

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
SECOND REGULAR SESSION)



'11 AUG -9 AIO :00

SENATE

S. B. No. 2930

RECEIVED BY: 2

Introduced by **Senator TEOFISTO "TG" GUINGONA III**

EXPLANATORY NOTE

Design goes beyond aesthetics. It is a product of the merger between creativity and innovation. Ultimately, it is a problem-solving mechanism. Design fuses art, culture, business, science and technology towards the paramount purpose of solving problems, which in turn leads to improving the quality of human life.

Indications of a global momentous economic shift are evident. Design is being seriously recognized as an engine for economic and social progression. Studies show that design can create value for the country as it has the potential to generate wealth, produce substantial employment, set off a rising standard of living, and stimulate global competitiveness, in the process.

The substantial socioeconomic value of design is difficult to overlook. Design cuts across many areas of public concerns, such as urban development, housing, enterprise and business strategy, education and capability development, culture, heritage, transportation, healthcare, and trade development. Our neighboring Asian countries have already begun tapping into this inexhaustible human resource spawned by creativity and innovation. Design Councils have been established to utilize and enhance the maximum potential of design. Singapore has the *DesignSingapore Council*; South Korea has the *Korean Institute of Design Promotion*; and Thailand has the *Thailand Creative & Design Center*, to name a few. All these groups are geared towards design-driven ways to achieving economic growth, and at the same time enhancing human life.

Section 9, Article II of the 1987 Philippine Constitution provides that "the State shall promote a just and dynamic social order and free the people from poverty through policies that provide and promote full employment, a rising standard of living, and an improved quality of life for all."

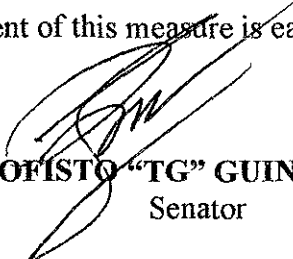
The creation of the *Design Council of the Philippines* will be in consonance with the aforementioned state policy. It is opportune for the Philippines to focus on design as a key catalyst to creating new opportunities that would give our economy that much needed boost. The Philippines is now presented with a challenge to create its own Design Council that would apply, develop and sustain design as an innovative, practical and effective problem-solving mechanism. We are more than ready to conquer this challenge as our nation is blessed with a vast supply of brilliant and artistic individuals endowed with creativity and ingenuity, who are working on design. With the creation of the *Design Council of the Philippines*, a national design policy shall

brilliant and artistic individuals endowed with creativity and ingenuity, who are working on design. With the creation of the *Design Council of the Philippines*, a national design policy shall be formulated to guide our design and creative industries on the road to making the Philippines the “design hub” of Asia.

An additional point in favor of the Design Council Initiative is the fact that design is crucial in strengthening and marketing the distinctive “branding” of a country. Design should therefore be the key element to the country’s research and innovation strategy. The Philippines would enormously benefit from this in the promotion of its products and services to the world.

We should not let the creativity, skills and talents of our people go to waste. The establishment of the *Design Council of the Philippines* will ensure that creativity and innovation will be applied to achieving genuine national progress.

In view of the foregoing, the immediate enactment of this measure is earnestly sought.

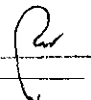


TEOFISTO “TG” GUINGONA III
Senator

'11 AUG -9 AM 10:00

SENATE

S. B. No. **2930**

RECEIVED BY: 

Introduced by Senator TEOFISTO "TG" GUINGONA III

AN ACT
CREATING THE DESIGN COUNCIL OF THE PHILIPPINES, DEFINING ITS
POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR
OTHER PURPOSES

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

SECTION 1. *Short Title.* - This Act shall be known as the "*Design Council of the Philippines Act of 2011.*"

SECTION 2. *Statement of Policy.* - It is hereby declared the policy of the State to prioritize, strengthen, and promote a design-driven economy by investing on our creative capital. The State shall also endeavor to develop the Philippines as the "design hub" of Asia.

SECTION 3. *Definition of Terms.* - For purposes of this Act, the following terms shall mean:

- A) "***Design***" - shall refer to the product of creativity and innovation. It shall also mean the problem-solving mechanism that fuses art, culture, business, science and technology towards the paramount purpose of improving the quality of human life;
- B) "***Design Industry***" - shall refer to a sector of the Creative Industry which is chiefly dedicated to the following endeavors: (1) Environmental Design; (2) Industrial, Product, and Fashion Design; (3) Advertising and Visual Communications Design; and (4) Software Design; and
- C) "***Mapping***" - shall mean identifying individuals, corporations, partnerships, associations, and other informal groups working in design-related industries; categorizing their services and competencies; finding their respective locations in the country; quantifying their potential for inducing socio-economic growth; evaluating design-related challenges, needs and issues; and determining how each could contribute to the design-driven economy of the country.
- D) "***Designer***" - shall refer to an individual or group of individuals, who generates new ideas (creativity), successfully exploits these new ideas (innovation), and utilizes design as a strategic tool to link the two.

SECTION 4. *The Design Council of the Philippines.* - The Design Council of the Philippines, hereinafter referred to as the Design Council, is hereby established to provide clear and positive direction towards harnessing and advancing the country's design-driven economy.

SECTION 5. *Purpose and Objectives of the Design Council.* - The Design Council shall promote and develop the design industry of the Philippines by developing, through relevant consultations with stakeholders, a National Design Policy, hereinafter referred as NDP, for the

Philippines. Likewise, the Design Council is tasked to ensure the proper implementation of the NDP.

In fulfilling the NDP, the Design Council will undertake consultations with stakeholders in the design industry, and relevant government agencies such as, but not limited to, the National Economic Development Agency (NEDA) and the Department of Trade and Industry (DTI).

SECTION 6. *The National Design Policy.* – The NDP shall be the state’s strategy to launching and sustaining an innovation-driven and design-savvy nation. The NDP shall be crafted in such a way to achieve the following national goals:

- (a) To expand the design culture nationwide;**
 - (a.1.) To create a demand and an appreciation for good design not only among citizens, but also within government institutions
 - (a.2) To conceive effective and sustainable design-related promotional strategies that take social, environmental and economic considerations into account

- (b) To propagate design as problem-solving;**
 - (b.1) To conceive effective and sustainable design-related strategies to drive economic growth (employment and trade) and social innovation (sustainability, efficiency, access)
 - (b.2) To establish mentoring and support system to introduce the process and the benefits of the strategic use of good design in business administration, commerce, trade, enterprises, as well as government administration
 - (b.3) To make government invest in good design

- (c) To boost competitiveness of the Filipino Design Industry;**
 - (c.1) To build capabilities of Filipino designers by improving design education
 - (c.2) To establish programs & events that will continually challenge designers’ capabilities, i.e. competitions help government solve challenges/issues that could benefit from design thinking
 - (c.3) To establish networks & resources for knowledge exchange, capability development & content creation on design
 - (c.4) To provide more avenues for Filipino designers to showcase their talent locally & Internationally
 - (c.5) To create a demand for good design
 - (c.6) To increase the country’s design capacity by creating opportunities for design education and design research, and by creating and investing on infrastructure and technology to support design
 - (c.8) To promote the growth, professionalization and globalization of the Filipino Design Industry

- (d) To build a strong National Identity; and**

- (e) Other goals analogous to the foregoing.**

SECTION 7. *Powers and Functions of the Council.* - The Design Council shall exercise the following powers and functions in order to carry out its mandate:

- (a) Create the National Design Policy of the Philippines, which will be integrated into government policies to achieve national development;
- (b) Coordinate, monitor, and assess the implementation of the NDP, and, when necessary, recommend appropriate adjustments thereon in the light of changing conditions in both the domestic and international environment;
- (c) Conduct a comprehensive mapping of individuals or groups working in the design and creative industries in conjunction with a comprehensive mapping of their needs.
- (d) Design a mentoring and support system for individuals, corporations, partnerships or associations, particularly Small and Medium-sized Enterprises (SMEs), who want to

benefit from the strategic use of good design in business administration, commerce, trade and other enterprises;

- (e) Initiate design-led projects and competitions for the private sector to help government solve socioeconomic challenges;
- (f) To raise greater public awareness and appreciation of the socioeconomic value of good design through exhibitions, among others;
- (g) Establish networks and resources for knowledge exchange, capability development and content creation on design;
- (h) Recommend to Congress any proposed legislation that would contribute to advancement of design; and
- (i) Perform such other powers and functions as may be necessary, incidental or proper to its mandate.

SECTION 8. *Composition of the Design Council.* - The members of the Design Council shall be composed of twelve (12) design practitioners and two (2) representatives from the Design Academe. A set of two (2) design practitioners shall each represent the following six (6) sectors of the Design Industry, namely: 1) Visual Communications; (2) Information Design; (3) New Media & Technology; and (4) Fashion Design; (5) Industrial Design; and (6) Environmental Design; while the Education & Training sector of the Design Industry will be represented by two (2) representatives of the Design Academe.

The Secretary of Trade and Industry and one (1) representative from the aforementioned fourteen (14) members shall be Co-Chairs of the Design Council.

The co-chair chosen from the fourteen (14) members shall be ex officio Chief Design Officer, who will head the design strategy across the Design Council's various projects.

SECTION 9. *Term of service* – All fourteen (14) members of the Design Council shall be appointed by the President of the Philippines, with a term of six (6) years.

SECTION 10. *Domicile of the Design Council.* - The principal office of the Design Council shall be established in Metro Manila, Philippines.

SECTION 11. *Advisory Board to the Design Council.* - The Advisory Board shall be composed of the heads of the following government agencies, who will act as such, during their tenure:

- (a) Department of Trade and Industry;
- (b) Department of Science and Technology;
- (c) Department of Labor and Employment;
- (d) Intellectual Property Office;
- (e) Department of Education;
- (f) Commission on Higher Education;
- (g) Technical Education and Skills Development Authority;
- (h) Technology and Livelihood Research Center;
- (i) National Commission for the Culture and the Arts;
- (j) Product Development and Design Center of the Philippines;
- (k) Center for International Trade, Expositions and Missions; and
- (l) National Economic Development Authority

The Advisory Council shall also include one (1) representative from the business sector. He shall be appointed by the President of the Philippines, with a term of six (6) years.

SECTION 12. *Purpose and Objectives of the Advisory Board.* - The Advisory Board would advise the Design Council on how to cultivate design into one of the key pillars of the country's socioeconomic growth.

SECTION 13. Powers and Functions of the Advisory Board. – The Advisory Board shall exercise the following powers and functions:

- (a) Provide the advice and insight essential to pursuing the mandate of the Design Council by collectively representing the views of the public sector;
- (b) To serve as the forum for synthesizing problems and recommendations of common interest to the Design community in general;
- (c) Provide leadership and guidance on how the government could achieve the NDP;
- (d) Promulgate government regulations relevant to the implementation of the NDP; and
- (e) Provide advice and insight on how the business sector could capitalize on design and thereby contribute to the economy.

SECTION 14. Secretariat. - The Design Council shall organize a Secretariat which shall report directly to it and shall be managed by two (2) Directors for Operations, one representing the Design Council and the other representing the Advisory Board.

SECTION 15. Annual Report. - The Design Council shall submit an annual report to Congress on the status of the implementation of this Act and the developments and significant achievements of the Design Council during the past year not later than December 31 of each year.

SECTION. 16. Implementing Rules and Regulations. - The Design Council shall issue and promulgate the necessary implementing rules and regulations within thirty (30) days upon the approval of this Act.

SECTION 17. Appropriations Clause. – The Design Council shall be provided with an initial appropriation of Thirty Million Philippine pesos (PhP30,000,000.00) to be drawn from the national government. Appropriations for the succeeding years shall be included in the General Appropriations Act.

SECTION 18. Separability Clause. – If any provision or section of this Act or the application thereof to any person or circumstance is held to be invalid, the other provisions or sections of this Act, and the application of such provision or section to other persons or circumstances, shall not be affected thereby.

SECTION 19. Repealing Clause. – All laws, decrees, executive orders, rules and regulations, or parts thereof as are inconsistent with this Act, are hereby repealed, amended or modified accordingly.

SECTION 20. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,