

RULES AND REGULATIONS IN THE REGISTRATION WITH AND ACCREDITATION BY THE NATIONAL BOOK DEVELOPMENT BOARD (NBDB) OF PERSONS AND ENTERPRISES ENGAGED IN BOOK PUBLISHING AND ITS RELA...

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Pursuant to the provisions of Section 6 of Republic Act No. 8047, otherwise known as the Book Publishing Industry Development Act, the following rules and regulations are hereby promulgated to govern the registration and accreditation of persons and enterprises engaged in book publishing and its related activities.

Rule I

Definition of Terms

Section 1. Definition of Terms. — As used in this rule, unless the context indicates otherwise, the terms below shall mean as follows:

- a) Registration. — The act of filing an application for inclusion in the register or list of persons and enterprises engaged in book publishing and its related activities.
- b) Accreditation. — The means by which registration is made effective by conferring benefits to applicants who/which qualified based on the standards of classification, thereby culminating in the issuance of the Certificate of Registration. The standards of classification shall include the production, marketing, organizational and financial capabilities in relation to the nature of the business.
- c) Fee. — The amount paid by the applicant to cover the cost of filing the application for registration and the attendant cost of processing the application and of the issuance of the Certificate of Registration.
- d) Related Activities. — The domestic industries which have direct bearing on the long term viability of the book publishing industry such as but not limited to the following: printing, distribution, book trading, importation of paper, and local raw materials manufacturing, and the development of new technologies.
- e) Book Publisher. — A person/entity engaged in financing the manufacture of books.
- f) Book Printer. — A person/entity engaged in any of the processes in the printing of books.
- g) Author. — The natural person who has created the work.
- h) Book Importer. — A person/entity engaged in the business of importing books.
- i) Retail Book Seller. — A person/entity engaged in the business of selling books on a retail basis.
- j) Wholesale Book Seller/Supplier. — A person/entity engaged in the business of selling in bulk to other wholesalers or retail outlets.
- k) Importer of Raw Materials to be Used in Book Publishing. — A person/entity engaged in the importation and sale of paper and/or ink to be used in book publishing.
- l) Local Manufacture of Raw Materials to be Used in Book Publishing. — person/entity engaged in the domestic

manufacture of paper and/or ink to be used in book publishing.

m) Non-Print Information Materials Importer. — A person/entity engaged in the business of importing non-print information materials.

n) Retail Non-Print Information Materials Seller/Supplier. — A person/entity engaged in the business of selling non-print information materials on retail.

o) Wholesale Non-Print Information Materials Seller/Supplier. — A person/entity engaged in the business of selling non-print information materials in bulk to other wholesaler or retail outlets.

p) Non-Print Information Materials Publisher. — A person/entity engaged in the business of financing the manufacture and sale of non-print information materials.

q) Forwarder. — A person/entity engaged in the receiving, transshipping or delivery to assure and facilitate the passage of goods of his/its principal.

r) Association. — A grouping of persons/entities engaged in book publishing or in any of the related activities.

Section 2. Coverage. — All persons and enterprises engaged in book publishing in any of the following classifications shall register with the Book Board:

- a) Book Publisher
- b) Book Printer
- c) Book Importer
- d) Retail Bookseller/Supplier
- e) Wholesale Bookseller/Supplier
- f) Importer of Raw Materials to be used in book publishing
- g) Local Manufacturer of Raw Materials to be used in book publishing
- h) Non-Print Information Materials Seller/Supplier
- i) Retail Non-Print Information Materials Seller/Supplier
- j) Wholesale Non-Print Information Materials Seller/Supplier
- k) Non-Print Information Materials Publisher
- l) Forwarder
- m) Associations in book publishing and other related activities.

Rule II

Statement of Policy

Section 1. Objective. — The NBDB shall be responsible for carrying out and implementing the policies, purposes and objectives of the Book Publishing Development Act. It is recognized that the private sector shall obtain benefits under the law if it participates actively in the continuing development of the book publishing industry.

In order therefore to establish and maintain liaison with all segments of the industry, every person or enterprise engaged in book publishing and other related activities listed in Section 2, Rule 1 above cited shall register with this Board as mandated by Section 6 of this Act.

Section 2. Effect of Non-Registration. — Persons and enterprises who/which do not register and are not accredited in accordance with this Rule shall not be entitled to any protection, assistance, incentives and privileges.

Section 3. — Revocation/Cancellation of Registration. — The registration of any person or enterprise found violating any provision herein, the ethical standards adopted by the private sector; the guidelines, rules and regulations promulgated by the Book Board; and other directives that may hereinafter be issued shall, after due

process, be suspended, revoked or cancelled as the circumstances may warrant. Said person or enterprise shall then forfeit any benefits available to him/her/it without prejudice to other penalties imposable under this Act.

Rule III

Procedures on Registration

Section 1. Filing of Application Form (Annex A-1). — The Applicant shall file the duly accomplished and notarized application form in duplicate with the Accreditation and Publishing Incentives Division of this Board after paying the required fee. Provincial applicants may course their applications through the regional officers.

Section 2. Payment of Fees.

a) Filing Fees. — Upon filing of an application, the applicant shall pay a uniform filing fee of Fifty Pesos (P50.00) to the authorized collection officer of the Board who shall then issue an official receipt.

If the applicant has two or more classifications, he/she/it shall cumulatively pay the filing fee for each classification.

b) Fee for Certificate of Registration. — Once the application has been processed and approved, which shall not exceed fifteen (15) days from date of filing, the applicant shall be so notified and be required to pay the registration fee pursuant to Annex A-3 of these Rules.

If the applicant has two or more classifications, he/she/it shall cumulatively pay filing fee for each classification.

Upon presentation of the Official Receipt, the Certificate of Registration (Annex A-2) shall be issued to the applicant.

The above fees are non-refundable and may be adjusted after due notice of the cost index factor shall extraordinary change.

Section 3. Documents to be Attached. — The following documents are to be attached to the Application Form, in order to facilitate the processing:

A. In the case of corporation or a partnership:

- a.1 Copy of applicant's Articles of Incorporation/Partnership and By-Laws, SEC Certificate of Registration;
- a.2 Copy of company's Board Resolution authorizing the officer to sign in behalf of applicant;
- a.3 Business Permit;
- a.4 Official Receipt pertaining to the filing fee;
- a.5 Preferably an endorsement of the Association where it is a member;
- a.6 A list of skilled personnel currently employed with the corporation (Annex A-4); and
- a.7 For book publishers — a list of publications and their classifications (Annex A-5)

B. In the case of Single Proprietorship:

- b.1 Copy of Applicant's Certificate of Registration of business name with the Bureau of Domestic Trade;
- b.2 Business Permit;
- b.3 Official Receipt pertaining to the filing fee;
- b.4 Preferably an endorsement of the Association where he/she is a member;

b.5 A list of skilled personnel currently connected or employed with the business (Annex A-4); and

b.6 For book publishers — a list of publications and their classification (Annex A-5).

Section 4. Processing of Application. — The Board shall process the application for registration within fifteen (15) days from date of filing. Thereafter, the Board shall promptly issue the corresponding Certificate after the payment of the required fee for the Certificate of Registration (Annex B).

Section 5. Change/Upgrading in Classification. — Any registered person or enterprise who/which seeks to change or upgrade his/its classification as a result of improved business condition or operation may do so at any time. Said person or enterprise shall observe the procedures on registration state herein.

Section 6. Renewal of Registration Certificate. — The registration shall be effective for one year from the date appearing in the Certificate of Registration. All persons and enterprises shall renew their registration within thirty (30) days prior to expiry of registration.

The applicant shall file a duly accomplished and notarized renewal form and attach thereto a copy of the Official Receipt in payment of the fee for the renewal of registration.

The new Certificate of Registration shall be issued within ten (10) days from filing if everything is in order.

Section 7. Finality of Order. — The Accreditation and Publishing Incentives Division shall decide whether an applicant may or may not qualify for registration. Anyone whose application is disapproved shall be informed in writing of the grounds for disapproval. A party may appeal his/her/its case to the Governing Board within 15 days from receipt of the disapproval notice. The appeal shall be resolved with finality within thirty (30) days from the date of appeal.

An application shall be disapproved on the following grounds:

- Refusal to submit the required forms, i.e., Annexes A, A-1, and other annexes (A-4, A-5, and A-6 where applicable);
- Refusal to pay the fees;
- Failure to comply with an order from the Book Board requiring the rectification of a violation falling under Section 3, Rule II hereof; and
- Where the entity has been found by other appropriate government agencies to have grossly violated existing laws like labor standards and copyrights and violations remain uncorrected.

Rule IV

Classification/Accreditation

Section 1. Basis. — The applicant shall be classified on the basis of the activities he/she/it is primarily involved in, and shall be accredited based on his/her/its declared financial, production and marketing capabilities.

The Board may exercise its visitorial power in the process of verifying and confirming the data submitted.

Section 2. Classification. — The applicant shall be classified in accordance with the classifications appearing in Section of Rule I of these Rules.

Section 3. Effectivity of Accreditation. — The applicant is deemed accredited for the corresponding classification or category once he/she/it receives the Certificate of Registration from this Board.

Rule V

Repeal/Effectivity Clause

Section 1. Amendment, Modification and/or Repeal. — The Board has the exclusive power and authority to amend, modify and/or repeal any of the provisions of the Rules and Regulations on Registration and Accreditation including the pertinent Annexes and shall exercise such power and authority whenever the circumstances so warrant.

Section 2. Effectivity. — The foregoing Rules and Regulations shall take effect fifteen (15) days from publication in a newspaper of general circulation.

[*] This is Annex A of the IRR of RA 8047.

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