

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**SEVENTEENTH CONGRESS**  
Second Regular Session

House Bill No. 7048



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INTRODUCED BY REP. ERICO ARISTOTLE C. AUMENTADO

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#### **EXPLANATORY NOTE**

This bill seeks to strengthen Act No. 4120 known as “the National Research Council of the Philippines Islands (NRCP) For the Promotion of Research Work along Scientific Lines”. The said Act was enacted in the Ninth (9<sup>th</sup>) Philippine Legislature in 1933 patterned after that of the United States, an attempt to respond to problems related to development and defense being faced then by the Philippines. For this, NRCP became the first National Research Council in Asia.

At the onset, NRCP has effectively served the purpose of the Commonwealth Government in providing administrative support through policy advice and research along scientific lines. It enjoyed prominence not only for its illustrious members, but also because of its influence to the President and legislature through its useful outputs. Other than being one of the very few government institutions established with a corporate character in the early years of the Commonwealth, NRCP was presumably well supported by the national government then. This allowed the NRCP to perform its role in promoting research and policy advisory. For instance, it participated in the drafting of the science provision during the 1935 Constitutional Assembly and in providing legislative advice for the creation of agencies such as the Philippine Institute of Volcanology (PhiVolcs) and the National Science Development Board, the predecessor of the Department of Science and Technology (DOST), to name a few. Moreover, numerous pioneering researches covering various fields of science were also produced by the NRCP that became relevant to the developmental concerns of the country during that time.

For 85 years, the charter of the NRCP has remained as a collegial body and was primarily engaged in supporting research of a more basic and fundamental nature as provided by Section 15 of EO N0.784.” In 1958, NRCP was attached to the National Science Development Board (NSDB) in the 1960’s which later became the Department of Science and Technology in 1987. In the last 40 years, the agency has been overcome by events and by its administrative structural nature that has diminished its capacity to expand or widen its reach to the countryside and perform emerging and vital functions that are not covered by other research institution in the country.

For more than a decade now, its financial resources have stagnated as shown by the agency’s Grants- in – Aid (GIA) budget for 2017 and 2018, which stood at P 15 million far lower, if not the lowest among the national research councils in the ASEAN.

NRCP’s desire to provide higher funds to capacitate more Filipinos in the regions to enable them to conduct research and be researchers or scientists themselves has remained unrealized. This has continued to widen the disparity in human development between the National Capital Region (NCR) and that of the regions. Based on the data of the NRCP, most member- researchers in the country are from the NCR and the Calabarzon area (about 60%), while the research projects are majority performed by researchers from the aforesaid regions. This in effect has decelerated the impact of the inclusive development program of the national government.

In order to better respond to the growing needs of the country in promoting basic and evidenced or science- based policy research, enhance human resource capability in research particularly in the regions and expanding research role in the ASEAN and in the international front. It is with this reason, that it is imperative that NRCP’s mandate need to be strengthened and expanded with the following new functions and features to wit: Shall serve as the clearing house in basic research; and shall provide the official listing and accreditation of researches nationwide. The NRCP shall also promote and conduct capacity building/training on research to universities and colleges in the country, in the regions, collate and collaborate in the conduct of researches with other national research council’s and research institutes in the ASEAN neighbors that will help enhance community understanding, facilitate knowledge resource exchange and interdependence and define common interests towards the well-being or security of the region. Active research engagements with similar research counterparts outside the region are also being endeavored.

The NRCP shall also extend assistance to the legislature and local government units in providing evidenced- based policy researches when needed, including matters pertaining to defense or security within and alongside scientific lines.

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



ERICO ARISTOTLE C. AUMENTADO

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**HOUSE BILL NO. 7048**

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Introduced by Representatives **ERICO ARISTOTLE C. AUMENTADO**

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**AN ACT**  
**STRENGTHENING ACT NO. 4120 KNOWN AS THE NATIONAL RESEARCH**  
**COUNCIL OF THE PHILIPPINES OF THE DEPARTMENT OF SCIENCE AND**  
**TECHNOLOGY FOR THE PROMOTION OF RESEARCH WORK ALONG**  
**SCIENTIFIC LINES AND APPROPRIATING FUNDS THEREFOR.**

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

1       **SECTION 1. Title.** – This Act shall be known and cited as the “National Research  
2 Council of the Philippines Act of 2018.”  
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4       **SECTION 2. Declaration of Policy.** – In consonance with the provisions of section  
5 10, Article XIV of the Constitution, which provides that the State shall give priority to research  
6 and development, it is hereby declared to be the policy of the state to promote basic research  
7 and science or evidence- based policy in legislation and government administration.  
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9       The State shall support the harmonization of national research agenda, priorities and  
10 utilization of research in the crafting of development plans in national and local governments  
11 that will redound to progress and well-being of the people. It shall also endeavour to  
12 decentralize research efforts that will expand opportunities for training and providing budget  
13 available to researchers, scholars and scientists in the provinces that will accelerate inclusive  
14 development. Empowering the researchers in the provinces will narrow the disparity on the  
15 state of research between the National Capital Region ( NCR) and the provinces.  
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17       The State shall provide support for the creation of clearing house in basic research,  
18 registry of researchers and scientists. This also includes the added role of NRCP to conduct  
19 impact assessment of researches, and establishment of a Center for Research and Development  
20 (R & D) and Research for Development (R for D) training in all the regions of the country.  
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3       **SECTION 3. Objectives.** - The Council shall have the following purposes and  
4 objectives:

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6       (1) To stimulate research in the mathematical, physical and biological sciences, and in the  
7 application of these sciences to engineering, agriculture, medicine, and other useful arts, with  
8 the objective of increasing knowledge, starting studies of problems of the national defense, and  
9 contributing in other ways to the public welfare;

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11       (2) To survey the larger possibilities of sciences, to formulate comprehensive projects of  
12 research, and develop effective means of utilizing the scientific and technical resources of the  
13 country for dealing with these projects;

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15       (3) To promote cooperation in research in all the regions of the country and abroad in order to  
16 secure concentration of effort, minimize duplication, and stimulate progress; but in all  
17 cooperative undertakings to give encouragement to individual initiative as fundamentally  
18 important to the advancement of science;

19  
20       (4) To gather and collate scientific and technical information at home and abroad, in  
21 cooperation with governmental and other agencies and to render such information available to  
22 duly accredited persons;

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24       (5) To promote the continuing total development of the Filipino scientist and researcher as a  
25 professional and as a member of the larger society;

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27       (6) To serve as consultative body to government policy-makers in matters relating to science  
28 and technology and to provide a forum for discussion and formulation of scientific plans and  
29 policies;

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31       (7) To provide research- based recommendations to legislations and in the crafting of laws or  
32 plans that are of national and local importance. Government institutions, agencies and  
33 instrumentalities shall endeavor to incorporate or embed evidence- based research or studies  
34 in the development and passage of laws within their jurisdiction. Corollary to this, the Council  
35 shall study and monitor the development of research or evidenced-based policies in the  
36 government;

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38       (8) To establish a repository for basic research;

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40       (9) To become the registry and accrediting agency for researchers;

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42       (10) To serve as the national training center for research to universities, government agencies  
43 and local government units;

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45       (11) To investigate, examine, experiment, survey and report any subject of importance as called  
46 upon by any branch or Department of the Government, Regional Development Councils (RDC)  
47 and by the various Local Government Units (LGUs).  
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1 **SECTION 4. Scope.** – the law shall have local and national application involving research,  
2 basic research and research for development in all the regions of the country with government  
3 provision and support.  
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6 **SECTION 5. Definition of Terms:**  
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- 8 a. Accreditation – is the process in which an authoritative body formally recognizes  
9 the competence of researchers to conduct research and other related activities based  
10 on certain standards defined by the Council.  
11  
12 b. Clearing House – an agency or organization that collects and distributes something  
13 specially information.  
14  
15 c. Basic Research – is systematic study directed toward greater knowledge or  
16 understanding of the fundamental aspects of phenomena and of observable facts  
17 without specific applications towards processes or products in mind. Also called  
18 pure research or fundamental research, is scientific research aimed to improve  
19 scientific theories for improved understanding or prediction of natural or other  
20 phenomena.  
21  
22 d. Repository – a place in which something, specially a natural resource has  
23 accumulated or where it is found in significant quantities.  
24  
25 e. Registry – a place or office where registers or records are kept.  
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27 f. Evidence-based – supported by a large amount of scientific research.  
28  
29 g. Capacity building – planned development of (or increase in) knowledge, output  
30 rate, management, skills, and other capabilities of an organization through  
31 acquisition, incentives, technology, and/or training.  
32  
33 h. Human development – is defined as the process of enlarging people's freedoms  
34 and opportunities and improving their well-being. A measurement of achievements  
35 by humans through advancement of knowledge, biological changes, habit  
36 formation or other criteria that displays changes over time.  
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38 i. Interdisciplinary – combining or involving two or more academic discipline or field  
39 of study.  
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45 **SECTION 6. Powers.** The Council shall have the following powers:  
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- 47 (1) To adopt, alter and use a corporate seal;  
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49 (2) To collect, receive and maintain a fund or funds from government appropriations  
50 and from donations, grants, gifts, bequests, loans from domestic and foreign

sources, and to apply the income and principal thereof to the promotion of its aims and purposes;

(3) To own, manage and hold such real and personal property as shall be necessary for the Council's purposes;

(4) Corollary to its purposes and objectives, to extend financial assistance to, and enter into contracts of every kind and for any lawful purpose, with any person, firm, association or corporation, domestic or foreign, or others in which it has a lawful interest;

(5) Shall the authority to invest its funds in such undertaking as it may deem beneficial or necessary to carry out its objectives;

(6) To conduct joint studies on research with other research councils or research institutions in the ASEAN and elsewhere;

(7) Extend basic research support along inter-disciplinary scientific lines in the security, defense, resiliency and disaster preparedness of the country.

**SECTION 7. The Governing Board.** – There shall be Governing Board (GB) composed of twenty two (22) members as follows;

(1) The Secretary of the Department of Science and Technology (DOST) who shall be the Chair of the Governing Board;

(2) The President of NRCP shall be the Vice-Chair of the Governing Board

(3) The Chairpersons of the Committee on Science and Technology from the Senate and the House of Representatives,

(4) The Chair of the Commission on Higher Education (CHED)

(5) NEDA Secretary General,

(6) President of Union of Local Authorities of the Philippines (ULAP)

(7) The Secretary of Foreign Affairs

(8) The Thirteen (13) Chairs of the Scientific Divisions and;

(9) Two (2) members at-large.

The member of the Governing Board (GB) has one vote each. The affairs of the council shall be managed by the GB to be headed by the Secretary of the Department of Science and Technology as Chair. The appointive members shall serve; provided, that, of the first four

members appointed, one shall serve for four years; one for three years, one for two years and one for one year, respectively. In case of vacancy in the appointive membership of the GB, the successor appointee, who shall be appointed by the remaining GB members do not constitute a majority, the appointment shall be done by the president of NRCP.

Per diems and allowances for members of the Board shall be as determined by the Board subject to existing laws, rules and regulations on the matter.

A majority of the members of the GB shall constitute a quorum for the transaction of the business of the GB.

**SECTION 8. Functions and Responsibilities of the Governing Board.**- The Governing shall have the following functions;

- (1) To formulate and adopt policies and measures for the management and operation of the Council;
- (2) To appoint the President of the Council who shall come from among the appointive members of the Board;
- (3) To approve the staffing pattern of the Council;
- (4) To promulgate rules and regulations for the discharge of its powers and functions and the internal operations of the Council; Provided, that, the Chair of the GB shall exercise the power to appoint, promote discipline or remove the personnel of the Council;
- (5) To manage the financial affairs of the Council and approve the annual budget of receipt and expenditures of the Council according to its requirements; and
- (6) To monitor and review periodically the programs and projects of the Council.

**SECTION 9. President of the Council.**- The President of the Council shall be appointed by the President of the Philippines upon the recommendation of the Governing Board and shall serve for six (6) years. He shall be the executive officer of the Council and shall receive such salary and remuneration as may be determined by the Governing Board; and shall have the following powers and duties;

- (1) To prepare, for the approval of the GB, the staffing pattern of the Council, which shall include the determination of the qualifications, and fixing the number and compensation of such officials and personnel as may be necessary for the proper discharge of the function of the Council;
- (2) To have control and supervision over the personnel, staff, operations and internal administration of the Council in accordance with existing laws and rules and regulations promulgated by the Governing Board

(3) To recommend to the GB such policies and measures which deems necessary for the effective exercise and discharge of the powers and responsibilities of the Council; and

(4) To submit the annual report to the GB on the operations, the status of the programs funded by, the financial condition of the Council, including a recommendation for its budget for the ensuing year.

**SECTION 10. – Executive Director.** – There shall be an Executive Director (ED) who shall be appointed by the Governing Board and shall have the rank of a bureau directorate, with a plantilla position. The ED shall exercise the administrative supervision over the personnel, staff of the Council and shall be the primary implementer of the policies and guidelines set by the GB.

**SECTION 11. Fees of Research Fellows and Associates.** – The Council is hereby authorized to engage researchers and other professional staff from other government offices and agencies to conduct specialized studies and researches of the Council. Those so engaged by the Council shall be issued appointments as Researcher Fellows or Research Associates and shall be paid, as they are hereby authorized to be paid such fees as determined by the Governing Board in addition to whatever compensation or emoluments they are receiving in their respective mother offices or agencies. Another group of fellows who will be permanent and organic to the NRCP shall also be appointed by the Governing Board. They shall be the in-house researchers of the Council especially along policy related studies.

**SECTION 12. Endowment Fund.** An NRCP Endowment Fund shall be established which shall be self-sustaining and shall consist of contributions, donations, grants, or loans from domestic and/or foreign sources, government subsidies and other income accruing from the operations of the Council. For the initial organizational and operational requirements of the Council, there is hereby appropriated out of any fund in the National Treasury not otherwise appropriated the sum of 100 MILLION PESOS (P100,000,000.00). Hereafter, funding for the operational activities of the Council shall be generated by the Council from earnings of this Fund.

**SECTION 12. Government Contribution to Research Funding.** There shall be included in the annual budget of the DOST such sum as may be determined by the DOST Secretary as contribution in financing the research activities of the Council. Other government agencies are hereby authorized to include in their respective annual budget such necessary amounts as their contribution to the funding of certain research activities of the Council. These contributions shall be manage under separate account. The Council shall submit to the Secretary of DOST a program of work with budget estimates for each calendar year, not later than November 30 of the preceding year.

**SECTION 13. Exemption from taxes.** Any provision of law to the contrary notwithstanding, any donation, contribution, bequest, subsidy or financial aid which may be made to the Council shall be exempt from taxes of any kind and shall constitute allowable deductions in full from the income of the donors or grantors for income tax purposes.

The Council, its assets, acquisitions, income and its operations and transactions shall be exempt from any and all taxes, fees, charges, imports, licenses and assessments, direct or indirect, imposed by the Republic of the Philippines or any of its political subdivision. In carrying out

1 its functions, and its purposes and powers provided in this Act, the Council shall be exempt  
2 from the payment of all internal revenue taxes, fees, assessment and other charges of the  
3 government.

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5 **SECTION 14. Reporting Responsibility**

6 The National Research Council of the Philippines shall submit regularly an annual report to  
7 both Houses of the Philippines and to the Office of the President, an accurate account of its  
8 work and activities during the corresponding fiscal year.

9 **SECTION 15. Repealing Clause.** – All laws, orders, proclamation, rules and regulation or  
10 parts thereof which are inconsistent with the provisions of this Act are hereby repealed or  
11 modified accordingly.

12 **SECTION 16. Separability Clause.** – Any provision or part of this Act is declared invalid or  
13 unconstitutional, the other provisions hereof which are not affected thereby repealed or  
14 modified accordingly.

15 **SECTION 17. Effectivity Clause.**– This Act shall take effect fifteen days after its publication  
16 in the Official Gazette or in a national news paper of general circulation.

17 *Approved.*