

SENATE
S. B. 165

Introduced by Senator Poe

AN ACT
SUPPORTING THE PRODUCTION OF PHILIPPINE INDEPENDENT FILMS BY
PROVIDING INCENTIVES TO FILMMAKERS WHO ARE GIVEN HONORS IN
NOTABLE INTERNATIONAL FILM COMPETITIONS

Explanatory Note

The 1987 Philippine Constitution encourages the creation and promotion of outstanding and creative Filipino films.

- Article XIV, Section 14 provides that “The State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle in unity in diversity on a climate of free artistic and intellectual expression.”
- Article XIV, Section 15 states that “Arts and letters shall enjoy the patronage of the State. The State shall converse, promote, and popularize the nation’s historical and cultural heritage and resources, as well as artistic creations.”

The film industry is a potent tool for information gathering, dissemination and communication and as a catalyst for public opinion. It is a medium that projects a citizen’s love for art as well as a mirror of our rich culture and a Filipino identity. Films are part of our Cultural heritage, no doubt. They are essential part of what our Constitution recognizes as artistic and historic wealth—again, it is wealth for our culture and of our heritage.

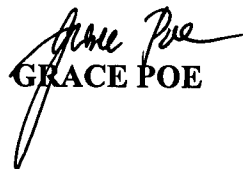
In recent years, the production of independent films by our esteemed Filipino filmmakers has been flourishing. In fact, several cinematic works were critically acclaimed while actors and directors had already been recognized in the international arena, including the prestigious Cannes International Film Festival, Venice International Film Festival and the British Independent Film Awards, as well as appearances in Toronto, Utah, Brussels, New York, Warsaw and London. Brillante Mendoza is one of the most celebrated Filipino film directors, being awarded as Best Director (*Prix de la mise en scène*) for his 2009 film “*Kinatay*” in the Cannes Film Festival and a flurry of honors in the global film stage under his belt.

Last May 2016, Jaclyn Jose starred in Brillante Mendoza’s Palme d’Or-nominated film “*Ma’Rosa*” where she won the Cannes Film Festival Award for Best Actress. Jose was the first Southeast Asian to be conferred with the award.

For its part, the Philippines, through the annual Cinemalaya Philippine Independent Film Festival and other indie film festivals that screens short films and full-length titles, has its fair share in encouraging the creation of locally produced independent films. These efforts by the Cultural Center of the Philippines put Philippine cinemas back to their glory days. Recently, big names in the movie industry were drawn to Cinemalaya, like Nora Aunor who joins for the first time.

This bill seeks to further promote the production of Filipino indie films and provide support to filmmakers, including the aspiring ones, who operate on meager budgets to produce their artistic craft.

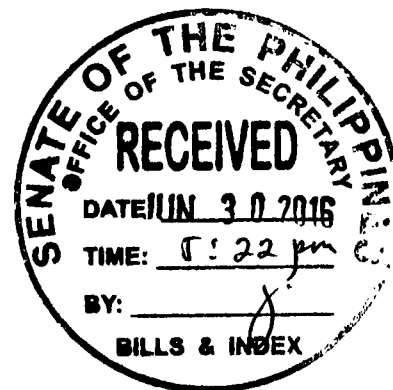
In view of the notable works of independent Filipino filmmakers and show support to them, approval of this measure is fervently sought.


GRACE POE

SEVENTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES

First Regular Session

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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 Independent Film
2 Incentives Act of 2016.”
3

4 **SECTION 2. Declaration of Policy.** – It is the policy of the State to promote and
5 support the development and growth of the local film industry, in general, and the production of
6 independent films, in particular. The State shall endeavor to discover, encourage, and honor the
7 cinematic works of Filipino filmmakers that boldly articulate and freely interpret the Filipino
8 experience with fresh insight and artistic integrity.
9

10 **SECTION 3. Grants for Award-Winning Films.** – To achieve this law’s purpose,
11 Philippine independent films that have been awarded the Best Film prize or its equivalent
12 including those that merited recognition for technical excellence in respected international film
13 competitions or cinema festivals shall be given the following incentives:
14

15 3.1 A grant of Five Million Pesos (P5,000,000.00) to the film production or entity that
16 produces the award winning full-length feature or documentary film;
17

18 3.2 A grant of Three Million Pesos (P3,000,000.00) to the film production or entity that
19 produces the award winning short feature or documentary film;
20

21 3.3 Full tax exemption relevant to the screening of the film and its commercial exhibition,
22 including those levied by local government units;
23

24 3.4 The award-winning film shall be considered and shall have the honor of being give an
25 automatic rating of an “A” film being granted by the Cinema Evaluation Board.
26

27 **SECTION 4. Eligibility for Grants.** – To be eligible for a grant under Section 3.1.,
28 films must be made by Filipino filmmakers who have not yet directed more than three (3) full-
29 length commercial feature films. The total production budget for the full-length feature or
30 documentary film should not exceed Three Million Pesos (P3,000,000.00). The film length
31 should be between 90 to 120 minutes.
32

33 To be eligible for a grant under Section 3.2., the film must be made by a Filipino
34 filmmaker. The total production budget for the short feature or documentary film should not

1 exceed One Million Pesos (P1,000,000.00). The film length should not be more than 20 minutes
2 (no minimum length).
3

4 All films should not have been produced by commercial producers to guarantee the
5 filmmakers' creative control over the film.
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7 **SECTION 5. Implementing Agency.** – The National Commission for Culture and the
8 Arts (NCCA) is hereby authorized and directed to adopt a system to implement and carry out the
9 provisions of this act. The NCCA shall, within sixty (60) days from effectivity of this Act,
10 promulgate rules and regulations to carry out and enforce the provision of this Act.
11

12 **SECTION 6. Appropriations.** – A special fund amounting to Fifty Million Pesos
13 (P50,000,000.00) which shall be sourced from the funds of the Philippine Amusement and
14 Gaming Corporation (PAGCOR) is hereby created. Other amounts as may be necessary to carry
15 out the provisions of this Act, are hereby authorized to be appropriated from the National
16 Treasury.
17

18 **SECTION 7. Separability Clause.** – If any provision or part hereof is held invalid or
19 unconstitutional, the remainder of the act or the provision not otherwise affected shall remain
20 valid and subsiding.
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22 **SECTION 8. Repealing Clause.** – Any law, presidential decree or issuance, executive
23 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
24 with the provision of this Act, is hereby repealed, modified or amended accordingly.
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26 **SECTION 9. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its
27 publication in at least two (2) newspapers of general circulation.
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30 Approved,
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