

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
FIRST REGULAR SESSION)



Senate
Office of the Secretary

'16 AUG 25 A11 :28

SENATE
S. B. NO. 1102

RECEIVED BY: *J.*

Introduced by SENATOR JOSEPH VICTOR G. EJERCITO

**AN ACT CONSERVING, PROMOTING AND POPULARIZING THE
NATION'S HISTORICAL AND CULTURAL HERITAGE AND
RESOURCES, AS WELL AS ARTISTIC CREATIONS BY EXACTING A
PERFORMANCE FEE FROM FOREIGN PERFORMERS AND
ALLOCATING THE PROCEEDS THEREOF TO THE NATIONAL
COMMISSION FOR CULTURE AND THE ARTS AND FOR OTHER
PURPOSES**

EXPLANATORY NOTE

The 1987 Constitution under Article XIV, Section 14, succinctly provides that "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".

It further provides that "all the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under protection of the State which may regulate its disposition."

It is a known fact that for every foreign performer who graces the local entertainment industry and earns income derived from the Philippines sources, a local performer is displaced.

To address this imbalance, the foreign performer should be made to pay a charge, to be known as the Equity Fee, the proceeds of which shall be allocated to the National Commission on Culture and the Arts, the extant government agencies charged with promoting arts and culture.

Thus, the swift passage of this measure is earnestly sought.

JOSEPH VICTOR G. EJERCITO

Senator



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

1 SECTION 1. Title. - This Act shall be known and cited as "The Singer's
2 Equity Act."
3

4 SECTION 2. Declaration of Policy. - It is the policy of the State to
5 foster the preservation, enrichment and dynamic evolution of a Filipino
6 national culture based on the principle of unity in diversity in a climate of free
7 artistic and intellectual expression and that all the country's artistic and
8 historic wealth constitutes the cultural treasure of the nation and shall be
9 under the protection of the State which may regulate its disposition.
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11 SECTION 3. Equity Fee. - In addition to the fees currently being
12 imposed, there shall be charged on a foreign performer a fee equivalent to
13 Fifteen percent (15%) of his total talent fee for the privilege of performing in
14 the Philippines which shall be known as the Equity Fee.
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16 SECTION 4. Exception. - Performances of foreign performers for a
17 socio-civic benefit or to which audience does not pay for admission or which
18 the Cultural Center of the Philippines sponsors shall not be covered by this
19 Act.
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SECTION 5. Definition of Terms. - For purposes of this Act,

- a) A foreign performer is defined as an artist or entertainer, or the members of a group thereof, not holding a Philippine passport.
- b) The total talent fee, against which is imposed the Equity Fee, shall be that identified as such in the contract of service of the foreign performer, plus all other projected perks and benefits, including but not limited to the expenses for hotel accommodations, food and maintenance for the entire duration of stay in the Philippines.

SECTION 6. Procedure for Admission. - (a) The Equity Fee shall be payable to the Bureau of Internal Revenue (BIR) Regional Office nearest the venue of the first performance at least five (5) working days prior to the date of the first scheduled performance of the foreign performer.

(b) Payment shall be effected by the Producer, Promoter or Impresario chargeable to the account of the foreign performer.

(c) Within twenty (20) days from the receipt of the Equity Fee, The BIR regional office concerned shall remit the entire amount to the National Commission on Culture and Arts for its disposition in accordance with its charter and mandate.

SECTION 7. Fine. - A violation of this Act shall be meted a penalty of a fine of at least Five Hundred Thousand Pesos (P 500,000) but not more than Five Million Pesos (P5,000,000) depending on the gross receipts generated by the performances.

SECTION 8. Effectivity. - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved.