

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9418



Introduced by Hon. John Marvin "Yul Servo" C. Nieto

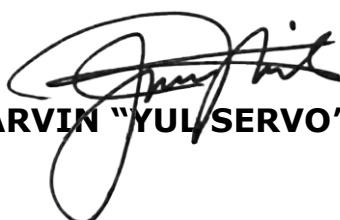
EXPLANATORY NOTE

The severe acute respiratory syndrome coronavirus 2 (SARS-CoV2), also named 'Coronavirus Disease 2019' (COVID-19), has exposed the need for further preparation during a global pandemic. Since the first recorded case last year, the deadly virus has infected millions of people and has spread to every continent in the world with the exception of Antarctica.

This is a problem that needs to be addressed by utilizing resources and empowering science and technology research and development. Therefore, more than ever, there is a need to establish a research institute that specializes on the study of viruses and the complex field of infectious diseases.

The propose measure seeks to establish a virology institute that shall focus on the research of viruses, development of diagnostics and vaccines, international cooperation and network of databases of virus infections, operation of a virus genome laboratory, and operation of virus high containment laboratory dedicated to study of pathogenic viruses. The establishment of this institute will strengthen the capability of our country to address future issues that may arise from deadly viral infections.

In light of the foregoing, the approval of this measure is earnestly sought.


JOHN MARVIN "YUL SERVO" C. NIETO

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AN ACT ESTABLISHING THE PHILIPPINE VIROLOGY SCIENCE AND TECHNOLOGY INSTITUTE AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. Short Title. - This Act shall be known as the "Virology Institute of the Philippines (VIP) Act".

SEC. 2. Declaration of Policy. - It is hereby declared the policy of the State:

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

To this end, it is recognized that the establishment of an institute that will conduct research and development activities/in-depth study on the viruses affecting the lives of its people and resources is vital for the protection of the health of its people and the preservation of the national life.

SEC. 3. Objectives. - This Act seeks to establish a virology institute that shall focus on the following Key Development Areas for virology science and technology applications to ensure the State's sustained progress:

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

SEC. 4. Definition of Terms. - As used in this Act, the following terms shall mean:

- a) Virology – is the scientific discipline concerned with the study of the biology of viruses and viral diseases, including the distribution, pathogenicity, viral cytopathicity, biochemistry, physiology, molecular biology, biotechnology, ecology, tropism, spillover or interspecies transmission, evolution, and clinical aspects of viruses;
- b) Diagnostics – relates to methods, tests, techniques, and tools in viral diagnosis for humans, animals, and plants;
- c) Therapeutics – anti-viral. nanotechnology treatment approach, nucleic acid-based treatment, remedial agents, drugs for the treatment of viral diseases and infections for humans, animals, and plants; And
- d) Vaccines – are products that induce or stimulate active acquired immunity by producing antibodies to a specific infectious agent. It helps the body's immune system to recognize and fight pathogens like viruses or bacteria.

SEC. 5. Creation of the Virology Science and Technology Institute of the Philippines. – To carry out the provisions of this Act, there is hereby created a research and development institute under the Department of Science and Technology called the Virology Science and Technology Institute of the Philippines (VIP). The VIP shall serve as the premier research and development institute in the field of virology, encompassing all areas in viruses and viral diseases in humans, plants, and animals. It shall act as a venue for scientists, both here and abroad, to work collaboratively to study viruses of agricultural, industrial, clinical, and environmental importance.

The Institute shall establish strategic partnerships with the world's leading scientists, virology centers, and institutes and conduct innovative and pioneering researches that will advance the frontiers of virology in the country.

SEC.6. Mandate. - The Institute shall implement policies, plans, programs, and projects for the development of virology science and technology in the country and the promotion of scientific and technological activities for both the public and private sectors, and ensure that the results of these activities are properly applied towards self-reliance and utilized to accelerate economic and social development towards the protection of the citizens and its resources.

SEC. 7. Powers, Functions, and Duties. – To accomplish its mandate, the VIP shall have the following powers, functions, and duties:

- a) Serve as the lead convener of the Virology research agenda as part of the National Unified Health Research Agenda (NUHRA);
- b) Undertake scientific and technological research and development (R&D) in the field of virology;
- c) Conduct product R&D in the areas of diagnostics, therapeutics, and vaccines;
- d) Promote and undertake the transfer of the results of scientific research and development to concerned government agencies, industry, and academe;
- e) Develop and maintain an information system on virology science and technology for use by both the public and private sectors;
- f) Develop and implement, together with other entities concerned, programs for strengthening scientific and technological capabilities in virology and relevant disciplines through human resource development, infrastructure, and institution building;
- g) Undertake policy research, technology assessment, and other related researches on virology;
- h) Provide laboratory and technical services on virology;
- i) Promote and advocate the national programs on virology science and technology;
- j) Establish linkages with local and international partners.

SEC. 8. Organizational Structure. - The VIP shall be an attached agency of the Department of Science and Technology (DOST) for purposes of policy and program coordination, and to ensure alignment in national policies and priorities.

It shall be headed by a Director and two (2) Deputy Directors: one for Research and Development, and another one for Support, Policy, and Linkages.

The VIP shall be composed of the Office of the Director, Office of the Deputy Director for Research and Development, Office of the Deputy Director for Support, Policy, and Linkages and the following divisions:

- a) Virus Research
- b) Diagnostics and Therapeutics Research

- c) Vaccines Research
- d) Technical Services and Training
- e) Policy, Planning, and Linkages
- f) Finance and Administration

The Deputy Director for Research and Development shall head the first three (3) divisions while the Deputy Director for Support, Policy, and Linkages shall head the next three (3) divisions.

Subject to the approval of the Department of Budget and Management (DBM), the VIP shall determine its organizational structure and create new divisions or units as it may deem necessary and shall appoint officers and employees of the VIP following the civil service laws, rules, and regulations.

For this purpose, the Institute shall draw up the necessary position qualifications and standards for its personnel following the Civil Service Law, rules and regulations, in consultation with the DBM.

SEC. 9. The Governing Board. - The Governing Board shall be the principal policymaking body for scientific and technological activities of the Institute. It shall be composed of the following:

- a) Chair, Secretary of DOST
- b) Co-chair, Undersecretary for R&D, DOST
- c) Members:
 - i. Undersecretary of Department of Health (DOH)
 - ii. Undersecretary of Department of Agriculture (DA)
 - iii. Director of Centers for Disease Control and Prevention Philippines (CDCPHL)
 - iv. Executive Director of Philippine Council for Health Research & Development (PCHRD)
 - v. Executive Director of Philippine Council for Agriculture, Aquatic, and Natural Resources Research and Development (PCAARRD)
 - vi. Executive Director of Philippine Council for Industry, Energy and Emerging Technology Research & Development (PCIEERD)
 - vii. Director of Philippine Virology Science and Technology Institute (VIP)
 - viii. Director of University of the Philippines-National Institutes of Health (UP-NIH)
 - ix. Three (3) representatives from the Private Sector elected by the ex-officio Board Members

SEC. 10. Transfer of offices and units. - All offices and units under the DOST system that are handling matters related to virology shall be transferred to the VIP.

The transfer of an office or unit shall include the functions, appropriations, funds, records, equipment, facilities, choses in action, rights, other assets, and liabilities, if any, of the transferred office or unit as well as the personnel thereof, as may be necessary.

SEC. 11. Engagement of Balik Scientists and Foreign Experts. – The institute may engage Balik Scientists and foreign experts following the terms of reference and compensation structure of the Balik Scientist Program.

SEC. 12. International Cooperation. – The VIP may enter into a memorandum of agreement or memorandum of understanding with international partners, upon the approval of its Governing Board.

SEC. 13. Official Site of VIP. - A lot with an area equivalent to at least five (5) hectares under the administration of the Bases Conversion and Development Authority (BCDA) within the New Clark Economic Zone in Tarlac shall be allocated exclusively for the Institute, its research facilities, and laboratories. The biosafety infrastructure shall be designed based on risk assessment for handling specific pathogens following the World Health Organization (WHO) guidelines on the establishment of a virology laboratory in developing countries.

SEC. 14. Entitlement to Magna Carta Benefits. - Qualified employees of VIP and its attached units shall be covered by Republic Act No. 8439, otherwise known as "Magna Carta for Scientists, Engineers, Researchers and Other Science and Technology Personnel in Government".

SEC.15. Annual Report. - The VIP shall submit a report to the President and the Committee on Science and Technology of both Chambers of Congress not later than the 30th of March of every year following the effectivity of this Act. The report shall provide a detailed account of the status of the implementation of this Act and recommended legislation, where applicable and necessary.

SEC 16. Virology Research Fund. - There is hereby created a Virology Research Fund to be used exclusively for the implementation of the Virology Institute Strategic Plan, which shall be administered by the VIP following, existing government budgeting, accounting, and auditing rules and regulations. The Fund shall be sourced from the following:

a) The initial amount of Two Billion pesos (Php 2,000,000,000.00) to be taken from the current fiscal year's appropriation, in case the General Appropriation Act (GAA) was approved before this law is enacted.

b) The income produced from its operations, technology transfer, and licensing agreements.

c) Loans, contributions, grants, bequests, gifts, and donations whether from local or foreign sources. *Provided*, that acceptance of grants, bequests, contributions, and donations from foreign governments shall be subject to the approval of the President upon the recommendation of the Secretary of the DOST and Secretary of the Department of Foreign Affairs (DFA). The Secretary of DOST, with the approval of the NEDA and subsequently, the Department of Finance (DOF), is hereby granted the authority to enter into loan agreements with foreign financial institutions.

SEC. 17. Use of income. - The VIP shall be authorized to use all of the income generated from its operations, as well as donations, bequests, grants for the

upgrading if its physical and human resources, and for the augmentation of its budget, in case of a shortfall.

SEC. 18. Appropriations. – The sum of Two Billion Pesos (Php 2,000,000,000.00) is hereby appropriated as an initial operating fund for the operation of the Institute, taken from the current fiscal year's appropriation. Thereafter, the amount needed for its operation shall be included in the General Appropriation Act.

SEC. 19. Implementing Rules and Regulations. - Within one hundred twenty (120) days from the effectivity of this Act, the DOST in coordination with DBM, Civil Service Commission, and other relevant government agencies, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 20. Separability Clause. - Any portion or provision of this Act that may be declared unconstitutional or invalid shall not have the effect of nullifying the other portions or provisions hereof as long as such remaining portion or provision can still subsist and be given effect in their entirety.

SEC. 21. Repealing Clause. - All laws, decrees, orders, rules, and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 22. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or any two (2) newspapers of general circulation in the Philippines.

Approved,