



SENATE

S. No. 1534

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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,  
ANGARA, PIMENTEL, ZUBIRI AND GATCHALIAN AS  
AUTHORS THEREOF

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

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

1           SECTION 1. Section 7 of Republic Act No. 8439 is  
2 hereby amended to read as follows:

3                   "SEC. 7. *Other Benefits.* – Notwithstanding  
4           [Section 12 of Republic Act No. 6758] LAWS  
5           AND ISSUANCES ON COMPENSATION  
6           AND POSITION CLASSIFICATION SYSTEM,

1           AND SALARY STANDARDIZATION IN THE  
2           GOVERNMENT, science and technology  
3           personnel defined under Section 5 of this Act  
4           shall receive the following:

5           (a)   Honorarium. – S & T personnel who  
6           rendered services beyond the established  
7           [irregular] REGULAR workload of scientists,  
8           technologists, researchers and technicians  
9           whose broad and superior knowledge, expertise  
10          or professional standing in a specific field  
11          contributes to productivity and innovativeness  
12          shall be entitled to receive honorarium subject  
13          to rules to be set by the Department.

14                 THE GOVERNMENT SHALL NOT  
15                 IMPOSE A LIMIT ON THE AMOUNT OF  
16                 ADDITIONAL HONORARIA FROM  
17                 EXTERNALLY FUNDED GRANTS THAT  
18                 MAY BE RECEIVED BY S & T PERSONNEL.

19                 X X X.”

1           SEC. 2. Section 8 of Republic Act No. 8439 is hereby  
2 amended to read as follows:

3                   “SEC 8. *Non-DOST S & T Personnel.* – S  
4           & T personnel not employed by the  
5           Department, who are involved in STA may  
6           avail of the benefits under this Act upon  
7           certification of the [Secretary of the  
8           Department] HEAD OF THEIR AGENCY  
9           THAT THEY ARE INVOLVED IN RESEARCH  
10          AND DEVELOPMENT OR OTHER  
11          SCIENTIFIC AND TECHNOLOGICAL  
12          ACTIVITIES: *PROVIDED*, THAT THE  
13          HEADS OF AGENCIES SHALL ABIDE BY  
14          THE GUIDELINES PROMULGATED BY  
15          DOST FOR THE CERTIFICATION OF NON-  
16          DOST PERSONNEL INVOLVED WITH  
17          RESEARCH AND DEVELOPMENT OR  
18          SCIENTIFIC AND TECHNOLOGICAL  
19          ACTIVITIES AND THEIR ENTITLEMENT  
20          TO BENEFITS PROVIDED IN THIS ACT.”

1           SEC. 3. Section 16 of Republic Act No. 8439 is  
2 hereby amended to read as follows:

3                   “SEC 16. *Hiring of Retired Scientists and*  
4           *Technical Personnel.* – An employee retired  
5 under any existing law, who, in the judgment  
6 of the governing board or head of a research  
7 agency, possesses technical qualifications and  
8 the capability to undertake specific scientific  
9 research activities, may be rehired on  
10 contractual basis without refunding the  
11 unexpired portion of the gratuity and  
12 accumulated leave benefits received by him  
13 from the Government: *Provided,* That no  
14 qualified science and technology expert is  
15 available to undertake said scientific activities.

16                   THE SERVICES OF A SCIENTIST WHO  
17 IS DUE FOR COMPULSORY RETIREMENT  
18 MAY BE EXTENDED FOR A MAXIMUM  
19 PERIOD OF FIVE (5) YEARS: *PROVIDED,*

1            THAT THE RESEARCH PROJECT IS  
2            WITHIN THE PRIORITY RESEARCH AND  
3            DEVELOPMENT PROGRAMS OF THE DOST  
4            AND IS IDENTIFIED AS STRATEGIC TO  
5            THE NATIONAL DEVELOPMENT AS  
6            CERTIFIED BY THE DOST SECRETARY:  
7            *PROVIDED, FURTHER,* THAT THE  
8            SCIENTIST IS STILL MENTALLY AND  
9            PHYSICALLY FIT TO COMPLETE THE  
10           PROJECT: *PROVIDED, FINALLY,* THAT  
11           THE REQUEST FOR EXTENSION OF  
12           SERVICES SHALL BE SUBMITTED TO THE  
13           CIVIL SERVICE COMMISSION FOR  
14           APPROVAL AT LEAST THREE (3) MONTHS  
15           PRIOR TO THE DATE OF THE  
16           COMPULSORY RETIREMENT OF THE  
17           SCIENTIST.

18                        SERVICES RENDERED DURING THE  
19                        PERIOD OF EXTENSION SHALL BE  
20                        CREDITED AS PART OF GOVERNMENT

1 SERVICE, AND SUCH EXTENSION SHALL  
2 ENTITLE THE EMPLOYEE TO LEAVE  
3 CREDITS AND OTHER BENEFITS.”

4 SEC. 4. *Separability Clause.* – If any provision of this  
5 Act is declared invalid or unconstitutional, the remaining  
6 provisions shall remain valid and effective.

7 SEC. 5. *Repealing Clause.* – All laws, decrees, orders,  
8 and issuances, or portions thereof, which are inconsistent  
9 with the provisions of this Act, are hereby repealed,  
10 amended or modified accordingly.

11 SEC. 6. *Effectivity.* – This Act shall take effect fifteen  
12 (15) days after its publication in the *Official Gazette* or in  
13 two (2) newspapers of general circulation.

Approved,