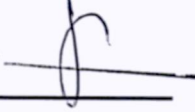


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SENATE
S.B. No. 1534

(In Substitution of Senate Bill Nos. 394, 679 and 1333)

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Prepared Jointly by the Committees on Science and Technology, Civil Service, Government Reorganization and Professional Regulation and Finance with Senators Legarda, Aquino IV and Angara as authors thereof

AN ACT AMENDING REPUBLIC ACT NO. 8439, OTHERWISE KNOWN AS THE "MAGNA CARTA FOR SCIENTISTS, ENGINEERS, RESEARCHERS AND OTHER S & T PERSONNEL IN THE GOVERNMENT"

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

1 **SECTION 1.** Section 1 is hereby amended to read as follows:

2 "Section 1. *Title.* – This Act shall be known as the "Magna Carta for Scientists, Engineers,
3 Researchers and other S & T Personnel in the **PHILIPPINES**"

4 **SEC. 2.** Section 6 is hereby amended to read as follows:

5 "Section 6. *Salaries.* – The existing law on salary scale of government employees shall
6 not apply in determining the salary scale of science and technology personnel as defined
7 in Section 5 of this Act. A new salary scale shall be developed by the Department in
8 consultation with the Department of Budget and Management and the Civil Service
9 Commission, subject to the approval of the President. **IN ADDITION, THERE WILL BE NO**
10 **SET LIMIT TO THE AMOUNT OF ADDITIONAL SALARY OR HONORARIA THAT SCIENTISTS**
11 **CAN RECEIVE AS COMPENSATION FROM INTERNALLY OR EXTERNALLY FUNDED**
12 **GRANTS-IN-AID, PROVIDED THIS IS PART OF A PREVIOUSLY APPROVED BUDGET FROM**
13 **THE FUNDING AGENCY AND DOES NOT ENTAIL ADDITIONAL USUAL EXPENSE TO THE**
14 **GOVERNMENT."**

15 **SEC. 3.** Section 8 is hereby amended to read as follows:

16 "Section 8. *Non-DOST S & T personnel.* – S & T personnel not employed by the
17 Department, who are involved in STA may avail of the benefits under this Act upon
18 certification of the **HEAD OF THEIR AGENCY THAT THEY ARE INVOLVED IN RESEARCH**
19 **AND DEVELOPMENT OR OTHER SCIENTIFIC AND TECHNOLOGICAL ACTIVITIES."**

20 **SEC. 4.** Section 16 is hereby amended to read as follows:

21 "Section 16. *Hiring of retired scientists and technical personnel.* – An employee retired
22 under any existing law, who, in the judgment of the governing board or head of a
23 research agency, possesses technical qualifications and the capability to undertake
24 specific scientific research activities, may be rehired on contractual basis without
25 refunding the unexpired portion of the gratuity and accumulated leave benefits received

26 by him from the Government: Provided, That no qualified science and technology expert
27 is available to undertake said scientific activities.

28 THE SERVICES OF A SCIENTIST WHO IS DUE FOR COMPULSORY RETIREMENT
29 MAY BE EXTENDED FOR A MAXIMUM PERIOD OF FIVE (5) YEARS: *PROVIDED*, THAT
30 THE RESEARCH PROJECT IS WITHIN THE PRIORITY RESEARCH AND DEVELOPMENT
31 PROGRAMS OF THE DOST AND IS IDENTIFIED AS STRATEGIC TO THE NATIONAL
32 DEVELOPMENT AS CERTIFIED BY THE DOST SECRETARY; *PROVIDED, FURTHER*, THAT
33 THE SCIENTIST IS STILL MENTALLY AND PHYSICALLY FIT TO COMPLETE THE PROJECT;
34 *PROVIDED, FINALLY*, THAT THE REQUEST FOR EXTENSION OF SERVICES SHALL BE
35 SUBMITTED TO THE CIVIL SERVICE COMMISSION FOR APPROVAL AT LEAST THREE (3)
36 MONTHS PRIOR TO THE DATE OF THE COMPULSORY RETIREMENT OF THE SCIENTIST.

37 SERVICES RENDERED DURING THE PERIOD OF EXTENSION SHALL BE CREDITED
38 AS PART OF GOVERNMENT SERVICE, AND SUCH EXTENSION SHALL ENTITLE THE
39 EMPLOYEE TO LEAVE CREDITS AND OTHER BENEFITS.”

40
41 **SEC. 5. *Separability Clause.*** – If any provision of this Act is declared invalid or
42 unconstitutional, the remaining provisions shall remain valid and effective.

43 **SEC. 6. *Repealing Clause.*** – Republic Act No. 8439 is hereby amended. All laws,
44 decrees, orders, and issuances, or portions thereof, which are inconsistent with the
45 provisions of this Act, are hereby repealed, amended or modified accordingly.

46 **SEC. 7. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
47 publication in the *Official Gazette* or in two (2) newspapers of general circulation.

48 *Approved,*