

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

100 JUL 30 1974

SENATE

S.B. NO. 1006

RECEIVED BY: Alw

Introduced by Sen. Jinggoy Ejercito Estrada

EXPLANATORY NOTE

The State as the champion of children's rights recognizes the uniqueness and individuality of each and every child, especially those of the gifted. The Child and Youth Welfare Code, PD 603, as amended, mandates in Article 3 (3) thereof that:

"The gifted child shall be given opportunity and encouragement to develop his special talents."

Child actors and actresses are one distinct group of gifted children. Beneath the seeming carefree existence their tv, print, radio and film exposure seem to exemplify, these children of tender age undergo rigorous physical, mental and emotional conditions. Common to all child actors and actresses are shootings or tapings that frequently last up to the wee hours of the morning. Such irregular working hours force some child stars to skip school. Gifted as they are in the performing arts, their physical growth is retarded and their emotional development are affected as they get exposed to human emotions and conditions that their young intellects are ill-equipped to handle and process.

Celebrities as they are, their young lives are not devoid of exploitation. Often, they do not enjoy the fruits of their labor as the people who are supposed to look out for their welfare - their parents, their managers or their employers - are the very same people who profit from the income such minors earn.

As part of the State's effort to protect children against all forms of exploitation and abuse, there is a need to enact a law that would ensure that the child prodigy has a means of safekeeping his earnings until such time that he can manage his own financial affairs. This proposed legislation seeks to put up a trust fund where one-half of the child actor's talent fee, income, or earnings are kept for safekeeping, while earning legal interest. The producers, promoters and other entities alike employing the services of an unemancipated child are given the responsibility of depositing 50% of the same in a bank. This is to ensure that no other interest is served but the child himself.

As pressing is the need to protect the rights of the growing number of child stars being magnetized by the fame and fortune that the performing arts pose, the immediate passage of this bill is urged.


JINGGOY EJERCITO ESTRADA
Senator

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AN ACT

**REQUIRING MOVIE, TELEVISION, AND RADIO PRODUCERS,
INCLUDING PROMOTIONS AND ADVERTISING AGENCIES, AND
OTHER LIKE ENTITIES EMPLOYING UNEMANCIPATED MINORS TO
DEPOSIT THEIR TALENT FEES OR INCOME IN A TRUST FUND,
IMPOSING PENALTIES FOR THE VIOLATION THEREOF AND FOR
OTHER PURPOSES**

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

SECTION 1. All movie, television, radio producers, including promotions and advertising agencies, talent promoters, and other like entities, who in the course of business hires, procures, or engages the services of an unemancipated minor below eighteen (18) years of age shall be required to deposit in the name of the said minor at least fifty (50) percent of the minor's income or talent fee at a bank duly licensed by the Bangko Sentral ng Pilipinas in the form of a trust fund.

SECTION 2. The trust fund established by the immediately preceding section shall be held in safekeeping by that bank, to earn legal interest, until the minor shall have reached the age of majority as defined by the law, in which case the latter shall be free to handle the deposit as he deems equitable under the premises.

SECTION 3. The bank wherein the trust fund is deposited shall see to it that the deposit shall be free from the encroachment, use, misuse, or abuse by other parties.

In extreme cases, however, as in the case where the life or health of the said minor beneficiary is in grave and use of the said trust fund is unavoidable, the rule provided this section shall not apply.

SECTION 4. In case of incapacity or death of the minor-beneficiary, the parent, or in their absence, the guardian, or in his absence, the legal heirs of the minor-beneficiary shall take control of the trust fund established by authority of this Act, subject to existing banking laws, rules and regulations pertinent thereto, including the laws of inheritance.

SECTION 5. The Bangko Sentral ng Pilipinas shall promulgate pertinent rules and regulations in implementation of this Act.

SECTION 6. Any person who violates the provisions of this Act shall be punished with imprisonment of not less than one (1) year but not more than five (5) years or a fine of not less that five thousand (P5,000.00) pesos but not more than ten thousand (P10,000.00) pesos, or both imprisonment and fine at the sound discretion of the Court.

SECTION 7. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or two (2) newspapers of general circulation.

Approved,