

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



Senate
Office of the Secretary

23 JAN 12 A9:22

SENATE
S.B. NO. 1655

RECEIVED BY: _____

Introduced by Senator Ramon Bong Revilla, Jr.

**AN ACT
MAINTAINING AND PRESERVING FILIPINO FILMS, CREATING THE
PHILIPPINE FILM ARCHIVE, APPROPRIATING FUNDS THEREFOR AND FOR
OTHER PURPOSES**

EXPLANATORY NOTE

The Film Development Council of the Philippines (FDCP) was created by virtue of Republic Act No. 9167 to "undertake initiatives that will promote the growth and development of the local film industry, as well as establish, organize, operate and maintain local and international film festivals, exhibitions and other similar activities¹." In the law, it declared that "the State shall promote and support the development and growth of the local film industry as a medium or the upliftment aesthetics, cultural and social values or the better understanding and appreciation of the Filipino identity²." Further, it stated that, "to achieve this end, the State shall formulate and implement policies and programs to upgrade the art and craft of film making and encourage the production of films for commercial purposes, intended for public entertainment, that seek to enhance the quality of life, examine the human and social conditions and contribute to the dignity and nobility of the human spirit³."

The Philippine Film Archive was established in January 2011 by the FDCP pursuant to its mandate of establishing a film archive. The Archive seeks to "protect

¹ Proclamation No. 1085, s.2021

² Republic Act No. 9167, Sec. 1

³ *Ibid.*

and uphold the nation's historical, cultural and artistic legacy and heritage by conserving and preserving the audiovisual materials connected to our history and culture⁴." Its ultimate objective is to "develop a culture, nation, and public that fully appreciates and is enriched by our country's audiovisual heritage⁵."

The importance of the Philippine Film Archive is that it seeks to make our country's culture, and history as well, known through filmic medium. In this light, consideration of this bill is earnestly sought.


RAMON BONG REVILLA, JR. 

⁴ FDCP website

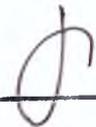
⁵ *Ibid.*

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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 "Philippine Film Archive
2 Act of 2022."

3 Sec. 2. *Declaration of Policy.* It is hereby declared the policy of the State to
4 undertake initiatives that will promote the growth and development of the local film
5 industry, conserve and promote the nation's historical and cultural heritage and legacy
6 of Filipino cinema.

7 Towards this end, the State shall establish a national film archive following
8 internationally-accepted standards, in charge of collecting, archiving, conservation,
9 preservation, management, restoration and storage of Filipino films that protects and
10 upholds the nation's historical, cultural and artistic legacy and heritage.

11 Sec. 3. *Coverage.* This Act shall apply to all Filipino films ranging from motion
12 pictures to cinematic masterpieces, documentary, news reels, silent films, avant-garde
13 works, significant amateur footage, television shows to sound recordings, and studio
14 productions to independent, orphan and even experimental films produced here and
15 abroad.

16 Sec. 4. *Creation of Philippine Film Archive.* The Philippine Film Archive is hereby
17 created under the Film Development Council of the Philippines.

1 Where certain functions are declared redundant on account of the
2 reorganization, the Film Development Council of the Philippines shall provide for the
3 reassignment, insofar as practicable, of affected employees to similar positions within
4 the Council and its attached agencies, taking into consideration their skills and
5 experience, without loss of seniority or other rights and privileges. In any case, all
6 relevant laws, decrees, executive orders, rules and regulations concerning the rights
7 of government employees in the reorganization of an office shall be respected.

8 *Sec. 5. Functions.* The Philippine Film Archive shall have the following functions:

- 9 a. Implement a comprehensive national film preservation program for motion
10 pictures, cinematic masterpieces to documentary, news reels, silent films,
11 avant-garde works, significant amateur footage, television shows to sound
12 recordings and studio productions to independent, orphan and even
13 experimental films produced here and abroad, in conjunction with other film
14 archivists, educators and historians, copyright owners, film industry
15 representatives, and others involved in activities related to film preservation;
- 16 b. Consult with film archivist, educators and historians, copyright owners, film
17 industry representatives, including those involved in activities related to film
18 preservation;
- 19 c. Coordinate activities to assure that efforts of archivists and copyright owners,
20 and others in the public and private sector, are effective and complementary;
- 21 d. Develop a coordinated study and strategy to address the policy and
22 technological problems, share information and resources for possible solutions,
23 and avoid duplication of effort by and within public and private entities;
- 24 e. Generate public awareness of and support for these activities;
- 25 f. Make materials more accessible in ways fully consistent with copyright laws,
26 focusing on public domain collections important for educational and historical
27 research;
- 28 g. Undertake studies and investigations of film preservation activities as needed,
29 including the efficacy of new technologies, and recommended solutions to
30 improve these practices;

- 1 h. Establish criteria and procedures under which films may be included in the
2 Philippine Film Registry, except that no film shall be eligible for inclusion in the
3 Registry until 10 years after such film first publication;
- 4 i. Establish procedures under which the general public may make
5 recommendations to the Philippine Film Archives regarding the inclusion of films
6 in the National Film Registry;
- 7 j. Fund projects such as the archival preservation and restoration of film
8 collections, or the establishment of regional storage facilities to house
9 endangered film collections from many institutions in archival conditions; and
- 10 k. Facilitate the acquisition of a permanent and suitable structure and facilities,
11 including online storage, for the Philippine Film Archives to house the country's
12 film archival holdings.

13 *Sec. 6. National Preservation Plan.* The Philippine Film Archive shall conduct a
14 national study of the film preservation problems facing the nation, and to prepare a
15 national preservation plan to address the problems posed by the study.

16 The study shall determine whether there is a critical need to develop a
17 coordinated national strategy to address the loss of film materials used and enjoyed
18 especially for historical and educational purposes. The national plan shall suggest to
19 focus the preservation efforts on those films without commercial viability or copyright
20 ownership, but which are educationally and historically significant and therefore most
21 in need of maintenance for future generations.

22 The Philippine Film Archive shall prepare the national preservation plan. They
23 shall convene all the parties interested in film production, preservation and
24 dissemination into the preparation of the study and the national plan and ensure the
25 participation of organizations and individual participants on public hearings and
26 drafting sessions.

27 *Sec. 7. National Film Registry.* The Philippine Film Archive shall establish a
28 National Film Registry, the database on basic information of motion pictures, cinematic
29 masterpieces, documentary, news reels, silent films, avant-garde works, significant
30 amateur footage, television shows to sound recordings, and studio productions to
31 independent and even experimental films produced here and abroad.

32

1 The Philippine Film Archive shall publish in the Official Gazette the titles of each
2 film that is included in the National Film Registry.

3 *Sec. 8. Implementation.* Within one year of enactment, the Philippine Film
4 Archive shall conduct a study on the current state of film preservation activities in the
5 country and subsequently establish a comprehensive national film preservation
6 program for motion pictures, cinematic masterpieces, documentary, news reels, silent
7 films, avant-garde works, significant amateur footage, television shows to sound
8 recordings, and studio productions to independent and even experimental films
9 produced here and abroad, in conjunction with other film archivists, copyright owners
10 and others in the film community.

11 *Sec. 9. Report.* Not later than one (1) year after the date of the enactment of
12 this Act and each year thereafter, the Philippine Film Archive shall submit to both
13 Houses of the Congress a report containing the results of the study conducted under
14 Section 6 of this Act.

15 *Sec. 10. Appropriations.* The amount necessary for the implementation of this
16 Act shall be charged against the budget of the Film Development Council of Philippines
17 in the annual General Appropriations Act.

18 *Sec. 11. Implementing Rules and Regulations (IRR).* The Film Development
19 Council of the Philippines, National Archive of the Philippines, National Commission for
20 Culture and the Arts, Cultural Center of the Philippines and the Department of Budget
21 and Management in consultation with other government with other government
22 agencies and concerned stakeholders, shall promulgate and issue the implementing
23 rules and regulations within ninety (90) days upon approval of this Act.

24 *Sec. 12. Separability Clause.* In the event that any part, section or provision of
25 this Act shall be declared unconstitutional or invalid by a competent court, the
26 remaining provisions thereby shall remain valid and in full force and effect as if the
27 sections or provisions so annulled or voided had never been incorporated herein.

28 *Sec. 13. Repealing Clause.* All laws, decrees, executive orders, issuances, rules
29 and regulations, or parts thereof not consistent with the provisions of this Act are
30 hereby repealed or modified and/or supersede as case may be by this Act accordingly.

1 Sec. 14. *Effectivity.* This Act shall take effect fifteen (15) days after its complete
2 publication in the Official Gazette or in at least two (2) newspapers of general
3 circulation.

Approved,