

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **5388**



Introduced by Representatives Victor J. Yu, Mariano Michael M. Velarde, Jr. Jesulito A. Manalo, Mariano U. Piamonte, Jr.

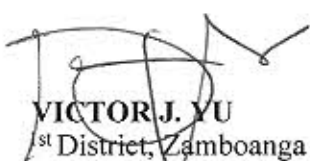
EXPLANATORY NOTE

Section 2, Chapter 1, Title XVIII, Book IV of the Administrative Code of 1987 mandates the Department of Science and Technology to "formulate and implement policies, plans, programs, and projects for the development of science and technology and for the promotion of scientific and technological activities for both the public and private sectors and ensure that the results of scientific and technological activities are properly applied and utilized to accelerate economic and social development".

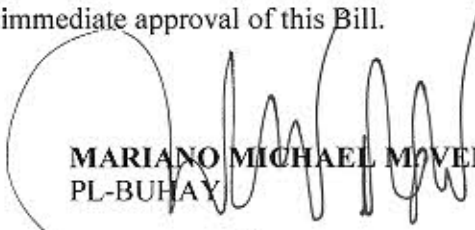
In line with this constitutional mandate, the Balik Scientist Program (BSP) was established pursuant to Presidential Decree No. 819 dated 24 October 1975 for a period of five (5) years and was extended up to October 1986 by Letter of Instruction No. 1044 dated 18 July 1980. The program has been dormant for almost a decade after the expiration of the period of extension. However, due to the remarkable outcome of the program as well as the presence of still many highly trained overseas Filipino professionals who have the expertise along the government priority areas of agriculture, energy and nutrition development, the BSP has been revived and instituted under the Department of Science and Technology (DOST) through Executive Order No. 130 dated October 25, 1993.

Notwithstanding the success of the program, there are still a lot of Filipino scientists, technology experts and researchers outside the country that has not been tapped due to circumstances that cannot be addressed by the existing BSP. It is for this reason that the existing BSP needs to be institutionalized and strengthened through a legislative fiat and including therein better incentives and benefits that would draw these Filipino experts to return back to their beloved country and share even for a limited period of time and hopefully for good, their knowledge and expertise, thereby helping the country attain its objective of accelerating economic and social development.

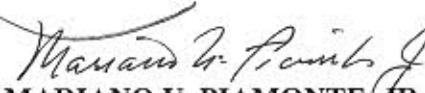
It is for these reasons that we seek immediate approval of this Bill.


VICTOR J. YU

1st District, Zamboanga del Sur


MARIANO MICHAEL M. VELARDE
PL-BUHAY


JESULITO A. MANALO
PL- ANGKLA


MARIANO U. PIAMONTE, JR.
PL- A- TEACHER

1 Republic of the Philippines
2 HOUSE OF REPRESENTATIVES
3 Quezon City

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5 SIXTEENTH CONGRESS
6 Third Regular Session

7 HOUSE BILL NO. **5388**
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10 Introduced by Representatives Victor J. Yu, Mariano Michael M. Velarde, Jr. Jesulito
11 A. Manalo, Mariano U. Piamonte, Jr.
12

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14 AN ACT
15 STRENGTHENING THE BALIK SCIENTIST PROGRAM APPROPRIATING
16 FUNDS THEREFOR, AND FOR OTHER PURPOSES
17

18 *Be it enacted by the Senate and the House of Representatives of the Philippines in*
19 *Congress Assembled:*
20

21 **SEC 1. Title.** This Act shall be known as the "*Balik Scientist Act of 2015*"
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23 **SEC 2. Declaration of Policy.** The State recognizes that the utilization of the
24 expertise of expatriate Filipino scientists and technologist is a vital component of the nation's
25 political, economic and social development efforts, hence, it is hereby declared to be the
26 policy of the State to encourage Filipino scientists and technology experts from abroad to
27 return to the Philippines and share their expertise to accelerate the development of the
28 country. Towards this end, any foreign-based scientist, professional, technician, or any person
29 with special skills or expertise who is of Filipino descent shall be allowed to practice his or
30 her profession or expertise in the Philippines in accordance with the implementing rules and
31 regulations which shall be promulgated by the Department of Science and Technology
32 (DOST) in coordination with the Professional Regulation Commission (PRC) and other
33 relevant agencies of the government.
34

35 **SEC 3. General- Objectives.** This Act aims to strengthen the scientific and
36 technological manpower of the academe and public and private institutions in order to
37 promote knowledge sharing and accelerate the flow of new technologies into the country.
38

39 **SEC 4. Definition of Balik Scientist.** - A Balik Scientist is a science or technology
40 expert or professional, as may be defined by the Department of Science and Technology, who
41 is a Filipino citizen or a foreigner of Filipino descent, residing abroad, and contracted by the
42 government to return and work in the Philippines along his or her field of expertise for a
43 short-term with a duration of at least thirty (30) days (Short Term Program) or long term with
44 a duration of at least two (2) years (Long Term Program).
45

46 **SEC 5. Incentives.** Incentives under the Balik Scientist Program shall include the
47 following and such other privileges as may be determined by the implementing rules and
48 regulations:
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50

A. Short Term Program:

1. Free round-trip economy airfare originating from a foreign country to the Philippines by direct route;
2. Daily subsistence allowance to be determined by the DOST; and
3. Grants-in-aid (GIA) for research and development projects approved by the Secretary of DOST.
4. Exemption from any civil service examination or licensing requirement for professional regulatory boards within the duration of their contract.

B. Long Term Program:

1. Free one-way economy airfare from a foreign country to the Philippines, including airfare for the spouse and two (2) minor dependents, and free return trip economy airfare after completion of the award;
2. Reimbursement of expenses for excess baggage allowance.
3. Relocation allowance to be determined by DOST;
4. Monthly subsistence allowance to be determined by the DOST;
5. Housing may be arranged by pre-determined host institutions;
6. Duty and tax-free importation of personal effects and professional instruments and implements in quantities and of the class suitable to the profession, rank or position of the persons importing them for their own use and not for barter or sale.

Donations of equipment and instruments from overseas shall likewise be exempted from and taxes and duties. Freight expenses shall be borne by the receiving institution;
7. No-dollar importation of motor vehicles, provided that the importer complies with and is qualified in accordance with Executive Order No. 156, Series of 2002;
8. Reimbursement of expenses for the surface shipment of personal household effects and professional instruments, including one (1) motor vehicle, not exceeding 3 ½ tons volume weight;
9. Exemption from payment of travel tax including those for the spouse and dependents as certified by the DOST
10. Exemption from the Immigration clearance certificates and payment of multiple entry fees;

- 1 11. Exemption from securing alien employment permit within the duration of their
2 contract pursuant to Section 2 of Department Order No. 97-09, Series of 2009, as
3 amended by Department Order No. 120-12, Series of 2012, of the Department of
4 Labor and Employment;
5
6 12. Exemption from any civil service examination or licensing requirement for
7 professional regulatory boards within the duration of their contract.
8
9 13. Grants-in-aid for research and development projects approved by the Secretary of
10 DOST;
11
12 14. Availability of the infrastructure budget for the laboratory to come up with an
13 innovation. Provided, That the laboratory shall remain as property of the government
14 after the expiration of the term;
15
16 15. The participants under this Program including their dependents, as certified by the
17 Department of Science and Technology, shall be granted special non-immigrant visas
18 under Section 47 (a) (2) of the Philippine Immigration Act of 1940, as amended, after
19 compliance with the requirements therefor. Said participants including their
20 dependents shall be exempted from the payment of visa, immigration and registration
21 fees in accordance with Section 251 of the Philippine Foreign Service Code of 1983,
22 as amended by Section 831 of Department Order No. 19A-95, Series of 1995,
23 otherwise known as the Regulations of the Department of Foreign Affairs.
24
25 Both the short-term and the long-term program awardees shall be provided with
26 reasonable accident and medical insurance for the duration of the award as determined
by DOST.

27 **SEC 6. Administration.** This program shall be administered by the DOST which shall
28 issue the implementing rules and regulations in consultation with appropriate agencies ninety
29 (90) days after the approval of this Act.
30

31 **SEC 7. Funding.** The funds necessary to carry out the provisions of this Act shall be
32 included in the annual budget of the DOST in accordance with the Annual General
33 Appropriations Act.

34 **SEC 8. Separability Clause.** If any provision of this Act shall be held unconstitutional or
35 invalid, the other provisions not otherwise affected shall remain in full force and effect.

36 **SEC 9. Effectivity.** This Act shall take after fifteen (15) days following the date of its
37 publication in the Official Gazette or in two (2) newspapers of general circulation whichever
38 comes earlier.
39

40 *Approved,*
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