



PAMBANSANG KOMISYON PARA SA KULTURA AT MGA SINING

2 February 2018

ATTY. JAY DANIEL R. SANTIAGO
General Manager
Philippine Ports Authority (PPA)
PPA Corporate Building
Bonifacio Drive, South Harbor, Port Area, Manila

Re: Cease and Desist Order on the Demolition of the old PhilBank Building.

Dear **Atty. Santiago**,

Greetings from the National Commission for Culture and the Arts (NCCA)!

It has come to our attention that there is an on-going demolition work of the Old Philbanking/BIR Building on Railroad Street, Anda Circle, Port Area, Intramuros, Manila, pursuant to a Demolition Order dated April 26, 2017. As mentioned in our previous letter dated 25 October 2016, and received by your good office on 02 December, 2016, herein attached as "**Annex A**", we would like to **reiterate** that the Philbank Building is a work of the late National Artist for Architecture Jose Maria V. Zaragoza was one of the great masters of the 20th Century Philippine Architecture. As a work of a National Artist, it is vested by a presumption of an Important Cultural Property (ICP)¹ and may possess national significance.

After various communications with the Philippine Ports Authority, and after the conduct of the technical assistance program, this Commission recommended, through a technical report², the conservation of the structure through structural retrofitting and adaptive reuse. This fact was acknowledged by you in your letter dated 16 December 2016, wherein you informed us: that the PPA is in the process of developing a strategy for the best use of portions of the South Harbor Expanded Port Zone; that you are aware of the area's historic and geographical characteristics; and that the Commission's proposal to conserve the PhilBank Building will be seriously considered. In response to your acknowledgement, the Commission, in a letter dated 10 January 2017, herein attached as "**Annex B**", asked to be enjoined in the decision-making on further actions relating to the declaration of the subject cultural property as ruinous or dangerous, pursuant to the Section 302.12 of the Implementing Rules and Regulations of the National Building Code.

Records will show that despite this Commission's request to be informed of subsequent actions affecting the subject property, the PPA did not attempt to furnish us with any document nor to communicate in any manner. Section 34 of the General Provisions of the General Appropriations Act for the 2017 and 2018 fiscal year both provide:

Fiscal Year 2017

"Sec. 34 Protection of Built Heritage, Cultural Properties and Cultural Landscapes. Alteration, renovation or demolition of government buildings and open spaces declared or presumed to be important cultural properties, x x x x shall be undertaken only upon prior approval of the government cultural agencies and proper consultation with stakeholders and cultural groups to be administered by the NCCA. This includes the

¹Section 5 of RA 10066: *Cultural Property Considered Important Cultural Property.* - For purposes of protecting a cultural property against exportation, modification or demolition, the following works shall be considered important cultural property, unless declared otherwise by the pertinent cultural agency: Unless declared by the Commission, x xxx (b) Works by a National Artist; x xxx The property owner may petition the appropriate cultural agency to remove the presumption of important cultural property which shall not be unreasonably withheld."

²Submitted by Dr. Gerard Rey A. Lico, professor of Architecture, University of the Philippines-Diliman College of Architecture; former University Architect, UP-Diliman; former Head, NCCA National Committee on Architecture and Allied Arts; currently the consulting Architect of the NCCA Manila Metropolitan Theatre Restoration Project, based on a ocular inspection conducted with the PPA and the DPWH.



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protection of the sight line with regard to build heritage, cultural properties and cultural landscapes."

Fiscal Year 2018

"Sec. 34 Protection of Built Heritage, Cultural Properties and Cultural Landscapes. Alteration, renovation or demolition of government buildings and open spaces declared or presumed to be important cultural properties by government cultural agencies concerned cultural groups to be administered by the NCCA. This includes the protection of the sight line with regard to built heritage, cultural properties and cultural landscapes. x x x x x"

Hence, we are issuing through this letter a **Cease and Desist Order**, pursuant to Section 25 of R.A. 10066. All activities affecting the integrity of the Old PhilBank/BIR building are hereby ordered suspended upon receipt of this order.

Kindly submit the results of your final inspection and/or other documents showing the reason(s) for taking such measures in dealing with the subject important cultural property. We will inform you of the next course of action after reviewing your case.

For your reference, the following documents are herein attached:

1. NCCA's record on its communication with the PPA, marked as "**Annex C**".
2. NCCA's record on its communication with the DSWD, marked as "**Annex D**".

Thank you.

Very truly yours,

VIRGILIO S. ALMARIO
National Artist
Chairman

CC:

Director Jeremy R. Barns
National Museum

Chairman Rene R. Escalante
National Historical Commission of the Philippines

Engr. Rogelio Y. Legaspi
Building Official
Office of the Building Official
City of Manila