

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

2000 1000 1000 IV

8 JUN 14 1994

SENATE

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S. NO. 1994

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

Article XIV Section 14 of the Constitution provides that "the 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."

Article XIV Section 16 of the Constitution provides that "all the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State which may regulate its disposition."

It is a fact that for every foreign performer who graces the local entertainment industry and earns income derived from Philippine sources, a local performer is displaced.

In order to address this imbalance, this measure proposes to levy charges to foreign performers, to be known as the Equity Fee. The proceeds of which shall be allocated to the National Commission on Culture and Arts, government agency charged with promoting arts and culture; to be used exclusively for its dedicated developmental programs for artistry.

Passage of this measure is earnestly sought.



ANTONIO "SONNY" F. TRILLANES IV
Senator

SENATE

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT

TO PROTECT, CONSERVE, PROMOTE AND POPULARIZE THE NATION'S HISTORICAL AND CULTURAL HERITAGE AND RESOURCES, AS WELL AS ARTISTIC CREATIONS BY EXACTING A PERFORMANCE FEE FROM FOREIGN PERFORMERS AND ALLOCATING THE PROCEEDS THEREOF TO THE NATIONAL COMMISSION ON CULTURE AND ARTS, AND FOR OTHER PURPOSES

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

1 **SECTION 1. Title.** - This Act shall be known as "*The Singer's Equity Act.*"

2

3 **SEC. 2. Declaration of Policy.** - It is the policy of the State to foster the
4 preservation, enrichment and dynamic evolution of a Filipino national culture based on the
5 principle of unity in diversity in a climate of free artistic and intellectual expression and that all
6 the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be
7 under the protection of the State which may regulate its disposition.

8

9 **SEC. 3. Equity Fee.** - In addition to the fees currently being imposed, there shall
10 be levied a fee equivalent to Fifteen percent (15%) of a foreign performer total talent fee which
11 shall be known as the Equity Fee.

12

13 **SEC. 4. Exception.** - Performances of foreign performers for a socio-civic benefit
14 or to which the audience does not pay for admission or which the Cultural Center of the
15 Philippines sponsors shall not be covered by this Act.

16

1 **SEC. 5. *Definition of terms.*** - For purposes of this Act, the following terms shall
2 mean:

3 (a) A foreign performer is defined as an artist or entertainer, or the members of a
4 group thereof, not holding a Philippine passport.

5 (b) The total talent fee, against which is imposed the Equity Fee, shall be that
6 identified as such in the contract of service of the foreign performer plus all other projected perks
7 and benefits, including but not limited to the expenses for hotel accommodations, food and
8 maintenance for the entire duration of stay in the Philippines.

9
10 **SEC. 6. *Procedure for Administration.*** - (a) The Equity Fee shall be payable to
11 the Bureau of Internal Revenue (BIR) regional office nearest the venue of the first performance
12 at least five (5) working days prior to the date of the first scheduled performance of the foreign
13 performer.

14 (b) Payment shall be effected by the producer, promoter or impresario chargeable to
15 the account of the foreign performer.

16 (c) Within twenty (20) days from receipt of the Equity Fee, the BIR regional office
17 concerned shall remit the entire amount to the National Commission on Culture and Arts for its
18 disposition in accordance with its charter and mandate.

19
20 **SEC. 7. *Penalty.***- A violation of this Act shall be meted a penalty of a fine of at
21 least Five hundred thousand pesos (P500,000.00) but not more than Five million pesos
22 (5,000,000.00), depending on the gross receipts generated by the performances.

23
24 **SEC. 8. *Effectivity.*** This Act shall take shall effect fifteen (15) days after its
25 publication in at least two (2) national newspapers of general circulation.

Approved,