

Republic Act No. 7355

REPUBLIC OF THE PHILIPPINES
CONGRESS OF THE PHILIPPINES
Fifth Regular Session

S. No. 240
H. No. 35146

REPUBLIC ACT NO. 7355

AN ACT PROVIDING FOR THE RECOGNITION OF NATIONAL LIVING TREASURES, OTHERWISE KNOWN AS THE MANLILIKHA NG BAYAN, AND THE PROMOTION AND DEVELOPMENT OF TRADITIONAL FOLK ARTS, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. *Title.*- This Act shall be known as the "Manlilikha ng Bayan Act".

SEC. 2. *Policy and Objectives.* – It is hereby declared to be the policy of the State to preserve and promote its traditional folk arts whether visual, performing, or literary. For their cultural value, and to honor and support traditional folk artists for their contribution to the national heritage by ensuring that the artistic skills which they have painstakingly cultivated and preserved are encouraged and passed on to future generations of Filipinos.

The objectives of this Act shall be as follows:

- to acknowledge the importance of traditional folk artist as singular conduit between skills of the past and the future;
- to revitalize a community's artistic tradition thereby protecting a valuable fact of Philippine culture;
- to provide mechanisms for identifying and assisting qualified traditional folk artists to transfer their skills to the community; and
- to create opportunities for popularizing their works locally and internationally.

SEC. 3. *Definition of Terms.* – For the purpose of this Act, "Manlilikha ng Bayan" shall mean a citizen or a group of citizens engaged in any traditional art uniquely Filipino, whose distinctive skills have reached such a high level of technical and artistic excellence and have been passed on to and widely practiced by the present generation in his/her community with the same degree of technical and artistic competence.

"Traditional Folk Art" refers to expressions of distinctiveness and artistic quality created to serve a decorative and/or utilitarian or sociocultural functions of traditional folk artists commonly known for such works.

SEC. 4. *Criteria and Qualification.* – To become a Manlilikha ng Bayan, the candidate must satisfy the following minimum criteria:

Technical and creative skill – The candidate must possess a mastery of the tools and materials needed by the art, and must have an established reputation in the art as master and maker of works of extraordinary technical quality;

Artistic quality – The work of the candidate must be outstanding aesthetically, and he/she must have consistently produced over a significant period, works of superior quality;

Community tradition – The candidate must have transferred and/or willing to transfer to other members of the community, skills in the folk art for which the community has become nationally known.

Folk art tradition – The candidate must have engaged in a folk art tradition that has been in existence and documented for at least fifty (50) years; and

Character and integrity – As a precious treasure of the country, the candidate must command the respect and admiration of the country for his character and integrity.

The implementing agency may require additional criteria and qualifications in pursuance of the purposes of this Act.

SEC. 5. *Award and other Incentives* – The award given to the Manlilikha ng Bayan shall be called Gawad sa Manlilikha ng Bayan. In addition, the following incentives shall be enjoyed:

Plaque/Medal – The awardee shall each receive a commemorative plaque and/or medal, a duplicate set of which is to be donated to and permanently displayed in the pertinent provincial museum or largest cultural center in order to broaden community awareness of the significance of our traditional folk arts and to accord them the recognition they richly deserve;

An initial grant of One hundred thousand pesos (P100,000.00) and Ten thousand pesos (P10,000.00) a month thereafter for life, shall be given, unless the Commission after due hearing finds good reason to discontinue the grant arising from violations of pertinent terms and conditions herein stated.

This grant may be increased whenever circumstances so warrant provided, that the increase shall not be given retroactive effect.

Documentation – All surviving samples of works by the awardee shall be catalogued and photographed, and his/her work methods and tools shall likewise be documented;

A vocational course using materials, tools, methods and designs of the awardee may be offered at the nearest arts and trades school through the cooperative efforts of the Department of Trade and Industry, the Department of Education, Culture, and Sports, and a private foundation and/or private corporation, to effect the transfer of his/her skills and the preservation of folk art tradition;

A feasibility study of converting the awardee's art into a specialized cottage industry in the awardee's province, preferably in the recipient's barangay or town, may be undertaken by the Department of Trade and Industry in collaboration with private investors; and

The recipient shall be invited to Manila-based and regional cultural events that salute the importance of traditional folk arts in the Filipino cultural heritage.

SEC. 6. *Duties and Responsibilities of Awardees.* – The Manlilikha ng Bayan is a link between the past, in which his/her traditional folk art found fertile soil for growth, and the future, during which he/she seeks his/her art to be permanently sustained. It becomes his/her responsibility therefore to undertake the following:

to transfer the skills of his/her traditional folk art to the younger generation through apprenticeship and such other training methods as are found to be effective;

to cooperate with the implementing agency, as provided for in Section 7 of this Act, in the promotion and propagation of his/her traditional folk arts; and

to donate to the National Museum a sample or copy of his/her work.

SEC. 7. *Implementing Agency.* – The Presidential Commission on Culture and Arts, created under Executive Order No. 118, dated January 30, 1987, shall develop and adopt a program to effectuate the provisions of this Act and promulgate such rules, regulations and criteria that will govern the selection of the Manlilikha ng Bayan.

For purposes of this Act the Commission shall have the following powers and functions:

to constitute and appoint panels of experts including, but not limited to, the nominee of the Office of Muslim Affairs, Office for Southern Cultural Communities and Office for Northern Cultural Communities in each of the traditional folk arts categories to assist the Commission in a thorough search for and fair selection of the awardees; such categories of traditional folk arts shall include but will not be limited to the following: weaving, woodcarving, metal-working, jewelry-making, embroidery, furniture-making using indigenous materials, dance, song, instrumental folk music, folk literature, drama, boat-making, pottery-making, and other indigenous technology and architecture such as rice-terracing;

to increase the monetary grant whenever circumstances so warrant provided, that the increase shall not be given retroactive effect;

to design, monitor and evaluate appropriate programs that shall ensue that the Manlilikha ng Bayan transfers his/her skills to others, and to coordinate with pertinent agencies, public and private, for program implementation;

to undertake measures that shall protect the intellectual/cultural property rights of the awardees;

to promote the widest utilization and improvement of the awardees' design and patterns as well as their materials, tools and techniques in coordination with pertinent agencies, public and private;
to undertake information dissemination programs intended to broaden community awareness of and instill pride in the achievements of the Manlilikha ng Bayan;

to facilitate or undertake activities, public and private in coordination with the Department of Trade and Industry, the Department of Science and Technology, and the Department of Tourism, that shall make the efforts of the awardees not only aesthetically rewarding but also economically profitable; and

to generate funds from the government and the private sector for the implementation of the provisions of this Act.

SEC. 8. *Appropriations.* - The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

SEC. 9. *Tax Privileges.* – Pursuant to the existing provisions under the National Internal Revenue Code (NIRC), as amended, and the Tariff and Customs Code of the Philippines (TCCP), as amended, any gifts or donations which shall be made to or for the use of the Philippine Commission on Culture and Arts, exclusively for the Manlilikha ng Bayan, shall be entitled to the following privileges:

Exemption from donor's tax pursuant to Section 94 (a) (3) of the NIRC, as amended;

Deductibility of donations from the donor's gross income for purposes of computing taxable income in accordance with Section 29 (h) of the NIRC, as amended; and

Exemption from taxes and duties of donations from foreign countries subject to the provisions of Section 105 of the TCCP, as amended, and Section 103 of NIRC, as amended.

SEC. 10. *Repealing Clause.* – All laws, issuances, decrees, or any part or parts thereof inconsistent with the provisions of this Act are deemed amended or repealed accordingly.

SEC. 11. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved, April 3, 1992.