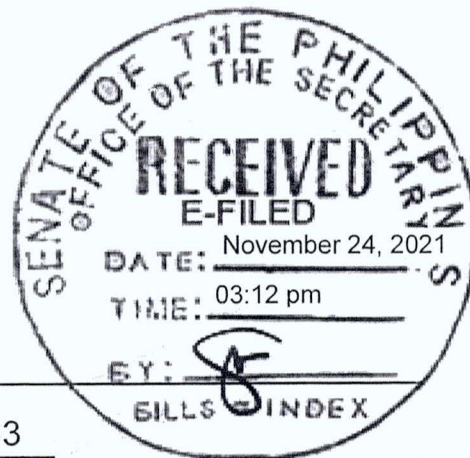


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* )



SENATE

COMMITTEE REPORT NO. 363

Submitted by the Committees on Trade, Commerce and Entrepreneurship; Ways and Means, and Finance, on November 24, 2021

Re: Senate Bill No. 2455 Prepared by the Committees

Recommending its approval in substitution of Senate Bill Nos. 411 and 2361, taking into consideration House Bill No. 10107

Sponsor: Senator Aquilino "Koko" Pimentel III

**MR. PRESIDENT**

The Committees on Trade, Commerce and Entrepreneurship; Ways and Means; and Finance; to which were referred **Senate Bill No. 411**, introduced by Senators Imee Marcos and Leila De Lima, *entitled*:

**"AN ACT**

**TO DEVELOP AND PROMOTE THE CREATIVE INDUSTRIES OF THE  
PHILIPPINES"**

**Senate Bill No. 2361**, introduced by Senator Ramon Bong Revilla Jr., *entitled*:

**"AN ACT**

**PROVIDING FOR THE PROMOTION AND DEVELOPMENT OF THE  
PHILIPPINE CREATIVE INDUSTRIES AND PROVIDING FUNDS THEREFOR"**

and taking into consideration House **Bill No. 10107**, introduced by Representative Victor A. Yap, et al., *entitled*:

**"AN ACT  
PROVIDING FOR THE PROMOTION AND DEVELOPMENT OF THE  
PHILIPPINE CREATIVE INDUSTRIES AND PROVIDING FUNDS THEREFOR"**

have considered the same and have the honor to report these back to the Senate with the recommendation that the attached **Senate Bill No. 2455** prepared by the Committees, entitled:

**"AN ACT  
TO DEVELOP AND PROMOTE THE CREATIVE INDUSTRIES OF THE  
PHILIPPINES"**

be approved in substitution of Senate Bill Nos. 411 and 2361, taking into consideration House Bill No. 10107, with Senators Marcos, De Lima, Revilla Jr., and Pimentel III, as authors thereof.

Respectfully submitted:

***Chairpersons***

 *will  
amend*

**SEN. PIA S. CAYETANO**

*Committee on Ways and Means; and  
Vice-Chairperson, Committee on Finance*



**SEN. AQUILINO "KOKO" PIMENTEL III**

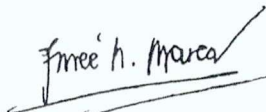
*Committee on Trade, Commerce and  
Entrepreneurship; and  
Member, Committee on Finance*



**SEN. SONNY M. ANGARA**

*Committee on Finance;  
Member, Committee on Trade, Commerce  
and Entrepreneurship; and  
Vice-Chairperson, Committee on Ways and  
Means*

***Vice-Chairpersons***



**SEN. IMEE R. MARCOS**

*Committee on Finance; and  
Member, Committee on Ways and Means*



**SEN. WIN GATCHALIAN**

*Committee on Trade, Commerce and  
Entrepreneurship;  
Committee on Finance; and  
Member, Committee on Ways and Means*



**SEN. JOEL VILLANUEVA**

*Committee on Finance*

**SEN. GRACE POE**

*Committee on Trade, Commerce and  
Entrepreneurship  
Committee on Finance; and  
Member, Committee on Ways and Means*



**SEN. RONALD "BATO" M. DELA ROSA**  
*Committee on Finance; and*  
*Member, Committee on Ways and Means*

**SEN. CYNTHIA A. VILLAR**  
*Committee on Finance; and*  
*Member, Committee on Trade, Commerce*  
*and Entrepreneurship*

**SEN. CHRISTOPHER "BONG" GO**  
*Committee on Finance; and*  
*Member, Committee on Ways and Means*

**SEN. RICHARD J. GORDON**  
*Committee on Finance;*  
*Member, Committee on Trade, Commerce*  
*and Entrepreneurship; and*  
*Member, Committee on Ways and Means*

**SEN. RISA HONTIVEROS**  
*Committee on Finance; and*  
*Member, Committee on Ways and Means*

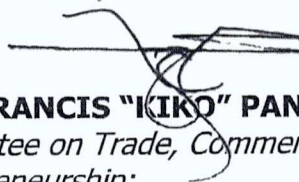
***Members***



**SEN. MANUEL "LITO" M. LAPID**  
*Committee on Ways and Means; and*  
*Committee on Finance*

**SEN. MARIA LOURDES NANCY S. BINAY**  
*Committee on Trade, Commerce and*  
*Entrepreneurship; and*  
*Committee on Finance*

**SEN. PANFILO M. LACSON**  
*Committee on Finance; and*  
*Committee on Ways and Means*




**SEN. FRANCIS "IKO" PANGILINAN**  
*Committee on Trade, Commerce and*  
*Entrepreneurship;*  
*Committee on Ways and Means; and*  
*Committee on Finance*





**SEN. RAMON BONG REVILLA, JR.**  
*Committee on Ways and Means; and*  
*Committee on Finance*

**SEN. LEILA M. DE LIMA**  
*Committee on Trade, Commerce and*  
*Entrepreneurship;*  
*Committee on Ways and Means; and*  
*Committee on Finance*



**SEN. EMMANUEL "MANNY" D.  
PACQUIAO**  
*Committee on Ways and Means; and*  
*Committee on Finance*

**SEN. FRANCIS "TOL" N. TOLENTINO**  
*Committee on Finance*

***Ex-Officio Members:***



**SEN. RALPH G. RECTO**  
President Pro-Tempore



**SEN. JUAN MIGUEL "MIGZ" F.  
ZUBIRI**  
Majority Floor Leader



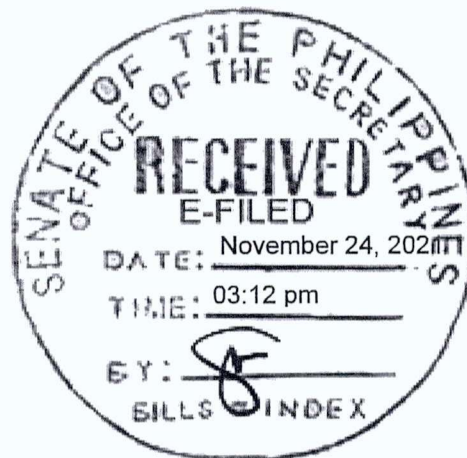
**SEN. FRANKLIN M. DRILON**  
Minority Floor Leader

**HON. VICENTE SOTTO III**  
Senate President

EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )

SENATE

S. B. No. 2455



(In Substitution of Senate Bill Nos. 411 and 2361, taking into  
consideration House Bill No. 10107)

---

Prepared by the Committee on Trade, Commerce and Entrepreneurship, joint with  
the Committees on Ways and Means, and Finance, with Senators Marcos, De Lima,  
Revilla Jr., and Pimentel III, as authors thereof.

---

**AN ACT**  
**TO DEVELOP AND PROMOTE THE CREATIVE INDUSTRIES OF THE**  
**PHILIPPINES**

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

**CHAPTER I**  
**PRELIMINARY PROVISIONS**

1       **SECTION 1. Short Title.** – This Act shall be known as the “*Creative Industries*  
2       *Charter of the Philippines.*”

3  
4       **Sec. 2. Declaration of Policy.** – It is the policy of the State to foster inclusive  
5       growth through a creative economy by developing and promoting all economic  
6       activities based on human creativity, skill, and talent related to technology, arts, and

1 culture. Likewise, the State shall protect and strengthen the exclusive rights of creative  
2 firms, artists, artisans, creators, content providers, and other gifted citizens to their  
3 intellectual property and creations.

4 To this end, the State shall establish a Creative Industries Development Council  
5 mandated to implement a long-term plan for the development and promotion of the  
6 Philippine creative industries, with programs aimed at creating opportunities and  
7 employment, nurturing human resources, ensuring financial-enabling mechanisms,  
8 and providing incentives to encourage and sustain Filipino excellence in the creative  
9 industries.

10  
11 **Sec. 3. Definition of Creative Industries.** As used in this Act, creative  
12 industries are trades involving persons, whether natural or juridical, that produce  
13 cultural, artistic, and innovative goods and services originating in human creativity,  
14 skill, and talent and having a potential to create wealth through the generation and  
15 utilization of intellectual property.

16 Creative industries include those directly or indirectly involved in the creation,  
17 production and manufacturing, performance, broadcasting, communication and  
18 exhibition, or distribution and sale of works and other subject matter, in accordance  
19 with existing laws, rules and regulations on intellectual property rights protection.

20 Creative industries include the following domains, with a non-exhaustive list of  
21 industries belonging under each:

- 22 (a) *Audiovisual Media Domain* refers to recorded and live audio and  
23 audiovisual content that are distributed via broadcast media such as  
24 television, radio, cable, satellite broadcasts, digital streaming platforms,  
25 or exhibited in cinema theaters, including films, television content,  
26 animated film productions, vlogs, and other content that utilize motion  
27 graphics, two-dimensional, and three-dimensional design technology  
28 and animatronics, recorded music, music scores, compositions ready for  
29 recording, podcasts, and entertaining audio or audiovisual material or  
30 content developed for educational purposes or edutainment content;
- 31 (b) *Digital Interactive Media Domain* refers to digital software programs,  
32 mobile applications and games created for and operated on inter-active



1 digital devices where user input is essential to the experience, including  
2 software and mobile apps, video games, computer games, mobile  
3 games, virtual augmented or mixed reality games, and digitalized  
4 creative content;

5 (c) *Creative Services Domain* refers to demand-driven commercial creative  
6 service work done on behalf of commissioning clients for complete  
7 creative output or partial outsourcing work, including advertising and  
8 marketing, creative research and development, cultural and recreational  
9 services, and live creative experiences, which refer to predesigned, real-  
10 time artistic performances and experiences aimed at specific audiences,  
11 with management and technical services provided to enhance the  
12 delivery of the performance and experience;

13 (d) *Design Domain* refers to the process of envisioning, planning, creation,  
14 and manufacturing of symbols, images, and products, whether for  
15 industrial or aesthetic purposes, spaces and systems, whether static or  
16 for interactive experiences, at the heart of which is creating solutions  
17 that address a need or a problem in various fields such as architecture,  
18 urban landscaping, interior and spatial planning, fashion and accessory  
19 making, textile development, furniture making, jewelry making, and toy  
20 making;

21 (e) *Publishing and Printed Media Domain* refers to the creation, publication,  
22 and distribution of artistic, journalistic and commercial literature in  
23 traditional physical print and digital format, including books, blogs,  
24 comics, graphic novels, editorials and commentaries, magazines, and  
25 other published media;

26 (f) *Performing Arts Domain* refers to all activities involved in the training of  
27 performers, the creation, promotion, distribution, exhibition, and  
28 preservation of artistic shows, performances and such other art forms  
29 including live music, theatre, musical theatre, dance, opera, circus,  
30 spoken word, and puppetry;

31 (g) *Visual Arts Domain* refers to all activities pertaining to the creation,  
32 promotion, distribution, and preservation of works that are primarily

visual in nature, including paintings, drawings, sculptures, photographs, antiques, performance art, art toys, collages, or other similar decorative material;

(h) *Traditional Cultural Expressions Domain* refers to tangible products and intangible customs, practices and expressions of traditional Filipino culture and heritage, including arts and crafts, gastronomy and culinary practices, cultural festivals, and celebrations;

(i) *Cultural Sites Domain* refers to the physical human-made locations, sites, and monuments that are of vital significance to the objective of promoting Philippine Culture, including historic buildings and town sites, important archaeological sites, and works of monumental sculptures or paintings. This domain encompasses the strategic role and activities of museums, libraries, creative cities, performing arts venues, and cultural exhibitions to promote the country's cultural sites; and

(j) Other such domains and industries as the Council may determine, subject to guidelines and criteria issued by the Council.

## CHAPTER II

### ORGANIZATION OF THE PHILIPPINE CREATIVE INDUSTRY DEVELOPMENT COUNCIL

**Sec. 4. *The Philippine Creative Industry Development Council*** – The Philippine Creative Industry Development Council, herein referred to as the Council, is hereby created as an office administratively attached to the Department of Trade and Industry.

The Council shall be composed of eighteen (18) members: nine (9) *ex-officio* members and nine (9) regular members from the private sector.

The nine (9) members who shall be *ex-officio* members of the Council are:

- (a) The Secretary of the Department of Trade and Industry (DTI), as Chairperson;
- (b) The Secretary of the Department of Education (DepEd);
- (c) The Secretary of the Department of Science and Technology (DOST);



- (d) The Secretary of the National Economic and Development Authority (NEDA);
- (e) The Secretary of the Department of Tourism (DOT);
- (f) The Secretary of the Department of Information and Communication Technology (DICT);
- (g) The Chairperson of the Commission on Higher Education (CHED);
- (h) The Chairman of the National Commission for Culture and the Arts (NCCA); and
- (i) The Director General of the Intellectual Property Office of the Philippines (IPOPHL).

The *ex officio* members of the Council may designate their respective next-in-rank officials as permanent alternates whose acts are considered as the acts of their principals.

The nine (9) regular members of the Council are the following:

- (a) Private sector representative of the Audiovisual Domain;
- (b) Private sector representative of the Digital Interactive Media Domain;
- (c) Private sector representative of the Creative Services Domain;
- (d) Private sector representative of the Design Domain;
- (e) Private sector representative of the Publishing and Printed Media Domain;
- (f) Private sector representative of the Performing Arts Domain;
- (g) Private sector representative of the Visual Arts Domain;
- (h) Private sector representative of the Traditional Cultural Expressions Domain; and
- (i) Private sector representative of the Cultural Sites Domain.

Every regular member shall be appointed by the President of the Philippines from a list submitted by the *ex officio* members of the Council nominating at least three (3) nominees for every regular member seat: *Provided*, That each of the nominees shall come from the private sector and must have at least ten (10) years of experience in the promotion and development of the creative industry domain which the nominee represents: *Provided, further*, That each of the nominees shall have been

1 endorsed by a business support organization or creative association relative to the  
2 creative industry domain sought to be represented.

3 The Council shall elect a co-chair among the nine (9) regular members.

4 The regular members of the Council shall serve for a term of six (6) years,  
5 unless sooner terminated due to death, resignation, or removal for cause, in which  
6 case their replacements shall serve only the unexpired portion of their respective  
7 terms. Of the first set of regular members, five (5) shall hold office for a term of three  
8 (3) years and the remaining four (4) for a term of six (6) years to be determined by  
9 the President of the Philippines.

10 The regular members of the Council shall receive *per diem* every meeting in  
11 accordance with existing rules and regulations.

12  
13 **Sec. 5. Meetings** – The Council shall meet at least once every quarter, or as  
14 often as necessary at the call of the Chairperson or majority of the members. Members  
15 of the Council who cannot physically attend or vote at Council meetings can participate  
16 and vote through remote communication including videoconferencing,  
17 teleconferencing, or other alternative modes of communication that allow them  
18 reasonable opportunities to participate. A majority of the incumbent members of the  
19 Council shall constitute a quorum to do business.

20  
21 **Sec. 6. Mandate, Powers, and Functions of the Council.** – The Council  
22 shall exercise the following powers and functions:

- 23 (a) Formulate and implement a Philippine Creative Industries Development  
24 Plan that shall define economic goals and key performance indicators for  
25 the creative industries including value creation, contribution to gross  
26 domestic product, job creation, export targets, and creative intellectual  
27 property targets, and such other strategies and activities provided for  
28 under Section 7 of this Act;
- 29 (b) Create a classification of the creative industries into sub-sectors based  
30 on strategic considerations, and create technical panels, working groups,  
31 or task forces that will assist the Council in the performance of its



functions, in coordination with the Philippine Statistics Authority (PSA) for its integration in the Philippine Standard Industry Classification;

(c) Issue guidelines and criteria in identifying the persons and stakeholders in the creative industries who may receive aid from the State in times of national emergencies;

(d) Issue guidelines for the accreditation of business support organizations and creative associations that may be entitled to the programs of the Council under this Act, as well as create programs that will assist the creative industry stakeholders in establishing such business support organizations and creative associations;

(e) Generate and mobilize resources from domestic and foreign sources, receive and accept donations and other conveyances by gratuitous title, including funds, materials and services, and rationalize the use and the equitable distribution of such resources to the various creative industries through mechanisms including competitive grants;

(f) Develop and sustain cooperative exchanges, partnerships, and collaborations with and among government agencies, creative entities, organizations, and associations, locally and overseas, whether from the public or private sector, and coordinate with the Department of Foreign Affairs (DFA) and other pertinent government agencies for overseas cooperative exchanges, partnerships, and collaborations;

(g) Endorse to the DTI prospective multi- and bi-lateral international trade agreements beneficial to the Philippine creative industries, as well as United Nations Conference on Trade and Development (UNCTAD) and United Nations Educational, Scientific and Cultural Organization (UNESCO) creative economy activities, conferences, and events for possible country representation, in coordination with the Philippine National Commission for UNESCO (UNACOM);

(h) Enter into, make, perform and carry out contracts of every kind and description with any person, firm or association or corporation, domestic or foreign, and sue or be sued relative to the contracts entered into;

- 1 (i) Acquire, utilize or dispose of, in any manner recognized by law, real or  
2 personal property in the Philippines or elsewhere necessary to carry out  
3 the purposes of this Act;
- 4 (j) Raise or borrow, within the limitation provided by law, and subject to  
5 the approval or opinion of the Monetary Board of the *Bangko Sentral ng*  
6 *Pilipinas* (BSP) and of the Department of Finance (DOF), as the case may  
7 be, adequate and necessary funds from local or foreign sources, to  
8 finance its projects and programs under this Act and for this purpose,  
9 issue bonds, promissory notes and other forms of securities, and secure  
10 the same by a guarantee, pledge, mortgage, deed of trust or an  
11 assignment of all or part of its property or assets;
- 12 (k) Adopt, alter and use a corporate seal;
- 13 (l) Delegate, from time to time, any of the powers of the Council which may  
14 be lawfully delegated pursuant to existing laws, to the Executive  
15 Director, or in the absence of the Executive Director, to any of the  
16 Deputy Executive Directors, such powers and upon such terms as may  
17 be deemed fit;
- 18 (m) Create *ad hoc* committees or technical working groups representing  
19 different creative industries and appropriate government agencies to  
20 discuss specific issues relative to each creative industry, provide sound  
21 advice, and recommend policies or programs to the Council; and
- 22 (n) Promulgate such rules and regulations and exercise such other powers  
23 and functions as may be necessary to effectively carry out the  
24 attainment of the purposes and objectives of this Act.

25 In the exercise of its powers and functions, the Council shall, at all times,  
26 coordinate and synergize its plans and programs with the national government  
27 agencies (NGAs) that have existing mandates in culture and the arts, including in the  
28 various creative industry domains that are defined in Section 3 of this Act, as well as  
29 with NGAs that may be similarly mandated under future legislation or government  
30 reorganization, including but not limited to the following:

- 31 (a) Film Development Council of the Philippines;  
32 (b) National Council for Children's Television;



- (c) Design Center of the Philippines;
- (d) Cultural Center of the Philippines;
- (e) National Museum; and
- (f) National Book Development Board.

To this end, the Council may invite the NGAs to present their plans, proposals, and programs during its regular meetings.

### CHAPTER III

#### THE PHILIPPINE CREATIVE INDUSTRIES DEVELOPMENT PLAN

**Sec. 7. *The Philippine Creative Industries Development Plan.*** – The Council, in coordination with the NGAs referred to in the preceding section, shall formulate the Philippine Creative Industries Development Plan, hereinafter referred to as the Plan, that sets forth the objectives, targets, strategies, and activities on the development and promotion of Philippine creative industries. The Plan must be submitted to the President of the Philippines for approval within one (1) year after the effectivity of this Act and is subject to mandatory review every three (3) years.

The Plan shall include a three-year, six-year, and ten-year development timeline for its vision, mission, goals, and milestones.

The Plan shall include the following components, among others as may later be determined by the Council:

- (a) Well-defined and measurable economic goals and key performance indicators for the creative industries including value creation, contribution to gross domestic product, job creation, export targets, and creative intellectual property targets;
- (b) A review of the existing governance and policy framework under which the Plan may be implemented;
- (c) Current data and findings of scientific, interdisciplinary and policy-oriented research on technological advancements, methodologies, distribution models, product lines, and value chains pertaining to creative industries in aid of the implementation of the Plan;

- (d) Analyses of current and emerging trends and changes in technology, trade, consumption, demography, the environment, and health that impacts the labor market for creative talent;
- (e) Areas of possible strategic investments in the creative industries;
- (f) Financial assistance programs, investments schemes, loan programs, and guarantees for micro, small, and medium enterprises (MSMEs) in the creative industries;
- (g) Technical, technological, and financial assistance programs for the development, processing, commercialization and marketing of goods and services generated by the creative industries;
- (h) Programs that promote stronger linkages and collaborations between stakeholders in the creative industries and government;
- (i) Programs and areas of investment to incubate, encourage, and promote the development of original creative content and talent in the relevant creative industry domains;
- (j) Strategies that allow creative industries greater access to both national and international markets and harness the competitive advantages of the creative industries;
- (k) Possible Special Economic Zones that support the growth and development of various creative industries in accordance with Republic Act No. 7916, otherwise known as "*The Special Economic Zone Act of 1995*," as amended, as part of a digital-creative economy nexus;
- (l) Programs that promote the hiring and employment of workers in the creative industries;
- (m) Policies that ensure access of workers in the creative industries to sustainable and dignified livelihood, and protection of their rights and welfare in accordance with law;
- (n) Programs that promote a stronger intellectual property ecosystem among and across creative industries;
- (o) A comprehensive digital acceleration plan for Philippine creative industries;



- (p) Strategies towards the creation of a creative cities network to promote an avenue of mutual support and exchange of ideas among local government units, in coordination with the DFA, UNACOM, and the Department of Interior and Local Government (DILG);
- (q) Programs that establish a coordinative relationship with the leading national agency on Disaster Risk Management and Resilience to ensure that players of the creative economy are covered, involved, and included in all aspects of disaster management and resilience from planning to implementation; and
- (r) Guidelines, programs, and strategies for the proper management of the Creative Industry Development Fund as provided for under Section 21 of this Act.

**Sec. 8. Organization of the National Secretariat on Creative Industries.** – The Council shall organize a National Secretariat to be headed by the Executive Director, who must be a Filipino citizen, a resident of the Philippines, and at least thirty (30) years of age at the time of appointment. The Executive Director must be a holder of a college degree in a related field of discipline, a person of good moral character, proven integrity, and administrative proficiency, have independence, experience, knowledge, and commitment to the promotion and development of Philippine creative industries with at least ten (10) years of competence, expertise, and leadership in at least one (1) sector of the creative industries prior to the date of appointment.

The Executive Director shall be assisted by two (2) Deputy Executive Directors and an administrative staff. The Deputy Executive Directors shall have the same qualifications for appointment as the Executive Director.

The President of the Philippines shall appoint the Executive Director and the Deputy Executive Directors from a list of at least five (5) nominees submitted by the Council.

The Executive Director and the Deputy Executive Directors shall serve for a term of three (3) years, with reappointment for another term. In case of death,

1 resignation, or removal for cause, their replacements shall serve only the unexpired  
2 portion of their respective terms.

3 Within one hundred twenty (120) days after the effectivity of this Act, the  
4 Council shall determine the organizational structure, staffing pattern, and  
5 compensation system of the National Secretariat, including the duties, qualifications,  
6 responsibilities, and functions of its officers and staff members, and submit the same  
7 to the Department of Budget and Management (DBM) for approval. The officers and  
8 employees of the National Secretariat shall be appointed in accordance with civil  
9 service laws, rules, and regulations.

10 The Council shall establish the permanent office of the National Secretariat  
11 within one (1) year upon the effectivity of this Act.

12  
13 **Sec. 9. Duties and Functions of the Executive Director.** The Executive  
14 Director shall exercise the following duties and functions:

- 15 (a) Direct and manage the affairs of the National Secretariat in accordance  
16 with the policies of the Council;
- 17 (b) Establish the internal organization of the National Secretariat under such  
18 conditions that the Council may prescribe;
- 19 (c) Submit an annual budget and necessary supplemental budget to the  
20 Council for its approval;
- 21 (d) Ensure the faithful and proper implementation of the Plan, and  
22 recommend changes thereto for consideration of the Council;
- 23 (e) Review all existing policies, plans, programs, and projects of the  
24 government, and formulate and recommend to the Council, in  
25 coordination with government agencies, non-government organizations,  
26 business support organizations, and creative associations, national  
27 policies, plans, and programs that support the creative industries;
- 28 (f) Maintain a database of all relevant data and information regarding the  
29 creative industries in conjunction with the PSA and such other agencies  
30 that maintain any related database;
- 31 (g) Maintain a database of accredited business support organizations and  
32 creative associations in the creative industries, in coordination with the



Local Culture and Arts Councils (LCAC), pursuant to Section 19 of this Act;

- (h) Encourage persons in the creative industries to join business support organizations and creative associations in their respective fields;
- (i) Establish and promote a culture of continuing dialogue between government and business support organizations and creative associations within the creative industries on proper planning and evaluation of policies, programs, and projects affecting its stakeholders;
- (j) Build national awareness of the creative industries through various strategies including advocacy and communication campaigns;
- (k) Ensure the promotion, marketing, distribution, and export of creative industry outputs in both local and international markets in coordination with the Board of Investments (BOI), Export Management Bureau (EMB), Foreign Service Trade Corps (FSTC), and the Center for International Trade, Expositions, and Missions (CITEM);
- (l) Submit within thirty (30) days after the close of each fiscal year an annual report and other reporting requirements to the Council;
- (m) Submit to the Council for its approval, policies, systems, procedures, rules, and regulations that are essential to the operation of the National Secretariat;
- (n) Recommend to the Council the remuneration and other emoluments of its officers and employees in accordance with existing laws on compensation and position classification; and
- (o) Perform such other duties as may be assigned by the Council or which are necessary or incidental to the office.

## CHAPTER IV

### SUPPORT TO THE CREATIVE INDUSTRIES

**Sec. 10. Infrastructure Support.** - Entities from the creative industries may avail of Shared Service Facilities from the DTI and the infrastructure support programs under Republic Act No. 11293, otherwise known as the "*Philippine Innovation Act.*"

1 Further, the Council shall create subsidized rental schemes for studios and venues,  
2 and provide co-working spaces, colocations, and other similar facilities and hardware  
3 that may be utilized by multiple creative industry stakeholders towards the creation,  
4 cultivation, and promotion of their goods or services.

5 Shared Service Facilities refer to machinery, equipment, tools, systems,  
6 accessories and other auxiliary items, skills, and knowledge that are being provided  
7 by the DTI under a combined and collective system to its target beneficiaries. The DTI  
8 shall promulgate guidelines on availing of its Shared Service Facilities, including the  
9 manner of selecting its beneficiaries.

10  
11 ***Sec. 11. Research and Development (R&D) and Innovation Support.***

12 – Accredited entities from the creative industries may avail of the research and  
13 development support program of the DOST that provides financial support to research  
14 projects addressing the industry needs through science and technology interventions,  
15 accelerating the transfer and commercialization of generated technologies, and  
16 strengthening the capability of human resources and institutions to undertake  
17 research and development. Research grants may be availed of by government  
18 research and academic institutions as well as local companies and start-ups, subject  
19 to the evaluation and approval of the DOST.

20  
21 ***Sec. 12. Digitalization of the Creative Industries*** – Micro, small and

22 medium enterprises and stakeholders in the creative industries shall be granted access  
23 to digital services and digital training platforms. Technical and financial assistance  
24 programs shall also be provided to Filipino entities that endeavor to create digital  
25 content distribution platforms benefitting the creative industries. Dedicated high-  
26 speed infrastructure and bandwidth shall be provided by the DICT and the National  
27 Telecommunications Commission to the accredited MSMEs and stakeholders in the  
28 creative industries, to ensure that such services, platforms, and programs are  
29 delivered efficiently to creative industry enterprises. The DICT shall promulgate  
30 guidelines to implement this program, including the manner of selecting its  
31 beneficiaries.



1       **Sec. 13. Access to Credit and Financial Instruments.** – Government-  
2 owned, -controlled, or -supported financial institutions shall give priority to creative  
3 industries in providing credit assistance and guarantee schemes, subject to the rules  
4 and regulations of the concerned financial institutions.

5  
6       **Sec. 14. Creative Voucher System.** – A Creative Voucher System shall be  
7 established to systematize the granting of support, aid, and other incentives to  
8 creative industry entities. To this end, creative vouchers shall be issued to stakeholders  
9 belonging to accredited business support organizations or creative associations in the  
10 creative industries, which entitle them to receive the support, aid, and incentives from  
11 the various government agencies. The Council shall promulgate guidelines to  
12 implement the Creative Voucher System.

13  
14       **Sec. 15. Creative Industries Investment Priority Plan.** – The Council  
15 shall create a Creative Industries Investment Priority Plan (CIIPP) that contains a list  
16 of specific activities in the creative industries that may qualify for incentives. The CIIPP  
17 must be duly supported by the studies of existing and prospective demands for such  
18 products and services in light of the level and structure of income, production, trade,  
19 prices and relevant economic and technical factors of the regions as well as existing  
20 facilities.

21       Enterprises engaged in creative industry activities listed in the CIIPP shall be  
22 entitled to applicable fiscal incentives as provided for under Republic Act No. 11534  
23 and non-fiscal support as contained in the Strategic Investment Priority Plan (SIPP),  
24 subject to the requirements and limitations set and determined by the Board of  
25 Investments, in coordination with the Fiscal Incentives Review Board: *Provided, That*  
26 creative industry activities shall always be included in the SIPP.

27  
28       **Sec. 16. Creative Instruction and Education.** – The following NGAs shall  
29 establish a Creative Educational Plan and other policies, programs, and strategies  
30 geared towards the development of the country's human resources in the creative  
31 industries:

1 (a) DepEd and the CHED shall, among others, support and develop relevant  
2 programs related to creative industries and provide scholarships to  
3 deserving basic education and college and post-graduate students  
4 enrolled in programs and courses related to the creative industries:  
5 *Provided, That* priority shall be given to underprivileged students. The  
6 CHED shall also identify Creative Centers of Excellence and establish  
7 criteria for such identification;

8 (b) The Technical Education and Skills Development Authority (TESDA)  
9 shall, among others, provide talent and skills training through  
10 scholarship programs in courses related to creative industries for  
11 entrepreneurs, workers, trainees, and stakeholders in the creative  
12 industries, as well as provide continuous education, talent and skills  
13 training, and capacity-building for other stakeholders in the creative  
14 industries.

15 The DepEd, CHED, and TESDA shall also extend incentives to academic  
16 institutions that provide funds and/or grants for the research of their students and  
17 faculty on matters relating to the development and promotion of Philippine creative  
18 industries.

19  
20 **Sec. 17. *Creative Industry Data and Information Management.*** The  
21 Council and the National Secretariat shall be in close coordination with the PSA and  
22 other relevant NGAs in the setting up of a satellite account for creative industries, as  
23 well as its data collection and management. The collection and management of data  
24 must be conducted diligently to maintain the accuracy of the country's national income  
25 accounting.

26 The National Secretariat shall also develop and maintain a website that shall  
27 serve as the primary source of information on statistics, events, government  
28 programs, and benefits for Philippine creative industries. This shall involve the  
29 integration of any existing websites and content on programs implemented by the  
30 government for all creative industry domains in the country.



1       **Sec. 18. Local Culture and Arts Councils.** - All local government units, in  
2 coordination with the Council and the DILG, shall establish a Local Culture and Art  
3 Council (LCAC). The LCAC shall exercise the following functions and powers in addition  
4 to those provided under existing statutes, memoranda, and other issuances:

- 5       (a) Support the Council in all of its functions as provided in Section 6 of this  
6 Act;
- 7       (b) Report to the Council the development and status of the implementation  
8 of programs at the local level;
- 9       (c) Regularly maintain a database of business support organizations and  
10 creative associations within the territorial jurisdiction of the local  
11 government unit where the LCAC is located and transmit such data to  
12 the Council;
- 13       (d) Formulate, plan, coordinate, implement, and assess policies, programs,  
14 activities, and projects that promote and develop the locality's creative  
15 industries, in coordination with the Council; and
- 16       (e) Perform such other duties and functions as the Council may direct.

17  
18       **Sec. 19. One-Stop Registration Center.** – The *Negosyo* Centers in local  
19 government units established under Republic Act No. 10644, otherwise known as the  
20 "*Go Negosyo Act*," shall extend its services as a one-stop shop to assist creative  
21 industry MSMEs or entrepreneurs in availing government services that are applicable  
22 to the creative industries, including intellectual property registration, product and  
23 business registration, loans, grants and benefits programs. There shall be a special  
24 lane in all *Negosyo* Centers for this purpose.

25       *Negosyo* Centers shall provide electronic means of access and registration for  
26 creative industry MSMEs or entrepreneurs, in accordance with the provisions of  
27 Republic Act No. 9485, otherwise known as the "*Ease of Doing Business and Efficient*  
28 *Government Service Delivery Act of 2018*," as amended.

29  
30       **Sec. 20. Engagement with the Private Sector.** – Accredited business  
31 support organizations and creative associations shall, at all times, be consulted and  
32 coordinated with on the formulation and implementation of programs and policies



1 concerning the creative industries, including the creation of jobs and the granting of  
2 aid during national emergencies. Moreover, public-private partnerships shall also be  
3 promoted towards infrastructure development for creative industries, subject to the  
4 provisions of Republic Act No. 6957, as amended, otherwise known as the "*Philippine*  
5 *Build-Operate-Transfer (BOT) Law.*"

6  
7 **Sec. 21. *The Creative Industry Development Fund.*** There is hereby  
8 established a Special Account in the General Fund with the National Treasury to be  
9 called the Creative Industry Development Fund, herein referred to as the Fund. The  
10 purpose of the fund is for research and development, trade promotion, human  
11 resource development in the creative industry and for the welfare of artists, workers  
12 and other stakeholders through accredited business support organizations and  
13 creative associations. The Fund shall be capitalized and administered by the Council  
14 in accordance with existing government budgeting, accounting and auditing rules and  
15 regulations. The Fund shall be sourced from the loans, contributions, grants, bequests,  
16 gifts, and donations, whether from local or foreign sources: *Provided*, That acceptance  
17 of grants, bequests, contributions and donations from foreign governments shall be  
18 subject to the approval of the President upon recommendation of the Secretary of the  
19 Department of Foreign Affairs: *Provided, further*, That such grants, bequests,  
20 contributions, and donations shall be deductible for income tax purposes in accordance  
21 with the provisions of the National Internal Revenue Code, as amended.

22 The program of expenditure for the programs, projects, and activities to be  
23 funded by the Fund shall be itemized on a project-to-project basis and submitted  
24 annually to Congress. In the identification and prioritization of specific programs,  
25 projects, and activities, the Council shall conduct prior consultation with the  
26 representatives of the creative industry.

## 27 28 **CHAPTER V** 29 **FINAL PROVISIONS** 30

31 **Sec. 22. *Annual Report.*** – The Council shall submit to the President of the  
32 Philippines and to both Houses of Congress, not later than the 30th of April of every

1 year following the effectivity of this Act, a report giving a detailed account of the status  
2 of the implementation of this Act, including any recommendations for legislation, if  
3 necessary.

4  
5 **Sec. 23. *Mandatory Review.*** – This Act is subject for review at least once  
6 every five (5) years or as often as may be deemed necessary by the Congress of the  
7 Philippines, with the primary objective of enacting necessary reforms to respond to  
8 emerging needs and developments in the creative industry, which may include a  
9 review of existing governance structures.

10  
11 **Sec. 24. *Appropriations.*** – The amount necessary for the immediate  
12 implementation of this Act shall be included in the annual General Appropriations Act.

13  
14 **Sec. 25. *Implementing Rules and Regulations.*** – Within sixty (60) days  
15 from the effectivity of this Act, the Secretary of Trade and Industry shall, in  
16 consultation with other concerned government agencies and the representatives of  
17 the creative industry and non-government organizations, promulgate the necessary  
18 rules and regulations for the effective implementation of this Act.

19  
20 **Sec. 26. *Separability Clause.*** – If any provision of this Act is held invalid or  
21 unconstitutional, the other provisions not affected thereby shall remain in full force  
22 and effect.

23  
24 **Sec. 27. *Repealing Clause.*** – All laws, presidential decrees, executive orders,  
25 rules and regulations and other issuances or parts thereof which are inconsistent with  
26 the provisions of this Act, are hereby repealed, amended or modified.

27  
28 **Sec. 28. *Effectivity.*** – This Act shall take effect fifteen (15) days after its  
29 publication in the *Official Gazette* or in at least two (2) newspapers of general  
30 circulation in the Philippines.

31  
32 *Approved,*