



HOUSE OF REPRESENTATIVES

H. No. 5577

BY REPRESENTATIVES NOEL, ROMUALDO, DURANO, ESCUDERO, DE VENECIA, ALONTE, BELMONTE (J.C.), SAVELLANO, ERIGUEL, ORTEGA (P.), ENVERGA, BOLILIA, VERGARA, SALO, GO (M.), CHAVEZ, CUARESMA, YU, SANTOS-RECTO, LABADLABAD, GO (A.C.), NOGRALES (K.A.), SALCEDA, DIMAPORO (M.K.), DEL MAR, LOBREGAT, BATAOIL, SUANSING (E.), DEFENSOR, ABAYA, ARCILLAS, TEJADA, TUPAS, DELOSO-MONTALLA, CAMINERO, ROQUE (H.), ROQUE (R.), AMATONG, GONZALEZ, ACOSTA, SY-ALVARADO, DALIPE, CARI, CAGAS, MANGAOANG, PRIMICIAS-AGABAS, NAVA AND MANALO, PER COMMITTEE REPORT NO. 221

AN ACT MANDATING THE CONSERVATION OF GABALDON SCHOOL BUILDINGS NATIONWIDE, PROVIDING PENALTIES FOR VIOLATIONS, AND APPROPRIATING FUNDS THEREFOR

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Gabaldon
2 School Buildings Conservation Act”.

3 SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of
4 the State to conserve and promote the country’s historical and cultural heritage
5 and resources. Towards this end, it shall strengthen its efforts and pursue a
6 more proactive role in the conservation and restoration of built heritage, such

1 as the Gabaldon school buildings, to preserve their architectural, historical,
2 and social significance.

3 SEC. 3. *Definition of Terms.* – As used in this Act:

4 (a) *Conservation* refers to all processes and measures of
5 maintaining the cultural significance of Gabaldon school buildings
6 including preservation, restoration, reconstruction, protection, adaptation
7 or any combination thereof; and

8 (b) *Gabaldon school buildings* refer to school buildings designed
9 by American Architect William Parsons and funded through Act No. 1801,
10 authored by Assemblyman Isauro Gabaldon.

11 SEC. 4. *Conservation of Gabaldon School Buildings.* – The
12 Department of Education (DepED), in consultation with the National
13 Commission for Culture and the Arts (NCCA), the National Historical
14 Commission of the Philippines (NHCP), and the National Museum (NM),
15 shall implement a program for the identification and conservation of all
16 Gabaldon school buildings nationwide.

17 For this purpose, an inventory of all Gabaldon school buildings,
18 whether fully functional or condemned, in all public elementary and secondary
19 schools, shall be jointly undertaken by the DepED and the NCCA to determine
20 the physical status of each structure. School heads shall submit to their
21 respective Schools Division Superintendents, for appropriate action, a report
22 indicating the existence of or any structural damage to any Gabaldon school
23 building in schools under their respective supervisions.

24 Local government units that have Gabaldon school buildings under
25 their jurisdiction shall likewise adopt measures for the protection and
26 conservation of these structures and shall provide the DepED with the
27 necessary assistance in the implementation of any conservation project.

28 Any modification, alteration, destruction, demolition, or relocation of
29 Gabaldon school buildings shall be strictly prohibited. In cases where

1 conservation measures are necessary, the DepED, in coordination with the
 2 NCCA, the NHCP, and the NM, shall provide proper technical assistance to
 3 school heads to ensure that the original architectural design of the school
 4 building is maintained: *Provided, however,* That, subject to the issuance of a
 5 permit from the NCCA, any modification or alteration of the original
 6 architectural design of Gabaldon school buildings may be allowed in public
 7 elementary and secondary schools where the exigency of constructing new
 8 school buildings is a priority in anticipation of the increase in student
 9 population by virtue of the implementation of Republic Act No. 10533, or
 10 the "Enhanced Basic Education Act of 2013": *Provided, further,* That the
 11 facade and other distinct features of the original Gabaldon school buildings
 12 shall, as much as possible, be preserved.

13 SEC. 5. *Penalties.* – Any person who shall abet or cause the
 14 unauthorized modification, alteration, destruction, demolition, or relocation
 15 of the Gabaldon school building shall be subject to a fine of not less than
 16 two hundred thousand pesos (P200,000.00) or imprisonment for a term of
 17 not less than ten (10) years, or both, upon the discretion of the court, and
 18 shall likewise pay for the conservation of the structure: *Provided,* That if
 19 the violation is committed by a juridical person, its license to operate shall
 20 be revoked, and its president, manager, representative, director, agent, or
 21 employee shall also be liable for the penalties prescribed herein: *Provided,*
 22 *further,* That if the offender is an alien, the offender shall be placed under
 23 the custody of the Bureau of Immigration for appropriate proceedings and
 24 shall be summarily deported after serving the applicable sentence.

25 School heads who fail to submit a report to their respective Schools
 26 Division Superintendents on the existence of or any structural damage to any
 27 Gabaldon school building in schools under their respective supervision, shall
 28 be held administratively liable for simple neglect of duty and shall be
 29 suspended without pay for a period of six (6) months.

1 SEC. 6. *Appropriations.* – The Secretary of Education shall
 2 immediately include in the Department's program the implementation of this
 3 Act, the initial funding of which shall be charged to the current year's
 4 appropriation of the DepED. Thereafter, the amount necessary for the
 5 continued implementation of this Act shall be included in the annual General
 6 Appropriations Act.

7 SEC. 7. *Implementing Rules and Regulations.* – Within ninety (90)
 8 days from the approval of this Act, the DepED, in consultation with the
 9 NCCA, the NHCP, and the NM, shall formulate the rules and regulations
 10 implementing the provisions of this Act.

11 SEC. 8. *Separability Clause.* – If any provision of this Act is held
 12 invalid or unconstitutional, the other provisions not so declared shall remain in
 13 force and effect.

14 SEC. 9. *Repealing Clause.* – All laws, decrees, orders and rules, and
 15 regulations contrary to or inconsistent with the provisions of this Act are
 16 hereby repealed or amended accordingly.

17 SEC. 10. *Effectivity.* – This Act shall take effect fifteen (15) days
 18 after its publication in the *Official Gazette* or in a newspaper of general
 19 circulation.

Approved,

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