



HOUSE OF REPRESENTATIVES

H. No. 5978

BY REPRESENTATIVES SARMIENTO (M.), COJUANGCO (K.), QUIMBO, UNGAB,
GULLAS, ATIENZA, DELA CRUZ AND CHIPECO, PER COMMITTEE
REPORT NO. 816

AN ACT DESIGNATING THE PHILIPPINE NATIONAL PERFORMING
ARTS COMPANIES, DEFINING THEIR ROLES AND FUNCTIONS,
AND APPROPRIATING FUNDS THEREFOR

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Philippine
2 National Performing Arts Companies Act”.

3 SEC. 2. *Declaration of Policy.* – Pursuant to Article II, Sections 17
4 and 23, and Article XIV, Sections 14, 15 and 18(2) of the 1987 Philippine
5 Constitution, it is hereby declared the policy of the State to appropriately
6 recognize, designate and support nongovernment organizations that have
7 demonstrated pioneering, consistent and unassailable competence,
8 effectiveness and success in the development, training, documentation and
9 performance of ballet and contemporary dance, orchestral music, choral
10 music, and theater.

11 SEC. 3. *Designation as Philippine National Performing Arts*
12 *Companies.* – A Philippine National Performing Arts Company is hereby
13 designated from the following performing arts genres:

- 1 (a) One (1) National Ballet/Contemporary Dance Company;
- 2 (b) One (1) National Theater Company;
- 3 (c) One (1) National Orchestra; and
- 4 (d) One (1) National Choral Company.

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

7 (a) Undertake a continuing program of training and education for the
8 professional development of performing artists, teachers, directors, designers,
9 performing arts managers, and other artists particular to its performing arts
10 field;

11 (b) Conduct research relative to particular performing arts and
12 undertake documentation of its activities and programs for the preservation
13 and dissemination of Filipino masterpieces in the performing arts;

14 (c) Organize and present a regular annual season of performances at
15 the Cultural Center of the Philippines (CCP) and other venues in the
16 country;

17 (d) Develop and build a repertoire of original Filipino works that will
18 help define our national cultural identity;

19 (e) Maintain and promote a standard of artistic excellence in its field
20 that will help elevate the performing arts in our country;

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

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

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

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

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

10 The Selection Committee is tasked to draw up the appropriate
11 guidelines for the selection process of the National Performing Arts
12 Companies. It shall adopt the following procedures:

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

15 (b) First screening shall be an assessment by the Secretariat based on a
16 pre-selection criteria stated in the guidelines set by the Selection Committee;

17 (c) Second screening shall be an evaluation by the Selection
18 Committee under a criterion set to further evaluate the applications;

19 (d) A final selection of the qualified National Performing Arts
20 Companies consisting of:

21 (1) One (1) qualified applicant for ballet/contemporary dance;

22 (2) One (1) qualified applicant for theater;

23 (3) One (1) qualified applicant for orchestral music; and

24 (4) One (1) qualified applicant for choral music.

25 (e) An additional twelve (12) or three (3) from each of the next most
26 qualified applicants shall be selected from each of the aforementioned
27 performing arts companies for a separate subsidy program; and

1 (f) The results of the final selection shall be ratified jointly by the
2 NCCA Board of Commissioners and the CCP Board of Trustees.

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

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

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

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

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

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

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

24 (a) Free and Equitable Use of Government Facilities – entitles the
25 National Performing Arts Companies to free and equitable use of government
26 facilities and cultural venues, specifically the CCP, the Tanghalang Balagtas
27 and other government venues devoted to cultural and artistic performances,
28 based on a stipulated frequency of usage;

1 (b) Access to Grants – entitles the National Performing Arts
2 Companies to project grants for research, documentation, productions,
3 workshops, trainings and audience development programs from the
4 NCCA, subject to proper evaluation; and

5 (c) Intellectual Property Rights – entitles the National Performing
6 Arts Companies to the protection of their work, including music,
7 choreographs, and other artistic creations. Likewise, they shall enjoy the right
8 to public performance and fixation. They shall further be entitled to the
9 reproduction, authorization, and distribution of fixations in accordance with
10 intellectual property laws.

11 SEC. 8. *Memorandum of Agreement.* – Within thirty (30) days upon
12 the effectivity of this Act, the CCP and the NCCA shall execute a
13 Memorandum of Agreement with the concerned stakeholders to formalize the
14 necessary arrangements in accordance with existing laws.

15 SEC. 9. *Appropriation of Funds.* – Each National Performing Arts
16 Company shall be appropriated the following amounts:

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

20 (b) Five million pesos (P5,000,000.00) a year for the National Choral
21 Company for a period of five (5) years.

22 A maximum of twelve (12), or maximum of three (3) from each of the
23 next most qualified applicants from each of the performing arts companies
24 mentioned, shall be entitled to a subsidy of one million pesos (P1,000,000.00)
25 a year, renewable upon evaluation, for performance, research, documentation,
26 and commissioned work.

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

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

6 SEC. 10. *Tax Exemption.* – Any donation, contribution, bequest and
7 grant, which may be made to the National Performing Arts Companies, shall
8 be exempt from donor's tax and the same shall be considered as allowable
9 deduction from the gross income of the donor, in accordance with the
10 provisions of the National Internal Revenue Code of 1997, as amended:
11 *Provided, That such National Performing Arts Companies are accredited*
12 *nongovernment organizations pursuant to Executive Order No. 720 issued on*
13 *April 11, 2008.*

14 SEC. 11. *Implementing Rules and Regulations.* – Within sixty (60)
15 days from the approval of this Act, the President of the CCP, in consultation
16 with the Chairperson of the NCCA, shall formulate the rules and regulations
17 implementing the provisions of this Act.

18 SEC. 12. *Separability Clause.* – If any provision of this Act is held
19 invalid or unconstitutional, the other provisions not so declared shall remain in
20 force and effect.

21 SEC. 13. *Repealing Clause.* – All laws, decrees, orders and rules and
22 regulations contrary to or inconsistent with the provisions of this Act are
23 hereby repealed or amended accordingly.

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

Approved,