

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



'22 JUL 11 P 6 :32

**SENATE**  
S. No. 281

RECEIVED BY: \_\_\_\_\_

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**Introduced by SENATOR JINGGOY EJERCITO ESTRADA**

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

**EXPLANATORY NOTE**

The challenges posed by the novel Coronavirus Disease 2019 or COVID-19 to the structure, systems, capacity, competence and readiness of the country to arrest the spread of the virus is unprecedented. It highlighted the need for sufficient number of highly-trained virology experts, supported by a system that will provide them with adequate resources and strategic support. Moreover, it emphasized the need to enhance the country's capacity and self-reliance in the development and production of vaccines.

The Department of Science and Technology (DOST), Department of Health (DOH) and the Department of Agriculture (DA) are espousing for the establishment of the Virology and Vaccine Institute of the Philippines (VIP) which is "envisioned to be the country's foundation of research and innovation on human, animal, and plant viruses in the next 10 to 15 years". It should be designed to focus on virology research for health and agriculture; on diagnostics for human, animal, and plant diseases; and on the development of locally-made vaccines.

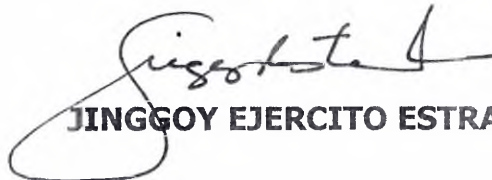
The "*Virology Institute of the Philippines (VIP) Act*" seeks to provide the legal framework for the establishment of a government body that will conduct extensive

studies on viruses and their potential disease-causing agents in order to provide the scientific bases for the treatment of viral diseases. The proposed VIP will also formulate policies that will prevent the transmission of disease within the community and national context. The Institute aims complement the current efforts of the Research Institute for Tropical Medicine (RITM) on research and creation of vaccines.

This measure was supported by the Department of Science and Technology (DOST) and according to the agency, some Filipino scientists who are currently based abroad already expressed their willingness to assist in the projects under the proposed institute through the Balik Scientist Program of the DOST.

This bill was approved on Third Reading by the House of Representatives in the 18<sup>th</sup> Congress.

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



**JINGGOY EJERCITO ESTRADA**

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**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:*

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

3 Sec. 2. *Declaration of Policy.* - It is the policy of the State to protect and  
4 promote the right to health of the people and instill health consciousness among them.  
5 The State recognizes that science and technology is essential for national development  
6 and progress.

7 To this end, the State shall formulate and implement policies that shall address  
8 current health issues, such as the quality and adequacy of health and medical human  
9 resources, health institutions, and delivery of health services, and shall give priority to  
10 research, the development and promotion of innovations in both technology and  
11 services, the use of safe and indigenous health-promoting practices, and their  
12 appropriate utilization by the health sector.

13 In this regard, the State shall prioritize the establishment of an institute that  
14 will conduct in-depth studies on viruses and their potential disease-causing agents  
15 that affect people, plants, and animals in order to provide the scientific bases for the  
16 treatment of viral diseases, and for the formulation of policies that shall prevent the  
17 transmission of these diseases within the community and national context.

1           Sec. 3. *Objectives.* – This Act seeks to establish a virology institute that shall  
2 focus on the following key development areas for virology science and technology  
3 applications in plants, animals, and humans:

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

13           Sec. 4. *Definition of Terms.* – As used in this Act:

- 14           a) *Bacteriophage* – refers to any group of viruses that infect specific bacteria,  
15           usually causing their disintegration or dissolution;
- 16           b) *Biosafety* – refers to a condition in which the probability of harm, injury and  
17           damage resulting from the intentional and unintentional introduction or use  
18           of a regulated article is within acceptable and manageable levels;
- 19           c) *Biosecurity* – refers to a strategic and integrated approach to analyzing and  
20           managing relevant risks to plant, animal and human life, and health and  
21           associated risks for the environment. It is based on recognition of the  
22           critical linkages between sectors and the potential for hazards to move  
23           within and between sectors, with system-wide consequences;
- 24           d) *Diagnostics* – refer to methods, tests, techniques, and tools in viral  
25           diagnosis for plants, animals and humans;
- 26           e) *Therapeutics* – refers to anti-viral, bacteriophages, nanotechnology  
27           treatment approach, nucleic acid-based treatment, remedial agents, drugs  
28           for the treatment of viral diseases and infections of plants, animals and  
29           humans;
- 30           f) *Vaccine* – refers to a product that induces or stimulates active acquired  
31           immunity by producing antibodies to a specific infectious agent. It helps the



1 body's immune system to recognize and fight pathogens like viruses or  
2 bacteria;

- 3 g) *Virology* – refers to the scientific discipline concerned with the study of the  
4 biology of viruses and viral diseases of plant, animal, and human of medical  
5 importance and pandemic potential, including the distribution,  
6 pathogenicity, viral cytopathicity, biochemistry, physiology, molecular  
7 biology, biotechnology, ecology, tropism, spillover or interspecies  
8 transmission, evolution, and clinical aspects of viruses.

9 *Sec. 5. Creation of the Virology Science and Technology Institute of the*  
10 *Philippines (VIP).* – The Virology Science and Technology Institute of the Philippines  
11 (VIP) is hereby created, which shall be an attached agency under the Department of  
12 Science and Technology (DOST) for purposes of policy and program coordination to  
13 ensure alignment with national policies and priorities.

14 The VIP shall serve as the premier research and development institute in the  
15 field of virology, encompassing all areas in viruses and viral diseases in plants, animals  
16 and humans. It shall be a venue for scientists, research institutes and other  
17 organizations in the Philippines and abroad to work collaboratively to study viruses of  
18 agricultural, industrial, clinical, and environmental importance.

19 *Sec. 6. Mandate.* – The VIP shall implement policies, plans, programs, and  
20 projects for the development of virology science and technology in the country and  
21 the promotion of scientific and technological activities for both the public and private  
22 sectors. It shall ensure that the results of these activities are properly applied towards  
23 self-reliance and utilized to accelerate economic and social development towards the  
24 protection of the citizens and resources.

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

- 27 a) Serve as the lead convener for the formulation of the National Virology  
28 Research Agenda, in consultation with all concerned stakeholders, that will  
29 encompass researches involving viruses of plant, animal, and humans;  
30 b) Undertake scientific and technological research and development (R&D) in  
31 the field of virology;

- 1 c) Conduct product research and development (R&D) in the areas of
- 2 diagnostics, therapeutics and vaccines in cooperation with the private
- 3 sector and concerned government agencies;
- 4 d) Promote and undertake the transfer of the results of scientific research and
- 5 development in collaboration with concerned government agencies,
- 6 industry, and the academe;
- 7 e) Promote, advocate and oversee virology research ethics, biosafety, and
- 8 biosecurity;
- 9 f) Develop and maintain an information system on virology science and
- 10 technology for use by both the public and private sectors;
- 11 g) Develop and implement, together with other entities concerned, programs
- 12 for strengthening scientific and technological capabilities in virology and
- 13 relevant disciplines through human resource development, infrastructure,
- 14 and institution building;
- 15 h) Undertake policy research, technology assessment, and other related
- 16 studies on virology;
- 17 i) Provide laboratory and technical services on virology;
- 18 j) Promote and advocate the national programs on virology science and
- 19 technology; and
- 20 k) Establish linkages with local and international partners.

21 *Sec. 8. Organizational Structure.* – The VIP shall be headed by a Director and  
22 two (2) Deputy Directors – one (1) for Research and Development, and one (1) for  
23 Support, Policy, and Linkages.

24 The VIP shall be composed of the following divisions:

- 25 a) Virus Research;
- 26 b) Diagnostics and Therapeutics Research;
- 27 c) Vaccines Research;
- 28 d) Technical Services and Training;
- 29 e) Policy, Planning, and Linkages; and
- 30 f) Finance and Administration.

31 The Deputy Director for Research and Development shall oversee the  
32 operations of the Virus Research, Diagnostics and Therapeutics Research, and

1 Vaccines Research Divisions. The Deputy Director for Support, Policy, and Linkages  
2 shall oversee the operations of the Technical Services and Training, Policy, Planning,  
3 and Linkages, and Finance and Administration Divisions.

4 The VIP shall have technical and administrative support staff and consultants.  
5 The consultants may come from the public and private sectors on a consultancy or  
6 contractual basis, and shall be granted honoraria or allowances in accordance with  
7 existing rules and regulations.

8 Subject to the approval of the Department of Budget and Management (DBM),  
9 the VIP shall determine its organizational structure, create new divisions or units as it  
10 may deem necessary, and appoint its officers and employees.

11 For this purpose, the VIP shall, in consultation with the DBM, determine the  
12 necessary position qualifications and standards for its personnel following civil service  
13 laws, rules, and regulations.

14 *Sec. 9. Qualifications of the VIP Director and Deputy Directors.* – Upon the  
15 recommendation of the Governing Board, the President of the Philippines shall appoint  
16 the Director of the VIP who must possess a bachelor's degree in the field of  
17 microbiology and a postgraduate degree in virology, and should have at least three  
18 (3) years experience in the field of diagnostic virology. The Director of the VIP shall  
19 have the rank of Director IV, Salary Grade (SG)-28, and shall exercise overall  
20 responsibility over the activities of the VIP, including the supervision over VIP staff.  
21 The Director of the VIP shall report to the President of the Republic of the Philippines  
22 and the Secretary of the Department of Science and Technology (DOST) the results  
23 of the various diagnostic assays and research studies undertaken by the VIP.

24 Each of the Deputy Directors of the VIP shall have a rank of Director III, SG-  
25 27. Each must possess a Bachelor's Degree in Microbiology or in a similar field and at  
26 least a Master's Degree in Virology.

27 *Sec. 10. The Governing Board.* – The Governing Board shall be the highest  
28 policy-making body for the scientific and technological activities of the VIP, composed  
29 of the following:

- 30 a) The Secretary of the DOST, as Chairperson;
- 31 b) The Secretary of the Department of Health (DOH), as Co-Chairperson;
- 32 c) Secretary of Department of Agriculture (DA), as Co-Chairperson;



1 d) Members:

- 2 1) Undersecretary of the Department of Environment and Natural  
3 Resources (DENR);  
4 2) Undersecretary for Technology for Research and Development of the  
5 DOST;  
6 3) Undersecretary of the Department of Foreign Affairs (DFA) for  
7 International Economic Relations;  
8 4) Chairperson of the Commission on Higher Education (CHED);  
9 5) Director of the Research Institute for Tropical Medicine (RITM);  
10 6) Director-General of the Food and Drug Administration (FDA);  
11 7) Director of VIP;  
12 8) Executive Director of University of the Philippines-National Institutes of  
13 Health (UP-NIH);  
14 9) Representative from the National Academy of Science and Technology;  
15 10) Representative from the National Research Council of the Philippines;  
16 and  
17 11) Three (3) representatives from the private sector appointed by the  
18 President of the Philippines, as nominated by the Governing Board.  
19 These representatives shall have distinguished themselves in the field  
20 of medical virology, genomics, plant virology, animal virology,  
21 epidemiology, genetic engineering, and other related disciplines.

22 The VIP Secretariat shall serve as the Secretariat to the Governing Board.

23 *Sec. 11. Transfer of Units, Offices and Functions.* – All offices and units under  
24 the DOST system which functions are related to virology shall be transferred to the  
25 VIP.

26 All powers, functions, assets, capital, records, receivables, equipment and  
27 facilities of the DOST units or its division shall be transferred to the VIP. The DOST  
28 shall conduct an audit and inventory of assets, liabilities and human resources of the  
29 transferred offices and units under the DOST system to the VIP. All transferred and  
30 new employees under the DOST system shall be subject to the qualification standards  
31 provided for in the laws, rules and regulations of the Civil Service Commission.



1           Sec. 12. *Engagement of Balik Scientists and Foreign Experts.* – The VIP may  
2 engage the services of *Balik Scientists* and foreign experts who shall work together  
3 with the local scientists and experts, following the terms of reference and  
4 compensation structure in accordance with Republic Act No. 11035 or the “Balik  
5 Scientist Program Act” and other existing laws.

6           Sec. 13. *International Cooperation.* – The VIP shall establish strategic  
7 partnerships with the world’s leading scientists, virology centers and institutes, and  
8 conduct innovative and pioneering researches that will advance the frontiers of  
9 virology in the country. It may enter into a memorandum of agreement or  
10 understanding with international partners, upon the approval of its Governing Board  
11 and in compliance with existing laws, rules, regulations and issuances of the  
12 Department of Foreign Affairs (DFA). The DFA shall provide technical, legal and other  
13 forms of assistance to the VIP.

14           The Regional Office of the World Health Organization (WHO) in the Philippines  
15 shall also be consulted upon approval of the Governing Board of the VIP.

16           Sec. 14. *Interdepartmental Cooperation.* – The VIP shall collaborate with the  
17 DOH, Department of Finance (DOF), FDA, RITM and other relevant government  
18 agencies, in accessing and mobilizing available information, reports, technical  
19 expertise, equipment, materials and supplies as may be required to implement this  
20 Act.

21           The scientific findings of the VIP shall be integrated in other plans relating to  
22 disease control and prevention and in the plans of the Inter-Agency Task Force on  
23 Emerging Infectious Diseases, as created by Executive Order No. 168 s. 2014, or its  
24 successor body, for the management of public health emergencies relating to  
25 infectious diseases.

26           Sec. 15. *Private-Public Partnerships (PPPs).* – The Department of Trade and  
27 Industry (DTI), the DOH, Public-Private Partnership (PPP) Center and the DOST shall  
28 collaborate in seeking Private-Public Partnerships (PPPs) for the development of new  
29 industries, products and services where the VIP shall be the main research and  
30 development unit.

1 The DOST may also request the assistance of other national and local  
2 government agencies in seeking PPPs where the VIP shall be the main research and  
3 development unit.

4 *Sec. 16. Promotion of Virology Industry.* – The DOST, in partnership with the  
5 DTI and the DOH, shall jointly develop an industry roadmap for products and services  
6 that can be created, improved, or optimized by research from the VIP. As far as  
7 practicable, the industry roadmap shall include the use of local materials in the  
8 development of new products. The industry developed or established resulting from  
9 the VIP researches shall be included in the national government’s priority industries  
10 for incentives.

11 *SEC. 17. Promotion of Knowledge-transfer and Research in the Academe.* - The  
12 VIP shall promote the creation of hubs and programs for virology research and  
13 development in the academe, particularly in state universities and colleges (SUCs).  
14 Towards this end, the VIP shall assist SUCs in the creation of virology courses and  
15 programs, open internships and scholarships for qualified students of higher education  
16 institutions (HEIs) and collaborate with HEIs in the creation of virology research  
17 centers.

18 The CHED shall collaborate with the DOST in the promotion of HEI-VIP  
19 partnerships.

20 *Sec. 18. Protection of VIP-developed Intellectual Property.* – The Governing  
21 Board of the VIP shall ensure that all technologies developed exclusively by the VIP  
22 with full funding from Filipino taxpayers shall be protected by intellectual property laws  
23 in accordance with Republic Act No. 10055 or the “Technology Transfer Act of 2009”  
24 and other applicable laws. Any patent or property right award granted to the VIP shall  
25 be held by and in the name of the Philippine Government. In the case of partnerships,  
26 where the VIP is a collaborating research partner, the Governing Board shall ensure  
27 that technologies co-developed by the VIP shall also be co-attributed to the Philippine  
28 Government, with the corresponding intellectual protection.

29 *Sec. 19. Procurement of Specialized Materials, Equipment and Services.* – The  
30 VIP shall undertake the procurement of specialized materials, equipment, and services  
31 to be used by the VIP in its operation and administration, in the most expeditious  
32 manner, and adopt the most suitable or appropriate method of procurement that it

1 deems fit based on its identified needs and requirements depending on the existing  
2 conditions and requirements that justify the use of a particular alternative modality  
3 provided for by Republic Act No. 9184 or the "Government Procurement Reform Act"  
4 and its implementing rules and regulations.

5       Sec. 20. *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 Province shall be allocated  
8 exclusively for the VIP, its research facilities, and laboratories. The biosafety  
9 infrastructure shall be designed based on risk assessment standards and guidelines of  
10 the World Health Organization (WHO) for handling specific pathogens and the  
11 establishment of virology laboratories in developing countries.

12       Sec. 21. *Entitlement to Magna Carta Benefits.* – Qualified employees of the VIP  
13 shall be covered by Republic Act No. 8439, otherwise known as "Magna Carta for  
14 Scientists, Engineers, Researchers and Other Science and Technology Personnel in  
15 Government".

16       Sec. 22. *Virology Research Fund.* – All donations, contributions, grants,  
17 bequests, or gifts, in cash or in-kind, received by the VIP from various sources shall  
18 be placed into a fund, to be known as the Virology Research Fund and such donations  
19 shall be exempt from donor's tax: *Provided,* That acceptance of grants, bequests,  
20 contributions, and donations from foreign governments shall be subject to the  
21 approval of the President of the Philippines, upon the recommendation of the  
22 Secretary of the DOST and the Secretary of DFA.

23       Sec. 23. *Authority to Solicit, Negotiate, and Receive Donations, Grants, Gifts,*  
24 *Legacies, Endowments, and Contributions.* – The VIP may solicit, negotiate with, and  
25 receive from any public or private domestic or foreign sources legacies, gifts,  
26 donations, grants, endowments, contributions or other transfers of ownership and/or  
27 possession of real or personal properties of all kinds in favor and for the benefit of the  
28 VIP, which shall all be part of the special account in the general fund.

29       Sec. 24. *Tax Exemptions.* – Donations, grants, endowments, legacies, and  
30 contributions used actually, directly and exclusively for the purpose of the VIP shall be  
31 exempt from donor's tax and the same shall be considered as allowable deduction  
32 from gross income for purposes of computing the taxable income of the donor, in



1 accordance with Sec. 34 (H)(2)(a) of the National Internal Revenue Code of 1997, as  
2 amended. Likewise, such other transfers of ownership and/or possession of real or  
3 personal properties of all kinds shall be exempt from all taxes.

4       Sec. 25. *Annual Report.* – The VIP shall submit its annual report to the President  
5 and to the Committees on Science and Technology in both Houses of Congress, not  
6 later than the 30<sup>th</sup> of March of every year following the effectivity of this Act. The  
7 annual report shall provide a full and detailed account of the status of the  
8 implementation of this Act and policy recommendations.

9       Sec. 26. *Joint Congressional Oversight Committee.* – There shall be a Joint  
10 Congressional Oversight Committee on the implementation of this Act, which shall be  
11 jointly chaired by the Chairpersons of the Committees on Science and Technology of  
12 the Senate and House of Representatives. It shall be composed of the Chairpersons  
13 of the Senate Committees on Health and Demography, and Agriculture, Food and  
14 Agrarian Reform, the Chairpersons of the Committees on Health, and Agriculture and  
15 Food of the House of Representatives, and two (2) members from each House  
16 representing the minority who shall be appointed by the Senate President and the  
17 Speaker of the House of Representatives.

18       Sec. 27. *Appropriations.* – The initial sum for the implementation of this Act  
19 shall be charged against the current year's appropriations of the DOST. Thereafter,  
20 the funding of which shall be included in the annual General Appropriations Act.

21       Sec. 28. *Transitory Provisions.* –

22       a) The functions and assets of the DOST units enumerated herein shall be  
23 transferred to the VIP within three (3) years without need of conveyance,  
24 transfer of assignment.

25       b) To the greatest extent possible and in accordance with existing laws, all  
26 employees of the affected offices, agencies and units shall be absorbed by  
27 the VIP. Personnel hired on a permanent basis and with appointments  
28 attested by the CSC who may be affected by the transition of DOST units to  
29 VIP, or who will not be absorbed in the new positions of the new staffing  
30 pattern of the different offices in the VIP, shall have the option to:

31       1) Be transferred to other units/offices within the DOST in accordance with  
32 civil service laws, rules and regulations; or

1           2) Avail of the applicable retirement benefits and separation incentives as  
2           provided under R.A. No. 6656 and other relevant laws.

3           c) Incumbent DOST officials and employees may be considered to assume  
4           positions in the VIP, subject to competency evaluation and CSC regulations;

5           d) Research grants acquired during the transition of DOST transferred units to  
6           VIP shall be utilized solely for the grants' intended purposes for each of the  
7           affected units or offices;

8           e) Existing contracts and agreements entered into by the affected offices with  
9           third parties prior to the enactment of this Act shall remain valid.

10          Sec. 29. *Implementing Rules and Regulations.* – The DOST Secretary, in  
11          consultation with DBM, DOH, Civil Service Commission, and other relevant government  
12          agencies, shall promulgate the necessary rules and regulations within one hundred  
13          twenty (120) days from the effectivity of this Act.

14          Sec. 30. *Separability Clause.* – If any provision or part hereof is held invalid or  
15          unconstitutional, the remainder of the law or the provision or part not otherwise  
16          affected shall remain valid and subsisting.

17          Sec. 31. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
18          order, letter of instruction, administrative order, rule, or regulation contrary to or  
19          inconsistent with the provisions of this Act are hereby repealed, modified, or amended  
20          accordingly.

21          Sec. 32. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
22          publication in the *Official Gazette* or in a newspaper of general circulation.

*Approved,*