

SENATE

P. S. Res. No. 183

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

RESOLUTION

DIRECTING THE COMMITTEE ON EDUCATION, ARTS AND CULTURE TO INQUIRE, IN AID OF LEGISLATION, INTO THE NEW RULE ON THE CANCELLATION OF REGISTRATION OF PUBLISHERS THAT PRODUCE POOR QUALITY TEXTBOOKS ISSUED BY THE NATIONAL BOOK DEVELOPMENT BOARD WHICH IS ALLEGED TO BE UNLAWFUL AND UNCONSTITUTIONAL BY THE PUBLISHERS, PARENTS AND STUDENTS WITH THE END IN VIEW OF REVIEWING AND FINDING WHETHER THE SAME CONFORM TO THE PROVISIONS OF R.A. NO. 8047, OTHERWISE KNOWN AS THE BOOK PUBLISHING INDUSTRY DEVELOPMENT ACT AND PROPOSING REMEDIAL LEGISLATION FOR THE PURPOSE

WHEREAS, Section 1, Article XIV of the 1987 Constitution provides that: "The State shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all.";

WHEREAS, for this reason, Government gives the highest budgetary priority to education and allocates almost One billion pesos annually for the purchase of textbooks for public elementary and secondary schools;

WHEREAS, Congress passed R.A. No. 8047, otherwise known as the Book Publishing Industry Development Act which provides, among others, the privatization of the book industry and the participation of private publishers in the public school textbook program;

WHEREAS, on December 20, 2004 the National Book Development Board (NBDB) has approved the "New Rule on the Cancellation of Registration of Publishers that Produce Poor Quality Textbooks" and that said rule was subsequently published in the January 3, 2005 issue of the Philippine Daily Inquirer;

WHEREAS, there are allegations from the stakeholders such as publishers, parents and students that the new rule was promulgated without consultation in complete disregard of Section 8 of R.A. No. 8047, which mandates consultation;

WHEREAS, stakeholders also alleged that the issuance of the New Rule is a usurpation of legislative functions as clearly provided for in Section 11 of R.A. No. 8047 and Section 7 (E) of R.A. No. 9155, otherwise known as the "Governance of Basic Education Act of 2001";

WHEREAS, under the provisions of law, the evaluation of textbooks would continue to be exclusively vested with the Department of Education (DepEd) and not with NBDB or other agency in order to promote democratization and proliferation of more publications across the regions and the decentralization of decision-making processes without bureaucratic intervention;

WHEREAS, there is an urgent need to address the problem considering that the private sector is an important partner of the government in developing the best books in private and public schools and that the publication of affordable, accessible and quality books requires the existence of a robust book publishing industry;

WHEREAS, as mandated by laws it is government's responsibility to encourage private sector initiative by providing the necessary incentives and environment for the development of the industry and not to impede its growth by providing obstacles to the private sector's active participation: Now, therefore, be it

Resolved by the Senate, to direct the Committee on Education, Arts and Culture to inquire, in aid of legislation, into the "New Rule on the Cancellation of Registration of Publishers That Produce Poor Quality Textbooks" issued by the National Book Development Board which is alleged to be unlawful and unconstitutional by the publishers, parents and students with the end in view of reviewing and finding whether the said new rule conform to the provisions of R.A. No. 8047, otherwise known as the Book Publishing Industry Development Act and R.A. No. 9155, otherwise known as the Governance of Basic Education Act of 2001 and proposing remedial legislation for the purpose.

Adopted,


LUISA "LOI" P. EJERCITO ESTRADA
Senator