

Republic of the Philippines
Congress of the Philippines
Metro Manila
Seventeenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-third day of July, two thousand eighteen.

[REPUBLIC ACT NO. 11392]

AN ACT ESTABLISHING A FRAMEWORK FOR THE SELECTION OF NATIONAL PERFORMING ARTS COMPANIES, DESIGNATING FOR THE PURPOSE CERTAIN PERFORMING ARTS GENRES 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 “National Performing Arts Companies Act”.

SEC. 2. *Declaration of Policy.* – Pursuant to Article II, Sections 17 and 23, and Article XIV, Sections 14, 15 and 18(2) of the Constitution, it is hereby declared the policy of the State to appropriately recognize, designate and support nongovernment organizations that have demonstrated pioneering, consistent and unassailable competence, effectiveness and success in the

development, training, documentation and performance of ballet and contemporary dance, orchestral music, choral music, and theater.

SEC. 3. Designation as National Performing Arts Companies. – A National Performing Arts Company is hereby designated for a period of five (5) years from the following performing arts genres:

- (a) One (1) National Ballet/Contemporary Dance Company;
- (b) One (1) National Theater Company;
- (c) One (1) National Orchestra;
- (d) One (1) National Choral Company; and
- (e) One (1) National Indigenous Performing Ensemble.

SEC. 4. Roles and Functions. – A National Performing Arts Company shall have the following roles and functions:

- (a) Undertake a continuing program of training and education for the professional development of performing artists, teachers, directors, designers, performing arts managers, and other artists particular to its performing arts field;
- (b) Conduct research relative to particular performing arts and undertake documentation of its activities and programs for the preservation and of dissemination of Filipino masterpieces in the performing arts;
- (c) Organize and present a regular annual season of performances at the Cultural Center of the Philippines (CCP) and other venues in the country;
- (d) Develop and build a repertoire of original Filipino works that will help define our national cultural identity;
- (e) Maintain and promote a standard of artistic excellence in its field that will help elevate the performing arts in the country;

(f) Conduct national outreach and exchange program of performances, workshops, and seminars for the development and promotion of the performing arts in the regions;

(g) Undertake international outreach program as Philippine cultural ambassadors and perform during State functions for visiting dignitaries;

(h) Conduct continuing audience development program and help promote greater awareness and appreciation of the performing arts among the public; and

(i) Maintain a viable and sustainable performing arts organization and help set a standard for effective and efficient performing arts management.

SEC. 5. *The Selection Committee.* – There is hereby established a Selection Committee for the National Performing Arts Companies composed of fifteen (15) members, who shall be chosen from a panel of experts knowledgeable in the artistic and technical aspects of the performing arts, to be designated by the National Commission for Culture and the Arts (NCCA) and the CCP. The members of the Selection Committee shall elect a Chairperson from among themselves.

The Selection Committee shall draw up the appropriate guidelines for the selection process of the National Performing Arts Companies. It shall adopt the following procedures:

(a) Call for applications to different performing arts companies based on the guidelines set by the Selection Committee;

(b) Conduct a first screening as an assessment by the Secretariat of the applications received based on a preselection criteria stated in the guidelines set by the Selection Committee;

(c) Conduct a second screening as further evaluation by the Selection Committee of the applications received based on the criteria set in Section 6 hereof;

(d) Conduct a final selection of the qualified National Performing Arts Companies consisting of:

- (1) One (1) qualified applicant for ballet and contemporary dance;
- (2) One (1) qualified applicant for theater;
- (3) One (1) qualified applicant for orchestral music;
- (4) One (1) qualified applicant for choral music; and
- (5) One (1) qualified applicant for indigenous performing ensemble; and

(e) Select an additional fifteen (15), or three (3) from each of the next most qualified applicants of the aforementioned performing arts companies, that shall be the beneficiaries of a separate subsidy program.

The results of the final selection shall be ratified jointly by the NCCA Board of Commissioners and the CCP Board of Trustees.

SEC. 6. *Criteria for Selection.* – The Selection Committee shall select the National Performing Arts Companies based on the following criteria:

(a) It is national in scope, as it tackles and presents the arts, culture, traditions, issues and concerns of the nation, drawing the best talents from all over the country and contributing to the development of a national cultural consciousness;

(b) It maintains the highest standards of artistic excellence, manifested in the quality of its performances, artists, training programs, and other activities;

(c) It is world-class, having represented the country in numerous touring engagements, festivals, competitions and international events, and having been acclaimed by foreign organizations, audiences and critics alike;

(d) It has maintained a professional track record of regular and continuing set of activities in pursuit of its mission; and

(e) It is able to maintain a viable and sustainable organization to support its programs and shall thus have the capability to match the allocated annual subsidy from the government.

SEC. 7. *Entitlements.* – The National Performing Arts Companies, namely, the National Ballet/Contemporary Dance Company, the National Theater Company, the National Orchestra, the National Choral Company, and the National Indigenous Performing Ensemble shall be entitled to the following:

(a) Free and equitable use of government facilities and cultural venues, specifically the CCP, the Tanghalang Balagtas and other government venues devoted to cultural and artistic performances, based on a stipulated frequency of usage;

(b) Access to grants for research, documentation, productions, workshops, training and audience development programs from the NCCA, subject to proper evaluation and availability of funds; and

(c) Intellectual property rights to their work, including music, choreographs, and other artistic creations. Likewise, they shall enjoy the right to public performance fixation. They shall further be entitled to the reproduction, authorization, and distribution of fixations in accordance with intellectual property laws.

SEC. 8. *Memorandum of Agreement.* – Within thirty (30) days upon the effectivity of this Act, the CCP and the NCCA shall execute the necessary Memorandum of Agreement with the concerned stakeholders, in accordance with this Act and other existing laws.

SEC. 9. *Tax Exemption.* – Any donation, contribution, bequest and grant, which may be made to the National Performing Arts Companies to be used actually, directly and exclusively by the National Performing Arts Companies shall be exempt from donor's tax and the same shall be considered as allowable deduction from the gross income of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as

amended: *Provided*, That such National Performing Arts Companies are accredited nongovernment organizations pursuant to Executive Order No. 720 issued on April 11, 2008.

SEC. 10. *Appropriations.* – Each National Performing Arts Company shall be appropriated the following amounts:

(a) Ten million pesos (P10,000,000.00) a year each for the National Ballet/Contemporary Dance Company, the National Theater Company, and the National Orchestra for a period of five (5) years; and

(b) Five million pesos (P5,000,000.00) a year each for the National Choral Company and the National Indigenous Performing Ensemble for a period of five (5) years.

A maximum of fifteen (15), or a maximum of three (3) from each of the next most qualified applicants of the performing arts companies mentioned, shall be entitled to a subsidy of One million pesos (P1,000,000.00) a year, renewable upon evaluation, for performance, research, documentation, and commissioned work.

Such amounts to be appropriated for the National Performing Arts Companies may be subject to adjustments once every five (5) years after the effectivity of this Act.

The amount necessary to implement the provisions of this Act shall be included in the budget of the CCP in the annual General Appropriations Act.

SEC. 11. *Implementing Rules and Regulations.* – Within ninety (90) days from the approval of this Act, the President of the CCP shall, in consultation with the Chairperson of the NCCA, formulate the rules and regulations implementing the provisions of this Act. The implementing rules and regulations issued pursuant to this section shall take effect thirty (30) days after its publication in two (2) national newspapers of general circulation.


SEC. 12. *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.

SEC. 13. *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.

SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

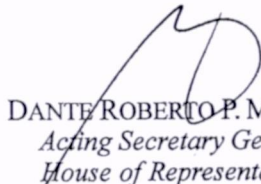
Approved,


VICENTE C. SOTTO III
President of the Senate


GLORIA MACAPAGAL ARROYO
Speaker of the House of Representatives

This Act which originated in the House of Representatives was passed by the House of Representatives on December 10, 2018, amended by the Senate of the Philippines on May 20, 2019, and which amendments were concurred in by the House of Representatives on June 3, 2019.


MYRA MARIE D. VILLARICA
Secretary of the Senate


DANTE ROBERTO P. MALING
Acting Secretary General House of Representatives

Approved: **AUG 22 2019**


RODRIGO ROA DUTERTE
President of the Philippines

