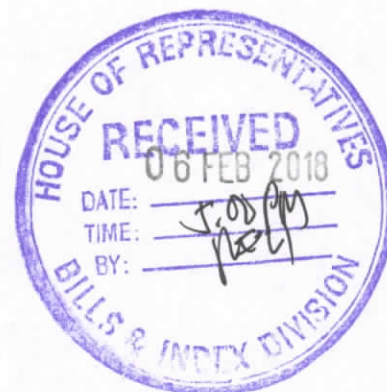


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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **7132**



INTRODUCED BY:

**REPRESENTATIVES ARLENE B. ARCILLAS, MA. LUCILLE L. NAVA, M.D., and
JOHN MARVIN "YUL SERVO" C. NIETO**

EXPLANATORY NOTE

1 To maintain its glorious years in the early years of Ninetieth Century, being the first
2 National Research Council in Asia. There is a great need to expand, strengthen and
3 revitalize **Act No. 4120 known as the National Research Council of the Philippines**
4 **Islands (NRCP) For the Promotion of Research Work Along Scientific Lines"**. The
5 said Act has been enacted since in the Ninth (9th) Philippine Legislature in 1933,
6 patterned after that of the United States, an attempt to respond to problems related to
7 research and development and defense being faced then by the Philippines. The said
8 Act is needed now to be strengthened and expanded to become more updated and
9 responsive to the growing cutting edge of increasing science-based policy research and
10 research work on this changing world of the twentieth century.

11
12 At the onset, NRCP has effectively served the purpose of the Commonwealth
13 Government in providing administrative support through policy advice and research
14 along scientific lines. It enjoyed prominence not only for its illustrious members, but
15 also because of its influence to the President and legislature through its useful outputs.
16 Other than being one of the very few government institutions established with a
17 corporate character in the early years of the Commonwealth, NRCP was presumably
18 well supported by the national government then. This allowed the NRCP to perform its
19 role in promoting research and policy advisory. For instance, it participated in the
20 drafting of the science provision during the 1935 Constitutional Assembly and in
21 providing legislative advice for the creation of agencies such as the Philippine Institute
22 of Volcanology (PhIVolcs) and the National Science Development Board, the
23 predecessor of the Department of Science and Technology (DOST), to name a few.
24 Moreover, numerous pioneering researches covering various fields of science were also

1 covering various fields of science were also produced by the NRCP that became relevant
2 to the developmental concerns of the country during that time.

3
4 For 85 years, the charter of the NRCP has remained as a collegial body; and was primarily
5 engaged in supporting research of a more basic and fundamental nature as provided by
6 Section 15 of EO N0.784. In 1958, R.A. No. 2067 was enacted creating the National
7 Science and Development Board (NSDB), known as the Science act of 1958 which later
8 became the Department of Science and Technology. In the last 40 years, the agency
9 has been overcome by events and by its administrative structural nature that has
10 diminished its capacity to expand or widen its reach to the countryside and perform
11 emerging and vital functions that are not covered by other research institutions in the
12 country.

13
14 For more than a decade now, its financial resources have stagnated as shown by the
15 agency's Grants-in -Aid (GIA) budget for 2017 and 2018, which stood at P 15 million far
16 lower, if not the lowest among the national research council in the ASEAN.

17
18 NRCP's desire to provide higher funds to capacitate more Filipinos in all the regions of
19 the country to enable them to conduct basic research and be researchers or scientists
20 themselves has remained unrealized. This has continued to widen the disparity in human
21 development between the National Capital Region (NCR) and that of the local
22 government units in the regions. Majority of NRCP members (about 60%) in the country
23 are from the NCR and the Calabarzon areas, and majority of completed research projects
24 are done by researchers from the aforesaid regions. This in effect has decelerated the
25 impact of the inclusive development program of the national government.

26
27 To effectively put into fruition the NRCP's trust and mandate in promoting the growing
28 needs of basic and evidenced- or science-based policy researches, enhance human
29 resource capability in research particularly in the Local Government Units (LGUs) in all
30 the regions of the country, and expanding its research role in the ASEAN and in the
31 international front; there is a great need to develop and expand the provisions of Sections
32 2, 3, 4, 5, 6, 7, 8,9, and 10 of Act, 4120. Because the aforementioned Sections of the
33 said Act are no more responsive in carrying out its work in this Twentieth Century.

34
35 In addition, the NRCP's new functions and features shall include but not limited to the
36 following:

- 37 a. It shall serve as the clearing house in basic research in the country;
- 38 b. It shall provide the official listing and accreditation of researches nationwide.
- 39 c. It shall also promote and conduct capacity building/training on research to
40 universities and colleges in the country, collate and collaborate in the conduct of
41 researches with other national research council's and research institutes in the
42 ASEAN and overseas that will help enhance Community understanding, facilitate

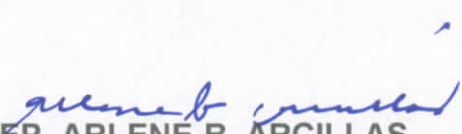
1 knowledge resource exchange and interdependence and define common
2 interests towards the wellbeing or security of the region.

3 d. The Council shall also actively engage in research engagements with similar
4 research counterparts being endeavored outside the region.

5 e. Hence, the NRCP with its 4,137 regular and associate members as of September
6 29, 2017 shall actively participate in providing evidenced-based policy
7 researches to assist Legislative body of Congress; LGUs in all the regions,
8 including matters pertaining to defense or security within and along scientific
9 lines when needed.

10

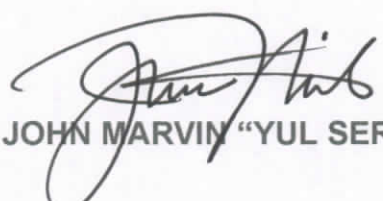
11 In view of the above, the immediate passage of this bill is earnestly sought.



REP. ARLENE B. ARCILLAS



REP. MA. LUCILLE L. NAVA, M.D.



REP. JOHN MARVIN "YUL SERVO" C. NIETO

HOUSE OF REPRESENTATIVES
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AN ACT

STRENGTHENING AND EXPANDING PROMOTION OF RESEARCH, BASIC
RESEARCH AND EVIDENCED OR SCIENCE- BASED POLICY RESEARCH OF ACT
NO. 4120 OF THE NATIONAL RESEARCH COUNCIL OF THE PHILIPPINES AND
APPROPRIATING FUNDS THEREFOR AN FOR OTHER PURPOSES.

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

Section 1. TITLE. - This Act shall be known as the "Expanded National
Research Council of the Philippines":

Section 2. DECLARATION OF POLICY. - In consonance with the provisions of
section 10, Article XIV of the Constitution, which provides that the State shall give
priority to research and development, it is hereby declared to be the policy of the state
to promote basic research, science-and evidence-based policy in legislation and
government administration.

The State shall also support the harmonization of national research agenda,
including but not limited to the National Integrated Basic Research Agenda (NIBRA) and
the utilization of research in the crafting of development plans in the national and local
governments of the country. It shall also endeavor to decentralize research efforts that
will expand opportunities for training and providing budget available to researchers,
scholars and scientists in the regions and provinces in order to accelerate inclusive
development.

The State shall provide support for the creation of clearing house in basic
research, and national registry of researchers and scientists. This also includes the

1 scholars and scientists in the regions and provinces in order to accelerate inclusive
2 development.

3 The State shall provide support for the creation of clearing house in basic research,
4 and national registry of researchers and scientists. This also includes the added role of
5 NRCP to conduct impact assessment of research and basic researches, and the
6 establishment of a Research for Development training center in the country.

7
8 **Section 3. OBJECTIVES.** - In furtherance of the policies enunciated in Act 4120
9 and this Act, the following objectives shall be pursued:

10
11 (1) Strengthened and revitalized the National Research Council of the Philippines;

12
13 (2) To stimulate research field in the mathematical, physical and biological sciences,
14 and in the application of these sciences to engineering, agriculture, medicine, and
15 other useful arts, with the object of increasing knowledge, starting studies of problems
16 of the national defense, and of contributing in other ways to the public welfare;

17
18 (3) To survey the larger possibilities of sciences, to formulate comprehensive projects
19 of research, and develop in effective means of utilizing the scientific and technical
20 resources of the country for dealing with these projects;

21
22 (4) To promote cooperation in research, basic research and Research for
23 Development in all the regions of Luzon, Visayas and Mindanao and abroad in order
24 to secure concentration of effort, minimize duplication, and stimulate progress; but in
25 all cooperative undertakings to give encouragement to individual initiative as
26 fundamentally important to the advancement of science;

27
28 (5) To gather and collate scientific and technical information at home and abroad, in
29 cooperation with governmental and other agencies and to render such information
30 available to duly accredited persons;

31
32 (6) To promote the continuing total development of the Filipino scientist and
33 researcher as a professional and as a member of the larger society;

34
35 (7) To serve as a consultative body to government policy- makers in matters relating
36 to science and technology and to provide a forum for the discussion and formulation
37 of scientific plans and policies;

38
39 (8) To provide research- based policy recommendations in legislations that will aid in
40 crafting of laws or plans that are of national and local importance. The NRCP shall
41 also provide Government institutions, agencies and instrumentalities evidence-based
42 research or studies in the development and passage of laws within their administrative

scope and jurisdiction. Corollary to this, the Council shall study and monitor the development of research or evidenced-based policies in the government;

(9) To establish a repository for basic research;

(10) To become the registry and accrediting agency for basic research and researchers;

(11) To serve as the national training center for research to universities, government agencies and in all local government units.

(12) To investigate, examine, experiment, survey and report any subject of importance as called upon by any Branch of the Government, government entities/agencies, and regional development councils of the various local government units.

Section 4. SCOPE. - This law shall have national and local application involving research, basic research and Research for Development in all the regions of the country with government provision and support.

Section 5. DEFINITION OF TERMS. - The NRCP is hereby expanded to include the following:

1. Accreditation refers to the third party attestation in which an authoritative body formally recognizes the competence of researchers to conduct research and other related activities based on certain standards defined by the Council.
2. Clearing House refers to an agency or organization that collects and distributes something, especially information.
3. Basic research- refers to systematic study directed toward greater knowledge or understanding of the fundamental aspects of phenomena and of observable facts without specific applications towards processes or products in mind. It is also called pure research or fundamental research, and scientific research which aimed to improve scientific theories for the understanding and prediction of natural or other phenomena.
4. Repository refers to a place in which something, especially a natural resource, has accumulated or where it is found in significant quantities.
5. Registry- refers to a place or office where registers or records are kept.
6. Evidenced-based-supported by a large amount of scientific research
7. Capacity building-planned development of (or increase in) knowledge, output rate, management, skills, and other capabilities of an organization through acquisition, incentives, technology, and/or training.
8. Human development refers to the process of enlarging people's freedoms and opportunities and improving their well-being. A measurement of

achievements by humans through advancement of knowledge, biological changes, habit formation or other criteria that displays changes over time.

9. Interdisciplinary – refers to combining or involving two or more academic disciplines or fields of study

Section 6. ORGANIZATIONAL STRUCTURE. - For the purpose of strengthening and revitalizing the NRCP and to attain harmonization of all research, basic research and Research for Development in all the LGU's in the country and abroad the NRCP shall be headed by an Executive Director, and under the policy, technical, administrative supervision and control of the Governing Board of NRCP.

Section 7. FUNCTIONS OF THE EXPANDED NRCP. - The Council shall have the following powers:

- (1) Shall adopt, alter and use a corporate seal;
- (2) Collect, receive and maintain a fund or funds from government appropriations 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) 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) Have the authority to Invest its funds in such undertaking as it may deem beneficial or necessary to carry out its objectives;
- (6) Shall conduct joint studies on research with other research councils or research institutions in the ASEAN and elsewhere, and
- (7) Extend basic research support along interdisciplinal scientific lines in security, defense, resiliency and disaster preparedness of the country.

Section 8. STRENGTHENING AND REVITALIZING THE NATIONAL RESEARCH COUNCIL OF THE PHILIPPINES. - The Council shall be strengthen to include the following as additional members of the Council: Secretary of the DOST or his/her duly representative, Chairpersons of the Committee on Science and Technology of both Houses of Congress as additional members or their duly authorized representative and other authorized representative of the agencies/office. The NEDA Secretary- General, the President of Union of Local Authorities of the Philippines (ULAP), and the Director of the ASEAN Division of the Department of Foreign Affairs (DFA).

There shall be fifteen (15) members of the Governing Board (GB) from prominent and recognized scientists and experts and technical men of the NRCP. The board comprises of the thirteen (13) Chairpersons of the 13 scientific divisions and two (2) members-at-Large.

1

2 The thirteen (13) Scientific Divisions are the following:

3 I. Division of Governmental, Educational and International Policies

4 II. Division of Mathematical, Sciences

5 III. Division of Medical Sciences

6 IV. Division of Pharmaceutical Sciences

7 V. Division of Biological Sciences

8 VI. Division of Agricultural and Forestry

9 VII. Division of Engineering and Industrial Research

10 VIII. Division of Social Sciences

11 IX. Division of Physics

12 X. Division of Chemical Sciences

13 XI. Division of Humanities

14 XII. Division of Earth and Space Sciences, and

15 XIII. Division of Veterinary Medicine

16

17 Each member of the GB has one vote each. The affairs of the Council shall be managed
18 by the Governing Board hereinafter referred to as the GB, which shall consist of two
19 members-at-Large, the Chairman of Scientific Divisions and the DOST Secretary and the
20 additional members mentioned in this section.

21

22 The appointive members shall serve for a period of four (4) years; provided however, the
23 first four (4) members appointed, shall serve for a period of four (4) years; three (3) years,
24 two (2) years and one year, respectively. In case of a vacancy in the appointive
25 membership of the GB, the successor appointee, who shall be appointed by the remaining
26 GB members, shall serve only the unexpired term; provided further, that if the remaining
27 GB members do not constitute a majority, the appointment shall be done by the President
28 of the GB.

29

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

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

34

35 **Section 9. FUNCTION, DUTIES AND RESPONSIBILITIES OF BOARD.-**

36 The Governing Board shall have the following functions:

37

38 (a) To formulate and adopt policies and measures for the management and operation
39 of the Council;

- 1 (b) To appoint the President of the Council who shall come from among the appointive
- 2 members of the Board;
- 3 (c) To approve the staffing pattern for the Council;
- 4 (d) To promulgate rules and regulations for the discharge of its powers and functions
- 5 and the internal operations of the Council; Provided, that, the Chair of the
- 6 Governing Board shall exercise the power to appoint, promote, discipline or
- 7 remove the personnel of the Council;
- 8 (e) To manage the financial affairs of the Council and approve an annual budget of
- 9 receipts and expenditures of the Council according to its requirements; and
- 10 (f) To monitor and review periodically the programs and projects of the Council.
- 11

12 **Section 10. PRESIDENT OF THE COUNCIL.** - The role of the President of the

13 Council shall be the executive officer of the Council and shall receive such salary and

14 remuneration as may be determined by the Governing Board. He shall have the following

15 powers and duties:

16

- 17 (a) To prepare, for the approval of the GB, the staffing pattern of the Council which,
- 18 shall include the determination of the qualifications, and fixing the number and
- 19 compensation of such officials and personnel as may be necessary for the proper
- 20 discharge of the functions of the Council;
- 21 (b) To have control and supervision over the personnel, staff, operations and internal
- 22 administration of the Council in accordance with existing laws and the rules and
- 23 regulations promulgated by the Governing Board;
- 24 (c) To recommend to the Governing Board such policies and measures which he
- 25 deems necessary for the effective exercise and discharge of the powers and
- 26 responsibilities of the Council; and
- 27 (d) To submit regularly an annual report to the Governing Board and to both Houses
- 28 of Congress containing an accurate account of its work, and the financial condition
- 29 of the Council, including a recommendation for its budget for the activities for the
- 30 ensuing year.
- 31

32 **Section 11. FEES OF RESEARCH FELLOWS AND ASSOCIATES.** - The Council

33 is hereby authorized to engage researchers and other professional staff from other

34 government offices and agencies to conduct specialized studies and researches for the

35 Council. Those so engaged by the Council shall be issued appointments as Research

36 Fellows or Research Associates and shall be paid, as they are hereby authorized to be

37 paid such fees as determined by the Governing Board in addition, to whatever

38 compensation or emoluments they are receiving in their respective mother offices or

39 agencies.

40 Another group of fellows who are permanent and organic to the NRCP shall also

41 be appointed by the Governing Board. They shall be the in-house researchers of the

1 Council especially along policy related studies.

2

3 **Section 12. ENDOWMENT FUND.** - To ensure NRCP to be self-sustaining; an
4 endowment fund shall be establish.

5 The NRCP Endowment Fund to augment its funds shall consist of the following
6 contributions; donations, grants, or loans from domestic and/or foreign sources,
7 government subsidies and other income accruing from the operations of the Council. For
8 the initial organizational and operational requirements of the Council, there shall hereby
9 appropriated out of any fund in the National Treasury not otherwise appropriated the sum
10 of 100 MILLION PESOS (P100,000,000.00). Hereafter, funding for the operational
11 activities of the Council shall be generated by the Council from earnings of this Fund.

12 **Section 13. GOVERNMENT CONTRIBUTION TO RESEARCH FUNDING.** -
13 There shall be included in the annual budget of the DOST; such sum may be determined
14 by the DOST Secretary as contribution in financing the research activities of the Council.
15 Other government agencies are hereby authorized to include in their respective annual
16 budget such necessary amounts as their contribution to the funding of certain research
17 activities of the Council. These contributions shall be treated as distinct from the
18 Endowment Fund and shall be managed under separate account.

19 The Council shall submit to the Secretary of the DOST a work program with budget
20 estimates for each calendar year, not later than November 30 of the preceding year.

21 **Section 14. EXEMPTION FROM TAXES.** - Any provision of law, to the contrary
22 notwithstanding, any donation, contribution, bequest, subsidy or financial aid which may
23 be made to the Council shall be exempted from taxes of any kind and shall constitute
24 allowable deductions in full from the income of the donors or grantors for income tax
25 purposes.

26 The Council, its assets, acquisitions, income and its operations and transactions shall be
27 exempt from any and all taxes, fees, charges, imports, licenses and assessments, direct
28 or indirect, imposed by the Republic of the Philippines or any of its political subdivision.
29 In carrying out its functions, and its purposes and powers provided in this Act, the Council
30 shall be exempt from the payment of all internal revenue taxes, fees, assessment and
31 other charges of the government.

32 **Section 15. IMPLEMENTING RULES AND REGULATIONS (IRR).** - The NRCP
33 with other concerned government departments, agencies and representatives mentioned
34 in Section 8 hereof shall within ninety (90) days from the effectively of this Act issue the
35 necessary implementing rules and regulations of this Act.

36 **Section 16. REPEALING CLAUSE.** - All laws, orders, proclamation, rules, and
37 regulation or parts thereof which are inconsistent with the provisions of this Act are hereby
38 repealed or modified accordingly.

1
2 **Section 17. SEPARABILITY CLAUSE.** - If any provision or part of this Act is
3 declared invalid or unconstitutional, the other provisions hereof which are not affected
4 thereby shall continue to be in full force and effect.
5

6 **Section 18. EFFECTIVITY CLAUSE.** - This Act shall take effect fifteen (15) days
7 after its publication in the Official Gazetteer or in a national newspaper of General
8 Circulation.
9

10 Approved.