



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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