

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 12 A10 :25

SENATE
S. B. No. 325

RECEIVED BY

Introduced by Senator SONNY ANGARA

AN ACT
GRANTING CASH INCENTIVES TO WINNING FILMMAKERS, FILM PRODUCTION ENTITIES, LITERARY WRITERS, ARTISTS, AND PERFORMERS IN THE CREATIVE SECTOR, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Art has played an important role in the Philippines' history and culture, this holds particularly true for the Philippines which has deeply rooted traditions in music, performing arts, craft, design, and film. The various stages it has gone through have led to the current creativity of the Philippine art industry which consistently allows artists, literary writers, filmmakers, film production entities and performers in the creative sector to be recognized internationally. One of our fellow Filipino artists, John Arcilla, won the Coppi Volpi (Volpi Cup) for Best Actor at the 78th Venice Film Festival. In addition to that, a Filipino film entitled "Yellow Rose" written and directed by Diane Paragas won the 2019 Reel Asian Best Feature Film award in the Toronto International Film Festival. Marlon Macabaya and Denise Melanie Du Lagrosa, both Filipino vocalists, won first and second place at London's prestigious Stars of Albion Grand Prix 2019.

The recognition and prestige that Filipino artists gain internationally benefit not only them, but also the country. They convey the name of our country and showcase the skill and creativity of our people. As a result, it is only fitting that we express our gratitude to such performances. The international recognition they have received demands our government's acknowledgement and financial support. The cash incentive will encourage Filipinos to engage in various forms of arts and represent the country in the future. This measure will also provide additional support

for the recipients to further hone their creativity and develop their craft. This measure seeks to grant cash incentives to Filipino winning filmmakers, film production entities, literary writers, artists and performers in the creative sector who have received honors internationally in notable and prestigious competitions for the country.

As a nation proud of its national artists, approval of this bill is earnestly sought.




SONNY ANGARA

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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 and cited as the "Artists
2 Incentives Act."

3 **SEC. 2. Declaration of Policy.** – Under the Constitution, it is hereby
4 declared the policy of the State to "give priority to education, science and technology,
5 arts, and culture, and sports to foster patriotism and nationalism, accelerate social
6 progress, and promote total human liberation and development." Moreover, the
7 Constitution provides that "Arts and letters shall enjoy the patronage of the State.
8 The State shall conserve, promote, and popularize the nation's historical and cultural
9 heritage and resources, as well as artistic creations."

10 Towards this end, the State shall extend its support to filmmakers, film
11 production entities, literary writers, artists, and performers in the creative sector by
12 providing incentives based on international recognition and merit in order to
13 encourage the creation of more high-quality works of art – which in turn – shall
14 elevate the stature of the country in the world's stage.

15 **SEC. 3. Coverage.** – This Act shall apply to all filmmakers, film production
16 entities, literary writers, artists, and performers in the creative sector whose works
17 merited the highest recognition for technical or artistic excellence in internationally
18 notable and prestigious competitions, film festivals, and other exhibitions as may be

1 determined by the National Commission for Culture and the Arts (NCCA), Film
2 Development Council of the Philippines (FDCP), and the Cultural Center of the
3 Philippines (CCP).

4 For the purposes of this Act, notable and prestigious competitions, film
5 festivals, and other exhibition shall refer to those which have given recognition and
6 awards to artistic works for the last five (5) years and are well-known for their
7 international profile, audience size, and the quality and breadth for their competition,
8 festival or exhibition: *Provided*, That for the film industry, these events shall include,
9 but not be limited to the
10 following:

- 11 a) Festival de Cannes;
- 12 b) Sundance Film Festival;
- 13 c) Toronto International Film Festival;
- 14 d) Venice Film Festival;
- 15 e) Berlin International Film Festival;
- 16 f) New York Film Festival; and
- 17 g) Busan International Film Festival

18 **SEC. 4. *Incentives for Winning Artists.*** – For winning filmmakers, film
19 production entities, literary writers, artists, and performers in the creative sector, the
20 following amounts shall be granted as incentives tax free:

- 21 a) One million pesos (P1,000,000.00) to artist, production entities, literary
22 writers, artists, and performers in the creative sector who have garnered
23 the highest award from an international competition, film festival, or
24 exhibition determined by the NCCA, FDCP, and CCP; and
- 25 b) Five hundred pesos (P500,000.00) to winning artists, production entities,
26 literary writers, artists, and performers in the creative sector who have
27 garnered special recognition and/or any other award not considered as
28 the highest award from an international competition, film festival, or
29 exhibition determined by the NCCA, FDCP, and CPP: *Provided*, That

1 should there be more than one winner of a particular award, the amount
2 shall be equally divided among the winners.

3 **SEC. 5. Appropriations.** – The amount necessary for the implementation of
4 this Act shall be charged against the National Endowment for Culture and the Arts
5 established under Section 50 of Republic Act No. 10066 or the “National Cultural
6 Heritage Act of 2009” subject to existing budgeting, accounting and auditing rules
7 and regulations.

8 **SEC. 6. Implementing Rules and Regulations.** – Within thirty (30) days
9 from the effectivity of this Act, NCCA, FDCP, CCP and the Department of Finance
10 (DOF), in consultation with other government agencies and concerned stakeholders,
11 shall promulgate the Implementing Rules and Regulations (IRR) to carry out the
12 provisions of this Act: *Provided*, That the non-promulgation of the rules and
13 regulations provided under this section shall not prevent the immediate
14 implementation of this Act upon effectivity.

15 **SEC. 7. Repealing Clause.** – All laws, decrees, executive orders, executive
16 issuances or letters of instruction, rules and regulations or any part thereof
17 inconsistent with or contrary to the provisions of this Act are hereby deemed
18 repealed, amended or modified accordingly.

19 **SEC. 8. Separability Clause.** – If, for any reason or reasons, any part or
20 parts of this Act shall be declared unconstitutional or invalid by any competent court,
21 other sections or provisions hereof not affected thereby shall continue to be in full
22 force and effect.

23 **SEC. 9. Effectivity Clause.** – This Act shall take effect fifteen (15) days
24 after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,