

AUTHORIZING THE COMPULSORY LICENSING OR REPRINTING OF EDUCATIONAL, SCIENTIFIC OR CULTURAL BOOKS AND MATERIALS AS A TEMPORARY OR EMERGENCY MEASURE WHENEVER THE PRICES THEREOF BEC...

PRESIDENTIAL DECREE NO. 285, September 03, 1973

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WHEREAS, the spiralling of prices of educational, scientific or cultural books and materials has reached very serious proportions;

WHEREAS, it is in the national interest that such books and materials be made available to everybody at the least cost; and

WHEREAS, this can be achieved by the compulsory licensing and reprinting of both domestic and foreign educational, scientific or cultural books and materials, as a temporary or emergency measure, whenever their prices become exorbitant;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, do hereby order and decree as follows:

SECTION 1. Whenever the price of any educational, scientific or cultural book, pamphlet and other written materials, whether of domestic or foreign origin, has become so exorbitant as to be detrimental to the national interest, as determined and declared by a committee composed of the Secretary of Education and Culture, the Director-General of the National Economic and Development Authority and the Chairman of the Media Advisory Council, such book, pamphlet or written material may be reprinted by the Government or by any private printer or printers for a limited period and only for the purpose of making the same available to the people at reasonable cost.

SEC. 2. The reprinted books, pamphlets and materials shall bear proper acknowledgment of the source, authorship, copyright proprietors and past printers, if known, as well as the names and addresses of the reprinter or reprinters. If abbreviated or edited in any manner, such fact shall be stated. The following inscription shall also appear on the covers thereof: "Export of this Book or material from the Philippines is punishable by law. The export of such reprints under any circumstance is hereby prohibited.

SEC. 3. The reprinting of the above books, pamphlets and materials shall be subject to the condition that the reprinter shall pay, in local currency, a royalty of three per centum (3%) of the gross selling price, if so demanded by the authors, publishers or copyright proprietors concerned, whoever is legally entitled thereto: Provided, That in the case of non resident authors, publishers or copyright proprietors, the payment of the royalties shall be made only to them personally in the Philippines or their respective representatives or branch offices in the Philippines.

SEC. 4. Any person, natural or juridical, who shall violate the provisions of this Decree shall, upon conviction

thereof, be punished by imprisonment of not less than six months nor more than two years and a fine of not less than Five Thousand Pesos nor more than Ten Thousand Pesos. If the violation is committed by a firm, company or corporation, the manager or person in charge of the management of the business thereof shall be responsible therefor. Books and materials printed or published or exported in violation of this Decree shall be immediately confiscated and the establishment that printed or published or exported them shall forthwith be closed and its operations discontinued.

SEC. 5. The Committee herein named shall promulgate rules and regulations for the implementation of this Decree.

SEC. 6. This Decree shall take effect immediately, the provisions of any law, decree, executive order, treaty or executive agreement to the contrary notwithstanding.

Done in the City of Manila, this 3rd day of September, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS
President
Republic of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES
Assistant Executive Secretary

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