



SENATE

S. No. 1574

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PREPARED AND SUBMITTED BY THE COMMITTEES ON  
ENERGY, SCIENCE AND TECHNOLOGY, AND FINANCE  
WITH SENATOR GATCHALIAN AS AUTHOR THEREOF

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AN ACT ESTABLISHING THE PHILIPPINE ENERGY  
RESEARCH AND POLICY INSTITUTE, DEFINING  
ITS OBJECTIVES, POWERS AND FUNCTIONS,  
PROVIDING FUNDS THEREFOR, AND FOR  
OTHER PURPOSES

*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  
2 “Philippine Energy Research and Policy Institute Act of  
3 2018”.

4           SEC. 2. *Declaration of Policy.* – It is hereby declared  
5 the policy of the State to ensure energy security, equity,  
6 and sustainability. Towards this end, it is also the policy  
7 of the State to enhance knowledge in recent developments  
8 and scientific breakthroughs in the field of energy; identify

1 key policy areas, issues, and challenges in the country's  
2 energy sector; and formulate multidisciplinary research-  
3 based policies and strategies for the cost-effective use of  
4 energy resources towards environmentally-sound energy  
5 development.

6         SEC. 3. *Establishment of the Philippine Energy*  
7 *Research and Policy Institute.* – Pursuant to the national  
8 policy of enhancing the country's capability for energy  
9 research and policy development, there is hereby  
10 established in the University of the Philippines (UP), a  
11 Philippine Energy Research and Policy Institute,  
12 hereinafter referred to as the Institute. The Institute shall  
13 be under the Office of the UP President.

14         SEC. 4. *Objectives of the Institute.* – The objectives of  
15 the Institute are:

16         (a) To conduct pertinent policy research on energy  
17 issues and ensure the coordination and timely  
18 dissemination of results to key government agencies to  
19 guide policy and decision-making processes;

1           (b) To provide timely technical assistance to the  
2 government on energy issues needing policy direction and  
3 advice;

4           (c) To contribute strategic assistance to the  
5 government on energy policy issues and other related  
6 matters;

7           (d) To promote collaborative and multidisciplinary  
8 energy research and policy development among the  
9 academe, and public and private stakeholders;

10          (e) To establish mechanisms for the dissemination  
11 and utilization of research and policy development outputs;

12          (f) To create and administer training programs and  
13 provide fellowship grants intended to build the capacity of  
14 government agencies, public and private energy  
15 stakeholders, and the academe including graduate and  
16 post-graduate students; and

17          (g) To serve as a medium in bringing together local  
18 and international experts in the field of energy through  
19 local and international linkages.

1           SEC. 5. *Functions and Powers of the Institute.* – The  
2 Institute's functions and powers shall include, but not be  
3 limited to:

4           (a) Formulating and conducting research and  
5 development on energy, public policy issues in energy  
6 markets, and other pressing issues and problems, all  
7 backed by rigorous empirical evidence;

8           (b) Establishing research and policy development  
9 programs and capacity-building trainings on energy;

10          (c) Providing common research support facilities  
11 while maximizing the utilization of its expert support staff;

12          (d) Enhancing the masters and doctoral pool of  
13 researchers and faculty in the field of energy;

14          (e) Establishing local and foreign linkages in energy  
15 research and policy development;

16          (f) Serving as the repository of all energy-related  
17 researches and studies to be generated by the Institute as  
18 well as academic, public, and private groups,  
19 organizations, and institutions;

1           (g) Proposing and allocating its annual budgetary  
2 resources while optimizing resource generation and  
3 utilization;

4           (h) Investing its funds in such undertaking as it may  
5 deem wise or necessary to carry out its objectives, with due  
6 consideration to existing guidelines on investing  
7 government funds in coordination with the Bureau of  
8 Treasury; and

9           (i) Receiving and managing grants, aid, donations or  
10 any kind of assistance for achieving its objectives, in  
11 accordance with the rules and regulations of UP.

12           The UP President, upon recommendation of the  
13 Advisory Council, may give additional powers and  
14 functions to the Institute: *Provided*, That it shall be in  
15 accordance with the objectives of the Institute as stated in  
16 this Act.

17           SEC. 6. *Organizational Structure.* – The Executive  
18 Director shall head the Institute and shall report to the UP  
19 President. The Institute's research and policy direction

1 and priorities shall be determined by an Advisory Council  
2 and implemented by an Executive Director.

3       SEC. 7. *The Executive Director.* – The Executive  
4 Director shall be a recognized expert in energy research  
5 and policy development with at least three (3) years  
6 experience in energy, and shall have a strong  
7 organizational management background. The UP  
8 President shall appoint the Executive Director upon the  
9 recommendation of the Advisory Council sixty (60) days  
10 after the promulgation of this Act: *Provided*, That such  
11 Executive Director shall serve for a term of five (5) years  
12 which can be renewed for another five (5) years.

13       SEC. 8. *Functions and Powers of the Executive*  
14 *Director.* – The Executive Director of the Institute shall:

15       (a) Implement and enforce research and policy  
16 direction and priorities determined by the Advisory  
17 Council;

18       (b) Exercise administrative and supervisory  
19 functions over the planning, implementation, and

1 evaluation of the policies, programs, and projects of the  
2 Institute;

3 (c) Recommend to the UP President, upon  
4 endorsement of the Advisory Council, the organizational  
5 structure of the Institute including the position  
6 classification and compensation of employees subject to  
7 Section 11 of this Act;

8 (d) Recommend to the UP President, upon  
9 endorsement of the Advisory Council, the appointment of  
10 research fellows, officers and employees of the Institute;

11 (e) Recommend to the UP President, upon  
12 endorsement of the Advisory Council, the overall budget of  
13 the Institute;

14 (f) Submit to the UP President, upon endorsement of  
15 the Advisory Council, regular reports on the Institute;

16 (g) Frequently apprise the Advisory Council on the  
17 programs and projects of the Institute;

18 (h) Within the limits of the authority delegated by  
19 the UP President, execute contracts, incur obligations,

1 acquire and dispose of assets, and deliver documents on  
2 behalf of the Institute; and

3 (i) Exercise such other powers and functions and  
4 perform such other duties as may be authorized or  
5 assigned by the UP President, upon recommendation of the  
6 Advisory Council and in accordance with the objectives of  
7 this Act.

8 *SEC. 9. Advisory Council of the Institute.* – There shall  
9 be an Advisory Council of the Institute to be composed of  
10 six (6) representatives with at least one (1) representative  
11 each from the fields of engineering, law, science, statistics,  
12 economics, and public health, either from the academe or  
13 the private sector. The representatives from the academe  
14 or the private sector shall be chosen by the UP President.

15 *SEC. 10. Functions and Powers of the Advisory*  
16 *Council.* – The Advisory Council shall:

17 (a) Determine the general direction and priorities of  
18 the Institute in accordance with this Act;

19 (b) Determine research and policy areas for study and  
20 investigation by the Institute based on its evaluation of the



1 energy policy landscape including the needs and demands  
2 of the country and the people;

3 (c) Provide advice to the Institute on any matter relating  
4 to the development of a research and/or policy area and the  
5 administration of research and policy programs;

6 (d) Endorse to the UP President the organizational  
7 structure of the Institute including position classification  
8 and compensation of employees subject to Section 11 of this  
9 Act, in coordination with the Department of Budget and  
10 Management (DBM);

11 (e) Endorse to the UP President the appointment of  
12 research fellows, officers, and employees of the Institute;

13 (f) Endorse to the UP President the Institute's overall  
14 budget;

15 (g) Generate resources and obtain logistical and  
16 financial support for the programs and component units of  
17 the Institute: *Provided*, That in so doing, no conflict-of-  
18 interest exists with the objectives of this Act and the  
19 functions of the Institute;

1 (h) Monitor and review the programs and projects  
2 undertaken by the Executive Director to implement and  
3 enforce research and policy direction and priorities; and

4 (i) Recommend to the UP President additional  
5 powers, functions, and duties of the Executive Director in  
6 accordance with the objectives of this Act.

7 SEC. 11. *Appointment of Faculty and Staff.* – The  
8 human resource complement of the Institute shall be  
9 organized and set-up by the Executive Director subject to  
10 Sections 8(c) and 10(d) of this Act and, the existing  
11 rules and regulations of UP.

12 SEC. 12. *Public Access.* – The public and other energy  
13 institutions shall have access to the research findings,  
14 facilities, and other resources of the Institute, as provided  
15 in the implementing rules and regulations of this Act:  
16 *Provided*, it is in accordance with Section 13 of this Act.

17 SEC. 13. *Confidentiality.* – The Institute shall not  
18 disclose any proprietary and/or confidential data and other  
19 resources unless prior consent of the source or owner of

1 such data and resources has been obtained by the  
2 requesting party.

3       SEC. 14. *Endowment Fund.* – An Endowment Fund is  
4 hereby established for the support of the Institute,  
5 including the purchase of research equipment and  
6 facilities, compensation and *honoraria* to researchers,  
7 whether in government service or otherwise, and such  
8 other necessary expenses to carry out the purpose of this  
9 Act.

10       The Institute is authorized to accept into its  
11 Endowment Fund any contributions, donations, bequests,  
12 grants, and loans from domestic and/or foreign sources,  
13 government appropriations and other incomes accruing  
14 from the operations of the Institute, for purposes of  
15 executing its mandate and functions: *Provided*, That in so  
16 doing, no conflict-of-interest exists with the objectives of  
17 this Act and the functions of the Institute.

18       For the organizational and operational requirements  
19 of the Institute, there is hereby appropriated out of the  
20 General Appropriations Act, the sum of Two hundred

1 million pesos (P200,000,000.00) for the initial operating  
2 fund of the Institute. Thereafter, an annual amount of  
3 Two hundred million pesos (P200,000,000.00) will be  
4 appropriated from the General Appropriations Act to  
5 support the research, policy development, and training  
6 programs of the Institute. This amount will be assessed  
7 annually and increased, if necessary, based on the annual  
8 financial plan approved by the UP President and  
9 submitted to the DBM.

10 In order to support the Institute, the additional  
11 amount of one percent (1%) of each energy related fee and  
12 charge imposed, but in no case lower than Ten pesos  
13 (P10.00), by the Department of Energy, Energy Regulatory  
14 Commission, and National Electrification Administration  
15 shall be collected by the respective agencies and units for  
16 each application, registration, renewal, endorsement,  
17 processing and other related services for which the  
18 collection of fees and charges are allowed by law and rules  
19 and regulations. Such additional amounts shall be  
20 received for as part of a special fund to be known as the

1 "Energy Research Fund", and shall, upon collection, be  
2 immediately remitted to the UP and deposited in a  
3 separate account in any authorized government depository  
4 bank in the name of the national treasurer as *ex-officio*  
5 treasurer of the UP.

6 SEC. 15. *Tax Exemptions.* – The Institute shall be  
7 entitled to all the tax exemptions enumerated under  
8 Section 25 of Republic Act No. 9500 or the "University of  
9 the Philippines Charter of 2008".

10 SEC. 16. *Implementing Rules and Regulations.* –  
11 Within sixty (60) days from the effectivity of this Act, the  
12 Institute, in consultation with its Advisory Council and  
13 subject to the approval of the Board of Regents, shall  
14 promulgate the necessary implementing rules and  
15 regulations of this Act.

16 SEC. 17. *Separability Clause.* – If, for any reason, any  
17 provision of this Act is declared to be unconstitutional or  
18 invalid, the other provisions hereof which are not affected  
19 thereby shall continue to be in full force or effect.

1           SEC. 18. *Repealing Clause.* – All laws, decrees, orders,  
2 rules and regulations or parts thereof which are  
3 inconsistent with or contrary to the provisions of this Act  
4 are hereby repealed, amended or modified accordingly.

5           SEC. 19. *Effectivity.* – This Act shall take effect fifteen  
6 (15) days after its publication in at least two (2) national  
7 newspapers of general circulation.

Approved,