

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

7 JUL -2 1975

SENATE

RECEIVED BY: [Signature]

Senate Bill No. **493**

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

The Philippine Constitution, under Section 10, Art. XIV, reads:

"Section 10. Science and technology are essential for national development and progress. The State shall give priority to research and development, invention, innovation, and their utilization; and to science and technology, education, training and services period. It shall support indigenous, appropriate, and self-reliant scientific and technological capabilities, and their application to the country's productive systems and national life."

Notwithstanding said altruistic statement of the State policy on the promotion of science and technology, it is said that many of our scientists, technology experts and *intellectually gifted countrymen have found their ways beyond our shores in search for greener pastures because they have not found the proper environment and opportunities for growth and advancement in their own country.*

It is in the national interest to entice Filipino scientists who have gone abroad in search for better opportunities to go back to our country. We have to find ways of reversing the brain drain.

It is in such context that this bill seeks to establish and institutionalize the Balik Scientist Program. *It proposes to provide the necessary incentives which will attract our scientist to return to their country of origin – the Philippines.*


Early approval of the bill is recommended.


JINGGOY EJERCITO ESTRADA
Senator

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7 JUL -2 P4:15

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AN ACT
PROVIDING FOR THE ESTABLISHMENT OF A BALIK SCIENTIST
PROGRAM, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER
PURPOSES

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

SECTION 1. *Title.* This Act shall be known as the "*Balik Scientist Program of 2007*".

SEC 2. *Declaration of Policy.* The State recognizes that the utilization of the expertise of expatriate Filipino scientists and technologies is a vital component of the nation's political, economic and social development efforts, hence, it is hereby declared to be the policy of the State to encourage Filipino scientists and technology experts from abroad to return to the Philippines and share their expertise to accelerate the development of the country. Towards this end, any foreign-based scientist, professional, technician, or any person with special skills or expertise who is of Filipino descent shall be allowed to practice his or her profession or expertise in the Philippines in accordance with the implementing rules and regulations which shall be promulgated by the Department of Science and Technology (DOST) in coordination with the Professional Regulation Commission (PRC) and other relevant agencies of the government.

SEC 3. *General Objectives.* This Act aims to strengthen the scientific and technological manpower of the academe and public and private institutions in order to promote information exchange and accelerate the flow of new technologies into the country.

SEC 4. *Definition of Balik Scientist.* A balik scientist is a science or technology expert or professional, as may be defined by the Department of Science and Technology, who is a Filipino citizen or a foreigner of Filipino descent, residing abroad, working with any public or private entity or graduate from a DST – recognized foreign science and technology institution and contracted by the government to return and work in the Philippines along his or here field of expertise for a short-term with a duration of at least one (1) month

(Short Term Program) or long term with a duration of at least two (2) years (Long Term Program).

SEC 5. Incentives. Incentives under the Balik Scientist Program shall include the following:

A. Short Term Program:

1. Free round-trip economy airfare originating from a foreign country to the Philippines by direct route, and such other privileges that may be given under the short-term program implementing guidelines;
2. Daily subsistence allowance to be determined by the DOST;
3. Grants-in-aid for research and development projects approved by the Secretary of DOST;
4. Assistance in securing a special/temporary permit from the Professional Regulatory Board and the PRC to practice a profession in the Philippines under the provisions of the Professional Regulatory Law, or under the Provisions of P.D. No. 223 promulgated on June 22, 1973, as amended by P.D. No. 657 promulgated on February 19, 1975.

B. Long Term Program:

1. Free one-way economy airfare from a foreign country to the Philippines, including airfare for the spouse and two (2) minor dependents, and free return trip economy airfare after completion of two (2) years in the case of balik scientists with at least five (5) years experience abroad, and three (3) years in the case of balik scientist who are new graduates at the time of availment of the balik scientist program;
2. Excess baggage allowance to be determined by DOST;
3. Relocation allowance to be determined by DOST;
4. Duty and tax-free importation of personal effects and professional instruments and implements in quantities and of the class suitable to the profession, rank or position of the persons importing them for their own use and not for barter or sale.
5. Duty and tax-free importation of one (1) unit second-hand motor vehicle with maximum displacement of 1600cc subject to the classification standard of motor vehicle transported set forth by the Bureau of Customs. Provided, that the grantee under the short-term program who shall decide to avail of the long-term program may likewise be entitled to this benefit;
6. Exemption from payment of travel tax including those for the spouse and minor dependents as certified by the DOST;
7. Exemption from the Immigration clearance certificates and payment of multiple entry fees as provided under existing laws, rules and regulations;

8. Exemption from securing alien employment permit within the duration of their contract;
9. Reimbursement of expenses for the surface shipment of personal and household effects including one (1) motor vehicle not exceeding 2 ½ tons volume weight;
10. Issuance of a special/temporary permit from the Professional Regulatory Board and the PRC to practice a profession in the Philippines for the duration of the contract under the provisions of the Professional Regulatory Law, and under the provision of P.D. No. 223 promulgated on 22 June 1973, as amended by the Presidential Decree No. 657 promulgated on 19 February 1975.
11. Grants-in-aid for research and development projects approved by the Secretary of DOST;
12. Availability of the infrastructure budget for the laboratory to come up with an innovation. Provided, That the laboratory shall remain as property of the government after the expiration of the term; and
13. Grant by the Secretary of the Department of Justice special non-immigrant visa under Section 47 (a) (2) of the Philippine Immigration Act of 1940, as amended, including those for the spouse and minor dependents, after compliance with the requirements therefore and exemption from payment of visa, immigration and registration fees in accordance with existing laws, rules or regulations.

Both the short term and the long-term program grantees shall be provided with reasonable accident insurance for the duration of the grant as determined by DOST.

To ensure the availability of positions for long-term grantees, the DOST shall create one hundred (100) plantilla positions with initial salary equivalent to Director I and shall include other benefits attached to its equivalent positions.

SEC 5. Administration. This program shall be administered by the DOST which shall issue the implementing rules and regulations in consultation with appropriate agencies ninety (90) days after the approval of this Act.

SEC 7. Funding. The funds necessary to carry out the provisions of this Act shall be included in the annual budget of the DOST in accordance with the Annual General Appropriations Act.

SEC 8. Separability Clause. If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SEC 9. Effectivity. This Act shall take after fifteen (15) days following the date of its publication in the Official Gazette or in two (2) newspapers of general circulation whichever comes earlier.

Approved,