



SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
FIRST REGULAR SESSION )

'17 FEB 27 P6:40

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SENATE

S.B. No. 1356

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INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

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AN ACT  
INSTITUTIONALIZING THE BALIK SCIENTIST  
PROGRAM APPROPRIATING FUNDS THEREFOR, AND  
FOR OTHER PURPOSES

EXPLANATORY NOTE

Since time immemorial, Filipinos have been internationally recognized for inventiveness and innovative achievements in sciences. Countless Filipino scientists have been acknowledged for their myriad contribution in fields such as agricultural, engineering, social sciences, medical sciences and others. It is sad to realize that Philippines can be considered as a rookery of undiscovered geniuses. For instance, Diosdado Banatao a Filipino-American and an alumni of Ateño de Tuguegarao and Mapua Institute of Technology, is known to have developed the first single-chip graphical user interface accelerator for computer; Julian Banzon of Balanga, Bataan, is known to have studied methods of producing alternative fuels from coconut and sugarcanes and Fe del Mundo, a Filipino Pediatrician, known and credited for her studies that headed to the invention of incubator and jaundice relieving device.

Nevertheless, the proliferation of rookie Filipino scientists and technology experts who tend to pursue their field of expertise abroad is far

reaching and said to be due to the Government's non-recognition and lack of support, which results in leaving the country for abroad in trade of a much better living for their families and love ones. It is high time that the government resolves the indubitable drain brain issue of the country and hound Filipino geniuses for the nation's rebuilding and development.

This bill seeks to grant appealing incentives and benefits to Filipino scientists and technology experts abroad thereby encouraging them to serve and share their independent research or significant innovative achievement in basic and applied sciences of their field of expertise in the Philippines

The passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'JVE', with a horizontal line extending to the left.

JOSEPH VICTOR G. EJERCITO



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AN ACT  
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*Be it enacted by the Senate and the House of Representatives of the Philippines  
in Congress Assembled:*

1        **SECTION 1. Title.** This Act shall be known as the "Balik Scientist Act of  
2        2017"

3  
4        **SEC 2. Declaration of Policy.** The State recognizes that the utilization of  
5        the expertise of expatriate Filipino scientists and technologist is a vital  
6        component of the nation's political, economic and social development efforts.  
7        Hence, it is hereby declared to be the policy of the State to encourage Filipino  
8        scientists and technology experts from abroad to return to the Philippines and  
9        share their expertise to accelerate the development of the country. Towards  
10       this end, any foreign-based scientist, professional, technician, or any person  
11       with special skills or expertise who is of Filipino descent shall be allowed to  
12       share his or her profession or expertise in the Philippines in accordance with  
13       the implementing rules and regulations which shall be promulgated by the  
14       Department of Science and Technology (DOST) in consultation with relevant  
15       agencies of the government and non- government organizations.

16  
17       **SEC 3. General- Objectives.** This Act aims to strengthen the scientific  
18       and technological human resources of the academe, public institutions and  
19       domestic corporations in order to promote knowledge sharing and accelerate  
20       the flow of new technologies into the country.  
21



1        **SEC 4. Definition of Balik Scientist.** - A Balik Scientist is a science or  
2 technology expert or professional, as certified by the DOST, who is a Filipino  
3 citizen or a foreigner of Filipino descent, residing abroad, and contracted by  
4 the government to return and serve in the Philippines along his or her field of  
5 expertise for a Short Term Engagement with a duration of at least thirty (30)  
6 days per award to be served within one year from the date of the award or  
7 Long Term Engagement with a duration of at least 24-36 months subject to  
8 renewal to be determined by DOST and to be served within five (5) years  
9 from the date of the award.

10  
11        **SEC 5. Incentives.** Incentives under the Balik Scientist Program shall  
12 include the following and such other privileges as may be provided in the  
13 implementing rules and regulations:

14  
15        **A. Short Term Program:**

- 16  
17        1. One. (1) Free round-trip airfare originating from a foreign country to  
18 the Philippines;  
19  
20        2. Tax exempt daily allowance to be determined by the DOST;  
21  
22        3. Participation in Grants-in-Aid (GIA) research and development projects  
23 of the DOST subject to guidelines to be provided in the implementing  
24 rules and regulations;  
25  
26        4. All Balik Scientists, as certified by the DOST, shall be exempt from the  
27 licensing or permit requirement of the Professional Regulation  
28 Commission (PRC): *Provided*, that the DOST shall submit to the PRC  
29 the list of Balik Scientists whom it has certified prior to the award:  
30 *Provided further*, that accomplishment reports of the Balik Scientists  
31 shall likewise be furnished by the DOST to the PRC at the end of each  
32 award;  
33  
34        5. Reimbursement of expenses for excess baggage allowance related to  
35 scientific project or activities; and  
36  
37        6. Donation of instruments and materials related to the scientific program  
38 or activities shall be exempted from taxes and duties. Freight and  
39 storage expenses shall be borne by the host institution.  
40  
41        7. Subject to the applicable provisions of Sec, 29, Commonwealth Act No.  
42 613, the Balik Scientist of foreign citizenship, as certified by the DOST,  
43 shall be granted by the Secretary of Justice special non- immigrant visas

1 under section 47 (a) (2) of the Philippine Immigration Act of 1940, as  
2 amended, after compliance with the requirements therefor. Said Balik  
3 Scientist shall be exempted from the payment of visa, immigration and  
4 registration fees in accordance with section 251 of the Philippine  
5 Foreign Service Code of 1983, as amended by Section 831 of Department  
6 Order No. 19a-95, series of 1995, otherwise known as the Regulations of  
7 the Department of Foreign Affairs, if applicable.  
8  
9

10 **B. Long Term Program:**  
11

- 12 1. One (1) free one-way airfare from a foreign country to the Philippines,  
13 including airfare for the spouse and two (2) minor dependents, and one  
14 (1) free return trip airfare after completion of the award;  
15
- 16 2. Reimbursement of expenses for excess baggage allowance related to  
17 scientific project or activities;  
18
- 19 3. Relocation allowance to be determined by DOST;  
20
- 21 4. Tax exempt monthly allowance to be given by the DOST;  
22
- 23 5. Housing may be arranged by pre-determined host institutions;  
24
- 25 6. As determined by DOST, duty and tax-free importation of personal  
26 effect and professional instruments and material in quantities and of  
27 class suitable to the profession, rank or position of the Balik Scientists  
28 importing them for their own use and not for barter or sale in  
29 accordance with Section 105 of the Tariff Code. Duty and tax free  
30 importation of one (1) unit second hand motor vehicle with gross  
31 vehicle weight (GVW) not exceeding 3000 kgs subject to the  
32 classification standard of motor vehicle transported set forth by the  
33 Bureau of Customs: *Provided*, that the grantee under the short term  
34 program shall likewise be entitled to this benefit who shall decide to  
35 avail of the Long Term Award: *Provided further*, that the grantee shall  
36 abide by the rules and regulations under the no- dollar import (NDI)  
37 program of the DTI-Bureau of Import Service. A certificate of  
38 endorsement from the DOST shall be submitted in lieu of the required  
39 personal appearance: *Provided finally*, that the grantee shall be  
40 exempted from posting bond and exportation of the motor vehicle to  
41 the country of origin upon expiration of the award ;  
42



- 1 7. Donations of equipment, instruments and materials related to the  
2 scientific program or activities shall be exempted from the taxes and  
3 duties: *Provided*, that the donation shall be on the account of DOST.  
4 Likewise, freight and storage expenses shall be borne by the host  
5 institution;
- 6
- 7 8. Reimbursement of expenses for the surface shipment of personal  
8 household effects and professional instruments, including one (1) motor  
9 vehicle the total weight of which does not exceed 3 ½ tons volume  
10 weight;
- 11
- 12 9. Exemption from payment of travel tax of Balik Scientist including his or  
13 her immediate family members as certified by the DOST;
- 14
- 15 10. Exemption from submission of Immigration clearance certificate and  
16 payment of multiple entry fees;
- 17
- 18 11. Exemption from securing alien employment permit within the duration  
19 of their contract pursuant to Section 2 of Department Order No. 97-09,  
20 Series of 2009, as amended by Department Order No. 120-12, Series of  
21 2012, of the Department of Labor and Employment;
- 22
- 23 12. All Balik Scientists, as certified by the DOST, shall be exempt from the  
24 licensing or permit requirement of the PRC: *Provided*, that the DOST  
25 shall submit to the PRC the list of Balik Scientists shall likewise be  
26 furnished by the DOST to the PRC at the end of each award or Project;
- 27
- 28 13. Participation in Grants- in Aid for research and development projects  
29 approved by the Secretary of DOST;
- 30
- 31 14. Availability of the infrastructure budget for the laboratory to come up  
32 with an innovation: *Provided*, That the laboratory shall remain as  
33 property of the government after the expiration of the term; and
- 34
- 35 15. Subject to applicable provisions of Section 29, Commonwealth Act 613,  
36 Balik Scientists of foreign citizenship, including his/her immediate  
37 family members, as certified by the DOST, shall be granted by the  
38 Secretary of Justice special non-immigrant visas under Section 47 (a) (2)

1 of the Philippine Immigration Act of 1940, as amended, after  
2 compliance with the requirements therefor. Said Balik Scientist and  
3 immediate family members and registration fees in accordance with  
4 Section 251 of the Philippine Foreign Service Code of 1983, as amended  
5 by Section 831 of Department Order No. 19A-95, Series of 1995,  
6 otherwise known as the Regulations of the Department of Foreign  
7 Affairs.

8  
9 16. Balik Scientists under the Short Term and the Long Term Awards shall  
10 be provided with reasonable accident and medical insurance for the  
11 duration of the award as determined by DOST.  
12

13 **SEC 6. Administration.** This program shall be administered by the DOST  
14 which shall issue the implementing rules and regulations in consultation with  
15 appropriate agencies ninety (90) days after the approval of this Act.  
16

17 **SEC 7. Implementing Rules and Regulations.** The DOST, in consultation  
18 with concerned agencies and stakeholders, shall promulgate the  
19 implementing rules and regulation of this Act within ninety (90) days from  
20 the effectivity of this Act.  
21

22 **SEC 8. Funding.** The funds necessary to carry out the provisions of this Act  
23 shall be included in the annual budget of the DOST in accordance with the  
24 Annual General Appropriations Act.  
25

26 **SEC 9. Repealing Clause.** All laws, presidential decrees, executive orders,  
27 ordinances, rules and regulation, and other issuances or part thereof which  
28 are inconsistent with this Act, are hereby repealed or modified accordingly

29 **SEC 10. Separability Clause.** If any provision of this Act shall be held  
30 unconstitutional or invalid, the other provisions not otherwise affected shall  
31 remain in full force and effect.

32 **SEC 11. Effectivity.** This Act shall take after fifteen (15) days after its  
33 publication in the Official Gazette or in a newspapers of general circulation.

*Approved,*