

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

23 FEB 15 P5:38

SENATE

RECEIVED BY: 

S. No. 1890

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Introduced by Senator MANUEL "LITO" M. LAPID

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**AN ACT**  
**ESTABLISHING THE PHILIPPINE VIROLOGY SCIENCE AND TECHNOLOGY**  
**INSTITUTE, TO APPROPRIATE FUNDS THEREFOR, AND FOR OTHER**  
**PURPOSES**

**EXPLANATORY NOTE**

The coronavirus disease 2019 (COVID-19) pandemic has greatly affected the world with Philippines being one of the hardest hit in South East Asia based on the reported number of COVID-19 cases and deaths. Our country struggled in keeping our national healthcare systems and capacities running and was unable to keep up with the exponential increase of COVID-19 cases.<sup>1</sup>

The Philippines is part of ASEAN, a region that has been seen as usual origin of lethal disease outbreaks over the years and, thus, has been recognized as a hotspot for emerging infectious diseases, including those with pandemic potential.<sup>2</sup>

The Philippines continues to confront issues in responding to public health emergencies due to poorly dispersed and managed resources and capabilities. The advent of SARS-CoV-2, a novel strain of the coronavirus, in 2020 emphasized the need for increased and more organized activities in research and development in virology

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<sup>1</sup> <https://www.unescap.org/sites/default/d8files/2020-07/SG-Policy-brief-COVID-19-and-South-East-Asia-30-July-2020.pdf>

<sup>2</sup> <https://pubmed.ncbi.nlm.nih.gov/21269678/> | Coker RJ, Hunter BM, Rudge JW, Liverani M, Hanvoravongchai P, 2011. Emerging infectious diseases in southeast Asia: regional challenges to control. *Lancet* 377: 599–609.


and infectious disease. The establishment of a research institution specializing in virology research is essential in better preparing the country for such health calamities.

*Sa kadahilanang ang siyentipikong pananaliksik ay mahalaga sa pambansang kaunlaran at upang ingatan ang karapatan ng mga mamamayan sa kalusugan, ating ipinapanukala ang pagtatatag ng Virology Institute of the Philippines. Ang panukalang batas na ito ay magtatatag ng isang institusyong na bibigyan ng kakayahan ang bansa ng tumindig sa sarili at magkaroon ng kakayahan sa pananaliksik at dalubhasaan sa larangan ng virology. Ito ang magbibigay sa ating bansa ng kakayahan na gumawa magpaunlad ng ating sariling diagnostic kits, vaccines, at gamot na lunas sa idinadaing na mga sakit at karamdamam hindi lamang ng mga tao kundi pati na rin ng mga hayop at halaman.*

Recognizing the importance of research and development capacities in virology, this measure seeks to establish the Virology Institute of the Philippines. An institution that specializes in virology that will enable Filipino researchers to conduct studies on the emerging infectious diseases as quickly as possible. It will likewise strengthen the country's virology research capacity that is crucial in supporting support the country's public health preparedness, and guide authorities in implementing evidence-informed response strategies.<sup>3</sup>

Furthermore, it shall mandate the government to invest more in research advancement, develop an equitable and secure national research framework, improve public awareness regarding the importance of such initiatives, and develop a stronger international collaboration with regards to research efforts in virology.

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

  
**MANUEL "LITO" M. LAPID**  
*Senator*

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<sup>3</sup> <https://www.stii.dost.gov.ph/1444-dost-secretary-emphasizes-the-benefits-of-a-ph-virology-and-vaccine-institute>

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1 **AN ACT**  
2 **ESTABLISHING THE PHILIPPINE VIROLOGY SCIENCE AND TECHNOLOGY**  
3 **INSTITUTE, TO APPROPRIATE FUNDS THEREFOR, AND FOR OTHER**  
4 **PURPOSES**

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

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

7 **SECTION 2.** *Declaration of Policy.* — It is the policy of the State to protect and  
8 promote the right to health of the people and instill health consciousness among them.  
9 The State recognizes that science and technology is essential for national development  
10 and progress.

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

17 In this regard, the State shall prioritize the establishment of an institute that  
18 will conduct in-depth studies on viruses and their potential disease-causing agents  
19 that affect people, plants, and animals, in order to provide the scientific bases for the

1 treatment of viral diseases, and for the formulation of policies that shall prevent the  
2 transmission of these diseases within the community and national context.

3 **SECTION 3. Objectives.** — This Act seeks to establish a virology and vaccine  
4 institute that shall focus on the following key science and technology applications:

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

15 **SECTION 4. Definition of Terms.** — As used in this Act:

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

- 1 f. *Vaccine* refers to a product that induces or stimulates active acquired immunity  
2 by producing antibodies to a specific infectious agent. It helps the body's  
3 immune system to recognize and fight pathogens like viruses or bacteria; and  
4 g. *Virology* refers to the scientific discipline concerned with the study of the  
5 biology of viruses and viral diseases of plant, animal, and human medical  
6 importance and pandemic potential, including the distribution, pathogenicity,  
7 viral cytopathicity, biochemistry, physiology, molecular biology, biotechnology,  
8 ecology, tropism, spillover or interspecies transmission, evolution, and clinical  
9 aspects of viruses.

10 **SECTION 5.** *Creation of the Virology and Vaccine Institute of the Philippines.*

11 — The Virology and Vaccine Institute of the Philippines (VIP) is hereby created and  
12 shall be attached to the Department of Science and Technology (DOST) for purposes  
13 of policy and program coordination and to ensure alignment in national policies and  
14 priorities.

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

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

26 **SECTION 7.** *Powers, Functions, and Duties.* — To accomplish its mandate, the  
27 VIP shall have the following powers, functions, and duties:

- 1 a. Serve as the lead convener for the formulation of the National Virology  
2 Research Agenda, in consultation with all concerned stakeholders, that will  
3 encompass researches involving viruses of plant, animal and humans;
- 4 b. Undertake scientific and technological research and development in the field of  
5 virology;
- 6 c. Conduct product research and development in the areas of diagnostics,  
7 therapeutics, and vaccines in cooperation with the private sector and concerned  
8 agencies;
- 9 d. Promote and undertake the transfer of the results of scientific research and  
10 development in collaboration with government agencies, industry, and the  
11 academe;
- 12 e. Promote, advocate and oversee virology research ethics, biosafety, and  
13 biosecurity;
- 14 f. Develop and maintain an information system on virology science and  
15 technology for use by both the public and private sectors;
- 16 g. Develop and implement, together with other entities concerned, programs for  
17 strengthening scientific and technological capabilities in virology and relevant  
18 disciplines through human resource development, infrastructure, and institution  
19 building;
- 20 h. Undertake policy research, and other related studies on virology;
- 21 i. Provide laboratory and technical services on virology;
- 22 j. Promote and advocate the national programs on virology science and  
23 technology;
- 24 k. Establish linkages with local and international partners; and
- 25 l. Assume additional functions such as the conduct of clinical research or trials  
26 and other incidental works, as may be deemed appropriate.

27 **SECTION 8. *Organizational Structure.*** — The VIP shall be headed by a Director  
28 and two (2) Deputy Directors for Research and Development, and Support, Policy, and  
29 Linkages.

30

1 The VIP shall have technical and administrative support staff and consultants.  
2 The consultants may be selected from the public and private sectors and shall serve  
3 on a contractual basis. They shall be granted honoraria or allowances in accordance  
4 with existing rules and regulations.

5 Subject to the approval of the Department of Budget and Management (DBM),  
6 the VIP shall determine its organizational structure and staffing pattern, subject to the  
7 existing compensation and position classification system and civil service rules and  
8 regulations.

9 **SECTION 9. *Qualifications of the VIP Director and Deputy Directors.*** — Upon  
10 the recommendation of the Governing Board, the President of the Philippines shall  
11 appoint the Director of the VIP.

12 The Director must possess:

- 13 a. a bachelor's degree in the field of microbiology or any other specialization;
- 14 b. a postgraduate degree in virology or any other related fields; and,
- 15 c. at least three (3) years work experience in the field of virology.

16 The Director of the VIP shall have the rank of Director IV, Salary Grade (SG) -  
17 28, and shall exercise overall responsibility over the activities of the VIP, including the  
18 supervision over VIP staff. The Director of the VIP shall report to the President of the  
19 Philippines and the Secretary of the DOST the results of the various diagnostic assays  
20 and research studies undertaken by the VIP.

21 Each of the Deputy Directors of the VIP shall have a rank of Director III, SG -  
22 27. The Deputy Director for Research and Development must possess a Bachelor's  
23 Degree in Microbiology or in a similar field and at least a Master's Degree in Virology.  
24 The Deputy Director for Support, Policy, and Linkages must possess a Bachelor's  
25 degree and a Master's degree relevant to the position.

26 **SECTION 10. *The Governing Board.*** — The VIP shall have a Governing Board  
27 which shall be the policymaking body for the scientific and technological activities of  
28 the VIP. It shall be composed of the following:

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

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



1           **SECTION 11.** *Transfer of Units, Offices, and Functions.* — All offices and units  
2 under the DOST system which functions are related to virology shall be transferred to  
3 the VIP.

4           All powers, functions, assets, capital, records, funds, receivables, equipment  
5 and facilities of the DOST units or its division shall be transferred to the VIP. The DOST  
6 shall conduct an audit and inventory of assets, liabilities and human resources of the  
7 transferred offices and units under the DOST system to the VIP.

8           All transferred and new employees under the DOST System shall be subject to  
9 the qualification standards provided for by law, and by the rules and regulations of  
10 the Civil Service Commission (CSC).

11           **SECTION 12.** *Engagement of Balik Scientists and Foreign Experts.* - The VIP  
12 shall endeavor engage the services of Balik Scientists and foreign experts who shall  
13 work together with the local scientists and experts, following the terms of reference  
14 and compensation structure in accordance with Republic Act No. 11035 or the "Balik  
15 Scientist Act" and other existing laws.

16           **SECTION 13.** *International Cooperation.* — The VIP shall establish strategic  
17 partnerships with the world's leading scientists and virology centers and institutes,  
18 and conduct innovative and pioneering researches that will advance the frontiers of  
19 virology in the country. It may enter into a memorandum of agreement or  
20 understanding with international partners, upon the approval of its Governing Board  
21 and in compliance with existing laws, rules, regulations and issuances of the DFA. The  
22 DFA shall provide the VIP advice and assistance on drafting and negotiations of  
23 international legal instruments.

24           The Regional Office of the World Health Organization (WHO) in the Philippines,  
25 World Organization for Animal Health and other relevant international organizations  
26 shall also be consulted upon approval of the Governing Board of the VIP.

27           **SECTION 14.** *Interdepartmental Cooperation.* — The VIP shall collaborate  
28 with the DOH, Department of Finance, FDA, RITM and other relevant government  
29 agencies, in accessing and mobilizing available information, reports, technical

1 expertise, equipment, materials and supplies as may be required to implement this  
2 Act.

3 The Scientific findings of the VIP shall be integrated in other plans relating to  
4 disease control and prevention and in the plans of the Inter-Agency Task Force for  
5 the Management of Emerging Infectious Diseases, as created by Executive Order No.  
6 168 s. 2014, or its successor body, for the management of public health emergencies  
7 relating to infectious diseases.

8 **SECTION 15.** *Private-Public Partnerships (PPPs).* — The Department of Trade  
9 and Industry (DTI), the DOH, DA, Public-Private Partnership Center and the DOST  
10 shall collaborate in seeking Private-Public Partnerships (PPPs) for the development of  
11 new industries, products and services where the VIP shall be the main research and  
12 development unit.

13 The DOST may also request the assistance of other national and local  
14 government agencies in seeking PPPs.

15 **SECTION 16.** *Promotion of Virology Industry.* — The DOST shall, in  
16 partnership with the DOH, DA and the DTI, jointly develop an industry roadmap for  
17 products and services that can be created, improved, or optimized by research from  
18 the VIP. As far as practicable, the industry roadmap shall include the use of local  
19 materials in the development of new products. The industry developed or established  
20 resulting from the VIP researches shall be included in the national government's  
21 priority industries for incentives.

22 **SECTION 17.** *Promotion of Knowledge-transfer and Research in the Academe.*  
23 — The VIP shall promote the creation of hubs and programs for virology research and  
24 development in the academe, particularly in state universities and colleges (SUCs). To  
25 this end, the VIP shall assist SUCs in the creation of virology courses and programs,  
26 open internships and scholarships for qualified students of higher education  
27 institutions (HEIs), and collaborate with HEIs in the creation of virology research  
28 centers.

1           The CHED shall collaborate with the DOST in the promotion of HEI-VIP  
2 partnerships.

3           **SECTION 18.** *Protection of VIP-developed Intellectual Property.* — The  
4 Governing Board of the VIP shall ensure that all technologies developed exclusively by  
5 the VIP with full funding from Filipino taxpayers shall be protected by intellectual  
6 property laws in accordance with Republic Act No. 10055, also known as the  
7 "Philippine Technology Transfer Act of 2009," and other applicable laws. Any patent  
8 or property right award granted to the VIP shall be held by and in the name of the  
9 Philippine Government. In the case of partnerships, where the VIP is a collaborating  
10 research partner, the Governing Board shall ensure that technologies co-developed by  
11 the VIP shall also be co-owned by the Philippine Government, and correspondingly  
12 accorded intellectual property protection under the law.

13           **SECTION 19.** *Procurement of Specialized Materials, Equipment, and Services.*  
14 — The VIP shall undertake the procurement of specialized materials, equipment, and  
15 services to be used by the VIP in its operation and administration, in the most  
16 expeditious manner, and adopt the most suitable or appropriate method of  
17 procurement that it deems fit based on its identified needs and requirements  
18 depending on the existing conditions and requirements that justify the use of a  
19 particular alternative modality provided for by Republic Act No. 9184, otherwise known  
20 as the "Government Procurement Reform Act" and its 2016 Revised Implementing  
21 Rules and Regulations.

22           **SECTION 20.** *Official Site of VIP.* — A lot with an area equivalent to at least  
23 five (5) hectares under the administration of the Bases Conversion and Development  
24 Authority within the New Clark Economic Zone in Tarlac Province shall be allocated  
25 exclusively for the VIP, its research facilities, and laboratories. The biosafety  
26 infrastructure shall be designed based on risk assessment standards and guidelines of  
27 the WHO for handling specific pathogens and the establishment of virology  
28 laboratories in developing countries.

29           **SECTION 21.** *Entitlement to Magna Carta Benefits.* — Qualified employees of  
30 the VIP shall be covered by Republic Act No. 8439, otherwise known as the "Magna

1 Carta for Scientists, Engineers, Researchers and Other S&T Personnel in the  
2 Government," as amended.

3 **SECTION 22. *Virology Research Fund.*** — All donations, contributions, grants,  
4 bequests, or gifts, in cash or in-kind, received by the VIP from various sources shall  
5 be placed into a fund, to be known as the Virology Research Fund, and such donations  
6 shall be exempt from donor's tax: Provided, That acceptance of grants, bequests,  
7 contributions, and donations from foreign governments shall be subject to the  
8 approval of the President of the Philippines, upon the recommendation of the  
9 Secretary of the DOST and the Secretary of the DFA.

10 **SECTION 23. *Authority to Solicit, Negotiate, and Receive Donations, Grants,***  
11 ***Gifts, Legacies, Endowments, and Contributions.*** — The VIP may solicit, negotiate  
12 with, and receive from any public or private domestic or foreign sources legacies, gifts,  
13 donations, grants, endowments, contributions or other transfers of ownership and/or  
14 possession of real or personal properties of all kinds in favor of and for the benefit of  
15 the VIP, which shall be released in a timely manner to address an existing or emerging  
16 public emergency or consistent with the urgent nature of VIP mandate and functions,  
17 subject to existing budgeting, accounting and auditing laws, rules and regulations.

18 **SECTION 24. *Tax Exemptions.*** — Donations, grants, gifts, endowments,  
19 legacies, and contributions used actually, directly and exclusively for the purpose of  
20 the VIP shall be exempt from donor's tax and the same shall be considered as  
21 allowable deduction from gross income for purposes of computing the taxable income  
22 of the donor, in accordance with Sec. 34 (H)(2)(a) of the National Internal Revenue  
23 Code of 1997, as amended. Likewise, such other transfers of ownership and/or  
24 possession of real or personal properties of all kinds shall be exempt from all taxes.

25 **SECTION 25. *Annual Report.*** — The VIP shall submit its annual report to the  
26 President and to the Committees on Science and Technology in both Houses of  
27 Congress, not later than the 30th of March of every year following the effectivity of  
28 this Act. The annual report shall provide a full and detailed account of the status of  
29 the implementation of this Act and policy recommendations.

1           **SECTION 26.** *Joint Congressional Oversight Committee.* — There shall be a  
2 Joint Congressional Oversight Committee on the VIP Act, which shall be jointly chaired  
3 by the Chairpersons of the Committees on Science and Technology of the Senate and  
4 the House of Representatives. It shall be composed of the Chairpersons of the Senate  
5 Committees on Health and Demography, and Agriculture, Food and Agrarian Reform,  
6 the Chairpersons of the Committees on Health, and Agriculture and Food of the House  
7 of Representatives, and two (2) Members from each House representing the minority  
8 who shall be appointed by the Senate President and the Speaker of the House of  
9 Representatives.

10           **SECTION 27.** *Appropriations.* — The initial amount for the implementation of  
11 this Act shall be charged against the current year's appropriations of the DOST.  
12 Thereafter, the funding of which shall be included in the annual General Appropriations  
13 Act.

14           **SECTION 28.** *Transitory Provisions.* —

15           a. The functions and assets of the DOST units which shall be absorbed by the VIP  
16 shall be transferred accordingly pursuant to Section 11 (Transfer of Units,  
17 Offices and Functions) hereof within three (3) years without need of  
18 conveyance and transfer of assignment.

19           b. To the greatest extent possible and in accordance with existing laws, all  
20 employees of the affected offices, agencies, and units shall be absorbed by the  
21 VIP. Personnel hired on a permanent basis and with appointments attested to  
22 by the CSC who may be affected by the transfer of DOST units to VIP, or who  
23 will not be absorbed in the new positions of the new staffing pattern of the  
24 different offices in the VIP, shall have the option to:

25                   1. Be transferred to other units or offices within the DOST in accordance  
26                   with civil service laws, rules and regulations; or

27                   2. Avail of the applicable retirement benefits and separation incentives as  
28                   provided under Republic Act No. 6656, entitled "An Act to Protect the  
29                   Security of Tenure of Civil Service Officers and Employees in the

1                   Implementation of Government Reorganization,” and other relevant  
2                   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 VIP  
6           shall be utilized solely for the grants' intended purposes for each of the affected  
7           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           **SECTION 29. *Implementing Rules and Regulations.*** — The DOST Secretary  
11 shall, in consultation with DBM, DOH, CSC, and other relevant government agencies,  
12 promulgate the necessary rules and regulations within one hundred twenty (120) days  
13 from effectivity of this Act.

14           **SECTION 30. *Separability Clause.*** — If any portion of this Act is declared  
15 invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

16           **SECTION 31. *Repealing Clause.*** — All laws, decrees, orders, rules, and  
17 regulations or other issuances or parts thereof inconsistent with the provisions of this  
18 Act are hereby repealed or modified accordingly.

19           **SECTION 32. *Effectivity.*** — This Act shall take effect fifteen (15) days after its  
20 publication in the Official Gazette or in a newspaper of general circulation.

21           *Approved,*