

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5861

Introduced by Representative Joseph Gilbert F. Violago



EXPLANATORY NOTE

This commendable bill had been filed in the past Congress and the present proponent is acknowledging the wisdom and hard work of his predecessors.

In 2020, the Philippines was placed under multiple lockdowns to curb the spread of the COVID-19 virus. As such, the economy was paralyzed and left millions of Filipinos jobless. Due to the lack of economic activity, businesses closed down; majority had no source of income and sustenance. The citizenry was also placed under strict quarantine measures to limit their mobility. Unfortunately, tens of thousands of Filipinos succumbed to the virus, while millions were infected, and some are still experiencing the long-term consequences of the disease. While the government pushed for the gradual opening of the country through its vaccination efforts, there are still cases of infection tallied each day. Indeed, two years have passed, yet the Filipinos are still experiencing the detrimental effects of the aforementioned public health emergency.

It is enshrined in the 1987 Constitution that the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature (Art. II, Sec. 16). Moreover, the State shall protect and promote the right to health of the people and instill health consciousness among them (Art. II, Sec. 15).

Thus, the present proponent acknowledges the need for the State to protect its citizens by establishing a virology institute which shall serve as the premier research and development center in the field of virology, encompassing all areas in virus and viral diseases in humans, plants, and animals. The virology institute shall, among others, likewise conduct research and develop vaccines to different kinds of viral diseases. It shall formulate policies to equip the country with necessary tools to prevent, or at the very least dampen, the effects of viral diseases in case another pandemic spreads in the future.

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


JOSEPH GILBERT F. VIOLAGO

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

Be it enacted by the Senate and 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 Act of 2022”.

SECTION 2. *Declaration of Policy.* – It is hereby the policy of the State:

1. To protect and promote the right to health of the people and instill consciousness among them;
2. To undertake appropriate health, manpower development, and research responsive to the health needs and problems of the country;
3. To recognize that science and technology are essential for national development and progress;
4. To give priority to research and development, invention, innovation, and their utilization; and
5. To support indigenous, appropriate, and self-reliant scientific and technological capabilities, and their application to the country’s productive systems and national life.

To this end, it is recognized that the establishment of an institute that will conduct research and development activities/in-depth research on the viruses affecting the lives of the people and resources, is vital for the protection of the people’s health and the preservation of the national life.

SECTION 3. *Objectives.* – This Act seeks to establish a virology institute that shall focus on the following Key Development Areas (KDAs) for virology science and technology applications to ensure the State’s sustained progress:

- a. Research on viruses using a modern approach such as molecular biology and its application or biotechnology;
- b. Development of diagnostics, vaccines, and therapeutics (molecular biotechnology);
- 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 a virus high containment laboratory dedicated to the study of highly infectious and highly pathogenic viruses.

SECTION 4. *Definition of Terms.* – As used in this Act, the following terms shall mean:

- a. “Diagnostics” shall refer to those methods, tests, techniques, and tools in viral diagnosis for humans, animals, and plants;
- b. “Therapeutics” shall refer to anti-viral, nanotechnology treatment approach, nucleic acid-based treatment, remedial agents, drugs for the treatment of viral diseases and infections for humans, animals, and plants;
- c. “Vaccines” shall refer to the products 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 or bacteria; and
- d. “Virology” shall refer to the scientific discipline concerned with the study of the biology of viruses and viral diseases, including the distribution, pathogenicity, viral cytopathicity, biochemistry, physiology, molecular biology, biotechnology, ecology, tropism, spillover or interspecies transmission, evolution, and clinical aspects of viruses.

SECTION 5. *Creation of the Virology Science and Technology Institute of the Philippines.*

– To carry out the provisions of this Act, there is hereby created a research and development institute under the Department of Science and Technology called the “Virology Science and Technology Institute of the Philippines” (VIP). The VIP shall serve as the premier research and development institute in the field of virology, encompassing all areas in virus and viral diseases in humans, plants, and animals. It shall act as a venue for scientists, both here and abroad, to work collaboratively to study viruses of agricultural, industrial, clinical, and environmental importance.

The VIP shall establish strategic partnerships with the world’s leading scientists, virology centers, and institutes, and conduct innovative and pioneering research that will advance the frontiers of virology in the country.

SECTION 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 and 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.

SECTION 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 of the Virology research agenda as part of the National Unified Health Research Agenda (NUHRA);
- b. Undertake scientific and technological research and development (R&D) in the field of virology;

- c. Conduct product R&D in the areas of diagnostics, therapeutics, and vaccines;
- d. Promote and undertake the transfer of the results of scientific research and development to concerned government agencies, industry, and academe;
- e. Develop and maintain an information system on virology science and technology for use by both the public and private sectors;
- f. Develop and implement program, along with other entities concerned, for strengthening scientific and technological capabilities in virology and relevant disciplines through human resource development, infrastructure, and institution building;
- g. Undertake policy research, technology assessment, and other related research on virology;
- h. Provide laboratory and technical services on virology;
- i. Promote and advocate the national programs on virology science and technology; and
- j. Establish linkages with local and international partners.

SECTION 8. *Organizational Structure.* – The VIP shall be an attached agency of the Department of Science and Technology (DOST) for purposes of policy and program coordination, and to ensure alignment in national policies and priorities. It shall be headed by a Director and two (2) Deputy Directors, one (1) for Research and Development, and another one (1) for Support, Policy, and Linkages.

The VIP shall be composed of the Office of the Director, Office for the Deputy Director for Research and Development, Office of the Deputy Director for Support, Policy, and Linkages, and 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 head the first three (3) divisions; while the Deputy Director for Support, Policy, and Linkages shall head the next three (3) divisions.

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 shall appoint officers and employees of the VIP following the Civil Service laws, rules, and regulations.

For this purpose, the VIP shall draw up the necessary position qualifications and standards for its personnel following the Civil Service Law, rules, and regulations, in consultation with the DBM.

SECTION 9. *The Governing Board.* – The Governing Board shall be the principal policy-making body for scientific and technological activities of the VIP. It shall be composed of the following:

1. Chair – Secretary of the DOST
2. Co-chair – Undersecretary for R&D of the DOST; and
3. Members:
 - a. Undersecretary of the Department of Health (DOH);
 - b. Undersecretary of the Department of Agriculture (DA);
 - c. Director of Centers for Disease Control and Prevention Philippines (CDC PHL);
 - d. Executive Director of the Philippine Council for Health Research & Development (PCHRD);
 - e. Executive Director of the Philippine Council for Agriculture, Aquatic, and Natural Resources Research and Development (PCAARRD);
 - f. Executive Director of the Philippine Council for Industry, Energy and Emerging Technology Research & Development (PCIEERD);
 - g. Director of the Virology Science and Technology Institute of the Philippines (VIP);
 - h. Director of the University of the Philippines-National Institute of Health (UP-NIH); and
 - i. Three (3) representatives from the private sector elected by the ex-officio Board Members.

SECTION 10. *Transfer of offices and units.* – All offices and units under the DOST system that are handling matters related to virology shall be transferred to the VIP.

The transfer of an office or unit shall include the functions, appropriations, funds, records, equipment, facilities, choses in action, rights, other assets, and liabilities, if any, of the transferred office or unit as well as the personnel thereof, as may be necessary.

SECTION 11. *Engagement of Balik Scientists and Foreign Experts.* – The VIP may engage Balik Scientists and foreign experts following the terms of reference and compensation structure of the Balik Scientist Program.

SECTION 12. *International Cooperation.* – The VIP may enter into a memorandum of agreement (MOA) or memorandum of understanding (MOU) with international partners, upon the approval of its governing body.

SECTION 13. *Official Site of the VIP.* – A lot with an area equivalent to at least five (5) hectares under the administration of the Bases Conversion and Development Authority (BCDA) within the New Clark Economic Zone in Tarlac shall be allocated exclusively for the VIP, its research facilities, and laboratories. The biosafety infrastructure shall be designed based on the risk assessment for handling specific pathogens following the World Health Organization (WHO) guidelines on the establishment of a virology laboratory in developing countries.

SECTION 14. *Entitlement to Magna Carta Benefits.* – Qualified employees of VIP and its attached units shall be covered by Republic Act No. 8349, otherwise known as the “Magna Carta for Scientists, Engineers, Researchers and Other Science and Technology Personnel in Government”.

SECTION 15. *Annual Report.* – The VIP shall submit to the President of the Philippines and the Committee on Science and Technology in both houses of Congress not later than the 30th of March 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 recommended legislation, where applicable and necessary.

SECTION 16. *Virology Research Fund.* – There is hereby created a Virology Research Fund (“Fund”) to be used exclusively for the implementation of the Virology Institute Strategic Plan, which shall be administered by the VIP following existing government budgeting, accounting, and auditing rules and regulations. The Fund shall be sourced from the following:

1. The initial amount of Two Billion Pesos (Php2,000,000,000.00) to be taken from the current fiscal year’s appropriation, in case of the General Appropriations Act (GAA) was approved before this law is enacted;
2. The income produced from its operations, technology transfer, and licensing agreements; and
3. Loans, contributions, grants, bequests, gifts, and donations from local or foreign sources: *Provided*, that the acceptance of grants, bequests, contributions, and donations from foreign governments shall be subject to the approval of the President upon recommendation of the Secretary of the DOST and the Secretary of the Department of Foreign Affairs (DFA). The Secretary of the DOST, with the approval of the NEDA and subsequently, the Department of Finance (DOF), is hereby granted the authority to enter into loan agreements with foreign financial institutions.

SECTION 17. *Use of Income.* – The VIP shall be authorized to use all of the income generated from its operations, as well as donations, bequests, and grants for the upgrading of its physical and human resources, and for the augmentation of its budget, in case of a shortfall.

SECTION 18. *Appropriations.* – The sum of Two Billion Pesos (Php2,000,000,000.00) is hereby appropriated as an initial operating fund for the operation of the VIP, taken from the current fiscal year’s appropriation. Thereafter, the amount needed for its operation shall be included in the General Appropriations Act.

SECTION 19. *Implementing Rules and Regulations.* – Within one hundred twenty (120) days from the promulgation of this Act, the implementing rules and regulations for the proper implementation of its provisions shall be formulated by the DOST in coordination with the DBM, Civil Service Commission, and other relevant government agencies.

SECTION 20. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, the remainder or any of this provision hereof not affected thereby shall remain in force and effect.

SECTION 21. *Repealing Clause.* – All laws, decrees, executive orders, presidential issuances and other administrative rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SECTION 22. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette, or in any two (2) newspapers of general circulation.

Approved,