

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

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 1509



Introduced by Honorable Lucy Torres-Gomez

EXPLANATORY NOTE

Recently, the restored versions of the Filipino film classics *Maynila sa mga Kuko ng Liwanag* (Lino Brocka) and *Genghis Khan* (Manuel Conde) have been in the news. It is a known fact, however, that many other Filipino films in the past have not been so fortunate, and some may have indeed vanished, irreversibly. It has been estimated that thousands of films have suffered this fate due to lack of systematic identification, preservation and restoration efforts. What is curious though is that time and again a copy of a film deemed lost accidentally turns up at the United States Library of Congress or elsewhere. This bill therefore is premised on that hope or chance, no matter how slim and diminishing, that some copies of “lost” Filipino classics may still be traced, acquired and preserved for the benefit of our present and future generations.

Under our present laws, film archiving is mentioned in *Section 3 of Republic Act No. 9167*, the law which created the Film Development Council of the Philippines. Under the said provision, one of the powers and functions of the Council is “to ensure the establishment of a film archive in order to conserve and protect film negatives and/or prints as part of the nation’s historical, cultural, and artistic heritage.” Other than this passing mention, however, of a film archive not much has been done along the line of protecting and conserving our film reservoir, understandably due to the usual problems of funding constraints and lack of technical expertise and storage infrastructural facilities.

The 1987 Philippine Constitution (Article XIV), however, mandates that insofar as our arts and cultural heritage is concerned

“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.” (Sec. 14)

“Arts and letters shall enjoy the patronage of the State. The State shall conserve, promote, and popularize the nation’s historical and cultural heritage and resources, as well as artistic creations.” (Sec. 15)

“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. 16)

This bill gives life, infuses meaning, and fleshes-out the intent of the foregoing constitutional provisions with the end in view of promoting our cinematographic arts and building and conserving our Filipino film heritage. Indeed, the film industry is much more than a commercial enterprise designed for public entertainment. Cinematic films mirror the human and social conditions, dramatizes the people’s struggles towards total liberation and enhances our understanding and appreciation of our social values and national identity.

Based on the foregoing premises, the early approval of this bill is earnestly requested.



LUCY TORRES GOMEZ
Representative
Fourth District of Leyte

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AN ACT
CREATING THE NATIONAL FILM ARCHIVE TO BE
MANAGED BY THE FILM DEVELOPMENT COUNCIL, AND
APPROPRIATING FUNDS THEREFOR

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

SECTION 1. There is hereby created a National Film Archive of the Philippines to be managed and maintained by the Film Development Council.

SEC. 2. The National Film Archive of the Philippines shall have the following powers and functions:

1. Plan, formulate and implement an archival administration program for the efficient recovery, restoration, conservation, preservation, maintenance, utilization and disposal of cinematographic

films including the adoption of security measures and film protection program;

2. Review and approve films nominated for inclusion in the National Film Archive;

3. Conduct archival researches using materials here and abroad, including background studies about films considered for inclusion in the National Film Archive, and;

4. Acquire through transfer, donation, purchase or any other means film prints and digital masters of films which have enduring archival value;

5. Ensure the preservation and conservation of existing and future film archival resources of the government;

6. Reproduce and authenticate copies of cinematic films, subject to copyright laws;

7. Facilitate the acquisition of a permanent and suitable building for the National Film Archives to house the country's film archival holdings;

8. Promote appreciation of and build cultural values from the cinematic films in the National Film Archive;

9. Provide for access to the Film Archive for scholarly and research process, subject to reasonable guidelines;

10. Make Filipino films readily available for educational, historical, and cultural purposes to all segments of Philippine society, as well as the international community;

11. Give technical assistance to all government offices, instrumentalities, and agencies, national or local, in the planning, implementation and evaluation of their film archives administration program; and

12. Conduct training programs on film archives management, including the establishment of an archival system for both public and private sectors.

SEC. 3. The National Film Archive of the Philippines shall be headed by an executive director with a rank equivalent to a bureau director and who shall be assisted by two deputy executive directors.

The President of the Philippines shall appoint the executive director and the two deputy executive directors of the Film Archive from a list of nominees submitted by the Film Development Council: *Provided*, That said officials to be appointed to the Film Archive shall be knowledgeable of the artistic, historical, cultural and/or technical aspects of film-evaluation, restoration and/or archiving along world-class standards.

The executive director and the deputy executive directors shall serve for a term of two (2) years and shall be eligible for reappointment for a second term: *Provided*, That no director shall serve for more than two (2) consecutive terms: *Provided further*, if any director fails to complete a term, the person appointed to fill the vacancy shall serve only for the unexpired portion of the term of the director whom he/she succeeds, unless re-appointed: *Provided finally*, That such service of the unexpired portion shall not counted as a term.

The National Film Archives shall establish its own staffing pattern, and salary and compensation scheme, within six months from the effectivity of this Act, subject to the rules and regulations of the Department of Budget and Management (DBM) and the Civil Service Commission (CSC).

SEC. 4. Film companies or individual producers are hereby required to submit, at reasonable cost, a copy of their film to the National Film Archive within three (3) months from its official release.

SEC. 5. The Film Development Council shall, in consultation with the National Historical Institute, National Commission on Cultural and

Arts, and the National Archives of the Philippines, issue the necessary rules and regulations to implement the provisions hereof.

SEC. 6. The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

SEC. 7. All acts, decrees, executive orders, rules and regulations and other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed, modified or amended.

SEC. 8. If for any reason, any portion or provision of this Act be declared unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 9. This Act shall take effect fifteen (15) days after its publication either in the Official Gazette or in a newspaper of general circulation.

Approved,