Act of 2009 and other existing applicable laws, rules and regulations.

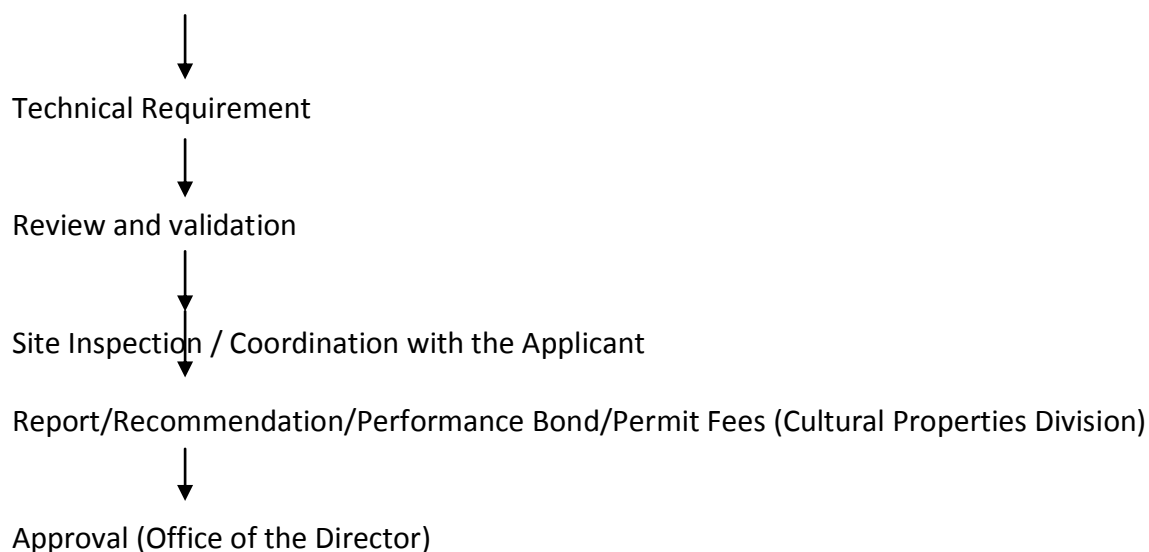
Section 23. Transitory and Miscellaneous Provisions

All existing Treasure Hunting permit previously issued by the DENR – Mines and Geosciences Bureau shall be evaluated and validated by the National Museum. All pending, new and renewal of applications shall be endorsed to the Chief of the Cultural Properties Division for evaluation to be approved by the Director.

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TREASURE HUNTING AND DISPOSITION OF RECOVERED TREASURES PERMIT


Date Issued : July 29, 2011

No. : CPRD-THP-2011-

Permit Holder :


Address :

This Treasure Hunting Permit located in _____ as shown in the attached map which forms an integral part hereof, the pertinent application for which was duly filed on April 21, 2011, is hereby granted to **CABANISAS CREDIT CORPORATION/ DATU HADJI AMILPASA J. SAMPANG** in accordance with the pertinent provisions of Section 30, paragraph 8 of Republic Act 10066, 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

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otherwise known as the “National Cultural Heritage Act of 2009 subject to the following terms and conditions:

- a. The Treasure Hunting Permit shall be for the exclusive use and benefit of the Permit Holder for the exploration and recovery of possible hidden treasures within the Permit Area, at his own expense, subject to valid, prior and existing rights of any party (ies) within the Permit Area, and shall not be transferred or assigned;
- b. The term of this Permit shall be for a period of one (1) year from the receipt of the Permit Holder and renewable once for a period of one (1) year;
- c. The Permit Area may be inspected and examined at any time by the Cultural Properties Division of the National Museum. Other concerned agencies may also undertake inspection in the Permit Area in coordination with the Cultural Properties Division of the National Museum;
- d. The Permit Holder shall not destroy any building or structure erected on the Permit Area without the consent of the owner;
- e. The Permit Holder shall limit the excavation activity to only the area being applied for;
- f. The Permit Holder shall conform to the Technical and Environmental Work Programs and submit to the National Museum an activity report not later than ten (10) days upon the completion of the rehabilitation activities or expiration of the Permit, whichever comes first, including the complete detailed expenditures incurred by the exploration and rehabilitation activities;
- g. The Permit Holder shall immediately notify the National Museum within the twenty-four (24) hours upon discovery of valuable items in the area applied for. Transport of such recovered items shall not be allowed without the Transport

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Permit issued by the National Museum; to this effect, the following documents shall be provided:

- h.1. Formal request to transport from the original place to the place of destination;
- h.2. List of Inventory to be transported. The initial inventory shall be evaluated by representative of the National Museum together with the applicant or his/her authorized representative.
- h. After an audited report of expenses has been evaluated by the Oversight Committee, the sharing of the net proceeds shall be seventy percent (70%) to the permit holder and thirty percent (30%) to the government. It is understood however, expenses shall not exceed ten percent (10%) of the total value of the discovered treasure. More than ten percent (10%) of the discovered treasure shall be borne by the permit holder.
- i. The Permit Holder shall assume full responsibility and be liable for damages that may be occasioned by its operation under the Permit;
- j. A performance bond in the amount of Two hundred fifty thousand pesos (P250,000.00) shall be posted by the Permit Holder in favor of the National Museum of any reputable bonding company in case of the former's failure to provide the same, to answer for and guarantee payment to whatever actual damages that may be incurred during the exploration activities;
- k. The Director may at any time suspend or revoke the Permit when in his opinion, public interest so requires or upon failure of the Permit Holder to comply with the terms and conditions thereof or of relevant laws, rules and regulations and local ordinances without any responsibility on the part of the Government as to the expenditures that might have been suffered by the Permit Holder. Any false statement or information supplied in this Application shall be a ground for the denial of the application or the nullification or

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revocation of any treasure hunting and recovery permit issued by the Government, without prejudice to appropriate criminal prosecution

- l. The Permit Holder shall conform to laws, rules and regulations regarding, among others, environmental protection including rehabilitation and remediation, labor, safety and health standards;
- m. The Permit Holder shall restore the site to its original state as per submitted and approved Environmental Work Programs;
- n. Withdrawal by the Permit Holder from the Permit shall not release it from any or all financial, environmental, legal and/or other obligations.
- o. The operation shall be confined within day shift only; and
- p. The Permit Holder shall comply with any additional terms and conditions which the Director may impose or requirements that the National Museum may thereafter prescribe.


City of Manila, Philippines this 29th day of July 2011.

For the Republic of the Philippines
(Grantor)

JEREMY BARNES
Director IV

I hereby accept the terms and conditions of this Permit as above stated.

(Permit Holder)

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Signed in the Presence of:

(Signature over printed name)

(Signature over printed name)



NATIONAL MUSEUM

CPRD-THP-2011-002
: _____

Date

**ORDER OF PAYMENT
Treasure Hunting Permit**


NAME OF APPLICANT: _____

ADDRESS: _____

Payment of non-refundable fees amounting to _____

for Treasure Hunting application is hereby ordered to the above-mentioned applicant.

Assessed by:

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Printed Name

Signature over

Date:

Paid by: _____

Signature over Printed Name

O.R. NUMBER: _____

Date: _____

Amount: _____



**NATIONAL MUSEUM
CULTURAL PROPERTIES DIVISION
CHECKLIST**


**APPLICATION FOR A TREASURE HUNTING IN ACCORDANCE
WITH**

SECTION 30 OF R.A.10066

TH NO. _____

This will acknowledge receipt of application and with the following mandatory requirements.

STAGE 1

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☐ Letter of intent

STAGE 2 Pre-application Requirements

☐ 1. Prescribed Personal and/or Corporate Information

2. For partnerships, associations or corporation

☐ 2.1. Certified true copy of Certificate of Registration issued by the Securities and Exchange Commission (SEC) or concern authorized government agency;

☐ 2.2. Certified true copy of Articles of Incorporation/ Partnership /Association and By-Laws

☐ 2.3. Organizational and Operational structure;

☐ 3. Consent of Land owner(s) when the activities are bound to affect private lands or consent of the concerned government agency, when the activities affect government building and other areas or site reserved or used for purposes affecting vital national interest, military or naval camps, bases and reservations, shrines and other hallowed places;

☐ 3.1. Area clearance from concerned government agency when the activities affects public and;


☐

4. Certified true copy of Joint Venture Agreement(s) if any;

☐ 5. Free and prior informed consent of indigenous cultural community in areas covered by ancestral land domain;

☐ 6. Latest Income Tax return if applicable;

☐ 7. Certified true copy of latest audited financial statements, if applicable;

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☐

8. Bank guarantees/references, credit lines, cash deposits and other proofs or evidence of the sources of funding;

STAGE 3. After complying with the pre-application requisite, the following technical requirement shall be submitted:

☐

1. Technical description of the site expressed in terms of latitude and longitude which shall not be more than one (1) hectare;

☐

2. Technical Work Program, including appropriate technology, manpower, equipment and cost estimates;

☐

3. Health and safety measures

☐

4. Environmental Work Program, including the nature and extent of predicted damages to the environment, if any and the proposed restoration/rehabilitation program and budgetary requirements. The said program must conform and must have prior approval from the concern local government unit (Municipal or city level).


☐

5. After complying with the technical requirement and before issuance of treasure hunting permit, a performance bond to be determined by the agency shall be issued by the National Museum to ensure any damage in the environment shall be rehabilitated/restored.

☐

6. Release of Permit

NOTE:

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No permit shall be issued in cave sites, within 500 meters from the mouth of the cave, archaeological, and/or declared historical zones, and anthropological reservations.

No permit shall be issued on any shipwreck activities;

No permit shall be issued on all identified or recorded archaeological sites;

DEPUTIZATION OF CULTURAL OFFICER

GUIDELINES ON THE DEPUTIZATION OF CULTURAL OFFICERS (NM Office Order No. 16, series 2009)


SCOPE and POLICY STATEMENT

In order to assist the Cultural Properties Division of the National Museum of the Philippines (NMP) in the implementation of various laws on the preservation and protection of Philippine Cultural Property, the NMP delegates certain authority to qualified individuals who are willing to preserve and protect the cultural heritage of our nation provided the following qualifications are met:

1. Must be of good moral character;
2. Must be able to read and write;
3. Must be a respectable citizen in his / her locality;
4. Has demonstrated by word and deed, concern and commitment for tangible and intangible cultural property; and
5. Must be a Filipino citizen.


PROCEDURE DETAILS

The procedure shall involve the following:

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1. Reputable individual or institution may nominate an individual who has the qualifications mentioned above by sending a formal letter of nomination to the Director IV of the NMP;
2. The NMP shall give the nominee the application form and shall be asked to submit the accomplished application form with two ID photos together with the following documents:
 - a. Bio-data
 - b. NBI clearance
 - c. Barangay clearance
 - d. One page essay manifesting agreement to deputization, and what he / she expect to accomplish as a heritage conservation advocate.
3. Team of evaluators shall be created to evaluate nominees, composed of the following:

Chairman	-	Director III
Members	-	CPRD Curator II or OIC
		Chief of Division, (Natural Science, Physical Sciences cluster)
		Chief of Division (Arts, Education and Social Sciences)
4. Recommendation shall be forwarded to the Director IV for approval / disapproval;
5. A Certificate of Deputization and I.D. card shall be issued by the CPRD and the Personnel Section of the Administrative Division respectively. The certificate shall be in a contract from stipulating the duties and responsibilities.


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DUTIES OF THE DEPUTIES


1. The deputies shall, from time to time, coordinate with local officials and authorities regarding the importance of preserving and protecting Philippine cultural heritage, tangible and intangible cultural property.
2. The deputies shall report to the NMP discovery of archaeological sites and shall protect it from illegal exploitation.
3. The deputies shall report immediately to the NMP any illegal activities, e.g. treasure hunting without a permit, illegal excavation, destruction of prehistoric and historic sites, defacement / vandalizing built heritage, unauthorized transport of cultural property, but not limited to these mentioned.
4. They must submit a semi-annual report regarding the area of his / her responsibility.
5. The deputies can be asked to perform certain functions as the need arises, written instructions emanating from the Office of the Director, signed by Director IV.
6. This delegation shall not, in any way, authorize a deputy to transport specimens nor issue corresponding permit or other documents relative to his authority.

OBLIGATIONS OF THE NATIONAL MUSEUM

1. The NMP shall issue an Authority or Certificate of Deputization including an Identification Card for such purpose.

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2. NMP can unilaterally revoke said deputization if there is reasonable ground to believe that trust and confidence has been breached or if there is commission of acts contrary to pertinent cultural and natural heritage laws, provincial / municipal resolutions, and other pertinent documents. For this purpose a notice shall be forwarded him or her that the deputization is revoked. At the same time, notice to the public shall be issued and posted at any conspicuous place of the area of his or her responsibility.
3. A copy of said authority including a letter of endorsement is furnished to local government units in his area of concern. Correspondingly, a notice of revocation shall be furnished in case said authority is revoked or terminated.
4. The deputization shall be effective for one (1) year, beginning one week after the date of deputization authority or certificate.
5. Basic seminars and training shall be given to the deputies by the CPRD staff.
6. The NMP Deputy Officer Identification Card must have a dry seal, counter signed by Director II and coded yellow.

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Republic of the Philippines
Office of the President
NATIONAL MUSEUM

**DEPUTY
OFFICER**

CPD-DE-2010-01

ICELLE GLORIA B. ESTRADA

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This certifies that has been deputized in accordance with P.D. 374 to assist the National Museum in the protection and preservation of our Cultural Heritage.

DUTIES AND RESPONSIBILITIES

1. The deputies shall coordinate with local officials and authorities and conduct initial information drive regarding the importance of protecting the Filipino cultura heritage.
2. They shall immediately report to the National Museum violation of laws pertinent to the Cultural Properties Preservation and Protection Act.
3. They shall submit a semi-annual report regarding the area of his responsibility.
4. This delegation, shall not, in any way, authorize him/her to transport specimen nor issue corresponding permit relative to his authority.

**THIS DEPUTAZATION IS NON TRANSFERABLE AND IS VALID FOR
ONE (1) YEAR FROM**


Conforme:




JEREMY BARNS
Director IV

6. Permit and License Fees


<p>6.1. Application Processing Fees for:</p> <p>5.1.1. Export Permit</p> <p>5.1.2. Permit fee to Explore / Survey / Excavate</p> <p>5.1.3. Permit to Transport</p> <p>5.1.4. Certificate to Supervise Excavation</p> <p>5.1.5. License as Dealer</p>	<table> <tr> <td>P</td><td></td></tr> <tr> <td>50.00</td><td></td></tr> <tr> <td></td><td>50.00</td></tr> <tr> <td></td><td>50.00</td></tr> <tr> <td></td><td>50.00</td></tr> <tr> <td></td><td>50.00</td></tr> </table>	P		50.00			50.00		50.00		50.00		50.00
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5.1.6. License as Agent	50.00
6.2. Permit Fee to Export	10 % of the assessed value
6.3. Permit to Transport	1,000.00
6.4. Permit Fee to Explore	
5.4.1. Terrestrial Sites	5,000.00
5.4.2. Underwater Sites	10,000.00
6.5. Permit Fee for Restoration / Reconstruction	1 % of the estimated cost
6.6. License Fee for Dealers	2,000.00
6.7. License Fee for Agents	500.00
6.8. Registration Fee for Movable Cultural Properties (Stamp and Certificate of Registration Fees)	100.00
6.9. Fee for Certificate of Authority to Supervise Exploration, Survey and Excavation	500.00
6.10. Surcharge for late renewal of Licenses Penalty after March 31 = 100 %	2,000.00
6.11. Fee for Archaeological Investigation for Proposed Infrastructure Development	1 % of estimated cost of construction
6.12. Fee for each Certificate issued by the Cultural Properties Division other than those mentioned above	100.00


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6.13. Inspection Fee for each item not covered by P.D. 374	P250.00 per object or item except the following: vintage cars, automobiles, furniture, implements – 1 % of the declared and assessed value
6.14. Performance Bond for Underwater Archaeology - Payment in cash or manager's check	500,000.00


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**DETAILED FRONTLINE SERVICES OF CPRD WITH PERSON-IN-CHARGE AND
PROCESSING TIME**

Type of Frontline Service	Fees		Forms	Processing Time	Person In Charge
C. Assessment of Cultural Property or Museum Objects			Request Form	Depending on agreed schedule	To be approved by the Curator II or Division Head or OIC.
Conservation Assessment	P 5,000.00				
D. Access to museum collections	Students	only in case of video documentation	Application to be covered by MOA	3 weeks before the photography	Curators II of the concerned division to be assisted by assigned technician or researcher
	Graduate				
	Students	P 300.00 to P2,000.00			
	Professionals				
	Institutions				
E. Designation of NM Research Associates	None		Application Form	1 month	To be recommended by the concerned division


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F. Deputization of Cultural Officer	None	Application Form	1 month	Curator II or the OIC of the Cultural Properties Division (CPD) To be recommended by the concerned division Curator II or the OIC of the Cultural Properties Division (CPD)
	None	Certificates of Declaration after deliberation by the Panel of Experts	2 hours	Director IV in close coordination with the Curator II or the OIC of the CPD Licensing Section, CPD
G. Declaration of Cultural Property as National Cultural Treasure and Important Cultural Property				
H. Application Processing Fees				
a. Export Permit	P50.00	Application	1 hour	
b. Permit to Explore / Survey / Excavate	50.00	Form	1 hour	
c. Certificate to supervise	50.00		1 hour	


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Excavation				
d. Certificate of Registration	50.00		8 hours	
e. License as Dealer	50.00		1 hour	
f. License as Agent	50.00		1 hour	
g. License as Exporter	50.00		1 hour	

Type of Frontline Service	Fees	Forms	Processing Time	Person In Charge
I. Registration of cultural property (movable cultural property)		Certificates with stamps	one day to one week	Registration Section of the CPD
a. Private collectors	20.00			
b. Dealers	20.00			
J. Registration of Immovable cultural property	1,000.00	Certificate of Registration	1 hour	Registration Section of the CPD
K. Issuance/ Renewal of Permits		Permit		Licensing Section of the CPD


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a. Permit to Explore and Excavate				
1) Terrestrial	1,000.00		1 hour	
2) Underwater	10,000.00		1 hour	
b. Permit to Transport				
c. Permit to Export	10% of assessed value		1 hour	
L. Fee for Certificate of Authority to Supervise Exploration, Survey, Excavation	500.00	Certificate	1 hour	Licensing Section of the CPD
M. License Fee for		License	1 hour	Licensing Section of the CPD
a. Exporters	1,000.00			
b. Dealers	1,000.00			
c. Agents	500.00			
N. Issuance / renewal of licenses section surcharges for late renewal of licenses		License Certificates	1 hour	Licensing Section of the CPD


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March	5%	50.00		
April	10%	100.00		
May	15%	150.00		
June	20%	200.00		
July	25%	250.00		
August	30%	300.00		
September	35%	350.00		
October	40%	400.00		
November	45%	450.00		
December	50%	500.00		

Type of Frontline Service	Fees	Forms	Processing Time	Person In Charge
O. Issuance of certificate of non-coverage	Gratuitous	Certificate	1 hour	Licensing Section of the CPD
Q. Issuance of Authority to Explore and Excavate for NM Archaeologists		Certificate	1 hour	

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R. Issuance of Special Authority to explore and excavate for NMRA in Archaeology	Gratuitous	Certificate of Authority	1 hour	Curator II or OIC of the CPD in coordination With the Curator II of the Archaeology Div.
S. Fee for Memorandum of Agreement	1,000.00	Request MOA	2 days	Legal Officer
T. Technical Assistance a. Enhancement of exhibits at the museums b. Archaeological explora- tion and excavation c. Restoration and conservation work	Honorarium in accordance with the COA Rules and Regulations	Request to be covered by MOA	Depending on the nature of assistance	Curators II or OIC of concerned division
U. Performance Bond for Underwater Archaeology project in cash or manager's check	250.00	Certificate	1 hour	Licensing Section of the CPRD

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V. 18. Performance Bond for Underwater Archaeology Project (in cash or in MC)	250,000.00	MOA		Licensing Section of the CPD
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References and Records

1. Republic Act No. 4846 as amended by Presidential Decree No. 374, otherwise known as “**Cultural Properties Preservation and Protection Act**”.
2. Republic Act 4846 as amended by Presidential Decree 374, **Cultural Properties Preservation and Protection Act**
3. Republic Act No. 8492, **National Museum Act of 1998**
4. Republic Act No. 9105, **Art Forgery Act of 2001**
5. Republic Act No. 10066, **National Cultural Heritage Act of 2009** and All pertinent laws, Presidential Decrees and Proclamations affecting heritage.