

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

19TH CONGRESS
First Regular Session

HOUSE BILL NO. 5695



Introduced by Representative Michael L. Romero

EXPLANATORY NOTE

The **Film Development Council of the Philippines (FDCP)** under the Office of the President of the Philippines was created by virtue of **Republic Act 9167**, “**An Act Creating the Film Development Council of the Philippines**, Defining its Powers and Functions, Appropriating Funds Therefore and for Other Purposes. Upon its creation in 2002, it replaced the Film Development Foundation of the Philippines, Inc., (FDFPI) and the Film Rating Board (FRB).

FDCP's mandate is pursuant to the State Policy to promote and support the development and growth of the local film industry. To this end, FDCP has served to formulate film policies and programs to ensure the economic, cultural and educational development of the Philippine film industry. It aims to encourage the production of quality films and to conduct film-related events that enhance the skills of the Filipino talents.

The agency also leads the film industry's participation in domestic and foreign film markets, and local and international film festivals, and is tasked to preserve and protect films as part of the country's national cultural heritage.

This House Bill seeks to provide **Modernization Funding** to the **Film Development Council of the Philippines (FDCP)**, to provide a globally competitive film industry that contributes to the economic development of the country while championing our culture and heritage.

Thus, the early passage of this bill is earnestly requested.

A handwritten signature in black ink, appearing to read 'Michael L. Romero', with a long horizontal stroke extending to the right.

MICHAEL L. ROMERO

Republic of the Philippines
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HOUSE BILL NO. 5695

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AN ACT

PROVIDING FOR MODERNIZATION FUNDINGFOR THE **THE FILM DEVELOPMENT COUNCIL OF THE PHILIPPINES (FDCP)**, INCREASING AND REORGANIZING ITS ADMINISTRATION, TO PROMOTE A GLOBALLY COMPETITIVE FILM INDUSTRY THAT CONTRIBUTES TO THE ECONOMIC DEVELOPMENT OF THE COUNTRY WHILE CHAMPIONING OUR CULTURE AND HERITAGE, AND FOR OTHER PURPOSES

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

SECTION 1. DECLARATION OF POLICY – It shall hereby be a declared policy of the State to mandate **The Film Development Council of the Philippines (FDCP)** as the national agency under the Office of the President of the Republic of the Philippines responsible for film policies and programs to ensure the economic, cultural, and educational development of the Philippine film industry. It aims to encourage the film industry to create quality films – from development to production, to distribution and exhibition - and to conduct film-related events that enhance the skills of Filipino talents.

The agency also leads the film industry’s participation in domestic and foreign film markets and local and international film festivals to promote and

position Philippine cinema to be globally competitive. It is also tasked to preserve and protect films as part of the country's national cultural heritage through film archiving.

The state shall continually improve the effectiveness of our Quality Management System towards equitable development for improved quality of life for all.

The state shall formulate policies for the efficient and effective administration and management of all manpower, skills and competencies to ensure compliance.

SECTION 2. MODERNIZATION FUNDING. – The amount of Five Hundred Million Pesos (**Php 500,000,000.00**) for the operation and administration of the **Film Development Council of the Philippines (FDCP)** shall be chargeable against funds for the purpose and other sources recommended by the **Department of Budget and Management (DBM)**. Thereafter, appropriations for the **Film Development Council of the Philippines (FDCP)** shall be included in the budget proposals under the Office of the President (**OP**).

The Department of Budget and Management (**DBM**) shall rationalize the existing organizational structure and staffing pattern of the **Film Development Council of the Philippines (FDCP)** in accordance with the provisions of this Act and relevant compensation and position classification laws, rules and regulations.

Thereafter, the amount needed for the continued implementation of the modernization program, shall be included in the annual General Appropriations Act (**GAA**).

SECTION 3. FILM DEVELOPMENT COUNCIL OF THE PHILIPPINES (FDCP) MODERNIZATION FUND – There is hereby created the

(FDCP) *Modernization Fund* to be used exclusively for the **(FDCP)** *Modernization Program*.

The **(FDCP)** *Modernization Fund* shall be administered by the Office of the President **(OP)** in accordance with existing government budgeting, accounting and auditing rules and regulations.

SECTION 4. PROGRESS REPORT – The Office of the President **(OP)** shall prepare an annual report on the status of the implementation of the **(FDCP)** *Modernization Programs* which shall be submitted, to the President of the Republic and to the Chairpersons of the Committee on Trade and Industry of the Senate and the House of Representatives.

SECTION 5. PERIOD OF IMPLEMENTATION – The modernization program under this Act shall be implemented for an initial period of two **(2)** years:

Provided, that payments for multi-year contract obligations incurred under this Act may extend beyond this period:

Provided, further, That the **Film Development Council of the Philippines (FDCP)** shall continue to develop, modernize and constantly update its operational capabilities to keep pace with best global practices.

SECTION 6. POWERS AND FUNCTIONS. – The **Film Development Council of the Philippines (FDCP)** shall continue to exercise and uphold the following powers and functions; but not limited to:

Pursuant to the State Policy of **Republic Act 9167**, the **FDCP** shall

- a. To establish and implement a Cinema Evaluation System in accordance with the criteria set forth in this Act;

- b.** To develop and implement an incentive and reward system for the producers based on merit to encourage the production of quality films;
- c.** To establish, organize, operate and maintain local and international film festivals, exhibitions and similar activities;
- d.** To encourage and undertake activities that will promote the growth and development of the local film industry and promote its participation in both domestic and foreign markets;
- e.** To develop and promote programs to enhance the skills and expertise of Filipino talents necessary for quality film production;
- f.** To prescribe the procedures for the exercise of its powers and functions as well as the performance of its duties and responsibilities;
- g.** To determine the Council's organizational structure and staffing pattern and appoint officers and employees of the Council in accordance with Civil Service laws, rules and regulations;
- h.** To acquire, manage and hold such real and personal property as may be necessary to carry out the purposes and objectives of this Act;
- i.** To invest funds and other assets in such activities or undertakings that shall directly and indirectly promote development of the film industry, including the production of films, and other terms and conditions as it may deem wise and desirable;
- j.** 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; and

- k.** To perform such other functions as may be necessary to carry out the provisions of this Act.

SECTION 7. INCREASE OF PERSONNEL. – The **FDCP** shall maintain the sufficient staffing pattern. Hence, it is authorized to increase its manpower to meet such required and may continue to increase personnel per percentage rate increase of committed mandates annually or as the need arises.

SECTION 8. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 9. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 10. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 11. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 12. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,