

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

'04 DEC -1 A9:36

SENATE

S. No. 1869

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Introduced by Senator Luisa 'Loi' P. Ejercito Estrada

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**EXPLANATORY NOTE**

The proposed bill puts into implementation the basic law of the land, thus that the State shall "establish, maintain, and support a complete, adequate, and integrated system of education relevant to the people and society." (Sec. 2 [1], Article XIV of the 1987 Constitution).

Also Section 13 of Article XIV of the fundamental law of the land provides that: "The State shall protect and secure the exclusive rights of scientists, investors, artists, and other gifted citizens to their intellectual property and creations, particularly when beneficial to the people, for such period as may be provided by law."

Pursuant to abovementioned constitutional provision, Congress on July 6, 1997, enacted into law Republic Act No. 8293, entitled: "An Act Prescribing the Intellectual Property Code and Establishing the Intellectual Property Office, Providing For Its Powers and Functions, and Other Purposes".

Moreover, under the National Book Policy adopted pursuant to Republic Act No. 8047, otherwise known as the "Book Publishing Industry Development Act", it mandates "to respect and inculcate the concept of intellectual property ownership and to protect the rights of authors and publishers by strictly enforcing copyright laws and providing legal assistance to authors and publishers in suits related thereto".

It must be noted however, in spite and despite of various laws and regulations, intellectual infringement and piracy of intellectual rights are rampant in the country. The provisions of the laws are derogated if not circumvented. Due to these situations, Philippines is under watch list as one of the countries where intellectual property rights are ignored and piracy of intellectual creations is nationwide.

Protection of intellectual property fosters creativity thus leading to patriotic enlightenment as contra-distinguished from total dependence on the outside world's creativity.

Recently, Socio Economic Planning Secretary Romulo Neri stated that: "40% of the world's economic output involves knowledge and its management" and that the Philippines has a "weak knowledge based". (Philippine Daily Inquirer, November 13, 2004, page A-3).

Along this line, this bill mandates the teaching of intellectual property ownership particularly copyright law as part of the curriculum of all primary, secondary and tertiary schools in the country.

Toward this end, it is imperative that the importance of copyright be imparted to our citizenry at an early age as well as in later in life. It may be the desired precondition that may convert the Philippines into one of the knowledge-based centers.

With proper education it is hope that piracy will be curtailed and our laws will be observed properly.

Finally, this bill if quickly passed into law will reaffirm and ensure the country's commitment to the UNESCO principle of free flow of information and other related provisions as embodied in the Florence Agreement and in other similar international agreements.

  
LUISA "LOI" PEJERCITO ESTRADA  
Senator

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AN ACT  
REQUIRING THE TEACHING OF INTELLECTUAL PROPERTY OWNERSHIP  
PARTICULARLY COPYRIGHT LAW AS PART OF THE CURRICULUM OF ALL  
PRIMARY, SECONDARY AND TERTIARY SCHOOLS IN THE COUNTRY, AND  
FOR OTHER PURPOSES

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

SECTION 1. The teaching of intellectual property ownership particularly copyright law is hereby required to be a part of the curriculum of all primary, secondary and tertiary schools in the country.

SEC. 2. The Department of Education (DepEd) and the Commission on Higher Education (CHED) shall adopt the necessary rules and regulations for the effective implementation of this Act.

SEC. 3 The funds needed for this purpose shall be taken from the appropriations of the Department of Education (DepEd) and/or Economic Support Fund allotted to said Department. Thereafter, such sum which may be necessary for the implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 4. All laws, orders, decrees, executive orders, rules and regulations, and other issuances, or parts thereof, inconsistent herewith are hereby repealed or modified accordingly.

SEC. 5. This Act shall take effect fifteen (15) days following its publication in a newspaper of general circulation.

Approved,