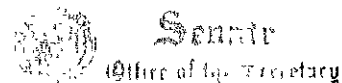
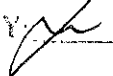


FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



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SENATE

S.B. No. **3071**

(In substitution of Senate Bill Nos. 1064 and 2930, taking into consideration the speech of Senator Guingona III entitled, "Design Council of the Philippines" dated August 9, 2011)

Prepared Jointly by the Committees on Trade and Commerce, Local Government, Ways and Means, Economic Affairs, and Finance with Senators Villar and Guingona III as authors thereof

**"AN ACT
PROMOTING COMPETITIVE FILIPINO DESIGN, PROVIDING
FOR THE PURPOSE A NATIONAL DESIGN POLICY AND RE-
ENGINEERING AND RENAMING THE PRODUCT DEVELOPMENT
AND DESIGN CENTER OF THE PHILIPPINES (PDDCP) INTO THE
DESIGN CENTER OF THE PHILIPPINES AND FOR OTHER
PURPOSES"**

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the "Philippine Design Competitiveness
2 Act of 2011"

3
4 **SECTION 2. *Statement of Policy.*** – It is the declared policy of the State to enhance the
5 competitiveness and innovation of Philippine products, create market-responsive design services,
6 while advocating for economic and environmental sustainability. The State shall also endeavor to
7 promote an economy and society driven by design and creativity responsive to our fast-changing
8 times and reflective of the Filipino culture and identity, while concurrently advocating the
9 protection of intellectual property rights to these ideas and innovations.

10

1 **SECTION 3. *Purpose and Objectives.*** - The State shall promote and strengthen the Philippine
2 design industry to achieve the following purpose:

- 3 a. Create integrated, forward-thinking and long-range direction and strategy for the
4 design industry;
- 5 b. Provide long-term guidance to promote national awareness on the use of design as a
6 strategic tool for economic competitiveness and social innovation; and
- 7 c. Integrate design into other industries and aspects of society in order to create a demand
8 for good design, and to extend its impact economically, socially and environmentally;
- 9 d. Incorporate design as a priority component in national planning and development; and
- 10 e. Ultimately, encourage and drive innovation so that the Philippines may leverage our
11 raw materials, natural resources, and creativity to stay ahead of the curve.

12
13 **SECTION 4. *Reengineering the Product Development and Design Center of the Philippines***
14 ***and Strengthening its Mandate.*** – The Product Development and Design Center of the
15 Philippines (PDDCP) is hereby reengineered and renamed into the Design Center of the
16 Philippines, herein referred to as the Design Center. It is mandated to promote design as a
17 creative tool for improving the quality and competitiveness and branding of Filipino products in
18 the global market; as a strategic tool of value creation for sustainable economic growth and
19 development; and as an innovative tool for enhancing the quality of human life.

20 The Design Center is further mandated to:

- 21 a. Develop and maintain a creative research and development program on product design,
22 development, and improvement of Philippine products and services, including those
23 created by small and medium enterprises (SMEs);
- 24 b. Conduct continuing research on product and product packaging design trends and
25 processing technologies;
- 26 c. Create, develop, promote and upgrade the design of all Philippine products and
27 services, including those created by small and medium enterprises (SMEs);
- 28 d. Conduct seminars and workshops on product design and development;
- 29 e. Set-up design exhibitions;

- 1 f. Publish design-related materials;
- 2 g. Ensure protection of Filipino design ideas, products, and other outputs of creative
- 3 talents;
- 4 h. Promote design education throughout the country to meet the needs of Philippine
- 5 industries; and
- 6 i. Promote Philippine design here and all over the world.

7 To effectively carry out this mandate, the Design Center shall exercise the following
8 powers and functions:

9 **NATIONAL DESIGN POLICY**

- 10 a. Formulate the National Design Policy, herein referred to as NDP, aligning it with the
- 11 Government's economic agenda;
- 12 b. Continuously formulate 5-year-plans that are in line with the general NDP, but reflective
- 13 of the changing conditions in both the domestic and international environments;
- 14 c. Coordinate, monitor, and assess the implementation of the NDP, and, when necessary,
- 15 update the NDP in the light of changing market conditions in both the domestic and
- 16 international environments;
- 17 d. Establish an evaluation system through which the results of the NDP (as well as singular
- 18 projects and programs) could be assessed and improved;
- 19 e. Collaborate internationally with similar design policy advisory bodies of other countries
- 20 and gain insights and investigate on how successful design practices in other countries
- 21 can be transferred and adapted in the context of Filipino Creative and Knowledge-based
- 22 industries as well as in transition to the Conceptual-based economy;
- 23 f. Establish dialogue with designers to encourage them to actively engage with the
- 24 implementation of design policy;
- 25 g. Provide a forum for design stakeholders on current and emerging issues in the design
- 26 profession;

27 **DESIGN AWARENESS**

- 28 h. Promote the Design profession and the value of design;

- 1 i. Build awareness of the importance of design to the public, through local and international
2 exhibitions, conference, competitions, community and school activities, and other design-
3 related events;
- 4 j. Promote awareness on protection of intellectual property rights;
- 5 k. Establish more public creative zones and environments in Metro Manila and other central
6 hubs in different regions across the country;

7 **DESIGN INTEGRATION**

- 8 l. Create networks and establish venues where all industries could interact in design
9 dialogues and workshops, thereby promoting knowledge exchange, capability
10 development and collaborative content creation;
- 11 m. Identify and encourage public and private collaborations regarding design,
12 competitiveness, governance, and innovation to promote networking, business, and
13 partnership opportunities;

14 **DESIGN FOR DEVELOPMENT**

- 15 n. Conduct design-led approaches and competitions for the design industry to help
16 government solve socioeconomic and environmental challenges;
- 17 o. Actively push for the use of design and innovation in government offices and
18 departments, with the objective of coming up with programs and processes that will
19 enable the government to simplify and streamline systems, so it can deliver its services
20 more effectively and efficiently;
- 21 p. Maintain a standard of sustainable design in all projects that are undertaken by the Design
22 Center;
- 23 q. Employ design as a fundamental tool for communicating a strong, singular identity of the
24 country;

25 **DESIGN AND INNOVATION**

- 26 r. Create a skill development, mentoring and support system for individuals, corporations,
27 partnerships or associations, particularly Small and Medium-sized Enterprises (SMEs),
28 who want to benefit from the strategic use of good design in business administration,
29 commerce, trade and other enterprises; and

- 1 s. Undertake research and development on the different design strengths and assets of the
2 Philippines (i.e. manipulation and development of raw materials that are indigenous to
3 the country) so we can be able to come up with globally relevant yet uniquely Filipino
4 innovations.

5
6 **SECTION 5: *Creation of the Design Advisory Council.*** – There shall be created a Design
7 Advisory Council, herein referred to as DAC, which shall be a public-private partnership that
8 will serve as an Advisory Council to the Design Center. The DAC shall advise the Design
9 Center in the formulation and implementation of policies that will enhance the quality and
10 competitiveness of Philippine products and services and shall support the Philippine Government
11 in its efforts to enhance the level of innovation and creativity in Philippine industries.

12
13 **SECTION 6: *Powers and Functions of the Design Advisory Council.*** – The Design Advisory
14 Council shall advocate and promote the strategic role of design in strengthening sustainability of
15 Philippine socio-economic growth and competitiveness. It shall exercise the following powers
16 and functions:

- 17 a. Provide advice and insights imperative in pursuing the mandate of the Design Center by
18 effectively representing the collective views of both the public and the private sectors;
- 19 b. Advocate for full consideration of design’s contribution to program effectiveness and
20 innovation in government policy decisions;
- 21 c. Review and promote policies where design is a key component;
- 22 d. Act as a liaison among the professional design, design education and government design
23 stakeholders;
- 24 e. Provide advice and guidance to design education institutions on the development and
25 standardization of course syllabus ensuring the propagation of high quality education in
26 design in all regions across the country;
- 27 f. Promulgate government regulations relevant to the implementation of the NDP.

1 **SECTION 7: *Composition of the Design Advisory Council.*** - The DAC shall be composed of
2 eighteen (18) members, of which the following government departments or offices shall be
3 represented:

- 4 1. Department of Trade and Industry (DTI)
 - 5 a. Design Center of the Philippines (DCP)
 - 6 b. Center for International Trade Expositions and Missions (CITEM)
 - 7 c. Intellectual Property Office (IPO)
- 8 2. National Commission for Culture and the Arts (NCCA)
- 9 3. Department of Tourism (DOT)
- 10 4. National Economic Development Authority (NEDA)
- 11 5. Department of Education (DepEd)
- 12 6. Department of Foreign Affairs (DFA) – Cultural Office
- 13 7. Department of Science and Technology (DOST)

14 The other nine (9) remaining members of the DAC shall come from the organized
15 associations involved in the sector, academic community engaged in design courses and
16 representatives of the private sectors including but not limited to visual communications,
17 industrial design, interior design, information design, new media and technology, fashion design,
18 environmental design and similar areas.

19 The Council shall be co-chaired by the Secretary of the DTI and a representative from the
20 private sector to be appointed by the President.

21 The Executive Director of the Design Center, and two (2) other members from the business
22 sector who are citizens of the Philippines, of good moral character and are recognized experts in
23 any of the fields of art and design shall be *ex officio* members, provided that the business sector
24 members are to be appointed by the President of the Philippines, with a term of six (6) years,
25 upon recommendation of the Chairman of the Council.

26 The presence of ten (10) members shall constitute a quorum and all decisions of the Council
27 shall require the concurrence of the majority of such quorum. The representatives of the private
28 sector shall receive a reasonable per diem for every meeting attended. The *ex officio* members
29 shall receive commutable representation and travelling allowances.

1 The Design Center shall act as the Secretariat of the Council.

2
3 **SECTION 8. Powers and Functions of the Executive Director of the Design Center.** – The
4 Design Center shall have an Executive Director, who shall be appointed by the President, and
5 shall execute, administer and implement the policies, plans and measures approved by the
6 Council and perform such other functions as may be necessary to carry out specific
7 responsibilities in connection with said plans and measures.

8 A quarterly report of the accomplishments of the Center shall be submitted by the
9 Executive Director to the Council. The Council shall submit an annual report to the President of
10 the Philippines, not later than one month after the end of each year.

11
12 **SECTION 9. The National Design Policy.** – The National Design Policy shall serve as the
13 state’s strategy in promoting design as a driving force towards a sustainable economic growth
14 and development and a catalyst for increasing the competitiveness of the country in the global
15 market. The NDP shall be created to meet the following goals:

16 **1. GLOBAL COMPETITIVENESS**

17 1.1 Elevating Philippine designs and innovation towards global standards through
18 collaboration with international design organizations;

19 1.2 Enhance the competitiveness and innovation of Philippine products and services making it
20 more responsive to societal needs while advocating for economic and environmental
21 sustainability;

22 1.3 Global positioning and branding of Philippine designs, creating a distinctive and
23 recognizable identity for Philippine products;

24 1.4 Build the competitiveness and capabilities of Filipino designers through continuous
25 training, seminars, and workshops, and collaborations with Philippine manufacturers;

26 1.5 Provide opportunities for Filipino designers to showcase their talent locally &
27 internationally;

1 **2. INSTITUTIONALIZATION AND PROMOTION OF DESIGN CULTURE**
2 **NATIONWIDE**

3 2.1 Creation of original designs in Philippine-designed and manufactured products and
4 services by fusing Philippine's rich craft and culture, and indigenous materials with global
5 trends;

6 2.2 Understand diverse Philippine cultures and translate into modern design concepts to assist
7 an innovation process that is uniquely Filipino;

8 2.3 Enhancing the quality of Philippine products and services and productivity of Philippine
9 manufacturers, through design;

10 2.4 Creation of design awareness among manufacturers and service providers, particularly
11 small and medium enterprises (SMEs), on the competitiveness brought about by original
12 designs;

13 2.5 Conduct programs that will challenge designers, design students and ordinary citizens to
14 actively engage in solving and mitigating socio-economic and environmental problems
15 through design-led approaches;

16 2.6 Establish networks & resources for knowledge exchange and capability development
17 leveraging on automation, computerized and web-based services;

18 2.7 Active collaboration and partnerships among local stakeholders of the design industry
19 such as Industry Associations, Management of SMEs, Filipino Designers, Academe,
20 Government agencies, and other Private Organizations;

21 **3. CREATION OF AN ENVIRONMENT TO CULTIVATE A CONSTANT DEMAND**
22 **FOR GOOD DESIGN**

23 3.1. Ensure the balance of supply (designers) and demand (private and public organizations;
24 whether local or international) of the design industry,

25 3.2. Promotion of an appreciation for good design not only among citizens, but also within
26 business organizations and government institutions; and

27 3.3. Create linkages with the business sector, the educational sector, government institutions,
28 and the public in general to encourage them to employ and invest in good design;

29

1 **4. DESIGN PROTECTION**

2 4.1 Promotion of Philippine designs through registration of Intellectual Property Rights and
3 through Technology Licensing Offices; and

4 4.2 Encourage and facilitate a culture of creating and protecting intellectual property in the
5 area of design;

6 **5. DESIGN EDUCATION AND PROFESSIONAL DEVELOPMENT**

7 5.1 Elevate design education and design research in the Philippines to global standards of
8 excellence;

9 5.2 Invest on appropriate infrastructure and technology to support design;

10 5.3 Establish an active collaboration among industry, professional designers, and academe
11 towards the development of the design profession;

12 5.4 Inculcate among the youth the value of good design in enhancing the quality of human life
13 by including design appreciation in the curriculum;

14 **6. INSTITUTIONALIZATION OF DESIGN AS AN EFFECTIVE PROBLEM-SOLVING**
15 **TOOL**

16 6.1 Conceptualize effective and sustainable design-related approaches to drive economic
17 growth and development;

18 6.2 Seek design solutions for issues related to social innovation and environmental
19 sustainability and protection;

20 6.3 Expand awareness on the benefits of the strategic use of good design in business and
21 government administration, trade and commerce, as well as in small and medium-enterprises
22 (SMEs); and

23 6.4 Encourage government to invest on activities geared towards increasing the
24 competitiveness of Philippine design and creative industries.

25
26 **SECTION. 10. Design Industries Linkages with the Educational System.** – To ensure a
27 continuous supply of creative talents and to stimulate design creativity and innovation among
28 students at all levels of education, the Department of Education and the Commission on Higher
29 Education, in consultation with and the assistance of the Center shall formulate measures to

1 establish a stronger connection between arts, culture, education, and training, and to harness
2 potentials of the youth.

3
4 **SECTION 11. Appropriations Clause.** – To carry out the provision of this Act, an additional
5 budget of fifty million pesos (Php 50,000,000.00) will be appropriated in addition to the existing
6 budget appropriated for the existing Design Center.

7 The amount necessary for the effective implementation of the objectives of the Act shall
8 be incorporated to the annual regular budget of Design Center.

9
10 **SECTION 12. Repealing Clause.** – Executive Order No. 133 is hereby amended accordingly.
11 All other laws, decrees, executive orders, rules and regulations, or parts thereof as are
12 inconsistent with this Act, are hereby repealed, amended or modified accordingly.

13
14 **SECTION 13. Separability Clause.** – The provisions of this Act are hereby declared separable
15 and in the event any of its provisions declared unconstitutional, the other provisions which are
16 not affected thereby shall remain in force and effect.

17
18 **SECTION 14. Effectivity.** - This Act shall take effect fifteen (15) days after publication in the
19 Official Gazette or in at least two (2) national newspapers of general circulation in the country.

20
21 Approved,