

AN ORDINANCE GOVERNING THE ETHICAL USE OF ARTIFICIAL INTELLIGENCE (AI) IN ALL CREATIVE AND ARTISTIC PROJECTS AND PROGRAMS, AND IN CULTURAL AND HERITAGE PROMOTIONS OF THE CITY OF NAGA; ENSURING THE PROTECTION OF LOCAL CREATIVE PRACTITIONERS, CULTURAL WORKERS, AND HERITAGE ADVOCATES FROM ARTISTIC AND ECONOMIC DISPLACEMENT

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WHEREAS,

The 1987 Philippine Constitution recognizes the vital role of culture, arts, and heritage in nation-building and mandates the State to foster the preservation, enrichment, and dynamic evolution of Filipino culture;

WHEREAS, Republic Act No. 10066, otherwise known as the National Cultural Heritage Act of 2009, declares that the conservation, protection, and promotion of cultural heritage shall be pursued with the active participation of cultural workers, heritage professionals, and local communities;

WHEREAS, Republic Act No. 7356 established the National Commission for Culture and the Arts (NCCA) and affirms the importance of artists, cultural workers, and creative practitioners as primary stakeholders in cultural development;

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, mandates local government to enrich culture, and to enhance economic prosperity and social justice to the general welfare of their constituents;

WHEREAS, the City of Naga has consistently upheld progressive cultural governance through the recognition and support of local artists, cultural workers, creative practitioners, and heritage advocates as partners in local development;

WHEREAS, the rapid advancement and adoption of Artificial Intelligence (AI) technologies in content creation, design, writing, music, audiovisual production, and

data-driven storytelling present both opportunities and risks to the integrity of creative labor and cultural expression;

WHEREAS, the unregulated use of AI in government-funded or government-initiated creative and cultural outputs may result in the artistic, moral, and economic displacement of local creative practitioners and cultural workers;

WHEREAS, the 2028 Finish Lines development framework of the City of Naga explicitly articulates the establishment of active citizen-led efforts to preserve the Bikol language and Naga's cultural identity, and to build a conducive environment fostered for the flourishing of cultural workers and creatives;

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. Title.

This Ordinance shall be known as the "Ethical AI Use in Creative, Cultural, and Heritage Promotions and Initiatives of the City of Naga."

SECTION 2. Declaration of Policy.

It is hereby declared the policy of the City of Naga to:

- (a) Protect the artistic, moral, and economic rights of local creative practitioners, cultural workers, and heritage advocates;
- (b) Ensure that Artificial Intelligence is used ethically, transparently, and responsibly in all creative, artistic, cultural, and heritage-related initiatives of the City;
- (c) Require meaningful human participation, authorship, and oversight in all AI-assisted creative outputs funded, produced, or promoted by the City Government;
- (d) Prevent the displacement, marginalization, or uncompensated substitution of human creative labor through AI-generated content; and
- (e) Promote innovation while upholding cultural integrity, local identity, and community participation.

SECTION 3. Scope and Coverage.

This Ordinance shall apply to:

- (a) All departments, offices, units, and instrumentalities under the City Government of Naga;
- (b) All government-mandated special bodies, boards, councils, and committees;
- (c) All service providers, consultants, contractors, suppliers, creatives, agencies, and third-party entities commissioned, contracted, accredited, or otherwise engaged by the City Government; and
- (d) All creative, artistic, cultural, and heritage-related projects, programs, campaigns, publications, performances, exhibitions, digital content, promotional materials, and public communications funded in whole or in part by the City Government.

SECTION 4. Definition of Terms.

For purposes of this Ordinance, the following terms are defined as follows:

- (a) Artificial Intelligence (AI) refers to computational systems or tools capable of generating, modifying, or assisting in the creation of text, images, audio, video, design, or other creative outputs through machine learning, generative models, or similar technologies.
- (b) Creative Practitioners refer to artists, writers, designers, musicians, filmmakers, performers, illustrators, digital creators, and other professionals engaged in creative work.
- (c) Cultural Workers refer to individuals or groups engaged in cultural research, documentation, education, programming, production, or community-based cultural practice.
- (d) Heritage Advocates refer to individuals, experts, or organizations involved in historiography, heritage conservation, interpretation, promotion, and safeguarding, including tangible and intangible heritage.
- (e) AI-Assisted Content refers to creative or promotional material produced with the aid of AI tools, whether partially or substantially.
- (f) City Promotional Content refers to any content created or disseminated by or on behalf of the City Government for informational, promotional, branding, tourism, cultural, or heritage purposes.

SECTION 5. Principle of Human-Centered Creativity.

AI shall not be used as a substitute for human creative labor in City projects. In cases of AI use, the process must be clearly attributed to and anchored on human creative practice, authorship, curatorial judgment, cultural expertise, and ethical accountability.

SECTION 6. Mandatory Prior Engagement with Local Creatives and Cultural Stakeholders.

(a) Prior to the use of AI in any creative, artistic, cultural, or heritage-related City project, the responsible City office or contracted entity shall:

Consult, coordinate with, or commission qualified local creative practitioners, cultural workers, and/or heritage advocates;

Coordinate with Civil Society through the Naga City People's Council for recommendations and endorsements of creative practitioners and cultural workers matching the requirements and specifications of projects to be designed and implemented; and

Clearly define the role of AI as a supplementary tool rather than the primary creator.

(b) AI-generated or AI-assisted creative content shall be produced or released by the City shall include documented human creative participation.

SECTION 7. Fair Contracting and Compensation.

(a) Local creative practitioners, cultural workers, and heritage advocates engaged in projects involving AI shall be properly contracted or commissioned and fairly compensated in accordance with existing laws, ordinances, and fair industry practices.

(b) AI tools shall not be used to avoid, reduce, or circumvent professional fees, honoraria, royalties, or other lawful compensation due human creators.

SECTION 8. Transparency and Disclosure.

(a) All City-funded or City-initiated creative outputs that involve AI-assisted content shall include a disclosure indicating:

The specific AI tools that were used;

The nature and extent of such use; and

The human creators, curators, or supervisors involved.

(b) Such disclosure shall be included in appropriate credits, in captions, in publications, in the publicity or promotional material itself, and/or in all accompanying documentation.

(c) The workflow or creation process must be documented or recorded accordingly to ensure significant human oversight or initiative guiding AI tools.

SECTION 9. Ethical and Cultural Safeguards.

(a) AI shall not be used to generate content that misrepresents, distorts, trivializes, or exploits Bikol culture, language local history, traditional cultural expressions, indigenous knowledge systems, or community narratives.

(b) Training data, prompts, and outputs shall be reviewed by qualified technical, creative, and cultural experts when AI is used for culturally sensitive material.

SECTION 10. Prohibited Acts.

The following acts are prohibited:

(a) The use of AI-generated content in City projects without prior human creative consultation and engagement;

(b) The presentation of AI-generated works as purely human-created without disclosure and workflow documentation;

(c) The replacement of commissioned local creatives with AI solely for cost-cutting purposes;

(d) The use of AI to replicate or imitate the identifiable style or works of local creatives without consent.

SECTION 11. Oversight and Implementation.

(a) The City shall designate the appropriate office, committee, special body, council, or technical expert in coordination with the City's Heritage, Arts, and Culture Council, to oversee the implementation of this Ordinance.

(b) Said body may issue supplemental guidelines, ethical standards, and reporting mechanisms consistent with this Ordinance.

SECTION 12. Penalties.

Any City office, personnel, or contracted entity found to be in violation of this Ordinance shall be subject to appropriate administrative, contractual, or legal sanctions in accordance with existing laws and regulations, without prejudice to the filing of other applicable actions.

SECTION 13. Separability Clause.

If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provisions shall remain in full force and effect.

SECTION 14. Repealing Clause.

All ordinances, rules, regulations, or issuances inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 15. Effectivity.

This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of local circulation or posting in conspicuous places within the City of Naga, as required by law.