

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

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REGISTRATION UNIT BILLS AND INDEX SERVICE	

HOUSE BILL NO. 139

Introduced by the Honorable Victoria Isabel G. Noel

EXPLANATORY NOTE

During the Commonwealth era, the Americans introduced the public school system to the Philippines. To meet the need for public school buildings, the Asamblea Filipina (Philippine Assembly), passed as one of its first laws Act. No. 1801 framed by Nueva Ecija representative Isauro Gabaldon.

Taken from the surname of its principal advocate, it came to be known as the "Gabaldon Act of 1907," and all the school buildings built in the next two decades during the American period were called "Gabaldon Schoolhouses."

These "Gabaldon Schoolhouses" have withstood the elements and until the present are still being used by public schools throughout the country.

This bill seeks to rehabilitate and repair the "Gabaldon Schoolhouses" and other heritage school buildings nationwide to preserve its historical significance as well as address the ever growing need for educational facilities.

Approval of this bill is earnestly sought.

[Signature]
VICTORIA/ISABEL G. NOEL

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HOUSE BILL NO. 139

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AN ACT MANDATING THE CONSERVATION OF GABALDON AND OTHER
HERITAGE 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:

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

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to conserve and promote the country’s historical and cultural heritage and resources. Towards this end, it shall strengthen its efforts and pursue a more proactive role in the conservation and restoration of built heritage such as the Gabaldon and other heritage school buildings, to preserve their architectural, historical and social significance.

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

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

(b) *Gabaldon school buildings* refer to school buildings designed by American architect William Parsons and funded through Act No. 1801 authored by Assemblyman Isauro Gabaldon; and

(c) *Other heritage school buildings* refer to any other heritage structures within the school dating at least fifty (50) years old.

SEC. 4. *Conservation of Gabaldon and Other Heritage School Buildings.* – The Department of Education (DepED) shall, in consultation with the National Commission for Culture and the Arts (NCCA), the National Historical Commission of the Philippines

(NHCP), and the National Museum (NM), implement a program for the identification and conservation of all Gabaldon and other heritage school buildings nationwide.

For this purpose, an inventory of all Gabaldon and other heritage school buildings, whether fully functional or condemned, in all public elementary and secondary schools shall be jointly undertaken by the DepED and the NCCA to determine the physical status of each structure. School heads shall submit to their respective schools division superintendent, for appropriate action, a report indicating the existence of and structural damage to any Gabaldon and other heritage school buildings in the school under their supervision.

The local government unit having jurisdiction over schools where Gabaldon and other heritage school buildings are located shall likewise adopt measures for the protection and conservation of these structures and shall provide the DepED the necessary assistance in the implementation of any conservation projects.

Any modification, alteration, destruction, demolition, or relocation of Gabaldon and other heritage school buildings shall be strictly prohibited. In cases where conservation is necessary, the DepED, together with the NCCA, the NHCP and the NM, shall provide proper technical assistance to school heads to ensure that the original architectural design of the school buildings is maintained: *Provided, however,* That subject to the issuance of permit from the NCCA, modification or alteration of the original architectural design of Gabaldon and other heritage school buildings may be allowed in public elementary and secondary schools where the exigency of constructing new school buildings is a priority in view of the increase in student population and in anticipation of the implementation of Republic Act No. 10533 or the “Enhanced Basic Education Act of 2013”: *Provided, further,* That the façade and/or other distinct features of the original Gabaldon and other heritage school buildings shall, as much as possible, be preserved.

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

SEC.6. Penalties. – Any person who shall abet or cause the unauthorized modification, alteration, destruction, demolition, and relocation of the Gabaldon and other heritage school buildings shall be subject to a fine of not less than two hundred thousand pesos (P200,000.00) or imprisonment for a term of not less than ten (10) years, or both, upon the discretion of the court, and shall likewise pay for the conservation of the structure: *Provided,* That if the violation is committed by a juridical person, its license to operate shall be revoked, and its president, manager, representative, director, agent, or employee shall also be liable for the penalties provided herein: *Provided, further,* That if the offender is an alien, the offender shall be placed under the custody of the Bureau of Immigration for appropriate proceedings and shall be summarily deported after serving the applicable sentence.

Heads of schools who shall fail to report the existence of or any structural damage to any Gabaldon and other heritage school buildings in the school under their supervision shall be held administratively liable for simple neglect of duty and suspended without pay for a period of six (6) months.

SEC. 7. *Implementing Rules and Regulations.* – Within ninety (90) days from the approval of this Act, the DepED and the NCCA shall, in consultation with the NHCP and the NM, promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 8. *Separability Clause.* – If any provision of this Act is declared unconstitutional, the remainder of this Act or provisions not affected thereby shall remain in full force and effect.

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

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

Approved,