

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8777



Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

EXPLANATORY NOTE

The evident relationship between technological innovation and economic growth is undeniable. It has been proven time and again by our Asian neighbors Japan, South Korea, and even Taiwan, whose major exports of electronic devices from handheld gadgets to robots have propelled the dramatic turnaround of their once sluggish economies. In 1933, the Philippines likewise aimed to strengthen its scientific research foundation by establishing the National Research Council of the Philippines (NRCP) by virtue of the Ninth Philippine Legislature Act No. 4120.

The NRCP is mandated to promote and support the fundamental research of Filipino scientists and researchers, provide advice on national policy grounded on scientific study and empirical data, promote a culture of scientific and technological research, and foster linkages with local and international scientific organizations for enhanced cooperation in the development and sharing of information.

Over the course of 85 years since its creation, the NRCP has been touched by various laws and executive orders¹ which shaped it to be the agency that it is today. Unfortunately, recent reports from the United Nations Educational, Scientific and Cultural Organization (UNESCO) reveal that the Philippines still lags way behind the standard number of researchers at only 189 researchers for every 1 million people when more than double that is the recommended figure². The low number of

¹ See RA 2067, EO 784, EO 128, and RA 6974

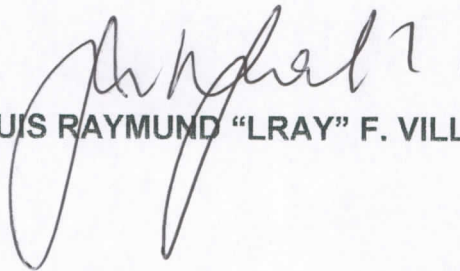
² <https://www.rappler.com/science-nature/society-culture/169871-philippines-better-place-scientists>

researchers reflects on the proportionally small quantity of research data published within our jurisdiction.

This Representation proposes the urgent overhaul of the NRCP by updating its mandate and expected output, as well as empowering the council through a revised organizational framework and additional funding.

Through a stronger and more efficient NRCP, the bill envisions a thriving Filipino scientific community that works hand in hand with our people and policy-makers in adopting programs, systems and laws for the benefit of various economic and social welfare sectors.

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



LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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

AN ACT
STRENGTHENING 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:

SECTION 1. *Title.* – This Act shall be known as the "National Research Council of the Philippines Act of 2018."

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 research and science or evidence-based policy in legislation and government administration.

The State shall 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 crating of development plans in national and local governments that will redound to progress and well-being of the people. 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 provinces that will accelerate inclusive development. Empowering the researchers in provinces will narrow the disparity on the state of research between the National Capital Region (NCR) and the provinces.

The State shall provide support for the creation of clearing house in basic and frontier research, registry of researchers and scientists who are doing basic and frontier research. This also includes the added role of NRCP to conduct impact assessment of researches, and establishment of a Center for Research and

Development (R&D), and of a Research for Development (R for D) training in all the regions of the country.

SECTION 3. Objectives. – The Council shall have the following purposes and objectives:

- a) Stimulate and support research in the mathematical, physical and biological sciences, engineering, agriculture, medicine, social sciences, humanities and the arts, with the objective of increasing knowledge, starting studies of problems of the national defense and security, and contributing in other ways to the public welfare;
- b) Survey the larger possibilities of sciences, to formulate comprehensive projects of research including but not limited to the National Integrated Basic Research Agenda (NIBRA), and develop effective means of utilizing the scientific and technical resources of the country for dealing with these projects;
- c) Promote cooperation in research in all the regions of the country and abroad in order to secure concentration of effort, instill ethical standards, minimize duplication, and stimulate progress; but in all cooperative undertakings to give encouragement to individual initiative as fundamentally important to the advancement of science;
- d) Gather and collate scientific and technical information at home and abroad, in cooperation with governmental and other agencies and to render such information available to duly accredited persons;
- e) Promote the continuing total development of the Filipino scientist and researcher as a professional and as member of the larger society;
- f) Serve as consultative body to government policy-makers in matters relating to sciences for development, defense and security; and to provide a forum for discussion and formulation of scientific plans and policies;
- g) Provide research-based recommendations to legislations and in the crafting of laws or plans that are of national and local importance geared towards solving problems of the country. Government institutions, agencies and instrumentalities shall endeavor to incorporate or embed evidence-based research or studies in the development and passage of laws within their jurisdiction. Corollary to this, the Council shall study and monitor the development of research or evidence-based policies in the government;
- h) Establish a custodial/ repository for basic and frontier research; and become the registry and certifying agency for basic and frontier researchers;

- i) Contribute in providing support mechanism and capacitate the research capabilities of Higher Educational Institutions (HEIs) / State Universities and Colleges (SUCs), government agencies, and local government units;
- j) Investigate, examine, experiment, survey and report any subject of importance as called upon by any branch or Department of the Government, Regional Development Councils (RDC) and by the various Local Government Units (LGUs).

SECTION 4. Scope. – The law shall have local and national application involving research for development in all the regions of the country.

SECTION 5. Definition of Terms.

- a) Accreditation – is the process in which an authoritative body formally recognizes the competence of researchers to conduct research and other related activities based on the prescribed criteria, guidelines and standards defined by the Council.
- b) Clearing House – an agency or organization that collects and distributes something specially information.
- c) Research – is 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. Also called pure research or fundamental research, is scientific research aimed to improve scientific theories for improved understanding or prediction of natural or other phenomena. Basic research can also be defined as creative work undertaken to increase the stock knowledge, including knowledge of man, culture and society.
- d) Repository – a place in which public records are maintained and preserved under the custody and control of a government office.
- e) Registry – is a record of document for registration entered in the appropriate registry book.
- f) Evidence-based – supported by a large amount of scientific research.
- g) 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.
- h) Human development – is defined as the process of enlarging people's choices, 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 of standard of living over time.

i) Interdisciplinary – combining or involving two or more academic discipline of field of study.

j) Frontier Research – an undeveloped field of study; a topic inviting research and development; usually addresses highly controversial issues in the scientific community in the area being explored, deals with hard to answer queries employing normal methodological approaches, employs methodologies and concepts atypical for concerned field, takes unexpected findings challenging dominant paradigm used, focuses on issues where resolution is critical for confirmation or rebuttal of the prevailing paradigm, and involves research with extreme degree of uncertainty or failure (high cost, high risk of failure).

k) National Research – refers to inclusive quality research and innovation programs that involve the various disciplines in the sciences and humanities; concerned with national or facets of national concern, and entailing multidisciplinary and interdisciplinary research and training. It aims to achieve research impact, academic impact, as well as societal and economic impact.

k. 1. Academic impact refers to the contribution that quality research makes to developments and advances, across and within disciplines, such as advances in knowledge, method, theory, and application.

k. 2. Societal and economic impact refers to the contribution that quality research makes to society and the economy, beneficial to individuals, their way of life, and to national development.

SECTION 6. Powers. – The Council shall have the following powers:

(1) Make its own organization, be incorporated, constituted, and declared a corporate body by the name of National Research Council of the Philippines;

(2) Adopt, alter and use a corporate seal;

(3) Provide implementing rules and regulations to determine its membership, fill vacancies created by death, resignation or otherwise; shall hold an annual meeting at such place and time as may be determined by the Board; to provide for the election of the Governing Board members, division into classes, and other matters needful or usual in such institution;

(4) 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;

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

(6) 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;

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

(8) Conduct joint international studies with other research councils or research councils or research institutions;

(9) Extend research support along multi-disciplinal, inter-disciplinal and trans-disciplinal scientific lines in the conduct of forecast studies along security, defense, development, resiliency and disaster preparedness of the country; and

(10) Investigate, examine, experiment and report upon any subject of science or art, whenever called upon by any department of the government.

SECTION 7. *The Governing Board.* – The affairs of the National Research Council shall be administered by a Governing Board (GB), as public officials, which shall consist of two members-at-large, the Chairpersons of the Scientific Divisions, and the DOST Secretary or his/ her designate.

The officers of the National Research Council shall consist of a President, Vice-President, a Corporate Secretary and a Treasurer. The President of the National Research Council or in case of his absence or inability to act, the Vice-President shall be the Chief Executive Officer of the Council and shall preside over the meetings of the Council and of the Governing Board.

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) Formulate and adopt policies and measures for the management and operation of the Council including the admission of its members;

(2) Elect the President of the Council who shall come from among the elected members of the Board;

(3) Approve the staffing pattern of the Council;

(4) 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) Manage the financial affairs of the Council and approve the annual budget of receipt and expenditures of the Council according to its requirements;

(6) Monitor and review periodically the programs and projects of the Council; and

(7) Modify the number of divisions and grouping of subjects to meet the changing needs of science in the country.

SECTION 9. *President of the Council.* – The President of the Council shall be elected by the Governing Board annually and shall serve for one (1) year, and may be reelected for a maximum of three (3) years. He shall be the executive officer of the Council and shall receive *honoraria* as may be determined by the Governing Board; and shall have the following powers and duties:

(1) 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 functions of the Council;

(2) 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) Recommend to the GB such policies and measures which he/she deems necessary for the effective exercise and discharge of the powers and responsibilities of the Council; and

(4) 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 bureau directorate, with a *plantilla* position. The ED shall exercise 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. *Research Fellows.* – The Council is hereby authorized to engage its members-researchers to conduct specialized studies and researches for the Council. Those engaged by the Council shall be issued appointments as Researcher Fellows and shall be paid, as they are hereby authorized to be paid, an honoraria determined by the Governing Board.

SECTION 12. *Endowment Fund.* – An NCRP 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 the sum of FIVE HUNDRED MILLION PESOS (Php 500,000,000.00). Hereafter, funding for the operational activities of the Council shall be generated by the Council from earnings of this Fund.

In granting the endowment fund, the national government shall provide a 3-year allocation beginning from the year of the approval of the law.

The NCRP is hereby authorized and empowered to receive bequests and donations, and to hold the same in trust, to be applied by the said Council in aid of scientific investigations, examinations and experiments.

SECTION 13. *Countryside Research Fund.* An NRCP Research Fund shall be established and appropriated out of any fund in the National Treasury not otherwise appropriated the sum of FIVE HUNDRED MILLION PESOS (Php 500,000,000.00). This shall serve the purpose of equitable funding of research initiatives all throughout the country (Luzon, Visayas, Mindanao and the Bangsamoro Autonomous Region (BAR) except NCR) and most especially in regions rarely proposing and hence would receive funding for research purposes. The said research fund would equip the Council of much needed resource for countryside capacity building, human development and thus serve to fulfill its mandate.

In granting the countryside research fund, the national government shall provide a 3-year allocation beginning from the year of the approval of the law.

SECTION 14. *Government Contribution to Research Funding* – There shall be an amount not less than 10% of the Research and Development budget included in the annual budget of the DOST as contribution in financing the research activities of the Council for national application. Other government agencies are hereby authorized to include in their respective annual budget such necessary amounts as their contribution through the funding of certain research activities of the Council. These contributions shall be managed under a 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 the 28th of February of the preceding year.

In order to pursue the defense and security research agenda of the country, the Department of National Defense (DND) and other agencies with a mandate to promote public well-being are authorized and empowered to allocate funds to the National Research Council of the Philippines in the conduct of such researches along scientific lines.

To ensure the availability of research funds in the local government units particularly the provinces, cities and municipalities, a 1% allotment for research from its annual budget shall be provided for such purpose in the utilization along the NIBRA and Regional Development Council (RDC) Agenda, as such the LGU shall seek clearance and review from the NRCP to guarantee equitable provision for research in the countryside *vis-à-vis* Luzon, Visayas and Mindanao.

SECTION 15. *Regional Offices.* – In order to decentralize research and empower the capacity of the regions to perform policy researches, satellite offices attached to the DOST shall be established in all regional areas. The Regional Offices shall oversee the NRCP regional chapters, which will be established in order to address region-specific concerns and to promote a science of culture in the regions.

SECTION 16. *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 subdivisions. In carrying out its functions, and its purposes and powers provided in this Act, the Council shall be exempt from the payment of all internal revenue taxes, fees, assessment and other charges of government.

SECTION 17. *Reporting Responsibility.* – The National Research Council of the Philippines shall submit regularly an annual to both Houses of Congress and to the Office of the President, an accurate account of its work and activities during the corresponding fiscal year.

SECTION 18. *Building Site.* – The parcel of land presently occupied by the National Research Council of the Philippines (NRCP), more particularly described and delineated under Proclamation No. 376, Series of 1968, for building site and science

community site purposes, containing an area of fourteen thousand four hundred sixteen (14,416) sq. meters, is hereby permanently transferred to NRCP.

SECTION 19. *Implementing Rules and Regulations (IRR).* – The NRCP with other concerned government departments, agencies and representatives mentioned in Section 8 hereof shall within ninety (90) days from the effectivity of this Act issue the necessary implementing rules and regulations of this Act.

SECTION 20. *Repealing Clause.* – All laws, orders, proclamation, rules and regulation or parts thereof, which are inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SECTION 21. *Separability Clause.* – Any provision or part of this Act declared invalid or unconstitutional, the other provisions hereof which are not affected are thereby repealed or modified accordingly.

SECTION 22. *Effectivity Clause.* – This Act shall take effect fifteen days after its publication in the Official Gazette or in a national newspaper of general circulation.

Approved,