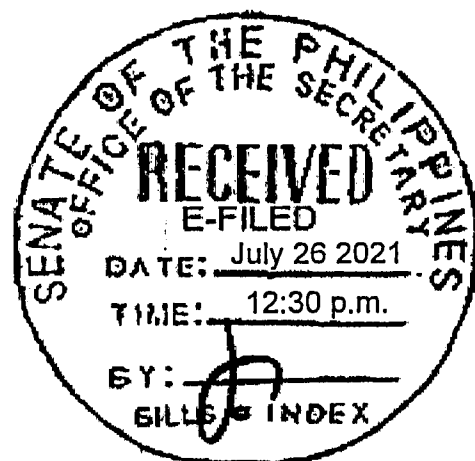


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE

S. No. 2329

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
ESTABLISHING THE VIROLOGY AND VACCINE INSTITUTE OF THE
PHILIPPINES AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Philippines is a tropical country and one of the world's mega-diverse or diversity-rich nations, which means that as it is a home to a lot of wildlife species both flora and fauna, it is also host to a large pool of pathogens from where a novel virus could emerge. Given the rate of deforestation and destruction of natural habitats caused by human activities and climate change not only in the Philippines, but in many areas across the globe, triggering increased human interaction with wildlife and heightened risk of zoonotic disease transmission, it is likely that more infectious diseases, with equally devastating effects as the ongoing Covid-19 pandemic, could surface and spread again, possibly even more frequently¹ in the future.

Hence, there is a need to prepare for this, and establish a premier institution that will lead the comprehensive study and scientific research on the nature of viruses affecting human lives, as well as plants and animals. Creating a foremost authority on virology could guide the policymakers and national leadership with science-based evidence and information on how to manage outbreaks and public health emergencies and mitigate its adverse impact on the economy and the whole of society.

¹ "The next pandemic is already coming, unless humans change how we interact with wildlife, scientists say." April 4, 2020. <https://www.washingtonpost.com/science/2020/04/03/coronavirus-wildlife-environment/>

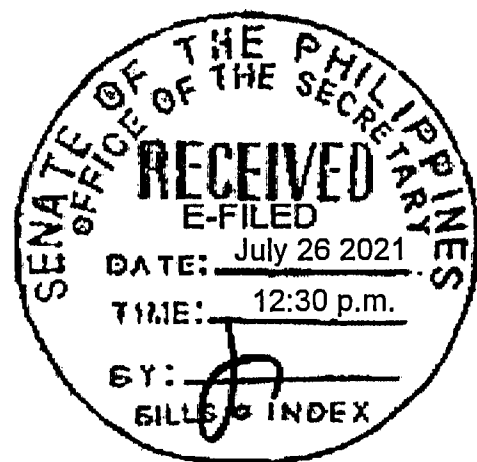
This measure is part of the ten priority legislation to “vigorously advance science, technology and innovation” under the updated Philippine Development Plan 2017-2022, in response to the needs of the New Normal. As justified therein, “The country needs diagnostics to detect and limit the spread of the existing viruses; vaccines to provide long-term protection; treatments to save lives in the shorter term; and social science to understand their behavioral and societal implications.”

Lastly, as we have learned how dependent our country has been with the foreign suppliers which delayed the implementation of our Covid-19 vaccination program and therefore our economic reopening and recovery, it is wise to build and expand our capabilities in developing our own vaccines, similar to those of our neighbors in Southeast Asia.

In this light, the immediate passage of this bill is highly recommended.


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. *Short Title.* - This Act shall be known as the "*Virology and Vaccine*
2 *Institute of the Philippines (VIP) Act of 2021.*"

3 *Sec. 2. Declaration of Policy.* - It is hereby declared the policy of the State:

- 4 a) To protect and promote the right to health of the people and instill health
5 consciousness among them;
- 6 b) To undertake appropriate health, manpower development, and research,
7 responsive to the country's health needs and problems;
- 8 c) To recognize that science and technology are essential for national
9 development and progress;
- 10 d) To give priority to research and development, invention, innovation, and
11 their utilization; and
- 12 e) To support indigenous, appropriate, and self-reliant scientific and
13 technological capabilities, and their application to the country's productive
14 systems and national life.

15 To this end, the State shall give high priority to the establishment of an institute
16 that will conduct research and development activities and in-depth studies on the
17 viruses affecting the lives of its people and resources, such as plants and animals, is

1 vital for the protection of the health of its people and the preservation of the national
2 life.

3 Sec. 3. *Objectives.* – This Act seeks to establish a virology institute that shall
4 focus on the following key development areas for virology science and technology
5 applications in plants, animals, and humans:

- 6 a) Research on viruses using a modern approach such as molecular biology
7 and its application or biotechnology;
- 8 b) Development of diagnostics, vaccines, and therapeutics (Molecular
9 Biotechnology);
- 10 c) International cooperation and network of databases of virus infections;
- 11 d) Operation of a virus gene bank, virus genome laboratory, and virus
12 reference laboratory to focus on viruses circulating in the Philippines for
13 disease prevention and epidemiological studies; and,
- 14 e) Operation of a virus high containment laboratory dedicated to the study of
15 highly infectious and highly pathogenic viruses.

16 Sec. 4. *Definition of Terms.* – As used in this Act:

- 17 a) *Virology* – refers to the scientific discipline concerned with the study of the
18 biology of viruses and viral diseases of plant, animal, and human of medical
19 importance and pandemic potential including the distribution,
20 pathogenicity, viral cytopathicity, biochemistry, physiology, molecular
21 biology, biotechnology, ecology, tropism, spillover or interspecies
22 transmission, evolution, and clinical aspects of viruses;
- 23 b) *Diagnostics* – refers to methods, tests, techniques, and tools in viral
24 diagnosis for plants, animals and humans;
- 25 c) *Therapeutics* – refers to anti-viral, bacteriophages, nanotechnology
26 treatment approach, nucleic acid-based treatment, remedial agents, drugs
27 for the treatment of viral diseases and infections of plants, animals and
28 humans;
- 29 d) *Vaccines* – refer to products that induce or stimulate active acquired
30 immunity by producing antibodies to a specific infectious agent. It helps the
31 body's immune system to recognize and fight pathogens like viruses or
32 bacteria;

- 1 e) *Biosafety* – refers to a condition in which the probability of harm, injury and
2 damage resulting from the intentional and unintentional introduction and/or
3 use of a regulated article is within acceptable and manageable levels;
- 4 f) *Bacteriophage* – refers to any group of viruses that infect specific bacteria,
5 usually causing their disintegration or dissolution;
- 6 g) *Biosecurity* – refers to a strategic and integrated approach to analyzing and
7 managing relevant risks to plant, animal and human life and health and
8 associated risks for the environment. It is based on recognition of the
9 critical linkages between sectors and the potential for hazards to move
10 within and between sectors, with system-wide consequences;

11 *Sec. 5. Creation of the Virology and Vaccine Institute of the Philippines (VIP).*

12 – The Virology and Vaccine Institute of the Philippines (VIP) is hereby created, which
13 shall be an attached agency under the Department of Science and Technology (DOST)
14 for purposes of policy and program coordination to ensure alignment with national
15 policies and priorities.

16 The VIP shall serve as the premier research and development institute in the
17 field of virology, encompassing all areas in viruses and viral diseases in plants, animals
18 and humans. It shall be a venue for scientists, research institutes and other
19 organizations here in the Philippines and abroad, to work collaboratively to study
20 viruses of agricultural, industrial, clinical, and environmental importance.

21 *Sec. 6. Powers, Functions, and Duties.* – To accomplish its mandate, the VIP
22 shall have the following powers, functions, and duties:

- 23 a) Serve as the lead convener for the formulation of the National Virology
24 Research Agenda, in consultation with all concerned stakeholders, that will
25 encompass researches involving viruses of plant, animal, and human
26 importance;
- 27 b) Undertake scientific and technological research and development (R&D) in
28 the field of virology;
- 29 c) Conduct product research and development (R&D) in the areas of but not
30 limited to diagnostics, therapeutics and vaccines;
- 31 d) Promote and undertake the transfer of the results of scientific research and
32 development to concerned government agencies, industry, and academe;

- 1 e) Promote and advocate virology research ethics, biosafety, and biosecurity;
- 2 f) Develop and maintain an information system on virology science and
- 3 technology for use by both the public and private sectors;
- 4 g) Develop and implement, together with other entities concerned, programs
- 5 for strengthening scientific and technological capabilities in virology and
- 6 relevant disciplines through human resource development, infrastructure,
- 7 and institution building;
- 8 h) Undertake policy research, technology assessment, and other related
- 9 studies on virology;
- 10 i) Provide laboratory and technical services on virology;
- 11 j) Promote and advocate the national programs on virology science and
- 12 technology; and
- 13 k) Establish linkages with local and international partners.

14 *Sec. 7. Organizational Structure.* – The VIP shall be headed by a Director-
15 General and two (2) Deputy Directors-General, one (1) for Research and
16 Development, and one (1) for Support, Policy, and Linkages. The VIP shall be
17 composed of the following divisions:

- 18 a) Virus Research
- 19 b) Diagnostics and Therapeutics Research
- 20 c) Vaccines Research
- 21 d) Technical Services and Training
- 22 e) Policy, Planning, and Linkages
- 23 f) Finance and Administration

24 The Deputy Director-General for Research and Development shall head the
25 Virus Research, Diagnostics and Therapeutics Research, and Vaccines Research
26 Divisions. The Deputy Director-General for Support, Policy, and Linkages shall head
27 the Technical Services and Training, Policy, Planning, and Linkages, and Finance and
28 Administration Divisions.

29 The VIP shall have technical and administrative support staff and consultants.
30 The consultants may come from the public and private sectors on a consultancy or
31 contractual basis, and shall be granted honoraria or allowances in accordance with
32 existing rules and regulations.

1 Subject to the approval of the Department of Budget and Management (DBM),
2 the VIP shall determine its organizational structure, create new divisions or units as it
3 may deem necessary, and appoint its officers and employees.

4 For this purpose, the VIP shall, in consultation with the DBM, determine the
5 necessary position qualifications and standards for its personnel following civil service
6 laws, rules, and regulations.

7 *Sec. 8. Qualifications of the VIP Director-General and Deputy Directors-General.*

8 – The VIP Director-General and the Deputy Directors-General shall be appointed by
9 the President of the Philippines upon the recommendation of the DOST Secretary.

10 The Director-General with a rank of an undersecretary shall be a qualified
11 expert possessing at least a Bachelor's Degree in Biology, Microbiology and/or an allied
12 discipline; preferably with a doctorate degree in medical sciences and/or in virology-
13 related discipline with three to five years of experience in diagnostic virology. He shall
14 have overall responsibility for the activities including the supervision of all the staff
15 working in the VIP. In addition, he shall be directly responsible for reporting to the
16 Secretary of Science and Technology and the President of the Philippines the results
17 of the various diagnostic assays and research studies performed in the institute.

18 Each of the Deputy Directors-General of the VIP shall have a rank of assistant
19 secretary. The Deputy Director-General shall possess at least the educational
20 background of the VIP Director-General.

21 The Director-General and the Deputy Directors-General shall be appointed by
22 the President. Of those first appointed, the Director-General shall hold office for seven
23 years, one Deputy Director-General for five years, and the other Deputy Director-
24 General for three years. Appointment to any vacancy shall be only for the unexpired
25 portion of the term of the predecessor.

26 *Sec. 9. The Governing Board.* – The Governing Board shall be the highest
27 policy-making body for the scientific and technological activities of the VIP, composed
28 of the following:

- 29 a) The Secretary of the DOST, as Chairperson;
- 30 b) The Secretary of the Department of Health (DOH), as Co-Chairperson;
- 31 c) Secretary of Department of Agriculture (DA), as Co-Chairperson;

- 1 d) The Secretary of Trade and Industry, as may be represented by an
2 Undersecretary for Industry Development and Trade Policy;
- 3 e) The Secretary of Environment and Natural Resources, as may be
4 represented by an Undersecretary (DENR), as member;
- 5 f) The Undersecretary for Research and Development of the DOST, as
6 member;
- 7 g) The Secretary of Foreign Affairs, as may be represented by the
8 Undersecretary for International Economic Relations, as member;
- 9 h) The Chairperson of the Commission on Higher Education (CHED), as
10 member;
- 11 i) The Director of the Research Institute for Tropical Medicine (RITM), as
12 member;
- 13 j) The Director-General of the Food and Drug Administration (FDA), as
14 member;
- 15 k) The Director-General of the VIP, as member;
- 16 l) The Executive Director of University of the Philippines-National Institutes of
17 Health (UP-NIH), as member; and
- 18 m) Three (3) representatives from the private sector appointed by the
19 President of the Philippines, as nominated by the Governing Board. These
20 representatives shall have distinguished themselves in the field of medical
21 virology, genomics, plant virology, animal virology, epidemiology, genetic
22 engineering, and other related disciplines.

23 The private sector shall be represented by the following:

- 24 i. An association of medical or allied-health professionals
- 25 ii. Philippine Pharmaceutical Manufacturers Association or from a
26 recognized pharmaceutical industry
- 27 iii. An academic institution with research and development activities in the
28 field of medical virology, genomics, plant virology, animal virology,
29 epidemiology, genetic engineering, and other related disciplines

30 The VIP shall serve as the Secretariat of the Governing Board with the VIP
31 Director acting concurrently as the Executive Director of the Secretariat.

1 Sec. 10. *Functions of the Governing Board.* – The Governing Board shall be
2 the policy-making body for the scientific and technological activities of the VIP. It shall:

- 3 a) Promulgate rules and regulations regarding the management and operation
4 of the VIP;
- 5 b) Collect fees, through its Secretariat, in connection with the exercise of its
6 regulatory powers;
- 7 c) Apply for, receive, and accept bequests, grants, and donation of funds,
8 equipment, materials and services needed for the attainment of its
9 objectives;
- 10 d) Provide grants, research fund, materials and equipment for the conduct of
11 virology researches by both public and private higher education institutions;
- 12 e) Establish an editorial office of a refereed journal of virology and a library
13 which shall collect and preserve books, journals and other reference
14 materials in the field of virology; and
- 15 f) Perform such other related activities as may be assigned by the DOST
16 Secretary.

17 Sec. 11. *Compliance with Existing Government Regulations.* – The VIP shall
18 comply with the procedures, rules and regulations of other Government Offices
19 mandated to oversee the practice of virology and other related disciplines as well as
20 the operation of laboratories, clinics, diagnostics and similar facilities; but not limited
21 to the following: procurement of specimen, supplies, materials, and equipment;
22 handling, storage, the study of specimen, and disposal of specimen, equipment and
23 other forms of waste.

24 The Department of Health (DOH) through the Health Facilities and Services
25 Regulatory Bureau (HFSRB) shall establish guidelines and regulate the operation of
26 virology-related facilities to be assisted by the DA-Bureau of Animal Industry, DA-
27 Bureau of Plant Industry, and other relevant stakeholders.

28 The DOH-Health Human Resource Development Bureau shall establish
29 guidelines on the practice of virology profession in the country to be assisted by the
30 Professional Regulation Commission (PRC) and its health-related accredited
31 professional organizations, together with the Commission on Higher Education

1 (CHED), Department of Labor and Employment, Civil Service Commission, Bureau of
2 Immigration, and other relevant government offices.

3 The DENR through the Environmental Management Bureau (EMB) and the
4 National Solid Waste Management Commission (NSWMC) shall ensure compliance of
5 the VIP and other virology facilities with regards to waste disposal.

6 Finally, research proposals prior to its undertaking within the VIP shall be
7 reviewed by the Philippine Health Research Ethics Board (PHREB) or through its
8 accredited ethics review committees or entities. Processes and regulations of the Food
9 and Drug Administration, Health Technology Assessment Council and/or of the
10 Intellectual Property Office of the Philippines shall be strictly observed prior to
11 commercialization of any drug, vaccine, diagnostics, device and other similar products.

12 An Inter-Agency Task Force may be created to monitor compliance of all
13 virology-related professions and facilities throughout the country to be headed by the
14 DOH-Health Facilities and Services Regulatory Bureau.

15 *Sec. 12. Engagement of Balik Scientists and Foreign Experts.* – The VIP may
16 engage the services of *Balik Scientists* and foreign experts who shall work together
17 with the local scientists and experts, following the terms of reference and
18 compensation structure in accordance with Republic Act No. 11035 or the Balik
19 Scientist Program Act and other existing laws.

20 *Sec. 13. International Cooperation.* – The VIP shall establish strategic
21 partnerships with the world's leading scientists, virology centers and institutes, and
22 conduct innovative and pioneering researches that will advance the frontiers of
23 virology in the country. The VIP can enter into a memorandum of agreement or
24 understanding with international partners, upon the approval of its Governing Board
25 and in compliance with existing laws, rules, regulations and issuances of the
26 Department of Foreign Affairs (DFA). The DFA shall provide technical, legal and other
27 forms of assistance to the VIP.

28 The Regional Office of the World Health Organization (WHO) in the Philippines
29 shall also be consulted upon approval of the Governing Board of the VIP.

30 *Sec. 14. Interdepartmental Cooperation.* – The VIP shall collaborate with the
31 Department of Health (DOH), Department of Finance (DOF), Food and Drugs
32 Administration (FDA), RITM and other relevant government agencies, in mobilizing

1 resources such as but not limited to research information, reports, technical expertise,
2 equipment, materials and supplies as may be required to implement this Act.

3 Sec. 15. *Inter-Agency Contribution of the VIP.* – The research outputs of the
4 VIP shall be integrated with the plans made by the Inter-Agency Task Force on
5 Emerging Infectious Diseases, as created by Executive Order No. 168 s. 2014, or its
6 successor body, for the management of public health emergencies relating to
7 infectious diseases.

8 The research outputs of the VIP shall also be integrated into other plans relating
9 to disease control and prevention.

10 Sec. 16. *Private-Public Partnerships (PPPs).* – The Department of Trade and
11 Industry (DTI), the Department of Health (DOH), Public-Private Partnership (PPP)
12 Center and the Department of Science and Technology (DOST) shall collaborate in
13 seeking Private-Public Partnerships (PPPs) for the development of new industries,
14 products and services where the VIP shall be the main research and development unit.

15 The DOST may also request the assistance of other national and local
16 government agencies in seeking PPPs where the VIP shall be the main research and
17 development unit

18 Sec. 17. *Promotion of Virology Industry.* – The DOST, in partnership with the
19 DOH-Health Promotion and Communication Service and Disease Prevention and
20 Control Bureau and Department of Trade and Industry (DTI)-Board of Investments,
21 shall jointly develop an industry roadmap for products and services that can be
22 created, improved, or optimized by research from the VIP. As far as practicable, the
23 industry roadmap shall include the use of local materials in the development of new
24 products. The industry that shall be developed or established resulting from the VIP
25 researches shall be included in the national government’s priority industries for
26 incentives.

27 SEC. 18. *Promotion of Knowledge-transfer and Research in the Academe.* - The
28 VIP shall promote the creation of hubs and programs for virology research and
29 development in the academe, particularly in state universities and colleges (SUCs).
30 Towards this end, the VIP shall assist SUCs in the creation of virology courses and
31 programs, open internships for qualified students of higher education institutions
32 (HEIs) and collaborate with HEIs in the creation of virology research centers.

1 The Commission on Higher Education (CHED) shall collaborate with the DOST
2 in the promotion of HEI-VIP partnerships.

3 *Sec. 19. Protection of VIP-developed Intellectual Property.* – The Governing
4 Board of the VIP shall ensure that all technologies developed exclusively by the VIP
5 with full funding from Filipino taxpayers shall be protected by intellectual property laws
6 in accordance with Republic Act No. 10055 or the Technology Transfer Act of 2009
7 and other applicable laws Any patent grant or property right awarded or granted to
8 the VIP shall be held by and in the name of the Philippine Government. In the case of
9 partnerships, where the VIP is a collaborating research partner, the Governing Board
10 shall ensure that technologies co-developed by the VIP shall also be co-attributed,
11 with the corresponding intellectual protections, to the Philippine Government.

12 *Sec. 20. Procurement of Specialized Materials, Equipment and Services.* – The
13 VIP shall undertake the procurement of specialized materials, equipment, and services
14 to be used by the VIP in its operation and administration, in the most expeditious
15 manner, as exemptions from the provisions of Republic Act No. 9184 or the
16 “Government Procurement Reform Act” and other relevant laws.

17 Provided, that during public health emergency, the following shall be observed:

- 18 a) Less stringent procurement procedures allowing negotiated procurement,
19 higher caps on allowable down payment for procurement of goods,
20 supplies, equipment and services;
- 21 b) Authority to the DOST Secretary to approve advance payment of more than
22 15% for procurement of goods, supplies, equipment and services, for faster
23 facilitation;
- 24 c) Simplified process for foreign procurement especially with specialized
25 equipment, reagents, and supplies not available in the Philippines;
- 26 d) Exemption from customs duties and taxes for all VIP supplies and
27 equipment procured abroad; and
- 28 e) Exemption from taxes on income generated through training and other
29 delivery of services of VIP.

30 *Sec. 21. Official Site of VIP.* – A lot with an area equivalent to at least five (5)
31 hectares under the administration of the Bases Conversion and Development Authority
32 (BCDA) within the New Clark Economic Zone in Tarlac shall be allocated exclusively

1 for the free use of for the Institute, its research facilities, and laboratories. The
2 biosafety infrastructure shall be designed based on risk assessment for handling
3 specific pathogens following the World Health Organization (WHO) guidelines on the
4 establishment of a virology laboratory in developing countries.

5 *Sec. 22. Entitlement to Magna Carta Benefits.* – Qualified employees of the VIP
6 shall be covered by Republic Act No. 8439, otherwise known as “Magna Carta for
7 Scientists, Engineers, Researchers and Other Science and Technology Personnel in
8 Government”.

9 *Sec. 23. Virology Research Fund.* – There is hereby created a Virology Research
10 Fund to be used and administered by the VIP following existing government
11 budgeting, accounting, and auditing rules and regulations. The Fund shall be sourced
12 from the following:

- 13 a) The initial amount of Two Billion pesos (Php 2,000,000,000.00) to be taken
14 from the current fiscal year’s appropriation, in case the General
15 Appropriations Act (GAA) was approved before this law is enacted;
- 16 b) The income produced from its operations, technology transfer, and
17 licensing agreements;
- 18 c) Loans, contributions, grants, bequests, gifts, and donations whether from
19 local or foreign sources. Provided, that acceptance of grants, bequests,
20 contributions, and donations from foreign governments shall be subject to
21 the approval of the President upon the recommendation of the Secretary
22 of the DOST and Secretary of the Department of Foreign Affairs (DFA). The
23 Secretary of DOST, with the approval of the NEDA and subsequently, the
24 Department of Finance (DOF), is hereby granted the authority to enter into
25 loan agreements with foreign financial institutions.

26 *Sec. 24. Authority to Solicit, Receive Donations, Grants and the Like.* – The VIP
27 may solicit, negotiate with, and receive from any public or private domestic or foreign
28 sources legacies, gifts, donations, grants, endowments, contributions or other
29 transfers of ownership and/or possession of real or personal properties of all kinds in
30 favor and for the benefit of the VIP, which shall be exempt from donor’s tax and shall
31 all be part of the special account in the general fund managed by the Department of
32 Finance.

1 The VIP shall prescribe the measures necessary for the proper use,
2 maintenance and safekeeping of said donations, grants, endowments, contributions
3 or transfers and the compliance of the terms and conditions thereon, if any, in
4 accordance with pertinent accounting and auditing laws, rules and regulations.

5 *Sec. 25. Use of Income.* – The VIP shall be authorized to use all of the income
6 generated from its operations, as well as donations, bequests, grants for the
7 upgrading of its physical and human resources, and for the augmentation of its
8 budget.

9 *Sec. 26. Mandatory Adoption of Publicly Funded Technologies.* – Mandatory
10 adoption of publicly funded and generated technologies developed by the VIP
11 whenever feasible and practicable, shall strictly be implemented by all government
12 entities or instrumentalities All national government agencies (NGAs), government-
13 owned-and-controlled corporations (GOCCs), state universities and colleges (SUCs),
14 and local government units (LGUs) performing science and technology development
15 projects shall adopt publicly-funded technologies.

16 *Sec. 27. Annual Report.* – The VIP shall submit its annual report to the President
17 and to the Committees on Science and Technology in both Chambers of Congress, not
18 later than the 30th of March of every year following the effectivity of this Act. The
19 annual report shall provide a full and detailed account of the status of the
20 implementation of this Act and policy recommendations.

21 *Sec. 28. Joint Congressional Oversight Committee.* – There shall be a Joint
22 Congressional Oversight Committee on the implementation of this Act, which shall be
23 jointly chaired by the Chairpersons of the Committees on Science and Technology of
24 the Senate and House of Representatives. It shall be composed of, as members, the
25 Chairpersons of the Senate Committees on Health and Demography and Agriculture,
26 Food and Agrarian Reform, the Chairpersons of the Committees on Health and Food
27 and Agriculture of the House of Representatives, and two others from each chamber
28 of Congress to be appointed by the Senate President and the Speaker of the House of
29 Representatives.

30 *Sec. 29. Appropriations.* – The sum of Two Billion Pesos (Php 2,000,000,000.00)
31 is hereby appropriated for the initial operation fund of the VIP from the current fiscal

1 year's appropriation. Thereafter, the amount needed for its operation shall be included
2 in the General Appropriations Act.

3 Sec. 30. *Transitory Provisions.* – Upon the establishment of the VIP, the
4 functions and assets of the concerned DOH units shall be transferred to the VIP
5 without need of conveyance, transfer of assignment.

6 a) For the year, during which this Act was approved, the unexpended portion
7 of the budget of the offices and units transferred shall be utilized for
8 establishing the VIP and initiating its operations, including the formulation
9 of the rules and regulations necessary for the implementation of this Act;

10 b) To the greatest extent possible and in accordance with existing laws, all
11 employees of the affected offices, agencies and units shall be absorbed by
12 the VIP. Personnel hired on a permanent basis and with appointments
13 attested by the CSC who may be affected by the transition of DOST units to
14 VIP, or who will not be absorbed in the new positions of the new staffing
15 pattern of the different offices in the VIP, shall have the option to:

16 1) Be transferred to other units/offices within the DOST without reduction
17 in pay; or

18 2) Avail of the applicable retirement benefits and separation incentives as
19 provided by existing laws.

20 c) Incumbent DOST officials and employees of affected DOST offices may be
21 considered as a VIP official or employee, subject to competency evaluation
22 and CSC regulations;

23 d) Research grants acquired during the transition of DOST transferred units to
24 VIP shall be utilized solely for the grants' intended purposes for each of the
25 affected units or offices;

26 e) Existing contracts and agreements entered into by the affected offices with
27 third parties prior to the enactment of this Act shall remain valid.

28 Sec. 31. *Implementing Rules and Regulations.* – The DOST Secretary, in
29 consultation with DBM, DOH, Civil Service Commission, and other relevant government
30 agencies, shall promulgate the necessary rules and regulations within one hundred
31 twenty (120) days from the effectivity of this Act.

1 Sec. 32. *Separability Clause.* – If any provision or part hereof is held invalid or
2 unconstitutional, the remainder of the law or the provision or part not otherwise
3 affected shall remain valid and subsisting.

4 Sec. 33. *Repealing Clause.* – Any law, presidential decree or issuance, executive
5 order, letter of instruction, administrative order, rule, or regulation contrary to or
6 inconsistent with the provisions of this Act are hereby repealed, modified, or amended
7 accordingly.

8 Sec. 34. *Effectivity.* – This Act shall take effect fifteen (15) days after its
9 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,