

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 6670



Introduced by HONORABLE LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

EXPLANATORY NOTE

"With the advance of basic science, society advances"

– L Rafael Reif, MIT President

Science and Technology personnel, researchers, scientists, & engineers play a key role in government. Most government programs rely on the validity of research pooled by these civil servants not only in defining their goals, but also in identifying areas to improve on and planning subsequent steps to achieving goals. However, these civil servants are often given little to no attention despite the importance of their work. Currently, the working condition for research and the sciences is not encouraging. Scientific studies in the Philippines are regularly slowed by red tape. For instance, the Bureau of Customs is notorious in the Philippine scientific community for inadvertently delaying release of important equipment.¹

The lack of support for and unnecessary restrictions to the scientific community resulted in many seeking greener pastures elsewhere. Even up to now, brain drain and the Philippine diaspora are undeniable features of the Philippine economy with both positive and negative outcomes. In a United Nations Educational, Scientific and Cultural Organization (UNESCO) 2013 report, the Philippines only has 139 science & technology researchers per 1 million inhabitants. This statistic is especially troubling since the UNESCO standard is 380 researchers per 1 million people.²

Hence, there is an ample need to support scientists, researchers, engineers and the like. The government must incentivize their position within civil service to better the scientific sector in the country.

The Republic Act No. 8439 also known as the "Magna Carta for Scientists, Engineers, Researchers, and other Science and Technology (S&T) Personnel in the government" was enacted on December 1997. It was put to law in recognition of

¹ Panela S., "5 things to make Philippines a Better Place for Scientists," Rappler, 28 May 2017

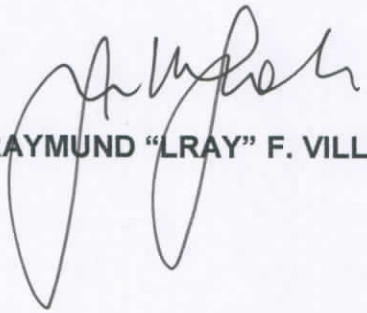
² Ibid.

Science and Technology's essential role in the country's progress and continuing development.

In recognition of the role scientists, this refiled version of the Magna Carta for Scientists, Engineers, Researchers and other S&T Personnel in the Philippines proposes the following amendments:

- a. Remove the limitations on additional salary and honoraria for S & T personnel and;
- b. Allow S & T personnel not employed but involved in STA (Scientific and Technological Activities) to apply for benefits on certain conditions.

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



LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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AN ACT
AMENDING REPUBLIC ACT NO. 8439, OTHERWISE KNOWN AS
THE "MAGNA CARTA FOR SCIENTISTS, ENGINEERS, RESEARCHERS
AND OTHER S & T PERSONNEL IN THE GOVERNMENT"

SECTION 1. Section 1 is hereby amended to read as follows:

"Section 1. Title. - This Act shall be known as the "Magna Carta for Scientists, Engineers, Researchers and other S & T Personnel in the PHILIPPINES"

SECTION. 2. Section 6 is hereby amended to read as follows:

"Section 6. Salaries. - The existing law on salary scale of government employees shall not apply in determining the salary scale of science and technology personnel as defined in Section 5 of this Act. A new salary scale shall be developed by the Department in consultation with the Department of Budget and Management and the Civil Service Commission, subject to the approval of the President. IN ADDITION, THERE WILL BE NO SET LIMIT TO THE AMOUNT OF ADDITIONAL SALARY OR HONORARIA THAT SCIENTISTS CAN RECEIVE AS COMPENSATION FROM INTERNALLY OR EXTERNALLY FUNDED GRANTS-IN-AID, PROVIDED THIS IS PART OF A PREVIOUSLY APPROVED BUDGET FROM THE FUNDING AGENCY AND DOES NOT ENTAIL ADDITIONAL USUAL EXPENSE TO THE GOVERNMENT."

SECTION. 3. Section 8 is hereby amended to read as follows:

"Section 8. Non-DOST S & T personnel. - S & T personnel not employed by the Department, who are involved in STA may avail of the benefits under this Act upon certification of the HEAD OF THEIR AGENCY THAT THEY ARE INVOLVED IN RESEARCH AND DEVELOPMENT OR OTHER SCIENTIFIC AND TECHNOLOGICAL ACTIVITIES."

SECTION. 4. Section 16 is hereby amended to read as follows:

"Section 16. Hiring of retired scientists and technical personnel. - An employee retired under any existing law, who, in the judgment of the governing board or head

of a research agency, possesses technical qualifications and the capability to undertake specific scientific research activities, may be rehired on contractual basis without refunding the unexpired portion of the gratuity and accumulated leave benefits received by him from the Government: Provided, That no qualified science and technology expert is available to undertake said scientific activities.

THE SERVICES OF A SCIENTIST WHO IS DUE FOR COMPULSORY RETIREMENT MAY BE EXTENDED FOR A MAXIMUM PERIOD OF FIVE (5) YEARS: PROVIDED, THAT THE RESEARCH PROJECT IS WITHIN THE PRIORITY RESEARCH AND DEVELOPMENT PROGRAMS OF THE DOST AND IS IDENTIFIED AS STRATEGIC TO THE NATIONAL DEVELOPMENT AS CERTIFIED BY THE DOST SECRETARY; PROVIDED, FURTHER, THAT THE SCIENTIST IS STILL MENTALLY AND PHYSICALLY FIT TO COMPLETE THE PROJECT; PROVIDED, FINALLY, THAT THE REQUEST FOR EXTENSION OF SERVICES SHALL BE SUBMITTED TO THE CIVIL SERVICE COMMISSION FOR APPROVAL AT LEAST THREE (3) MONTHS PRIOR TO THE DATE OF THE COMPULSORY RETIREMENT OF THE SCIENTIST.

SERVICES RENDERED DURING THE PERIOD OF EXTENSION SHALL BE CREDITED AS PART OF GOVERNMENT SERVICE, AND SUCH EXTENSION SHALL ENTITLE THE EMPLOYEE TO LEAVE CREDITS AND OTHER BENEFITS."

SECTION. 5. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the remaining provisions shall remain valid and effective.

SECTION. 6. *Repealing Clause.* – Republic Act No. 8439 is hereby amended. All laws, decrees, orders, and issuances, or portions thereof, which are inconsistent with the provisions of this Act, are hereby repealed, amended or modified accordingly.

SECTION. 7. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,