


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



'22 AUG 11 A10 :33

SENATE
S. No. 1130

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Introduced by Senator MARK A. VILLAR

AN ACT
CREATING THE VIROLOGY INSTITUTE OF THE PHILIPPINES AND
APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

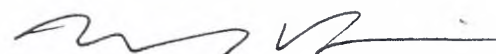
As learned through what we have experienced during the last two (2) years, having our virology institute will be greatly crucial in our defenses against future pandemics and viruses.

This will also help us in the development and production of the necessary vaccines to prevent the spread of future diseases.

With a number of fully prepared experts who are backed up with adequate resources and modern facilities, we can properly formulate the appropriate and strategic response, should we come face-to-face again with another viral threat.

Hence, boosting our research and expertise on virology, as well as our vaccine development capabilities, should be prioritized in order to bolster our national security.

In this light, the immediate passage of this bill is highly recommended.




MARK A. VILLAR
Senator

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

1 Section 1. *Declaration of Policy.* — It is hereby declared the policy of the State:

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

13 Sec. 2. *Objectives.* — This Act seeks to establish a virology institute that shall
14 focus on the following key development areas for virology science and technology
15 applications:

- 16 a) Research on viruses using a modern approach;
17 b) Development of diagnostics, vaccines, and therapeutics;

- 1 c) International cooperation and network of databases of virus
- 2 infections;
- 3 d) Operation of a virus gene bank, virus genome laboratory, and virus
- 4 reference laboratory to focus on viruses circulating in the Philippines
- 5 for disease prevention and epidemiological studies; and
- 6 e) Operation of a virus high containment laboratory dedicated to the
- 7 study of highly infectious and highly pathogenic viruses.

8 *Sec. 3. Creation of the Virology Institute of the Philippines.* — The Virology
9 Institute of the Philippines (VIP) is hereby created, which shall be an attached agency
10 under the Department of Science and Technology (DOST) for purposes of policy and
11 program coordination to ensure alignment with national policies and priorities.

12 The VIP shall serve as the premier research and development institute in the
13 field of virology, encompassing all areas in viruses and viral diseases. It shall be a
14 venue for scientists, research institutes and other organizations here in the Philippines
15 and abroad, to work collaboratively to study viruses.

16 *Sec. 4. Powers, Functions, and Duties.* — To accomplish its mandate, the VIP
17 shall have the following powers, functions, and duties:

- 18 a) Serve as the lead convener for the formulation of the National
- 19 Virology Research Agenda, in consultation with all concerned
- 20 stakeholders, that will encompass researches involving viruses;
- 21 b) Undertake scientific and technological research and development
- 22 (R&D) in the field of virology;
- 23 c) Conduct product research and development (R&D) in the areas of
- 24 but not limited to diagnostics, therapeutics and vaccines;
- 25 d) Promote and undertake the transfer of the results of scientific
- 26 research and development to concerned government agencies,
- 27 industry, and academe;
- 28 e) Promote and advocate virology research ethics, biosafety, and
- 29 biosecurity;
- 30 f) Develop and maintain an information system on virology science and
- 31 technology for use by both the public and private sectors;

- 1 g) Develop and implement, together with other entities concerned,
2 programs for strengthening scientific and technological capabilities in
3 virology and relevant disciplines through human resource
4 development, infrastructure, and institution building;
5 h) Undertake policy research, technology assessment, and other related
6 studies on virology;
7 i) Provide laboratory and technical services on virology;
8 j) Promote and advocate the national programs on virology science and
9 technology; and
10 k) Establish linkages with local and international partners.

11 *Sec. 5. Organizational Structure.* — The VIP shall be headed by a Director-
12 General and two (2) Deputy Directors-General, one (1) for Research and
13 Development, and one (1) for Support, Policy, and Linkages. The VIP shall be
14 composed of the following divisions:

- 15 a) Virus Research;
16 b) Diagnostics and Therapeutics Research;
17 c) Vaccines Research;
18 d) Technical Services and Training;
19 e) Policy, Planning, and Linkages; and
20 f) Finance and Administration.

21 The Deputy Director-General for Research and Development shall head the
22 Virus Research, Diagnostics and Therapeutics Research, and Vaccines Research
23 Divisions. The Deputy Director-General for Support, Policy, and Linkages shall head
24 the Technical Services and Training, Policy, Planning, and Linkages, and Finance and
25 Administration Divisions.

26 *Sec. 6. Qualifications of the VIP Director-General and Deputy Directors-General.*
27 — The VIP Director-General and the Deputy Directors-General shall be appointed by
28 the President of the Philippines upon the recommendation of the DOST Secretary.

29 The Director-General with a rank of an undersecretary shall be a qualified
30 expert possessing at least a Bachelor's Degree in Biology, Microbiology and/or an allied
31 discipline; preferably with a doctorate degree in medical sciences and/or in virology-
32 related discipline with three to five years of experience in diagnostic virology. He shall

1 have overall responsibility for the activities including the supervision of all the staff
2 working in the VIP. In addition, he shall be directly responsible for reporting to the
3 Secretary of Science and Technology and the President of the Philippines the results
4 of the various diagnostic assays and research studies performed in the institute.

5 Each of the Deputy Directors-General of the VIP shall have a rank of assistant
6 secretary. The Deputy Director-General shall possess at least the educational
7 background of the VIP Director-General.

8 *Sec. 7. Compliance with Existing Government Regulations.* — The VIP shall
9 comply with the procedures, rules and regulations of other Government Offices
10 mandated to oversee the practice of virology and other related disciplines as well as
11 the operation of laboratories, clinics, diagnostics and similar facilities.

12 *Sec. 8. International Cooperation.* — The VIP shall establish strategic
13 partnerships with the world's leading scientists, virology centers and institutes, and
14 conduct innovative and pioneering researches that will advance the frontiers of
15 virology in the country. The VIP can enter into a memorandum of agreement or
16 understanding with international partners, upon the approval of the DOST Secretary
17 and in compliance with existing laws, rules, regulations and issuances of the
18 Department of Foreign Affairs (DFA). The DFA shall provide technical, legal and other
19 forms of assistance to the VIP.

20 *Sec. 9. Interdepartmental Cooperation.* — The VIP shall collaborate with the
21 DOH, Department of Finance (DOF), FDA, RITM and other relevant government
22 agencies, in mobilizing resources as may be required to implement this Act.

23 *Sec. 10. Private-Public Partnerships.* — The Department of Trade and Industry
24 (DTI), the DOH, Public-Private Partnership (PPP) Center and the DOST shall
25 collaborate in seeking Private-Public Partnerships (PPPs) for the development of new
26 industries, products and services where the VIP shall be the main research and
27 development unit.

28 *Sec. 11. Promotion of Virology Industry.* — The DOST, in partnership with the
29 DOH-Health Promotion and Communication Service and Disease Prevention and
30 Control Bureau and DTI-Board of Investments, shall jointly develop an industry
31 roadmap for products and services that can be created, improved, or optimized by
32 research from the VIP.

1 *Sec. 12. Promotion of Knowledge-transfer and Research in the Academe. —*

2 The VIP shall promote the creation of hubs and programs for virology research and
3 development in the academe, particularly in state universities and colleges (SUCs).
4 Towards this end, the VIP shall assist SUCs in the creation of virology courses and
5 programs, open internships for qualified students of higher education institutions
6 (HEIs) and collaborate with HEIs in the creation of virology research centers.

7 The CHED shall collaborate with the DOST in the promotion of HEI-VIP
8 partnerships.

9 *Sec. 13. Protection of Intellectual Property. —* The DOST shall ensure that all
10 technologies developed exclusively by the VIP with full funding from Filipino taxpayers
11 shall be protected by intellectual property laws in accordance with Republic Act No.
12 10055 or the Technology Transfer Act of 2009 and other applicable laws. Any patent
13 grant or property right awarded or granted to the VIP shall be held by and in the name
14 of the Philippine Government. In the case of partnerships, where the VIP is a
15 collaborating research partner, the DOST shall ensure that technologies co-developed
16 by the VIP shall also be co-attributed, with the corresponding intellectual protections,
17 to the Philippine Government.

18 *Sec. 14. Procurement of Specialized Materials, Equipment and Services. —* The
19 VIP shall undertake the procurement of specialized materials, equipment, and services
20 to be used by the VIP in its operation and administration, in the most expeditious
21 manner, as exemptions from the provisions of Republic Act No. 9184 or the
22 "Government Procurement Reform Act" and other relevant laws.

23 *Provided,* that during public health emergency, the following shall be observed:

- 24 a) Less stringent procurement procedures allowing negotiated
25 procurement, higher caps on allowable down payment for
26 procurement of goods, supplies, equipment and services;
- 27 b) Authority to the DOST Secretary to approve advance payment of not
28 more than 15% for procurement of goods, supplies, equipment and
29 services, for faster facilitation;
- 30 c) Simplified process for foreign procurement especially with specialized
31 equipment, reagents, and supplies not available in the Philippines;

- 1 d) Exemption from customs duties and taxes for all VIP supplies and
2 equipment procured abroad; and
3 e) Exemption from taxes on income generated through training and
4 other delivery of services of VIP.

5 Sec. 15. *Official Site of VIP.* — A lot with an area equivalent to at least five (5)
6 hectares under the administration of the Bases Conversion and Development Authority
7 (BCDA) within the New Clark Economic Zone in Tarlac shall be allocated exclusively
8 for the free use of for the Institute, its research facilities, and laboratories. The
9 biosafety infrastructure shall be designed based on risk assessment for handling
10 specific pathogens following the World Health Organization (WHO) guidelines on the
11 establishment of a virology laboratory in developing countries.

12 Sec. 16. *Virology Research Fund.* — There is hereby created a Virology
13 Research Fund to be used and administered by the VIP following existing government
14 budgeting, accounting, and auditing rules and regulations. The fund shall be sourced
15 from the following:

- 16 a) The initial amount of Two Billion pesos (Php 2,000,000,000.00) to be
17 taken from the current fiscal year's appropriation, in case the General
18 Appropriations Act (GAA) was approved before this law is enacted;
19 b) The income produced from its operations, technology transfer, and
20 licensing agreements;
21 c) Loans, contributions, grants, bequests, gifts, and donations whether
22 from local or foreign sources. Provided, that acceptance of grants,
23 bequests, contributions, and donations from foreign governments
24 shall be subject to the approval of the President upon the
25 recommendation of the Secretary of the DOST and Secretary of the
26 DFA. The Secretary of DOST, with the approval of the National
27 Economic and Development Authority (NEDA) and subsequently, the
28 DOF, is hereby granted the authority to enter into loan agreements
29 with foreign financial institutions.

30 Sec. 17. *Authority to Solicit, Receive Donations, Grants and the Like.* — The
31 VIP may solicit, negotiate with, and receive from any public or private domestic or
32 foreign sources legacies, gifts, donations, grants, endowments, contributions or other

1 transfers of ownership and/or possession of real or personal properties of all kinds in
2 favor and for the benefit of the VIP, which shall be exempt from donor's tax and shall
3 all be part of the special account in the general fund managed by the Department of
4 Finance.

5 The VIP shall prescribe the measures necessary for the proper use,
6 maintenance and safekeeping of said donations, grants, endowments, contributions
7 or transfers and the compliance of the terms and conditions thereon, if any, in
8 accordance with pertinent accounting and auditing laws, rules and regulations.

9 *Sec. 18. Use of Income.* — The VIP shall be authorized to use all of the income
10 generated from its operations, as well as donations, bequests, grants for the
11 upgrading of its physical and human resources, and for the augmentation of its
12 budget.

13 *Sec. 19. Mandatory Adoption of Publicly Funded Technologies.* — Mandatory
14 adoption of publicly funded and generated technologies developed by the VIP
15 whenever feasible and practicable, shall strictly be implemented by all government
16 entities or instrumentalities All national government agencies (NGAs), government-
17 owned-and-controlled corporations (GOCCs), state universities and colleges (SUCs),
18 and local government units (LGUs) performing science and technology development
19 projects shall adopt publicly-funded technologies.

20 *Sec. 20. Annual Report.* — The VIP shall submit its annual report to the
21 President and to the Committees on Science and Technology in both Chambers of
22 Congress following the effectivity of this Act.

23 *Sec. 21. Joint Congressional Oversight Committee.* — There shall be a Joint
24 Congressional Oversight Committee on the implementation of this Act, which shall be
25 jointly chaired by the Chairpersons of the Committees on Science and Technology of
26 the Senate and House of Representatives. It shall be composed of, as members, the
27 Chairpersons of the Senate Committees on Health and Demography and Agriculture,
28 Food and Agrarian Reform, the Chairpersons of the Committees on Health and Food
29 and Agriculture of the House of Representatives, and two others from each chamber
30 of Congress to be appointed by the Senate President and the Speaker of the House of
31 Representatives.

1 Sec. 22. *Appropriations.* — The sum of Two Billion Pesos
2 (Php2,000,000,000.00) is hereby appropriated for the initial operation fund of the VIP
3 from the current fiscal year's appropriation. Thereafter, the amount needed for its
4 operation shall be included in the General Appropriations Act.

5 Sec. 23. *Implementing Rules and Regulations.* — The DOST Secretary, in
6 consultation with DBM, DOH, Civil Service Commission, and other relevant government
7 agencies, shall promulgate the necessary rules and regulations within one hundred
8 twenty (120) days from the effectivity of this Act.

9 Sec. 24. *Separability Clause.* — If any provision or part hereof is held invalid or
10 unconstitutional, the remainder of the law or the provision or part not otherwise
11 affected shall remain valid and subsisting.

12 Sec. 25. *Repealing Clause.* — Any law, presidential decree or issuance,
13 executive order, letter of instruction, administrative order, rule, or regulation contrary
14 to or inconsistent with the provisions of this Act are hereby repealed, modified, or
15 amended accordingly.

16 Sec. 26. *Effectivity.* — This Act shall take effect fifteen (15) days after its
17 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,