

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 7864



Introduced by **HON. BRIAN RAYMUND S. YAMSUAN**

AN ACT
STRENGTHENING THE SPECIAL PROGRAM IN CREATIVE ARTS FOR JUNIOR
AND SENIOR HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

We, Filipinos, are creative by nature. From our weavers and sculptors, to our filmmakers, architects, musicians, writers, designers, and digital artists, Filipino talent has consistently earned recognition here and abroad. Many Filipino animators, designers, and creatives power global studios today, showing that our talent can compete at the global level. Yet for many young Filipinos here at home, the arts remain a passion pursued on the sidelines, and is rarely seen as a viable and sustainable career path.

This measure seeks to strengthen the Special Program in the Creative Arts (SPCA) for junior and senior high school students. It ensures that learners admitted to the SPCA are trained under a strengthened and responsive curriculum that covers architecture and allied arts, cinema, dance, dramatic and literary arts, music, visual arts, design, digital fabrication, and new media. Just as important, it integrates financial literacy, entrepreneurship, and basic knowledge of intellectual property rights to demonstrate our position that the arts are not only hobbies. For creative talent, when paired with business sense and legal awareness, can build sustainable livelihoods.

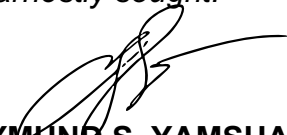
Furthermore, this bill utilizes a whole-of-government and industry approach to ensure that the program remains aligned with current and emerging trends. By forming the SPCA Council, it seeks to create real bridges between schools and the creative

industries through mentorships, work immersion, scholarships, and employment linkages, so that graduates see clear pathways from classroom to career.

The Philippine creative industries continue to grow and contribute to employment and economic activity. By strengthening arts education at the secondary level, we can help build a pipeline of skilled and industry-ready creatives who can compete globally while telling distinctly Filipino stories. This is how we ensure that our creative industry remains capable of standing shoulder to shoulder with the best in the world.

Finally, every February, we celebrate the National Arts Month pursuant to Presidential Proclamation No. 683 (1991). Advancing this measure during this period affirms that our support for the arts goes beyond celebration. Rather, it is matched by policies that create real opportunities for our young, aspiring creatives.

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



BRIAN RAYMUND S. YAMSUAN

Representative

2nd District of Parañaque

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*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 as the “Special Program in the Creative Arts Act.”

SECTION 2. *Declaration of Policy.* – The State recognizes the vital role of the youth in nation- building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. Moreover, the government is committed to fulfill its constitutional mandate 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 place arts, design and other intellectual creative creation under the patronage of the State.

To this end, the State shall promote creative arts education, encourage arts programs, support national art competitions, and strengthen education for the development of creative industries. The State shall provide adequate training for students with artistic abilities, with the end in view of producing world-class artists with firm academic foundation and strong patriotic ideals.

SECTION 3. *Objective.* – The Special Program in the Creative Arts (SPCA) is hereby strengthened to provide a continuing source of artists of excellence and leaders in the preservation and promotion of culture, arts, and the creative industry in the Philippines. Admitted students shall be trained under a special curriculum oriented in the fields of

architecture and allied arts, cinema, dance, dramatic arts, literary arts, music, visual arts, design, digital fabrication and new media, along with financial literacy, entrepreneurship skills, and basic knowledge on intellectual property rights, with the end in view of providing quality education to students while giving way to opportunities for a sustainable profession.

SECTION 4. *The SPCA Council.* – The SPCA Council, herein referred to as the Council, is hereby created which shall be under the administrative supervision of the Department of Education (DepEd), and composed of seven (7) members, namely: (1) Secretary of the DepEd, as Chairperson; (2) Chairperson of the National Commission for Culture and the Arts (NCCA), as Vice-Chairperson; (3) Secretary of the Department of Trade and Industry (DTI); (4) President of the Cultural Center of the Philippines (CCP); (5) Chairperson of the Commission on Higher Education (CHED); (6) Executive Director of the Philippine Creative

Industries Development Council (PCIDC); and (7) President of the Creative Economy Council of the Philippines (CECP). Members may designate a representative who shall be of rank no lower than that of an Undersecretary.

Members of the Council shall serve without compensation but shall be entitled to reimbursement for expenses related to their participation in the official activities of the Council, in accordance with pertinent laws, rules and regulations.

The Council shall regularly meet at least once every quarter of the academic year. The Chairperson or a majority of the Council's members may call a special meeting whenever necessary.

A meeting may be conducted virtually only in circumstances when meeting in person is impossible or impractical and all the Council members are able to communicate adequately during the meeting.

SECTION 5. *Duties and Functions of the Council.* – The Council shall have the following duties and functions:

- (a) Periodically consult with various creative industries to ensure that the programs, curriculum, courses, and other activities of the SPCA respond to the current and future trends to secure opportunities for the commercial success of SPCA graduates;
- (b) Guarantee that the curriculum in the SPCA shall be in accordance with the qualification levels in terms of the three (3) Philippine Qualifications Framework domains: knowledge, skills, and values; application; and degree of independence;

- (c) Design and implement plans, programs, and activities that will encourage experienced and well-established talented artists to mentor the learners under the SPCA;
- (d) Provide guidance on the career path of the SPCA learners through the conduct of programs and activities apprising the learners of the opportunities, including those in higher education, and the state of the various creative industries;
- (e) Urge higher education institutions to offer programs for scholarships and grants in creative arts courses, and inform the schools with SPCA of such programs;
- (f) Encourage various creative industries to employ graduates of the SPCA through information campaigns and different programs that shall showcase their talents and abilities;
- (g) Maintain a pool of instructors composed of experts in various creative arts domains who are willing to teach the SPCA learners and assign them to various schools with SPCA;
- (h) Call on the local government units (LGUs), their respective local school boards and other agencies, especially where the schools with SPCA are located, for assistance, coordination and collaboration for alignment, synchronicity, and complementarity of plans, resources and efforts of the schools and the pertinent LGUs; and
- (i) Other duties and functions that may be necessary or incidental for the effective implementation of this Act.

SECTION 6. *Roles of Government Agencies.* – To achieve the objectives of this Act, the following government agencies shall carry out their respective roles:

- (a) DepEd – The DepEd shall formulate the academic curriculum to ensure that learners under the SPCA possess the knowledge and competencies that can lead to a successful professional career and to be eligible for higher education in the event that graduates choose the pathway. It shall set the standards in the selection or qualification of schools with SPCA, and shall appoint and designate the qualified instructors who shall train the learners in accordance with the curriculum set by the NCCA and the CCP.
- (b) NCCA and CCP – The NCCA and the CCP shall formulate the creative arts curriculum for the SPCA to train the learners and hone their skills and abilities to achieve their full potential. They shall provide the qualifications of instructors for the effective implementation of this Act.
- (c) DTI, CECP, and PCIDC – The DTI, CECP, and PCIDC shall advocate for the employment of SPCA graduates by linking the schools with SPCA with different creative industries for work immersion and eventual job posts. They shall further conduct programs and activities in schools with SPCA to inform the learners of the current and future trends they may engage in for their careers in creative arts.

- (d) CHED - The CHED shall promote the further studies of SPCA graduates by constantly ensuring that its policies, standards, and guidelines for college courses in creative arts are responsive to the current and future trends and urging higher education institutions to provide scholarships and grants.

SECTION 7. *Partnerships with the Private Sector.* – The DepEd and the schools with SPCA may enter into agreements with the private sector for the training and development of the skills and talents of its SPCA learners.

SECTION 8. *Hiring of Special Instructors for SPCA.* – Notwithstanding the relevant provisions of Republic Act No. 7836, as amended by Republic Act No. 9293, otherwise known as the "Philippine Teachers Professionalization Act of 1994", the DepEd shall hire and retain experts in the various creative arts domains, without the additional requirements of completing teaching units and passing the board exam for teachers, to teach the pertinent subjects in the curriculum: *Provided, That they shall teach only the subjects of their expertise: Provided, further, That they satisfy the qualification standards set by the DepEd, NCCA and CCP: Provided, finally, That they shall receive salaries and benefits befitting their status, distinctions, and achievements.*

SECTION 9. *Tax Exemptions.* – The importation of equipment relating to creative industry, books, art related supplies, musical instruments, materials and goods, including those donated to the SPCA shall, upon certification by the DepEd be exempt from customs duties in accordance with the provisions of Republic Act No. 10863, otherwise known as the "Customs Modernization and Tariff Act (CMTA)": *Provided, That these are of international standards and are not available from local manufacturers: Provided, further, That the importation shall only be in such numbers as may be required in the development programs and/or training of the students: Provided, finally, That all importations shall be made in the name of SPCA as recipient and shall be immediately registered in the name of SPCA.*

SECTION 10. *Tax Exemption on Donations.* – All grants, bequests, endowments, donations and contributions made to the SPCA, to be used actually, directly and exclusively by the SPCA shall be exempt from donor's tax and the same shall be considered as allowable deduction from gross income for purposes of computing the taxable income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

SECTION 11. *Appropriations.* – The Secretary of the DepEd shall include in the Department's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

SECTION 12. *Implementing Rules and Regulations.* – The DepEd shall, in consultation with the NCCA, CCP, DTI, CHED, PCIDC, and CECP, promulgate not

later than thirty (30) days upon the effectivity of this Act, the rules and regulations for its effective implementation: Provided, That the failure to promulgate the rules and regulations shall not prevent the implementation of this Act upon its effectivity.

SECTION 13. *Separability Clause.* – If any provision of this Act is held invalid or unconstitutional, the other provisions not so declared shall remain in force and effect.

SECTION 14. *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 15. *Effectivity.* – Notwithstanding the non-issuance of the implementing rules and regulations, this Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,