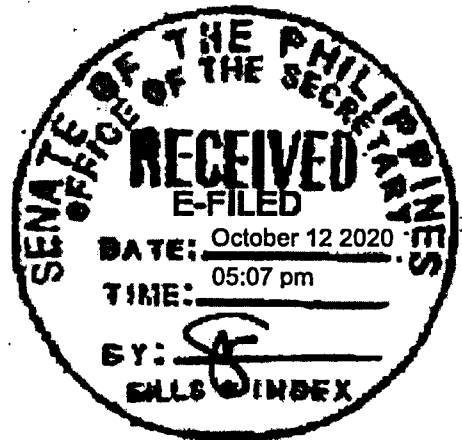


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE

S. No. 1881



Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
AMENDING REPUBLIC ACT NO. 8047, OTHERWISE KNOWN AS THE "BOOK PUBLISHING INDUSTRY DEVELOPMENT ACT," PROVIDING FOR THE SCANNING AND CONVERSION OF PUBLIC SCHOOL TEXTBOOKS INTO E-BOOKS AND OTHER DIGITAL FORMATS

EXPLANATORY NOTE

In the public school system, a yearly routine at the opening of classes is the distribution of textbooks to all elementary and secondary school students. It is likewise commonplace that such books are limited in number and, as a result, our students are forced to share or borrow from one another. In fact, even in today's use of self-learning modules necessitated by the COVID-19 pandemic and the shift to distance learning, sharing of materials among groups of students is still the trend because of the shortage of printed modules.¹ Similar to the textbook scenario pre-pandemic, the modules cannot be distributed in 1:1 ratio.²

While the budgetary support to address these problems in the printing, publishing and distribution of learning modules and textbooks must be prioritized, it is important for the government to resort to already available technologies and innovations that can temporarily fill the gap. One such technology is the digitization of textbooks into electronic books or e-books and other digital formats. Through the

¹ <https://mb.com.ph/2020/09/30/use-books-not-modules-teachers-urge-deped/>

² <https://newsinfo.inquirer.net/1335796/budget-woes-deped-says-some-students-have-to-share-modules-this-school-year>

adoption of this digitization, opportunities are afforded to students to have a copy or access to the contents of the textbook in digital format without the need of borrowing from the school library or from another student, or waiting for his/her "turn" in reading the shared physical book.

This bill, which seeks to amend Republic Act No. 8047, otherwise known as the "Book Publishing Industry Development Act," mandates that publishers participating in the government's Public School Textbook Program shall allow the scanning or conversion into e-books and other digital formats, in part or in full, of their approved textbooks. To protect the intellectual property rights of both the authors and publishers of the textbook, the implementation of the scanning or conversion must comply with the provisions of Republic Act No. 8293, otherwise known as the "Intellectual Property Code of the Philippines." The e-books and digital format copies of the textbooks shall also be made available and accessible to all public school students, in a manner deemed appropriate and reasonable by the DepEd.

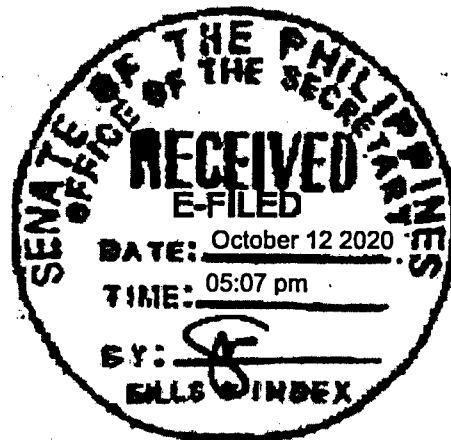
In view of this, early passage of this bill is sought.


MANUEL "LITO" M. LAPID
Senator

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

- 1 Section 1. Section 11 of Republic Act No. 8047, otherwise known as the "Book
2 Publishing Industry Development Act," is hereby amended to read as follows:
3
4 "Sec. 11. Participation of Private Publishers In the Public School
5 Textbook Program. — Guided by the minimum learning competencies
6 for the elementary level, the desired learning competencies for the
7 secondary level, and other specifications prepared by the [DECS]
8 **DEPARTMENT OF EDUCATION (DEPED)**, publishers shall develop
9 and submit to the [DECS] **DEPED** those syllabi and/or prototypes and
10 manuscripts or books intended for use in the public schools for testing,
11 evaluation, selection and approval.
12
13 Upon approval of the manuscripts or books, publishers shall produce
14 and supply the textbooks as ordered by the [DECS] **DEPED**.

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PUBLISHERS PARTICIPATING IN THE PUBLIC SCHOOL TEXTBOOK PROGRAM SHALL ALLOW THE SCANNING OR CONVERSION INTO E-BOOKS AND OTHER DIGITAL FORMATS, IN PART OR IN FULL, OF THEIR APPROVED TEXTBOOKS, SUBJECT TO COMPLIANCE WITH REPUBLIC ACT NO. 8293, OTHERWISE KNOWN AS THE "INTELLECTUAL PROPERTY CODE OF THE PHILIPPINES. THE E-BOOKS AND DIGITAL FORMAT COPIES OF THE TEXTBOOKS SHALL BE MADE AVAILABLE AND ACCESSIBLE TO ALL PUBLIC SCHOOL STUDENTS, IN A MANNER DEEMED APPROPRIATE AND REASONABLE BY THE DEPED."

Sec. 2. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, the Department of Education (DepEd), in coordination with the National Book Development Board (NBDB), and other relevant government agencies and stakeholders, shall issue the necessary rules and regulations to implement the provisions of this Act.

Sec. 3. Repealing Clause. — All laws, presidential decrees, executive orders, proclamations, rules and regulations, or any part thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 4. Separability Clause. – If any provision or part of this Act, or the application thereof to any person or circumstance, is held unconstitutional or invalid, the remainder of this Act shall not be affected thereby.

Sec. 5. Effectivity Clause. — This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,