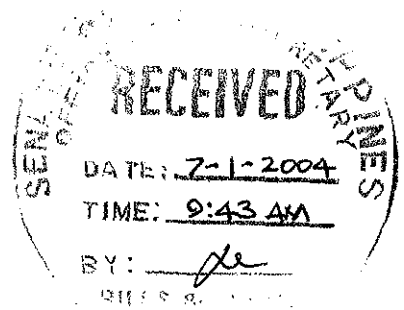


THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



SENATE

S.B. NO 1207

Introduced by Senator Ramon Bong Revilla Jr.

EXPLANATORY NOTE

A people is defined by its history and culture. Films, in turn, reflect our history and culture, reflect them as faithfully as well as literature and other forms of art. Films mirror the soul of the nation.

Our history and culture live in films which unfortunately are more fragile and perishable than documents, books, and other works of art. Many of our films of the past century, many of them great, have already been lost forever. Torn, shredded or decayed beyond reclaim, or irretrievably disintegrated, destroyed, lost.

Most countries with a film industry have national film archives or libraries where this fragile art form can be cared for and preserved so present and future generations can enjoy and use it. Even Third World Countries like Indonesia, Vietnam, India, and Cuba have national film archives.

Hobbled by Hollywood and other foreign competition, our film industry does not have sufficient long-term resources to sustain a national film archive. It needs the assistance of government.

This bill seeks to answer the long-recognized need. It proposes to amend R.A. No. 9167 by assigning responsibility for the care and preservation of selected films to the Film Development Council.

It is for this reason that this bill is filed. The measure provides for the protection, preservation, conservation, restoration, recognition and identification of cinematic films by the National Film Development Council.

Among the responsibilities and powers of the Council is the establishment of the National Film Archives that shall list all cinematic films that are culturally, historically and esthetically significant to Filipino Heritage.

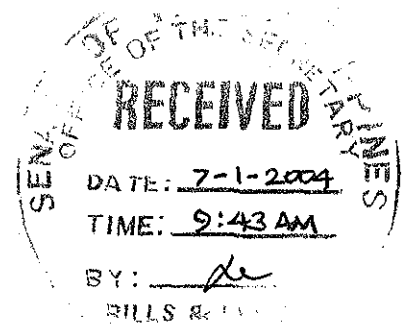
It is hoped that this bill, classic films like "Noli Me Tangere", "Ifugao", "Juan Tamad goes to Congress", "Maynila sa mga KuKo ng Liwanag", "Insiang", "Oro, Plata, Mata", "Tinimbang Ka Ngunit Kulang", "Gengis Khan", and many other masterpieces be preserved and we will not be deprived of our cinematic patrimony.

It is also hoped that with this measure, our filmmakers would set higher standards for themselves to equal, if not surpassed, the best films of all times to be selected and compiled by the Council. It is therefore imperative that we preserve our cinematic film masterpieces to set the current filmmaking and film appreciation within the context of excellence.

Therefore the immediate passing of this bill is earnestly sought.


RAMON BONG REVILLA JR.
Senator

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



SENATE
S.B. No. 1207

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AN ACT
AMENDING REPUBLIC ACT NO. 9167 BY PROVIDING FOR A NATIONAL
FILM ARCHIVE TO BE MANAGED BY THE FILM DEVELOPMENT
COUNCIL

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

SEC. 1. Section 3 of Republic Act No. 9167 is hereby amended as follows:

“Sec.3. *Powers and Functions* – The Council have the following powers and
functions:

X X X
“10. To ESTABLISH AND MAINTAIN A NATIONAL FILM
ARCHIVE in order to conserve and protect film negatives and/or prints as part of the
nation’s historical, cultural and artistic heritage;”

“11. TO DEVELOP PROGRAMS THAT PROMOTE AND
ENCOURAGE THE AVAILABILITY OF FEATURE FILMS FOR EDUCATION
PURPOSES AND EXHIBITION IN EDUCATIONAL INSTITUTIONS AND
OTHER ENTITIES TO DEVELOP THE FILIPINO’S CULTURAL AND SOCIAL
VALUE AND TO BETTER UNDERSTAND AND APPRECIATE THE FILIPINO
IDENTITY AND NATIONHOOD;”

“12. TO ENSURE THE ESTABLISHMENT OF AN OUTREACH
PROGRAM, WHICH MAKES RESOURCES AVAILABLE TO DISADVANTAGE
COMMUNITIES. THE MAIN AIM OF THE OUTREACH SECTION IS TO
TAKE THE CINEMA PEOPLE WHERE THE DISADVANTAGED
COMMUNITIES CAN BENEFIT FROM IT. THIS IS DONE IN CONJUNCTION
WITH OTHER ORGANIZATIONS SUCH AS SCHOOLS, CHURCHES AND
COMMUNITIES; AND”

“13. TO PERFORM SUCH OTHER FUNCTIONS AS MAY BE
NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ACT”

SEC. 2. Section 13 of Republic Act 9167 is hereby amended as follows:

“Sec. 13. *Privileges of Graded films*- films which have obtained an “A” or “B” grading from the Council pursuant to Sections 11 and 12 of this Act shall be entitled to the following privileges:

x x x

B. FILMS WHICH HAVE OBTAINED A RATING OF “A” OR “B” SHALL BE AUTOMATICALLY INCLUDED AMONG THE FILMS WHOSE COPY OR COPIES SHALL BE PRESERVED AND KEPT AT THE NATIONAL FILM ARCHIVE AS PROVIDED IN SEC. 14-A.”

SEC.3. There is hereby added a new section to read as follows:

“SEC. 14-A. NATIONAL FILM ARCHIVE- THERE IS HEREBY CREATED A NATIONAL FILM ARCHIVE TO BE MANAGED AND MAINTAINED BY THE FILM DEVELOPMENT COUNCIL. THE FILM NEGATIVES TO BE CONSERVED AND PROTECTED BY THE NATIONAL FILM ARCHIVE SHALL BE SELECTED AS FOLLOWS:

A. THE CINEMA EVALUATION BOARD SHALL RECEIVE, EVALUATE, AND APPROVE ALL REQUEST FOR INCLUSION IN THE NATIONAL FILM ARCHIVE OTHER THAN THOSE RATED “A” OR “B” AS PROVIDED IN SEC. 13; AND

B. NOMINATIONS FOR INCLUSION MAY BE MADE FOR OLD OR CLASSIC FILMS AS WELL AS NEW FILMS, INCLUDING FEATURE FILMS, DOCUMENTARIES AND OTHER TYPES OF FILM, BY FILM REVIEWERS AND CRITICS, FILM ACADEMIES OR SCHOOLS, PRODUCERS, DIRECTORS AND OTHER INTERESTED PARTIES.”

SEC. 4. There is hereby added a new section to read as follows:

“SEC. 14-B. THE COUNCIL SHALL FOLLOW THE HIGHEST KNOWN STANDARDS OF PRESERVATION OR MAINTENANCE OF ARCHIVED FILMS TO PREVENT DAMAGE OR LOSS THRU SPOILAGE, DECAY, DISINTEGRATION, INCINERATION AND OTHER CAUSES.”

SEC. 5. There is hereby added a new section to read as follows:

“SEC. 14-C. ACCESS TO THE FILM ARCHIVES- THE COUNCIL SHALL FORMULATE SUITABLE RULES FOR ACCESSING FILMS IN THE ARCHIVES BY LEGITIMATE USERS AND MAY CHARGE FEES THEREFORE, PROVIDED THAT COPYING OR DUPLICATION SHALL NOT BE ALLOWED EXCEPT WITH THE WRITTEN PERMISSION OF THE COPYRIGHT HOLDER.”

SEC. 6. *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.

SEC. 7. *Separability Clause.*- If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SEC. 8. *Repealing Clause.* -All laws, decrees, executive orders, issuances, rules and regulations, or parts thereof, not consistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 9. *Effectivity Clause.* -This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of national circulation.

Approved,