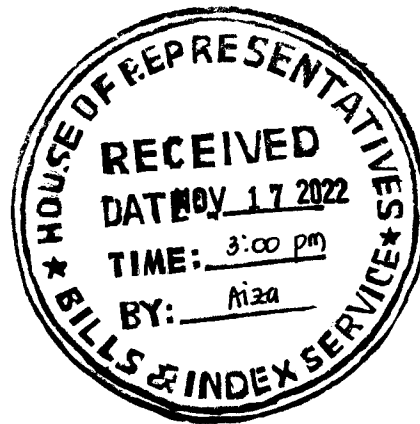


Republic of the Philippines
House of Representatives
Quezon City

19th Congress
First Regular Session

House Bill No. 6210



Introduced by **HONORABLE PETER B. MIGUEL**

**AN ACT ESTABLISHING THE VIROLOGY AND VACCINE INSTITUTE OF THE
PHILIPPINES AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

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.

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, and for the formulation of policies that shall prevent the transmission of these diseases within the community and national context.

The emergence of SARS-CoV-2, a novel strain of the coronavirus, in 2020 highlighted the need for research and development capacities in virology research. Having a pool of highly-trained virology experts and appropriate facilities could have enabled local researchers to conduct studies on the virus as quickly as possible and guided authorities in implementing evidence-informed response strategies.

The Department of Science and Technology (DOST)¹ emphasized that the emergence of SARS-CoV-2 in 2020 highlighted the need for Research and Development capacities in virology research through the establishment of the Virology and Vaccines Institute of the Philippines (VIP). Even with the availability of vaccines against Covid-19 nowadays, the country must be prepared in the long run by establishing a dedicated government agency that will serve as the premier research and development institute in the field of virology, encompassing all areas in viruses and viral diseases in humans, plants and animals. Thus, this bill, in creating the VIP, will provide for a pool of highly-trained local virology experts and appropriate facilities which can enable researchers to rapidly conduct studies on any virus and guide authorities in implementing evidence-informed response strategies.

To better prepare the country for similar health emergencies, the creation of a research institute that specializes in virology research is a must. Responding to this need is one of the objectives of the virology and vaccine institute. Alongside the study on viruses is also the development of products to address these viruses.

What we are aiming with the passage of this bill is to be self-sufficient from the other countries in doing research to conduct studies on the virus and thereafter producing the necessary vaccines. I firmly believe that our country will be able to do that in terms of human resources. We will not only carry out research on a virus that attacks humans but also those that attack the livestock and crops.

The VIP will focus on building the body of research on virus strains and the diseases they cause to serve as the foundation of applied research studies and the development of diagnostic kits, vaccines, and therapeutics not just for humans, but also for animal and plant diseases that cause significant losses for local farmers and impact animal and agronomic health and food supplies.

These efforts will serve as the foundation of applied research studies and the development of diagnostic kits, vaccines, and therapeutics not just for humans, but also for animal and plant diseases. In the same way, these initiatives will impact the agriculture sector by addressing viral diseases that affect crops and livestock that cause significant losses for local farmers.

This will improve access and availability to low-cost, quality diagnostic kits that will benefit both the health and agriculture sector.

Through this Act, the creation of public entities dedicated to managing emerging diseases will be achievable. With this purpose in mind, the immediate approval of this bill is strongly requested.

A stylized, handwritten signature in black ink, featuring a large, sweeping 'P' and 'M' that are interconnected, with a horizontal line extending to the right.

PETER B. MIGUEL

Representative, 2nd District South Cotabato

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6210

(In substitution of House Bills Numbered 10, 47, 282, 308, 462, 528, 602, 1179, 1262, 1491, 1710, 1721, 1903, 2413, 2456, 2736, 2777, 2904, 2979, 3043, 3118, 3147, 3398, 3407, 3503, 3693, 3723, 4186, 4270, 4450, 4862, 5683, 5796, 5861, 5895, 5908, and 5912)

Introduced by Representatives Ciriaco B. Gato, Jr., Carlito S. Marquez, Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Ferdinand Alexander A. Marcos, Jude A. Acidre, Joey Sarte Salceda, Keith Micah "Atty. Mike" D.L. Tan, Luis Raymund "LRay" F. Villafuerte, Jr., Miguel Luis R. Villafuerte, Tsuyoshi Anthony G. Horibata, Nicolas C. Enciso VIII, Juan Carlos "Arjo" C. Atayde, Ron P. Salo, Edgar M. Chatto, Bryan B. Revilla, Divina Grace C. Yu, Ma. Lucille L. Nava, M.D., Dan S. Fernandez, Anthony Rolando T. Golez, Jr., Ruth Mariano-Hernandez, Jeyzel Victoria C. Yu, Angelo Marcos Barba, Rufus B. Rodriguez, JC Abalos, Alfred C. Delos Santos, Florida "Rida" P. Robes, Michael L. Romero, Ph.D., Christopherson 'Coco' M. Yap, Reynante U. Arrogancia, Ambrosio C. Cruz, Jr., Carlito S. Marquez, Paolo Z. Duterte, Eric Go Yap, Edward Vera Perez Maceda, Marlyn "Len" B. Alonte, Edvic G. Yap, Jeffrey Soriano, Harris Christopher M. Ongchuan, Gus S. Tambunting, Anna York P. Bondoc, Marlyn L. Primicias-Agabas, Camille A. Villar, Gerville R. Luistro, Joseph Gilbert F. Violago, Maria Vanessa C. Aumentado, and Jose "Bong" J. Teves, Jr.

AN ACT
ESTABLISHING THE VIROLOGY AND VACCINE INSTITUTE OF THE
PHILIPPINES 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 and Vaccine 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, and for the

1 formulation of policies that shall prevent the transmission of these diseases within the community
2 and national context.

3 **SEC. 3. Objectives.** - This Act seeks to establish a virology and vaccine institute that shall focus
4 on the following key science and technology applications to ensure the State's sustained progress:

5 a) Research on viruses and other pathogens using a modern approach such as molecular
6 biology and its application on biotechnology and bioinformatics;

7 b) Development of diagnostics, vaccines, and therapeutics on viruses and other pathogens;

8 c) International cooperation and network of databases of virus infections;

9 d) Operation of a virology laboratory, virus gene bank and virus genome laboratory, to
10 focus on viruses circulating in the Philippines for disease prevention and epidemiological
11 studies; and

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

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

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

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

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

24 d. *Diagnostics* refer to methods, tests, techniques, and tools in viral diagnosis for plants,
25 animals and humans;

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

29 f. *Vaccine* refers to a product that induces or stimulates active acquired immunity by
30 producing antibodies to a specific infectious agent. It helps the body's immune system to
31 recognize and fight pathogens like viruses or bacteria; and

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

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

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

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

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

- 13 a) Serve as the lead convener for the formulation of the National Virology Research
14 Agenda, in consultation with all concerned stakeholders, that will encompass researches
15 involving viruses of plant, animal and humans;
- 16 b) Undertake scientific and technological research and development in the field of
17 virology;
- 18 c) Conduct product research and development in the areas of diagnostics, therapeutics, and
19 vaccines in cooperation with the private sector and concerned agencies;
- 20 d) Promote and undertake the transfer of the results of scientific research and development
21 in collaboration with government agencies, industry, and the academe;
- 22 e) Promote, advocate and oversee virology research ethics, biosafety, and biosecurity;
- 23 f) Develop and maintain an information system on virology science and technology for use
24 by both the public and private sectors;
- 25 g) Develop and implement, together with other entities concerned, programs for
26 strengthening scientific and technological capabilities in virology and relevant disciplines
27 through human resource development, infrastructure, and institution building;
- 28 h) Undertake policy research, and other related studies on virology;
- 29 i) Provide laboratory and technical services on virology;
- 30 j) Promote and advocate the national programs on virology science and technology;
- 31 k) Establish linkages with local and international partners; and
- 32 l) Assume additional functions such as, but not limited to, clinical research or trials and
33 other incidental works, as may be deemed appropriate.

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

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

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

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

6 **SEC. 9. *Qualifications of the VIP Director and Deputy Directors.*** - Upon the recommendation
7 of the Governing Board, the President of the Philippines shall appoint the Director of the VIP
8 who must possess:

- 9 a) a bachelor's degree in the field of microbiology or any other specialization; and
10 b) a postgraduate degree in virology or any other related fields;
11 c) at least three (3) years experience in the field of diagnostic virology.
12

13 The Director of the VIP shall have the rank of Director IV, Salary Grade (SG)-28, and shall
14 exercise overall responsibility over the activities of the VIP, including the supervision over VIP
15 staff. The Director of the VIP shall report to the President of the Philippines and the Secretary
16 of the Department of Science and Technology the results of the various diagnostic assays and
17 research studies undertaken by the VIP.

18 Each of the Deputy Directors of the VIP shall have a rank of Director III, SG-27. The Deputy
19 Director for Research and Development must possess a Bachelor's Degree in Microbiology or in
20 a similar field and at least a Master's Degree in Virology while the Deputy Director for Support,
21 Policy, and Linkages must possess a Bachelor's degree and a Master's Degree relevant to the job.

22 **SEC. 10. *The Governing Board.*** - The Governing Board shall be the policymaking body for the
23 scientific and technological activities of the VIP, composed of the following:

24 Chairperson:

- 25 a) Secretary of the DOST;

26 Co-Chairpersons:

- 27 b) Secretary of the Department of Health (DOH);

- 28 c) Secretary of the Department of Agriculture;

29 Members:

- 30 d) Undersecretary of the Department of Environment and Natural Resources;

- 31 e) Undersecretary for Research and Development of the DOST;

- 32 f) Undersecretary of the Department of Foreign Affairs (DFA) for International
33 Economic Relations;

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

- 35 h) Director of the Research Institute for Tropical Medicine (RITM);

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

- 37 j) Director of VIP;

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

- 1) 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 Units, Offices and Functions.* - 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 (CSC).

SEC. 12. *Engagement of Balik Scientists and Foreign Experts.* - The VIP may engage the services of Balik Scientists and foreign experts who shall work together with the local scientists and experts, following the terms of reference and compensation structure in accordance with Republic Act No. 11305 or the "Balik Scientist Program Act" and other existing laws.

SEC. 13. *International Cooperation.* - The VIP shall establish strategic partnerships 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 the VIP advice and assistance on drafting and negotiations of international legal instruments.

The Regional Office of the World Health Organization (WHO) in the Philippines, World Organization for Animal Health (WOAH) and other relevant international organizations 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, DA, Public-Private Partnership Center and the 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.

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

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

9 **SEC. 17. *Promotion of Knowledge-transfer and Research in the Academe.*** - The VIP shall
10 promote the creation of hubs and programs for virology research and development in the
11 academe, particularly in state universities and colleges (SUCs). Towards this end, the VIP shall
12 assist SUCs in the creation of virology courses and programs, open internships and scholarships
13 for qualified students of higher education institutions (HEIs), and collaborate with HEIs in the
14 creation of virology research centers.

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

16 **SEC. 18. *Protection of VIP-developed Intellectual Property.*** - The Governing Board of the VIP
17 shall ensure that all technologies developed exclusively by the VIP with full funding from
18 Filipino taxpayers shall be protected by intellectual property laws in accordance with Republic
19 Act No. 10055, also known as the "Technology Transfer Act of 2009," and other applicable laws.
20 Any patent or property right award granted to the VIP shall be held by and in the name of the
21 Philippine Government. In the case of partnerships, where the VIP is a collaborating research
22 partner, the Governing Board shall ensure that technologies co-developed by the VIP shall also
23 be co-owned by the Philippine Government, with the corresponding intellectual protection.

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

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

37 **SEC. 21. *Entitlement to Magna Carta Benefits.*** - Qualified employees of the VIP shall be
38 covered by Republic Act No. 8439, otherwise known as "Magna Carta for Scientists, Engineers,
39 Researchers and Other Science and Technology Personnel in Government," as amended.

40 **SEC. 22. *Virology Research Fund.*** - All donations, contributions, grants, bequests, or gifts, in
41 cash or in-kind, received by the VIP from various sources shall be placed into a fund, to be
42 known as the Virology Research Fund and such donations shall be exempt from donor's tax:
43 *Provided, That, acceptance of grants, bequests, contributions, and donations from foreign*

governments shall be subject to the approval of the President of the Philippines, upon the recommendation of the Secretary of DOST and the Secretary of DFA.

SEC. 23. Use of Income. - The VIP shall be authorized to use all of the income generated from its operations, as well as donations, bequests, grants for the upgrading of its physical and human resources, and for the augmentation of its budget, in case a shortfall.

SEC. 24. Authority to Solicit, Negotiate, and Receive Donations, Grants, Gifts, Legacies, Endowments, and Contributions. - The VIP may solicit, negotiate with, and receive from any public or private domestic or foreign sources legacies, gifts, donations, grants, endowments, contributions or other transfers of ownership and/or possession of real or personal properties of all kinds in favor of and for the benefit of the VIP, which shall be released in a timely manner to address an existing or emerging public emergency or consistent with the urgent nature of VIP mandate and functions, subject to existing budgeting, accounting and auditing laws, rules and regulations.

SEC. 25. Tax Exemptions. - Donations, grants, gifts, endowments, legacies, and contributions used actually, directly and exclusively for the purpose of the VIP 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 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. 26. Annual Report. - The VIP shall submit its annual report to the President and to the Committees 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 annual report shall provide a full and detailed account of the status of the implementation of this Act and policy recommendations.

SEC. 27. 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 the 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. 28. 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. 29. 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 1. Be transferred to other units or offices within the DOST in accordance with civil
2 service laws, rules and regulations; or

3 2. Avail of the applicable retirement benefits and separation incentives as provided
4 under R.A. No. 6656, or "An Act to Protect the Security of Tenure of Civil Service
5 Officers and Employees in the Implementation of Government Reorganization," and
6 other relevant laws.

7 c. Incumbent DOST officials and employees may be considered to assume positions in the
8 VIP, subject to competency evaluation and CSC regulations.

9 d. Research grants acquired during the transition of DOST transferred units to VIP shall
10 be utilized solely for the grants' intended purposes for each of the affected units or offices.

11 e. Existing contracts and agreements entered into by the affected offices with third parties
12 prior to the enactment of this Act shall remain valid.

13 **SEC. 30. *Implementing Rules and Regulations.*** - The DOST Secretary shall, in consultation
14 with DBM, DOH, CSC, and other relevant government agencies, promulgate the necessary rules
15 and regulations within one hundred twenty (120) days from effectivity of this Act.

16 **SEC. 31. *Separability Clause.*** - If any portion of this Act is declared invalid or unconstitutional,
17 other provisions hereof shall remain in full force and effect.

18 **SEC. 32. *Repealing Clause.*** - All laws, decrees, orders, rules, and regulations or other issuances
19 or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified
20 accordingly.

21 **SEC. 33. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in the
22 Official Gazette or in a newspaper of general circulation.

23
24 *Approved,*
25