



NATIONAL COMMISSION FOR CULTURE AND THE ARTS

*Excerpts from the Minutes of the Regular Commission Meeting held on
January 27, 2014, NCCA, Intramuros, Manila*

and

*Confirmed at the Regular Commission Meeting held on
March 4, 2014, NCCA, Manila*

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Special Resolution

***4.1.2 Proposed Amendment to Sec. 36, "Appointment of the Executive Director",
of the Implementing Rules and Regulations of Republic Act 7356***

Atty. Angeles presented the proposed amendment to Section 36 of the IRR of RA 7356 on the appointment of the Executive Director.

Comm. Muyot recommended that the amendment should not be too detailed that will tie the hands of the NCCA to the stipulation. He proposed that Section 36 to state as "*The Executive Director shall be appointed by the President. The Board of Commissioners shall submit its nominee to the Office of the President*".

He also clarified that a new resolution can provide for the qualification standards for a particular position. Calling attention to the inclusion of the Deputy Executive Director (DED) position in the amendment, he pointed out that it has not been discussed whether the DED should be appointed by the President and the NCCA's request for opinion was limited only to the ED position. Thus, in the absence of any opinion from the CES Board or Office of the President (OP), he advised that the NCCA should first find out the appointing authority for the DED position before including it in the amendment.

Atty. Angeles explained that the reason for the inclusion of the DED position was due to the opinion rendered by the CES Board Executive Director Allones which included said position as requiring Presidential appointment. She said that it would be the pleasure of the Board to remove said position in the amendment to Section 36.

At this point, Comm. Muyot asked on whether the CES Board opinion was formally communicated in writing to the NCCA or part only of the discussion in the Board meeting [October 10, 2013].

Atty. Angeles clarified that the former NCCA Executive Director (ED) had earlier requested for an opinion from the CES Board. Said written opinion issued prior to Atty. Allones' verbal opinion in the Board meeting [October 10, 2013] was in direct contrary which created some kind of confusion on the status of the positions. The former ED wrote the OP last December 2013 to request for clarification but only regarding the status of the ED position.

At this juncture, Comm. Barns put forward a motion to approve the amendment to Section 36 using the language proposed by Comm. Muyot and limiting it to the ED position.

In the ensuing discussion, Comm. Almario asked if the Board is satisfied with the present situation or would it want to inquire on the status of the DED position. Comm. Barns added that the NCCA can further inquire on the status the DED position.

[U]pon motion made and duly seconded, the majority of the Commission approved this *Special Resolution*:

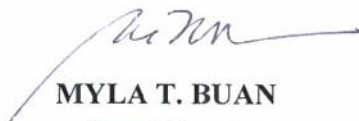
Resolution No. 2014 – 393
Amending Section 36 of the Implementing Rules and Regulations of
Republic Act 7356 on the Appointment of the Executive Director of the
National Commission for Culture and the Arts

RESOLVED, as it is hereby Resolved, To Amend
Section 36 "Appointment of the Executive Director" of the
Implementing Rules and Regulations of Republic Act 7356 to:

"The position of Executive Director shall be appointed
by the President. The Board of Commissioners shall submit its
Nominee to the Office of the President".

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Prepared by:


MYLA T. BUAN
Board Secretary

For the Board:


FELIPE M. DE LEON, JR.
Chairman