

AMENDING PRESIDENTIAL DECREE NO. 285

PRESIDENTIAL DECREE NO. 400, March 01, 1974

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I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested 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 decree and order that Presidential Decree No. 285, dated September 3, 1973, be amended by amending Sections 1 and 3" thereof and adding a new section, 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, the Chairman of the Textbook Board and the Director of the National Library, such book, pamphlet or other written material may be reprinted by the Government or by a private printer under the following conditions:

"(a) That a single title may be reprinted by only one printer authorized by the Government;

"(b) That anyone wishing to undertake the reprinting shall file an application with the National Library containing the following information: the title, author and original publisher of the book or other written material to be reprinted; its foreign list price in case of a foreign book or its domestic list price in case of a Philippine book; the proposed list price of the reprinted matter; the number of copies to be reprinted; and the name and address of the applicant. An application for each subsequent reprinting shall likewise be filed; and

"(c) That the successful applicant shall accomplish the reprinting within sixty (60) days from the date of approval of the application. If the reprinting shall not have been done in that time, the title may be applied for by other interested parties.

"All titles reprinted prior to these amendments shall be registered, the registrant furnishing the National Library the same information required in the aforementioned application, within thirty (30) days after these amendments take effect."

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"SEC. 3. The reprinting of the above-mentioned books, pamphlets or other materials shall be subject to the condition that the reprinter shall pay a royalty of at least seven per centum (7%) of the list price in the Philippines, in case of books published in the country, or at least two per centum (2%) of the foreign list price in the case of books published in other countries, the same to be paid within a reasonable period: Provided, That in the case of nonresident authors, publishers or copyright owners, the royalties, in dollars if so desired, shall be fully remittable."

SEC. 4. Any conflict or claim arising out of the provisions of this Decree shall be decided by the Committee mentioned in Section 1 hereof. An order or decision of said Committee shall become final after fifteen (15) days following the receipt by the party concerned of such order or decision, unless in the meantime an appeal therefrom to the Office of the President has been taken by the aggrieved party.

The Office of the President shall decide the appealed case within ten (10) days after the Filing of the appeal.

These amendments shall take effect immediately.

Done in the City of Manila, this 1st day of March, in the year of Our Lord, nineteen hundred and seventy-four.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

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