


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

SENATE
OFFICE OF THE SECRETARY

10 JUL 12 P3:31

SENATE

S.B. 1265

RECEIVED BY: 

Introduced by Senator Manny Villar

EXPLANATORY NOTE

In the process of building and strengthening the nation, the Philippines must develop and nurture culture and the arts in both the public and the private sectors of society. In the public sector, a significant and growing part of the career service consists of persons with special talents in the different fields of art, including music, literature, visual arts, films and media arts, architecture, theater and dance.

This bill proposes that artists be encouraged to pursue civil service careers through (a) the recognition by law that the evidence of their talent and the ways they have developed it should be the principal bases for the selection, appointment, promotion and other personnel movement of artists; and (b) the creation of the Artists Career Service (ACS) for the very best of these artist civil servants.

The first objective of this bill is to structure the career path of artists and their promotion and rewards system so that it is based primarily on their differing levels of talent and creativity. This should be done for artists who are just starting out in their career as well as those who are at its pinnacle.

The second objective is to create an Artists Career Service and thus address a problem faced by the most accomplished among the artists in the civil service. These artists frequently attain the highest grades in the civil service only by leaving their craft and becoming administrators. This situation affects artistic units in the bureaucracy negatively in that they become managed by artists who are not good administrators or who do not enjoy administrative work. Meanwhile the civil service loses their services as artists and the society at large suffers as the contribution of these persons to art decreases in both quantity and quality.

The Artists Career Service will provide career progression for the best artists by conferring on them appropriate rank rather than position. The ACS is closely patterned after the Scientific Career System where scientists ascend the career ladder as scientists rather than as administrators. Like the personnel systems of the foreign service, the armed forces, the faculties of different state universities and colleges, and the scientific career service, the ACS will be a closed career system. Under our Civil Service system, a closed career service may be established for a sector of the bureaucracy which has special characteristics that set it apart from other personnel and the regular run of career services in the country. Under the Artists Career Service, therefore, artists shall have different bases and processes of recruitment, promotion, demotion, career progression, recognition and reward and other aspects of personnel development.

Nevertheless, it should be emphasized that, like all other career services, whether closed or open, the Artists Career Service shall follow the requirements set forth by the Administrative Code of 1987, Book V, Subtitle A, Chapter 2, Sec. 7 in that it

shall be composed of personnel whose entrance into the civil service is based on merit and fitness who have the opportunity for advancement to a higher position, and who shall enjoy security of tenure.

It is earnestly hoped that this bill shall be passed into law as soon as possible.



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The Service shall embrace the artists personnel of the Cultural Center of the Philippines, the National Commission for Culture and the Arts, and other units and agencies of the national government, local governments, public enterprises and other branches or instrumentalities of government that are engaged in culture and the arts and practitioners of traditional and indigenous arts.

SEC. 5. Criteria of Appointment to and Advancement in the Service. – The following shall be the criteria for appointment to and advancement in the Service:

- (a) Talent - shall be determined through auditions or evaluation by the respective artistic panel;
- (b) Education and productivity - Education shall refer to academic attainment of at least two (2) years at the Bachelor's level from a college or university of recognized standing, or two (2) years of specialized training and/or experience. Productivity shall refer to significant output and contributions to relevant fields of the arts, including the production of works in the case of visual arts, or publication of literary work and training of young talents. For purposes of this Act, education and productivity may be used as alternative or complementary qualifications.
- (c) Artistic standing - shall refer to the level of acceptance and recognition of a person in the artistic community in terms of artistic, moral and ethical integrity, as indicated by awards, publications, exhibitions and similar forms of recognition.

SEC. 6. Artists Career Service Board. - The Artists Career Service Board, hereinafter referred to as the Board, is hereby established to administer the Service. It shall be headed by the Chairperson of the Civil Service Commission as chairperson, and shall have the following as members: the chairperson of the National Commission for Culture and the Arts, the president of the Cultural Center of the Philippines and the president of the University of the Philippines. At the initial meeting of the members, they shall recommend three (3) artists of national renown to sit with them as regular members of the Board. In no case shall any two (2) of them be from the same field of the arts. These artists shall serve for a term of three (3) years: Provided, That in the initial term of the Board, one (1) member shall serve for three (3) years, the second for two (2) years and the third for one (1) year. Thereafter, the Board shall choose one (1) member each year: Provided, further, That such member shall come from an art field not then represented in the Board. No artist shall serve in the Board for more than two (2) consecutive terms.

The members of the Board shall receive per diems and allowances for meetings attended.

The Board shall have a secretariat, headed by an executive director, which shall provide the support services to the Board as well as administer and implement its policies and programs.

The Board shall be attached to the Civil Service Commission for policy and program coordination.

SEC. 7. Powers and Functions of the Board. - The Board shall have the following powers and functions:

- (a) Formulate norms for assessing merit and fitness for entrance and advancement into the three (3) levels of the service for approval by the Civil Service Commission;

(b) Establish a system of ranks for the third level which shall be comparable across the six (6) categories of artists recognized by the Service;

(c) Create special artistic panels in the following fields of specialization: literature, music, visual arts, film and media arts, theater and dance. Each artistic panel shall be composed of three (3) members who are recognized in their respective fields and who shall serve for a term of two (2) years on a staggered basis. In the first year of implementation, two (2) members shall be appointed for two (2) years and one (1) member shall be appointed for one (1) year. No person may serve for more than two (2) consecutive terms;

(d) Grant the appropriate eligibility to qualified artists based on the recommendation of the artistic panel and submit the names to the Civil Service Commission; and

(e) Maintain a roster of artists appointed to the Service.

SEC. 8. Appointment and Advancement in the Service. -

(a) The heads of agencies or local government units where the artists are employed or to be employed shall submit to the Board the names of candidates for appointment and/or advancement in the Service;

(b) The Board shall designate the appropriate artistic panel to assess the candidates;

(c) The artistic panel shall evaluate the qualifications of the candidates and recommend the appropriate action to the Board; and

d) The Board shall act on the recommendations of the artistic panel.

SEC. 9. Tenure. - Any person appointed to the service shall be on probation for a period of one (1) year after which he or she will be recommended for tenure or removal by the artistic panel. Such action shall be based on criteria enumerated in Section 5 of this Act. Such recommendation to grant or withhold tenure shall be reviewed by the Artists Career Service Board who shall endorse the same for final approval by the Civil Service Commission.

No person covered by the Service shall be divested of, or demoted in rank except for cause as provided by law.

SEC., 10. Training and Development. - The Civil Service Commission, the Artists Career Service Board and the agencies concerned shall provide for a continuing program of training and development for artists personnel in the government service.

SEC. 11. Salary Schedule. - The ranking system and salary schedule for the artists appointed to the Service shall be prepared by the Board in accordance with the provisions of Republic Act No. 6758 or the Salary Standardization Law.

SEC. 12. Applicability of the Civil Service Law. - The provisions of the Civil Service Law and the rules and regulations issued by the Civil Service Commission shall be applicable to the Artists Career Service.

SEC. 13. Implementing Rules and Regulations. - The implementing rules and regulations for the proper implementation of this Act shall be jointly promulgated by the National Commission for Culture and the Arts, Cultural Center of the Philippines, the

University of the Philippines, the Civil Service Commission, and the Department of Budget and Management, not later than ninety (90) days after the approval of this Act.

SEC. 14. Appropriations. - Such sums as may be necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

SEC. 15. Separability Clause. - If any section or provision of this Act shall be declared invalid or unconstitutional, such shall not invalidate any other section or provision of this Act.

SEC. 16. Repealing Clause. - All laws, decrees, orders, issuances, or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 17. Effectivity. - This Act shall take effect fifteen days after its publication in the Official Gazette or one major newspapers of national circulation, whichever comes earlier.

Approved,