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COMMITTEE REPORT NO. 609

Submitted jointly by the Committees on Education, Arts and Culture, Ways and Means and Finance on JAN 30 2019

Re: House Bill No. 7785

Recommending its approval with amendments, taking into consideration Senate Bill No. 1200

Sponsor: Senator Escudero

MR. PRESIDENT:

The Committees on Education, Arts and Culture, Ways and Means and Finance to which were referred House Bill No. 7785, introduced by Rep. Sarmiento, E., *et. al.*, entitled:

"AN ACT

ESTABLISHING A FRAMEWORK FOR THE SELECTION OF NATIONAL PERFORMING ARTS COMPANIES, DESIGNATING FOR THE PURPOSE CERTAIN PERFORMING ARTS GENRES AND APPROPRIATING FUNDS THEREFOR"

✓ Tu
taking into consideration

~~and~~ Senate Bill No. 1200, introduced by Senator Sonny M. Angara, entitled:

"AN ACT

DESIGNATING PHILIPPINE PERFORMING ARTS COMPANIES, DEFINING THEIR ROLES AND FUNCTIONS AS SUCH, AND APPROPRIATING FUNDS THEREFOR"

have considered the same and have the honor to report them back to the Senate with the recommendation that House Bill No. 7785 be approved with the following amendments, taking into consideration Senate Bill No. 1200:

1. ON PAGE 2, LINE 15, SECTION 3, REPLACE "NATIONAL STRING ENSEMBLE" WITH "**NATIONAL INDIGENOUS PERFORMING ENSEMBLE**".


2. ON PAGE 4, LINE 19, SECTION 5, REPLACE "STRING ENSEMBLE" WITH **"INDIGENOUS PERFORMING ENSEMBLE"**.
3. ON PAGE 5, LINE 24, SECTION 7, REPLACE "NATIONAL STRING ENSEMBLE" WITH **"NATIONAL INDIGENOUS PERFORMING ENSEMBLE"**.
4. ON PAGE 6, LINE 5, SECTION 7, INSERT THE PHRASE, **"AND AVAILABILITY OF FUNDS"** BETWEEN THE WORD EVALUATION AND THE SEMI COLON (;) .

PARAGRAPH (B) SECTION 7 SHALL NOW READ AS FOLLOWS:

"ACCESS TO GRANTS FOR RESEARCH, DOCUMENTATION, PRODUCTIONS, WORKSHOPS, TRAINING AND AUDIENCE DEVELOPMENT PROGRAMS FROM THE NCCA, SUBJECT TO PROPER EVALUATION AND AVAILABILITY OF FUNDS; AND"


5. ON PAGE 7, LINE6, SECTION 10, REPLACE "NATIONAL STRING ENSEMBLE" WITH **"NATIONAL INDIGENOUS PERFORMING ENSEMBLE"**.

Respectfully submitted:




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Vice Chairperson, Committee on
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Member, Committee on Education,
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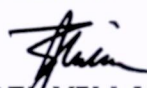
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HON. VICENTE C. SOTTO III
Senate President



HOUSE OF REPRESENTATIVES

H. No. 7785

BY REPRESENTATIVES SARMIENTO (E.M.), SALCEDA, DURANO, NOGRALES (K.A.), CUA, ESCUDERO, DELOSO-MONTALLA, CHAVEZ, FERRER (J.), GO (M.), BAGATSING, GONZALES (A.P.), RAMOS, AGGABAO, LOBREGAT, MARCOLETA, ERIGUEL, ARAGONES, VIOLAGO, TAN (A.), SALO, BORDADO, SUANSING (E.), GONZALEZ, TINIO, ANGARA-CASTILLO, DE VENECIA, GARCIA (J.E.), ORTEGA (P.), YU, GONZAGA, ENVERGA, SANDOVAL, VERGARA, ROBES, BOLILIA, GARIN (S.), GARBIN, CUARESMA, BULUT-BEGTANG, GO (A.C.), DIMAPORO (M.K.), GOMEZ, LACSON, MARQUEZ, MONTORO, SAGARBARRIA, SAVELLANO, TEJADA, VILLARICA, NAVA, ZUBIRI, ROCAMORA, LANETE, CALDERON, PRIMICIAS-AGABAS, TAMBUNTING, ROA-PUNO, DALIPE, NIETO, LAZATIN AND VELARDE, PER COMMITTEE REPORT NO. 765

AN ACT ESTABLISHING A FRAMEWORK FOR THE SELECTION OF NATIONAL PERFORMING ARTS COMPANIES, DESIGNATING FOR THE PURPOSE CERTAIN PERFORMING ARTS GENRES AND APPROPRIATING FUNDS THEREFOR

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

- 1 SECTION 1. *Short Title.* – This Act shall be known as the
2 “National Performing Arts Companies Act”.
3 SEC. 2. *Declaration of Policy.* – Pursuant to Article II,
4 Sections 17 and 23, and Article XIV, Sections 14, 15 and 18(2) of

1 the Constitution, it is hereby declared the policy of the State to
2 appropriately recognize, designate and support nongovernment
3 organizations that have demonstrated pioneering, consistent and
4 unassailable competence, effectiveness and success in the
5 development, training, documentation and performance of ballet
6 and contemporary dance, orchestral music, choral music, and
7 theater.

8 SEC. 3. *Designation as National Performing Arts Companies.*

9 – A National Performing Arts Company is hereby designated for a
10 period of five (5) years from the following performing arts genres:

11 (a) One (1) National Ballet/Contemporary Dance Company;

12 (b) One (1) National Theater Company;

13 (c) One (1) National Orchestra;

14 (d) One (1) National Choral Company; and

15 (e) One (1) National String Ensemble.

16 SEC. 4. *Roles and Functions.* – A National Performing Arts
17 Company shall have the following roles and functions:

18 (a) Undertake a continuing program of training and
19 education for the professional development of performing artists,
20 teachers, directors, designers, performing arts managers, and other
21 artists particular to its performing arts field;

22 (b) Conduct research relative to particular performing arts
23 and undertake documentation of its activities and programs for the
24 preservation and of dissemination of Filipino masterpieces in the
25 performing arts;

1 (c) Organize and present a regular annual season of
2 performances at the Cultural Center of the Philippines (CCP) and
3 other venues in the country;

4 (d) Develop and build a repertoire of original Filipino works
5 that will help define our national cultural identity;

6 (e) Maintain and promote a standard of artistic excellence in
7 its field that will help elevate the performing arts in the country;

8 (f) Conduct national outreach and exchange program of
9 performances, workshops, and seminars for the development and
10 promotion of the performing arts in the regions;

11 (g) Undertake international outreach program as Philippine
12 cultural ambassadors and perform during State functions for
13 visiting dignitaries;

14 (h) Conduct continuing audience development program and
15 help promote greater awareness and appreciation of the performing
16 arts among the public; and

17 (i) Maintain a viable and sustainable performing arts
18 organization and help set a standard for effective and efficient
19 performing arts management.

20 SEC. 5. *The Selection Committee.* – There is hereby
21 established a Selection Committee for the National Performing Arts
22 Companies composed of fifteen (15) members, who shall be chosen
23 from a panel of experts knowledgeable in the artistic and technical
24 aspects of the performing arts, to be designated by the National
25 Commission for Culture and the Arts (NCCA) and the CCP. The
26 members of the Selection Committee shall elect a Chairperson from
27 among themselves.

1 The Selection Committee shall draw up the appropriate
2 guidelines for the selection process of the National Performing Arts
3 Companies. It shall adopt the following procedures:

4 (a) Call for applications to different performing arts
5 companies based on the guidelines set by the Selection Committee;

6 (b) Conduct a first screening as an assessment by the
7 Secretariat of the applications received based on a preselection
8 criteria stated in the guidelines set by the Selection Committee;

9 (c) Conduct a second screening as further evaluation by the
10 Selection Committee of the applications received based on the
11 criteria set in Section 6 hereof;

12 (d) Conduct a final selection of the qualified National
13 Performing Arts Companies consisting of:

14 (1) One (1) qualified applicant for ballet and contemporary
15 dance;

16 (2) One (1) qualified applicant for theater;

17 (3) One (1) qualified applicant for orchestral music;

18 (4) One (1) qualified applicant for choral music; and

19 (5) One (1) qualified applicant for string ensemble; and

20 (e) Select an additional fifteen (15), or three (3) from each of
21 the next most qualified applicants of the aforementioned performing
22 arts companies, that shall be the beneficiaries of a separate subsidy
23 program.

24 The results of the final selection shall be ratified jointly by the
25 NCCA Board of Commissioners and the CCP Board of Trustees.

1 SEC. 6. *Criteria for Selection.* – The Selection Committee
2 shall select the National Performing Arts Companies based on the
3 following criteria:

4 (a) It is national in scope, as it tackles and presents the arts,
5 culture, traditions, issues and concerns of the nation, drawing the
6 best talents from all over the country and contributing to the
7 development of a national cultural consciousness;

8 (b) It maintains the highest standards of artistic excellence,
9 manifested in the quality of its performances, artists, training
10 programs, and other activities;

11 (c) It is world-class, having represented the country in
12 numerous touring engagements, festivals, competitions and
13 international events, and having been acclaimed by foreign
14 organizations, audiences and critics alike;

15 (d) It has maintained a professional track record of regular
16 and continuing set of activities in pursuit of its mission; and

17 (e) It is able to maintain a viable and sustainable
18 organization to support its programs and shall thus have the
19 capability to match the allocated annual subsidy from the
20 government.

21 SEC. 7. *Entitlements.* – The National Performing Arts
22 Companies, namely, the National Ballet/Contemporary Dance
23 Company, the National Theater Company, the National Orchestra,
24 the National Choral Company, and the National String Ensemble
25 shall be entitled to the following:

26 (a) Free and equitable use of government facilities and
27 cultural venues, specifically the CCP, the Tanghalang Balagtas and

1 other government venues devoted to cultural and artistic
2 performances, based on a stipulated frequency of usage;

3 (b) Access to grants for research, documentation, productions,
4 workshops, training and audience development programs from the
5 NCCA, subject to proper evaluation; and

6 (c) Intellectual property rights to their work, including music,
7 choreographs, and other artistic creations. Likewise, they shall
8 enjoy the right to public performance fixation. They shall further be
9 entitled to the reproduction, authorization, and distribution of
10 fixations in accordance with intellectual property laws.

11 SEC. 8. *Memorandum of Agreement.* - Within thirty (30)
12 days upon the effectivity of this Act, the CCP and the NCCA shall
13 execute the necessary Memorandum of Agreement with the
14 concerned stakeholders, in accordance with this Act and other
15 existing laws.

16 SEC. 9. *Tax Exemption.* - Any donation, contribution,
17 bequest and grant, which may be made to the National Performing
18 Arts Companies to be used actually, directly and exclusively by the
19 National Performing Arts Companies shall be exempt from donor's
20 tax and the same shall be considered as allowable deduction from
21 the gross income of the donor, in accordance with the provisions of
22 the National Internal Revenue Code of 1997, as amended:
23 *Provided,* That such National Performing Arts Companies are
24 accredited nongovernment organizations pursuant to Executive
25 Order No. 720 issued on April 11, 2008.

26 SEC. 10. *Appropriations.* - Each National Performing Arts
27 Company shall be appropriated the following amounts:

1 (a) Ten million pesos (P10,000,000.00) a year each for
2 the National Ballet/Contemporary Dance Company, the National
3 Theater Company, and the National Orchestra for a period of five
4 (5) years; and

5 (b) Five million pesos (P5,000,000.00) a year each for the
6 National Choral Company and the National String Ensemble for a
7 period of five (5) years.

8 A maximum of fifteen (15), or a maximum of three (3) from
9 each of the next most qualified applicants of the performing arts
10 companies mentioned, shall be entitled to a subsidy of One million
11 pesos (P1,000,000.00) a year, renewable upon evaluation, for
12 performance, research, documentation, and commissioned work.

13 Such amounts to be appropriated for the National Performing
14 Arts Companies may be subject to adjustments once every five (5)
15 years after the effectivity of this Act.

16 The amount necessary to implement the provisions of this Act
17 shall be included in the budget of the CCP in the annual General
18 Appropriations Act.

19 SEC. 11. *Implementing Rules and Regulations.* - Within
20 ninety (90) days from the approval of this Act, the President of the
21 CCP shall, in consultation with the Chairperson of the NCCA,
22 formulate the rules and regulations implementing the provisions of
23 this Act. The implementing rules and regulations issued pursuant
24 to this section shall take effect thirty (30) days after its publication
25 in two (2) national newspapers of general circulation.

1 SEC. 12. *Separability Clause.* – If any provision of this Act is
2 held invalid or unconstitutional, the other provisions not so declared
3 shall remain in force and effect.

4 SEC. 13. *Repealing Clause.* – All laws, decrees, orders and
5 rules and regulations contrary to or inconsistent with the provisions
6 of this Act are hereby repealed or amended accordingly.

7 SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15)
8 days after its publication in the *Official Gazette* or in a newspaper of
9 general circulation.

 Approved,

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



'16 OCT 11 P6:18

SENATE

S.B. No. 1200

RECEIVED BY: 

Introduced by Senator SONNY ANGARA

AN ACT
DESIGNATING PHILIPPINE PERFORMING ARTS COMPANIES, DEFINING
THEIR ROLES AND FUNCTIONS AS SUCH, AND APPROPRIATING FUNDS
THEREFOR

Explanatory Note

In every community, its culture serves as the canvass where peoples' creative skills are projected and their intellectual achievement are imprinted. Sections 14 and 15 under Article XIV of the Constitution enshrined this policy: "[t]he State shall 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" and "conserve, promote, and popularize the nation's historical and cultural heritage and resources, as well as artistic creations."

Accordingly, the National Center for Culture and the Arts and the Cultural Center of the Philippines were established to preserve and enrich Philippine arts and culture. These centers were built not only as a venue to showcase the talents and culture of the Philippines but also, through their programs and projects, to support the artistic and cultural growth of Filipino artists.

The role of the performing arts in a society must not be overlooked as it preserves and showcases the Filipino culture, heritage, and identity. In the process, it educates not only Filipinos but also other nations as performing arts companies serve as our cultural ambassadors during performances abroad.

One program that helps promote Philippine arts and culture is the National Endowment Fund for Culture and the Arts (NEFCA) administered by the National Center for Culture and the Arts. Given the creativity of the Filipinos, there are a number of projects that may receive such financial aid through the NEFCA. Its resources, however, are deemed insufficient to further develop the performing arts.

Thus, this bill, which was initially filed during the 16th Congress, designates several groups as Philippine Performing Arts Companies to recognize their contribution to the preservation of the country's arts and culture. Moreover, to allow them to better fulfill their role, this bill also provides them with the needed financial assistance.

In view of the foregoing, immediate passage of this bill is earnestly sought.



SONNY ANGARA

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



Senate
Office of the Secretary

'16 OCT 11 P6:18

SENATE

S.B. No. 1200

RECEIVED BY: 

Introduced by Senator SONNY ANGARA

AN ACT
DESIGNATING PHILIPPINE PERFORMING ARTS COMPANIES, DEFINING
THEIR ROLES AND FUNCTIONS AS SUCH, AND APPROPRIATING FUNDS
THEREFOR

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

1 **SECTION 1. Title.** – This Act shall be known as the "Philippine Performing
2 Arts Companies Act."

3

4 **SEC. 2. Declaration of Policy.** – Pursuant to Article II, Section 17 and 23,
5 and Art. XIV, Sections 14, 15 and 18 (2) of the Philippine Constitution, it is hereby
6 declared the policy of the State to appropriately recognize, designate and support
7 non-government organizations that have demonstrated pioneering, long consistent
8 and unassailable competence, effectiveness and success in the development,
9 training, documentation and performance of ballet and contemporary dance,
10 orchestral music, choral music, and theater.

11

12 **SEC. 3. Designation as the Philippine Performing Arts Company.** – The
13 following groups are hereby declared as the Philippine Performing Arts Companies
14 for a period of five (5) years:

- 1 a. One (1) Philippine orchestra;
- 2 b. One (1) Philippine ballet and contemporary dance;
- 3 c. One (1) Philippine theater company;
- 4 d. One (1) Philippine choral company

5

6 Other groups, aside from those enumerated above, may be designated as a
7 Philippine Performing Arts Company upon the recommendation of the Selection
8 Committee to be constituted pursuant to this Act and the approval by the National
9 Commission for Culture and the Arts (NCCA) Board of Commissions and the Cultural
10 Center of the Philippines (CCP) Board of Trustees.

11

12 **SEC. 4. Roles and Functions.** – Each of the performing arts companies shall
13 undertake the following roles and functions upon designation as a Philippine
14 Performing Arts Company:

- 15 a. Undertake a continuing program of training and education for the
16 professional development of performing artists, teachers, directors,
17 designers, performing arts managers and other artists particular to its
18 performing arts field;
- 19 b. Conduct research (on its particular performing arts form) and undertake
20 documentation of its activities and programs for the preservation and
21 dissemination of Filipino masterpieces in the performing arts;
- 22 c. Organize and present a regular annual season of performances at the
23 CCP and other venues in the country;
- 24 d. Develop and build a repertoire of original Filipino works that will help
25 define our national cultural identity;
- 26 e. Maintain and promote a standard of artistic excellence in its field that will
27 help elevate the performing arts in the Philippines;
- 28 f. Conduct a national outreach and exchange program of performances,
29 workshops and seminars for the development and promotion of the
30 performing arts in the regions;
- 31 g. Undertake an international outreach program as Philippine cultural
32 ambassadors and perform during state functions for visiting dignitaries;

- 1 h. Conduct a continuing audience development program and help promote
- 2 greater awareness and appreciation of the performing arts among the
- 3 public;
- 4 i. Maintain a viable and sustainable performing arts organization and help
- 5 set a standard for effective and efficient performing arts management; and,
- 6 j. Submit an annual report of accomplishments to the CCP and the NCCA.

7

8 **SEC. 5. Selection Process.** – A fifteen (15) member panel of experts in the

9 performing arts will be designated by the NCCA and CCP to comprise the Selection

10 Committee for the Philippine Performing Arts Companies. The Committee, which will

11 be composed of experts knowledgeable in the artistic and technical aspects of the

12 performing arts, shall have three (3) representatives each from the CCP, NCCA, the

13 performing arts sector, academe, and critics from the media. They shall elect a

14 Chairperson from among its members. The members of the Selection Committee

15 shall receive appropriate remuneration from the CCP.

16

17 The Selection Committee shall be tasked to draw up the rules and guidelines

18 for the selection process of the Performing Arts Companies.

19

20 The selection process shall constitute the following procedure:

- 21 a. A call for applications to different performing arts companies shall be
- 22 undertaken based on rules and guidelines set by the Selection Committee;
- 23 b. A first screening shall take place wherein application shall be assessed by
- 24 the Secretariat based on a pre-selection criteria stated in the rules and
- 25 guidelines set by the Committee;
- 26 c. Qualified applications shall move to the second screening wherein the
- 27 Selection Committee shall further evaluate the applications based on the
- 28 criteria set;

- 1 d. The Selection Committee shall select the qualified Performing Arts
2 Companies which shall consist of:
- 3 • One (1) qualified applicant for orchestra;
 - 4 • One (1) qualified applicant for ballet and contemporary dance;
 - 5 • One (1) qualified applicant for theater;
 - 6 • One (1) qualified applicant for choral; and,
 - 7 • Such other groups as may be designated in the future

8
9 The Selection Committee shall choose the most qualified from each of the
10 aforementioned performing arts form which shall be qualified for subsidy under Sec.
11 10, par. 1 and an additional twelve (12), or three (3) from each of the next most
12 qualified applicants, for a separate subsidy program under Sec. 10, par. 3 of this Act.

13
14 The results of the final selection shall be jointly ratified by the NCCA Board of
15 Commissioners and the CCP Board of Trustees.

16
17 The selection of Philippine Performing Arts Companies shall take place every
18 five (5) years. Performing arts companies which have been previously declared
19 Philippine Performing Arts Companies may re-apply for the succeeding selection
20 processes.

21
22 **SEC. 6. Criteria for Selection.** – The criteria set by the Selection Committee
23 shall be based on the following:

- 24 a. It is national in scope, as it tackles and presents the arts, culture,
25 traditions, issues and concerns of the nation, drawing the best talents from
26 all over the country and contributing to the development of a national
27 cultural consciousness;
- 28 b. It is the best in its field in the country, maintaining the highest standards of
29 artistic excellence, manifested in the quality of its performances, artists,
30 training programs and other activities;
- 31 c. It is world class, having represented the country in numerous touring
32 engagements, festivals, competitions and international events and having
33 been acclaimed by foreign organizations, audiences and critics alike;

- 1 d. It has maintained a professional track record of regular and continuing set
2 of activities in pursuit of its mission; and
3 e. It is able to maintain a viable and sustainable organization to support its
4 programs. The company should have the capability to match the allocated
5 annual subsidy from the government.
6

7 **SEC. 7. Entitlements.** – Each of the Philippine Performing Arts Companies
8 shall be entitled to the following:

- 9 a. Equal Use of Government Facilities for Free - Philippine Performing Arts
10 Companies shall be entitled to equal use of government facilities and
11 cultural venues, specifically but not limited to the CCP, Tanghalang
12 Balagtas and other government venues devoted to cultural and artistic
13 performances without fee;
14 b. Access to Grants - They shall be entitled to project grants for research,
15 documentation, productions, workshops, training and audience
16 development programs from the NCCA.
17

18 **SEC. 8. Evaluation Process.** – The Philippine Performing Arts Companies
19 shall be evaluated annually by the Selection Committee and shall be given feedback
20 on the annual assessment.
21

22 **SEC. 9. Memorandum of Agreement.** – Within 30 days upon effectivity of
23 this Act, the CCP and the NCCA shall execute the necessary arrangements in
24 accordance with existing laws, rules and regulations.
25

26 **SEC. 10. Appropriation of Funds.** – The following amounts shall be
27 appropriated for each of the Philippine Performing Arts Companies:

- 28 a. Twelve Million Pesos (P12,000,000.00) annually for the Philippine
29 Orchestra for a period of five (5) years ;
30 b. Ten Million Pesos (P10,000,000.00) annually for the Philippine Ballet and
31 Contemporary Dance Company for a period of five (5) years;

- 1 c. Eight Million Pesos (P8,000,000.00) annually for the Philippine Theater
2 Company for a period of five (5) years;
3 d. Five Million Pesos (P5,000,000.00) annually for the Philippine Choral
4 Company for a period of five (5) years.
5

6 Upon effectivity hereof, the abovementioned amounts shall be appropriated
7 for each of the national performing arts companies to support the roles and functions
8 stated in Section 4 of this Act for the first year of its implementation from the savings
9 of CCP. Thereafter, such amount, and sums necessary to sustain the
10 implementation of this Act, shall be sourced from the General Appropriations Act as
11 a line item budget under the CCP, subject to adjustment every five (5) years as may
12 be necessary.
13

14 A maximum of twelve (12), or maximum of three (3) from each of the next
15 most qualified applicants from each of the performing arts forms, mentioned, shall be
16 entitled to a subsidy of One Million Pesos (P1,000,000.00), annually, renewable
17 upon evaluation, for performance, research, documentation and commissioned work.
18

19 **SEC. 11. Donations and Solicitations.** – The Philippine Performing Arts
20 Companies may also solicit and receive donations, endowments which shall be
21 exempted from income or gift taxes and all other taxes, charges or fees imposed by
22 the government or any political subdivision or instrumentality thereof.
23

24 Government Corporations are hereby authorized to give grants to the
25 Philippine Performing Arts Companies from their unimpaired surplus at their
26 discretion.
27

28 **SEC. 12. Separability Clause.** – If any clause, sentence, paragraph or part of
29 this Act shall be declared unconstitutional or invalid, such judgment shall not affect,
30 invalidate or impact any other part of this Act.
31

32 **SEC. 13. Repealing Clause.** – Any provision of laws, orders, agreements,
33 rules or regulations contrary to and inconsistent with this Act is hereby repealed,
34 amended or modified accordingly.

1

2

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4

SEC. 14. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any two (2) newspapers of general circulation in the Philippines.

Approved,