

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 3743



Introduced by **HON. MIGUEL LUIS R. VILLAFUERTE, HON. VINCENZO RENATO LUIGI R. VILLAFUERTE, HON. TSUYOSHI ANTHONY G. HORIBATA, AND HON. TERRY L. RIDON**

EXPLANATORY NOTE

The 1987 Philippine Constitution directs the State to prioritize arts and culture and to preserve and promote a dynamic national culture. Supporting these provisions are Republic Act No. 10066 or the “National Cultural Heritage Act of 2009,” which underscores the role of artists in cultural preservation, and RA No. 11904, or the “Philippine Creative Industries Development Act,” which promotes the creative industries as key to economic growth and national identity.

The creative industry is a vital cultural and economic asset in the Philippines. It encompasses a wide range of disciplines such as music, performing arts, literature, visual arts, crafts, design, and film that reflect the country’s diverse heritage and evolving identity. Filipino creatives not only preserve our rich cultural history but also elevate the nation’s profile on the global stage through their artistry and innovation.

Over the years, Filipino artists and creatives have gained international recognition and prestige. In 2019, the film *Yellow Rose*, written and directed by Diane Paragas, won Best Feature Film at the Toronto Reel Asian International Film Festival.¹ In 2020, director Arvin Belarmino’s short film *Tarang* earned the Berlin Brandenburg Short Award for Best Film at the 36th Interfilm Berlin Short Film Festival.² In 2022, *Leonor Will Never Die* by director Martika Escobar won the World Cinema Dramatic Special Jury Award at the Sundance Film Festival, making history as the first Philippine film to receive such an honor.³ At the 78th Venice Film Festival, actor John Arcilla became the first Filipino to win the Volpi Cup for Best Actor, for his role in *On the Job: The Missing 8*.⁴

These accolades are testaments to the excellence of Filipino creatives. However, there remains a lack of formal and institutional recognition for these achievements. This bill therefore proposes the granting of cash incentives to Filipino individuals or entities in the creative sector who receive the highest award or other notable recognition in internationally prestigious competitions, festivals, or exhibitions.

¹ Department of Foreign Affairs. (2019). “*Yellow Rose*” wins 2019 reel Asian best feature film award. <https://dfa.gov.ph/dfa-news/news-from-our-foreign-service-postupdate/25341-yellow-rose-wins-2019-reel-asian-best-feature-film-award>

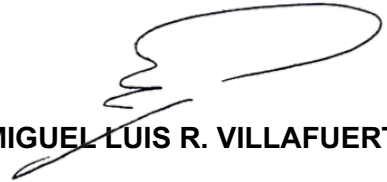
² Festival de Cannes. *Arvin Belarmino*. Cinéma de Demain. <https://cinemadedemain.festival-cannes.com/en/supporting/the-residents/arvin-belarmino/>

³ Film Development Council of the Philippines. (2023, April 11). *Dolly De Leon, Soliman Cruz, and Martika Escobar to receive the Annual Achievement Award in FDCP’s “Parangal ng Sining”*. <https://fdcp.ph/updates/dolly-de-leon-soliman-cruz-and-martika-escobar-receive-annual-achievement-award-fdcps>

⁴ Llemmit, K. (12 September 2021). *John Arcilla 1st Pinoy to win Best Actor at 78th Venice Film Festival for ‘OTJ: The Missing 8’*. Philstar.com. <https://www.philstar.com/entertainment/2021/09/12/2126621/john-arcilla-1st-pinoy-win-best-actor-78th-venice-film-festival-otj-missing-8>

By institutionalizing this recognition, the government acknowledges the invaluable role of the creative industry in nation-building and inspires more Filipinos to pursue excellence in the arts and elevate Philippine culture on the world stage.

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

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HON. MIGUEL LUIS R. VILLAFUERTE

A handwritten signature in black ink, consisting of a large, horizontal oval shape with a small, sharp hook at the end.

HON. VINCENZO RENATO LUIGI R. VILLAFUERTE

A handwritten signature in black ink, featuring a large, stylized 'S' shape followed by several horizontal strokes.

HON. TSUYOSHI ANTHONY G. HORIBATA

A handwritten signature in blue ink, featuring a large, stylized 'T' shape followed by several horizontal strokes.

HON. TERRY L. RIDON

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RENATO LUIGI R. VILLAFUERTE, HON. TSUYOSHI ANTHONY G. HORIBATA, AND
HON. TERRY L. RIDON

**AN ACT GRANTING CASH INCENTIVES TO WINNING FILMMAKERS, FILM
PRODUCTION ENTITIES, LITERARY WRITERS, ARTISTS, AND PERFORMANCE IN
THE CREATIVE SECTOR, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES**

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 and cited as the “Artists Incentives Act.”

SECTION 2. *Declaration of Policy.* — Under the Constitution, it is hereby declared the policy of the State to "give priority to education, science and technology, arts, and culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development." Moreover, the Constitution provides that "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."

Towards this end, the State shall extend its support to filmmakers, film production entities, literary writers, artists, and performers in the creative sector by providing incentives based on international recognition and merit in order to encourage the creation of more high-quality works of art, which in turn, shall elevate the stature of the country in the world's stage.

SECTION 3. *Coverage.* — This Act shall apply to Filipino filmmakers, film production entities, literary writers, artists, and performers whose works have received recognition for artistic or technical excellence in internationally notable and prestigious competitions, film festivals, or exhibitions as determined by the National Commission for Culture and the Arts (NCCA), Film Development Council of the Philippines (FDCP), and Cultural Center of the Philippines (CCP).

For purposes of this Act, “highest award” refers to the top prize in the primary competition category of the event or equivalent top honor in the relevant discipline. Notable and prestigious competitions, film festivals, and other exhibitions shall refer to those which have given recognition and awards to artistic works for the last five (5) years and are well-known for their international profile, audience size, and the quality and breadth of their competitions, festivals, or exhibitions: Provided, That for the film industry, these events shall include, but not be limited to, the following:

- (a) Festival de Cannes;
- (b) Sundance Film Festival;

- (c) Toronto International Film Festival;
- (d) Venice Film Festival;
- (e) Berlin International Film Festival;
- (f) New York Film Festival; and
- (g) Busan International Film Festival

The list of qualifying events shall be periodically reviewed and published by the NCCA, FDCP, and CCP, in consultation with concerned stakeholders.

SECTION 4. *Incentives.* — Subject to the provisions of this Act, the following amounts shall be granted as incentives tax free:

- (a) One million pesos (P1,000,000.00) to artists, production entities, literary writers, and performers in the creative sector who have garnered the highest award in a qualifying event; and
- (b) Five hundred thousand pesos (P500,000.00) to artists, production entities, literary writers, and performers in the creative sector who have garnered special recognition and/or any other award not considered as the highest award in a qualifying event.

Provided, That should there be more than one winner of a particular award, the amount shall be equally divided among them.

The incentives provided under this Act are in addition to, and shall not diminish or replace, benefits granted under existing laws.

SECTION 5. *Appropriations.* — The amount necessary for the implementation of this Act shall be charged against the National Endowment for Culture and the Arts established under Section 50 of Republic Act No. 10066 or the "National Cultural Heritage Act of 2009" subject to existing budgeting, accounting and auditing rules and regulations.

SECTION 6. *Implementing Rules and Regulations (IRR).* — Within thirty (30) days from the effectivity of this Act, NCCA, FDCP, CCP and the Department of Finance (DOF), in consultation with other government agencies and concerned stakeholders, shall promulgate the IRR to carry out the provisions of this Act.

SECTION 7. *Repealing Clause.* — All laws, decrees, executive orders, executive issuances or letters of instruction, rules and regulations or any part thereof inconsistent with or contrary to the provisions of this Act are hereby deemed repealed, amended or modified accordingly.

SECTION 8. *Separability Clause.* — If, for any reason or reasons, any part or parts of this Act shall be declared unconstitutional or invalid by any competent court, other sections or provisions hereof not affected thereby shall continue to be in full force and effect.

SECTION 9. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in any newspaper of general circulation.

Approved,