

## LEGISLATION

We are all aware of the great contributions science has made not only in strengthening a country's national defense but also in bringing a great uplift in the standard of living and economy of a people. Atomic energy has been transformed from an instrument of war to a solid anvil of industry and economy. And rightly so, we do not want to be mere onlookers of so great a wonder. Working under a vivid consciousness of our potentiality to claim a place among the advanced nations of the world, the Senate initiated the passing of a bill known as S. B. NO. 507 (H.B. No. 5877), now known as Republic Act No. 1606, entitled "AN ACT TO PROMOTE SCIENTIFIC, ENGINEERING AND TECHNOLOGICAL RESEARCH, INVENTION AND DEVELOPMENT." It gained unanimous approval because in the words of the proponent of the bill, Sen. Locsin, "In the more advanced nations, Mr. President, four and a half per cent of their resources are used in scientific investigations, but in this country of ours one has to employ a magnifying glass in that great volume of our appropriation laws, items with which to finance scientific investigations." (translations ours).<sup>1</sup>

The Act creates a National Science Board under the Office of the President composed of ten members representing each of the following: the National Research Council of the Phil., University of the Phil., Science Foundation of the Phil., Institute of Science and Technology, Phil. Association for the Advancement of Science, Phil. Confederation of Professional Organizations, Dept. of Agriculture and Natural Resources, Dept. of Health, Dept. of Commerce and Industry, manufacturing industries, and the National Economic Council. It seeks, among others, to coordinate and synchronize the various researches being undertaken by the different instrumentalities of the government and to encourage the citizens, whether public officials or private citizens, whether professors or students, to engage in scientific, engineering and technological research, and, in particular, when the Board deems it necessary for the promotion of the Act.

However, in the deliberation of the said Act, various problems came out arising from the wording of the bill itself, among them are, the question of double compensation for public officials and professors in the University of the Philippines provided for in Sec. 1 (c) of the Act, and the authority of the Senate to initiate a bill containing a direct appropriation. Senator Locsin manifested the doubt of the committee as to whether such additional

<sup>1</sup> TRANSCRIPT OF CONG. REC., June 27, 1956.

compensation cited above would fall under the provision of the Constitution regarding double compensation and it was duly solved by Senator Tañada, to quote, "...double compensation is prohibited by the Constitution, but if it is expressly provided in the bill, double compensation by itself is not prohibited by the Constitution."<sup>2</sup> However, Senator Locsin has another solution in order to avoid an inconsistency with our Constitution by claiming that such additional compensation could well be arranged as an overtime compensation. Senator Paredes, on the other hand, expressed the opinion that the bill being an amendment by substitution and no substitute amendment being present raises a constitutional question as to the right of the Senate to initiate such bill because it is an appropriation act. True, the Act has for the most part of it a detailed citation of the various items subject of appropriations necessary for the implementation of the Act, contained in appendices "A", "B", "C", "D", "E", "F", "G", and "H" which form an integral part of the same. All in all, it amounts to four million five hundred thousand pesos for the fiscal year nineteen hundred and fifty-seven. However, this appropriation is merely incidental to implement the policy established by the said Act. And in the words of Senator Primicias, to which the proponent of the bill concurred, he states thus, "There are those who believe that from the moment a bill contains a direct appropriation of money, it is contended that the Senate has no authority to initiate such legislation. Others believe that so long as the bill has a definite purpose to realize a certain national policy and the appropriation is merely incidental to implement that policy, the senate has power to initiate that legislation. I am, Mr. President, in accord with the second school of thought."<sup>3</sup> The same was adopted by the majority.

The Act, noticeably, however, while mentioning the various fields of concentration, do not expressly touch upon the field of sugar research, the pet of the Sugar Block to which the proponent belongs. To this, the proponent of the bill retorted that sugar research is already a special activity covered by a special law and for the time being it is not included since efforts are being exerted and directed to those that are more vital and really require very ample research and study, although, it is still covered by the bill under Sec. 1 (i) No. 8, "Other new and necessary research projects."

It is, indeed, a very comprehensive legislation covering a very wide expanse of concentration which could very well be a good solution for an underdeveloped Philippines. It is not, however, new for it is merely an attempt for the most part to centralize all scientific and engineering researches going on in the country, and for the latter part, the introduction of modern and more efficient instruments and apparatus for the purpose.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

[R.A. NO. 1606]

## AN ACT

## TO PROMOTE SCIENTIFIC, ENGINEERING AND TECHNOLOGICAL RESEARCH, INVENTION AND DEVELOPMENT.

SECTION 1. In order to promote scientific, engineering and technological research, invention, and development, the Government shall, in accordance with the provisions of this Act:

(a) Grant scholarships in science, engineering and technology for especially gifted citizens;

(b) Grant bonus and other financial aid to brilliant and deserving scientific, engineering and technological researchers;

(c) Give additional compensation to scientific, engineering and technological researchers employed in the Government who, for financial reasons, engage in teaching or in private business after office hours, subject to the condition that upon receiving such additional compensation, they shall no longer engage in teaching or in private business but shall devote themselves after office hours to scientific research and studies: *Provided*, That the faculty and other personnel of the University of the Philippines engaged in scientific engineering and technical research who are not authorized to teach outside or engage in private business shall be entitled to the additional compensation equivalent to that received by officials and personnel of other branches of the government of equivalent rank;

(d) Employ the services of recognized scientists, engineers and technologists for the purpose of training promising young scientists or researchers;

(e) Acquire all the necessary scientific, engineering or technical equipment and supplies which may be needed for conducting researchers;

(f) Enter into contract with private persons, firms and corporations in order for them to undertake any scientific, engineering and technological research, invention and development that can not be undertaken in the various laboratories, bureaus, offices, agencies and instrumentalities of the Government;

(g) Extend aids to research, travel grants; send participants to international conferences or congresses; hold International Scientific or Engineering and Technological Conferences and Congresses in the Philippines; and establish exchange of scientific, engineering and technological information with other countries;

(h) Establish an industrial research and training center in the University of the Philippines;

(i) Allocate funds provided in this Act, over and above existing funds, to all existing and new research institutions of the government, for their expansion, improvement and establishment and for originating and continuing researches therein; and with the following research agencies designated to undertake special research projects and requirements along the line laid down in the programs outlined in appendices "A", "B", "C", "D", "E", "F", "G" and "H" which are hereby made integral parts of this Act and/or such changes as the Board may from time to time decide.

1. The University of the Philippines Industrial Research and Training Center: (a) Textile Pilot plant, (b) pulp and paper pilot plant, (c) coco-

- nut products and by-products pilot plant, including fuel, and (d) industrial research building;
2. The National Scientific and Industrial Research Institute (formerly Institute of Science and Technology); (a) improvement and expansion of the scientific library and laboratory facilities, equipment and personnel, (b) electro-metallurgy pilot plant, and (c) ceramics pilot plant;
  3. The University of the Philippines, College of Pharmacy (in cooperation with the College of Medicine, University of the Philippines and the National Museum): industrial development of drugs from Philippine medicinal plants;
  4. The Science Foundation of the Philippines (in cooperation with the National Education Board): promotion of science consciousness among the students and general public;
  5. The University of the Philippines, College of Agriculture (in cooperation with the Department of Agriculture and Natural Resources): (a) rice and corn breeding, (b) coffee and cacao varieties improvement and control of their diseases and other plant, and (c) livestock and poultry improvement;
  6. Institute of Nutrition: (a) intensification of nutrition researches and (b) nutrition surveys.
  7. Department of Health, Public Health Research Laboratories: (a) Antibiotics (in cooperation with the Bureau of Soil Conservation, College of Agriculture and College of Pharmacy, University of the Philippines), (b) tetanus toxoid, (c) human rabies immune plasma, (d) plasma expanders, and (e) preparation of plasma fraction and gamma globulins.
  8. Other new and necessary research projects.
- (j) Perform other activities that will promote scientific, engineering and technical research, invention and development.

As used in paragraphs (b) and (c) of this section, the phrase "scientific, engineering and technological researchers" refer to those undertaking studies or investigations to acquire or discover new knowledge, principle, process or information relating to science, engineering or technology.

SEC. 2. The administration of the program provided for in this Act shall be vested in a National Science Board which is hereby created under the Office of the President to be composed of one representative each from the following: the National Research Council of the Philippines to be designated by the Executive Board of said council; the University of the Philippines to be designated by Executive Board of said council; the University of the Philippines to be designated by its President: the Science Foundation of the Philippines; the Institute of Science and Technology; the Philippine Association for the Advancement of Science; the Philippine Confederation of Professional Organizations; the Department of Agriculture and National Resources; the Department of Health; the Department of Commerce and Industry; manufacturing industries; and the National Economic Council to be appointed by the President with the consent of the Commission on Appointments. The presiding officer of the Board shall be appointed by the President from among the above eleven members with the consent of the Commission on Appointments: *Provided*, That he is not the chairman of any other government board or council.

The President shall, upon recommendation of the National Science Board and subject to the confirmation of the Commission on Appointments, appoint an

executive director on full-time basis. The National Science Board is authorized to:

(a) Organize such technical and secretarial staff as may be required to implement the provisions of this Act, for which the total sum of sixty-one thousand six hundred twenty pesos is hereby appropriated for the following to be taken from the sum appropriated in section three hereof:

I.—Personal Services

1. One Executive Director . . . . .	P12,000.00
2. One Assistant Executive Director and Secretary of the Board . . . . .	6,600.00
3. One Stenographer . . . . .	2,760.00
4. Two Typists at P1,800 . . . . .	3,600.00
5. One Messenger . . . . .	1,440.00
6. One Janitor . . . . .	1,440.00
7. For salaries of expert, technical and other necessary office personnel employed by contract or otherwise . . . . .	18,000.00
<b>Total for personal services . . . . .</b>	<b>P45,840.00</b>

II.—Maintenance and Other Operating Expenses

1. Travel expenses of personal . . . . .	1,000.00
2. Supplies and materials . . . . .	5,280.00
3. Sundry expenses . . . . .	5,000.00
<b>Total for maintenance and other operating expenses . . . . .</b>	<b>P11,780.00</b>

III.—Furniture and Equipment

1. Acquisition of fixed assets . . . . .	4,000.00
<b>Total for furniture and equipment . . . . .</b>	<b>4,000.00</b>
<b>Grand total . . . . .</b>	<b>P61,620.00</b>

(b) Coordinate the various researches being undertaken by the different bureaus, offices, agencies and instrumentalities of the government and synchronize them with the activities authorized to be undertaken by this Act in order to prevent unnecessary duplication;

(c) Release funds provided for in this Act exclusively for the purpose enumerated in Section One hereof;

(d) Supervise, regulate and otherwise administer the research projects and activities financed from the funds under this Act; and

(e) Constitute for all legal purposes, the Board of Directors with all the duties, powers and prerogatives of a Board of Directors, unless otherwise provided for in this Act.

SEC. 3. To carry out the provisions of this Act there is hereby appropriated out of any funds in the National Treasury not otherwise appropriated, or from the proceeds of any bond issues authorized by law, beginning for the fiscal year nineteen hundred fifty-seven, the sum of four million five hundred thousand pesos to constitute a special fund to be known as the Scientific, Engineering and Technological Research Fund for the first year and there is hereby

appropriated two million three hundred eighty thousand pesos for the second year, and two million two hundred fifty thousand pesos each year for the third, fourth and fifth years: *Provided*, That any unexpended appropriation for any particular year shall not revert to the General Fund.

Any amount in the form of grants, donations or aids that may be received by the Philippine Government for scientific, engineering and technological research, invention, and development, which shall be exempted from all taxes also form part of this Fund.

SEC. 4. The Scientific, Engineering and Technological Research Fund shall be expended by the National Science Board created under Section Two, exclusively for the purposes enumerated in Section One hereof.

SEC. 5. The National Science Board shall submit to the President of the Philippines, the President of the Senate, and the Speaker of the House of Representatives, not later than thirty days from the opening of Congress, a yearly report on the progress made on the various projects financed under this Act, the program of projects the Board will undertake the following year, and a financial report on all its operations.

SEC. 6. This Act shall take effect upon its approval.

Approved, August 23, 1956.