



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

Done
MASTER COPY

12 March 2019

CUSTOMS MEMORANDUM CIRCULAR
NO. 85 - 2019

To: All Deputy Commissioners
All Directors and Division Chiefs
All District/Port Collectors
And Others Concerned

SUBJECT: IRR of RA 11035/Balik Scientist Program

Attached is the letter of Secretary Fortunato T. Dela Peña, Department of Science and Technology (DOST) endorsing a copy of the **IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 11035 OTHERWISE KNOWN AS THE "BALIK SCIENTIST ACT"**.

This Program aims to entice Filipino scientists abroad to return home and contribute to the development of this country.

As per DOST, this IRR was published on 22 October 2018.

For your information and guidance.

For record purposes, please confirm the dissemination of this circular throughout your offices within fifteen (15) days from receipt hereof.


REY LEONARDO B. GUERRERO
Commissioner

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Republic of the Philippines
Department of Finance
Bureau of Customs
1099 Manila



DEPARTMENT OF FINANCE
Republic of the Philippines

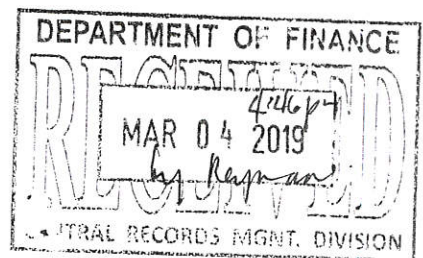
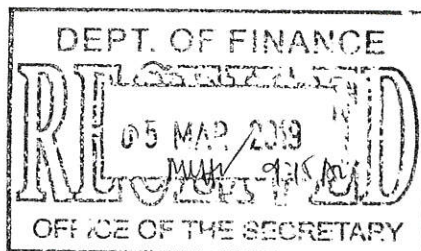


1ST Indorsement
01 March 2019

Respectfully forwarded to the **Chief, Central Records and Monitoring Group**, the attached letter dated 13 February 2019 of Sec. Fortunato T. Dela Peña of Department of Science and Technology, relative to the **Implementing Rules and Regulations (IRR) of the Balik Scientist Act of 2018**, for your recordation and circularization.

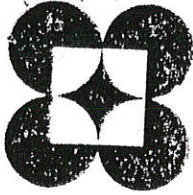
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ATTY. ERWIN T. MENDOZA
OIC, Legal Service



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Republic of the Philippines

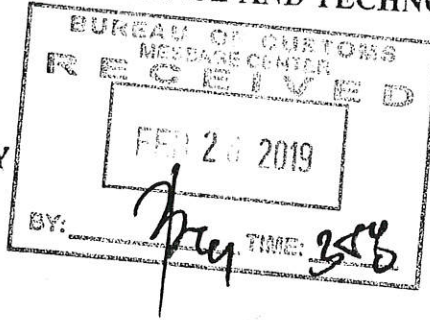
DEPARTMENT OF SCIENCE AND TECHNOLOGY



ISO 9001:2015 Certificate No. AJA18-0121

OFFICE OF THE SECRETARY

13 February 2019



DEPARTMENT OF FINANCE Republic of the Philippines



SECRETARY CARLOS G. DOMINGUEZ

Department of Finance
DOF Bldg., BSP Complex,
Roxas Blvd., 1004 Metro
Manila, Philippines



*Toreu
Bully
Ingger*

Dear Secretary Dominguez:

We would like to express our sincerest gratitude to you and your representatives, Ms. Maria Teresita Juliet Malco, DOF-BOC, and Atty. Roberto Baquiran, DOF-BIR for the contributions of the Department of Finance in the drafting of the Implementing Rules and Regulations (IRR) of the Balik Scientist Act of 2018.

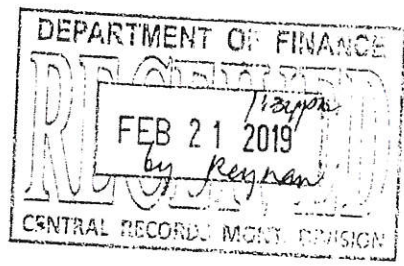
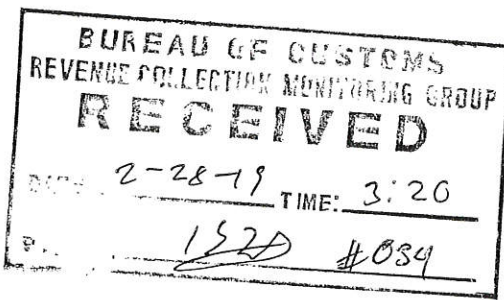
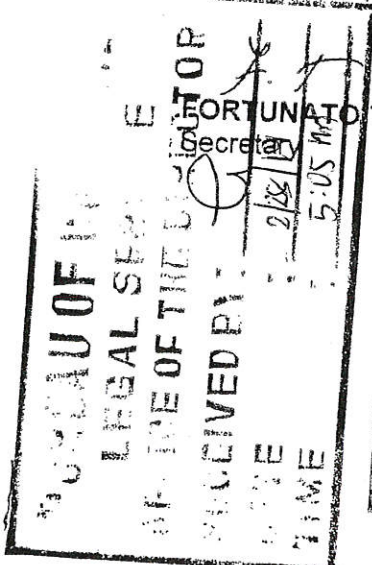
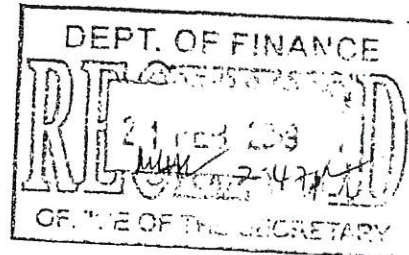
We hope that with this enhanced Balik Scientist Program, more Filipino Scientists will be enticed to return to the country and contribute to our development.

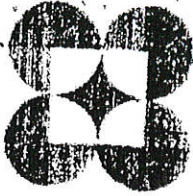
Attached is a copy of the signed IRR which was published on October 22, 2018 for your reference.

Again, thank you for your support to the Balik Scientist Program.

Very truly yours,

[Signature]
FORTUNATO T. DE LA PEÑA
Secretary





Republic of the Philippines
DEPARTMENT OF SCIENCE AND TECHNOLOGY



OCT 04 2018

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IMPLEMENTING RULES and REGULATIONS
of Republic Act No. 11035 otherwise known as the "Balik Scientist Act"

Pursuant to Section 15 of Republic Act No. 11035, An Act Institutionalizing the Balik Scientist Program, Appropriating Funds Therefor, and For Other Purposes, the Department of Science and Technology, hereinafter referred to as the "Department", hereby issues the following rules and regulations to implement the provisions of the aforesaid law.

Section 1. GENERAL PROVISIONS

Rule 1. Title

This Administrative Order shall be known as the Implementing Rules and Regulations of Republic Act (RA) No. 11035 otherwise known as the "Balik Scientist Act", and hereinafter referred to as "IRR".

Rule 2. Construction/Interpretation of this IRR

This IRR shall be construed and applied in accordance with and in furtherance of the policies and objectives of RA 11035. In case of conflict or ambiguity, the same shall be construed liberally in favor of the purpose of the law.

Rule 3. Declaration of Policy

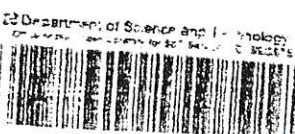
This IRR is issued pursuant to the policies declared in RA 11035 which provides to wit: "The State recognizes that the utilization of the expertise of science, technology or innovation experts of Filipino descent is a vital component of the nation's political, economic, and social development efforts. Hence, it is hereby declared the policy of the State to support the participation of science, technology or innovation experts of Filipino descent in research and development initiatives for our country.

Towards this end, science, technology or innovation experts, such as scientists, professionals, educators, technicians, researchers, engineers, innovators, technologists, technology entrepreneurs or any person with special skills or expertise, who is of Filipino descent, shall be accorded with benefits, incentives and privileges under this Act to encourage and support their participation in strengthening the scientific and technological human resources of public or private institutions and industry in our country to accelerate the development of new or strategically important technologies that are vital to our national development and progress."

Rule 4. Coverage

This IRR shall cover all science, technology or innovation experts who are actually residing abroad and have the intention of returning to the Philippines for work. A science, technology or innovation expert who arrives in the Philippines and already residing here for three (3) years or less prior to his/her filing of application with the Balik Scientist Program, may avail of the program.

However, the Balik Scientist Program may not cover science, technology or innovation expert who is considered as resident citizen of the Philippines and who resides here for a period



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1000

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exceeding three (3) years counting from the time of arrival in the Philippines up to the time of filing an application during the implementation of the aforesaid program.

Rule 5. Balik Scientist Program

The Balik Scientist Program, hereinafter referred to as the "Program" shall be administered by the Department of Science and Technology which shall undertake the following:

Rule 5.1. Survey and identify scientific and technological expertise absent or limited locally which may be addressed by a Balik Scientist as defined in this IRR in coordination with the host institution(s);

Rule 5.2. Manage and facilitate the processing of applications and awards for short-term, medium-term, or long-term engagement of Balik Scientists in coordination with the host institution(s);

Rule 5.3. Provide and facilitate the release of the appropriate benefits and incentives provided under RA 11035 and this IRR to Balik Scientists who have passed the application process of the Department in coordination with the respective host institution(s);

Rule 5.4. Issue the appropriate rules and regulations for the efficient provision of benefits and incentives, which shall include the clarification of pertinent rules and regulations promulgated and administered by other government agencies;

Rule 5.5. Monitor the implementation of the Program, in coordination with the respective host institution(s) and the fulfillment of the agreed obligations and responsibilities of Balik Scientists under the Program;

Rule 5.6. Assess the actual, and/or anticipated impact of each short-term, medium-term, long-term engagement awarded, and the overall implementation of the Program;

Rule 5.7. Issue the guiding science, technology, or innovation research and development, and industry development agenda that shall guide the implementation of prioritization in the provision of awards and grants-in-aid provided under RA 11035 and in this IRR;

Rule 5.8. Prioritize the awarding of short-term, medium-term, and long-term engagements, and grants-in-aid provided under this IRR that complement or address needs in ongoing or prospective government programs and projects of local and national significance; and,

Rule 5.9. Determine other privileges and incentives that may be extended to Balik Scientists in coordination with relevant government agencies.

Rule 6. General Program Objectives.

This IRR is consistent with the objective of RA 11035, which aims to strengthen the scientific and technological human resources of the academe, public and private institutions, including locally registered enterprises in order to promote knowledge sharing and accelerate the flow of new technologies into the country.

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To fully realize this objective, the Department shall:

Rule 6.1. Approve and award short-term, medium term, and long-term engagements to eligible Balik Scientists;

Rule 6.2. Ensure the participation of Balik Scientists in activities such as, but not limited to, mentorship, training, lecture, research and development, technology transfer initiatives, and other similar endeavors in any institution subject to the agreement between and among the Department, the Balik Scientist, and host institution, and in due consideration of national priorities and agenda on science, technology or innovation, research and development, and industry development.

Rule 7. Definition of Terms

For purposes of this IRR, the terms hereunder are defined as follows:

Rule 7.1. Balik Scientist – a science, technology or innovation expert or professional, as certified by the Department, who is a Filipino citizen or a foreigner of Filipino descent, accorded with benefits and incentives under this IRR to undertake science and technology activities along the Balik Scientist's field of expertise with a host institution under short-term, medium-term or long-term engagement, who is either:

Rule 7.1.a. A resident of another country at the time of application; or

Rule 7.1. b. A Philippine-resident for not more than three (3) years at the time of application, beginning from the most recent date of arrival from overseas education or employment along his or her field of expertise.

Rule 7.2. Balik Scientist Program – refers to the Program institutionalized under RA 11035.

Rule 7.3. Balik Scientist Program Evaluation Committee - refers to the body responsible for the evaluation of applicants to the Balik Scientist Program to ensure that proposed engagement is aligned with the Balik Scientist Program's thrusts and the Department's priorities. The membership of the Committee shall be designated by the DOST Sectoral Council Head.

Rule 7.4. Balik Scientist Program Steering Committee - refers to the body responsible for the formulation, review of policies and performance of oversight functions relating to the implementation of the program. The membership of the Committee shall be designated by the Department Secretary.

Rule 7.5. Department – refers to the Department of Science and Technology.

Rule 7.6. Host Institution – refers to a government agency, public or private academic institution, or a Filipino-owned enterprise/organization in the Philippines registered with the Securities and Exchange Commission (SEC), the Cooperative Development Authority (CDA) or Department of Trade and Industry (DTI) that will undertake science, technology or innovation activities, or research and development initiatives with a Balik Scientist.

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Rule 7.7. Output - products/services delivered by the Balik Scientist as a result of activities in the Host Institution(s).

Rule 7.8. Outcome - refers to changes or benefits as a result of the delivery of outputs by the Balik Scientist.

Rule 7.9. Impact - positive and negative, primary and secondary long-term effects - intended and unintended, produced directly or indirectly by the Balik Scientist and/or the Balik Scientist Program.

Rule 7.10. Research and Development (R&D) - Any systematic and creative work undertaken in the physical, natural, mathematical and applied sciences by using methods in order to increase the stock of knowledge, and the use of this knowledge in these fields to devise new applications.

Rule 7.11. Sectoral Councils/Councils - refers to the three (3) Councils attached to the Department namely: 1) Philippine Council for Agriculture, Aquatic and Natural Resources Research and Development (PCAARRD); 2) Philippine Council for Health Research and Development (PCHRD); and 3) Philippine Council for Industry, Energy and Emerging Technology Research and Development (PCIEERD).

Rule 7.12. Secretary - refers to the Secretary of the Department of Science and Technology.

Rule 7.13. Types of Engagement - An applicant to the Balik Scientist Program may apply under any of the following engagements:

Rule 7.13.a. Short-Term Engagement - the term of engagement under the Program with a minimum duration of fifteen (15) days to a maximum duration of six (6) months per award to be completed within one (1) year from the date of award.

Rule 7.13.b. Medium-Term Engagement - the term of engagement under the Program with a minimum duration of more than six (6) months but not to exceed one (1) year per award to be completed within two (2) years from the date of the award.

Rule 7.13.c. Long-Term Engagement - the term of engagement under the Program with a duration of more than one (1) year to three (3) years, subject to renewal to be determined by the Department and to be completed within five (5) years from the date of the award.

Section 2. QUALIFICATIONS OF A BALIK SCIENTIST

Rule 8. An applicant to the Balik Scientist Program must meet the following qualifications:

Rule 8.1. He/She must be in good health, physically and mentally.

Rule 8.2. He/She must be a holder of a graduate degree. For Master's degree holder, he/she must have practised his/her profession for not less than three (3) years after

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obtaining his/her master's degree and working with the private sector, a recognized and reputable Research & Development institution and/or in the academe abroad.

An applicant to the Balik Scientist Program without a graduate degree but with a highly specialized skill/exceptional expertise may be qualified on special cases as long as his/her field of expertise is consistent with the Science and Technology (S&T) priorities promulgated by the Department. His/her engagement shall be subject to the approval by the Secretary.

Rule 8.3. He/She must have made an outstanding contribution in his/her field of specialization.

Rule 8.4. An applicant to the Balik Scientist Program with unfulfilled service obligation in the Philippines shall not qualify under the Program.

Section 3. PROCEDURES FOR APPLICATION

Rule 9. An applicant to the Balik Scientist Program may either identify prospective host institution(s), or request the concerned Sectoral Council to identify prospective host institution(s) based on the expertise of the applicant. On the other hand, a host institution may either identify a prospective Balik Scientist or ask the concerned Sectoral Council to identify prospective Balik Scientist based on the need of the host institution.

Rule 10. An applicant to the Balik Scientist Program may have more than one (1) host institution subject to concurrence of the applicant, the prospective local host institution(s) and the concerned Sectoral Council.

Rule 11. A qualified applicant to the Balik Scientist Program or host institution(s) shall submit to the appropriate Sectoral Council his/her application and related documents, including the following:

Rule 11.1. Accomplished Balik Scientist Program (BSP) application form.

Rule 11.2. Endorsement letter from the host institution(s) (if application is submitted directly by the applicant)

Rule 11.3. Terms of Reference appropriate to the engagement.

Rule 12. Approval of Engagement

Rule 12.1 Short-term engagement shall be approved by the DOST Sectoral Council Head.

Under exceptional circumstances, the engagement duration may be served by the Balik Scientist on a staggered basis provided that it shall be completed within the period of one (1) year from the date of its approval. Provided, further, that the availment of the Balik Scientist concerned on the staggered basis shall be subject to the approval by the Secretary.

Rule 12.2. Medium-term engagement shall be approved by the designated DOST Undersecretary/Assistant Secretary

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Under exceptional circumstances, the engagement duration may be served by the Balik Scientist on a staggered basis provided that it shall be completed within the period of two (2) years from the date of its approval. Provided, further, that the availment of the Balik Scientist concerned on the staggered basis shall be subject to approval by the Secretary.

Rule 12.3. Long-term engagement shall be approved by the Secretary.

Under exceptional circumstances, the engagement duration may be served by the Balik Scientist on a staggered basis provided that it shall be completed within the period of five (5) years from the date of its approval. Provided, further, that the availment of the Balik Scientist concerned on the staggered basis shall be subject to approval by the Secretary.

Rule 13. A Balik Scientist may change type of engagement, subject to endorsement of the host institution and the concerned Sectoral Council, and approval of the Secretary with adjustment of benefits and incentives, where appropriate.

Section 4. CRITERIA FOR SELECTION OF AWARDEES

Rule 14. The Balik Scientist Program Evaluation Committee (BSPEC) of the concerned Sectoral Council, shall evaluate the qualifications of applicants to the Balik Scientist Program on the basis of information submitted. Prioritization will be based on the following factors:

Rule 14.1. Expertise of an applicant to the Balik Scientist Program which should be consistent with the S & T priorities of the Department;

Rule 14.2. Relevance of the proposed activities relative to the expertise or field of specialization of the applicant to the Balik Scientist Program;

Rule 14.3. Concurrence of the Host Institution(s) on the engagement and the proposed activities of the applicant to the Balik Scientist Program. Such host institution(s) must be committed to provide necessary resources and counterpart incentives for the applicant to the Balik Scientist Program.

Rule 14.4. Well-defined proposed work program including schedule of activities, resource requirements, target beneficiaries, outputs and outcomes of the applicant to the Balik Scientist Program which are mutually acceptable to all parties including the Department; and,

Rule 14.5. Potential impact of the proposed activities relative to the expertise or field of specialization of the applicant to the Balik Scientist Program, to the host institution(s), the community and/or the country.

Section 5. OBLIGATIONS AND RESPONSIBILITIES OF THE BALIK SCIENTIST

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Rule 15. A Balik Scientist under the program shall have the following obligations and responsibilities:

Rule 15.1. Carry out obligations and the enumerated activities contained in the approved work plan or terms of reference;

Rule 15.2. Submit to the Department and Host Institution a report on the activities conducted for proper evaluation as follows:

Rule 15.2.a. One exit report for short-term engagement of fifteen (15) days to one month;

Rule 15.2.b. Monthly report for short-term engagement of more than one month up to six months of engagement, and for medium-term engagement;

Rule 15.2.c. Quarterly report for long-term engagement;

Rule 15.3. Recommend other activities or programs to enhance the Balik Scientist's engagement and other relevant undertakings to help achieve the objectives of the Balik Scientist Program;

Rule 15.4. Submit to the Department discovery, innovation, design, model or process arising from work on a research project funded by the Department while on engagement as Balik Scientist and abide by the policies and rules governing intellectual property rights promulgated by the Department and the Host Institution. In case of any disputes, the Department's policies on intellectual property shall prevail.

Rule 15.5. Secure prior approval from the Department of any intent to leave the country before the expiration of his/her stay as covered by the contract;

Rule 15.6. Conduct oneself in a manner befitting one's stature and status as recipient of the Balik Scientist Program of the Department; and submit to the jurisdiction of duly constituted authorities, and existing laws of the Philippines; and,

Rule 15.7. Refund expenses incurred by the BSP incident to the award as determined by the Balik Scientist Program Steering Committee for failure to comply with the terms and conditions, service obligation, and to meet the target output(s) through his/her own fault or willful neglect, resignation or other causes within his/her control. The refund shall be made in the following manner:

Rule 15.7.a. Refund in full if he/she has rendered less than 50% of the service obligation; and,

Rule 15.7.b. Refund proportionately if he/she has rendered at least 50% of the service obligation.

Section 6. OBLIGATIONS AND RESPONSIBILITIES OF THE HOST INSTITUTION

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Rule 16. The Host Institution(s) shall have the following obligations and responsibilities:

Rule 16.1. Adhere to the responsibilities indicated in the approved work plan or terms of reference;

Rule 16.2. Monitor and evaluate the activities of the Balik Scientist and make proper recommendations to the Department as warranted;

Rule 16.3. Commit to provide the Balik Scientist adequate and available equipment and facilities based on approved Terms of Reference and/or Work Plan to ensure a productive stay of the Balik Scientist; and,

Rule 16.4. When feasible, retain the Balik Scientist as part of its organization subject to pertinent rules and regulations in case of government organizations or existing labor laws and regulations in the Philippines, in case of private institutions.

Section 7. OBLIGATIONS AND RESPONSIBILITIES OF THE DOST SECTORAL COUNCILS

Rule 17. The Sectoral Councils shall have the following obligations and responsibilities:

Rule 17.1. Grant the Balik Scientist all the incentives, support, privileges and exemptions as applicable under the Program;

Rule 17.2. Monitor and evaluate the activities of the Balik Scientist to ensure the successful implementation of the Balik Scientist's work plan or terms of reference;

Rule 17.3. Coordinate with the Host Institution(s) on the areas or aspects where the expertise of the Balik Scientist can be tapped optimally;

Rule 17.4. Recommend or arrange other related activities as may be accommodated other than those pre-identified by the host institution(s) to ensure optimum benefits from the Balik Scientist's presence and engagement under the Program;

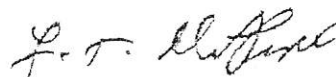
Rule 17.5. Submit to the Secretary of the Department through the Chairperson of the Balik Scientist Program Steering Committee semi-annual report on expenditures and accomplishments of the Balik Scientist Program in their respective sectors;

Rule 17.6. Submit to the Professional Regulation Commission the list of Balik Scientists with corresponding duration of awarded engagement;

Rule 17.7. Ensure that the Balik Scientist Program website is updated; and,

Rule 17.8. Perform tasks that may be assigned by the Department in relation to the implementation of the Balik Scientist Program.

Section 8. GENERAL BENEFITS, INCENTIVES, AND PRIVILEGES



Rule 18. All Balik Scientists under the short-term, medium-term, or long-term engagements shall be eligible for the following general benefits, incentives, and privileges:

Rule 18.1. Exemption from the licensing or permitting requirements of the Professional Regulation Commission (PRC): Provided, that the Department shall submit to the PRC the list of Balik Scientists with the corresponding duration of awarded engagement;

Rule 18.2. Accident/travel and health and medical (including dental) insurance covering the duration of the engagement awarded by the Department;

Rule 18.3. Reimbursement of expenses for excess baggage allowance related to scientific project or activities;

Rule 18.4. Exemption from renouncing their oath of allegiance to the country where they took the oath, unless the Balik Scientist, after the engagement, decides to repatriate and retain the government position, as applicable;

Rule 18.5. Tax and duty exemption in the donation of equipment, instruments, and materials to the Department by a Balik Scientist. The equipment, instruments and materials donated to the Department should be aligned with the Balik Scientist Program thrusts. The Department shall bear the freight and storage expenses related to the importation and transportation of the donated equipment, instruments, and materials.

For the purpose of availing of the incentives provided above, the DOST as consignee of the donated equipment, instruments and materials, shall apply for a Tax Exemption Indorsement (TEI) with the Mabuhay Lane, Revenue Office, Department of Finance.

Rule 18.6. Tax and duty exemption in the importation of professional equipment, instruments and materials related to the project/activity of the Balik Scientist within the period of his/her engagement.

For this purpose, the Balik Scientist, with the endorsement of the Department, shall apply for Tax Exemption Indorsement (TEI) with the Mabuhay Lane, Revenue Office, Department of Finance.

Section 9. TERM-SPECIFIC BENEFITS, INCENTIVES, AND PRIVILEGES

Balik Scientists shall be eligible for the benefits, incentives, and privileges under the following terms of engagement:

Rule 19. Benefits, Incentives and Privileges for Balik Scientist under the Short-Term and Medium-Term engagement:

Rule 19.1. Provision of one roundtrip airfare originating from a foreign country to the Philippines. Computation shall be based on the currency rate prevailing on the date when the airline ticket was purchased;

Rule 19.2. Exemption from payment of Philippine travel tax for the Balik Scientist;

Rule 19.3. When applicable, application for a visa duly subsidized and facilitated by the DOST, the validity of which shall cover the duration of the awarded engagement;

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Rule 19.4. Tax exempt daily subsistence allowance determined by the Department in consultation with the Department of Budget and Management;

Rule 19.5. Participation in Grants-in-Aid (GIA) research and development projects of the Department subject to guidelines formulated by the Department. A grant may be provided to the Balik Scientist and released through the host institution for the implementation of the project in accordance with relevant government regulations and the need of the Program involved. Grants may come from other sources other than DOST-GIA.

Rule 20. Benefits, Incentives and Privileges for Balik Scientist under the Long-Term engagement:

Rule 20.1. Provision of a one-way airfare originating from a foreign country to the Philippines for the Balik Scientist, his/her spouse and dependents;

Rule 20.2. Pre-paid return airfare for the Balik Scientist, his/her spouse and dependents after satisfactorily completing the engagement;

Rule 20.3. Exemption from payment of travel tax for the Balik Scientist, his/her spouse and dependents;

Rule 20.4. Provision of accident/travel and health and medical (including dental) insurance to each of the Balik Scientist, his/her spouse and dependents covering the duration of the Balik Scientist's engagement awarded by the Department;

Rule 20.5. Special Relocation Benefits:

Rule 20.5.a. Special nonimmigrant visa, for the Balik Scientist, his/her spouse, and dependents: Provided, that the validity of the visa shall cover the duration of the awarded long-term engagement;

Rule 20.5.b. Exemption from the requirement to secure an alien employment permit from the Department of Labor and Employment (DOLE) for Balik Scientists and their spouses;

Rule 20.5.c. Exemption from submission of immigration clearance certificate and payment of multiple entry fees for the Balik Scientist, his/her spouse and dependents;

Rule 20.5.d. Tax and duty exemption in the importation of personal and household effects, professional equipment, instruments, and materials of the Balik Scientist.

For this purpose, the Balik Scientist shall apply for Tax Exemption Indorsement (TEI) with the Mabuhay Lane, Revenue Office, Department of Finance;

Rule 20.5.e. Tax and duty exemption in the importation of one (1) motor vehicle whose gross vehicle weight (GVW) does not exceed 3.5 tons shall be

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allowed to Balik Scientist subject to the motor vehicle classification standard set forth by the Bureau of Customs. The Balik Scientists, assisted by the Department, shall ensure compliance with other applicable rules and regulations in the importation of motor vehicles, set forth by the Department of Finance, Department of Trade and Industry, Department of Transportation, and their concerned Bureaus. An endorsement from the Department shall suffice as substitute to the required personal appearance. The Balik Scientist shall be exempt from posting of a bond and exportation of the motor vehicle to the country of origin upon the expiration of the award. This privilege, however, may be availed of by a Balik Scientist only once. For this purpose, the Balik Scientist shall apply for TEI with the Mabuhay Lane, Revenue Office, Department of Finance.

In the instance that the engagement of a Balik Scientist is changed from Long Term to Medium/Short Term for whatever reason, the duties and taxes waived shall immediately be paid to the Bureau of Customs. The DOST is duty bound to immediately inform the Department of Finance and the Bureau of Customs of any change in the term of engagement;

Rule 20.5.f. Assistance in the admission to the preferred schools for the minor dependents of the Balik Scientist by providing list of schools;

Rule 20.5.g. Assistance in securing job opportunities for the spouse of the Balik Scientist by providing list of possible job opportunities;

Rule 20.5.h. Relocation allowance to be determined by the Department in consultation with the Department of Budget and Management;

Rule 20.5.i. Monthly housing or accommodation allowance to be determined by the Department in consultation with the Department of Budget and Management;

Rule 20.6. Participation in Grants-in-Aid research and development projects shall be in accordance with the Department's Grants-in-Aid (GIA) guidelines and relevant government rules and regulations;

Rule 20.7. Funding for the establishment and development of a facility or laboratory shall be in accordance with the Department's Grants-in-Aid (GIA) guidelines and relevant government rules and regulations. Provided, that the facility or laboratory shall be deemed government property;

Rule 20.8. Payment of the salary of the Balik Scientist under the long-term engagement shall be the responsibility of the requesting/host institution. In the case of a host institution wishing to avail of the expertise of Balik Scientist but is unable to do so due to unavailability of an appropriate plantilla position, said host institution, in consultation with the Balik Scientist, may propose a project within the priorities of the Department, where the salary of the Balik Scientist could be charged. The Balik Scientist working in a DOST-funded project shall receive a salary commensurate to his/her qualifications, nature of work involved and as may be deemed appropriate by the Department. The performance of the Balik Scientist shall be evaluated annually by the concerned Sectoral Council.

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The aforementioned incentives shall be granted upon mutual consent by the Department and the Balik Scientist;

Rule 20.9. When appropriate, the incentives stated above may be increased upon approval by the Secretary based on the recommendation of the Balik Scientist Program Steering Committee, in consultation with the Department of Budget and Management.

Section 10. ROLE IN THE RESEARCH AND DEVELOPMENT LEADERSHIP PROGRAM OF THE DEPARTMENT

Rule 21. Balik Scientist shall assume mentorship, leadership, professional or technical roles in the R&D Leadership Program of the Department and other similar initiatives, which shall be included in the contract among the Department, the host agency, and the Balik Scientist.

Section 11. ADMINISTRATION

Rule 22. The Balik Scientist Program shall be administered by the Department through the Sectoral Councils to ensure focus on each of the Council's priority areas. Plantilla items shall be provided to the Department and the Sectoral Councils to ensure efficient administration of the Program subject to approval by the Department of Budget and Management. The Department and the Sectoral Councils shall coordinate their activities with other departments, agencies and bureaus, including government-owned and/or controlled corporations, to carry out effectively the provisions of this IRR.

Rule 23. The Department shall prioritize the following areas including, but not limited to: Space Technology, Artificial Intelligence, Biomedical Engineering, Energy, Agriculture and Food, Biotechnology, Information and Communications Technology, Pharmaceuticals, Disaster Mitigation and Management, Environment and Natural Resources, Electronics, Genomics, Health, Manufacturing, Nanotechnology, Cyber Security, and Semiconductors in accordance with the Philippine Development Plan.

The priority areas identified by the Secretary may vary depending on the urgent needs and programs of the Philippine government. The sectoral councils shall implement the Balik Scientist Program for their respective sectors to strengthen, institutionalize and give more focus on each of the council's priority programs.

Section 12. OTHER RELATED ACTIVITIES

Rule 24. The Department shall organize annual conventions to acknowledge the vital role of Balik Scientists in the scientific and economic growth of the country. The convention shall highlight the successes of explorations and research industries, science, technology or innovations and other emerging technologies.

Section 13. MONITORING, REPORTING, DATA BANKING AND EVALUATION

Rule 25. Implementation

The Program shall be implemented by the Sectoral Councils to ensure focus on each of the Council's priority areas.

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BSP Evaluation Committee of the concerned Sectoral Council shall provide technical assistance and support to the program on matters pertaining to effective implementation, policy review/enunciation and/or strategy formulation.

Rule 26. Monitoring and Reporting

Rule 26.1. The concerned Sectoral Council shall monitor and evaluate the activities of the Balik Scientist to ensure the successful implementation of his/her work plan/terms of reference;

Rule 26.2. The concerned Sectoral Council shall submit to the Secretary an annual report on the Program's accomplishments for onward submission to both Houses of Congress.

Rule 27. Data Banking Responsibility.

The Department shall create and maintain a databank of the Balik Scientists who have availed of the Program from the start of its implementation to serve as directory and guide in promoting Filipino scientific research and technological human resources that will improve the research and development in the public and private institutions in the country.

The concerned Sectoral Council shall ensure that the database on the Balik Scientist Program is updated, to serve as directory and guide in promoting Filipino scientific research and technological human resources.

Section 15. OTHER BENEFITS AND PRIVILEGES

Rule 28. The Department may draw up other benefits and privileges that may be extended to the Balik Scientist in the rules and regulations to be issued to implement the Act in accordance with other existing laws, codes, presidential decrees, executive orders, department orders, rules, regulations and other issuances promulgated for the purpose of accelerating the industrial development of the country.

Said rules and regulations may include a one-time incentive bonus and such additional incentives, benefits, and privileges that may be necessary to attract the individual Balik Scientist to come and help in the scientific and technology advancement of the country.

Section 16. FINAL PROVISIONS

Rule 29. Amendments. – The Department, in consultation with concerned agencies and other relevant stakeholders, reserves the right to amend this IRR where appropriate. This IRR shall be subject to review every three (3) years or as may be deemed necessary.

Rule 30. Separability Clause – If any provision or part of this Implementing Rules and Regulations should be declared invalid or unconstitutional by a competent court or tribunal, the remaining provisions hereof, unaffected thereby, shall remain valid and binding.

Rule 31. Repealing Clause. – All orders, circulars, rules and regulations or parts thereof which are inconsistent with the provisions of this IRR are hereby repealed or modified accordingly.

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Rule 32. Effectivity Clause. – This IRR shall take effect after fifteen (15) days following its publication in a national newspaper or in the Official Gazette.

Approved by:

F. T. de la Peña
FORTUNATO T. DE LA PEÑA
Secretary