

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8311



Introduced by Representative **John Marvin "Yul Servo" C. Nieto**

Explanatory Note

As a manifestation of support to this timely piece of legislation, this representation respectfully refiles this measure, which has constantly been receiving support from the past and present Congress.

Section 10 of Article XIV of the 1987 Philippine Constitution states that:

"Science and technology are essential for national development and progress. The State shall give priority to research and development, invention, innovation, and their utilization; and to science and technology education, training, and services. It shall support indigenous, appropriate, and self-reliant scientific and technological capabilities, and their application to the country's productive systems and national life."

The State must recognize and affirm its vital role in leading and supervising the exploration, utilization, and promotion of renewable source of energy. Such is crucial in ensuring the long-term development of the country as this will eventually enable the country to lessen its reliance on conventional and expensive means of electricity generation (e.g. oil-based and coal-powered).

In line with this, the proposed measure aims to establish the Solar Energy Development Center. The Solar Energy Development Center shall serve as the leading institution concerned with the research on solar energy; the development of technologies needed for the utilization of solar energy; the implementation of government program on the allocation, distribution, and sale of solar energy; and the promotion of the use, research, and introduction of solar energy-related technologies to the market.

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


JOHN MARVIN "YUL SERVO" NIETO

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**AN ACT CREATING THE SOLAR ENERGY DEVELOPMENT CENTER AND
APPROPRIATING FUNDS THEREFOR**

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

Section 1. Short Title. This Act shall be known as the "Solar Energy Development Center Act of 2018".

Section 2. Solar Energy Development Center. The Solar Energy Development Center (hereinafter referred to as the "Center") is hereby established, which shall be attached to the Department of Energy for policy and program coordination.

Section 3. Purposes and Objectives. The Center shall have the following purposes and objectives:

- a. To scientifically research solar energy and existing technologies for its utilization and development;
- b. To conduct studies and develop methods on more accessible use of solar energy;
- c. To implement the government program on the allocation, distribution, and sale of solar energy;
- d. To promote the use, research, and introduction to the market of technologies utilizing solar energy; and
- e. To perform such functions related to solar energy development that will redound to the public.

Section 4. Board of Directors. The powers and functions of the Center shall be vested in a Board of Trustees (hereinafter referred to as the Board').

- a. Composition. - The Board shall be composed of six (6) members who are natural-born Filipino citizens, at least thirty (30) years of age, and must have recognized competence in the fields of science and technology. The members are as follows:
 1. Chairperson appointed by the President of the Philippines;
 2. Two (2) members appointed by the President of the Philippines; and
 3. Secretary of the Department of Energy, Secretary of Environment and Natural Resources (DENR), and the Secretary of the Department of Science and Technology (DOST) as ex-officio members.
- b. Term. - The chairman and the two (2) members of the Board shall serve for a term of four (4) years from the date of appointment.

Section 5. Powers and Duties of the Board of Directors. The Board shall have the following specific powers:

- a. To promulgate rules and regulations, not contrary to laws, which it considers necessary for the effective discharge of its function;
- b. To receive and appropriate all sums as may be provided for the support of the Traffic Center in any manner it may determine, in its discretion, to carry out the purposes and functions of the Center;
- c. To receive in trust legacies, gifts, and donations of real and personal properties of all kinds to administer and dispose of the same when necessary for the benefit of the Center, subject to limitations, directions, and instructions of the donor, if any. Such donations shall be exempt from the donor's tax and the same shall be considered as allowable deductions from the gross income in the computation of the income tax the donor, in accordance with the provisions of the National Internal Revenue Code, as amended; Provided, That such donations shall not be disposed of, transferred, or sold;
- d. To establish a research center for the carrying out of its function; and
- e. To exercise such incidental powers as may be necessary to carry out the functions of the Center.

Section 6. Executive Director. The administration of the Center shall be vested in an Executive Director who shall render full-time service. The Executive Director shall be appointed by the Board. He shall have a term of four (4) years and shall be eligible for reappointment for another term.

In case of vacancy by reason of death, compulsory retirement, resignation, removal for cause, or incapacity of the Executive Director to perform the functions of the Center, the Board shall have the authority to designate an officer-in-charge of the Traffic Center within six (6) months from the date of vacancy pending the appointment of a new Executive Director.

The Executive Director shall exercise the following powers and duties:

- a. To direct the management, operations, and administration of the Center;
- b. To appoint such officers and employees, to define their duties, fix their compensation, discipline, and dismiss any for cause, subject to the Civil Service Commission rules and regulations, and
- c. To develop arrangements for institutional capability building with appropriate institutions and agencies, public or private, local or foreign, and to appoint experts or specialists as consultants, researchers, as the case may be.

Section 7. Appropriations. The amount of one hundred million (P100,000,000.00) for the structure, equipment, initial operation, and maintenance of the Solar Energy Development Center shall be sourced from the appropriations for the Department of Energy. Subsequent subsidy for the years thereafter shall be included in the General Appropriations Act.

Section 8. Repealing Clause. Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation, contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

Section 9. Separability Clause. - If any provision or part of this Act is held unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

Section 10. Effectivity. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,