

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

SENATE
S. No. 2021



SENATE
Office of the Secretary

'18 SEP 20 A9:10

Introduced by Senator Loren Legarda

RECEIVED

AN ACT STRENGTHENING THE NATIONAL RESEARCH COUNCIL OF THE PHILIPPINES OF THE DEPARTMENT OF SCIENCE AND TECHNOLOGY FOR THE PROMOTION OF RESEARCH WORK ALONG SCIENTIFIC LINES AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Science and Technology are movers of development and plays a vital role in development and growth. Programs based on scientific research and innovation can change lives by averting disasters, safeguarding jobs, incomes, and livelihoods, enhancing food supply, promoting environmental sustainability, and combating poverty.

In consonance with the provisions of section 10, Article XIV of the Constitution, which provides that the State shall give priority to research and development, it is hereby declared to be the policy of the state to promote research and science or evidence – based policy in legislation and government administration.

This bill seeks to strengthen the National Research Council of the Philippine (NRCP) For the Promotion of Research Work along Scientific Lines. NRCP has effectively performed its role in promoting research and policy advisory. Moreover, NRCP implemented numerous pioneering researches covering various fields of science, which became relevant to the developmental concerns of the country over time.

NRCP has remained as a collegial body since its creation under the Ninth Philippine Legislature Act No. 4120 in 1933. In 1960's, NRCP became attached to the National

Science Development Board (NSDB) that was established in 1958, which later became the Department of Science and Technology in 1987.

For more than a decade now, the financial resources of NRCP have stagnated and the agency's Grants-in-Aid (GIA) budget stood at P15 million for 2017 and 2018, which was far lower, if not the lowest among the national research councils in the ASEAN.

NRCP aspires to better respond to the growing needs of the country in promoting basic and evidenced or science-based policy research, enhance human resource capability in research particularly in the regions and expanding research role in the ASEAN and in the international front. For this reason, it is imperative that NRCP's mandate be strengthened and expanded with the following new functions and features to wit: shall serve as the clearing house in basic and frontier research; and shall provide the official listing and accreditation of basic and frontier researches nationwide; promote and conduct capacity building/training in research to universities and colleges, in the regions; collate and collaborate in the conduct of researches with the Sectoral Councils of the DOST, as well as the other national research councils and research institutes in the ASEAN neighbors, that will help enhance community understanding; facilitate knowledge resource exchange and interdependence and define common interests towards the well-being or security of the region. Active research engagements with similar research counterparts outside the region are also being endeavored.

The NRCP shall also extend assistance to the legislature and local government units in providing evidenced-based policy researches when needed, including matters pertaining to defense or security within and alongside scientific lines.

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


LOREN LEGARDA
Senator 

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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
2 of the Philippines Act of 2018.”
3

4 SECTION 2. *Declaration of Policy.* – In consonance with the provisions of
5 section 10, Article XIV of the Constitution, which provides that the State shall give
6 priority to research and development, it is hereby declared to be the policy of the
7 state to promote research and science or evidence- based policy in legislation and
8 government administration.
9

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

1 researchers in the provinces will narrow the disparity on the state of research
2 between the National Capital Region (NCR) and the provinces.

3
4 The State shall provide support for the creation of clearing house in basic and
5 frontier research, registry of researchers and scientists who are doing basic and
6 frontier research. This also includes the added role of NRCP to conduct impact
7 assessment of researches, and establishment of a Center for Research and
8 Development (R & D), and of a Research for Development (R for D) training in all
9 the regions of the country.

10
11 SECTION 3. *Objectives.* – The Council shall have the following purposes and
12 objectives:

- 13
14 a) Stimulate and support research in the mathematical, physical and
15 biological sciences, engineering, agriculture, medicine, social sciences,
16 humanities and the arts, with the objective of increasing knowledge,
17 starting studies of problems of the national defense and security, and
18 contributing in other ways to the public welfare;
- 19 b) Survey the larger possibilities of sciences, to formulate comprehensive
20 projects of research including but not limited to the National Integrated
21 Basic Research Agenda (NIBRA), and develop effective means of
22 utilizing the scientific and technical resources of the country for dealing
23 with these projects;
- 24 c) Promote cooperation in research in all the regions of the country and
25 abroad in order to secure concentration of effort, instill ethical
26 standards, minimize duplication, and stimulate progress; but in all
27 cooperative undertakings to give encouragement to individual initiative
28 as fundamentally important to the advancement of science;
- 29 d) Gather and collate scientific and technical information at home and
30 abroad, in cooperation with governmental and other agencies and to
31 render such information available to duly accredited persons;
- 32 e) Promote the continuing total development of the Filipino scientist and

- researcher as a professional and as a member of the larger society;
- f) Serve as consultative body to government policy-makers in matters relating to sciences for development, defense and security; and to provide a forum for discussion and formulation of scientific plans and policies;
 - g) Provide research-based recommendations to legislations and in the crafting of laws or plans that are of national and local importance geared towards solving problems of the country. Government institutions, agencies and instrumentalities shall endeavor to incorporate or embed evidence-based research or studies in the development and passage of laws within their jurisdiction. Corollary to this, the Council shall study and monitor the development of research or evidenced-based policies in the government;
 - h) Establish a custodial/repository for basic and frontier research; and become the registry and certifying agency for basic and frontier researchers;
 - i) Contribute in providing support mechanism and capacitate the research capabilities of Higher Educational Institutions (HEIs) / State Universities and Colleges (SUCs), government agencies, and local government units;
 - j) Investigate, examine, experiment, survey and report any subject of importance as called upon by any branch or Department of the Government, Regional Development Councils (RDC) and by the various Local Government Units (LGUs).

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

SECTION 5. *Definition of Terms.*

- a) Accreditation – is the process in which an authoritative body formally recognizes the competence of researchers to conduct research and other

1 related activities based on the prescribed criteria, guidelines and standards
2 defined by the Council.

3 b) Clearing House – an agency or organization that collects and distributes
4 something specially information.

5 c) Research – is systematic study directed toward greater knowledge or
6 understanding of the fundamental aspects of phenomena and of
7 observable facts without specific applications towards processes or
8 products in mind. Also called pure research or fundamental research, is
9 scientific research aimed to improve scientific theories for improved
10 understanding or prediction of natural or other phenomena. Basic research
11 can also be defined as creative work undertaken to increase the stock
12 knowledge, including knowledge of man, culture and society.

13 d) Repository – a place in which public records are maintained and preserved
14 under the custody and control of a government office.

15 e) Registry – is a record of document for registration entered in the
16 appropriate registry book.

17 f) Evidence-based – supported by a large amount of scientific research.

18 g) Capacity building – planned development of (or increase in) knowledge,
19 output rate, management, skills, and other capabilities of an organization
20 through acquisition, incentives, technology, and/or training.

21 h) Human development – is defined as the process of enlarging people's
22 choices, freedoms and opportunities and improving their well-being. A
23 measurement of achievements by humans through advancement of
24 knowledge, biological changes, habit formation or other criteria that
25 displays changes of standard of living over time.

26 i) Interdisciplinary – combining or involving two or more academic discipline
27 or field of study.

28 j) Frontier Research – an undeveloped field of study; a topic inviting
29 research and development; usually addresses highly controversial issues in
30 the scientific community in the area being explored, deals with hard to
31 answer queries employing normal methodological approaches, employs
32 methodologies and concepts atypical for concerned field, takes

1 unexpected findings challenging dominant paradigm used, focuses on
2 issues where resolution is critical for confirmation or rebuttal of the
3 prevailing paradigm, and involves research with extreme degree of
4 uncertainty or failure (high cost, high risk of failure).

5 k) National Research – refers to inclusive quality research and innovation
6 programs that involve the various disciplines in the sciences and
7 humanities; concerned with national or facets of national concern, and
8 entailing multidisciplinary and interdisciplinary research and training. It
9 aims to achieve research impact, academic impact, as well as societal and
10 economic impact.

11 k.1. Academic impact refers to the contribution that quality
12 research makes to developments and advances, across and within
13 disciplines, such as advances in knowledge, method, theory, and
14 application.

15 k.2. Societal and economic impact refers to the contribution that
16 quality research makes to society and the economy, beneficial to
17 individuals, their way of life, and to national development.

18
19 SECTION 6. *Powers.* – The Council shall have the following powers:
20

21 (1) Make its own organization, be incorporated, constituted, and declared
22 a corporate body by the name of National Research Council of the Philippines;

23 (2) Adopt, alter and use a corporate seal;

24 (3) Provide implementing rules and regulations to determine its
25 membership, fill vacancies created by death, resignation or otherwise; shall hold an
26 annual meeting at such place and time as may be determined by the Board; to
27 provide for the election of the Governing Board members, division into classes, and
28 other matters needful or usual in such institution;

29 (4) Collect, receive and maintain a fund or funds from government
30 appropriations and from donations, grants, gifts, bequests, loans from domestic and

1 foreign sources, and to apply the income and principal thereof to the promotion of
2 its aims and purposes;

3 (5) Own, manage and hold such real and personal property as shall be
4 necessary for the Council's purposes;

5 (6) Corollary to its purposes and objectives, to extend financial assistance
6 to, and enter into contracts of every kind and for any lawful purpose, with any
7 person, firm, association or corporation, domestic or foreign, or others in which it
8 has a lawful interest;

9 (7) Shall have the authority to invest its funds in such undertaking as it
10 may deem beneficial or necessary to carry out its objectives;

11 (8) Conduct joint international studies with other research councils or
12 research institutions;

13 (9) Extend research support along multi-disciplinal, inter-disciplinal and
14 trans-disciplinal scientific lines in the conduct of forecast studies along security,
15 defense, development, resiliency and disaster preparedness of the country.

16 10) Investigate, examine, experiment and report upon any subject of
17 science or art, whenever called upon by any department of the government.

18
19 SECTION 7. *The Governing Board.* – The affairs of the National Research
20 Council shall be administered by a Governing Board (GB), as public officials, which
21 shall consist of two members – at – large, the Chairpersons of the Scientific
22 Divisions, and the DOST Secretary or his/her designate.

23
24 The officers of the National Research Council shall consist of a President,
25 Vice-President, a Corporate Secretary and a Treasurer. The President of the National
26 Research Council or in case of his absence or inability to act, the Vice-President shall
27 be the Chief Executive Officer of the Council and shall preside over the meetings of
28 the Council and of the Governing Board.

29
30 A majority of the members of the GB shall constitute a quorum for the
31 transaction of the business of the GB.

1 SECTION 8. *Functions and Responsibilities of the Governing Board.* – The
2 Governing shall have the following functions:

3 (1) Formulate and adopt policies and measures for the management and
4 operation of the Council including the admission of its members;

5 (2) Elect the President of the Council who shall come from among the
6 elected members of the Board;

7 (3) Approve the staffing pattern of the Council;

8 (4) Promulgate rules and regulations for the discharge of its powers and
9 functions and the internal operations of the Council; provided, that, the Chair of the
10 GB shall exercise the power to appoint, promote discipline or remove the personnel
11 of the Council;

12 (5) Manage the financial affairs of the Council and approve the annual
13 budget of receipt and expenditures of the Council according to its requirements;

14 (6) Monitor and review periodically the programs and projects of the
15 Council; and

16 (7) Modify the number of divisions and the grouping of subjects to meet
17 the changing needs of science in the country.

18
19 SECTION 9. *President of the Council.* – The President of the Council shall be
20 elected the Governing Board annually and shall serve for one year, and may be
21 reelected for a maximum of three years. He shall be the executive officer of the
22 Council and shall receive *honoraria* as may be determined by the Governing Board;
23 and shall have the following powers and duties:

24 (1) Prepare, for the approval of the GB, the staffing pattern of the
25 Council, which shall include the determination of the qualifications, and fixing the
26 number and compensation of such officials and personnel as may be necessary for
27 the proper discharge of the function of the Council;

28 (2) Have control and supervision over the personnel, staff, operations and
29 internal administration of the Council in accordance with existing laws and rules and
30 regulations promulgated by the Governing Board;

31 (3) Recommend to the GB such policies and measures which deems
32 necessary for the effective exercise and discharge of the powers and responsibilities

1 of the Council; and

2 (4) Submit the annual report to the GB on the operations, the status of
3 the programs funded by, the financial condition of the Council, including a
4 recommendation for its budget for the ensuing year.

5
6 SECTION 10. *Executive Director.* – There shall be an Executive Director (ED)
7 who shall be appointed by the Governing Board and shall have the rank of a bureau
8 directorate, with a *plantilla* position. The ED shall exercise administrative supervision
9 over the personnel, staff of the Council and shall be the primary implementer of the
10 policies and guidelines set by the GB.

11
12 SECTION 11. *Research Fellows.* – The Council is hereby authorized to engage
13 its member-researchers to conduct specialized studies and researches of the Council.
14 Those engaged by the Council shall be issued appointments as Researcher Fellows
15 shall be paid, as they are hereby authorized to be paid as honoraria determined by
16 the Governing Board.

17
18 SECTION 12. *Endowment Fund.* – An NRCP Endowment Fund shall be
19 established, which shall be self-sustaining and shall consist of contributions,
20 donations, grants, or loans from domestic and/or foreign sources, government
21 subsidies and other income accruing from the operations of the Council. For the
22 initial organizational and operational requirements of the Council, there is hereby
23 appropriated out of any fund in the National Treasury not otherwise appropriated
24 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
26 from earnings of this Fund.

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

30
31 The NRCP is hereby authorized and empowered to receive bequests and
32 donations hold the same in trust, to be applied by the said council in aid of scientific

1 investigations, examinations and experiments.

2
3 SECTION 13. *Countryside Research Fund.* An NRCP Research Fund shall be
4 established and appropriated out of any fund in the National Treasury not otherwise
5 appropriated the sum of FIVE HUNDRED MILLION PESOS (Php 500,000,000.00).
6 This shall serve the purpose of equitable funding of research initiatives all
7 throughout the country (Luzon, Visayas, Mindanao and the Bangsamoro
8 Autonomous Region (BAR) except NCR) and most especially in regions rarely
9 proposing and hence would receive funding for research purposes. The said research
10 fund would equip the Council of much needed resource for countryside capacity
11 building, human development and thus serve to fulfill its mandate.

12
13 In granting the countryside research fund, the national government shall
14 provide a 3-year allocation beginning from the year of the approval of the law.

15
16 SECTION 14. *Government Contribution to Research Funding.* – There shall be
17 an not less than 10% of the Research and Development budget included in the
18 annual budget of the DOST as contribution in financing the research activities of the
19 Council for national application, disciplinal and notably of the NCR. Other
20 government agencies are hereby authorized to include in their respective annual
21 budget such necessary amounts as their contribution to the funding of certain
22 research activities of the Council. These contributions shall be managed under
23 separate account. The Council shall submit to the Secretary of DOST a program of
24 work with budget estimates for each calendar year, not later than the 28th of
25 February of the preceding year.

26
27 In order to pursue the defense and security research agenda of the country,
28 the Department of National Defense (DND) and other agencies with mandate to
29 promote public well-being, are authorized and empowered to allocate funds to the
30 National Research Council of the Philippines in the conduct of such researches along
31 scientific lines.

1 To ensure the availability of research funds in the local government units
2 particularly the provinces, cities and municipalities, a 1% allotment for research from
3 its annual budget shall be provided for such purpose in the utilization along the
4 NIBRA and Regional Development Council (RDC) Agenda, as such the LGU shall seek
5 clearance and review from the NRCP to guarantee equitable provision for research in
6 the countryside *vis- a- vis* Luzon, Visayas and Mindanao.

7
8 SECTION 15. *Regional Offices.* – In order to decentralize research and
9 empower the capacity of the regions to perform policy researches, satellite offices
10 attached to the DOST shall be established in all regional areas. The Regional Offices
11 shall oversee the NRCP regional chapters, which will be established in order to
12 address region-specific concerns and to promote a science culture in the regions.

13
14 SECTION 16. *Exemption from taxes.* – Any provision of law to the contrary
15 notwithstanding, any donation, contribution, bequest, subsidy or financial aid which
16 may be made to the Council shall be exempt from taxes of any kind and shall
17 constitute allowable deductions in full from the income of the donors or grantors for
18 income tax purposes.

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

25
26 SECTION 17. *Reporting Responsibility.* – The National Research Council of the
27 Philippines shall submit regularly an annual to both Houses of Congress and to the
28 Office of the President, an accurate account of its work and activities during the
29 corresponding fiscal year.

30
31 SECTION 18. *Building Site.* – The parcel of land presently occupied by the

1 National Research Council of the Philippines (NRCP), more particularly described and
2 delineated under Proclamation No. 376, Series of 1968, for building site and science
3 community site purposes, containing an area of fourteen thousand four hundred
4 sixteen (14,416) sq. meters, is hereby permanently transferred to NRCP.

5
6 SECTION 19. *Implementing Rules and Regulations (IRR).* – The NRCP with
7 other concerned government departments, agencies and representatives mentioned
8 in Section 8 hereof shall within ninety (90) days from the effectivity of this Act issue
9 the necessary implementing rules and regulations of this Act.

10
11 SECTION 20. *Repealing Clause.* – All laws, orders, proclamation, rules and
12 regulation or parts thereof, which are inconsistent with the provisions of this Act, are
13 hereby repealed or modified accordingly.

14 SECTION 21. *Separability Clause.* – Any provision or part of this Act declared
15 invalid or unconstitutional, the other provisions hereof which are not affected are
16 thereby repealed or modified accordingly.

17
18 SECTION 22. *Effectivity Clause.* – This Act shall take effect fifteen days after
19 its publication in the Official Gazette or in a national newspaper of general
20 circulation.

21
22 Approved.