

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



22 JUL 18 P1:46

SENATE
S. No. 710

RECEIVED BY: J

Introduced by Senator Poe

**AN ACT
SUPPORTING THE PRODUCTION OF PHILIPPINE INDEPENDENT FILMS BY
PROVIDING INCENTIVES TO FILMMAKERS WHO ARE GIVEN HONORS IN
NOTABLE INTERNATIONAL FILM COMPETITIONS**

EXPLANATORY NOTE

The 1987 Philippine Constitution encourages the creation and promotion of outstanding and creative Filipino films.

- Article XIV, Section 14 provides that "The State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle in unity in diversity on a climate of free artistic and intellectual expression."
- Article XIV, Section 15 states that "Arts and letters shall enjoy the patronage of the State. The State shall converse, promote, and popularize the nation's historical and cultural heritage and resources, as well as artistic creations."

The film industry is a potent tool for information gathering, dissemination and communication and as a catalyst for public opinion. It is a medium that projects a citizen's love for art as well as a mirror of our rich culture and a Filipino identity. Films are part of our Cultural heritage, no doubt. They are essential part of what our Constitution recognizes as artistic and historic wealth—again, it is wealth for our culture and of our heritage.

In recent years, the production of independent films by our esteemed Filipino filmmakers has been flourishing. In fact, several cinematic works were critically acclaimed while actors and directors had already been recognized in the international arena, including the prestigious Cannes International Film Festival, Venice International Film Festival and the British Independent Film Awards, as well as appearances in Toronto, Utah, Brussels, New York, Warsaw and London. Brillante Mendoza is one of the most celebrated Filipino film directors, being awarded as Best Director (*Prix de la mise en scène*) for his 2009 film "*Kinatay*" in the Cannes Film Festival and a flurry of honors in the global film stage under his belt.

May 2016. Jaclyn Jose starred in Brillante Mendoza's Palme d'Or- nominated film "Ma'Rosa" where she won the Cannes Film Festival Award for Best Actress. Jose was the first Southeast Asian to be conferred with the award.

Last October 2021. John Arcilla won the Coppi Volpi (Volpi Cup) for Best Actor at the 78th Venice International Film Festival for his performance in On the Job: The Missing 8.

This bill seeks to further promote the production of Filipino indie films and provide support to filmmakers, including the aspiring ones, who operate on meager budgets to produce their artistic craft.

In view of the notable works of independent Filipino filmmakers and show support to them, approval of this measure is fervently sought.



GRACE POE

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Senate
Office of the Secretary

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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 as the "*Philippine*
2 *Independent Film Incentives Act of 2022*".

3 Sec. 2. *Declaration of Policy.* – It is the policy of the State to promote and
4 support the development and growth of the local film industry, in general, and the
5 production of independent films, in particular. The State shall endeavor to discover,
6 encourage, and honor the cinematic works of Filipino filmmakers that boldly
7 articulate and freely interpret the Filipino experience with fresh insight and artistic
8 integrity.

9 Sec. 3. *Grants for Award-Winning Films.* – To achieve this law's purpose,
10 Philippine independent films that have been awarded the Best Film prize or its
11 equivalent including those that merited recognition for technical excellence in
12 respected international film competitions or cinema festivals shall be given the
13 following incentives:

14 a) A grant of Five Million Pesos (Php5,000,000.00) to the film production or
15 entity that produces the award winning full-length feature or documentary
16 film;

- 1 b) A grant of Three Million Pesos (Php3,000,000.00) to the film production or
2 entity that produces the award winning short feature or documentary film;
3 c) Full tax exemption relevant to the screening of the film and its commercial
4 exhibition, including those levied by local government units;
5 d) The award-winning film shall be considered and shall have the honor of
6 being give an automatic rating of an "A" film being granted by the Cinema
7 Evaluation Board.

8 Sec. 4. *Eligibility for Grants.* – To be eligible for a grant under Section 3(a),
9 films must be made by Filipino filmmakers who have not yet directed more than
10 three (3) full-length commercial feature films. The total production budget for the
11 full-length feature or documentary film should not exceed Three Million Pesos (Php3,
12 000,000.00). The film length should be between 90 to 120 minutes.

13 To be eligible for a grant under Section 3(b), the film must be made by a
14 Filipino filmmaker. The total production budget for the short feature or documentary
15 film should not exceed One Million Pesos (Php1, 000,000.00). The film length should
16 not be more than 20 minutes (no minimum length).

17 All films should not have been produced by commercial producers to
18 guarantee the filmmakers' creative control over the film.

19 Sec. 5. *Implementing Agency.* – The National Commission for Culture and the
20 Arts (NCCA) is hereby authorized and directed to adopt a system to implement and
21 carry out the provisions of this act. The NCCA shall, within sixty (60) days from
22 effectivity of this Act, promulgate rules and regulations to carry out and enforce the
23 provision of this Act.

24 Sec. 6. *Appropriations.* – A special fund amounting to Fifty Million Pesos
25 (P50,000,000.00) which shall be sourced from the funds of the Philippine
26 Amusement and Gaming Corporation (PAGCOR) is hereby created. Other amounts as
27 may be necessary to carry out the provisions of this Act, are hereby authorized to be
28 appropriated from the National Treasury.

29 Sec. 7. *Separability Clause.* – If any provision or part hereof is held invalid or
30 unconstitutional, the remainder of the act or the provision not otherwise affected
31 shall remain valid and subsiding.

1 Sec. 8. *Repealing Clause.* – Any law, presidential decree or issuance,
2 executive order, letter of instruction, administrative order, rule or regulation contrary
3 to or inconsistent with the provision of this Act, is hereby repealed, modified or
4 amended accordingly.

5 Sec. 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
6 publication in at least two (2) newspapers of general circulation.

Approved,