



Republic of the Philippines
House of Representatives
Quezon City

TWENTIETH CONGRESS

Second Regular Session

House Bill No. 11420



Introduced by Representative Jernie Jett V. Nisay

EXPLANATORY NOTE

A young Filipino student discovers that she has a gift for music. Another finds joy in painting, while another dreams of becoming a filmmaker, dancer, writer, or designer. They have the talent and the passion, but for many of them, the path to building a career from it is uncertain, if not expensive. Without proper training, guidance, and opportunities, many young artists eventually set aside their dreams and choose a different path simply because they don't know where to start or where to better flourish their talents.

Now, this proposed measure seeks to strengthen the Special Program in the Creative Arts by giving students specialized training in their chosen fields, access to experienced artists who can mentor them, and information on scholarships, college programs, and employment opportunities. Unlike similar existing programs, students will also learn how to manage their finances, start and manage a creative business, and protect their work through basic knowledge of intellectual property rights. Through these opportunities, students can graduate with stronger artistic skills, and a clearer path toward further education or a *sustainable* career in the arts.

The measure also seeks to strengthen the support given to SPCA schools by encouraging partnerships with the private sector and providing appropriate tax incentives for donations and the importation of equipment and materials needed for the training of students.

A young Filipino should not have to give up a talent simply because there is no clear sustainable path to pursue it.

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


REP. JERNIE JETT V. NISAY
Pusong Pinoy Partylist



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

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”.

SEC. 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.

SEC. 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.

SEC. 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.

SEC. 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;

1 (f) Encourage various creative industries to employ graduates of the SPCA
2 through information campaigns and different programs that shall showcase their
3 talents and abilities;
4

5 (g) Maintain a pool of instructors composed of experts in various creative
6 arts domains who are willing to teach the SPCA learners and assign them to various
7 schools with SPCA;
8

9 (h) Call on the local government units (LGUs), their respective local school
10 boards and other agencies, especially where the schools with SPCA are located, for
11 assistance, coordination and collaboration for alignment, synchronicity, and
12 complementarity of plans, resources and efforts of the schools and the pertinent
13 LGUs; and
14

15 (i) Other duties and functions that may be necessary or incidental for the
16 effective implementation of this Act.
17

18 **SEC. 6. Roles of Government Agencies.** – To achieve the objectives of this
19 Act, the following government agencies shall carry out their respective roles:
20

21 (a) DepEd – The DepEd shall formulate the academic curriculum to ensure
22 that learners under the SPCA possess the knowledge and competencies that can
23 lead to a successful professional career and to be eligible for higher education in the
24 event that graduates choose the pathway. It shall set the standards in the selection
25 or qualification of schools with SPCA, and shall appoint and designate the qualified
26 instructors who shall train the learners in accordance with the curriculum set by the
27 NCCA and the CCP.
28

29 (b) NCCA and CCP – The NCCA and the CCP shall formulate the creative
30 arts curriculum for the SPCA to train the learners and hone their skills and abilities to
31 achieve their full potential. They shall provide the qualifications of instructors
32 for the effective implementation of this Act.
33

34 (c) DTI, CECF, and PCIDC – The DTI, CECF, and PCIDC shall advocate
35 for the employment of SPCA graduates by linking the schools with SPCA with different
36 creative industries for work immersion and eventual job posts. They shall further
37 conduct programs and activities in schools with SPCA to inform the learners of the
38 current and future trends they may engage in for their careers in creative arts.
39

40 (d) CHED – The CHED shall promote the further studies of SPCA
41 graduates by constantly ensuring that its policies, standards, and guidelines for
42 college courses in creative arts are responsive to the current and future trends and
43 urging higher education institutions to provide scholarships and grants.
44

45 **SEC. 7. Partnerships with the Private Sector.** – The DepEd and the
46 schools with SPCA may enter into agreements with the private sector for the training
47 and development of the skills and talents of its SPCA learners.
48

49 **SEC. 8. Hiring of Special Instructors for SPCA.** – Notwithstanding the
50 relevant provisions of Republic Act No. 7836, as amended by Republic Act No. 9293,

1 otherwise known as the "Philippine Teachers Professionalization Act of 1994", the
2 DepEd shall hire and retain experts in the various creative arts domains, without the
3 additional requirements of completing teaching units and passing the board exam for
4 teachers, to teach the pertinent subjects in the curriculum: Provided, That they shall
5 teach only the subjects of their expertise: Provided further, That they satisfy the
6 qualification standards set by the DepEd, NCCA and CCP.
7

8 **SEC. 9. Tax Exemptions.** – The importation of equipment relating to creative
9 industry, books, art related supplies, musical instruments, materials and goods,
10 including those donated to the SPCA shall, upon certification by the DepEd be exempt
11 from customs duties in accordance with the provisions of Republic Act No. 10863,
12 otherwise known as the "Customs Modernization and Tariff Act (CMTA)": Provided,
13 That these are of international standards and are not available from local
14 manufacturers: Provided further, That the importation shall only be in such numbers as
15 may be required in the development programs and/or training of
16 the students: Provided finally, That all importations shall be made in the name of SPCA
17 as recipient and shall be immediately registered in the name of SPCA.
18

19 **SEC. 10. Tax Exemption on Donations.** – All grants, bequest, endowments,
20 donations and contributions made to the SPCA, to be used actually, directly and
21 exclusively by the SPCA shall be exempt from donor's tax and the same shall be
22 considered as allowable deduction from gross income for purposes of computing the
23 taxable income of the donor in accordance with the provisions of the National Internal
24 Revenue Code of 1997, as amended.
25

26 **SEC. 11. Appropriations.** – The Secretary of the DepEd shall include in the
27 Department's program the implementation of this Act, the funding of which shall be
28 included in the annual General Appropriations Act.
29

30 **SEC. 12. Implementing Rules and Regulations.** – The DepEd shall, in
31 consultation with the NCCA, CCP, DTI, CHED, PCIDC, and CECP, promulgate not
32 later than thirty (30) days upon the effectivity of this Act, the rules and regulations for
33 its effective implementation: Provided, That the failure to promulgate the rules and
34 regulations shall not prevent the implementation of this Act upon its effectivity.
35

36 **SEC. 13. Separability Clause.** – If any provision of this Act is held invalid or
37 unconstitutional, the other provisions not so declared shall remain in force and effect.
38

39 **SEC. 14. Repealing Clause.** – All laws, decrees, orders, and rules and
40 regulations contrary to or inconsistent with the provisions of this Act are hereby
41 repealed or amended accordingly.
42

43 **SEC. 15. Effectivity.** – Notwithstanding the non-issuance of the IRR, this Act
44 shall take effect fifteen (15) days after its publication in the Official Gazette or in a
45 newspaper of general circulation.
46

47 *Approved,*