

REPUBLIC OF THE PHILIPPINES  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
Third Regular Session

House Bill No. 10705



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Introduced by **MAGDALO Party-List Representative**  
**HON. MANUEL DG. CABOCHAN III**

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**EXPLANATORY NOTE**

Article II, Section 17 of the 1987 Constitution affirms that the State shall give priority to education, science, technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.

Films are an integral part of our nation, as they reflect human social conditions of the past, present, and possibly the future through cinematic portrayals. Since its birth in 1919, Philippine cinema has produced more than 8,000 films.<sup>1</sup> Regrettably, most of these were lost and destroyed and only 3,000 can be considered to be existent today.<sup>2</sup>

Republic Act No. 9167 established the Film Development Council of the Philippines (FDCP) to promote and support the development and growth of the local film industry. Among its mandated powers and functions is to ensure the establishment of a film archive to conserve and protect the film negatives, reels, and prints as part of the nation's historical, cultural, and artistic heritage. Despite the creation of the National

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<sup>1</sup> Inquirer. Finally, a national film archive. Information retrieved from <https://entertainment.inquirer.net/18699/finally-a-national-film-archive>. Dated October 2011

<sup>2</sup> Ibid.

Film Archives of the Philippines (NFAP) by the FDCP, there is still an urgent need to strengthen it. The FDCP was not able to fully implement a film archiving system due to funding constraints, lack of technical expertise, and adequate repository facilities equipped with the latest state-of-the-art tools.

In light of protecting Filipino-made film reels, documentaries, and other media materials, this measure seeks to provide for an adequate archiving system. It shall institutionalize the NFAP which shall be managed and maintained by the FDCP. This representation believes that the preservation of our nation's historical and cultural heritage in different forms should also be a responsibility of the government.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



**MANUEL DG. CABOCHAN III**

*Representative*

Magdalo Para Sa Pilipino Party-List

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**AN ACT**  
**CREATING THE NATIONAL FILM ARCHIVE TO BE MANAGED BY THE FILM**  
**DEVELOPMENT COUNCIL AND APPROPRIATING FUNDS THEREFORE**

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

1           SECTION 1. *Short Title.*— This Act shall be entitled as the “National Film Archive  
2 Act”.

3  
4           SEC. 2. *Declaration of Policy.*— It is hereby declared the policy of the State to  
5 give priority to education, science and technology, arts, culture and sports to foster  
6 patriotism and nationalism, accelerate social progress, and promote total human  
7 liberation and development. It shall ensure the preservation and conservation of  
8 Filipino-made films and provide an archival system to ensure that future generations  
9 will have access to these cinematic materials to promote our historical and cultural  
10 heritage. Towards this end, the State shall institutionalize and create a national film  
11 archive which shall oversee for an archival administration program in the efficient  
12 recovery, restoration, conservation and maintenance of cinematographic films.

13

1           SEC. 3. *Creation of the National Film Archive of the Philippines.*— There is hereby  
2 created a National Film Archive of the Philippines and shall be managed and maintained  
3 by the Film Development Council.  
4

5           SEC. 4. *Powers and Functions.*— The National Film Archive of the Philippines  
6 shall have the following powers and functions:

- 7           (a) Plan, formulate, and implement an archival administration program for the  
8           efficient recovery, restoration, conservation, preservation, maintenance,  
9           utilization and disposal of cinematographic films including the adoption of  
10           security measures and film protection program;
- 11          (b) Review and approve films nominated for inclusion in the National Film  
12           Archive;
- 13          (c) Conduct archival researches using materials here and abroad, including  
14           background studies about films considered for inclusion in the National Film  
15           Archive;
- 16          (d) Acquire through transfer, donation, purchase or any other means film prints  
17           and digital masters of films which have enduring archival value;
- 18          (e) Ensure the preservation and conservation of existing and future film archival  
19           resources of the government;
- 20          (f) Reproduce and authenticate copies of cinematic films, subject to copyright  
21           laws;
- 22          (g) Facilitate the acquisition of a permanent and suitable building for the  
23           National Film Archives to house the country's film archival holdings;
- 24          (h) Promote appreciation of and build cultural values from the cinematic films in  
25           the National Film Archive;
- 26          (i) Provides for access to the Film Archive for scholarly and research probes,  
27           subject to reasonable guidelines;
- 28          (j) Make Filipino films readily available for educational, historical, and cultural  
29           purposes to all segments of Philippine society, as well as the international  
30           community;

1 (k) Give technical assistance to all government offices, instrumentalities, and  
2 agencies, national or local, in the planning, implementation and evaluation  
3 of their film archives administration program; and

4 (l) Conduct training programs on film archives management, including the  
5 establishment of an archival system for both public and private sectors.  
6

7 SEC. 5. *Composition.*— The National Film Archive of the Philippines shall be  
8 headed by an Executive Director with a rank equivalent to a Bureau Director and who  
9 shall be assisted by two Deputy Executive Directors.  
10

11 The President of the Philippines shall appoint the Executive Director and the two  
12 Deputy Executive Directors of the Film Archive from a list of nominees submitted by  
13 the Film Development Council: *Provided*, That said officials to be appointed to the Film  
14 Archive shall be knowledgeable of the artistic, historical, cultural, and/or technical  
15 aspects of film-evaluation, restoration and/or archiving along world-class standards.  
16

17 The Executive Director and the Deputy Executive Directors shall serve for a term  
18 of two (2) years and shall be eligible for reappointment for a second term: *Provided*,  
19 That no director shall serve for more than two (2) consecutive terms: *Provided further*,  
20 That if any Director fails to complete a term, the person appointed to fill the vacancy  
21 shall serve only for the unexpired portion of the term of the Director whom he/she  
22 succeeds, unless re-appointed: *Provided finally*, That such service of the unexpired  
23 portion shall not counted as a term.  
24

25 The National Film Archives shall establish its own staffing pattern, and salary  
26 and compensation scheme, within six (6) months from the effectivity of this Act,  
27 subject to the rules and regulations of the Department of Budget and Management  
28 (DBM) and the Civil Service Commission (CSC).  
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30 SEC. 6. *Mandatory Submission of Films.*— Film companies or individual producers  
31 are hereby required to submit, at reasonable cost, a copy of their film to the National  
32 Film Archive within three (3) months from its official release.

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SEC. 7. *Implementing Rules and Regulations.*— The Film Development Council shall, in consultation with the National Historical Institute, National Commission on Cultural and Arts, and the National Archives of the Philippines, shall within sixty (60) days from the effectivity of this Act, promulgate the rules and regulations to effectively implement the provisions of this Act.

SEC. 8. *Appropriations.*— The amount needed for the initial implementation of this Act shall be taken from the current year’s appropriations of the aforementioned agencies. Thereafter, such sums as may be necessary for its continued implementation shall be included in the annual General Appropriations Act..

SEC. 9. *Separability Clause.*— If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

SEC. 10. *Repealing Clause.*— Any law, presidential decree or issuance, executive orders, letter of instruction, rule or regulation inconsistent with the provisions of this Act is hereby repealed or modified accordingly.

SEC. 11. *Effectivity.*— This Act shall take effect fifteen (15) days following its complete publication in the Official Gazette or a newspaper of general circulation.

Approved,