

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. **5541**



Introduced by REP. Michael L. Romero and Enrico A. Pineda

EXPLANATORY NOTE

The republic of the Philippines recognizes science and technology as an essential element for the attainment of national development and progress. To attain this objective, it is hereby declared the policy of the State to provide for a program of human resources development in science and technology to achieve and maintain the necessary reservoir of talent and manpower that will sustain its drive for total science and technology mastery.

This House Bill seeks to establish, promote and support programs leading to the realization of this objective, such as science and engineering scholarship programs, improvement of the quality of science and engineering education, popularization of science culture, and provision of incentives for pursuing careers in science and technology.

Thus, the early passage of this bill is earnestly requested.



MICHAEL L. ROMERO Ph.D



ENRICO A. PINEDA

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AN ACT
AMENDING REPUBLIC ACT NO.8439 OTHERWISE KNOWN AS
"Magna Carta for Scientists, Engineers, Researchers and other S & T
Personnel in the Government", TO PROMOTE THEIR STATE OF WELL-
BEING, TO FOSTER THE IMPOSITION OF ALL EXISTING DEVELOPMENTAL
POLICIES, AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of Representative of the
Philippines in congress assembled:*

SECTION 1. DECLARATION OF POLICY -

Section 7 of Republic Act No. 8439, is hereby amended to read as follows:

Section 7. Other benefits - Notwithstanding Section 12 of Republic Act No. 6758, science and technology personnel defined under Section 5 of Republic Act No. 8439, this Act shall receive the following:

(a) Honorarium - S & T personnel who rendered services beyond the established irregular workload of scientists,

technologists, researchers and technicians whose broad and superior knowledge, expertise or professional standing in a specific field contributes to productivity and innovativeness shall be entitled to receive honorarium subject to rules to be set by the Department;

(b) Share in royalties - S & T scientists, engineers, researchers and other S & T personnel shall be entitled to receive share in royalties subject to guidelines of the Department. The share in royalties shall be on a sixty percent-forty percent (60%-40%) basis in favor of the Government and the personnel involved in the technology/ activity which has been produced or undertaken during the regular performance of their functions. For the purpose of this Act, share in royalties shall be defined as a share in the proceeds of royalty payments arising from patents, copyrights and other intellectual property rights;

If the researcher works with a private company and the program of activities to be undertaken has been mutually agreed upon by the parties concerned, any royalty arising therefor shall be divided according to the equity share in the research project;

(c) Hazard allowance - S & T personnel involved in hazardous undertakings or assigned in hazardous workplaces, shall be paid hazard allowances ranging from fifteen **(15%)** to thirty (30%) percent of their monthly basic salary depending on the nature and extent of the hazard involved. The following shall be considered hazardous workplaces:

- (1)** Radiation-exposed laboratories and service workshops;
- (2)** Remote/depressed areas;
- (3)** Areas declared under a state of calamity or emergency;
- (4)** Strife-torn or embattled areas;

(5) Laboratories and other disease-infested areas.

(d) Subsistence allowance - S & T personnel shall be entitled to full subsistence allowance equivalent to three (3) meals a day, which may be computed and implemented in accordance with the criteria to be provided in the implementing rules and regulations. Those assigned out of their regular work stations shall be entitled to per diem in place of the allowance;

(e) Laundry allowance - S & T personnel who are required to wear a prescribed uniform during office hours shall be entitled to a laundry allowance of not less than One thousand pesos **(P1,000.00)** a month;

(f) Housing and quarter allowance - S & T personnel who are on duty in laboratories, research and development centers and other government facilities shall be entitled to free living quarters within the government facility where they are stationed:

Provided, That the personnel have their residence outside of the thirty **(30)** kilometer radius from such government facility;

(g) Longevity pay - A monthly longevity pay equivalent to five percent (5%) of the monthly basic salary shall be paid to S & T personnel for every three **(3)** years of continuous and meritorious service as determined by the Secretary of the Department; and

(h) Medical examination. - During the tenure of their employment, S & T personnel shall be given a compulsory free medical examination once a year and immunization as the case may warrant. The medical examination shall include:

(1) Complete physical examination

(2) Routine laboratory, Chest X-ray and ECG

(3) Psychometric examination

(4) Dental examination

(5) Other indicated examination

SECTION 2. DECLARATION OF POLICY -

Section 20 of Republic Act No. 8439, is hereby amended to read as follows:

Section 20. Funding - The amount necessary to fully implement this Act shall be provided in the General Appropriations Act (GAA) of the year following its enactment into law under the budgetary appropriations of the Department of Science and Technology (DOST) and concerned agencies.

Thereafter, such sum as may be needed for the continued implementation of this Act shall be included in the annual General Appropriations Act (GAA).

The amount of Two hundred million pesos (**P200,000,000.00**) shall hereby be appropriated as additional developmental funding to carry-out the mandates of this Scientific and Technological Activities (STA).

Additional requirements shall be charged to the appropriations under the current General Appropriations Act (GAA).

SECTION 3. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of

this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 4. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 5. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 6. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,