

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 4454



Introduced by **HONORABLE RAMON JOLO B. REVILLA III,**
HONORABLE LANI MERCADO-REVILLA, and
HONORABLE BRYAN B. REVILLA

AN ACT
TO PROMOTE AND SUPPORT THE DEVELOPMENT AND GROWTH
OF THE PHILIPPINE FILM INDUSTRY, CREATING FOR THIS
PURPOSE THE PHILIPPINE FILM COMMISSION, DEFINING ITS
POWERS AND FUNCTIONS AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The State recognizes the significant role of the Philippine film industry as a medium for information gathering, dissemination and communication, and as a catalyst of public opinion. Being a vital sector, it is a tool that reflects the Filipinos' love for arts, and mirrors our culture and our national identity. More than this, it used to have a sizable contribution to the economy in terms of employment generation and tax revenues.

One of the most popular forms of freedom of expression is in the film industry. It is arguably the most entertaining and far-reaching. It can be archived to be viewed countless times for future generations. Even in the digital age, it remains to be a very powerful tool for preserving our rich culture and heritage.

With the enormous effect of film in the life of every Filipino, and the significant economic contribution of the film industry, it is imperative to enact

this measure to regulate it, and strengthen film production as a viable tool for change in enhancing the quality of life of every Filipino.

There is, indeed, an urgent need to continue providing support to the local film industry, particularly to achieve sound, effective and progressive integration of the business, economic and commercial functions and operations of the industry. This would, in turn, shape it to become a truly dynamic instrument for cultural development and a vital social institution, which will enhance the nation's artistic, scientific and socio-cultural heritage.

In pursuit of these aims, and in order to implement and attain these ends, this bill will reorganize the Film Development Council of the Philippines (FDCP) into an independent agency to be called the Philippine Film Commission.

The immediate passage of this bill is thus earnestly requested.



RAMON JOLO B. REVILLA III



LANI MERCADO-REVILLA



BRYAN B. REVILLA

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

Section 1. *Short Title.* - This Act shall be known as the "*Local Film
Industry Development Act of 2025*".

Sec. 2. *Statement of State Policy.* - Pursuant to the constitutional guarantee
on freedom of expression and on the principle of giving priority to arts and culture
to foster patriotism and nationalism, accelerate social progress, and promote total
human liberation and development, the State shall promote and support the
development and growth of the local film industry as an aesthetic and cultural
medium for a better understanding and appreciation of Filipino social values and
national identity and as an indispensable economic partner in nation-building.

To achieve this end, the State shall formulate and implement policies and
programs to upgrade the art and craft of film making and encourage the
production of films for commercial purposes, intended for public entertainment,

that seek to enhance the quality of life, examine the human and social conditions and contribute to the dignity and nobility of the human spirit.

Sec. 3. *Creation of the Philippine Film Commission.* - To implement the policies and attain the objectives enunciated in this Act, the Film Development Council of the Philippines (FDCP) created under Republic Act No. 9167, is hereby reorganized into the Philippine Film Commission, hereinafter referred to as the "Commission". The Commission shall be an independent agency. It shall render an annual report of its activities and achievements to the President and Congress of the Philippines.

The Commission shall be composed of a Chairperson and seventeen (17) members, eight (8) of whom shall be regular members while nine (9) shall be in ex-officio capacity; *Provided*, That only the regular members are entitled to vote, while the Chairperson shall vote only in case a of tie; *Provided* further, That the Chairperson shall be appointed by the President from the list of nominees submitted to him by the regular members; *Provided* finally, That the Chairperson shall be a person of proven administrative proficiency, independence, knowledgeable of the technical and artistic aspects of film production and fully committed to the promotion and development of the Philippine Cinema as an art.

The eight (8) regular members shall be as follows:

1. A regular representative of the Directors' Guild of the Philippines, Inc.;
2. A regular representative of the Nagkakaisang Manggagawa ng Pelikulang Pilipino;
3. A regular representative of the Mowelfund;
4. A regular representative of the Actors' Guild of the Philippines, Inc.;
5. A regular representative from the National Cinema Association of the Philippines;

6. A regular representative from the academe;
7. A regular representative from the local film producers; and
8. A regular representative from the Independent Film cooperative.

The nine (9) members who shall be ex-officio members of the Commission are the following:

1. The Secretary of the Department of Trade and Industry (DTI) or duly designated regular representative;
2. The Secretary of the Department of Education (DepEd) or duly designated regular representative;
3. The Secretary of the Department of Tourism (DOT) or duly designated regular representative;
4. The Secretary of the Department of Foreign Affairs (DFA) or duly designated regular representative;
5. The Secretary of the Department of Interior and Local Government (DILG) or duly designated regular representative;
6. The Secretary of the Department of Finance (DOF) or duly designated regular representative;
7. The Director General of the Film Academy of the Philippines (FAP) or duly designated regular representative;
8. The President of the Cultural Center of the Philippines (CCP) or duly designated regular representative;
9. The head of the Cinema Committee of the National Commission for Culture and the Arts (NCCA) or duly designated regular representative.

Sec. 5. *Term of Office.* - The Chairperson and the eight (8) regular members shall hold office for a term of three (3) years, unless sooner removed by the Commission; *Provided*, That they shall be eligible for reappointment after the expiration of their terms; *Provided* further, That if a member fails to complete the term, the person appointed to fill the vacancy shall serve only the unexpired portion of the vacated term whom the latter succeeds; *Provided finally*, That such service of the unexpired portion shall not be counted as a term.

Sec. 6. *Powers and Functions.* - The Commission shall have the following powers and functions:

1. To coordinate all programs and policies of government departments and agencies that are related to the development of the local film industry;
2. To establish and implement a Cinema Evaluation System, in accordance with the criteria set forth in this Act;
3. To develop and implement an incentive and reward system for the producers based on merit to encourage the production of quality films;
4. To promote, organize, encourage or support a more scientific system in which local films can be marketed locally and internationally;
5. To develop and promote programs to enhance the skills and expertise of Filipino film artists, technicians and workers through continuous craft and technical upgrading, as well as attitude training;
6. To set up and operate a one-stop shop to assist foreign and local producers in making films in the country;
7. To develop and implement a two-pronged program that will encourage the production of quality films;
8. To encourage, support and coordinate the holding of national and regional film festivals exclusively of Filipino films;

9. To establish, organize, operate and maintain international film festivals, exhibitions and similar activities, including an ASEAN film festival and market;
10. To encourage and facilitate participation in international film festivals and ensure the continuous presence of Philippine films in international markets;
11. To invest funds and other assets in such activities or undertakings that shall directly or indirectly promote development of the film industry, including the production of films, and other terms and conditions as it may deem wise and desirable;
12. 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;
13. To take measures to acquire for safeguarding and preservation of any part or all of the national film production, including the institution of mandatory deposit systems, which is hereby expressly authorized;
14. To set up mechanics to address the welfare and working conditions of local film workers, a concern to be implemented in coordination with the Mowelfund and the Nagkakaisang Manggagawa ng Pelikulang Pilipino;
15. To promote the establishment of cinema clubs in barangays and schools, in coordination with the Department of Education (DepEd) and the Commission on Higher Education (CHED), and to develop elective courses related to film at the collegiate levels as part of a film audience development program;
16. To prescribe the procedures for the exercise of its powers and functions, as well as the performance of its duties and responsibilities;

17. To determine the Commission's organizational structure and staffing pattern, and appoint its officers and employees in accordance with Civil Service laws, rules and regulations;

18. To promote the development and growth of the independent film movement;

19. To acquire, manage and hold such real and personal properties, as may be necessary to carry out the purposes and objectives of this Act; and

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

Sec. 7. *Meetings.* - The Commission shall meet at least once a month or as often as necessary at the call of the Chairperson or majority of the members. A majority of the regular members of the Commission shall constitute a quorum to do business. The members of the Commission shall be entitled to honoraria based on existing government accounting and auditing rules and regulations.

Sec. 8. *The Chairperson.* - The Chairperson shall be the Chief Executive Officer and shall exercise overall administrative supervision to ensure the effective and efficient implementation of the policies laid down by the Commission. The Chairperson shall have the same rank and salary as an Undersecretary of a Department as provided for in the “*Salary Standardization Law*”.

Sec. 9. *Functions of the Chairperson.* - The Chairperson shall have the following functions:

1. Execute and administer the policies, plans and programs approved by the Commission;

2. Direct and supervise the operations and internal affairs of the Commission;

3. Establish the internal organization and administrative procedures of the Commission;
4. Recommend to the Commission the appointment, transfer or detail, suspension, and dismissal for cause of its subordinate officials and employees; and
5. Such other functions which the Commission may assign from time to time.

Sec. 10. *The Executive Director.* - The Chairperson shall be assisted by the Executive Director to be appointed by the Commission, upon the recommendation of the Chairperson. The Executive Director shall have a salary comparable to that equivalent rank under the Revised Compensation and Position Classification System, and shall be co-terminus with the Chairperson, unless sooner removed for cause.

Sec. 11. *Cinema Evaluation Board.* - The Commission will absorb the Cinema Evaluation Board of the FDCP, hereinafter referred to as the "CEB", which shall evaluate and grade films submitted to the Commission, subject to the following:

- a) Composition, Qualifications and Appointment - The CEB shall be composed of a Board Chairperson and twenty (20) members, ten (10) of whom shall come from the film industry, and the other ten (10) from the arts, academe, business and such other sectors as the Commission may choose to identify. The Chairperson of the Commission shall appoint the members of the CEB from among thirty (30) nominees submitted by the members of the Commission; *Provided*, That the persons appointed to the CEB should be knowledgeable of the artistic and technical aspects of film making and fully committed to the promotion and development of cinematographic art along world class standards and global marketability.

b) Term of Office - The CEB Chairperson and members shall serve for a term of two (2) years and shall be eligible for re-appointment for a second term; *Provided*, That no member shall serve for more than two (2) consecutive terms; *Provided further*, That if any member fails to complete a term, the person appointed to fill the vacancy shall serve only for the unexpired portion of the term of the former, unless reappointed; *Provided finally*, That the service of the unexpired portion shall not be counted as a term. In the initial appointments, the CEB Chairperson and the twenty (20) members shall hold office for two (2) years.

c) Participation - No member of the CEB shall participate in the grading of a film in which they, or any family member, or relative within the fourth degree of consanguinity or affinity, have financial or any other interest; *Provided*, That such member shall disclose fully at the time of inhibition, the nature of interest, including actual or potential conflict of interest, and the reasons thereof.

Sec. 12. Cinema Evaluation System. - The CEB shall formulate and establish a set of standards, criteria and procedures for the Cinema Evaluation System, subject to the approval of the Commission, primarily based on, but not limited to, the following: direction, screenplay, cinematography, editing, production design, musical scoring, sound, and acting.

Sec. 13. Grading of Films. - The grading of films by the CEB shall be subject to the following provisions:

a) Pre-qualification procedures and requirements. - The Commission shall prescribe pre-qualification procedures and requirements for application for grading; *Provided*, That only films whose premiere showing shall be held in the Philippines, and those which have not had any theatrical release, free television broadcast, cable broadcast or video release in any commercial

medium anywhere in the world, shall be qualified for evaluation by the Board; *Provided further*, That the CEB should evaluate and grade only films that are intended for theatrical and other forms of release or exhibition that will charge admission fees, and which are at least eighty (80) minutes in length, and that the producer shall submit the film for grading at least seven (7) days before its scheduled day of play date.

b) Evaluation Period. - A film shall be reviewed, evaluated and graded by the CEB within five (5) working days after submission of the application. The CEB shall transmit its decision to the Commission within twenty four (24) hours from the rendering of decision. The Commission shall inform the producer of the CEB's decision not later than twenty four (24) hours upon receipt.

c) Grading of Films. - The CEB shall review and grade a film submitted for grading. The CEB and the Commission shall, at any time, neither be allowed to cut, delete, shorten or modify in any manner films being graded by the CEB, nor shall they be allowed to suggest cuts or deletions or any other form of modification, to the filmmakers and per requisites for earning the CEB grading. Such grading shall be given due weight and consideration by the Movie and Television Review and Classification Board (MTRCB), the Optical Media Board (OMB), the DTI and other government agencies for the graded film's viewing, reproduction, exportation and other purposes.

d) Reconsideration to the Board *En Banc*. - The action taken by the CEB on the film submitted for evaluation and grading may be reconsidered upon motion to the CEB *en banc* within twenty four (24) hours from receipt of notice of said action, and the CEB *en banc* shall render its decision within forty eight (48) hours from its receipt of the motion for reconsideration. The CEB *en banc* must be composed of at least a majority of the CEB.

e) Finality of Grading. - The grading submitted by the CEB *en banc* to the Commission shall be final.

Sec. 14. *Privileges of Graded Films.* - Films which have obtained an "A" or "B" grading from the Commission, pursuant to Sections 11 and 12 of this Act, shall be entitled to Amusement Tax Reward. A grade "A" or "B" film shall entitle the producer to an incentive equivalent to the amusement tax imposed and collected on the graded films by cities and municipalities in Metro Manila and other highly urbanized and independent component cities in the Philippines pursuant to Sections 140 and 151 of Republic Act (RA) No. 7160 or the "*Local Government Code of 1991*" as amended at the following rates:

1. For grade "A" Films - Eighty percent (80%) of the amusement tax collected on such films. The remaining twenty percent (20%) shall accrue to the funds of the Commission; and
2. For grade "B" Films - Sixty five percent (65%) of the amusement tax collected on such films. The remaining thirty five percent (35%) shall accrue to the funds of the Commission; *Provided, That* thirty percent (30%) of the amusement tax rebates shall accrue to the talents and workers involved in the film that was graded "A" or "B", with the other seventy percent (70%) accruing to the film producer.

Sec. 15. *Amusement Tax Deduction and Remittances.* - All revenues from the amusement tax on the graded film, which may otherwise accrue to the cities and municipalities in Metro Manila and highly urbanized and independent component cities in the Philippines pursuant to Sections 140 of RA 7160, during the period the graded film is exhibited, shall be deducted and withheld by the proprietors, operators or lessees of theaters or cinemas and remitted within thirty (30) days from the termination of the exhibition to the Commission, which shall reward the corresponding amusement tax to the producers and the talents and

workers of the graded film within fifteen (15) days from receipt thereof. Proprietors, operators or lessees of theaters or cinemas who fail to remit amusement tax proceeds within the prescribed period shall be liable to a surcharge equivalent to five percent (5%) of the amount due for each month of delinquency, which shall be paid to the Commission.

Sec. 16. *Enforcement* - For purposes of implementing the previous Section, the Commission may:

1. Impose administrative fines and penalties of not more than One Hundred Thousand Pesos (P 100,000.00) for the violation of any of the provisions of this Act and/or Implementing Rules and Regulations (IRR) issued by the Commission.
2. Cause or initiate the criminal or administrative prosecution of violators of this Act and its IRR.
3. Cause the closure of any theater or cinema that fails or refuse to remit tax collected on the graded film for a period not exceeding fifteen (15) days, after which such period shall automatically be lifted without prejudice to the right of the Commission to cause or initiate criminal or administrative prosecution against the erring theater or cinema owners pursuant to the 1st paragraph of this Section.
4. Call upon representatives of the different government agencies and various organizations in the movie industry to help ensure compliance with the provisions of this Act and its IRR.

For this purpose, the Commission may constitute regional sub-commissions in the cities and municipalities throughout the country composed of representatives from the government and the private sector, as may be appropriate to implement the purposes and objectives of this Act

and its IRR, and they shall serve without compensation and only for such period as the Commissioner shall determine.

5. To deputize any law enforcement agency and instrumentality of the government for assistance in the implementation and enforcement of its functions and orders.

Sec. 17. *Film Endowment Board.* - There is hereby created a Film Endowment Board, hereinafter referred to as the “FEB”, which shall provide subsidy for the production of worthwhile screenplays and films submitted to the FEB for consideration, subject to the following:

a) Composition, Qualifications and Appointment. - The FEB shall be composed of a Board Chairperson and seven (7) members, four (4) of whom shall come from the film industry, and the other three (3) from the arts, academe, business and other sectors as the Commission may choose to identify. The Chairperson of the Commission shall appoint the members of the FEB from among fifteen (15) nominees submitted by the members of the Commission; *Provided*, That the persons appointed to the FEB should be knowledgeable of the artistic and technical aspects of film-making and fully committed to the promotion and development of cinematographic art along world class standards and local and global marketability.

b) Term of Office. - The FEB Chairperson and members shall serve for a term of two (2) years and shall be eligible for re-appointment for a second term; *Provided*, That no member shall serve for two (2) consecutive terms; *Provided further*, That if any member fails to complete a term, the person appointed to fill the vacancy shall serve only for the unexpired portion of the term of the former, unless re-appointed; *Provided finally*, That the

service of the unexpired portion shall not be counted as a term. The FEB Chairperson and the seven (7) members shall hold office for two (2) years.

c) Participation. - No member of the FEB shall participate in approving of funding for a film in which they or any family member or relative within the fourth degree of consanguinity or affinity, have financial or any other interest; *Provided*, That such member shall disclose fully at the time of inhibition, the nature of interest, including actual or potential conflict of interest and the reasons thereof.

Sec. 18. *Film Endowment Evaluation System.* - The FEB shall formulate and establish a set of standards, criteria and procedures for the Film Endowment Fund Evaluation System, subject to the approval of the Commission, based on, but not limited to, the following: the aesthetic value of the screenplay submitted, the marketability of the film product, and its integral cultural personality.

Sec. 19. *Endowment Funding for Films.* - The endowment funding for films by the FEB shall be subject to the following provisions:

a) Pre-qualification procedures and requirements. The Commission shall prescribe pre-qualification procedures and requirements for application for endowment funding; *Provided*, That only original screenplays which have not yet been produced, and which when filmed are at least eighty (80) minutes in length, or only films whose premiere showing shall be held in the Philippines, and those which have not had any theatrical release, free television broadcast, cable broadcast or video release in any commercial medium anywhere in the world, shall be qualified for evaluation by the Board.

b) Evaluation Period. - A submitted screenplay or film shall be evaluated and approved for funding within thirty (30) days after submission. The FEB shall transmit the same to the Commission within twenty four (24)

hours from the rendering of decision. The Commission shall inform the filmmaker or scriptwriter of the FEB's decision not later than one (1) week upon receipt.

c) Finality of Endowment Fund Decision. - The evaluation submitted by the FEB *en banc* to the Commission shall be final.

d) Copyright and Distribution. - Once the Commission approves a project for funding, the applicant receives an agreement that includes the Commission's policies on copyright, distribution, credits, and other matters. The Commission reserves the right to place additional conditions or stipulations deemed necessary or appropriate on an endowment award. Unless specifically provided otherwise, the following policies will apply to projects and to the use of materials produced or distributed with endowment funds:

1. Ownership, copyright, distribution, exhibition and use rights for all projects developed or distributed with endowment funds shall be vested in the producer, writer, artist or other originator of the work; *Provided*, That the Commission will require the applicant to assign a share of all rights, including copyright in the work, to the Commission as security for its investment. The Commission will take a fifty percent (50%) share of such rights, with fifty percent (50%) to be retained by the applicant. The Commission will require repayment of its endowment funding not later than one (1) year, at which time the Commission will assign its share of the copyright and other rights back to the applicant or its assignee. In order to secure repayment of the Commission's development funding, applicants will not be able to assign, license, or otherwise transfer any rights to the work without the prior written approval of the Commission.

2. Five DVD prints shall become the property of the Commission. The Commission reserves the non-exclusive right to distribute or exhibit its copy for non-commercial purposes, as it deems appropriate.

3. The Commission reserves a royalty-free, non-exclusive and irrevocable rights to reproduce, publish, or otherwise use these materials for government purposes and to authorize others to do so. All projects developed through a Commission endowment, including associated publicity or promotional materials, shall carry a statement indicating that it was funded by the Commission. There shall also be a disclaimer statement to the effect that the views expressed therein are not necessarily those of the Commission. The project must be promoted as a Philippine work at film festivals and in markets abroad. In co-productions, the Philippine nationality of the produced film must be mentioned together with the others.

Sec. 20. *Funding.* - In order to provide for the initial funding of the Commission, there is hereby created a Philippine Film Commission Fund Account to be deposited in the National Treasury, which shall be included in the annual General Appropriations Act, and shall be constituted from the proceeds of a special film commission tax, which is hereby levied on all admission tickets of movie houses in the Philippines for a period of twenty (20) years.

To augment its operational expenses, the Commission may:

1. Utilize the remaining twenty percent (20%) and thirty five percent (35%) of the amusement tax collected during the period that grades "A" and "B" films are exhibited, as provided under Sections 14 and 15 hereof;
2. Impose reasonable fees and charges for services rendered; *Provided*, That the amount actually collected shall be deposited in the National

Treasury as a special account in the General Fund, and may be used to augment its maintenance and other operational expenses and capital outlays, except the purchase of motor vehicles, subject to existing accounting and budgeting rules and regulations; and

3. Secure funding from the Philippine Amusement and Gaming Corporation (PAGCOR) for the amount necessary to subsidize the production of thirty (30) films annually.

Sec. 21. *Authority to Accept Donations.* - The Commission may accept donations, contributions, grants, bequests or gifts, in cash or in kind, from various sources, domestic or foreign, except from movie producers, relevant to its functions. Said donations shall be deemed automatically appropriated for purposes specified by the donor or in the absence thereof, for the programs or projects as may be approved by the Commission, subject to the usual government accounting and auditing rules and regulations; *Provided*, That cash donations shall not be used to fund the personal services requirements of the Commission. Any donation, contribution, subsidy or financial aid, which may be made to the Commission, shall be exempt from taxes of any kind and constitute allowable deduction in full from the income of the donors, contributors or givers for income tax purposes.

Sec. 22. *Assistance from other Government Agencies.* - The Commission may call on any department, bureau, office, agency or instrumentality of the government for assistance as may be needed in the performance of its functions, and upon the approval of the head of the concerned department, bureau, office or agency.

Sec. 23. *Implementing Rules and Regulations (IRR).* - The Commission shall, within ninety (90) days from the approval of this Act, issue the necessary rules and regulations to implement the provisions hereof.

Sec. 24. *Transitory Provision.* - To provide continuity in the operation of the Commission, the incumbent officials and employees of FDCP and the CEB shall, in a holdover capacity, continue to perform their respective duties and responsibilities, and shall receive their corresponding salaries and benefits until such time that the organization of the Commission shall have been completed. The transition period shall not exceed six (6) months after effectivity of this Act. All officials of the FDCP and CEB shall be deemed resigned from services upon the organization of the Commission; *Provided*, That the officials and employees who shall be laid off shall be given preferential treatment in appointments to new positions to which they may qualify under the new staffing pattern; *Provided finally*, That those who shall not be given new appointments shall be entitled to all compensation and benefits due them under existing laws. All books, assets, rights, privileges, records, obligations and liabilities of FDCP and CEB are hereby transferred to the Commission.

Sec. 25. *Organizational Structure.* - The organizational structure and staffing pattern of the Commission shall be established in coordination with the Department of Budget and Management (DBM), and in accordance with Civil Service laws, rules, and regulations.

Sec. 26. *Annual Report.* - The Commission shall, within ninety (90) days after the end of every fiscal year, submit to Congress an annual report on its compliance with, and accomplishments under this Act, together with its plans and recommendations to improve and develop its capability to enforce the provisions of this Act, and a complete accounting of transactions with respect to any funds received under this Act.

Sec. 27. *Separability Clause.* - If, for any reason, any provision of this Act, or any part thereof, is declared invalid or unconstitutional, all other sections or provisions not affected thereby shall remain in full force and effect.

Sec. 28. *Repealing Clause.* - Republic Act No. 9167, otherwise known as the Film Development Council of the Philippines Act, is hereby repealed. All other laws, decrees, orders, issuances, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Sec. 29. *Effectivity.* - This Act shall take effect fifteen (15) days after publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,