

**Comments on House Bill No. 8101 entitled: “An Act Providing for the Promotion and Development of the Philippine Creative Industries and Providing Funds Therefor authored” by Rep. Christopher V.P. de Venecia, et. al**

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1. We are grateful to the House of Representatives for this opportunity to comment on this proposed legislation. We recognize the contribution of services to the country. In particular, Arts, Entertainment and Recreation sector declined by 68% in the third quarter of 2020. This implies a critical need for support of this subsector of the creative industry.
2. It is laudable that the bill aims to establish a creative industry development plan similar to the roadmaps and plans for specific manufacturing industries of DTI. It is also laudable that the bill recognizes the value of a whole-of-society approach in supporting the creative industry. All levels of government and the private sector should work together to support the creative industry sector. There are questions however as to the wisdom of establishing a council for this purpose. It may be wiser to establish a unit (perhaps another Bureau) within DTI specifically catering to the creative industries but also at the same time looking at the entire stream of activities. The creative industry is not a standalone sector but would form part of a value chain. Supporting the creative industry would also imply requiring the support for other industries as well.
3. Despite recognizing that the creative industries would include traditional cultural expressions such as heritage, arts and crafts and others, the National Commission on Indigenous Peoples is not a member of the council. The NCIP is mandated to “formulate and implement policies, plans, programs and projects for the economic, social and cultural development of ICCs/IPs and to monitor the implementation.”<sup>2</sup> Related to this, the intellectual property of our indigenous cultures has become the basis of a number of creative products (folklore to movies; recipes to processed food, etc.) but the trickle-down effect to them has been minimal. It is therefore suggested that the NCIP be included as a member of the council should it be retained.
4. The draft bill is silent with regard to the creation of creative hubs that would pool together multiple stakeholders and provide support to budding entrepreneurs and freelancers in the industry. Creative hubs are important because they bring together various services and expertise that would be able to guide creatives in the commercialization of their services. Creative hubs may be established in areas historically and culturally known for their creative products (e.g. Pampanga is known as the culinary capital of Luzon/Philippines so a culinary

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<sup>2</sup> [http://ncip.gov.ph/?page\\_id=89](http://ncip.gov.ph/?page_id=89)

creative hub may be established there) to mimic Phuket as a culinary creative hub for Thailand. Needless to say, the support of local governments is critical in the establishment of these creative hubs in their locality. USAID (2019) has surveyed creative cities in Asian countries and found that only Baguio is a recognized creative city for the Philippines.

5. The bill is also silent in providing a grievance mechanism to support the creatives from predatory pricing and abuses of market power. Anecdotal evidence has shown creative products being acquired at obscenely low prices because the owners have limited knowhow and bargaining power to ask for reasonable price. Government should be able to protect the creatives in order to improve market conditions for them.