

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
First Regular Session

HOUSE BILL NO. **4783**



Introduced by Representative JOEY SARTE SALCEDA

AN ACT DESIGNATING THE PHILIPPINE NATIONAL PERFORMING ARTS COMPANIES, DEFINING THEIR ROLES AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR.

EXPLANATORY NOTE

This bill shall be known as the "Philippine National Performing Arts Companies Act."

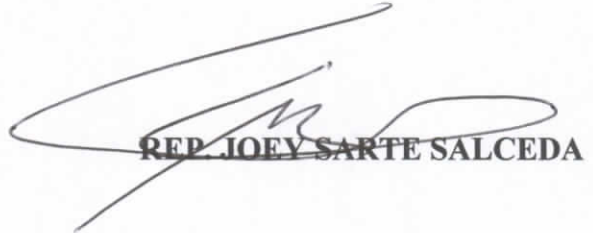
Culture serves as the art and manifestations of human intellectual achievement regarded collectively where peoples' imaginative capabilities are projected and their intellectual achievement are embossed in the society. In Sections 14 and 16 under Article XIV of the Constitution, it is the duty of the 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 to "*conserve, promote, and popularize the nation's historical and cultural heritage and resources, as well as artistic creations.*"

Consequently, the institutions National Center for Culture and the Arts (NCCA) and the Cultural Center of the Philippines (CCP) were established to preserve and enrich Philippine arts and culture. These institutions were constructed, not only as a venue to promulgate Philippine talents and culture, but also to promote the artistic and cultural growth of Filipino artists. In the process, it educates not only Filipinos but also other nations as performing arts companies serve as our cultural ambassadors during performances abroad - showcasing the Filipino culture, heritage, and identity.

Moreover, one program that helps promote Philippine arts and culture is the National Endowment Fund for Culture and the Arts (NEFCA) administered by the NCCA. In view of the creativity of the Filipinos, there are several projects that may receive such financial aid through the NEFCA. However, its resources are but deemed insufficient to further develop the performing arts. Hence, an act to appropriately designate, recognize, and support the Philippine National Performing Arts Companies that have demonstrated pioneering and unassailable competence, effectiveness and success in the perpetuation of the country's arts and culture is a must. This bill seeks to recognize

their contribution to the preservation of Philippine arts and culture. Furthermore, this bill also provides them with the desired financial aid to enable them to fulfill their role effectively and efficiently.

In view of the foregoing, approval of this bill is earnestly sought.



REP. JOEY SARTE SALCEDA

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
First Regular Session

HOUSE BILL NO. 4783

Introduced by Representative JOEY SARTE SALCEDA

AN ACT DESIGNATING THE PHILIPPINE NATIONAL PERFORMING ARTS COMPANIES, DEFINING THEIR ROLES AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR.

Be it enacted by the Senate and the House of Representatives of the Philippines in congress Assembled:

Section 1. Short Title.—This Act shall be known as the “the “Philippine National Performing Arts Companies Act”.

Section 2. Declaration of Principle. – Pursuant to Article II, Sections 17 and 23, and Article XIV, Sections 14, 15 and 18(2) of the 1987 Philippine Constitution, it is hereby declared the policy of the State to appropriate recognize, designate and support nongovernment organizations that have demonstrated pioneering, consistent and unassailable competence, effectiveness and success in the development, training, documentation and performance of ballet and contemporary dance, orchestral music, choral music, and theatre.

Section 3. Designation as Philippine National Performing Arts Companies. – A Philippine National Performing Arts Company is hereby designated from the following performing arts genres:

- a) One (1) National Ballet/ Contemporary Dance Company;
- b) One (1) National Theater Company;
- c) One (1) National Orchestra Company; and
- d) One (1) National Choral Company.

Section 4. Roles and Functions. – A National Performing Arts Company shall have the following roles and functions:

a) Undertake a continuing program of training and education for the professional development of performing artists, teachers, directors, designers, performing arts managers, and other artists particular to its performing arts field;

b) Conduct research relative to particular performing arts and undertake documentation of its activities and programs for the preservation and dissemination of Filipino masterpieces in the performing arts;

c) Organize and present a regular annual season of performances at the Cultural Center of the Philippines (CCP) and other venues in the country.

d) Develop and build a repertoire of original Filipino works that will help define our national cultural identity;

e) Maintain and promote a standard of artistic excellence in its field that will help elevate the performing arts in our country;

f) Conduct national outreach and exchange program of performances, workshops, and seminars for the development and promotion of the performing arts in the regions;

g) Undertake international outreach program as Philippine cultural ambassadors and perform during State functions for visiting dignitaries;

h) Conduct continuing audience development program and help promote greater awareness and appreciation of the performing arts among the public; and

i) Maintain a viable and sustainable performing arts organization and help set a standard for effective and efficient performing arts management.

Section 5. The Selection Committee. – There is hereby established a Selection Committee for the National Performing Arts Companies composed of fifteen (15) members, who shall be chosen from a panels of experts knowledgeable in the artistic and technical aspects of the performing arts, to be designated by the National Commission for Culture and Arts (NCAA) and the CCP. The members of the Selection Committee shall elect a Chairperson from among themselves.

The Selection Committee is tasked to draw up the appropriate guidelines for the selection process of the National Performing Arts Companies. It shall adopt the following procedures:

a) Call for applications to different performing arts companies based on the guidelines set by the Selection Committee;

b) First screening shall be an assessment by the Secretariat based on a pre-selection criteria stated in the guidelines set by the Selection Committee;

c) Second screening shall be an evaluation by the Selection Committee under a criterion set to further evaluate the applications;

d) A final selection of the qualified National Performing Arts and Companies consisting of:

- 1) One (1) qualified applicant for ballet/ contemporary dance;
- 2) One (1) qualified applicant for theatre;
- 3) One (1) qualified applicant for orchestral music; and
- 4) One (1) qualified applicant for choral music.

e) An additional twelve (12) or three (3) from each of the next most quailed applicants shall be selected from each of the aforementioned performing arts companies for a separate subsidy program; and

f) The results of the final selection shall be ratified jointly by the NCAA Board of Commissioners and the CCP Board of trustees.

Section 6. Criteria for Selection –The Selection committee shall select the national Performing Arts Companies based on the following criteria:

- a) It is national in scope, as it tackles and presents the arts, culture, traditions, issues and concerns of the nation, drawing the best talents from all over the country and contributing to the development of a national cultural consciousness;
- b) It maintains the highest standards of artistic excellence, manifested in the quality of performances, artists, training and programs and other activities;
- c) It is world-class, having represented the country in numerous touring engagements, festivals, competitions and international events, and having been acclaimed by foreign organizations, audiences and critics alike;
- d) It has maintained a professional track record of regular and continuing set of activities in pursuit of its mission; and
- e) It is able to maintain a viable and sustainable organization to support its programs and shall thus have the capability to match the allocated annual subsidy form the government.

Section 7. Entitlements –The National Performing Arts Companies, namely: The National Ballet/ Contemporary Dance Company, The National Theatre Company, the National Orchestra, and the National Choral Company, shall be entitled to the following:

- a) Free and Equitable Use of Government Facilities –entitles the National Performing Arts Companies to free and equitable use of government facilities and cultural venues, specifically the CCP, the Tanghalang Balagtas and other government venues devoted to cultural and artistic performances, based on a stipulated frequency of usage;
- b) Access Grants –entitles the National Performing Arts Companies to project grants for research, documentation, and productions, workshops, trainings and audience development programs from the NCAA, subject to proper evaluation; and
- c) Intellectual Property Rights – Entitles the National Performing Arts Companies to the protection of their work, including music, choreographs, and other artistic creations. Likewise, they shall enjoy the right to public performance and fixation. They shall further be entitled to the reproduction, authorization, and distribution of fixations in accordance with intellectual property laws

Section 8. Memorandum Agreement – Within thirty (30) days upon the effectivity of this Act, the CCP and the NCAA shall execute a Memorandum of Agreement with the concerned stakeholders to formalize the necessary arrangements in accordance with existing laws.

Section 9. *Appropriation of Funds* – Each National Performing Arts Company shall be appropriated the following amounts:

a) Ten million pesos (P10,000,000.00) a year each for the National Ballet/ Contemporary Dance Company, the National Theatre Company, and the National Orchestra for a period of five (5) years; and

b) Five million pesos (P5,000,000) a year for the National Choral Company for a period of five (5) years.

A maximum of twelve (12), or maximum of three (3) from each of the next most qualified applicants from each of the performing arts companies mentioned, shall be entitled to a subsidy of one million pesos (P1,000,000) a year, renewable upon evaluation, for performance, research, documentation, and commissioned work.

Section 10. *Tax Exemption*. – Any donation, contribution, bequest and grant, which may be made to the National Performing Arts Companies, shall be exempt from donor's tax and the same shall be considered as allowable deduction from the gross income of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as amended:

Provided, that such National Performing Arts Companies are accredited nongovernment organizations pursuant to Executive Order No. 720 issued on April 11, 2008.

Section 11. *Implementing Rules & Regulations*. – Within sixty (60) days from the approval of this Act, the President of the CCP, in constitution with the Chairperson of the NCCA, shall formulate the rules and regulations implementing the provisions of this Act.

Section 12. *Repealing Clause*.– All laws, decrees, orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Section 12. *Effectivity*.– This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,