

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. **4450**



Introduced by Rep. Anna York P. Bondoc, MD

AN ACT
ESTABLISHING THE PHILIPPINE VIROLOGY SCIENCE AND
TECHNOLOGY INSTITUTE AND APPROPRIATING FUNDS
THEREFOR

EXPLANATORY NOTE

The severe acute respiratory syndrome coronavirus 2 (SARS-CoV2) has caught the world unprepared. Spreading exponentially, SARS-CoV2 resulted in a global pandemic as millions and millions of people contracted the corona virus diseases (COVID-19). Since its first occurrence late year 2019, the virus spread to every continent.

The World Health Organization (WHO) reported on 23 August 2022 (08:00 GMT+18) that there have been 599,825,400 confirmed cases of COVID-19 and out of this number, 6,469,458 died. In the Philippines, the Department of Health reported that as of 31 August 2022, 3,880,229 people were confirmed to have contracted the disease, and 61,814 of whom died. This health crisis has also resulted in widespread social and economic crises, the impacts of which were devastating, especially to the poor.

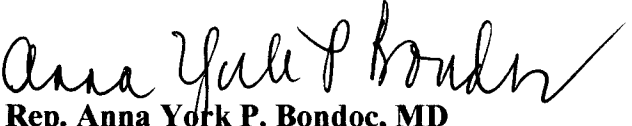
The ongoing outbreak presents many concerns, particularly on effective clinical public health management specially on novel viruses that cross the species barrier or what we call zoonotic viruses. This is due to very few studies and limited information on viral pathogenesis; risk factors for infection; the natural history of disease including clinical presentation and outcomes; prognostic factors for severe illness; the period of infectivity; modes and extent of virus inter-human transmission; effective preventive measures; and public health response and containment interventions. As of writing, there is no antiviral treatment or vaccine available for COVID-19 yet although fast track research and development efforts, including clinical therapeutic trials, are ongoing across the world.

This country is also faced with problems on a novel, emerging, reemerging, and enzootic viruses affecting livestock and plants. For instance, the African swine fever (ASF), one of the most severe and highly contagious viral diseases of pigs, has recently become prevalent in many provinces in the country. While it has been said that ASF is not a risk to human health, it is considered by the global veterinary society as one of the major threats to pig production, food security, and biodiversity in the world. Unfortunately, no cure or vaccine currently exists for this virus. There is also a constant threat from some more important viruses that can potentially cause a future pandemic from zoonotic viruses such as influenza virus which often crosses the species barrier and mutates into a more deadly strain (swine flu, INI, H5N1, etc.) as the Philippines is a tropical country and is a possible hotspot for zoonotic viruses jumping the species barrier.

Equal attention should also be given to the viruses and viroids affecting many crops in the country. Among the known virus diseases affecting Philippine crops are the rice tungro, papaya ringspot, banana and abaca bunchy top, and tomato and squash mosaic and leaf curl. The diseases cause substantial yield losses thus, creating negative impacts on food production and food security.

There are issues that can only be addressed using science and technology, specifically through research and development (R&D). It is therefore imperative that we establish a Research Institute that delves into the study of viruses of the field of virology. The country needs diagnostic detect and limit the spread of the existing viruses; vaccine to provide long-term protection; treatments to save lives in the shorter-term, and social science to understand their behavioral and social implications. Hence, this proposed measure.

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


Rep. Anna York P. Bondoc, MD
Fourth District, Pampanga

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS

First Regular Session

House Bill No. **4450**

INTRODUCED BY HON. ANNA YORK P. BONDOC, MD

AN ACT
ESTABLISHING THE PHILIPPINE VIROLOGY SCIENCE AND TECHNOLOGY
INSTITUTE 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 “Virology Institute of the Philippines (VIP) Act.”

SEC. 2 *Declaration of Policy.* – It is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them. The State recognizes that science and technology is essential for national development and progress.

To this end, the State shall formulate and implement policies that shall address current health issues, such as the quality and adequacy of health and medical human resources, health institutions, and delivery of health services, and shall give priority to research, the development and promotion of innovations in both technology and services, the use of safe and indigenous health-promoting practices, and their appropriate utilization by the health sector.

In this regard, the State shall prioritize the establishment of an institute that will conduct in-depth studies on viruses and their potential disease-causing agents that affect people, plants, and animals in order to provide the scientific bases for the treatment of viral diseases within the community and national context.

SEC. 3 *Objectives.* – This act seeks to establish a virology institute that shall focus on the following key development areas for virology science and technology applications in plants, animals, and humans:

- a). Research on viruses using a modern approach such as molecular biology and its application or biotechnology;
- b). Development and manufacturing of diagnostics, vaccines, and therapeutics;
- c). International cooperation and network of databases of virus infections;
- d). Operation of a virus gene bank, virus genome laboratory, and virus reference laboratory to focus on viruses circulating in the Philippines for disease prevention and epidemiological studies; and

e). Operation of virus high containment laboratory dedicated to the study of highly infectious and highly pathogenic viruses.

SEC. 4. *Definition of Terms.* – As used in this Act:

a). *Bacteriophage* refers to any group of viruses that infect specific bacteria, usually causing their disintegration or dissolution;

b). *Biosafety* refers to a condition in which the probability of harm, injury, and damage resulting from the intentional and unintentional introduction or use of a regulated article is within acceptable and manageable levels;

c). *Biosecurity* refers to the strategic and integrated approach to analyzing and managing relevant risk to plant, animal, and human life, and health and associated risk for the environment. It is based on recognition of the critical linkages between sectors and the potential for hazards to move within and between sectors, with system-wide consequences;

d). *Diagnostics* refer to those methods, test, techniques, and tools in viral diagnosis for humans, animals and plants;

e). *Therapeutics* refer to anti-viral, bacteriophages, nanotechnology treatment approach, nucleic acid-based treatment, remedial agents, drugs for the treatment of the viral diseases and infections for humans, animals and plants;

f). *Vaccines* refers to a product that induce or stimulate active acquired immunity by producing antibodies to a specific infectious agent. It helps the body's immune system to recognize and fight pathogens like viruses of bacteria; and

g). *Virology* refers to the scientific discipline concerned with the study of the biology of viruses and viral diseases of plant, animal, and human medical importance and pandemic potential, including the distribution, pathogenicity, viral cytopathicity, biochemistry, physiology, molecular biology, biotechnology, ecology, tropism, spillover or interspecies transmission, evolution, and clinical aspects of viruses.

SEC. 5. *Creation of Virology Science and Technology Institute of the Philippines.* – The Virology Science and Technology Institute of the Philippines (VIP) is hereby created and shall be an attached agency under the Department of Science and Technology (DOST) for purposes of policy and program coordination to ensure alignment in national policies and priorities.

The VIP shall serve as the premier research and development institute in the field of virology, encompassing all kinds of viruses and viral diseases in plants, animals and humans. It shall be a venue for scientist, research institutes and other organizations in the Philippines and abroad, to work collaboratively to study viruses of agricultural, industrial, clinical, and environmental importance.

SEC. 6. *Mandate* – The VIP shall implement policies, plans, programs, and projects for the development of virology science and technology in the country and the promotion of scientific and technological activities for both the public and private sectors. It shall ensure that the results of these activities are properly applied towards self-reliance and utilized to accelerate economic and social development towards the protection of the citizens and its resources.

SEC. 7. *Powers, Functions, and Duties.* – To accomplish its mandate, the VIP shall have the following powers functions, and duties:

a). Serve as the lead convener for the formulation of the National Virology Research Agenda, in consultation with all concerned stakeholders, that will encompass research involving viruses of plant, animal and humans;

b). Undertake scientific and technological research and development in the field of virology;

c). Conduct product research and development in the areas of diagnostics, therapeutics, and vaccines in cooperation with the private sector and concerned government agencies;

d). Promote and undertake the transfer of the results of scientific research and development in collaboration with government agencies, industry, and the academe;

e). Promote, advocate, and oversee virology research ethics, biosafety, and biosecurity;

f) Develop and maintain an information system on virology science and technology for use by both the public and private sectors;

g). Develop and implement, together with other entities concerned, programs for strengthening scientific and technological capabilities in virology and relevant disciplines through human resource development, infrastructure, and institution building;

h). Undertake policy research, technology assessment, and other related studies on virology;

i). Provide laboratory and technical services on virology;

j). Promote and advocate the national programs on virology science and technology; and

k). Establish linkages with local and international partners.

SEC. 8. – *Organizational Structure.* - The VIP shall be headed by a Director and two (2) Deputy Directors for Research and Development, and Support, Policy, and Linkages.

The VIP shall be composed of the following divisions:

1). Virus Research;

2). Diagnostics and Therapeutics Research;

3). Vaccines Research;

4). Technical Services and Training;

5). Policy, Planning, and Linkages; and

6). Finance and Administration

The Deputy Director for Research and Development shall oversee the operations of the Virus Research, Diagnostics and Therapeutics Research, and Vaccines Research Divisions. The Deputy Director for Support, Policy, and Linkages shall oversee the operations of the Technical Services and Training, Policy, Planning, and Linkages, and Finance and Administration Divisions.

The VIP shall have technical and administrative support staff and consultants. The consultants may come from the public and private sectors on a consultancy or contractual basis, and shall be granted honoraria or allowances in accordance with existing rules and regulations.

Subject to the approval of the Department of Budget and Management (DBM), the VIP shall determine its organizational structure and create new divisions or units as it may deem necessary and appoint officers and employees.

For this purpose, the VIP shall, in consultation with the DBM, determine the necessary position qualifications and standards for its personnel following civil service laws, rules, and regulations.

SEC. 9. *Qualifications of the VIP Director and Deputy Directors.* – Upon the recommendation of the Governing Board, the President of the Philippines shall appoint the Director of VIP who must possess a bachelor's degree in the field of microbiology and a postgraduate degree in virology, and should have at least three (3) year experience in the field of diagnostic virology. The Director of the VIP shall have the rank of Director IV, Salary Grade (SG)-28, and shall exercise overall responsibility over the activities of the VIP, including the supervision over VIP staff. The Director of the VIP shall report to the President of the Republic of the Philippines and the Department of Science and Technology the results of the various diagnostic assays and research studies undertaken by the VIP.

Each of the Deputy Directors of the VIP shall have a rank of Director III, SG-27. Each must possess a Bachelor's Degree in Microbiology or in similar field at least a Master's Degree in Virology.

SEC. 10. *The Governing Board.* – The Governing Board shall be the principal policy-making body for scientific and technological activities of the VIP, composed of the following:

Chairperson:

a). Secretary of DOST;

Co-Chairpersons:

b). Secretary of the Department of Health (DOH);

c). Secretary of the Department of Agriculture (DA);

Members:

d). Undersecretary of the Department of Environment and Natural Resources;

e). Undersecretary for Technology for Research and Development of the DOST;

f). Undersecretary of the Department of Foreign Affairs (DFA) for International Economic Relations;

g). Chairperson of the Commission on Higher Education (CHED);

h). Director of the Research Institute for Tropical Medical Medicine (RITM);

i). Director General of the Food and Drug Administration (FDA);

j). Director of VIP;

k). Executive Director of University of the Philippines-National Institute of Health;

l). Representative from the National Academy of Science and Technology;

m). Representative from the National Research Council of the Philippines; and

n). Three (3) representatives from the private sector appointed by the President of the Philippines, as nominated by the Governing Board. These representatives shall have distinguished themselves in the fields of medical virology, genomics, plant virology, animal virology, epidemiology, genetic engineering and other related disciplines.

The VIP Secretariat shall serve as the Secretariat to the Governing Board.

SEC. 11. *Transfer of offices and units.* – All offices and units under the DOST system which functions are related to virology shall be transferred to the VIP.

All powers, functions, assets, capital, records, funds, receivables, equipment and facilities of the DOST units or its division shall be transferred to the VIP. The DOST shall conduct an audit and inventory of assets, liabilities and human resources of the transferred offices and units under the DOST system to the VIP. All transferred and new employees under the DOST System shall be subject to the qualification standards provided for in the laws, rules and regulations of the Civil Service Commission.

SEC. 12. *Engagement of Balik Scientist and Foreign Experts.* – The VIP may engage the services of Balik Scientist and foreign experts who shall work together with the local scientist and experts, following the terms of reference and compensation structure in accordance with Republic Act. No. 11035 or the “Balik Scientist Program Act” and other existing laws.

SEC. 13. *International Cooperation.* – The VIP may shall establish strategic partnership with the world’s leading scientists, virology centers and institutes, and conduct innovative and pioneering researches that will advance the frontiers of virology in the country. It may enter into a memorandum of agreement or understanding with international partners, upon the approval of its Governing Board and in compliance with existing laws, rules, regulations and issuances of the DFA. The DFA shall provide legal and other forms of assistance to the VIP.

The Regional Office of the World Health Organization (WHO) in the Philippines shall also be consulted upon approval of the Governing Board of the VIP.

SEC. 14. *Interdepartmental Cooperation.* – The VIP shall collaborate with the DOH, Department of Finance, FDA, RITM, and other relevant government agencies, in accessing and mobilizing available information, reports, technical expertise, equipment, materials and supplies as may be required to implement this Act.

The scientific findings of the VIP shall be integrated in other plans relating to disease control and prevention and in the plans of the Inter-Agency Task Force on Emerging Infectious Diseases, as created by Executive Order No. 168 s. 2014, or its successor body, for the management of public health emergencies relating to infectious diseases.

SEC. 15. *Private-Public Partnerships (PPPs).* – The Department of Trade and Industry (DTI), the DOH, Public-Private Partnership Center and DOST shall collaborate in seeking Private-Public Partnerships (PPPs) for the development of new industries, products and services where the VIP shall be the main research and development unit.

The DOST may also request the assistance of other national and local government agencies in seeking PPPs where the VIP shall be the main research and development unit.

SEC. 16. *Promotion of Virology Industry.* – The DOST, in partnership with the DTI and the DOH shall, jointly develop an industry roadmap for products and services that can be created, improved, or optimized by research from the VIP. As far as practicable, the industry roadmap shall include the use of local materials in the development of new products. The industry developed or established resulting from the VIP researches shall be included in the national government’s priority industries for incentives.

SEC. 17. *Promotion of Knowledge-transfer and Research in the Academe.* – The VIP shall promote the creation of hubs and programs for virology research and development in the academe, particularly in state universities and colleges (SUCs). Towards this end, the VIP shall assist SUCs in the creation of virology courses and programs, open internships and scholarships for qualified

students of higher education institutions (HEIs), and collaborate with HEIs in the creation of virology research centers.

The CHED shall collaborate with the DOST in the promotion of HEI-VIP partnerships.

SEC. 18. *Protection of VIP-developed Intellectual Property.* – The Governing Board of the VIP shall ensure that all technologies developed exclusively by the VIP with full funding from Filipino tax payers shall be protected by intellectual property laws in accordance with Republic Act No. 10055 or the “Technology Transfer Act of 2009” and other applicable laws. Any patent or property right award granted to the VIP shall held by and in the name of the Philippine Government. In the case of partnerships, where the VIP is collaborating research partner, the Governing Board shall ensure that technologies co-developed by the VIP shall also be co-attributed to the Philippine Government, with corresponding intellectual protection.

SEC. 19. *Procurement of Specialized Materials, Equipment and Services.* – The VIP shall undertake the procurement of specialized materials, equipment, and services to be used by the VIP in its operation and administration, in the most expeditious manner, and adopt the most suitable or appropriate method of procurement that in deems fit based on its identified needs and requirements depending on the existing conditions and requirements that justify the use of a particular alternative modality provided for by Republic Act No. 9184 of the “Government Procurement Reform Act” and its 2016 Revised IRR.

SEC. 20. *Official Site of VIP.* – A lot with an area equivalent to at least five (5) hectares under the administration of the Bases Conversion and Development (BCDA) within Clark Economic Zone in Tarlac Province shall be allocated exclusively for the VIP, its research facilities, and laboratories. The biosafety infrastructure shall be designed based on risk assessment standards and guidelines of the WHO for handling specific pathogens and the establishment of virology laboratories in developing countries.

SEC. 21. *Entitlement to Magna Carta Benefits.* – Qualified employees of VIP shall be covered by Republic Act No. 8439, otherwise known as “Magna Carta for Scientist, Engineers, Researchers and Other Science and Technology Personnel in Government”.

SEC. 22. *Virology Research Fund.* – All donations, contributions, grants, bequests, or gifts, in cash or in-kind, received by the VIP from various sources shall be placed into a fund, to be known as the Virology Research Fund and such donations shall be exempt from donor’s tax: *Provided*, That, acceptance of grants, bequests, contributions, and donations from foreign governments shall be subject to approval of the President of the Philippines, upon the recommendation of the Secretary of DOST and the Secretary of DFA.

SEC. 23. *Authority to Solicit, Negotiate, and Receive Donations, Grants, Gifts, Legacies, Endowments, and Contributions.* – The VIP may solicit, negotiate, and receive from any public or private domestic or foreign sources legacies, gifts, donations, grants, endowments, contributions or other transfer of ownership and/or possession of real or personal properties of all kinds in favor and for the benefit of the VIP, which shall all be part of the special account in the general fund.

SEC. 24. *Tax Exemptions.* – Donations, grants, gifts, endowments, legacies, and contributions used actually, directly and exclusively for the purpose of the VIP shall be exempted from donor’s tax and the same shall be considered as allowable deduction from gross income for purpose of computing the taxable income of the donor, in accordance with Sec. 34 (H)(2)(a) of the National Internal Revenue Code of 1997, as amended. Likewise, such other transfers of ownership and/or possession of real or personal properties of all kinds shall be exempt from all taxes.

SEC. 25. *Annual Report* – The VIP shall submit annual report to the President and to the Committee on Science and Technology in both Houses of Congress not later than the 30th of March of every year following the effectivity of this Act. The report shall provide a detailed account of the status of the implementation of this Act and policy recommendations.

SEC. 26. *Joint Congressional Oversight Committee.* – There shall be a Joint Congressional Oversight Committee on the implementation of this Act, which shall be jointly chaired by the Chairpersons of the Committees on Science and Technology of the Senate and House of Representatives. It shall be composed of the Chairpersons of the Senate Committees on Health and Demography, and Agriculture, Food and Agrarian Reform, the Chairpersons of the Committees on Health and Agriculture and Food of the House of Representatives, and two (2) Members from each House representing the minority who shall be appointed by the Senate President and the Speaker of the House of Representatives.

SEC. 27. *Appropriations.* – The initial amount for the implementation of this Act shall be charged against the current year's appropriations of the DOST. Thereafter, the funding of which shall be included in the annual General Appropriations Act.

SEC. 28. *Transitory Provisions.* –

- a. The functions and assets of the DOST units enumerated herein shall be transferred to the VIP within three (3) years without need of conveyance and transfer of assignment.
- b. To the greatest extent possible and in accordance with existing laws, all employees of the affected offices, agencies and units shall be absorbed by the VIP. Personnel hired on a permanent basis and with appointments attested by the CSC who may be affected by the transition of DOST units to VIP, or who will not be absorbed in the new positions of the new staffing pattern of the different offices in the VIP, shall have the option to:
 1. Be transferred to other units or offices within the DOST in accordance with civil service law, rules and regulations; or,
 2. Avail of the applicable retirement benefits and separation incentives as provided under R.A. No. 6656 and other relevant laws.
- c. Incumbent DOST officials and employees may be considered to assume positions in the VIP, subject to competency evaluation and CSC regulations.
- d. Research grants acquired during the transition of DOST transferred units to VIP shall be utilized solely for the grants' intended purposes for each of the affected units or offices.
- e. Existing contracts and agreements entered into by the affected offices with third parties prior to the enactment of this Act shall remain valid.

SEC. 29. *Implementing Rules and Regulations.* – The DOST Secretary shall, in consultation with DBM, DOH, Civil Service Commission, and other relevant government agencies, promulgate the necessary rules and regulations within one hundred twenty (120) days from the effectivity of this Act.

SEC. 30. *Separability Clause.* – If any portion or provision of this Act is declared invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

SEC. 31. *Repealing Clause.* – All laws, decrees, orders, rules, and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 32. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,