

**NATIONAL COMMISSION FOR CULTURE AND THE ARTS (NCCA) GUIDELINES
GOVERNING THE DECLARATION AND DELISTING OF CULTURAL PROPERTIES
AS NATIONAL CULTURAL TREASURES AND IMPORTANT CULTURAL
PROPERTIES; AND ITS DEALINGS AND CONSERVATION ASPECTS**

Grades of Cultural Property

Classification of Cultural Properties according to its level of significance.

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

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

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

Procedures for Declaration or Delisting of National Cultural Treasures and Important Cultural Properties within the Jurisdiction of the NCCA

Steps	Procedure	Office In Charge
Step 1	Filing of a petition letter in person by the owner, stakeholder or any interested person at the Commission/NCCA for the <i>declaration or a delisting of a cultural property</i> as a National Cultural Treasure or an Important Cultural Property and attach the necessary documents and photos (such as history, certificate of ownership, if any)	Heritage Office Room 3B 3 rd Floor, NCCA Building
Step 2	1. The NCCA through its Heritage Office (HO) in coordination with concerned division shall identify whether the cultural property is a work of National Artist or work of a <i>Manlilikha ng Bayan</i> in which case such work will have the potential to be Declared as NCT and ICP and shall assess the fee/s to be paid by the petitioner and prepare the Order of Payment to the Cashier	Heritage Office Room 3B 3 rd Floor, NCCA Building

<p>Step 3</p>	<p>Fees are as follows:</p> <ol style="list-style-type: none"> 1. Registration Fees (of Cultural Property)- Php 50.00 2. Petitions for: <ol style="list-style-type: none"> 2.1. Declaration of NCT/ICP- Php 2,000.00 2.2. Delisting of NCT/ICP- Php 2,000.00 2.3. Lifting of Presumption of NCT/ICP- Php 2,000.00 2.4. Compulsory Repair Order – Php 2,000.00 2.5. Renovation – Php 2,000.00 2.6. Demolition – Php 2,000.00 2.7. Cease and Desist Order (CDO) – Php 4,000.00 3. Export Application – Php 50,000.00 plus 10% of the assessed value of the Cultural Property 4. Certification for non-coverage of NCT/ICP – Php 250.00 	<p>NCCA Cashier</p>
<p>Step 4</p>	<p>After payment of the fees by the petitioner, he/she shall submit the OR to the HO to be attached to the petition letter together with the necessary documents such as but not limited to the photo/s and details/data of the work (of National Artist) requested to be declared as NCT or ICP and send forward it to the Office of the Chairman to be presented to the NCCA Board of Commissioners for review and consideration;</p>	<p>Heritage Office</p>
<p>Step 5</p>	<p>The NCCA Board of Commissioners shall issue a Board Resolution whether or not to approve the petition.</p>	<p>Office of the Chairman</p>
<p>Step 6</p>	<p>The NCCA, in case of Removing/Delisting the Presumption of Cultural Property/ies as ICP for the purpose of securing export permit, shall issue a clearance to the National Museum for the issuance of Export Permit or if for temporary export or for educational and scientific purpose/s, the NCCA Chairman can directly issue a clearance to the National Museum even without Board Resolution.</p>	<p>Heritage Office</p>

**RULES OF THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS (NCCA)
ON PLEADING AND PRACTICE IN HERITAGE CASES (ISSUANCE OF CEASE AND DESIST ORDER,
RENOVATION, COMPULSORY REPAIR ORDER)**

Grades of Cultural Property

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Procedures for Filing a Petition for **Cease and Desist Order, Renovation, Compulsory Repair Order**

Steps	Procedure	Office In Charge
Step 1	<p>Filing of a petition in person by the owner, stakeholder or any interested person at the Commission/NCCA for the issuance of Cease and Desist Order, for Renovation, Compulsory Repair Order and other remedies as may be provided by law. The Caption shall be as follows:</p> <p align="center">Republic of the Philippines National Commission for Culture and the Arts (Office Address)</p> <p align="center">IN THE MATTER OF THE [VIOLATION OF SPECIFIC PROVISIONS] Complainant.</p> <p align="right">Case No. _____</p> <p align="center">- Versus-</p>	Heritage Office Room 3B 3 rd Floor, NCCA Building

	<p style="text-align: right;">FOR: (State the nature/cause of action)</p> <p style="text-align: center;">Respondent.</p> <p style="text-align: center;">X ----- x</p> <p>The complaint shall be in writing and under oath, drawn in clear and concise language whether in Filipino or English, specifying the full names and addresses of the complainants, respondents and witnesses, if any. It shall state the ultimate facts constituting the cause or causes of action or specific violation of law or rules and regulations, as well as other information pertinent thereto. It shall also specify the remedy or relief sought.</p>	
Step 2	<p>The NCCA through its Heritage Office (HO) in coordination with concerned division shall identify whether the cultural property is a work of National Artist or work of a <i>Manlilikha ng Bayan</i> after which shall assess the fee/s to be paid by the petitioner and prepare the Order of Payment to the Cashier.</p>	<p>Heritage Office Room 3B 3rd Floor, NCCA Building</p>
Step 3	<p>Fees are as follows:</p> <ol style="list-style-type: none"> 5. Registration Fees (of Cultural Property)- Php 50.00 6. Petitions for: <ol style="list-style-type: none"> 6.1. Declaration of NCT/ICP- Php 2,000.00 6.2. Delisting of NCT/ICP- Php 2,000.00 6.3. Lifting of Presumption of NCT/ICP- Php 2,000.00 6.4. Compulsory Repair Order – Php 2,000.00 6.5. Renovation – Php 2,000.00 6.6. Demolition – Php 2,000.00 6.7. Cease and Desist Order (CDO) – Php 4,000.00 7. Export Application – Php 50,000.00 plus 10% of the assessed value of the Cultural Property 8. Certification for non-coverage of NCT/ICP – Php 250.00 	<p>NCCA Cashier</p>
Step 4	<p>After payment of the fees by the petitioner, he/she shall submit the OR to the HO to be attached to the petition letter together with the necessary documents such as but not limited to the photo/s and details/data of the work (of</p>	<p>Heritage Office</p>

	National Artist) requested to be declared as NCT or ICP and send forward it to the Office of the Chairman to be presented to the NCCA Board of Commissioners for review and consideration;	
Step 5	The NCCA Board of Commissioners shall issue a Board Resolution whether or not to approve the petition.	Office of the Chairman
Step 6	<p>The Chairman shall thereafter order an initial investigation of the property and the issues alleged in the complaint, making a preliminary report to the Board of Commissioners no later than seven (7) days thereafter.</p> <p>The Chairman then shall designate the hearing officer who shall conduct the hearing. Thereafter, said hearing officer will require all other parties to file their comments or responsive pleadings to the complaint within fifteen (15) days from receipt of the notice.</p>	Office of the Chairman
Step 7	<p>In the conduct of hearings, the Hearing Officer shall not be bound by the technical rules of evidence under the Rules of Court. However, the following simplified rules of evidence shall be observed:</p> <p>21.1 The Hearing Officer shall admit and give probative value to evidence commonly accepted by a reasonably prudent man in the conduct of his affairs. In case of doubt, all evidence presented shall be admitted, subject to the objections interposed, if any;</p> <p>21.2 All documents forming part of the records and material to the issues of the case, whether marked as exhibits or not, shall be deemed admitted as evidence and may be considered in the resolution of the case;</p> <p>21.3 Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available. Upon request, the parties shall be given opportunity to compare the copy with the original. If the original is in the official custody of a public officer, a certified copy thereof may be accepted;</p> <p>21.4 Every party shall have the opportunity to be heard in accordance with administrative due process and to submit rebuttal evidence; and</p> <p>21.5 The Hearing Officer may take notice of judicially cognizable facts and of generally cognizable technical or scientific facts within its or his specialized knowledge. The parties shall be notified and afforded an opportunity to contest the facts so noticed.</p>	Legal Office