

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3607



Introduced by REP. FAUSTINO 'INNO' A. DY V

EXPLANATORY NOTE

The National Research Council of the Philippines (NRCP) was created by virtue of Act No. 4120 on December 8, 1933 for the promotion of research work along scientific lines. The NRCP is mandated to promote and support fundamental or basic research for the continuing total improvement of the research capability of individual scientists or group of scientists; provide advice on problems and issues of national interest; promote scientific and technological culture to all sectors of society; and fosters linkages with local and international scientific organizations for enhanced cooperation in the development and sharing of information.¹

Pursuant to its mandate, the NRCP, a collegial body of scientists, has provided legislative inputs on the creation of the Philippine Institute of Volcanology (PHIVOLCS) and the National Science Development Board, the predecessor of the Department of Science and Technology (DOST), among others.²

With the growing trend towards digitalization, this proposed measure seeks to strengthen the NRCP as a world-class institution. After more than eight decades, its charter must be revisited and the necessary innovations be introduced.

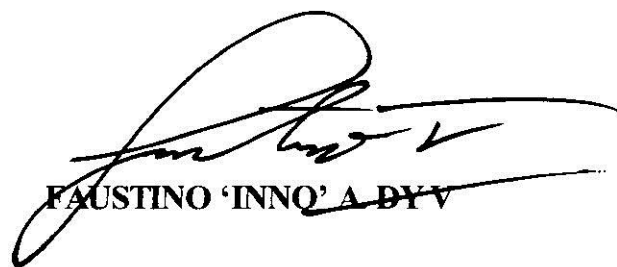
In the 18th Congress, the House Committee on Science and Technology formed a technical working group (TWG) to consolidate the two house bills on the matter. A substitute bill was introduced at the committee level which incorporates the inputs and suggestions of the NRCP.

This bill is based mainly on the output of the TWG in the 18th Congress. It is hoped that this could be a starting point to once again open the discussion on the future

¹ <https://nrcp.dost.gov.ph/transparency/vision-missions-mandates>

² House Bill No. 2108, 18th Congress

course of the organization.



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HOUSE BILL NO. _____

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AN ACT
STRENGTHENING THE NATIONAL RESEARCH COUNCIL OF THE
PHILIPPINES 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.”

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 evidenced-based policy legislation and government administration.

The State shall support the harmonization of the national research agenda, including but not limited to the National Integrated Basic Research Agenda (NIBRA), disciplinary and multidisciplinary/interdisciplinary/transdisciplinary research for the advancement of knowledge and the formulation of demand-driven policies for national and local governance for the promotion of progress and public welfare. It shall also endeavor to decentralize research efforts to expand opportunities for training and increase the funds available to researchers, scholars and scientists in the provinces that will accelerate inclusive development. Empowering the researchers in the provinces will narrow the disparity in the state of research between the National Capital Region (NCR) and the provinces.

The State shall provide support for the creation of a national repository and clearinghouse in research and registry of researchers and scientists.

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, doing seminal studies on national defense and security, and contributing in other ways to the public welfare, among others;
- b) Survey the larger possibilities of science 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 to carry out 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 encourage individual initiative as fundamentally important to the advancement of science;
- d) Gather and collate scientific and technical information at home and abroad as national repository, in cooperation with governmental and other agencies and to render such information available to duly accredited entities/agencies/corporations/persons;
- e) Provide evidence-based recommendations and advice to legislators in crafting laws;
- f) Provide a national training program for researchers in the country and promote the continuing total development of Filipino scientists and researchers as professionals and as members of the larger society; and
- g) Maintain a mapping of the research of its members to serve as guide for research coordination in the country.

SECTION 4. Definition of Terms.

- a) Clearinghouse – a central institution or agency for the collection, maintenance, and distribution of materials, information, among others
- b) Research – is the diligent and systematic inquiry or investigation into a subject in order to discover or revise facts, theories, applications, among others.

- c) Repository – a place in which inventory of registered research and registry of researchers and scientists in the country including researchers and scientists of other National Research Councils in the ASEAN and other parts of the world are maintained and preserved under the custody of a government office.
- d) Registry – is a record of document for registration entered in the appropriate registry book.
- e) Evidence-based – demonstrated through thorough or rigorous scientific research to be effective.
- f) Capacity building – planned development whereby individuals and organizations obtain, improve, and retain the skills, knowledge, tools, equipment and other resources needed to perform scientific work competently or to a greater extent through acquisition, incentives, technology, and/or training.
- g) 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.
- h) Multiple disciplinary – involving two or more academic disciplines or fields of study brought together to investigate a topic; may be multidisciplinary, interdisciplinary or transdisciplinary.
- i) 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); and
- j) National Research – refers to the inclusive quality of 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. This type of research aims to achieve academic and societal, and economic impact.
 - j. 1. Academic impact refers to the contribution of quality research to developments and advances in knowledge, method, theory, and application.
 - j. 2. Societal and economic impact refers to the development and contribution that quality research makes to society and the economy, beneficial to individuals, their way of life, and to national development.

SECTION 5. Powers. – The Council shall have the following powers:

- a. Make its own organization, be incorporated, constituted, and declared a corporate body by the name of National Research Council of the Philippines;
- b. Adopt, alter and use a corporate seal; to sue and be sued in its corporate name;
- c. To adopt by-laws pertaining to membership, holding of annual meetings, election of the Governing Board members, division into classes, and other matters needful or usual in such institution;
- d. 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;
- e. Own, manage and hold such real and personal property as shall be necessary for the Council's purposes;
- f. 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;
- g. Shall have the authority to invest its funds in such undertaking as it may deem beneficial or necessary to carry out its objectives; and
- h. Promulgate rules and regulations not contrary to law as may be necessary to carry out the purpose and functions of the Council.

SECTION 6. Membership. - The regular members of the National Research Council of the Philippines shall be the members duly elected by the Council upon nomination of the Governing Board, the total number to be determined from time to time by the Governing Board to meet the changing needs of science in the Philippines. Associate members shall be elected by the Governing Board upon nomination of the Division.

Regular membership in the Council shall be limited to citizens of the Philippines.

Upon invitation of the Governing Board, foreign scientists may be elected honorary members without the right to vote, for outstanding research contribution to the Philippines or in the international science and research community.

Regular membership in the Council may be lost only by death, resignation, or separation for cause.

SECTION 7. Divisions. - The Council shall be organized into the following divisions:

1. Division of Governmental, Educational & International Policies
2. Division of Mathematical Sciences
3. Division of Medical Sciences
4. Division of Pharmaceutical Sciences

5. Division of Biological Sciences
6. Division of Agriculture and Forestry
7. Division of Engineering and Industrial Research
8. Division of Social Sciences
9. Division of Physics
10. Division of Chemical Sciences
11. Division of Humanities
12. Division of Earth and Space Sciences
13. Division of Veterinary Medicine

The number of divisions and the grouping of subjects may be reviewed and modified by the Governing Board of the National Research Council of the Philippines.

The divisions of the Council, with the approval of the Governing Board, may establish sections.

SECTION 8. The Governing Board. – The affairs of the National Research Council of the Philippines shall be administered by a Governing Board (GB) which shall be composed of the following:

- a. Secretary of the Department of Science and Technology (DOST) or his/her designate;
- b. Chairpersons of the Scientific Divisions;
- c. Chairpersons of the Regional Clusters
- d. Two (2) members-at-large

The officers of the National Research Council of the Philippines shall consist of the President, Vice – President, Corporate Secretary and Treasurer. The President, 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 9. Functions and Responsibilities of the Governing Board. – The Governing Board shall have the following functions:

- a. Formulate and adopt policies and measures for the management and operation of the Council including the admission of its members;
- b. Elect the President of the Council who shall come from among the elected members of the Board;
- c. Approve the staffing pattern of the Council;
- d. Promulgate rules and regulations for the discharge of its powers and functions and the internal operations of the Council;
- e. Manage the financial affairs of the Council and approve the annual budget of receipt and expenditures of the Council according to its requirements;

- f. Delegate any of its powers and duties to the Executive Director or other officials of the Council as it deems appropriate so as to expedite the administration of the affairs of the Council;
- g. Develop consortia and other forms of linkages with LGUs, institutions and agencies, both public and private, local and foreign, and to appoint experts or specialist as consultants, or visiting or exchange researchers, as the case maybe;
- h. Establish policy guidelines and procedures for participative decision making and transparency within the Council;
- i. Approve, monitor and review periodically the institutional programs and projects of the Council; and
- j. Modify the number of divisions and the grouping of subjects to meet the changing needs of science in the country.

SECTION 10. President of the Council. – The President of the Council shall be elected by the Governing Board and shall serve for a term of three (3) years with possibility of re-election for another term. He shall be the Chief Executive Officer (CEO) of the Council and shall have the following powers and duties;

- a. Prepare, for the approval of the Governing Board, 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;
- b. 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;
- c. Recommend to the Governing Board such policies and measures which he/she deems necessary for the effective exercise and discharge of the powers and responsibilities of the Council; and
- d. Represent the Governing Board in national and international events and negotiations.

The President shall receive a compensation of Salary Grade 29.

The President shall continue in his office until the expiration of the term for which he has been elected or appointed. In cases of hold-over capacity, the President shall continue serving until his successor shall have been elected and assumed office.

SECTION 11. Executive Director. – The Governing Board shall appoint an Executive Director who shall render full service as the Chief Operating Officer (COO) of the Council. The Executive Director shall have a term of three (3) years and is eligible for reappointment based on merit.

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 office, the Board shall designate an Officer-in-Charge within six (6) months from

the date of vacancy, pending the appointment of a new Executive Director. The successor shall hold office only for the unexpired portion of the term.

The Executive Director shall receive a compensation of Salary Grade 28.

SECTION 12. Duties of the Executive Director. - The Executive Director of the Council shall exercise the following powers and duties:

- a. To submit for the consideration of the Governing Board the policies and measures necessary to carry out the purposes and objectives of the Council;
- b. To coordinate and administer the programs and projects of the Council;
- c. To direct and supervise the operations and internal administration of the Council, and to delegate administrative responsibilities in accordance with the rules and regulations of the Council;
- d. To submit an annual report to the Governing Board of the operations, programs and financial condition of the Council including a budget recommendation for the ensuing year; and
- e. To exercise such powers and to discharge such functions as may be vested in him/her by the Governing Board.

SECTION 13. Research Fellows. - The Governing Board is hereby authorized to engage its member-researchers to conduct specialized studies and research. Those engaged by the Council as in-house plantilla Researcher Fellows shall be paid salaries determined by the Governing Board.

SECTION 14. Government Contribution To Research Funding. - The National Government shall allocate an amount equivalent to not less than 10% of the research and development (R&D) budget of the Department of Science and Technology to finance the research activities of the Council aimed towards national application.

SECTION 15. Satellite Offices. - In order to decentralize research and empower the capacity of the regions to perform academic or pure research, and basic research with policy outputs, satellite offices shall be established in selected areas. The Satellite Offices shall oversee the NRCP Regional Chapters which will be established in order to address region-specific concerns and to promote a research culture.

SECTION 16. National Training Institute. - In order to develop the research capabilities of Filipinos, the NRCP shall establish a National Training Institute. The Institute shall offer training programs for specialized research to address gaps in knowledge and competencies.

SECTION 17. Repository And Clearinghouse. - The NRCP shall serve as the databank or registry of research and researchers/scientists in the country including those from other National Research Councils in the ASEAN and other parts of the world.

Likewise, the NRCP shall serve as Clearinghouse for purposes of identifying redundancy and duplication in the conduct of research to avoid wastage of resources and efforts.

SECTION 18. Exemption from Taxes. – All grants, bequests, endowments, donations and contributions made to and used actually, directly and exclusively by the council shall be exempt from donor's tax, and the same shall be considered as allowable deduction from gross income for purposes of computing the taxable income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

SECTION 19. Tax Subsidy – The Council may avail of the tax expenditure subsidy administered by the Fiscal Incentives Review Board (FIRB), subject to the provisions of Title XIII (Tax Incentives) of the National Internal Revenue Code of 1997, as amended.

SECTION 20. Tax Deductions For Research Grants. – Grants for research shall henceforth be deemed as deductions from gross income in accordance with Section 34 (I) of the National Internal Revenue Code OF 1997, as amended.

SECTION 21. Monitoring and Reporting Responsibility. – The NRCP shall submit an Annual Summary Report to both Houses of Congress and to the Office of the President an accurate account of its research work and activities during the corresponding fiscal years.

SECTION 22. Other Benefits and Privileges. – The NRCP may provide other benefits and privileges for researchers, in addition to the **Magna Carta for Scientists, Engineers, Researchers and other Science Technology Workers**, in the rules and regulations to be issued to implement this Act in accordance with other existing laws, codes, presidential decrees, executive orders, department orders and other issuance promulgated for the purpose of accelerating the research and development of the country.

Said rules and regulations may include a one-time incentive bonus and such additional incentives, benefits and privileges that may be necessary to attract the researchers to conduct research to help in the scientific, technological and innovative advancement of the country.

SECTION 23. 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 entitled to NRCP.

SECTION 24. 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.

SECTION 25. Appropriations. - The amount necessary to cover the initial implementation of this Act shall be charged against the current year's appropriation of the national government agency, office, or instrumentality. Thereafter, such sums as may be needed for its continued operations shall be included in the annual General Appropriations Act.

SECTION 26. 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 27. 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 28. 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.