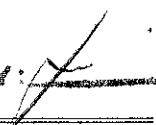


FIFTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

SENATE
OFFICE OF THE SECRETARY

10 AUG 23 P5 21

SENATE
S.B. No. 2446

RECEIVED BY: 

INTRODUCED BY SEN. MANNY VILLAR

EXPLANATORY NOTE

The 1987 Philippine Constitution is a landmark in enshrining policies on the promotion and preservation of arts and culture:

- a) "The State shall foster the preservation, enrichment and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression." (Art. XIV, Sec. 14)
- b) "Arts and letters shall enjoy the patronage of the State, The State shall conserve, promote and popularize the nation's cultural heritage and resources, as well as artistic creations. (Art. XIV, Sec. 15)
- c) "All the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State which may regulate its disposition." (Art. XIV, Sec. 16)

This legislation is submitted as an aegis to implement the said constitutional provisions. It seeks to establish a National Film Archive which shall list, preserve, conserve, restore and identify films that are historically, culturally, and aesthetically important to the Filipino identity. This bill is an amendment to Republic Act 9167 which assigns the responsibility of preserving and caring selected films to the Film Development Council of the Philippines.

Just by considering the following information, it can be fully gleaned that the policy measure deserves an immediate enactment:


- a) The total loss of all Manuel Conde's "Juan Tamad" films;
- b) Generations of Filipinos will no longer see National Artist Gerardo de Leon's "Daigdig ng mga Api" and instead have scans of movie ads to admire on the internet;
- c) The prints of new classic's "Tatlong Taong Walang Diyos" of Mario O'Hara and "Oro, Plata, Mata" of Peque Gallaga turning flush sepiya through neglect.


MANNY VILLAR

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**AN ACT TO PROMOTE THE PRESERVATION AND PROMOTION OF THE
COUNTRY'S RICH ARTISTIC, CULTURAL, AND HISTORICAL HERITAGE,
CREATING FOR THE PURPOSE A NATIONAL FILM ARCHIVE, AMENDING FOR
THE PURPOSE REPUBLIC ACT 9167**

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

SECTION 1. A new Section as Section 14 is hereby added in Republic Act 9167,
as follows:

"SECTION 14. ESTABLISHMENT OF A NATIONAL FILM ARCHIVE. A.) A NATIONAL FILM ARCHIVE IS HEREBY ESTABLISHED AS A SPECIALIZED OFFICE IN THE FILM DEVELOPMENT COUNCIL. IT SHALL BE THE MAIN REPOSITORY AND CUSTODIAN TO CONSERVE AND PROTECT FILM NEGATIVES AND/OR PRINTS OF THE NATION'S HISTORICAL, CULTURAL AND ARTISTIC HERITAGE.

THE NATIONAL FILM ARCHIVE SHALL ALSO BE RESPONSIBLE FOR FILM PRESERVATION, RESTORATION, RESCUING OF DECAYING FILM STOCKS AND PRESERVING THE IMAGES THEY CONTAIN, HANDLING, DUPLICATION, STORAGE AND ACCESS OR SHARING THE CONTENT OF THE SAME WITH THE PUBLIC.

B.) WITHIN SIX (6) MONTHS AFTER THE EFFECTIVITY OF THIS ACT, THE ARCHIVE IN COORDINATION AND CONSULTATION WITH THE FILM ACADEMY OF THE PHILIPPINES, FILM DEVELOPMENT COUNCIL OF THE PHILIPPINES, NATIONAL COMMISSION ON CULTURE AND THE ARTS, THE CULTURAL CENTER OF THE PHILIPPINES, RESPECTED ACADEMIC COMMUNITIES, HISTORIANS AND FILM CRITICS AND STUDENTS, SHALL PREPARE A COMPREHENSIVE LIST OF FILMS THAT MAY BE PRESERVED AND PROTECTED IN THE ARCHIVE. PROVIDED, THAT ANY INTERESTED PERSON MAY SUBMIT OR NOMINATE A FILM FOR INCLUSION PROVIDED, FURTHER, THAT, FILMS ACCORDED GRADE "A" OR "B" AND THOSE FILMS ACCLAIMED, RECOGNIZED AND AWARDED BEST FILM PRIZE IN INTERNATIONAL FILM FESTIVALS MUST BE AUTOMATICALLY INCLUDED IN THE LIST OF THE ARCHIVE.

C.) THE ARCHIVE SHALL DEVELOP PROGRAMS AND APPROACHES THAT PROMOTE AND ENCOURAGE THE AVAILABILITY OF FEATURE FILMS FOR EDUCATION PURPOSES AND EXHIBITION IN ACADEMIC INSTITUTIONS AND OTHER ENTITIES TO DEVELOP THE FILIPINO'S CULTURAL AND SOCIAL VALUE AND TO BETTER UNDERSTAND AND APPRECIATE THE FILIPINO IDENTITY AND NATIONHOOD. IT SHALL INCLUDE AN OUTREACH PROGRAM THAT WILL MAKE RESOURCES AVAILABLE TO DISADVANTAGED COMMUNITIES.

SECTION. 2. Section 16 of Republic Act 9167 is hereby amended as follows:

"Section 16. Funding.

Xxx

C. FOR THE ESTABLISHMENT OF A NATIONAL FILM ARCHIVE, THE INITIAL AMOUNT OF FIFTY MILLION PESOS (Php 50,000,000.00) IS HEREBY APPROPRIATED FROM THE GENERAL APPROPRIATIONS ACT.

IN ADDITION TO THE SAME, THE AMOUNT OF FIFTY CENTAVOS (PHP 0.50) IS HEREBY ADDED TO CINEMA RATES OF FOREIGN MOVIES BEING EXHIBITED AND SHOWN IN LOCAL CINEMAS. IT MAY ALSO BE IMPOSED TO PERFORMANCES OF FOREIGN ARTISTS STAGED IN THE PHILIPPINES, INCLUDING BUT NOT LIMITED TO CONCERTS, MUSICALS, STAGE PLAYS AND OTHERS. TO THIS END, A SYSTEM OF TRANSPARENT ACCOUNTING ON THE COLLECTION AND UTILIZATION OF FUND CREATED IN THE LAST TWO PRECEDING PARAGRAPHS SHALL ALSO BE ESTABLISHED."

SECTION. 3. Implementing Rules and Regulations - The Film Development Council shall, within six (6) months from the effectivity of this Act, promulgate the necessary rules and regulations to effectively implement the same.

SECTION 4. Separability Clause. - If any part or provision of this Act is held unconstitutional or invalid, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 5. Repealing Clause. - All laws, orders, rules or regulations which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed accordingly.

SECTION 6. Effectivity-This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,