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(In Substitution of S.B. Nos. 196, 281, 489, 599, 941, 981, 1130, 1161, 1322, 1363, 1818, 1890, and 1928, taking into consideration H.B. No. 6452)

Prepared by the Committee on Health with Senators Go, Estrada, Legarda, Zubiri, Gatchalian, Revilla Jr., M. Villar, Ejercito, Villanueva, Padilla, Tulfo, Lapid, C. Villar, A. Cayetano, and P. Cayetano as authors thereof

AN ACT

ESTABLISHING A COLLABORATIVE AND COMPLEMENTARY RESEARCH AND DEVELOPMENT SYSTEM ON VIROLOGY, CREATING FOR THE PURPOSE THE VIROLOGY INSTITUTE OF THE PHILIPPINES, 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*
2 *the 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
5 them. The State also recognizes that science and technology are essential for national
6 development and progress.

7 To this end, the State shall adopt a One Health approach, recognizing the
8 interconnectedness of humans, animals, plants, and their shared environment. The

1 State shall formulate and implement policies to address One Health issues, prioritizing
2 research and development, promoting innovations in both technology and services,
3 ensuring the quality and adequacy of human resources, strengthening biosafety
4 standards, and promoting the use and appropriate utilization of safe and indigenous
5 practices.

6 In this regard, the State shall prioritize the establishment of an institute to lead in-
7 depth studies on pathogens and potential disease-causing agents affecting people,
8 plants, animals, and the environment. This institute shall provide the scientific basis
9 for the diagnosis, treatment, and prevention of diseases, as well as for the
10 development of policy recommendations. It shall conduct research and development
11 on disease-causing pathogens, including diagnostics, therapeutics, and vaccines,
12 from discovery to the pre-clinical phase of development.

13 **SEC. 3. Objectives.** – This Act seeks to establish a virology institute that shall
14 focus on research and development to address pathogens and potential disease-
15 causing agents affecting plants, animals, and humans. Its mandate shall include, but
16 is not limited to, the following:

- 17 a) Undertaking discovery programs in the field of virology and related disciplines,
18 including molecular biology, bioinformatics, and other related fields of research;
- 19 b) Conducting vaccine research from discovery to the pre-clinical phase of
20 development;
- 21 c) Conducting research and development of prototype diagnostics and
22 therapeutics on viruses and other pathogens;
- 23 d) Collaborating, coordinating, and disseminating evidence-based policies on
24 virology and vaccine science to stakeholders;
- 25 e) Establishing linkages with local and international networks through cooperation
26 and collaboration with institutions engaged in virus and pathogen research and
27 development;
- 28 f) Training and engaging with experts for capacity building of virology and vaccine
29 research;

- 1 g) Investing on virology infrastructure, including high-containment facilities,
2 biobanks, and genome laboratories, for the research of potential emerging and
3 reemerging outbreaks;
- 4 h) Providing technical assistance and laboratory use to support research
5 communities;

6 **SEC. 4. Definition of Terms.** - As used in this Act:

- 7 a) *Bacteriophage* refers to any group of viruses that infect specific bacteria, usually
8 causing their disintegration or dissolution;
- 9 b) *Biosafety* refers to containment principles, technologies, and practices that are
10 implemented to prevent unintentional exposure to biological agents or their
11 inadvertent release;
- 12 c) *Diagnostics* refers to the development of tools such as medical devices,
13 techniques, and procedures that are used for the identification of viruses and
14 other pathogens that cause diseases in plants, animals, and humans;
- 15 d) *Discovery programs* refer to the first stage of research focused on identifying
16 and developing new vaccine candidates by exploring novel antigens, immune
17 targets, and technologies to combat infectious diseases;
- 18 a) *Pathogen* refers to any microorganism, such as but not limited to a virus,
19 bacterium, fungus, or protozoan that can cause diseases in a host;
- 20 e) *Pre-clinical stage and/or phase* refers to the stages of research and
21 development that occur before a drug or vaccine is tested on humans, which
22 aim to assess the safety, efficacy, and biological mechanism of a candidate
23 drug or vaccine in controlled laboratory settings;
- 24 f) *Therapeutics* refer to bacteriophages, nanotechnology treatment approach,
25 nucleic acid-based treatment, remedial agents, or drugs for the treatment of
26 viral diseases and infections in plants, animals, and humans;
- 27 g) *Vaccine* refers to a product that induces or stimulates active acquired immunity
28 by producing antibodies for a specific infectious agent. It helps the body's
29 immune system to recognize and fight pathogens like viruses or bacteria;
- 30 h) *Virology* refers to the scientific discipline concerned with the study of the
31 biology of viruses and viral diseases in plants, animals, and humans, with

1 medical importance and pandemic potential, including the distribution,
2 pathogenicity, viral cytopathicity, biochemistry, physiology, molecular biology,
3 biotechnology, ecology, tropism, spillover or interspecies transmission,
4 evolution, and clinical aspects of viruses;

5 i) *One Health* is a collaborative, multisectoral, and transdisciplinary approach —
6 working at the local, regional, national, and global levels — with the goal of
7 achieving interconnectedness among people, animals, plants, and their shared
8 environment; and

9 j) *High-containment facilities* refer to facilities that are necessary for carrying out
10 research activities involving high-risk pathogens, such as Avian influenza and
11 other hemorrhagic diseases that pose a serious public health burden

12 **SEC. 5. *Creation of the Virology Institute of the Philippines.*** – The Virology
13 Institute of the Philippines (VIP) is hereby created and shall be an attached agency of
14 the Department of Science and Technology (DOST) for purposes of policy and program
15 coordination to ensure alignment in national policies and priorities.

16 The VIP shall serve as the lead convenor for research and development in the field
17 of virology, encompassing all kinds of viruses and other pathogens in plants, animals,
18 and humans. It shall be a venue for scientists, researchers, government agencies,
19 research institutes, and other organizations in the Philippines and abroad, to work
20 collaboratively to study viruses and other pathogens of agricultural, industrial, clinical,
21 and environmental importance.

22 **SEC. 6. *Mandate.*** – The VIP, as lead convenor for research and development,
23 shall implement policies, plans, programs, and projects for the development of virology
24 in the country and the promotion of scientific and technological activities for both the
25 public and private sectors. It shall ensure that the results of these activities are
26 properly applied towards vaccine self-reliance and utilized to accelerate economic and
27 social development towards the protection of the citizens and the country's resources.

1 **SEC. 7. Director and Deputy Directors.** – The VIP shall be headed by a Director
2 and assisted by two (2) Deputy Directors: one (1) for Research and Development, and
3 one (1) for Support, Policy, and Linkages.

4 The Deputy Director for Research and Development shall oversee the operations
5 of the Virus Research, Diagnostics and Therapeutics Research, Vaccines Research,
6 and Technical Services and Training for Virology. The Deputy Director for Support,
7 Policy, and Linkages shall oversee the operations of the Policy, Planning, Linkages,
8 and Finance and Administration.

9 Upon the recommendation of the VIP Board, as provided in Section 9 of this Act,
10 the President of the Philippines shall appoint the Director who must possess a
11 bachelor's degree in the field of microbiology or biology, a doctorate degree in virology
12 or other related specialization, and should have at least five (5) years of experience in
13 the field of virology. The Director shall have the rank of Director IV, Salary Grade (SG)-
14 28, and shall exercise overall responsibility over the activities of the VIP. The Director
15 shall report the results of research and development studies to the VIP Board and the
16 President of the Philippines.

17 The Deputy Directors shall have a rank of Director III, SG-27. The Deputy Director
18 for Research and Development must possess a bachelor's degree in the field of
19 microbiology or biology, at least a master's degree in virology or other related
20 specialization, and should have at least three (3) years of experience in the field of
21 virology; while the Deputy Director for Support, Policy, and Linkages must possess at
22 least a master's degree relevant to the position.

23 **SEC. 8. Powers, Functions, and Duties.** – To accomplish its mandate, the VIP
24 shall have the following powers, functions, and duties:

- 25 a) Serve as the lead convener for the formulation of the National Virology
26 Research Agenda, which will encompass researches involving viruses and other
27 pathogens of plants, animals, and humans;
28 b) Undertake research and development in the field of virology;

- 1 c) Conduct product research and development in the areas of diagnostics,
2 therapeutics, and vaccines, in cooperation with concerned government
3 agencies and the private sector;
- 4 d) Promote and undertake the transfer of the results of scientific research and
5 development through collaboration with government agencies, industry, and
6 the academe;
- 7 e) Promote, advocate, and oversee virology research ethics, biosafety, and
8 biosecurity;
- 9 f) Develop and maintain information systems on virology science and technology
10 for use by both the public and the private sectors;
- 11 g) Develop and implement, together with concerned government agencies and
12 the private sector, programs for strengthening scientific and technological
13 capabilities in virology and relevant disciplines through human resource
14 development, infrastructure, and institution and capability building;
- 15 h) Undertake policy research and other policy-related studies on virology;
- 16 i) Provide laboratory and technical services on virology;
- 17 j) Promote and advocate for national programs on virology science and
18 technology;
- 19 k) Establish linkages with local and international partners;
- 20 l) Foster linkage and alignment with the private sector for public-private
21 partnership, in accordance with existing laws and regulations;
- 22 m) Establish joint research programs and share expertise and resources with the
23 Research Institute for Tropical Medicine (RITM) and other relevant institutions;
- 24 n) Ensure seamless collaboration with RITM and other pertinent research bodies
25 to delineate specific roles and responsibilities, ensuring that the research
26 agenda is complementary rather than duplicative;
- 27 o) Foster an environment of equity in research and development by prioritizing
28 collaborative projects that advance scientific progress for the mutual benefit of
29 all involved institutions; and
- 30 p) Perform such other powers and functions such as, but not limited to, clinical
31 research and clinical trials, as may be deemed necessary and incidental for the
32 effective implementation of this Act.

1 **SEC. 9. The VIP Board.** – There is hereby created a VIP Board that shall be the
2 policymaking body for the scientific and technological activities of the VIP. The VIP
3 Board shall be chaired by the Secretary of the Department of Science and Technology
4 and co-chaired by the Secretary of the Department of Health (DOH) and the Secretary
5 of the Department of Agriculture (DA). The members shall be composed of the
6 following:

- 7 a) Undersecretary of the Department of Environment and Natural Resources
8 (DENR);
- 9 b) Undersecretary of the Department of Foreign Affairs (DFA);
- 10 c) Chairperson of the Commission on Higher Education (CHED);
- 11 d) Director General of the Food and Drug Administration (FDA);
- 12 e) Director of the RITM;
- 13 f) Director of VIP;
- 14 g) Executive Director of the University of the Philippines-National Institute of
15 Health (UP-NIH);
- 16 h) President of the National Academy of Science and Technology;
- 17 i) Executive Director of the National Research Council of the Philippines; and
- 18 j) Two (2) representatives from the private sector appointed by the President of
19 the Philippines, as nominated by the VIP Board. They must be Filipino citizens
20 with recognized competence in the fields of medical virology, genomics, plant
21 virology, animal virology, epidemiology, genetic engineering, or other related
22 disciplines.

23 The chairperson, co-chairpersons, and members shall each designate a permanent
24 representative in the Board, who must possess relevant experience. The permanent
25 representative shall be duly authorized to act on his/her behalf or on behalf of his/her
26 principal, in the principal's absence.

27 The Chairperson of the VIP Board shall have voting rights in case of a tie.

1 **SEC. 10. *Secretariat.*** – There is hereby created a Secretariat to support the VIP
2 in carrying out its functions. The VIP Board shall provide for the institutional setup,
3 qualifications, and compensation of employees composing the Secretariat, in
4 accordance with existing laws, rules and regulations.

5 **SEC. 11. *Salary, Staffing Pattern, and Qualifications.*** – Subject to the
6 approval of the Department of Budget and Management (DBM), the VIP shall
7 determine its organizational structure, create divisions or units as it may deem
8 necessary, and appoint its officers and employees, in accordance with existing Civil
9 Service Commission laws, rules and regulations.

10 The VIP shall have technical and administrative support staff and consultants. The
11 consultants may come from the public and the private sectors on a consultancy or
12 contractual basis.

13 **SEC. 12. *Inter-Agency Cooperation.*** - The VIP shall collaborate with the DOH,
14 RITM, FDA, DA, DENR, DFA, CHED, UP-NIH, Department of Finance, and other
15 relevant government agencies, in accessing and mobilizing available information,
16 reports, technical expertise, equipment, materials, and supplies as may be required to
17 implement this Act.

18 The RITM shall retain its current functions and operate as an integral part of the
19 VIP. It shall continue to provide expertise in the detection and identification of
20 emerging infectious diseases and laboratory support. In line with its current mandate
21 and in close collaboration with the VIP, the RITM shall conduct research, surveillance,
22 and diagnostics for newly identified pathogens to formulate effective strategies for the
23 prevention and control of emerging diseases.

24 The scientific findings of the VIP, RITM, and other concerned agencies shall be
25 integrated in the plans relating to disease control and prevention of the Inter-Agency
26 Task Force on Emerging Infectious Diseases, as created by Executive Order No. 168
27 s. 2014, and the National Task Force to prevent the entry of animal-borne diseases,

1 as created by Executive Director No. 105, s. 2020, or its successor body, for the
2 management of public health emergencies relating to infectious diseases.

3 **SEC. 13. *Engagement of Balik Scientists and Foreign Experts.*** – The VIP
4 may engage the services of Balik Scientists and foreign experts, who shall work
5 together with local scientists and experts, following the terms of reference and
6 compensation structure in accordance with Republic Act No. 11305 or the "*Balik*
7 *Scientist Program Act*" and other existing laws.

8 **SEC. 14. *International Cooperation.*** – The VIP shall establish strategic
9 partnerships with the world's leading scientists, virology centers and institutes,
10 international organizations, and non-government organizations, and conduct
11 innovative and pioneering research that will advance the frontiers of virology and
12 vaccine research and development in the country. It may enter into a memorandum
13 of agreement or understanding with international partners, including, but not limited
14 to, the World Health Organization (WHO) and World Organization for Animal Health
15 (WOAH), upon the approval of its VIP Board, and in compliance with existing laws,
16 rules, regulations, and issuances of the DFA. The DFA shall provide legal and other
17 forms of assistance related to international cooperation to the VIP.

18 **SEC. 15. *Promotion of the Virology Industry.*** – The VIP, in partnership with
19 the Department of Trade and Industry (DTI), shall jointly develop an industry roadmap
20 for products and services that can be created and improved by research from the VIP.
21 This roadmap shall include an outline of how the research and development activities
22 of the VIP will contribute to achieving vaccine self-reliance. As far as practicable, the
23 industry roadmap shall include the use of local materials in the development of new
24 products and services. The developed or established industry resulting from the VIP
25 research shall be included in the national government's priority industries for
26 incentives.

1 **SEC. 16. *Private-Public Partnerships (PPP)*.** – The VIP, DTI, and Public-
2 Private Partnership Center shall collaborate in seeking Private-Public Partnerships
3 (PPPs) for the development of new industries, products, and services.

4 The VIP may also request the assistance of other national and local government
5 agencies in seeking PPPs.

6 **SEC. 17. *Promotion of Virology in the Academe*.** – The VIP shall assist State
7 Universities and Colleges (SUCs) in the creation of virology courses and programs, and
8 in opening internships and scholarships for qualified students of higher education
9 institutions (HEIs). It shall also collaborate with HEIs in the creation of virology
10 research hubs and centers.

11 **SEC. 18. *Protection of VIP-developed Intellectual Property*.** – The VIP
12 Board shall ensure that all technologies developed exclusively by the VIP with full
13 funding from Filipino taxpayers shall be protected by intellectual property laws, in
14 accordance with Republic Act No. 10055 or the "*Technology Transfer of 2009*",
15 Republic Act No. 8293 or the "*Intellectual Property Code of the Philippines*", and other
16 applicable laws. Any patent or property right award granted to the VIP shall be held
17 by and in the name of the Philippine Government. In the case of partnerships, where
18 the VIP is a collaborating research partner, the VIP Board shall ensure that
19 technologies co-developed by the VIP shall also be co-owned by the Philippine
20 Government, with the corresponding intellectual protection under existing laws.

21 **SEC. 19. *Procurement of Specialized Materials, Equipment, and Services*.**
22 – The VIP shall undertake the procurement of specialized materials, equipment, and
23 services to be used in its operation and administration, in the most expeditious
24 manner, and adopt the most suitable or appropriate mode of procurement that it
25 deems fit based on its identified needs and requirements, depending on the existing
26 conditions and requirements that justify the use of a particular modality provided by
27 existing government procurement laws, rules and regulations.

1 **SEC. 20. Official Site of VIP.** – A lot with an area equivalent to at least five (5)
2 hectares under the administration of the Bases Conversion and Development Authority
3 (BCDA) within the New Clark Economic Zone in Tarlac Province shall be allocated
4 exclusively for the VIP, its research facilities, and laboratories. The biosafety
5 infrastructure shall be designed based on risk assessment standards and guidelines of
6 the WHO and the WOAHP for handling specific pathogens and the establishment of
7 virology laboratories in developing countries.

8 To safeguard the well-being and security of the human, plant, and animal
9 populations within the VIP facilities area, the VIP shall coordinate with the Department
10 of National Defense (DND) regarding the establishment and security of the said
11 facilities.

12 **SEC. 21. Entitlement to Magna Carta Benefits.** – Qualified employees of the
13 VIP shall be covered by Republic Act No. 8439 otherwise known as the "*Magna Carta*
14 *for Scientists, Engineers, Researchers and Other Science and Technology Personnel in*
15 *Government*," as amended, and other rules and regulations issued by appropriate
16 government agencies.

17 **SEC. 22. Authority to Negotiate, Receive Donations, Grants, Gifts,**
18 **Legacies, Endowments, and Contributions.** – The VIP may negotiate with, and
19 receive from any public or private domestic or foreign sources donations, grants, gifts,
20 legacies, endowments, contributions, or other transfers of ownership and/or
21 possession of real or personal properties of all kinds in favor and for the benefit of the
22 VIP, which shall be released in a timely manner to address an existing or emerging
23 public emergency, or consistent with the urgent nature of VIP mandate and functions,
24 subject to existing budgeting, accounting and auditing laws, rules and regulations.

25 **SEC. 23. Virology Research Fund.** – All donations, grants, gifts, legacies,
26 endowments, contributions, and bequests, in cash or in kind, received by the VIP from
27 various sources, shall be placed into a fund, to be known as the Virology Research
28 Fund, in accordance with accounting and auditing standards, rules and regulations.

1 Provided that, acceptance of donations, grants, gifts, legacies, endowments,
2 contributions, and bequests from foreign governments shall be subject to the approval
3 of the President of the Philippines, upon the recommendation of the VIP Board.

4 **SEC. 24. Tax Exemptions.** – Donations, grants, gifts, endowments, and
5 contributions used actually, directly, and exclusively for the purpose of the VIP shall
6 be exempt from donor’s tax and the same shall be considered as allowable deduction
7 from gross income for purposes of computing the taxable income of the donor, in
8 accordance with Sec. 34 (H)(2)(a) of the National Internal Revenue Code of 1997, as
9 amended. Likewise, such other transfers of ownership and/or possession of real or
10 personal properties of all kinds shall be exempt from all taxes.

11 **SEC. 25. Annual Report.** – The VIP shall submit its annual report to the President
12 and to the Committees on Science and Technology in both Houses of Congress, not
13 later than the 30th of March of every year following the effectivity of this Act. The
14 annual report shall provide a full and detailed account of the status of the
15 implementation of this Act and policy recommendations.

16 **SEC. 26. Appropriations.** – The amount necessary to carry out the initial
17 implementation of this Act shall be charged against the current year’s appropriations
18 of the DOST. Thereafter, such amount needed for the continued implementation of
19 this Act shall be included in the annual General Appropriations Act.

20 **SEC. 27. Transitory Provisions.** -

21 a) All offices and units under the DOST system whose functions are related to
22 virology research programs shall be absorbed by the VIP and shall be
23 transferred accordingly within three (3) years. It shall include all functions,
24 assets, capital, records, funds, receivables, equipment, and facilities of the
25 concerned DOST offices and units. The DOST shall conduct an audit and
26 inventory of assets, liabilities, and human resources of the transferred offices
27 and units under the DOST system to the VIP.

1 To the greatest extent possible and in accordance with Republic Act No.
2 6656 or "*An Act to Protect the Security Tenure of Civil Service Officers and*
3 *Employees in the Implementation of Government Reorganization*" and other
4 existing laws, all employees of the affected offices and units shall be absorbed
5 by the VIP. Personnel hired on a permanent basis and with appointments
6 attested by the CSC who may be affected by the transition of DOST offices and
7 units to the VIP, or who will not be absorbed in the new staffing pattern of the
8 different offices and units in the VIP, shall have the option to:

- 9 1) Be transferred to other offices or units within the DOST in accordance
10 with civil service law, rules and regulations; or
11 2) Avail of the applicable retirement benefits and separation incentives as
12 provided under R.A. No. 6656 and other relevant laws.

13 b) Incumbent DOST officials and employees may be considered to assume
14 positions in the VIP, subject to competency evaluation and CSC regulations.

15 All project-based personnel employees of the DOST doing virology related
16 research and development shall be subject to the qualification standards
17 provided for in the laws, rules and regulations of the Civil Service Commission.

18 c) Research grants acquired during the transition of DOST transferred offices and
19 units to VIP shall be utilized solely for the grants' intended purposes for each
20 of the affected offices and units.

21 d) Existing contracts and agreements entered into by the affected offices and units
22 with third parties prior to the enactment of this Act shall remain valid.

23 **SEC. 28. *Implementing Rules and Regulations.*** - Within ninety (90) days
24 from effectivity of this Act, the DOST Secretary, in consultation with DOH, RITM, DA,
25 DBM, Civil Service Commission, and other relevant government agencies, shall
26 formulate the rules and regulations to effectively implement the provisions of this Act.

27 Failure to promulgate the rules and regulations of this Act shall not prevent the
28 implementation of this Act upon its effectivity.

1 **SEC. 29. *Separability Clause.*** - If any portion of this Act is declared
2 unconstitutional, the remainder thereof shall remain in full force and effect.

3 **SEC. 30. *Repealing Clause.*** - All laws, presidential decrees, executive orders,
4 letters of instruction, proclamations or administrative regulations that are inconsistent
5 with the provisions of this Act are hereby repealed, or modified accordingly.

6 **SEC. 31. *Effectivity.*** - This Act shall take effect fifteen (15) days following the
7 completion of its publication in the Official Gazette, or in a newspaper of general
8 circulation.

Approved,