

56th Regular Session

ORDINANCE NO. SP- 1690, S-2006
(PO2006-305)

AN ORDINANCE CREATING THE QUEZON CITY FILM DEVELOPMENT COMMISSION, DEFINING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Introduced by Councilors DIORELLA MARIA SOTTO-DE LEON, JORGE B. BANAL, JR., ANTONIO E. INTON, JR., BERNADETTE HERRERA-DY, ELIZABETH A. DELARMENTE, VICTOR V. FERRER, JR., FRANCISCO A. CALALAY, JR., ROMMEL R. ABESAMIS, JOSEPH P. JUICO, WINSTON "Winnie" T. CASTELO, AIKO MELENDEZ-JICKAIN, RAMON P. MEDALLA, VOLTAIRE GODOFREDO L. LIBAN III, ERIC Z. MEDINA, ALLAN BUTCH T. FRANCISCO, FRANZ S. PUMAREN, WENCEROM BENEDICT C. LAGUMBAY, DANTE M. DE GUZMAN, JULIAN M.L. COSETENG, EDCCEL B. LAGMAN, JR. ALMA F. MONTILLA, JANET M. MALAYA, RESTITUTO B. MALAÑGEN, BAYANI V. HIPOL, XYRUS L. LANOT and JUNIE MARIE L. CASTELO.

WHEREAS, Quezon City, called "City of Stars" by virtue of Resolution No. SP-1017, S-1998, is committed to assist the film and media industry, including young film makers to produce quality, rights-based and gender-responsive films, among others;

WHEREAS, to encourage the viability of Quezon City as a venue for film production and showing, there is a need to provide tax incentives to incorporated and independent film makers seeking to produce quality film projects;

WHEREAS, the Quezon City Gender and Development Code, mentioned hereinafter as the GAD Code, under Article VII entitled Culture and Mass Media, Section 54 stipulates that the City government shall oblige all media institutions to be sensitive in the portrayal of women's and men's role, encourage positive images of women and discourage sexist and homophobic print materials and broadcast programs;

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WHEREAS, mandated by the GAD Code, the City government has began to award the Most Gender-sensitive Film at the Metro Manila Film Festival and needs to expand such an award to commercial and independent films outside the Metro Manila Film Festival, and to other movies about human rights;

WHEREAS, there is a need to synchronize and systematize various initiatives towards the development of transformative and responsible cinema and upgrading the industry in Quezon City from various quarters.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. SHORT TITLE – This Ordinance shall be known as the “Quezon City Film Development Commission Ordinance”.

SECTION 2. DECLARATION OF POLICY - It is the policy of the City to guarantee freedom of expression, promote and support the development and growth of the local film industry as a medium for the upliftment of aesthetics, cultural and social values and the better understanding and appreciation of the Filipino identity.

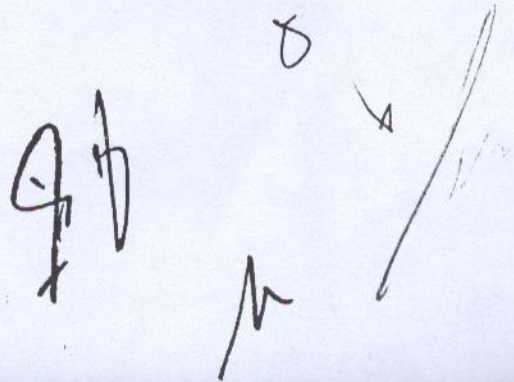
The City shall formulate and implement policies and programs to upgrade the art and craft of film making and encourage the production of films for commercial and non-commercial purposes for as long as this is intended for public entertainment, education, values infusion, advocacy for human rights, nationalism, local history and culture, and exhibition that seek to showcase Filipino talent in cinematic arts and its culture, positive values and image of Filipinos within and outside the country.

SECTION 3. THE QUEZON CITY FILM DEVELOPMENT COMMISSION - To carry out the provisions of this Ordinance, the Quezon City Film Development Commission is hereby created, hereinafter referred to as the Commission, under the Office of the City Mayor.

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SECTION 4. POWERS AND FUNCTIONS, - The Commission shall have the following powers and functions;

1. To develop and implement an incentive, reward and recognition system for film producers and other stakeholders such as scriptwriters, cinematographers, etc. based on merit to encourage the production of quality films;
2. To establish, launch, organize, operate and undertake local and international film festivals, exhibitions and similar activities for the City through its implementing arm to be called the Quezon City Film Foundation;
3. To prescribe the procedures for the exercise of the Quezon City Film Foundation's functions;
4. To determine the organizational and staffing pattern of both the commission and the foundation, and appoint its officers and employees in accordance with Civil Service laws, rules and regulations;
5. To encourage and undertake activities that will promote the growth and development of the local film industry and promote its participation in both domestic and foreign markets;
6. To develop and promote programs to enhance the skills and expertise of Filipino talents necessary for quality film production;
7. To undertake the Annual Quezon City Film Festival.
8. To perform such other functions as may be necessary to carry out the provisions of this Ordinance.



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SECTION 5. COMPOSITION OF THE COMMISSION - The Commission shall be composed of a Chairperson and fifteen (15) commissioners. Provided, that the Chairperson shall be the City Mayor.

The Fifteen (15) members who shall be the members of the board are the following;

1. City Vice Mayor, who shall also be the Co-Chairperson and Action Officer;
2. One (1) representative from the Academe situated in Quezon City;
3. Two (2) representatives from the private sector (one from the theater owners organization and one from the QC performing Arts Foundation)
4. Head of the Cultural and Tourism Affairs Office;
5. One (1) representative from the Producers' Guild of the Philippines;
6. A representative from the Quezon City Press Club;
7. One (1) representative from the Movie Workers Welfare Foundation, Inc. (MOWELFUND);
8. One (1) representative from the Kapisanan ng mga Artista ng Pelikulang Pilipino at Telebisyon (KAPPT);
9. One (1) representative from the Director's Guild of the Philippines, Inc.
10. One (1) representative from the Scriptwriters' Guild;
11. One (1) representative from the regulatory agency (MTRCB);

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12. One (1) representative from the QC GAD Council;

13. One (1) representative from the Majority group and one (1) member from the Minority group of the City Council.

SECTION 6. MEETINGS. - The Commission shall meet at least once a month or as often as necessary at the call of the Chairperson or a majority of the members. A majority of the members of the Board shall constitute a quorum to do business. The members of the Commission shall be entitled to honoraria based on existing government accounting and auditing rules and regulations.

SECTION 7. THE CHAIRPERSON. - The Chairperson shall be the Chief Executive Officer of the Commission and shall exercise overall supervision to ensure the effective and efficient implementation of the policies laid down by the Commission.

SECTION 8. FUNCTIONS OF THE CHAIRPERSON. - The Chairperson shall have the following functions;

1. Execute and administer the policies, plans and programs approved by the Commission;

2. Direct and supervise the operation and internal affairs of the Commission;

3. Establish the internal organization of the Commission and the foundation as its operating, coordinating and secretariat body and other mechanisms and administrative procedures of the Commission;

4. Recommend to the Commission the appointment, transfer or detail suspension, dismissal for cause of its subordinate officials and employees;

5. Such other functions which the Commission may assign from time to time.

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SECTION 9. GRADING OF FILMS. - The grading of films by the Cinema Evaluation Board of the Film Development Commission of the Philippines shall be the basis for the grant of amusement tax rebate imposed by the City based on gross receipts pursuant to the provisions of Republic Act No. 9167.

SECTION 10. PRIVILEGES OF GRADED FILMS. - Films which have obtained an "A" or "B" grading from the Commission pursuant to Section 11 and 12 of Republic Act No 9167 shall be entitled to the following privileges;

For grade "A" films. - 100 % of the amusement tax collected on such films; and for grade "B" films- 65 % of the amusement tax collected on such films.

SECTION 11. AMUSEMENT TAX DEDUCTION AND REMITTANCES. - All revenues from the amusement tax on the graded film which may otherwise accrue to the City pursuant to Section 140 of Republic Act No. 7160, during the period the graded films is exhibited, shall be deducted and withheld by the proprietors, operators, or lessees of theaters or cinemas thirty percent (30%) of the gross receipts from the admission fees pursuant to Section 39 of the Quezon City Revenue Code, and remitted within thirty (30) days from the termination of the exhibition to the Film Development Commission of the Philippines which will reward the corresponding amusement tax to the producers of the graded film within (15)days from receipt thereof pursuant to the provisions of Republic Act No. 9167.

SECTION 12. APPROPRIATIONS. - The amount of Two Million Pesos (P2,000,000.00) shall be appropriated for the honoraria of the Members of the Board and for Maintenance and Other Operating Expenses and special projects as maybe approved by the board.

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SECTION 13. RESOURCE OFFICE AND AUTHORITY TO ACCEPT DONATION. - Any amount or monies received by the Quezon City Film Development Commission in trust, legacy, gift and donation of real and personal properties of all kinds, shall accrue to the Local Film Development programs of the Quezon City Film Development Commission, subject to limitations provided for such donation: Provided, further, that not more than 25% of such donation shall be allocated for administrative purposes. Provided, finally, the deductibility of such donation shall be subject to the provisions of Republic Act 8482, as amended; for further fund raising activities, the Quezon City Film Development Foundation shall act as a Resource Office and Secretariat of the Quezon City Film Development Commission and shall be authorized to accept donations subject to existing regulations.

SECTION 14. ASSISTANCE FROM OTHER GOVERNMENT AGENCIES AND INTERNATIONAL BODIES. - The Commission may request any department, bureau, agency or instrumentality of the government as well as international bodies for such assistance as may be needed in the performance of its functions.

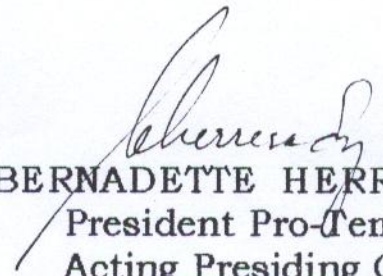
SECTION 15. IMPLEMENTING RULES AND REGULATIONS. - The Quezon City Film Development Commission shall, within Ninety (90) days after approval of this Ordinance, issue the necessary rules and regulations to implement the provisions hereto.

SECTION 16. ANNUAL REPORT. - The Quezon City Film Foundation shall, within Ninety (90) days after the end of every fiscal year, submit to the Chairman of the Commission, and to the Quezon City Council an annual report on its compliance with, or accomplishments under this Ordinance, together with its plans and recommendations to improve and develop its capability to enforce the provisions of this Ordinance, and a complete accounting of transactions with respect to any funds received under this Ordinance.

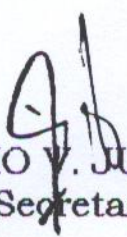
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SECTION 17. EFFECTIVITY - This Ordinance shall take effect immediately upon its approval.

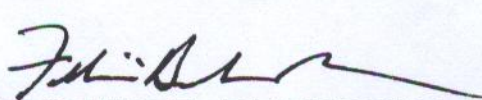
ENACTED: May 15, 2006.


BERNADETTE HERRERA-DY
President Pro-Tempore
Acting Presiding Officer

ATTESTED:

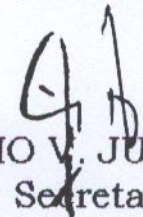

EUGENIO V. JURILLA
City Secretary

APPROVED: June 22, 2006


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on May 15, 2006, was finally PASSED on Third/Final Reading by the City Council on May 22, 2006.


EUGENIO V. JURILLA
City Secretary

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