

FIFTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
*First Regular Session* )

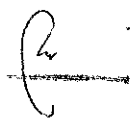
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**SENATE**

S. No. 2485

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Introduced by Senator Manuel "Lito" M. Lapid

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**EXPLANATORY NOTE**

The provisions of Article XIV, Section 14 of the 1987 Philippine Constitution provides that ***"the State shall foster the preservation, enrichment and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression."***

Our heritage needs to be preserved for all to share and benefit. A nation is defined by its history and culture. Our graphic novels and all its write-ups reflect our history and culture. Our stories mirror the soul of our nation. The images in our graphic novels are reflections of our culture and society. It reflects our dreams and history as a nation. It is culturally irreplaceable and can last a long time, especially in expert hands. Unfortunately, many of our indigenous Filipino graphic novels of the past have already been lost forever, torn, shredded or decayed beyond reclaim, or irretrievably disintegrated and destroyed.

A graphic novel is a narrative work in which the story is conveyed to the reader using sequential art in either an experimental design or in a traditional comics format. The term is employed in a broad manner, encompassing non-fiction works and thematically linked short stories as well as fictional stories across a number of genres. These graphic novels are typically bound in longer and more durable formats using the same materials and methods as printed books. They they are generally sold in bookstores and specialty comic book shops rather than at newsstands. Such books have gained increasing acceptance as desirable materials for libraries which once ignored comic books.

Graphic novels are sometimes called *long comic books*. They cover generally fictional material in comic book form — through the use of sequential illustrations. In some cases, a graphic novel is a compilation of several series of comics that begin and end a particular story arc. Some graphic novels offer terrific ways to educate children. Since they are full of illustrations, they are often attractive to young readers and can communicate stories about morals or events in history. Some are just pure fun, and enhance children's appreciation of and skill in reading.

At present, graphic novels landed on the 12th spot of top selling Philippine fiction books for based on records of the largest bookstore chain in the country. It

is also being used as reference and subject in gender studies courses in some Universities in the country.

This proposed measure seeks to establish and institutionalize the Philippine National Graphic Novel Archive which shall preserve, conserve, restore and identify graphic novels that are historically, culturally, and aesthetically important to the Filipino identity. The proposed Philippine National Graphic Novel Archive is envisioned to be the treasure house of our country's indigenous graphic novels.

The proposed Philippine National Graphic Novel Archive shall be responsible for acquiring, safeguarding, documenting and making graphic novels available to current and future generations for private study and public pleasure.

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

  
**MANUEL "LITO" M. LAPID**  
*Senator* 

10 SEP -7 P4:12

**SENATE**

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**AN ACT**  
**TO ESTABLISH THE PHILIPPINE NATIONAL GRAPHIC NOVEL**  
**ARCHIVE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER**  
**PURPOSES**

**SECTION 1. Short Title** - This Act shall be known as the "*Philippine National Graphic Novel Archive Act of 2010*".

**SEC. 2. Declaration of Policy.** — It is a declared policy of the State to collect, preserve and make available graphic novel materials relevant to arts and culture, and promote the preservation of graphic novels and materials produced in the country. The State shall promote and support the preservation of indigenous graphic novels produced in the country as a medium for the upliftment of aesthetics, cultural and social values in order to promote better understanding and appreciation of the Filipino arts and culture.

Towards this end, the State shall create a national archive for graphic novels which shall play a key role in documenting and interpreting the Filipino arts and experience in the field of graphic novels and proactively contribute to the development of the country's audiovisual industry.

**SEC. 3. Definition of Term.** — As used under this Act, a "graphic novel" is a narrative work in which the story is conveyed to the reader using sequential art in either an experimental design or in a traditional comics format. The term is employed in a broad manner, encompassing non-fiction works and thematically linked short stories as well as fictional stories across a number of genres.

**SEC. 4. Establishment of the Philippine National Graphic Novel Archive.** — There is hereby established a national archive for graphic novels in the country, constituted into a body corporate, by the name, style and title of "**Philippine**

**National Graphic Novel Archive”,** to be known as the **“Archive”**, with principal office in the Metro Manila area, to be placed under the supervision of the Office of the President.

The Archive is envisioned to be the national archive, playing a key role in documenting and interpreting the Filipino arts and experience in the field of graphic novels and in actively contributing to the development of the country’s graphic novel industry.

The Archive shall collect, store, preserve and make available indigenous graphic novel materials relevant to arts and culture in the country. It shall serve as a storehouse in the preservation, presentation and development of graphic novels produced in the country. The national collection of the Archive shall include indigenous comics, photographs, sketches, supporting documents, artifacts, photographic stills, transparencies, lobby cards, publicity, scripts, props, other relevant equipments for graphic novel development.

The Archive shall make this national collection available to the people and to foster in them an appreciation of the role played by graphic novels in the creation and recording of our national culture and identity.

**SEC. 5. Purpose and Objectives.** – The Philippine National Graphic Novel Archive shall be instituted to serve the following objectives and purposes, namely:

- a) to maintain, develop and manage a national collection of graphic novel materials, including a collection of documents and artifacts relating to the creation and distribution of graphic novels for the use and appreciation of the present and future generation of this country;
- b) to preserve and ensure the permanence of the national collection of graphic novels and related materials for the benefit of posterity and in the national interest;
- c) to make the national collection accessible to the widest possible audience in the country and internationally, according to adopted best practices and principles;
- d) to present the history, art, technology and culture of graphic novels in the country through a diversity of programs;
- e) to support and promote greater understanding and awareness of indigenous graphic novels through local and international promotions;
- f) to provide financial assistance through grant-in-aid and sponsor programs for the preservation and further enhancement of Filipino graphic novels;

- g) to coordinate with other agencies in the government which perform functions related to culture and the arts;
- h) to promote a continuing program of research and development (R&D) on Filipino graphic novels, and disseminate the same through information, education and communication (IEC) campaigns;
- i) to serve as an authoritative source of information relating to indigenous Filipino graphic novels;
- j) to act as trustee of indigenous Filipino graphic novels and related materials and other property vested in the Philippine National Graphic Novel Archive; and
- k) to charge reasonable fees and charges for the services performed by the Archive.

In performing its functions, the Archive shall place an emphasis on the historical and cultural significance of indigenous Filipino graphic novels, and its related material. In the same light, it shall use every endeavor to make the most advantageous use of the national collection in the national interest and apply the highest standards and best practices that will promote the efficient, effective and ethical use of public resources.

**SEC. 6. Powers and Functions.** - The Philippine National Graphic Novel Archive (PNGNA) shall have all legal powers appertaining to a juridical person, particularly the following power:

- a) to sue and be sued;
- b) to contract and be contracted with;
- c) to hold real and personal property as may be necessary for corporate purposes;
- d) to mortgage, lease, sell, transfer, convey and otherwise dispose of the same;
- e) to solicit and receive public and private donations and contributions;
- f) to accept and receive real and personal property by gift, devise or bequest;
- g) to levy and collect reasonable fees and dues for its services;
- h) to adopt a seal and to alter the same at pleasure;
- i) to have offices and conduct its affairs in the Metro Manila area and other regional offices;
- j) to make and adopt by-laws, rules and regulations consistent with the laws of the Philippines; and

- k) to do all such acts and things as may be necessary or proper to carry into effect and promote the purposes for which it was organized.

The seal and emblem of the Philippine National Graphic Novel Archive shall be kept in its national office.

**SEC. 7. Board of Directors of the Philippine National Graphic Novel Archive.** - The Philippine National Graphic Novel Archive shall be governed and its assets, operations and activities be directed, controlled and managed by a Board of Directors, hereinafter referred to as the Board, composed of nine (9) members.

**SEC. 8. Composition of the Board of Directors.** - The plans and programs of the Archive shall be reviewed by the Board of Directors composed of:

- 1) The Secretary of the Department of Education (DepEd), as Chairman of the Board;
- 2) The Chairperson of the National Archives of the Philippines, as Co-Chairman;
- 3) The Commissioner of the Commission on Higher Education, as member;
- 4) The Chairperson of the National Commission of Culture and the Arts, as member;
- 5) The Chairperson of the National Historical Institute, as member;
- 6) The Chairperson of the National Commission on the Role of Filipino Women, as member;
- 7) The Director of the National Museum, as member;
- 8) (One) 1 representative from the Academe Sector engaged in the field of graphic novel;
- 9) One) 1 representative from the local graphic novel industry in the country.

The two (2) members of the Board of Directors coming from the representatives of the academe sector and the local graphic novel industry shall be appointed by the President of the Philippines, from a list of three (3) nominees from each sector, who shall serve for a term of three (3) years, and renewable for another term: *Provided*, That the person appointed shall be of good moral character, of unquestionable integrity, and with expertise and experience of a least six (6) years in their respective sector: *Provided, further*, That in the event of a vacancy, the successor appointed to fill the same shall serve only the unexpired portion of the term of the member he/she succeeded.

The members of the Board of Directors from the government agencies and institutions may designate their permanent representatives who shall have a rank not lower than an assistant secretary or its equivalent to attend meetings.

All members of the Board of Directors shall receive emoluments as may be determined by the Archive, in accordance with existing budget and accounting rules and regulations.

**SEC. 9. Meetings.** – The Board of Directors of the Philippine National Graphic Novel Archive shall meet at least once (1) a month upon a three-day notice signed by the Chairperson or as often as necessary upon the written request signed by two-thirds (2/3) of its members.

Subject to the provisions of existing laws, the Board may establish guidelines and procedures in the conduct of its meeting and deliberations.

The Board is hereby mandated to keep a record of its deliberations and decisions in accordance with the provisions of this Act.

**SEC. 10. Quorum.** - The presence of at least five (5) members of the Board shall constitute a quorum: *Provided, however,* That the Chairman, in his/her absence, the Vice Chairman, shall preside.

**SEC. 11. Functions of the Board of Directors.** - The Board is responsible for ensuring the proper and efficient performance of the Philippine National Graphic Novel Archive's functions.

The Philippine National Graphic Novel Archive Board shall have the following functions:

- a) To approve the program of activities of the Archive;
- b) To approve the proposed annual budget of the Archive;
- c) To approve the pertinent procedures and standards that will be implemented by the Archive in preserving and collecting indigenous Filipino graphic novels for the national databank;
- d) To do all things necessary or convenient to be done for or in connection with the performance of its duties.

**SEC. 12. Corporate Plan of the Archive.** - The Board shall prepare a Corporate Plan for the Philippine National Graphic Novel Archive at least once a year. The Corporate Plan must include in details the following matters:

- (a) a statement of the strategic objectives that the Archive will pursue;

- (b) the strategies and policies that the Archive will adopt to achieve their strategic objectives;
- (c) the performance indicators for the assessment of the Archive's performance of its functions;
- (d) the financial targets and projections of the Archive;
- (e) an analysis of factors likely to affect achievement of targets or create significant financial risk for the Archive;

**SEC. 13. *Archive Secretariat and Administrator.*** - The Philippine National Graphic Novel Archive shall establish a Secretariat which shall serve as the technical support staff to effectively implement the provisions of this Act.

The daily operations of the Philippine National Graphic Novel Archive shall be headed by an Archive Administrator who shall be appointed by the President of the Philippines for a fixed term of six (6) years unless sooner removed for cause. He/she may be reappointed for another term of six (6) years: *Provided*, That no individual shall be reappointed as Administrator of the Archive more than once.

In the event of death, resignation, or removal of the Administrator of the Archive during his/her term of office, his/her successor shall only serve the remaining term of the deceased, resigned, or removed Administrator.

The Archive Administrator shall be responsible for the day-to-day operations of the Archive. He/she shall be responsible for the planning, implementation, monitoring and supervision of the Archive's program and projects. The Archive Administrator shall implement the decisions and policies approved by the Board.

The Archive Administrator is mandated to submit a written statement to the Board of all material personal interests that he/she may have acquired that shall conflict or could conflict with the proper performance of the his/her duties.

The Archive Administrator shall possess the following qualifications:

- a. Must not be a Filipino citizen;
- b. Must have a substantial and relevant education and experience in the field of graphic novel industry for at least six (6) years; and
- c. Must be of good moral character and has not been involved in a legal case involving moral turpitude.

All other officers and employees of the Archive shall be appointed by the Archive Administrator, as approved by the Board, consistent with the provisions of the Civil Service laws, rules and regulations.

The Philippine National Graphic Novel Archive may engage the services of consultants to assist the Archive in the performance of its functions.



**SEC. 14. Access to the Archive.** – The Board of Directors of the Philippine National Graphic Novel Archive shall promulgate the necessary rules and regulations for accessing the graphic novels and its related materials by legitimate users and may charge fees for the use thereof: *Provided*, That copying or duplication shall not be allowed except with the written permission of the copyright holder.

**SEC. 15.** The Philippine National Graphic Novel Archive is hereby authorized to plan, construct, develop, improve, acquire, or lease buildings, and other facilities, to purchase machineries, equipment, materials and supplies as may be necessary to carry out its functions and objectives.

Moreover, the Archive shall enjoy exemption from taxes and other duties in the importation of such machineries and equipment, subject to the provisions of the Tariff and Customs Code, the National Internal Revenue Code and the provisions on Automatic Appropriations under the General Appropriations Act.

**SEC. 16. Appropriation.** - The amount of Fifty Million Pesos (Php50,000,000.00) is hereby authorized to be appropriated from the Special Activities Fund of the President of the Republic of the Philippines for the initial implementation of this Act. Thereafter, such sum required for its operation, maintenance, research, development and extension activities shall be included in the annual General Appropriations Act.

**SEC. 17. Revolving Fund.** - Any and all savings and income of the Philippine National Graphic Novel Archive shall constitute a revolving fund which shall *not be reverted to the General Fund and which shall be used by the Archive in the furtherance of its goals and objectives.*

**SEC. 18. Annual Report to Congress.** - The Philippine National Graphic Novel Archive is hereby mandated to submit to both Houses of Congress an Annual Report of the accomplishments of the Archive consistent with the provisions of this Act. The annual report of the Archive shall include a detailed report on the financial utilization and disposition of the resources allocated and entrusted to the Archive.

**SEC. 19. Implementing Rules and Regulations (IRR).** - Within six (6) months after the effectivity of this Act, the Department of Education (DepEd), in coordination with the Commission on Higher Education, National Commission of Culture and the Arts, National Historical Institute, and the National Museum, shall promulgate

the necessary implementing rules and regulations to implement the provisions of this Act.

**SEC. 20. *Repealing Clause.*** - All laws, decrees, executive orders, rules and regulations or parts thereof not consistent with the provisions of this Act are hereby repealed or modified accordingly.

**SEC. 21. *Separability Clause.*** - If any provision or part of this Act, or the application thereof to any person or circumstance, is held unconstitutional or invalid, the remainder of this Act shall not be affected thereby.

**SEC. 22. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days from the date of its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

***Approved,***