

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

17th Congress
Second Regular Session
HOUSE BILL NO. **5913**



Introduced by: **HON. LORNA C. SILVERIO**

EXPLANATORY NOTE

Filipino scientists have been internationally renowned for their breakthrough achievements in the field of science. We stand proud as a nation and deeply recognize the efforts in making the Filipino stand out from the rest inspite of the lack of resources provided by the government. In 1966, Dr. Rodolfo Aquino isolated nine specific breeds of rice for the International Rice Research Institute in Laguna which eventually helped eradicate future famine during that time. Also around that same era, around 1968, a project leader for the moon buggy development program at the National Aeronautics and Space Administration (NASA), Eduardo San Juan facilitated and oversaw its completion and was eventually used for exploratory purposes. These are just two of the numerous achievements which sadly was relegated as a footnote in a research paper. Lack of benefits, incentives and recognition makes the "Brain Drain" inevitable and therefore disadvantageous to the nation.

This bill espouses the need to provide benefits and incentives to our local scientists and experts in the field of science and technology and aim to be at par with the rest of the world.

In view of the foregoing, approval of this bill is earnestly sought.

Lorna C. Silverio
LORNA C. SILVERIO

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AN ACT INSTITUTIONALIZING THE BALIK SCIENTIST PROGRAM APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress Assembled:

SEC 1. **Title.** This Act shall be known as the "Balik - Scientist Act of 2017"

SEC 2. **Declaration of State Policy.** The State recognizes that the utilization of the expertise of expatriate Filipino scientists and technologist is a vital component of the nation's political, economic and social development efforts. Hence, it is hereby declared to be the policy of the State to encourage Filipino scientists and technology experts from abroad to return to the Philippines and share their expertise to accelerate the development of the country. Towards this end, any foreign-based scientist, professional, technician, or any person with special skills or expertise who is of Filipino descent shall be allowed to share his or her profession or expertise in the Philippines in accordance with the implementing rules and regulations which shall be promulgated by the Department of Science and Technology (DOST) in consultation with relevant agencies of the government and non- government organizations.

SEC 3. **General Objective.** This Act aims to strengthen the scientific and technological human resources of the academe, public institutions and domestic corporations in order to promote knowledge sharing and accelerate the flow of new technologies into the country.

SEC 4. **Definition of Balik Scientist.** A " Balik Scientist" is a science and technology expert or professional, as certified by DOST, who is a Filipino citizen or a foreigner of Filipino descent, residing abroad, and contracted by the government to return and serve in the Philippines along a particular field of expertise for a short term award with a duration of at least 30 days per award to be served within 1 year from the date of the award or long term award with a duration of twenty four to thirty six (24-36) months subject to renewal, when necessary, to be determined by the DOST and to be served within (5) years from the date of the award.

SEC 5. *Incentives*

A. Short Term Award:

1. Provision of one (1) free round trip airfare originating from a foreign country to the Philippines;
2. Reimbursement of expenses for excess baggage allowance related to scientific project or activities;
3. Daily allowance to be determined by DOST shall be exempt from income tax.
4. Exemption from licensing or permit requirement of the Professional Regulation Commission (PRC); Provided, that the DOST shall submit to the PRC the list of "Balik Scientists" whom it has certified prior to the award. Provided further, that accomplishment reports of these "Balik Scientists" shall likewise be furnished by the DOST to the PRC at the end of each award;
5. Exemption from taxes and duties for donation of instruments and materials related to the scientific program or activities; Provided, that the donation shall be for the account of the DOST; Provided further, that freight and storage expenses shall be borne by the host institution; and
6. Participation in Grants-in-Aid (GIA) research and development project/s of the DOST subject to guidelines to be provided in the implementing rules and regulations.

B. Long Term Award

1. Provision of one way (1) free airfare from a foreign country to the Philippines, including airfare for the spouse and two (2) minor dependents, and one (1) free return trip airfare after completion of the award;
2. Reimbursement of expenses for excess baggage allowance related to scientific project or activities;
3. Relocation allowance to be determined by DOST.
4. Monthly allowance to be determined by DOST shall be exempt from income tax;
5. Housing may be arranged by pre-determined host institutions;
6. As determined by DOST, duty and tax free importation of personal effects and professional instruments and materials in quantities and of class suitable to the profession, rank, or position of the Balik Scientist importing them for their own use and not for barter or sale in accordance with Section 105 of the Tariff Code. Duty and tax free importation of 1 unit second hand motor vehicle with gross vehicle weight (GVW) not exceeding 3000 kgs subject to classification standard of motor vehicle transported set forth by the Bureau of Customs; Provided, that the grantee under the short term program shall likewise be entitled to this benefit who shall decide to avail of the long term award; Provided futher. That the grantee shall abide by the rules and regulations under the no-dollar import (NDI) program of the DTI-Bureau of Import Services. A certificate of endorsement from the DOST shall be submitted in lieu of the required personal appearance; Provided finally, that the grantee shall be exempted from posting of bond and exportation of the motor vehicle to the country of origin upon expiration of the award;
7. Exemption from taxes and duties for donation of equipment, instruments and materials related to the scientific program or activities; Provided, that the donation

- shall be for the account of DOST; Provided further, that freight and storage expenses shall be borne by the host institution;
8. Reimbursement of expenses for the surface shipment of personal household effects and professional instruments, including one (1) motor vehicle the total weight of which does not exceed 3 ½ tons volume weight;
 9. Exemption from travel tax by the Balik Scientist and immediate family members.
 10. Exemption from the submission of Immigration clearance certificate and payment of multiple entry fees;
 11. Participation in Grants-in-Aid for research and development projects approved by the Secretary of DOST;
 12. Provision of funds for construction and set up of the laboratory to be used to come up with an innovation; Provided, That the laboratory shall remain property of the government after the expiration of the contract; and
 13. Reasonable accident and medical insurance for the duration of the award as determined by the DOST.

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

SEC 7. *Implementing Rules and Regulations.* The DOST, in consultation with concerned agencies and stakeholders, shall promulgate the implementing rules and regulation of this Act within ninety (90) days from the effectivity of this Act.

SEC 8. *Funding.* The funds necessary to carry out the provisions of this Act shall be included in the annual budget of the DOST in accordance with the Annual General Appropriations Act.

SEC 9. *Repealing Clause.* All laws, presidential decrees, executive orders, ordinances, rules and regulation, and other issuances or part thereof which are inconsistent with this Act, are hereby repealed or modified accordingly

SEC 10. *Separability Clause.* If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SEC 11. *Effectivity.* This Act shall take after fifteen (15) days after its publication in the Official Gazette or in newspapers of general circulation.

Approved,

