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Congress of the Philippines
First Regular Session

SENATE

S. NO. 252

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AN ACT PROVIDING FOR THE DEVELOPMENT OF
THE BOOK PUBLISHING INDUSTRY THROUGH
THE FORMULATION AND IMPLEMENTATION OF
A NATIONAL BOOK POLICY AND A NATIONAL
BOOK DEVELOPMENT PLAN

*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 "Book
2 Publishing Industry Development Act".

3 SEC. 2 *Declaration of Policy.* - It is recognized that the book
4 publishing industry has a significant role in national development,
5 considering that the books which are its products are instrumental in the
6 citizenry's intellectual, technical and cultural development - the basic
7 social foundation for the economic and social growth of the country.
8 Books are the most effective and economical tools for achieving
9 educational growth, for imparting information and for recording.

1 preserving, and disseminating the nation's cultural heritage.

2 Accordingly, it is hereby declared a policy of the State to promote
3 the continuing development of the book publishing industry, with
4 the active participation of the private sector, as a means for ensuring
5 an adequate and affordable supply of books. For this purpose, the
6 Government shall formulate, adopt, and implement a National Book
7 Policy and a corresponding National Book Development Plan that
8 will serve as the enduring basis for fostering the progressive growth
9 and viability of the book publishing industry.

10 SEC. 3. *Definition of Terms.* - For purposes of this Act, the
11 terms below shall be construed to mean, except where explicitly
12 indicated or where the context clearly indicates otherwise, as follows:

13 a) *Book* - as defined by the United Nations Educational
14 Scientific and Cultural Organization (UNESCO), a printed non-
15 periodical publication of at least forty-eight (48) pages, exclusive of
16 cover pages, published in the country and made available to the public

17 b) *Textbook* - a book which is an exposition of generally
18 accepted principles in one (1) subject, intended primarily as a basis
19 for instruction in classroom or pupil-book-teacher situation

20 c) *Book Title* - refers to a particular book of which a number of
21 copies are printed

22 d) *National Book Policy* - a statement of the intention and
23 philosophy of the State as a basis for the formulation and implementa-
24 tion of measures for the development, production and distribution of
25 books.

1 e) *National Book Development Plan* - refers to the integrated
2 approach for fostering book development, consisting of the totality of
3 the procedures and systems for attaining the balanced growth of the
4 various components of book development and production, including
5 preparation and distribution of books

6 f) *National Development* - is used in the most general sense to
7 refer to the country's progress as well as to the processes or measures
8 that contribute to such progress

9 SEC. 4. *National Book Policy*. - The National Book Policy shall
10 conform to the policy provided for in Section 2 hereof and shall have the
11 following basic purposes and objectives:

12 a) to create conditions conducive to and ensure infrastructural
13 facilities for development, production and distribution of books;

14 b) to obtain priority status for the book publishing industry;

15 c) to ensure an adequate, affordable and accessible supply of
16 books for all segments of the population;

17 d) to promote book readership especially among the young and
18 neo-literates, through programs promoting literary and good reading
19 habits, book fairs and exhibits; and an efficient nationwide system
20 of libraries and reading centers especially in the rural areas;

21 e) to promote the development of indigenous authorship and of
22 translations among various language groups in the country;

23 f) to promote the translation and publication of scientific
24 and technical books and classic works in literature and the arts;

25 g) to promote the effective distribution of books nationwide

1 through adequate, efficient and reliable postal and transport delivery
2 services at concessional rates;

3 h) to foster the development of the skills of personnel
4 engaged in book publishing through in-service training programs and
5 through establishing formal degree and non-degree book publishing
6 courses in schools;

7 i) to inculcate the concept of intellectual property ownership
8 and to protect the rights of authors and publishers by strictly enforcing
9 copyright laws and providing legal assistance to authors and publishers
10 in suits related thereto;

11 j) to reaffirm and ensure the country's commitment to the
12 UNESCO principle of free flow information and other related
13 provisions as embodied in the Florence Agreement and in other similar
14 international agreements; and

15 k) to promote whenever appropriate the use of recycled/waste
16 paper and other inexpensive local materials in the manufacture of
17 books to reduce the cost of such locally produced books.

18 SEC. 5. *National Book Development Plan.* - The National
19 Book Development Plan shall include the specific measures needed
20 to realize the purposes and objectives of the National Book Policy.
21 The formulation of the plan shall involve:

22 a) the collection and tabulation of data on book production
23 covering such areas as paper production, supply and consumption,
24 publishing equipment and machinery and existing distribution net-
25 works;

21

1 b) a survey on the availability of adequate and proper
2 manpower and supporting skills needed by the publishing industry
3 such as authors, editors, designers and illustrators, marketing personnel
4 and printers;

5 c) a survey of existing legislation affecting the book industry both
6 at the national and international levels;

7 d) a survey of professional training capability as well as of
8 reading habits and attitudes; and

9 e) consultations with all segments of the book industry
10 concerned in planning for and preparing the National Book Develop-
11 ment Plan on the basis of the results of the aforementioned surveys.

12 The National Book Development Plan shall have the following
13 components and/or requisites:

14 a) a human resource development program for book personnel;

15 b) guidelines for ethical practices in the book trade;

16 c) measures for attaining balanced attention and bridging the
17 communication gap among people living in different parts of the
18 country;

19 d) provisions for a strong and effective mechanisms for book
20 development in the country;

21 e) provisions for producing books or other periodicals such as
22 appropriate or selected comics as instructional or teaching material for
23 such various categories of readers in the country as pre-school children
24 and schoolchildren, school drop-outs, neo-literates, the handi-
25 capped, professionals, general readers and ethnic groups; and

1 f) measures for addressing the needs and problems of the book
2 industry as indicated in the surveys conducted;

3 SEC. 6. *National Book Development Board*. - There is hereby
4 established an independent National Book Development Board,
5 hereinafter referred to as the Board, to be composed of two (2)
6 representatives from the Government, two (2) representatives
7 selected from the nominees of organizations of private book publishers,
8 and two (2) representatives, from the academic community with one
9 (1) representative coming from the student sector all to be appointed
10 by the President.

11 The members of the Board shall elect a chairman from among
12 themselves.

13 The members of the Board shall serve for a term of three (3)
14 years: *Provided*, That no member shall serve for more than two (2)
15 consecutive terms.

16 The Board shall have a permanent Secretariat under an
17 executive officer who shall be appointed by the Board.

18 The Board shall both be an advisory and independent
19 agency, with functions and powers as follows:

20 a) assume responsibility for carrying out and implementing the
21 policies, purposes and objectives provided for in this Act;

22 b) formulate plans and programs as well as operational policies
23 and guidelines for undertaking activities relative to promoting book
24 development, production and distribution as well as an incentive
25 scheme for individual authors and writers;

1 c) formulate policies; guidelines and mechanisms to ensure that
2 editors, compilers and especially authors are paid justly and promptly
3 royalties due them for reproduction of their works in any form and
4 number and for whatever purpose;

5 d) conduct or contract research on the book publishing industry,
6 including monitoring, compiling and providing data and information on
7 book production;

8 e) provide a forum for interaction among private publishers,
9 and shall, for the purpose, establish and maintain liaison with all the
10 segments of the book publishing industry;

11 f) ask the appropriate government authority to ensure effective
12 implementation of the National Book Development Plan; and

13 g) promulgate rules and regulations for the implementation of
14 this Act in consultation with other agencies concerned, except for
15 Section 9 hereof on incentives to book development, which shall be
16 the concern of appropriate agencies involved.

17 *SEC. 7. Participation of the Government in the Public School*
18 *Textbook Programs.* - The Government shall confine itself to:

19 a) preparing the minimum learning competencies, and/or
20 prototypes and other specifications for the books and/or manuscripts
21 called for;

22 b) testing, evaluating, selecting and approving the manuscripts
23 or books to be submitted by publishers for multiple adoption;

24 c) distributing textbooks to the public school system; and

25 d) promulgating with the participation and assistance of the

1 Board rules and regulations for the private book publishers in the call,
2 testing, evaluation, selection, approval, as well as production
3 specification and acquisition of public school textbooks.

4 The government shall, within three (3) years from the
5 effectivity of this Act, phase-out its elementary and secondary
6 school textbook publication and distribution functions and make
7 every effort to support the phasing in of private publishers to assume
8 these functions. For its part, the Board shall monitor and conduct an
9 annual evaluation of the progress of this shift of functions from the
10 Government to the private sector.

11 *SEC. 8 Participation of Private Publishers in the Public*
12 *School Textbook Program. -*

13 Guided by the minimum learning competencies for the
14 elementary level, the desired learning competencies for the secondary
15 level, syllabi and/or prototypes and other specifications prepared
16 by the Government, publishers shall develop and submit to the
17 Government those manuscripts or books intended for use in the public
18 schools for testing, evaluation, selection and approval.

19 Upon approval of the manuscripts or books, publishers
20 shall produce and supply the textbooks as ordered by the Government.

21 *SEC. 9. Incentives for Book Development. -* The book
22 publishing industry shall be considered a preferred area of investment
23 under the Investment Priorities Plan and shall enjoy the correspond-
24 ing incentives provided under Executive Order No. 226, as amended,
25 otherwise known as "The Omnibus Investments Code of 1987".

1 SEC. 10. *Penalties.* - Any person who violates any provision
2 of this Act shall be punished by a fine not exceeding Ten thousand
3 pesos (P10,000.00) or imprisonment of not more than five (5) years.
4 or both, at the discretion of the court.

5 SEC. 11. *Appropriations.* - For the initial operating expenses
6 of the Board and the Secretariat, it is hereby authorized to be
7 appropriated the amount of One million pesos (P1,000,000.00).
8 Thereafter, it shall submit to the Department of Budget and Manage-
9 ment its proposed budget for inclusion in the General Appropriations
10 Act.

11 SEC. 12. *Transitory Provisions.* - Within a period of sixty (60)
12 days after the approval of this Act, the Board shall be constituted to
13 start its operation.

14 All other government offices having functions similar to those
15 of the Board shall then cease to perform such functions. These
16 functions shall henceforth be deemed transferred to the Board.

17 SEC. 13. *Repealing Clause.* - Executive Order No. 492, series
18 of 1991 is hereby repealed. All other laws, decrees, rules,
19 regulations and other administrative issuances or provisions thereof
20 which are contrary to or inconsistent herewith are hereby repealed
21 or modified accordingly.

22 SEC. 14. *Effectivity.* - This Act shall take effect after fifteen (15)
23 days following its publication in the *Official Gazette* or in any
24 newspaper of general circulation.

Approved,