



HOUSE OF REPRESENTATIVES

H. No. 7540

BY REPRESENTATIVES ROMULO, VILLAFUERTE (L.R.), VILLAFUERTE (M.L.), HORIBATA, ENCISO, DIMAPORO (S.A.), DIMAPORO (M.K.), DUTERTE, YAP (ERIC), YAP (EDVIC), SORIANO, SALCEDA, CO (E.), AQUINO, SAULOG, ESCUDERO, PANOTES, SINGSON-MEEHAN, GONZALES (A.), GATO, CABREDO, UNGAB, PADIERNOS, OLASO, CO-PILAR, ZAMORA (M.C.), DALOG, DEL MAR, SALO, TAN (S.), DE VENECIA, NISAY, TALLADO, MANUEL, CHAN, MANQUIZ, DUJALI, TEODORO, RAMA, CASTRO (F.), SUANSING (M.A.), HARESCO, BRIONES, TY, GARCIA (D.), CAMPOS, CAGAS, EUDELA, ROBES, GO (M.), LUISTRO, PALMA, DAGOOC, DAZA, COLADA, CHUNGALAO, LOYOLA, CAJAYON-UY, TAN (K.M.), SUAN, BARBERS, REYES, ANG, KHO (R.), BASCUG, QUIMBO, MASTURA, GUTIERREZ, DE JESUS, TARRIELA, ORDANES, LAGON (S.), RODRIGUEZ (R.), SUANSING (H.), GORRICETA, RECTO, LACSON-NOEL, MENDOZA, FUENTEBELLA, RILLO, DUAVIT, GASATAYA, ACIDRE, BARONDA, BOLILIA, PRIMICIAS-AGABAS, PUMAREN, SUAREZ, HERRERA, ABANTE, ALONTE, ALVAREZ (M.), ALVAREZ (J.), ARENAS, BAUTISTA-LIM, BERNOS, BONGALON, CARI, CELESTE, CO (A.N.), CUA, CUARESMA, GO (E.C.), GONZAGA, LACSON, LARA, NAVA, SALIMBANGON, TIANGCO, UMALI, VARGAS-ALFONSO, VILLARAZA-SUAREZ, VIOLAGO, ZUBIRI, ABALOS, ADIONG, ADVINCULA, AMANTE, ASISTIO, ATAYDE, AUMENTADO, BOSITA, CHATTO, COJUANGCO (J.), CRUZ (A.), CRUZ (R.), FORTES, FRESNEDI, GARCIA (M.A.), GARDIOLA, HERNANDEZ, KHONGHUN, LAGON (D.), LAZATIN, MACEDA, MAGSINO, MATIBAG, MERCADO, NOGRALES (M.I.), OUANO-DIZON, PADUANO, PANALIGAN, PANCHO, PLAZA, PLEYTO, REVILLA (R.J.), RODRIGUEZ (E.), SALI, TULFO (J.), UNABIA, VARGAS, VERGARA, VERZOSA, YAP (C.), AGARAO, BENITEZ, BUHAIN, CORVERA, ECLEO, FLORES, GOMEZ, GUINTU, MARIANO-HERNANDEZ, MARIÑO, MERCADO-REVILLA, ORTEGA, REVILLA (B.), SILVERIO, TOLENTINO, VELOSO-TUAZON, RIVERA, YAMSUAN, TUTOR AND DALIPE, PER COMMITTEE REPORT NO. 421

AN ACT STRENGTHENING THE SPECIAL PROGRAM IN CREATIVE ARTS FOR JUNIOR AND SENIOR HIGH SCHOOL, 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 “*Special Program*
2 *in the Creative Arts Act*”.

1 **SEC. 2. Declaration of Policy.** – The State recognizes the vital role of the
2 youth in nation-building and shall promote and protect their physical, moral, spiritual,
3 intellectual, and social well-being. Moreover, the government is committed to fulfill its
4 constitutional mandate to foster the preservation, enrichment, and dynamic evolution
5 of a Filipino national culture based on the principle of unity in diversity in a climate of
6 free artistic and intellectual expression and to place arts, design and other intellectual
7 creative creation under the patronage of the State.

8
9 To this end, the State shall promote creative arts education, encourage arts
10 programs, support national art competitions, and strengthen education for the
11 development of creative industries. The State shall provide adequate training for
12 students with artistic abilities, with the end in view of producing world-class artists
13 with firm academic foundation and strong patriotic ideals.

14
15 **SEC. 3. Objective.** – The Special Program in the Creative Arts (SPCA) is
16 hereby strengthened to provide a continuing source of artists of excellence and leaders
17 in the preservation and promotion of culture, arts, and the creative industry in the
18 Philippines. Admitted students shall be trained under a special curriculum oriented in
19 the fields of architecture and allied arts, cinema, dance, dramatic arts, literary arts,
20 music, visual arts, design, digital fabrication and new media, along with financial
21 literacy, entrepreneurship skills, and basic knowledge on intellectual property rights,
22 with the end in view of providing quality education to students while giving way to
23 opportunities for a sustainable profession.

24
25 **SEC. 4. The SPCA Council.** – The SPCA Council, herein referred to as the
26 Council, is hereby created which shall be under the administrative supervision of the
27 Department of Education (DepEd), and composed of seven (7) members, namely: (1)
28 Secretary of the DepEd, as Chairperson; (2) Chairperson of the National Commission
29 for Culture and the Arts (NCCA), as Vice-Chairperson; (3) Secretary of the Department
30 of Trade and Industry (DTI); (4) President of the Cultural Center of the Philippines
31 (CCP); (5) Chairperson of the Commission on Higher Education (CHED); (6) Executive
32 Director of the Philippine Creative Industries Development Council (PCIDC); and (7)
33 President of the Creative Economy Council of the Philippines (CECP).

34
35 Members may designate a representative who shall be of rank no lower than
36 that of an Undersecretary.

37
38 Members of the Council shall serve without compensation but shall be entitled
39 to reimbursement for expenses related to their participation in the official activities of
40 the Council, in accordance with pertinent laws, rules and regulations.

41
42 The Council shall regularly meet at least once every quarter of the academic
43 year. The Chairperson or a majority of the Council’s members may call a special
44 meeting whenever necessary.

45
46 A meeting may be conducted virtually only in circumstances when meeting in
47 person is impossible or impractical and all the Council members are able to
48 communicate adequately during the meeting.

1 **SEC. 5. Duties and Functions of the Council.** – The Council shall have the
2 following duties and functions:

- 3
- 4 (a) Periodically consult with various creative industries to ensure that the
5 programs, curriculum, courses, and other activities of the SPCA respond to the
6 current and future trends to secure opportunities for the commercial success
7 of SPCA graduates;
- 8
- 9 (b) Guarantee that the curriculum in the SPCA shall be in accordance with the
10 qualification levels in terms of the three (3) Philippine Qualifications
11 Framework domains: knowledge, skills, and values; application; and degree
12 of independence;
- 13
- 14 (c) Design and implement plans, programs, and activities that will encourage
15 experienced and well-established talented artists to mentor the learners under
16 the SPCA;
- 17
- 18 (d) Provide guidance on the career path of the SPCA learners through the conduct
19 of programs and activities apprising the learners of the opportunities, including
20 those in higher education, and the state of the various creative industries;
- 21
- 22 (e) Urge higher education institutions to offer programs for scholarships and grants
23 in creative arts courses, and inform the schools with SPCA of such programs;
- 24
- 25 (f) Encourage various creative industries to employ graduates of the SPCA through
26 information campaigns and different programs that shall showcase their
27 talents and abilities;
- 28
- 29 (g) Maintain a pool of instructors composed of experts in various creative arts
30 domains who are willing to teach the SPCA learners and assign them to various
31 schools with SPCA;
- 32
- 33 (h) Call on the local government units (LGUs), their respective local school boards
34 and other agencies, especially where the schools with SPCA are located, for
35 assistance, coordination and collaboration for alignment, synchronicity, and
36 complementarity of plans, resources and efforts of the schools and the
37 pertinent LGUs; and
- 38
- 39 (i) Other duties and functions that may be necessary or incidental for the effective
40 implementation of this Act.
- 41

42 **SEC. 6. Roles of Government Agencies.** – To achieve the objectives of this
43 Act, the following government agencies shall carry out their respective roles:

- 44
- 45 (a) DepEd – The DepEd shall formulate the academic curriculum to ensure that
46 learners under the SPCA possess the knowledge and competencies that can
47 lead to a successful professional career and to be eligible for higher education
48 in the event that graduates choose the pathway. It shall set the standards in
49 the selection or qualification of schools with SPCA, and shall appoint and

1 designate the qualified instructors who shall train the learners in accordance
2 with the curriculum set by the NCCA and the CCP.

3
4 (b) NCCA and CCP – The NCCA and the CCP shall formulate the creative arts
5 curriculum for the SPCA to train the learners and hone their skills and abilities
6 to achieve their full potential. They shall provide the qualifications of
7 instructors for the effective implementation of this Act.

8
9 (c) DTI, CECP, and PCIDC – The DTI, CECP, and PCIDC shall advocate for the
10 employment of SPCA graduates by linking the schools with SPCA with different
11 creative industries for work immersion and eventual job posts. They shall
12 further conduct programs and activities in schools with SPCA to inform the
13 learners of the current and future trends they may engage in for their careers
14 in creative arts.

15
16 (d) CHED – The CHED shall promote the further studies of SPCA graduates by
17 constantly ensuring that its policies, standards, and guidelines for college
18 courses in creative arts are responsive to the current and future trends and
19 urging higher education institutions to provide scholarships and grants.

20
21 **SEC. 7. Partnerships with the Private Sector.** – The DepEd and the
22 schools with SPCA may enter into agreements with the private sector for the training
23 and development of the skills and talents of its SPCA learners.

24
25 **SEC. 8. Hiring of Special Instructors for SPCA.** – Notwithstanding the
26 relevant provisions of Republic Act No. 7836, as amended by Republic Act No. 9293,
27 otherwise known as the “Philippine Teachers Professionalization Act of 1994”, the
28 DepEd shall hire and retain experts in the various creative arts domains, without the
29 additional requirements of completing teaching units and passing the board exam for
30 teachers, to teach the pertinent subjects in the curriculum: *Provided*, That they shall
31 teach only the subjects of their expertise: *Provided, further*, That they satisfy the
32 qualification standards set by the DepEd, NCCA and CCP: *Provided, finally*, That they
33 shall receive salaries and benefits befitting their status, distinctions, and
34 achievements.

35
36 **SEC. 9. Tax Exemptions.** – The importation of equipment relating to creative
37 industry, books, art related supplies, musical instruments, materials and goods,
38 including those donated to the SPCA shall, upon certification by the DepEd be exempt
39 from customs duties in accordance with the provisions of Republic Act No. 10863,
40 otherwise known as the “Customs Modernization and Tariff Act (CMTA)”: *Provided*,
41 That these are of international standards and are not available from local
42 manufacturers: *Provided, further*, That the importation shall only be in such numbers
43 as may be required in the development programs and/or training of the
44 students: *Provided, finally*, That all importations shall be made in the name of SPCA
45 as recipient and shall be immediately registered in the name of SPCA.

46
47 **SEC. 10. Tax Exemption on Donations.** – All grants, bequests, endowments,
48 donations and contributions made to the SPCA, to be used actually, directly and
49 exclusively by the SPCA shall be exempt from donor’s tax and the same shall be

1 considered as allowable deduction from gross income for purposes of computing the
2 taxable income of the donor in accordance with the provisions of the National Internal
3 Revenue Code of 1997, as amended.
4

5 **SEC. 11. Appropriations.** – The Secretary of the DepEd shall include in the
6 Department’s program the implementation of this Act, the funding of which shall be
7 included in the annual General Appropriations Act.
8

9 **SEC. 12. Implementing Rules and Regulations.** – The DepEd shall, in
10 consultation with the NCCA, CCP, DTI, CHED, PCIDC, and CECP, promulgate not later
11 than thirty (30) days upon the effectivity of this Act, the rules and regulations for its
12 effective implementation: *Provided*, That the failure to promulgate the rules and
13 regulations shall not prevent the implementation of this Act upon its effectivity.
14

15 **SEC. 13. Separability Clause.** – If any provision of this Act is held invalid or
16 unconstitutional, the other provisions not so declared shall remain in force and effect.
17

18 **SEC. 14. Repealing Clause.** – All laws, decrees, orders, and rules and
19 regulations contrary to or inconsistent with the provisions of this Act are hereby
20 repealed or amended accordingly.
21

22 **SEC. 15. Effectivity.** – Notwithstanding the non-issuance of the implementing
23 rules and regulations, this Act shall take effect fifteen (15) days after its
24 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,