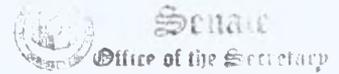


**NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES**
Second Regular Session



23 JUL 26 P1 :11

SENATE
S.B. No. 2364

RECEIVED BY: _____

A handwritten signature in blue ink, appearing to be "R. Revilla", written over a horizontal line.

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
STRENGTHENING THE SPECIAL PROGRAM IN CREATIVE ARTS FOR JUNIOR
AND SENIOR HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

In 2022, the Philippine Statistics Authority reported that the creative economy amounted to PhP 1.60 Trillion, with a contribution of 7.3% to the country's Gross Domestic Product (GDP). For the same year, the PSA also showed that 6.8 million Filipinos were employed in the creative industries.

These numbers alone highlight the big role that creative arts play in our economy. Thus, this bill seeks to strengthen the Special Program in the Creative Arts (SPCA) to continuously promote creative arts education towards a more developed creative industries. Training for students admitted in this program will be under a special curriculum to cater for their unique needs as learners in the creative arts.

This bill also aims to complement the enactment of the Creative Industries Charter which this congress has passed recently. It underscores the importance of the creative industries in the society and in the daily lives of the Filipinos who not only express themselves through art, but whose consumption trend, as well as activities, are also driven by art. After all, the recent changes that the global pandemic has necessitated, mirror just how much people rely on creative arts not only in their day-to-day needs, but as well as in maintaining the balance in their mental health and well-being.

For the sake of our world-class artists with firm academic foundation and strong patriotic ideals, consideration of this bill is earnestly sought.



RAMON BONG REVILLA, JR.

**NINETEENTH CONGRESS OF THE
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**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 Congress assembled:

1 **Section 1. Short Title.** – This Act shall be known as the “Special Program in
2 the Creative Arts Act of 2023.”

3

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

11

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

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

10
11 **Sec. 4. The SPCA Council.** – The SPCA Council, herein referred to as the
12 Council, is hereby created which shall be under the administrative supervision of the
13 Department of Education (DepEd), and composed of seven (7) members, namely: (1)
14 Secretary of DepEd, as Chairperson; (2) Chairperson of the National Commission for
15 Culture and the Arts (NCCA), as Vice-Chairperson; (3) Secretary of the Department of
16 Trade and Industry (DTI); (4) President of the Cultural Center of the Philippines (CCP);
17 (5) Chairperson of the Commission on Higher Education (CHED); (6) Executive
18 Director of the Philippine Creative Industries Development Council (PCIDC); and (7)
19 President of the Creative Economy Council of the Philippines (CECP).

20
21 Members may designate a representative who shall be of rank no lower than
22 that of an Undersecretary.

23
24 Members of the Council shall serve without compensation but shall be entitled
25 to reimbursement for expenses related to their participation in the official activities of
26 the Council, in accordance with pertinent laws, rules and regulations.

27
28 The Council shall regularly meet at least once every quarter of the academic
29 year. The Chairperson or a majority of the Council's members may call a special
30 meeting whenever necessary.

1 A meeting may be conducted virtually only in circumstances when meeting in
2 person is impossible or impractical, and all the Council members are able to
3 communicate adequately during the meeting.

4
5 **Sec. 5. *Duties and Functions of the Council.*** – The Council shall have the
6 following duties and functions:

7 a. Periodically consult with various creative industries to ensure that the
8 programs, curriculum, courses, and other activities of the SPCA respond to the
9 current and future trends to secure opportunities for the commercial success
10 of SPCA graduates;

11 b. Guarantee that the Curriculum in the SPCA shall be in accordance with
12 the qualification levels in terms of the three (3) Philippine Qualifications
13 Framework domains: knowledge, skills, and values; application; and degree of
14 independence;

15 c. Design and implement plans, programs, and activities that will
16 encourage experienced and well-established talented artists to mentor the
17 learners under the SPCA;

18 d. Provide guidance on the career path of the SPCA learners through the
19 conduct of programs and activities apprising the learners of the opportunities,
20 including those in higher education, and the state of the various creative
21 industries;

22 e. Urge higher education institutions to offer programs for scholarships and
23 grants in creative arts courses, and inform the schools with SPCA of such
24 programs;

25 f. Encourage various creative industries to employ graduates of the SPCA
26 through information campaigns and different programs that shall showcase
27 their talents and abilities;

28 g. Maintain a pool of instructors composed of experts in various creative
29 arts domains who are willing to teach the SPCA learners and assign them to
30 various schools with SPCA;

31 h. Call on the local government units (LGUs), their respective local school
32 boards and other agencies, especially where the schools with SPCA are located,

1 for assistance, coordination and collaboration for alignment, synchronicity and
2 complementarity of plans, resources and efforts of the schools and the
3 pertinent LGUs; and

4 i. Other duties and functions that may be necessary or incidental for the
5 effective implementation of this Act.

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

9 **a.** DepEd – The DepEd shall formulate the academic curriculum to ensure
10 that learners under the SPCA possess the knowledge and competencies that
11 can lead to a successful professional career and to be eligible for higher
12 education in the event that graduates choose the pathway. It shall set the
13 standards in the selection or qualification of schools with SPCA, and shall
14 appoint and designate the qualified instructors who shall train the learners in
15 accordance with the curriculum set by the NCCA and the CCP.

16 **b.** NCCA and CCP – The NCCA and the CCP shall formulate the creative arts
17 curriculum for the SPCA to train the learners and hone their skills and abilities
18 to achieve their full potential. They shall provide the qualifications of instructors
19 for the effective implementation of this Act.

20 **c.** DTI, CECP, and PCIDC – The DTI, CECP, and PCIDC shall advocate for
21 the employment of SPCA graduates by linking the schools with SPCA with
22 different creative industries for work immersion and eventual job posts. They
23 shall further conduct programs and activities in schools with SPCA to inform the
24 learners of the current and future trends they may engage in for their careers
25 in creative arts.

26 **d.** CHED – The CHED shall promote the further studies of SPCA graduates
27 by constantly ensuring that its policies, standards, and guidelines for college
28 courses in creative arts are responsive to the current and future trend and
29 urging higher education institutions to provide scholarships and grants.

1 **Sec. 7. *Partnerships with the Private Sector.*** – The DepEd and the schools with
2 SPCA may enter into agreements with the private sector for the training and
3 development of the skills and talents of its SPCA learners.
4

5 **Sec. 8. *Hiring of Special Instructors for SPCA.*** – Notwithstanding the relevant
6 provisions of Republic Act No. 7836, as amended by Republic Act No. 9293, otherwise
7 known as the "*Philippine Teachers Professionalization Act of 1994*", the DepEd shall
8 hire and retain experts in the various creative arts domains, without the additional
9 requirements of completing teaching units and passing the board exam for teachers,
10 to teach the pertinent subjects in the curriculum: *Provided*, That they shall teach only
11 the subjects of their expertise: *Provided further*, That they satisfy the qualification
12 standards set by the DepEd, NCCA and CCP: *Provided finally*, That they shall receive
13 salaries and benefits befitting their status, distinctions, and achievements.
14

15 **Sec. 9. *Tax Exemptions.*** - The importation of equipment relating to creative
16 industry, books, art related supplies, musical instruments, materials and goods,
17 including those donated to the SPCA shall, upon certification by the DepEd be exempt
18 from customs duties in accordance with the provisions of Republic Act No. 10863,
19 otherwise known as the "*Customs Modernization and Tariff Act (CMTA)*": *Provided*,
20 That these are of international standards and are not available from local
21 manufacturers: *Provided, further*, That the importation shall only be in such numbers
22 as may be required in the development programs and/or training of the students:
23 *Provided, finally*, That all importations shall be made in the name of SPCA as recipient
24 and shall be immediately registered in the name of SPCA.
25

26 **Sec. 10. *Tax Exemption on Donations.*** – All grants, bequests, endowments,
27 donations and contributions made to the SPCA, to be used actually, directly and
28 exclusively by the SPCA shall be exempt from donor's tax and the same shall be
29 considered as allowable deduction from gross income for purposes of computing the
30 taxable income of the donor in accordance with the provisions of the National Internal
31 Revenue Code of 1997, as amended.

1 **Sec. 11. Appropriations.** – The Secretary of the DepEd shall include in the
2 Department’s program the implementation of this Act, the funding of which shall be
3 included in the annual General Appropriations Act.

4
5 **Sec. 12. Implementing Rules and Regulations.** – The DepEd shall, in
6 consultation with the NCCA, CCP, DTI, CHED, PCIDC, and CECP, promulgate not later
7 than thirty (30) days upon the effectivity of this Act, the rules and regulations for its
8 effective implementation: *Provided*, That the failure to promulgate the rules and
9 regulations shall not prevent the implementation of this Act upon its effectivity.

10
11 **Sec. 13. Separability Clause.** – Should any provision of this Act or part hereof
12 be declared unconstitutional, the other provisions or parts not affected thereby shall
13 remain valid and effective.

14
15 **Sec. 14. Repealing Clause.** – All laws, decrees, orders, and issuances or
16 portions thereof, which are inconsistent with the provisions of this Act, are hereby
17 repealed, amended, or modified accordingly.

18
19 **Sec. 15. Effectivity.** This Act shall take effect fifteen (15) days after its
20 publication in two (2) newspapers of general circulation.

Approved.