

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2108

Introduced by Rep. **ERICO ARISTOTLE C. AUMENTADO**

HISTORICAL BACKGROUND

This bill seeks to strengthen the National Research Council of the Philippine Islands (NRCP) For the Promotion of Research Work along Scientific Lines". Act 4125 was enacted in the Ninth (9th) Legislature in 1933 patterned after that of the United States, an attempt to respond to problems related to development and defense being faced then by the Philippines. For this, NRCP became the first National Research Council in Asia.

At the onset, NRCP has effectively served the purpose of the Commonwealth Government in providing administrative support through policy advice and research along scientific lines. It enjoyed prominence not only for its illustrious members, but also because of its influence to the President and legislature through its useful outputs. Other than being one of the very few government institutions established with a corporate character in the early years of the Commonwealth, NRCP to perform its role in promoting research and policy advisory. For instance, it participated in the drafting of the science provision during the 1935 Constitutional Assembly and in providing legislative advice for the creation of agencies such as the Philippine Institute of Volcanology (PhilVocs) and the National Science Development Board, the predecessor of the Department of Science and Technology (DOST), to name a few. Moreover, numerous pioneering researches covering various fields of science were also produced by the NRCP that became relevant to the developmental concerns of the country during that time.

For 85 years, the charter of the NRCP has remained as a collegial body and was primarily engaged in supporting research of a more basic and fundamental nature as provided by Section 15 of EO No. 784. "In 1958, NRCP was attached to the National Science Development Board (NSDB) in the 1960's which later became the Department of Science and Technology in 1987. In the last 40 years, the agency has been overcome by events and by its administrative structural nature that has diminished its capacity to expand or widen its reach to the countryside and perform emerging and vital functions that are not covered by other research institutions in the country.

For more than a decade now, its financial resources have stagnated as shown by the agency's Grants-in-Aid (GIA) budget for 2017 and 2018, which stood P 15 million or lower, if not the lowest among the national research councils in the ASEAN.

NRCP's desire to provide higher funds to capacitate more Filipinos in the regions to enable them to conduct research and be researchers or scientists themselves has remained unrealized. This has continued to widen the disparity in human development between the National Capital Region (NCR) and that of the other regions. Based on the data of the NRCP, most member-researchers in the country are from the NCR and the Calabarzon area (60%), while the research projects are majority performed by researchers from the aforesaid regions. This in effect has decelerated the impact of the inclusive development program of the national government.

In order to better respond to the growing needs of the country in promoting basic and evidenced or science-based policy research, enhance human resource capability in research particularly in the regions and expanding research role in the ASEAN and in the international front. It is with this reason, that it is imperative that NRCP's mandate need to be strengthened and expanded with the following new functions and features to wit: Shall serve as the clearing house in basic research; and shall provide the official listing and accreditation of researches nationwide. The NRCP shall also promote and conduct capacity building/training on research to universities and colleges in the country, in the regions, collate and collaborate in the conduct of researches with other national research councils and research institutes in the ASEAN neighbors that will help enhance community understanding, facilitate knowledge resource exchange and interdependence and define common interests towards the well-being or security of the region. Active research engagements with similar research counterparts outside the region are also being endeavored.

The NRCP shall also extend assistance to the legislature and local government units in providing evidenced-based policy researches when needed, including matters pertaining to defense or security within and alongside scientific lines.

In view of the above, the immediate passage of this bill is earnestly sought.



ERICO ARISTOTLE C. AUMENTADO

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HOUSE BILL NO. _____

Introduced by **Rep. Erico Aristotle C. Aumentado**

**AN ACT STRENGTHENING THE NATIONAL RESEARCH COUNCIL OF THE
PHILIPPINES OF THE DEPARTMENT OF SCIENCE AND TECHNOLOGY
FOR THE PROMOTION OF RESEARCH WORK ALONG SCIENTIFIC
LINES AND APPROPRIATING FUNDS THEREFOR.**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 **SECTION 1. Title.** – This Act shall be known and cited as the “National Research
2 Council of the Philippines Act of 2018.”
3

4 **SECTION 2. Declaration of Policy.** – In consonance with the provisions of section
5 10, Article XIV of the Constitution, which provides that the State shall give priority to
6 research and development, it is hereby declared to be the policy of the state to promote
7 research and science or evidence- based policy in legislation and government
8 administration.
9

10 The State shall support the harmonization of national research agenda, including but
11 not limited to the National Integrated Basic Research Agenda (NIBRA) and the utilization
12 of research in the crafting of development plans in national and local governments that
13 will redound to progress and well-being of the people. It shall also endeavour to
14 decentralize research efforts that will expand opportunities for training and providing
15 budget available to researchers, scholars and scientists in the provinces that will
16 accelerate inclusive development. Empowering the researchers in the provinces will
17 narrow the disparity on the state of research between the National Capital Region (NCR)
18 and the provinces.
19

20 The State shall provide support for the creation of clearing house in basic and frontier
21 research, registry of researchers and scientists who are doing basic and frontier research.
22 This also includes the added role of NRCP to conduct impact assessment of researches,
23 and establishment of a Center for Research and Development (R & D), and of a Research
24 for Development (R for D) training in all the regions of the country.
25

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

- 3
4 (1) Stimulate and support research in the mathematical, physical and biological
5 sciences, engineering, agriculture, medicine, social sciences, humanities and the
6 arts, with the objective of increasing knowledge, starting studies of problems of
7 the national defense and security, and contributing in other ways to the public
8 welfare;
- 9
10 (2) Survey the larger possibilities of sciences, to formulate comprehensive projects of
11 research including but not limited to the National Integrated Basic Research
12 Agenda (NIBRA), and develop effective means of utilizing the scientific and
13 technical resources of the country for dealing with these projects;
- 14
15 (3) Promote cooperation in research in all the regions of the country and abroad in
16 order to secure concentration of effort, instill ethical standards, minimize
17 duplication, and stimulate progress; but in all cooperative undertakings to give
18 encouragement to individual initiative as fundamentally important to the
19 advancement of science;
- 20
21 (4) Gather and collate scientific and technical information at home and abroad, in
22 cooperation with governmental and other agencies and to render such information
23 available to duly accredited persons;
- 24
25 (5) Promote the continuing total development of the Filipino scientist and researcher
26 as a professional and as a member of the larger society;
- 27
28 (6) Serve as consultative body to government policy-makers in matters relating to
29 sciences for development, defense and security; and to provide a forum for
30 discussion and formulation of scientific plans and policies;
- 31
32 (7) Provide research - based recommendations to legislations and in the crafting of
33 laws or plans that are of national and local importance geared towards solving
34 problems of the country. Government institutions, agencies and instrumentalities
35 shall endeavor to incorporate or embed evidence- based research or studies in the
36 development and passage of laws within their jurisdiction. Corollary to this, the
37 Council shall study and monitor the development of research or evidenced-based
38 policies in the government;
- 39
40 (8) Establish a custodial/repository for basic and frontier research; and become the
41 registry and certifying agency for basic and frontier researchers;
- 42
43 (9) Contribute in providing support mechanism and capacitate the research
44 capabilities of Higher Educational Institutions (HEIs) / State Universities and
45 Colleges (SUCs), government agencies, and local government units;
- 46
47 (10) Investigate, examine, experiment, survey and report any subject of importance as
48 called upon by any branch or Department of the Government, Regional
49 Development Councils (RDC) and by the various Local Government Units
50 (LGUs).

1
2 **SECTION 4. Scope.** – The law shall have local and national application involving
3 research for development in all the regions of the country.
4

5 **SECTION 5. Definition of Terms:**
6

- 7 a. Accreditation – is the process in which an authoritative body formally recognizes
8 the competence of researchers to conduct research and other related activities
9 based on the prescribed criteria, guidelines and standards defined by the Council.
10
- 11 b. Clearing House – an agency or organization that collects and distributes
12 something specially information.
13
- 14 c. Research – is systematic study directed toward greater knowledge or
15 understanding of the fundamental aspects of phenomena and of observable facts
16 without specific applications towards processes or products in mind. Also called
17 pure research or fundamental research, is scientific research aimed to improve
18 scientific theories for improved understanding or prediction of natural or other
19 phenomena. Basic research can also be defined as creative work undertaken to
20 increase the stock knowledge, including knowledge of man, culture and society.
21
- 22 d. Repository – a place in which public records are maintained and preserved under
23 the custody and control of a government office.
24
- 25 e. Registry – is a record of document for registration entered in the appropriate
26 registry book.
27
- 28 f. Evidence-based – supported by a large amount of scientific research.
29
- 30 g. Capacity building – planned development of (or increase in) knowledge, output
31 rate, management, skills, and other capabilities of an organization through
32 acquisition, incentives, technology, and/or training.
33
- 34 h. Human development – is defined as the process of enlarging people’s choices,
35 freedoms and opportunities and improving their well-being. A measurement of
36 achievements by humans through advancement of knowledge, biological changes,
37 habit formation or other criteria that displays changes of standard of living over
38 time.
39
- 40 i. Interdisciplinary – combining or involving two or more academic discipline or
41 field of study.
42
- 43 j. Frontier Research – an undeveloped field of study; a topic inviting research and
44 development; usually addresses highly controversial issues in the scientific
45 community in the area being explored, deals with hard to answer queries
46 employing normal methodological approaches, employs methodologies and
47 concepts atypical for concerned field, takes unexpected findings challenging
48 dominant paradigm used, focuses on issues where resolution is critical for
49 confirmation or rebuttal of the prevailing paradigm, and involves research with
50 extreme degree of uncertainty or failure (high cost, high risk of failure).

1
2 k. National Research – refers to inclusive quality research and innovation programs
3 that involve the various disciplines in the sciences and humanities; concerned
4 with national or facets of national concern, and entailing multidisciplinary and
5 interdisciplinary research and training. It aims to achieve research impact,
6 academic impact, as well as societal and economic impact.
7

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

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

14 **SECTION 6. Powers.** – The Council shall have the following powers:
15

- 16 (1) Make its own organization, be incorporated, constituted, and declared a corporate
17 body by the name of National Research Council of the Philippines;
18
19 (2) Adopt, alter and use a corporate seal;
20
21 (3) Provide implementing rules and regulations to determine its membership, fill
22 vacancies created by death, resignation or otherwise; shall hold an annual meeting
23 at such place and time as may be determined by the Board; to provide for the
24 election of the Governing Board members, division into classes, and other matters
25 needful or usual in such institution;
26
27 (4) Collect, receive and maintain a fund or funds from government appropriations and
28 from donations, grants, gifts, bequests, loans from domestic and foreign sources,
29 and to apply the income and principal thereof to the promotion of its aims and
30 purposes;
31
32 (5) Own, manage and hold such real and personal property as shall be necessary for
33 the Council's purposes;
34
35 (6) Corollary to its purposes and objectives, to extend financial assistance to, and
36 enter into contracts of every kind and for any lawful purpose, with any person,
37 firm, association or corporation, domestic or foreign, or others in which it has a
38 lawful interest;
39
40 (7) Shall have the authority to invest its funds in such undertaking as it may deem
41 beneficial or necessary to carry out its objectives;
42
43 (8) Conduct joint international studies with other research councils or research
44 institutions;
45
46 (9) Extend research support along multi-disciplinal, inter-disciplinal and trans-
47 disciplinal scientific lines in the conduct of forecast studies along security,
48 defense, development, resiliency and disaster preparedness of the country.

- 1
2 10) Investigate, examine experiment and report upon any subject of science or art,
3 whenever called upon by any department of the government.
4

5 **SECTION 7. The Governing Board.** – The affairs of the National Research Council
6 shall be administered by a Governing Board (GB), as public officials, which shall consist
7 of two members – at – large, the Chairpersons of the Scientific Divisions, and the DOST
8 Secretary or his/her designate.
9

10 The officers of the National Research Council shall consist of a President, Vice-
11 President, a Corporate Secretary and a Treasurer. The President of the National Research
12 Council or in case of his absence or inability to act, the Vice-President shall be the Chief
13 Executive Officer of the Council and shall preside over the meetings of the Council and
14 of the Governing Board.
15

16 A majority of the members of the GB shall constitute a quorum for the transaction of
17 the business of the GB.
18

19 **SECTION 8. Functions and Responsibilities of the Governing Board.** – The
20 Governing shall have the following functions;

- 21 (1) Formulate and adopt policies and measures for the management and operation of
22 the Council including the admission of its members;
23
24 (2) Elect the President of the Council who shall come from among the elected
25 members of the Board;
26
27 (3) Approve the staffing pattern of the Council;
28
29 (4) Promulgate rules and regulations for the discharge of its powers and functions and
30 the internal operations of the Council; provided, that, the Chair of the GB shall
31 exercise the power to appoint, promote discipline or remove the personnel of the
32 Council;
33
34 (5) Manage the financial affairs of the Council and approve the annual budget of
35 receipt and expenditures of the Council according to its requirements;
36
37 (6) Monitor and review periodically the programs and projects of the Council; and
38
39 (7) Modify the number of divisions and the grouping of subjects to meet the changing
40 needs of science in the country.
41

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

- 47 (1) Prepare, for the approval of the GB, the staffing pattern of the Council, which shall
48 include the determination of the qualifications, and fixing the number and

1 compensation of such officials and personnel as may be necessary for the proper
2 discharge of the function of the Council;

3
4 (2) Have control and supervision over the personnel, staff, operations and internal
5 administration of the Council in accordance with existing laws and rules and
6 regulations promulgated by the Governing Board;

7
8 (3) Recommend to the GB such policies and measures which deems necessary for the
9 effective exercise and discharge of the powers and responsibilities of the Council;
10 and

11
12 (4) Submit the annual report to the GB on the operations, the status of the programs
13 funded by, the financial condition of the Council, including a recommendation for its
14 budget for the ensuing year.

15
16 **SECTION 10. Executive Director.** – There shall be an Executive Director (ED) who
17 shall be appointed by the Governing Board and shall have the rank of a bureau
18 directorate, with a *plantilla* position. The ED shall exercise administrative supervision
19 over the personnel, staff of the Council and shall be the primary implementer of the
20 policies and guidelines set by the GB.

21
22 **SECTION 11. Research Fellows.** – The Council is hereby authorized to engage its
23 member-researchers to conduct specialized studies and researches of the Council. Those
24 engaged by the Council shall be issued appointments as Researcher Fellows shall be
25 paid, as they are hereby authorized to be paid as honoraria determined by the Governing
26 Board.

27
28 **SECTION 12. Endowment Fund.** – An NRCP Endowment Fund shall be
29 established shall be self-sustaining and shall consist of contributions, donations, grants,
30 or loans from domestic and/or foreign sources, government subsidies and other income
31 accruing from the operations of the Council. For the initial organizational and
32 operational requirements of the Council, there is hereby appropriated out of any fund in
33 the National Treasury not otherwise appropriated the sum of ONE BILLION PESOS
34 (Php 1,000,000,000.00). Hereafter, funding for the operational activities of the Council
35 shall be generated by the Council from earnings of this Fund.

36
37 In granting the endowment fund, the national government shall provide a 3-year
38 allocation beginning from the year of the approval of the law.

39
40 The NRCP is hereby authorized and empowered to receive bequests and donations
41 hold the same in trust, to be applied by the said council in aid of scientific investigations,
42 examinations and experiments.

43
44 **SECTION 13. Government Contribution to Research Funding.** – There shall be
45 an not less than 10% of the Research and Development budget included in the annual
46 budget of the DOST as contribution in financing the research activities of the Council.
47 Other government agencies are hereby authorized to include in their respective annual
48 budget such necessary amounts as their contribution to the funding of certain research
49 activities of the Council. These contributions shall be managed under separate account.
50 The Council shall submit to the Secretary of DOST a program of work with budget

estimates for each calendar year, not later than the 28th of February of the preceding year.

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

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

- **SECTION 14. Regional Offices.** – In order to decentralize research and empower the capacity of the regions to perform policy researches, satellite offices attached to the DOST shall be established in all regional areas. The Regional Offices shall oversee the NRCP regional chapters which will be established in order to address region-specific concerns and to promote a science culture in the regions.

SECTION 15. Exemption from taxes. – Any provision of law to the contrary notwithstanding, any donation, contribution, bequest, subsidy or financial aid which may be made to the Council shall be exempt from taxes of any kind and shall constitute allowable deductions in full from the income of the donors or grantors for income tax purposes.

The Council, its assets, acquisitions, income and its operations and transactions shall be exempt from any and all taxes, fees, charges, imports, licenses and assessments, direct or indirect, imposed by the Republic of the Philippines or any of its political subdivision. In carrying out its functions, and its purposes and powers provided in this Act, the Council shall be exempt from the payment of all internal revenue taxes, fees, assessment and other charges of the government.

SECTION 16. Tax Incentives. Expenses for research shall henceforth be deemed as deductions from gross income within the contemplation of the National Internal Revenue Code. Such expenses for research shall include, among others, that for research grants to faculty members of universities conducting independent research or commissioned by the private sector for business purposes.

All entities doing business in the Philippines in the field of research or those that use new technology or research-based business activities shall be exempt from the payment of income tax for a period of two (2) years from the time of the commencement of their research or technology-based business.

SECTION 17. Reporting Responsibility. – The National Research Council of the

1 Philippines shall submit regularly an annual to both Houses of Congress and to the
2 Office of the President, an accurate account of its work and activities during the
3 corresponding fiscal year.
4

5 **SECTION 18. Building Site.** – The parcel of land presently occupied by the National
6 Research Council of the Philippines (NRCP), more particularly described and delineated
7 under Proclamation No. 376, Series of 1968, for building site and science community
8 site purposes, containing an area of fourteen thousand four hundred sixteen (14,416) sq.
9 meters, is hereby permanently transferred to NRCP.
10

11 **SECTION 19. Implementing Rules and Regulations (IRR).** – The NRCP with
12 other concerned government departments, agencies and representatives mentioned in
13 Section 8 hereof shall within ninety (90) days from the effectivity of this Act issue the
14 necessary implementing rules and regulations of this Act.
15

16 **SECTION 20. Repealing Clause.** – Republic Act No. 4120, otherwise known as the
17 “An Act Creating a National Research Council of the Philippines Island for the
18 Promotion of Research Work Along Scientific Lines” is hereby repealed. All laws,
19 executive orders, rules and regulations or parts thereof inconsistent with the provisions
20 of this Act are hereby amended or repealed accordingly.
21

22 **SECTION 21. Separability Clause.** – Any provision or part of this Act declared
23 invalid or unconstitutional, the other provisions hereof which are not affected are thereby
24 repealed or modified accordingly.
25

26 **SECTION 22. Effectivity Clause.** – This Act shall take effect fifteen days after its
27 publication in the Official Gazette or in a national newspaper of general circulation.
28

29 *Approved.*