

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 281



Introduced by **Honorable Roilo Golez**

EXPLANATORY NOTE

Article XIV Section 14 of the Constitution provides that "the State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression."

Article XIV Section 16 of the Constitution provides that "all the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under protection of the State which may regulate its disposition."

It is a known fact that for every foreign performer who graces the local entertainment industry and earns income derived from Philippines sources, a local performer is displaced.

To address this imbalance, the foreign performer should be made to pay a charge, to be known as the Equity Free, the proceeds of which shall be allocated to the National Commission on Culture and Arts, the extant government agencies charged with promoting arts and culture.

Passage of this measure is earnestly sought.


ROILO GOLEZ

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AN ACT
CONSERVING, PROMOTING AND POPULARIZING THE NATION'S HISTORICAL AND CULTURAL
HERITAGE AND RESOURCES, AS WELL AS ARTISTIC CREATIONS BY EXACTING A
PERFORMANCE FEE FROM FOREIGN PERFORMERS AND ALLOCATING THE PROCEEDS
THEREOF TO THE NATIONAL COMMISSION ON CULTURE AND ARTS AND FOR OTHER
PURPOSES

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

SECTION 1. *Title.* - This Act shall be known and cited as "The Singer's Equity Act."

SEC. 2. *Declaration of Policy.* - It is the policy of the State to foster the preservation, enrichment and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression and that all the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State which may regulate its disposition.

SEC. 3. *Equity Fee.* - In addition to the fees currently being imposed, there shall be charged on a foreign performer a fee equivalent to Fifteen percent (15%) of his total talent fee for the privilege of performing in the Philippines which shall be known as the Equity Fee.

SEC. 4. *Exception.* - Performances of foreign performers for a socio-civic benefit or to which the audience does not pay for admission or which the Cultural Center of the Philippines sponsors shall not be covered by this Act.

SEC. 5. *Definition of terms.* - For purposes of this Act,

(a) A foreign performer is defined as an artist or entertainer, or the members of a group thereof, not holding a Philippine Passport.

(b) The total talent fee, against which is imposed the Equity Fee, shall be that identified as such in the contract of service of the foreign performer, plus all other projected perks and benefits, including

but not limited to the expenses for hotel accommodations, food and maintenance for the entire duration of stay in the Philippines.

SEC. 6. *Procedure for Administration.* - (a) The Equity Fee shall be payable to the Bureau of Internal Revenue (BIR) regional office nearest the venue of the first performance at least five (5) working days prior to the date of the first scheduled performance of the foreign performer.

(b) Payment shall be effected by the Producer, Promoter or Impresario chargeable to the account of the foreign performer.

(c) Within twenty (20) days from receipt of the Equity Fee, the BIR regional office concerned shall remit the entire amount to the National Commission on Culture and Arts for its disposition in accordance with its charter and mandate.

SEC. 7. A violation of this Act shall be meted a penalty of a fine of at least Five hundred thousand pesos (500,000.00) but not more than Five million pesos (5,000,000.00), depending on the gross receipts generated by the performances.

SEC. 8. This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,