

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2860



Introduced by REP. EDGAR MARY S. SARMIENTO

EXPLANATORY NOTE

Laws have been passed recognizing certain performing arts groups as the country's official. An example would be RA 8626 which declared the Bayanihan Philippine Dance Company as The Philippines National Folk Dance Company. Indeed, the people's recognition of the performing group's achievements, through an act of Congress, is the highest honor to be bestowed upon them.

However, these pieces of legislations virtually exclude those who might want to be on the same position. Worse, separate laws might be needed to recognize other groups who have shown effort and brought pride to the country.

In order to prevent Congress from passing pieces of legislation that recognize performing groups every now and then, this measure proposes the creation of a panel of experts tasked to evaluate groups that may be declared as follows:

- One (1) qualified applicant for ballet and contemporary dance;
- One (1) qualified applicant for choral music;
- One (1) qualified applicant for orchestra music;
- One (1) qualified applicant for theater.

Also, the panel is mandated to review and ~~re~~-assess the groups regularly to ensure that they are continuously exerting their best in their field.

More than the entitlements, the responsibilities of these performing groups are stipulated in this measure.

This bill is the version approved on third reading in the 16th Congress.

Approval of this bill is earnestly sought.

EDGAR MARY S. SARMIENTO

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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 National
2 Performing Arts Companies Act.”
3

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

11 **SEC. 3. *Designation as Philippine National Performing Arts Companies*** – A
12 Philippine National Performing Arts Company is hereby designated from the following
13 performing arts genres:
14

- 15 • one (1) National Ballet/Contemporary Dance Company;
- 16 • one (1) National Theater Company;
- 17 • one (1) National Orchestra; and
- 18 • one (1) National Choral Company
- 19

20 **SEC. 4. *Roles and Functions*** – A National Performing Arts Company shall have the
21 following roles and functions:
22

23 a. Undertake a continuing program of training and education for the professional
24 development of performing artists, teachers, directors, designers, performing arts managers
25 and other artists particular to its performing arts field;
26
27

1 b. Conduct research relative to particular performing arts and undertake
2 documentation of its activities and programs for the preservation and dissemination of
3 Filipino masterpieces in the performing arts;

4
5 c. Organize and present a regular annual season of performances at the Cultural
6 Center of the Philippines and other venues in the country;

7
8 d. Develop and build a repertoire of original Filipino works that will help define our
9 national cultural identity;

10
11 e. Maintain and promote a standard of artistic excellence in its field that will help
12 elevate the performing arts in the Philippines;

13
14 f. Conduct national outreach and exchange program of performances, workshops and
15 seminars for the development and promotion of the performing arts in the regions;

16
17 g. Undertake international outreach program as Philippine cultural ambassadors and
18 perform during State functions for visiting dignitaries;

19
20 h. Conduct a continuing audience development program and help promote greater
21 awareness and appreciation of the performing arts among the public; and

22
23 i. Maintain a viable and sustainable performing arts organization and help set a
24 standard for effective and efficient performing arts management.

25
26 **SEC. 5. *The Selection Committee*** – There is hereby established a Selection
27 Committee for the National Performing Arts Companies composed of fifteen (15) members,
28 who shall be chosen from a panel of experts knowledgeable in the artistic and technical
29 aspects of the performing arts, to be designated by the National Commission for Culture and
30 the Arts (NCCA) and the CCP. The members of the Selection Committee shall elect a
31 Chairperson from among themselves.

32
33 The Selection Committee is tasked to draw up the appropriate guidelines for the
34 selection process of the National Performing Arts Companies. It shall adopt the following
35 procedures:

36
37 a. Call for applications to different performing arts companies based on the guidelines
38 set by the Selection Committee;

39
40 b. First screening be an assessment by the Secretariat based on a pre-selection
41 criteria stated in the guidelines set by the Selection Committee;

42
43 c. Second screening shall be an evaluation by the Selection Committee under a
44 criterion set to further evaluate the applications;

45
46 d. A final selection of the qualified National Performing Arts Companies consisting
47 of:

- 48 1) one (1) qualified applicant for ballet and contemporary dance;
49 2) one (1) qualified applicant for theater
50 3) one (1) qualified applicant for orchestral music; and

1 4) one (1) qualified applicant for choral music.

2
3 e. An additional twelve (12) or three (3) from each of the next most qualified
4 applicants shall be selected from each of the aforementioned performing arts companies for a
5 separate subsidy program;

6
7 f. The results of the final selection shall be ratified jointly by the NCCA Board of
8 Commissioners and the CCP Board of Trustees;

9
10
11 **SEC. 6. *Criteria for Selection*** – The Selection Committee shall select the National
12 Performing Arts Companies based on the following criteria:

13
14 a. It is national in scope, as it tackles and presents the arts, culture, traditions, issues
15 and concerns of the nation, drawing the best talents from all over the country and contributing
16 to the development of a national cultural consciousness.

17
18 b. It maintains the highest standards of artistic excellence, manifested in the quality
19 of its performances, artists, training programs, and other activities;

20
21 c. It is world class, having represented the country in numerous touring engagements,
22 festivals, competitions and international events, and having been acclaimed by foreign
23 organizations, audiences and critics alike;

24
25 d. It has maintained a professional track record of regular and continuing set of
26 activities in pursuit of its mission; and

27
28 e. It is able to maintain a viable and sustainable organization to support its programs
29 and shall thus have the capability to match the allocated annual subsidy from the government.

30
31 **SEC. 7. *Entitlements*** – The National Performing Arts Companies, namely, the
32 National Ballet/Contemporary Dance Company, the National Theater Company, the National
33 Orchestra, and the National Choral Company, shall be entitled to the following:

34
35 a. Free and Equitable use of Government Facilities – entitles the National Performing
36 Arts Companies to free and equitable use of government facilities and cultural venues,
37 specifically the CCP, the Tanghalang Balagtas and other government venues devoted to
38 cultural and artistic performances, based on a stipulated frequency of usage;

39
40 b. Access to Grants – entitles the National Performing Arts Companies to project
41 grants for research, documentation, productions, workshops, training and audience
42 development programs from the NCCA, subject to proper evaluation; and

43
44 c. Intellectual Property Rights – entitles the National Performing Arts Companies to
45 the protection of their work, including music, choreographs, and other artistic creations.
46 Likewise, they shall enjoy the right to public performance and fixation. They shall further be
47 entitled to the reproduction, authorization, and distribution of fixations in accordance with
48 intellectual property laws.

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

5
6 **SEC. 9. Appropriation of Funds** – Each National Performing Arts Company shall be
7 appropriated the following amounts:

8 a. Ten Million Pesos (P10,000,000.00) a year for the National Ballet/Contemporary
9 Company, National Theater Company and the National Orchestra for a period of five (5)
10 years;

11 b. Five Million Pesos (P5,000,000.00) a year for the National Choral Company for a
12 period of five (5) years.

13 A maximum of twelve (12), or maximum of three (3) from each of the next most
14 qualified applicants from each of the performing arts companies mentioned, shall be entitled
15 to a subsidy of One Million Pesos (P1,000,000.00) a year, renewable upon evaluation, for
16 performance, research, documentation and commissioned work.

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

19 The amount necessary to implement the provisions of this act shall be included in the
20 budget of the Cultural Center of the Philippines in the annual General Appropriations Act.

21
22 **SEC. 10. Tax Exemption** – Any donation, contribution, bequest and grant, which
23 may be made to the National Performing Arts Companies shall be exempt from donor's tax
24 and the same shall be considered as allowable deduction from the gross income of the donor,
25 in accordance with the provisions of the National Internal Revenue Code of 1997, as
26 amended. *Provided*, that such National Performing Arts Companies are accredited
27 nongovernment organization pursuant to Executive Order No. 720 issued on April 11, 2008.

28
29 **SEC. 11. Implementing Rules and Regulations.** – Within sixty (60) days from the
30 approval of this Act, the President of the CCP, in consultation with the Chairperson of the
31 NCCA, shall formulate the rules and regulations implementing the provisions of this Act.

32
33 **SEC. 12. Separability Clause** – If any provision of this Act is held invalid or
34 unconstitutional, the other provisions not so declared shall remain in force and effect.

35
36 **SEC. 13. Repealing Clause** – All laws, decrees, orders and rules and regulations
37 contrary to or inconsistent with the provisions of this Act, are hereby repealed or amended
38 accordingly.

39
40 **SEC. 14. Effectivity** – This Act shall take effect fifteen (15) days after its publication
41 in the Official Gazette or in a newspaper of general circulation.

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43
44
45 Approved.