

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE

20 FEB -3 PM:13

S. No. 1317

RECEIVED BY: J

Introduced by SENATOR RAMON BONG REVILLA, JR.

AN ACT

STRENGTHENING THE NATIONAL RESEARCH COUNCIL OF THE PHILIPPINES OF THE
DEPARTMENT OF SCIENCE AND TECHNOLOGY FOR THE PROMOTION OF RESEARCH WORK
AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

The National Research Council of the Philippines (NRCP) was established in 1933 by virtue of Act No. 4120. The Council is mandated to promote and support fundamental research for the continuing improvement of the capability of Filipino scientists and researchers, to provide advice on national policy grounded on scientific study and empirical data, to promote scientific and technological culture, and to foster linkages with local and international scientific organizations for enhanced cooperation in the development and sharing of information.

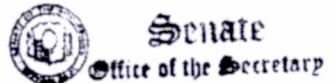
Despite the significant contribution of the Council in the field of scientific research, innovation and policy development, the Philippines lags behind compared to other countries, specifically our ASEAN neighbors. The United Nations Educational, Scientific and Cultural Organization (UNESCO) reported in 2013 that there are only 189 researchers per 1 million people in the country, which is way below the standard of at least 380 researchers per 1 million inhabitants in a country. Moreover, in the 2018 Global Innovation Index (GII), out of 126 economies, the Philippines ranked 73rd. And out of the 15 countries in Southeast Asia and Oceania, our country placed 13th which was described as “below average.”

There is an urgent need to strengthen NRCP and update its mandate through revised organizational framework and additional funding in order to better respond to the growing needs of the country in promoting evidenced or science-based policy research thereby enhancing human resource capability in research.

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


RAMON BONG REVILLA, JR.

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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 as the “National Research Council of the
2 Philippines Act of 2020.”

3 Sec. 2. *Declaration of Policy.* – In consonance with the provisions of Section 10, Article
4 XIV of the 1987 Philippine Constitution, which provides that the State shall give priority to
5 research and development, is hereby declared to be the policy of the State to promote
6 research and science or evidence-based policy in legislation and government administration.

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

15 The State shall provide support for the creation of clearing house in basic and frontier
16 research, registry of researchers and scientists who are doing basic and frontier research. This
17 also includes the added role of NRCP to conduct impact assessment of researches, and

1 development of a center for research and development (R & D), and of a research for
2 development (R for D) training in all the regions of the country.

3 Sec. 3. *Objectives.* – The Council shall have the following purposes and objectives:

- 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 (2) Survey the larger possibilities of sciences, to formulate comprehensive projects of
10 research including but not limited to the National Integrated Basic Research
11 Agenda (NIBRA), and develop effective means of utilizing the scientific and
12 technical resources of the country for dealing with these projects;
- 13 (3) Promote cooperation in research in all the regions of the country and abroad in
14 order to secure concentration of effort, instill ethical standards, minimize
15 duplication, and stimulate progress; but in all cooperative undertakings to give
16 encouragement to individual initiative as fundamentally important to the
17 advancement of science;
- 18 (4) Gather and collate scientific and technical information at home and abroad, in
19 cooperation with governmental and other agencies and to render such
20 information available to duly accredited persons;
- 21 (5) Promote the continuing total development of the Filipino scientist and researcher
22 as a professional and as a member of the larger society;
- 23 (6) Serve as a consultative body to government policy-makers in matters relating to
24 sciences for development, defense and security; and to provide a forum for
25 discussion and formulation of scientific plans and policies;
- 26 (7) Provide research-based recommendations to legislations and in the crafting of
27 laws or plans that are of national and local importance geared towards solving
28 problems of the country. Government institutions, agencies and instrumentalities
29 shall endeavor to incorporate or embed evidence-based research or studies in the
30 development and passage of laws within their jurisdiction. Corollary to this, the

- 1 Council shall study and monitor the development of research or evidence-based
2 policies in the government;
- 3 (8) Establish a custodial/repository for basic and frontier research; and become the
4 registry and certifying agency for basic and frontier researchers;
- 5 (9) Contribute in providing support mechanism and capacitate the research
6 capabilities of higher educational institutions (HEIs) or state universities and
7 colleges (SUCs), government agencies, and local government units; and
- 8 (10) Investigate, examine, experiment, survey and report any subject of importance
9 as called upon by any branch or department of the government, regional
10 development councils (RDCs) and by the various local government units (LGUs).

11 Sec. 4. *Scope.* – The law shall have local and national application involving research for
12 development in all the regions of the country.

13 *Sec. 5. Definition of Terms. –*

- 14 (a) Accreditation – the process in which an authoritative body formally recognizes the
15 competence of researchers to conduct research and other related activities based
16 on the prescribed criteria, guidelines and standards defined by the Council.
- 17 (b) Clearing House – an agency or organization that collects and distributes
18 information
- 19 (c) Research – a systematic study directed toward greater knowledge or
20 understanding of the fundamental aspects of phenomena and of observable facts
21 without specific applications towards processes or products in mind. Also called
22 pure research or fundamental research, it is scientific research aimed to improve
23 scientific theories for improved understanding or prediction of natural or other
24 phenomena. Basic research can also be defined as creative work undertaken to
25 increase the stock knowledge, including knowledge of man, culture and society.
- 26 (d) Repository – a place in which public records are maintained and preserved under
27 the custody and control of a government office.
- 28 (e) Registry – a record of document for registration entered in the appropriate registry
29 book.
- 30 (f) Evidence-based – supported by a large amount of scientific research.

- (g) Capacity building – planned development of (or increase in) knowledge, output rate, management, skills, and other capabilities of an organization through acquisition, incentives, technology, and/or training.
 - (h) Human development – defined as the process of enlarging people’s choices, freedoms and opportunities and improving their well-being. A measurement of achievements by humans through advancement of knowledge, biological changes, habit formation or other criteria that displays changes of standard of living over time.
 - (i) Interdisciplinary – combining or involving two or more academic discipline or field of study.
 - (j) Frontier Research – an undeveloped field of study; a topic inviting research and development; usually addresses highly controversial issues in the scientific community in the area being explored, deals with hard to answer queries employing normal methodological approaches, employs methodologies and concepts atypical for concerned field, takes unexpected findings challenging dominant paradigm used, focuses on issues where resolution is critical for confirmation or rebuttal of the prevailing paradigm, and involves research with extreme degree of uncertainty or failure.
 - (k) National Research – refers to inclusive quality research and innovation programs that involve the various disciplines in the sciences and humanities; concerned with national or facets of national concern, and entailing multidisciplinary and interdisciplinary research and training. It aims to achieve research impact, academic impact, as well as societal and economic impact.
 - k.1. Academic impact refers to the contribution that quality research makes to developments and advances, across and within disciplines, such as advances in knowledge, method, theory, and application.
 - k.2. Societal and economic impact refers to the contribution that research makes to society and the economy, beneficial to individuals, their way of life, and to national development.

Sec. 6. Powers. – The Council shall have the following powers:

- 1 (1) Make its own organization, be incorporated, constituted, and declared a corporate
2 body;
3 (2) Adopt, alter and use a corporate seal;
4 (3) Provide implementing rules and regulations to determine its membership, fill
5 vacancies created by death, resignation or otherwise; shall hold an annual meeting
6 at such place and time as may be determined by the Board; to provide for the
7 election of the Governing Board members, division into classes, and other matters
8 needful or usual in such institutions;
9 (4) Collect, receive and maintain a fund or funds from government appropriations and
10 from donations, grants, gifts, bequests, loans from domestic and foreign sources,
11 and to apply the income and principal thereof to the promotion of its aims and
12 purposes;
13 (5) Own, manage and hold such real and personal property as shall be necessary for
14 the Council's purposes;
15 (6) Corollary to its purposes and objectives, to extend financial assistance to, and
16 enter into contracts of every kind and for any lawful purpose, with any person,
17 firm, association or corporation, domestic or foreign, or others in which it has a
18 lawful interest;
19 (7) Shall have the authority to invest its funds in such undertaking as it may deem
20 beneficial or necessary to carry out its objectives;
21 (8) Conduct joint international studies with other research councils or research
22 institutions
23 (9) Extend research support along multi-disciplinary, inter-disciplinary and trans-
24 disciplinary scientific lines in the conduct of forecast studies along security, defense,
25 development, resiliency and disaster preparedness of the country.
26 (10) Investigate, examine experiment and report upon any subject of science or art,
27 whenever called upon by any department of the government.

28 *Sec. 7. The Governing Board.* – The affairs of the National Research Council of the
29 Philippines shall be administered by a Governing Board, as public officials, which shall consist
30 of two members-at-large, the Chairpersons of the Scientific Divisions, and the DOST Secretary
31 or his/her designate.

1 The officers of the National Research Council of the Philippines shall consist of a
2 President, Vice-President, Corporate Secretary and Treasurer. The President of the Council
3 or in case of his absence or inability to act, the Vice-President, shall be the Chief Executive
4 Officer of the Council and shall preside over the meetings of the Council and of the Governing
5 Board.

6 A majority of the members of the Governing Board shall constitute a quorum for the
7 transaction of the business of the Board.

8 *Sec. 8. Functions and Responsibilities of the Governing Board.* – The Governing Board
9 shall have the following functions:

- 10 (1) Formulate and adopt policies and measures for the management and operation of
11 the Council including the admission of its members;
- 12 (2) Elect the President of the Council who shall come from among the elected
13 members of the Board;
- 14 (3) Approve the staffing pattern of the Council;
- 15 (4) Promulgate rules and regulations for the discharge of its powers and functions and
16 the internal operations of the Council; *Provided*, That the President of the Board
17 shall exercise the power to appoint, promote discipline or remove the personnel
18 of the Council;
- 19 (5) Manage the financial affairs of the Council and approve the annual budget of
20 receipt and expenditures of the Council according to its requirements;
- 21 (6) Monitor and review periodically the programs and projects of the Council; and
- 22 (7) Modify the number of divisions and the grouping of subjects to meet the changing
23 needs of science in the country.

24 *Sec. 9. President of the Council.* – The President of the Council shall be elected by the
25 Governing Board annually and shall serve for one year, and may be re-elected for a maximum
26 of three years. He shall be the executive officer of the Council and shall receive *honoraria* as
27 may be determined by the Governing Board; and shall have the following powers and duties:

- 28 (1) Prepare, for the approval of the Governing Board, the staffing pattern of the
29 Council, which shall include the determination of the qualifications, and fixing the
30 number and compensation of such officials and personnel as may be necessary for
31 the proper discharge of the function of the Council;

- (2) Have control and supervision over the personnel, staff, operations and internal administration of the Council in accordance with existing laws and rules and regulations promulgated by the Governing Board;
 - (3) Recommend to the Governing Board such policies and measures necessary for the effective exercise and discharge of the powers and responsibilities of the Council; and
 - (4) Submit an annual report to the Governing Board on the operations, the status of the programs funded by the Council, the financial condition of the Council, including a recommendation for its budget for the ensuing year.

10 Sec. 10. *Executive Director.* – There shall be an Executive Director who shall be
11 appointed by the Governing Board and shall have the rank of a bureau director, with a
12 *plantilla* position. The Executive Director shall exercise administrative supervision over the
13 personnel, staff of the Council and shall be the primary implementer of the policies and
14 guidelines set by the Governing Board.

15 Sec. 11. *Research Fellows.* – The Council is hereby authorized to engage its member-
16 researchers to conduct specialized studies and researches of the Council. Those engaged by
17 the Council shall be issued appointments as Researcher Fellows and shall be paid an honoraria
18 as determined by the Governing Board.

19 Sec. 12. *Endowment Fund.* – An NRCP endowment fund shall be established, which
20 shall self-sustaining and shall consist of contributions, donations, grants, or loans from
21 domestic and/or foreign sources, government subsidies and other income accruing from the
22 operations of the Council. For the initial organizational and operational requirements of the
23 Council, there is hereby appropriated out of any funds in the National Treasury not otherwise
24 appropriated the sum of FIVE HUNDRED MILLION PESOS (PhP 500,000,000.00) Hereafter,
25 funding for the operational activities of the Council shall be generated by the Council from
26 earnings of this Fund.

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

1 The NRCP is hereby authorized and empowered to receive bequests and donations,
2 hold the same in trust, to be applied by the Council in aid of scientific investigations,
3 examinations and experiments.

4 *Sec. 13. Government Contribution to Research Funding.* – There shall be a research
5 and development budget, not less than ten percent (10%), included in the annual budget of
6 the DOST as contribution in financing the research activities of the Council of national
7 application. Other government agencies are hereby authorized to include in their respective
8 annual budget such necessary amounts as their contribution through the funding of certain
9 research activities of the Council. These contributions shall be managed under a separate
10 account. The Council shall submit to the Secretary of DOST a program of work with budget
11 estimates for each calendar year, not later than the last day of February of the preceding year.

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

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

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

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

31

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

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

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

16 *Sec. 17. Reporting Responsibility.* – The National Research Council of the Philippines
17 shall submit regularly an annual report to both Houses of Congress and to the Office of the
18 President providing an accurate account of its work and activities during the corresponding
19 fiscal year.

20 *Sec. 18. Building Site.* – The parcel of land presently occupied by the National Research
21 Council of the Philippines, more particularly described and delineated under Proclamation
22 No. 376 series of 1968, for building site and science community site purposes, containing an
23 area of fourteen thousand four hundred sixteen square meters (14,416 sqm), is hereby
24 permanently transferred to NRCP.

25 *Sec. 19. Implementing Rules and Regulations.* – The NRCP with other concerned
26 government departments, agencies and representatives mentioned in Section 8 hereof shall
27 within ninety (90) days from the effectivity of this Act issue the necessary implementing rules
28 and regulations of this Act.

29 *Sec. 20. Repealing Clause.* – Republic Act No. 4120, otherwise known as “An Act
30 Creating a National Research Council of the Philippines Island for the Promotion of Research
31 Work Along Scientific Lines” is hereby repealed. All laws, executive orders, rules and

1 regulations or parts thereof inconsistent with the provisions of this Act are hereby amended
2 or repealed accordingly.

3 Sec. 21. *Separability Clause.* – If any part or provision of this Act shall be declared
4 invalid or unconstitutional, the other provisions hereof not affected shall continue to be in
5 full force and effect.

6 Sec. 22. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
7 publication in the Official Gazette or in a newspaper of general circulation.

8

9 *Approved,*