

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



Senate
Office of the Secretary

'13 AUG 29 AIO :34

SENATE

Senate Bill No. 1410

RECEIVED BY: 

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

Every year, controversy hounds the operation and management of the Metro Manila Film Festival. The original proceeds of the MMFF income which benefit the Movie Workers Welfare Foundation (Mowel Fund), the Film Academy of the Philippines and the Motion Picture Anti-Film Piracy Council, are now being shared by other government agencies (i.e. Film Development Council of the Philippines and Optical Media Board) that are merely on-lookers in terms of operations of the MMFF. The proceeds can still be given to other government agencies at the discretion of the President of the Philippines.

The root cause of this controversy is that the yearly implementer and organizer of the MMFF, which is the Metropolitan Manila Development Authority (MMDA), does not come from the movie and film industry and as such, cannot relate to the real sentiments of the people working with the industry. The MMDA, in the first place, has no legal basis to operate and manage the MMFF as its charter, R.A. 7924 is silent on the matter. The predecessor of the MMDA, the Metropolitan Manila Commission, by tradition, manages the operation of the MMFF, but this function was not carried in the present MMDA charter.

In order that the movie and film industry flourish and to address the recurring controversies every year, it is just but proper that the organization, operation and management of the Metro Manila Film Festival be transferred to the Movie Workers Welfare Foundation (Mowel Fund) and the original beneficiaries of the MMFF, with the proper allocation of proceeds, be retained.

The urgent passage of this bill is thus needed.


JINGGOY EJERCITO ESTRADA
Senator

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AN ACT

TRANSFERRING THE ORGANIZATION, OPERATION AND MANAGEMENT OF THE METRO MANILA FILM FESTIVAL FROM THE METRO MANILA DEVELOPMENT AUTHORITY TO THE MOVIE WORKERS WELFARE FOUNDATION (MOWELFUND), AND PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. Declaration of Policies - It is the policy of the State to 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. Further, the State shall conserve, promote, and popularize the nation's historical and cultural heritage and resources, as well as artistic creations. It is the commitment of the State to enrich Philippine culture, to reawaken the people to their historical heritage and traditional values, and to clarify the Filipino image, through the revival and refurbishment of native arts, among which is the Filipino cinema which should rediscover itself by upholding its inherent artistic and social responsibility. And finally, the State recognizes the value and importance of the local movie industry in the over-all developmental effort, encouraging quality film production both in substance and in form and providing incentives to the performing artists and the technicians in the industry.

SEC. 2. Transfer of Organization, Operation and Management of MMMF - To carry out the above policy, the organization, operation and management of the annual Metro Manila Film Festival shall be transferred from the Metropolitan Manila Development Authority to the Movie Workers Welfare Foundation (MOWELFUND).

SEC. 3. Functions of the MOWELFUND. - In order to insure the successful celebration of the annual Metro Manila Film Festival, and to harness the full potential of the movie and film industry to be a viable and profitable business enterprise and to accelerate preservation, growth and development of the motion picture art and science in the country, the MOWELFUND shall:

a) Give due recognition, awards distinction, appreciation through the Metro Manila Film Festival and other forms of reward for significant efforts and accomplishments of the improved and development of the motion picture art and science in the country;

b) Set up and administer a viable system of objectives to encourage the growth and development of high quality motion pictures in the country, which incentives shall include the grant of recognition to deserving individuals or entities who have contributed to the vital task and objectives of improving the quality of film-making or cinematic production in the country;

c) Engage in fund raising campaign among all sectors of society to ensure successful operation of the annual MMFF;

d) Collect the proceeds of the MMFF and disburse the shares to different beneficiaries identified in this Act. In relation to this, the Commission on Audit shall, among others, conduct an annual comprehensive audit of accounts and transactions pertaining to MMFF revenue and receipts, expenditures and uses of funds and property;

e) Establish, operate, and maintain a Film Archive for the purpose of preserving and disseminating motion picture which are historical, cultural and/or aesthetic value of the nation; and Provide assistance and support for all efforts, activities and enterprises which are designed or envisioned to raise the standard of the cinematic art and science in the country in consonance with the cultural, scientific educational values and sensibilities of our people and our society, and in keeping with the country's social and economic development aims and objectives; add consistent therewith, to adopt and implement such measures as may be proper or necessary to ensure the success of such efforts, activities and enterprises and to obtain satisfactory results therefrom, particularly performance, and also in terms of cultural achievements.

SEC. 4. Executive Committee. - An Executive Committee under the MOWELFUND is hereby created to take charge of the organization, operation and management of the MMFF, composed of the following:

a) Executive Director of MOWELFUND - Chairperson;

b) One representative of the different guilds under the Film Academy of the Philippines as members, to wit:

1. Philippine Motion Picture Producers Association;
2. Movie Producers and Distributors Association of the Philippines;
3. Kapisanan ng mga Direktor ng Pelikulang Pilipino;
4. Kapisanan ng mga Artistang Pilipino sa Pelikula at Telebisyon;
5. Screenwriters Guild of the Philippines;
6. Film Editors Guild for Motion Pictures;
7. Filipino Society of Cinematographers;
8. Sound Technicians Association for Motion Pictures;
9. United Film Musical Directors of the Philippines;
10. Production Designers Guild of the Philippines;
11. Assistant Directors and Production Managers Guild of the Philippines; and

c) PNP Chief - Member.

SEC. 5. Metropolitan Manila Film Festival Income Distribution. The net income of the annual Metropolitan Manila Film Festival shall be distributed to the following traditional beneficiaries:

- a) Movie Workers Welfare Fund Foundation, Inc. - Forty percent (40%);
- b) Film Academy of the Philippines - Forty percent (40%);
- c) Motion Picture Anti-Piracy Council -Ten percent (10%)

SEC. 6. Appropriation. - To carry out the purposes of this Act, the amount of TEN MILLION PESOS (P10,000,000.00) is hereby appropriated for the initial operation of the MMFF by the Movie Workers Welfare Foundation (MOWELFUND).

SEC. 7. Repealing Clause. - All laws, decrees, executive orders, rules and regulations or parts thereof inconsistent with or contrary to the provisions of this Act are hereby repealed or modified accordingly.

SEC.8. Separability Clause. - If any part or provision of this Act is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to remain in full force and effect.

SEC. 9. Effectivity. -This Act shall take effect after fifteen (15) days following completion of its publication in at least two (2) newspapers of general circulation.

Approved,