Republic of the Philippines

HOUSE OF REPRESENTATIVES

Quezon City

EIGHTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 3057

Introduced by REPRESENTATIVE LEONARDO L. BABASA, JR.

EXPLANATORY NOTE

This bill seeks to establish the National Research and Development Authority, defining its powers and functions and appropriating funds for its operation.

Research and development is vital in fostering economic growth and encouraging technological innovation and entrepreneurship. It enhances the knowledge base of the research institutions and industries, stimulates high value-added research and development and encourages research and development collaboration. With this in mind, there is a need to harmonize the research and development undertakings of the government to minimize, if not totally avoid, duplication of research and development activities and wasting public funds and scarce resources.

The government needs to maximize the talents and knowledge of many Filipino researchers and scientists to significantly contribute to the progress of the country. By harmonizing the research and development programs of the government, it will ensure the proper use of scarce public resources to address societal problems that directly affect the people like urban congestion, poverty, food shortage, disasters, and disease. By encouraging research and development collaboration, the business or private sector would realize the usefulness of the government research and development activities to their respective industries.
Under the proposed measure, the National Research and Development Authority will be established and mandated to: 1) coordinate the research and development activities of departments, agencies, academe, business sector and non-government organizations; 2) recommend and appropriate regular and permanent institutional arrangement for coordinating and overseeing the allocation of research and development budgets to government departments, agencies and state colleges and universities; 3) recommend a system of establishing priority research and development areas where government funding should be directed; 4) institute appropriate measures to establish a monitoring and evaluation system for both public and private research and development institutions that use public funds; 5) recommend mechanisms, structures and measures to encourage greater private research and development funding as well as international funding for research and development initiatives; 6) provide an overall strategy for the use of science in research and development activities; and 7) undertake, assist or promote scientific and industrial research.

This bill also aims to create a strong link among the government research and development institutions, non-government research and science organizations and their counterparts in the business sector.

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

LEONARDO L. BABASA, JR.
2nd District, Zamboanga del Sur
Republic of the Philippines

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HOUSE BILL NO. 3057

Introduced by REPRESENTATIVE LEONARDO L. BABASA, JR.

AN ACT
ESTABLISHING THE NATIONAL RESEARCH AND
DEVELOPMENT AUTHORITY, DEFINING ITS POWERS
AND FUNCTIONS AND APPROPRIATING FUNDS
THEREFOR

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

SECTION 1. **Short Title.** – This Act shall be known as the
"National Research and Development Authority Act."

SEC. 2. **Declaration of Policy.** – The State recognizes that
science and technology are essential for national development and
progress. Towards this end, the State shall promulgate measures to
promote scientific research and development for the creation of new
products, services, processes and technology and provide solutions to
the challenges confronting the country’s economy and the society.

SEC. 3. **National Research and Development Authority.** – There is hereby established a National Research and
Development Authority, hereinafter referred to as the Authority,
which shall be attached to the Department of Science and
Technology for policy and program coordination.
SEC. 4. **Purposes and Functions.** – The Authority shall exercise the following purposes and functions:

a) To review the institutional arrangements for coordinating the research and development activities of government departments and agencies, academe, business sector, and non-government organizations and recommend the appropriate regular and permanent institutional arrangement for coordinating and overseeing the allocation of research and development budgets to government departments, agencies and state colleges and universities;

b) To recommend a system of establishing priority research and development areas where government funding shall be directed;

c) To institute appropriate measures to establish a monitoring and evaluation system for both public and private research and development institutions that utilize public funds;

d) To recommend mechanisms, structures and measures to encourage greater private research and development funding as well as international funding for research and development initiatives;

e) To provide an overall strategy for the use of science in research and development activities;

f) To undertake, assist or promote scientific and industrial research, including:

1) Utilization of the natural resources;

2) Researches with the objective of improving the technical processes and methods used in the industries, and of discovering processes and methods that may promote the expansion of existing or the development of new industries;

3) Researches with the view of utilizing the waste products of industries;
4) Investigation and determination of standards and methods of measurements, including length, volume, weight, mass, capacity, time, heat, light, electricity, magnetism and other forms of energy, and the investigation and determination of physical constants and the fundamental properties of matter;

5) Standardization and certification of the scientific and technical apparatus and instruments for the government service and for use in industries;

6) Determination of the standards of quality of the materials used in construction of public works and of the supplies used in the various branches of the government service;

7) Investigation and standardization, at the request of any of the industries operating in the country, of the materials used or usable in, or the products of, the industries making the request; and

8) Researches which aim to improve conditions in agriculture.

g) To set the direction or exercise supervision over the researches that may be undertaken, under conditions to be determined in each case by the Authority, by the departments, agencies, academe, organizations or persons conducting research and development activities with government funding;

h) To publish and sell or otherwise distribute, subject to the approval of the Board of Trustees, such scientific and technical information as the Authority deems necessary;

i) To carry on work and manufacturing of an experimental and developmental nature with respect to the matters referred to in
paragraphs (f) and (g) so as to render the processes, methods or products relating to those matters more available and effective in useful arts and manufacturing and for scientific purposes and in other matters; and

j) To license, sell or otherwise grant or make available to others, and receive royalties, fees and payments for, Philippine or other patent rights or any other rights, vested in or owned or controlled by the Authority, to or in respect of any discovery, invention or improvement in any art, process, apparatus, machine, manufacture or composition of matter.

SEC. 5. **Board of Trustees.** – The administration of the Authority and the exercise of its powers are vested exclusively in its Board of Trustees which is composed of the following:

a) Secretary of Science and Technology, as chairperson;
b) Secretary of Agriculture; as vice-chairperson;
c) Secretary of Budget and Management;
d) Secretary of Energy;
e) Secretary of Environment and Natural Resources;
f) Secretary of Health;
g) Secretary of National Defense;
h) Secretary of Socio-Economic Planning;
i) Secretary of Trade and Industry;
j) Chairperson of the Commission on Higher Education;
k) Executive Director of the Information and Communications Technology Office;
l) President of the National Academy of Science and Technology;
m) President of the National Research Council of the Philippines;
n) Four (4) representatives from the private sector; and

o) Two (2) representatives from organizations of scientists and engineers engaged in research and development, as members.

The representatives from the private sector and from organizations of scientists and engineers engaged in research and development shall be appointed by the President of the Philippines upon recommendation by the Secretary of Science and Technology. They shall serve for a term of five (5) years without reappointment.

In case of vacancy by reason of death, resignation, removal for cause or incapacity of the representatives from the private sector and from organizations of scientists and engineers, the successor shall hold office only for the unexpired portion of the term.

SEC. 6. **Powers and Functions of the Board of Trustees.** – The Board of Trustees shall exercise the following powers and functions:

a) To adopt, alter and use an official seal;

b) To promulgate rules and regulations not contrary to law as may be necessary to carry out the purposes and functions of the Authority;

c) To collect, receive and maintain a fund or funds from government appropriations and from donations, grants, gifts, bequests, loans from domestic and foreign sources, and to apply the income and principal thereof to the promotion of its aims and purposes;

d) To own, manage and hold such real and personal property as shall be necessary for purposes of the Authority;

e) To receive and appropriate all sums as may be provided for the support of the Authority in the manner it may determine to carry out the purposes and functions of the Authority;
f) To receive in trust legacies, gifts and donations of real and personal properties of all kinds and administer or dispose of the same when necessary for the benefit of the Authority, subject to limitations, directions and instructions of the donor, if any.

Such donations are exempt from the donor's tax and are considered as allowable deductions from the gross income in the computation of the income tax of the donor, in accordance with the provisions of the National Internal Revenue Code, as amended: Provided, That such donations shall not be disposed of, transferred or sold;

g) To authorize the construction or repair of buildings, equipment and other facilities, and the purchase and acquisition of real and personal properties, including necessary supplies, materials and equipment;

h) To appoint, upon the recommendation of the Executive Director of the Authority, the officials and employees of the Authority in accordance with a staffing pattern duly approved by the Board of Trustees;

i) To fix and adjust the salaries of officials and employees subject to the provisions of the Revised Compensation and Position Classification System, as amended, and other pertinent budget and compensation laws governing hours of service, and such other duties and conditions as it may deem proper, to grant them at its discretion, leaves of absence under regulations as it may promulgate, any provision of existing law to the contrary notwithstanding and to remove them for cause in accordance with the requirements of due process;

j) To approve the institutional programs, projects and rules of discipline drawn by the Executive Director of the Authority;
k) To delegate any of its powers and duties to the Executive Director or other officials of the Authority as it may deem appropriate so as to expedite the administration of the affairs of the Authority;

l) To develop consortia and other forms of linkages with LGUs, institutions and agencies, both public and private, local and foreign, in furtherance of the purposes and objectives of the Authority;

m) To develop arrangements for institutional capability building with appropriate institutions and agencies, public or private, local or foreign, and to appoint experts or specialists as consultants, or visiting or exchange researchers, as the case may be; and

n) To establish policy guidelines and procedures for participative decision-making and transparency within the Authority.

SEC. 7. **Board Meetings; Quorum.** – The Board of Trustees shall regularly convene at least once every quarter. The Chairperson of the Board of Trustees may call a special meeting whenever necessary: *Provided, That* members are notified in writing at least three (3) days prior to the special meeting.

A majority of all members holding office constitutes a quorum for board meetings. The members shall serve without compensation, but they shall be reimbursed for necessary expenses incurred in their attendance of meetings of the Board of Trustees or in connection with their official business authorized by resolution of the Board of Trustees, subject to existing laws and regulations.

SEC. 8. **Executive Director of the Authority; Term of Office.** – The Board of Trustees shall appoint an Executive Director
who shall render full time service as the chief executive officer of the
Authority. The Executive Director shall have a term of four (4) years
and is eligible for reappointment for another term.

In case of vacancy by reason of death, compulsory retirement,
resignation, removal for cause or incapacity of the Executive Director
to perform the functions of the office, the Board shall designate an
officer-in-charge within six (6) months from the date of vacancy,
pending the appointment of a new Executive Director. In case of
vacancy in the office of the Executive Director, the successor shall
hold office only for the unexpired portion of the term.

The salary of the Executive Director of the Authority is in
accordance with the Revised Compensation and Position
Classification System, as amended, and other pertinent budget and
compensation laws. The salary of the Executive Director is equivalent
to that being received by a Department Undersecretary.

SEC. 9. **Powers and Duties of the Executive Director.** –
The Executive Director of the Authority shall exercise the following
powers and duties:

a) To submit for the consideration of the Board of Trustees
the policies and measures necessary to carry out the purposes and
objectives of the Authority;

b) To recommend, coordinate and administer the programs
and projects of the Authority;

c) To direct and supervise the operations and internal
administration of the Authority, and to delegate administrative
responsibilities in accordance with the rules and regulations of the
Authority;

d) To submit an annual report to the Board of Trustees
setting forth the work of the Authority during the year, its financial
operations and status, and a program and budget for the ensuing
year; and

e) To exercise such other powers and to discharge such
other functions as may be vested in him by the Board of Trustees.

SEC. 10. Secretary. – The Board of Trustees shall appoint
a Secretary, who shall serve as such for both the Authority and the
Board of Trustees, and the Secretary shall keep all records of the
Board.

SEC. 11. Treasurer. – The Treasurer of the Philippines
shall be the ex officio Treasurer of the Authority.

SEC. 12. Development Plan; Organizational and
Administrative Structure. – Within one hundred twenty (120)
days after the approval of this Act, the Authority shall accomplish the
following:

a) Submit to the President of the Philippines and to both
Houses of Congress a five (5) year development plan, including
program budget; and

b) Set up its organizational and administrative structure
including the appointment of key officials, secretariat personnel and
technical working groups necessary to accomplish the purposes and
functions of the Authority.

The Secretary of Science and Technology shall identify
available government buildings which may be utilized by the
Authority initially as its head office. The Authority is also allowed to
utilize other idle or available government real property to fulfill its
mandate.

SEC. 13. Exemption from Republic Act No. 9184. – The
provisions of Republic Act No. 9184, otherwise known as the
"Government Procurement Reform Act" shall not apply to the
procurement for all items, supplies, materials and general support
services, including consulting services, which may be needed by
departments, agencies, state universities and colleges, government-
owned or controlled corporations, and organizations in the pursuit of
any research and development undertaking, project or activity.

For this purpose, the Board of Trustees shall certify such
procurement whether in the nature of equipment, furniture,
stationery, materials for construction, or personal property of any
kind, including non-personal or contractual services, including the
repair and maintenance of equipment and furniture, as well as
trucking, hauling, and related or analogous services.

The term "related or analogous services" includes lease or
purchase of office space, media advertisements, health maintenance
services, and other services essential to the operation of the
procuring entity engaged in any research and development
undertaking, project or activity.

Purchases and other transactions entered into by the Authority
through the Board of Trustees are exempted from all taxes and
duties.

SEC. 14. Appropriations. – The amount of Fifty Million
Pesos (P50,000,000.00) for the initial operation of the Authority is
hereby appropriated out of any funds in the National Treasury not
otherwise appropriated. Thereafter, such sum as may be necessary
for the continued operation of the Authority is included in the annual
General Appropriations Act.

SEC. 15. Separability Clause. – If any provision or part of
this Act is declared unconstitutional or invalid, the remaining parts
or provisions not affected remain in full force and effect.

SEC. 16. Repealing Clause. – Executive Order No. 604
creating the Presidential Coordinating Council on Research and
Development is hereby repealed. All other laws, decrees, executive
issuances, ordinances, rules and regulations and other issuances or
parts thereof, which are inconsistent with this Act, are hereby
repealed, amended or modified accordingly.

SEC. 17. Effectivity Clause. - This Act shall take effect
fifteen (15) days after publication in the Official Gazette or in a
national newspaper of general circulation.

Approved,