

Republic of the Philippines
DEPARTMENT OF SCIENCE AND TECHNOLOGY



OFFICE OF THE SECRETARY

20 March 1998


Dear Fellow S&T Personnel:

In accordance with *Section 22 of Republic Act No. 8439*, I am pleased to present to you the Implementing Rules and Regulations (IRR) of the **Magna Carta for Scientists, Engineers, Researchers, and Other S&T Personnel in the Government**. The Magna Carta for S&T Personnel is a landmark piece of legislation which provides various forms of incentives and rewards to science and technology personnel and promotes S&T careers in the government.

The Implementing Rules and Regulations, formulated by the Department of Science and Technology (DOST), in collaboration with other government agencies and concerned sectors, will serve as a guide in the availment of benefits, privileges, scholarships and training opportunities for S&T personnel.

I am confident that the Magna Carta and the IRR will contribute to the development of a strong S&T workforce who will fulfill a significant role in enabling the country to compete globally in the various economic and social arena. They will also enable us to retain our highly qualified and competent S&T personnel and reverse the brain drain problem which affects the national requirements for scientific and technological manpower.

I hope that the IRR will inspire us to effectively deliver the S&T services which our country needs and foster S&T careers in the public sector.


WILLIAM G. PADOLINA
Secretary

MAGNA CARTA FOR SCIENTISTS, ENGINEERS, RESEARCHERS AND OTHER SCIENCE AND TECHNOLOGY PERSONNEL IN GOVERNMENT

(Republic Act No. 8439)

Implementing Rules and Regulations

BACKGROUND

Pursuant to Section 22 of Republic Act No. (R.A.) 8439, otherwise known as the Magna Carta for Scientists, Engineers, Researchers and Other Science and Technology Personnel in Government approved on December 22, 1997 which took effect on January 20, 1998, the following Rules and Regulations are hereby adopted to effectively implement the provisions of the Act.

Rule I – Coverage

Sec 1. Declaration of Policy

The State recognizes science and technology as an essential element for the attainment of national development and progress. To attain this objective, it is hereby declared the policy of the State to provide for a program of human resources development in science and technology to achieve and maintain the necessary reservoir of talent and manpower that will sustain its drive for total science and technology mastery.

The State shall establish, promote and support programs leading to the realization of this objective, such as the science and engineering scholarship programs, improvement of the quality of science and engineering education, popularization of science, culture, and provision of incentives for pursuing careers in science and technology.



Sec. 2. Definition of Terms

2.1 Department

Department refers to the Department of Science and Technology (DOST) created under Executive Order No. 128.

2.2 Scientific and Technological Activities (STA)

Scientific and Technological Activities refer to all systematic activities which are closely concerned with the generation, advancement, dissemination and application of scientific and technical knowledge in all fields of natural science and technology.

2.3 STA are classified into three broad groups, namely:

2.3.1 Research and Experimental Development (R& D)

Research and Experimental Development is 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;

2.3.2 Scientific and Technological Services (STS)

Scientific and technological services refer to activities in support of scientific research and development, dissemination and application of scientific and technical knowledge (i.e. library, information and museum services; geological and hydrological surveys; meteorological and seismological observations; compilation of routine statistics; testing, standardization and quality control; counseling of clients; patenting and licensing; engineering and technical services); and

2.3.3 Scientific and Technical Education and Training (STET)

Scientific and technical education and training refer to all activities comprising higher education and training leading to a university degree, post-graduate and further training, organized life-long training for scientists and engineers, and specialized non-university higher education.

Sec. 3 Scientific and Technical (S&T) Personnel

3.1 Scientific and technical personnel shall include S&T managers, supervisors and planners; members of the Scientific Career System;

scientists, engineers and researchers; and DOST technicians and DOST S&T-related personnel.

Sec. 4. Classification of S & T Personnel

S & T personnel are classified in the following categories:

4.1 S & T Managers, Supervisors and Planners

4.1.1 S&T managers, supervisors and planners are those who are graduate degree holders or have at least ten (10) years of managerial experience or are performing executive, planning and policy-making functions to effectively carry out STA related activities as defined in Section 3 of Republic Act No. 8439.

4.1.1.1 S&T Managers are those who are employed in R&D institutions or other organizations conducting STA and are occupying the positions of Secretary, Undersecretary, Assistant Secretary, Executive Director, Deputy Executive Director, Director, Regional Director, Deputy Director, Department Service Chief and other officers of equivalent rank as may be identified by the Career Executive Service Board. These positions are with salary grades 27 to 31.

4.1.1.2 S&T Supervisors are those who are employed in R&D institutions or other organizations conducting STA and are occupying the positions of Associate Scientist, Assistant Scientist, Division Chief, Supervising Science Research Specialist and other positions of equivalent rank. These positions are with salary grades 22 to 26.

4.1.1.3 S&T Planners are those who are employed in R&D institutions or other organizations conducting STA and are occupying the positions of Planning Officer IV, Project Development Officer IV and are essentially discharging supervisory functions. These positions are with salary grade 22.

4.2 Members of the Scientific Career System

4.2.1 Members of the Scientific Career System are those who have been conferred the rank of scientist in the Scientific Career System pursuant to Executive Order Nos. 784 and 901 dated 17 March 1982 and 19 July 1983, respectively.

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4.3 *Scientists, Engineers and Researchers*

- 4.3.1 Scientists, engineers and researchers are those who are at least undergraduate degree holders in any of the natural science and engineering courses and are involved in research and development or other scientific and technological activities. Natural sciences shall include, but not limited to astronomy, bacteriology, biochemistry, biology, botany, chemistry, computer sciences, entomology, geology, geophysics, mathematics, meteorology, mineralogy, nutrition, oceanography, physical geography, physics and zoology.
- 4.3.2 Scientists, engineers and researchers are individuals who, as above mentioned, spend at least fifty percent (50%) of their official time in the conception and creation of new scientific knowledge, and engineering and technological principles, products, processes, methods and systems.

4.4. *DOST Technicians and DOST S&T- Related Personnel*

- 4.4.1 DOST technicians are persons who control, operate and maintain technical and scientific equipment, and perform other related tasks connected with research and the application of concepts and operational methods in the fields of engineering and natural sciences. They have acquired their technical competencies either through baccalaureate degree program or on-the-job learning or completion of relevant technical-vocational education and training courses.
- 4.4.2 DOST S&T-related personnel refer only to all other DOST employees who do not qualify under the preceding Sub-sections 4.1, 4.2 and 4.3, and are providing support to S&T personnel and performing functions such as, but not limited to, secretarial, clerical, financial, maintenance work, science teaching and training, information dissemination, and other scientific and technological services.
- 4.4.3 DOST technicians and DOST S&T-related personnel must possess any of the following qualifications:
- 4.4.3.1 Have at least 12 units in natural science, engineering and other related courses; or
- 4.4.3.2 Completed any appropriate technical training which enhances his/her skill from an institution, including the DOST Technology Training Center, duly recognized by the DOST Secretary. Provided further, that the DOST Secretary shall

determine the appropriate training requirements for each position.

Sec. 5. Exemption from the Attrition Law and Civil Service Rule on Nepotism

- 5.1 Appointment of S&T personnel to positions of research assistant and upwards shall not be covered by the Attrition Law and Civil Service Commission (CSC) rule on nepotism in consideration of the highly technical nature of these positions.

Rule II – Benefits

Sec. 1 Who Are Entitled

- 1.1 S&T personnel who occupy plantilla positions whether permanent or temporary, on full-time or part-time basis, and contractual, casual or emergency positions charged to lump-sum appropriations now existing or hereafter created provided that they conform with the provisions of Section 5 of Republic Act 8439, shall be entitled to the benefits provided hereunder.

Sec. 2. Types of Benefits

- 2.1 Notwithstanding Section 12 of Republic Act No. 6758, science and technology personnel defined under Section 5 of R.A. 8439, shall receive the following benefits: honorarium, share of royalties, hazard allowance, subsistence allowance, laundry allowance, housing and quarters allowance, longevity pay and medical examination.

Sec. 3. Honorarium

- 3.1 S&T personnel who rendered services beyond the established regular workload, whose broad and superior knowledge, expertise or professional standing in a specific field contributes to productivity and innovativeness shall be entitled to receive honorarium subject to rules set by the Department.
- 3.2 Honorarium is a form of remuneration for services rendered beyond the regular workload of the following S&T personnel:
- 3.2.1 those whose broad superior knowledge, expertise or professional standing in a specific field contributes significantly to S&T and R&D;

- 3.2.2 those whose services in management, administration or support capacities contribute to the effective operation or management of S&T and R&D projects;
- 3.2.3 those assigned to special projects of inter-agency/department or inter-committee nature or which are not among the regular functions of the personnel/agency; and
- 3.2.4 those requested to organize, speak, lecture or act as resource persons in seminars, workshops, conferences, symposia, trainings and classroom sessions.

3.3 Other Provisions

- 3.3.1 Funds for payment of honorarium shall be included in the appropriations of the funding agency.
- 3.3.2 For foreign-funded projects, the provisions pertinent to payments of honorarium shall be followed as provided in the Memorandum of Agreement (MOA)/Memorandum of Understanding (MOU) between the parties concerned. In cases where the honorarium rates are not specified, those prescribed in these rules shall apply.
- 3.3.3 The rates of payment of honorarium to DOST personnel and DOST-assisted projects shall be subject to the approval of the Secretary of the Department upon the recommendation of the agency head.
- 3.3.4 Honorarium rates for non-DOST funded S&T projects shall follow the rates formulated by the funding agency but, as much as possible, shall be in harmony with DOST rates.

Sec. 4 Share of Royalties

- 4.1 Share in royalties shall be defined as a share in the proceeds of royalty payments arising from patents, copyrights and other intellectual property rights.
- 4.2 Intellectual property rights as presently defined in the Intellectual Property Code shall consist of the following:
 - 4.2.1 Copyrights and related rights;
 - 4.2.2 Servicemarks;

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- 4.2.3 Geographic indications;
 - 4.2.4 Industrial designs;
 - 4.2.5 Patents;
 - 4.2.6 Layout designs of integrated circuits;
 - 4.2.7 Protection of undisclosed information; and
 - 4.2.8 Innovations of inventions and utility models.
- 4.3 S&T personnel shall be entitled to receive share in royalties subject to the guidelines of the Department. The share in royalties shall be on a sixty (60%) to forty (40%) percent basis in favor of the Government and the personnel involved in the technology/activity which has been produced or undertaken during the regular performance of their functions.
- 4.4 If the researcher works with a private company and the program of activities to be undertaken has been mutually agreed upon by the parties concerned, any royalty arising therefrom shall be divided according to the equity share in the research project.

Sec. 5. Hazard Allowance

- 5.1 S&T personnel involved in hazardous undertakings or assigned in hazardous workplaces, shall be paid hazard allowances ranging from ten (10%) to thirty (30%) percent of their monthly basic salary depending on the nature and extent of the hazard involved.
- 5.2 Hazard allowance is a compensation premium which is generally paid to officials and employees who are exposed to hazards, directly or indirectly, because of the nature and/or location of their work.
- 5.3 Hazardous areas cover any of the following:
- 5.3.1 difficult/distressed or hardship posts characterized by distance, inconvenience of travel due to bad roads and conditions of the terrain, isolation, inaccessibility and extreme weather conditions; remote/depressed areas;
 - 5.3.2 work areas that are high danger zones to natural hazards;
 - 5.3.3 work areas posing risks or danger to health and safety due to direct unavoidable exposure to radiation, communicable/

contagious/infectious diseases; combustible and explosive, dangerous and toxic chemicals and biologicals; harmful physical substances and devices and other environmental hazards;

5.3.4 work areas posing risks and danger to health and safety due to unavoidable exposure to institutions of mental health, prison camps and industrial service workshops;

5.3.5 strife-torn or embattled areas where conflict exists;

5.3.6 work areas declared as under a state of calamity or emergency;

5.3.7 laboratories and clinics; and

5.3.8 such other areas that may be considered critical.

5.4 Other Provisions

5.4.1 Funds for the payment of hazard allowance shall be included in the appropriations of the agency.

5.4.2 Payment shall be based on actual presence in the hazardous work areas. The entitlement to the hazard allowance shall be co-terminus with the assignment of the personnel in the hazardous work areas. The agency head shall determine the personnel entitled to this allowance.

5.4.3 Personnel who are entitled to receive hazard allowance under existing laws, special laws, charters or enabling acts may opt to avail of the hazard allowance under Republic Act No. 8439.

5.4.4 Personnel who are on vacation, sick, maternity or study leave are excluded from receiving the hazard allowance. However, personnel on study leave who conduct laboratory research related to the course, as duly certified by the school authority and not covered by an insurance shall be entitled to this allowance.

5.4.5 Personnel who are on secondment or who are on full time detail to another agency are not entitled to the hazard allowance except when the personnel of the agency to which he/she is seconded or on detail are entitled to such an allowance.

5.4.6 Personnel who are attending seminars, workshops, trainings or similar activities are likewise not entitled to the hazard allowance except when said activities are held in areas which are certified to be hazardous.



- 5.4.7 The declaration of the hazardous work areas shall be duly certified by the Secretary of the Department upon recommendation of the agency head. The Secretary may refer to the appropriate agency authorized under the Department of Budget and Management (DBM) National Budget Circular No. 451 dated March 14, 1996 for the necessary certification.
- 5.4.8 Personnel who are directly exposed to hazardous work areas shall be entitled to a hazard allowance of not less than thirty percent (30%) of their monthly basic salary.
- 5.4.9 Personnel who are indirectly exposed to hazardous work areas shall be entitled to the allowance of not less than twenty percent (20%) of their monthly basic salary. Indirectly exposed are those who have frequent interaction with personnel of agencies who are directly exposed to hazards.
- 5.4.10 Personnel providing services in all other concerned areas are entitled to hazard allowance based on their actual presence in the hazardous area. A half day service shall entitle the personnel to fifty percent (50%) of the daily hazard allowance while service of less than four (4) hours shall not entitle them to the hazard allowance. In instances where the personnel are providing service in strife-torn or embattled areas, they shall be entitled to one hundred percent (100%) of the daily hazard allowance; provided that they continuously remain in said areas.

Sec. 6 Subsistence Allowance

- 6.1 S & T personnel are entitled to a full subsistence allowance equivalent to three (3) meals a day or One Hundred Fifty Pesos (P150.00) per day.
- 6.2 In case an employee renders half day service, he is entitled to fifty percent (50%) or Seventy-five Pesos (P75.00). Services of less than four (4) hours shall not entitle the employee to a subsistence allowance. The payment of this allowance shall be based on the actual presence of the S & T personnel either in the office or on official business.
- 6.3 Those assigned outside of their regular work stations are entitled to per diem as provided by Executive Order No. 248 dated May 25, 1995 "Prescribing Rules and Regulations and New Rates of Allowances for Official Local and Foreign Travels of Government Personnel", instead of subsistence allowance. Likewise, the stipends of scholars shall be in lieu of subsistence allowance

Sec.7 Laundry Allowance

- 7.1 S & T personnel who wear the prescribed uniform during office hours shall be entitled to a laundry allowance of Three Hundred Pesos (P300.00) per month. Personnel who are exempted, under existing regulations, from wearing uniform are also entitled to receive the allowance.

Sec. 8 Housing and Quarters Allowance

- 8.1 Housing and quarters allowance applies to S & T personnel who are on duty beyond office hours in laboratories, R&D Centers and other government facilities.
- 8.2 Employees concerned are entitled to free living quarters within the government facility, provided, their residence is outside of the fifty (50) kilometer radius from their official station.
- 8.3 Fees or cost of board and lodging shall be borne by the agencies concerned.
- 8.4 Availment of housing and quarters allowance is subject to availability of facilities.

Sec. 9 Longevity Pay

- 9.1 A monthly longevity pay equivalent to five percent (5%) of the monthly basic salary shall be paid to S & T personnel for every five (5) years of continuous and meritorious service as determined by the Secretary of the Department. "Continuous and meritorious" service shall mean service without gap and with a very satisfactory performance rating for the last two (2) semesters immediately preceding the date of entitlement of said benefit. During the specific year that the employee did not perform meritoriously, he shall not be entitled to receive the longevity pay for that period.
- 9.2 Payment of longevity pay shall cover the entire S&T government service as defined in the above provision from his original appointment subject to the approval of the DOST Secretary upon the recommendation of the Agency Head.
- 9.3 Longevity pay previously received will be deducted on a staggered basis within a period of six (6) months.

Sec. 10 Medical Examination

- 10.1 During the tenure of their employment, the S&T personnel shall be given a compulsory free medical examination once a year and immunizations as the case may warrant.
- 10.2 The medical examination shall include:
 - 10.2.1 Complete physical examination;
 - 10.2.2 Routine laboratory, Chest X-ray and ECG;
 - 10.2.3 Psychometric examination;
 - 10.2.4 Dental examination; and
 - 10.2.5 Other indicated examination.
- 10.3 S & T personnel shall be entitled to a health insurance package benefit covering the above-cited services, including hospital room and board, doctor's fee, surgeon's fee, and other related expenses based on the insurance package to be adopted by the DOST.

Sec. 11. Prohibition Against Diminution and/or Elimination

- 11.1 Nothing in this law shall be construed to eliminate or in any way diminish benefits being enjoyed by S&T personnel at the time of the effectivity of Republic Act No. 8439.

Sec. 12 Prohibition Against Double Benefits

- 12.1 S&T personnel already receiving the same benefits under any other law shall not be allowed to avail of the benefits under Republic Act No. 8439 unless they submit in writing their intention to withdraw the benefits already being received and opt for those herein provided.

Sec. 13. Non-DOST S & T Personnel

- 13.1 S & T Personnel not employed by the Department, who are involved in STA may avail of the benefits under Republic Act No. 8439 upon certification of the Secretary of the Department. Each department, agency or office concerned shall provide the necessary funds to cover the availment of benefits.

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Rule III - Scholarships and Grants

Sec. 1 *Conditions for Scholarships and Grants*

- 1.1 S & T personnel in public and private sectors shall be entitled to avail of scholarship benefits and grants for pursuing undergraduate, graduate, post-graduate or training courses in accordance with a Scholarship Program to be implemented by the Department.
- 1.2 Grantees of the program may study within the Philippines or abroad provided that the Department shall provide strict measures to ensure their return to the country to render the service obligation.
- 1.3 Recipients of undergraduate scholarships shall, after graduation, be required to render service in the government for the equivalent number of years that they availed of their scholarships. However, in case where there are no available positions in the government, they may be allowed to work in the private sector.
- 1.4 Scholarships may be on a full-time or part-time basis and privileges shall include tuition fee, book allowance, transportation allowance, monthly stipend, dissertation grants, insurance and the payment of regular salary and other benefits.

Sec. 2 *Privileges of Government S&T Scholars*

- 2.1 Graduates or grantees of government S&T scholarship programs or trainings shall be given temporary waiver of CSC eligibilities for at least two (2) years. Likewise, they shall enjoy preferential access to financial grants from any government agency/financial institution authorized to extend grants and loans with easy terms for science and technology projects which are viable and in line with the development thrusts of the country.
- 2.2 Government scholar graduates and training grantees can be hired in the government service on a temporary basis for two (2) years while waiting for the release of the results of examinations of the Civil Service Commission or professional licensure examinations of the Professional Regulation Commission.



2.3 Availment of grants and loans shall be subject to the following:

2.3.1 The accumulated duration of training availed should be at least six (6) months and in line with his/her expertise.

2.3.2 Application for grants or loans shall be subject to the evaluation of the DOST and the government agency/financial institution and shall be used to establish an S & T project or to commercialize technologies.

Rule IV - Consultancy Services and Detail to the Private Sector

Sec. 1. Consultancy Services

1.1 General Conditions

1.1.1 S & T personnel shall be allowed to render consultancy services to the private sector and shall be entitled to receive honorarium that may be paid to them by the private entity concerned. Such payments shall be over and above their salaries from the government during the period of consultancy and shall not be considered as double compensation; provided that, the consultancy work does not jeopardize or adversely affect the operations or activities of his mother agency; and there shall be full disclosure of the terms and conditions including remuneration and benefits of the consultancy; subject to the approval of the Secretary of the department concerned.

1.2 Specific Conditions

1.2.1 S & T personnel who render consultancy services shall have permanent appointment.

Contractual and casual personnel whose salaries are charged to lump-sum appropriation may be allowed to accept consultancy services on a selective basis as may be determined by the agency head.

1.2.2 In addition to his regular projects, an S&T personnel shall be allowed to provide consultancy work in any private entity for a maximum of thirty two (32) hours per month; provided that he shall only accept a maximum of three (3) projects at any one time.

1.2.3 There shall be full disclosure of the consultancy contract to the mother agency, as governed by a tripartite contract among the hiring institution, the mother agency and the S&T personnel.

- 1.2.4 S&T personnel cannot render consultancy services to an institution where they have direct oversight functions or where they are responsible for the evaluation and screening of projects funded by a grant from their agencies.
- 1.2.5 The DOST and the Institute/Agency shall have a share of ten percent (10%) of the total consultancy fee. The accumulated fund shall be considered as trust receipts pursuant to existing laws and shall be used to support S&T activities as approved by the agency head. Other agencies may adopt the same policy.
- 1.2.6 For foreign consultancy, the S & T personnel shall be allowed a maximum of two (2) months per year. In cases of extension, the S & T personnel must file a leave of absence not to exceed one (1) year inclusive of the two-month consultancy period subject to the approval of the agency head.

Sec. 2. Detail to Private Sector

2.1 General Conditions

- 2.1.1 Provisions of existing laws notwithstanding, S&T personnel who are employed on a regular basis in the government, may be seconded to any private entity where such services are needed, provided that the duration of such secondment shall not exceed one (1) year; the detail or secondment of said personnel will not hamper or adversely affect the operations or activities of their mother agency; and the head of the agency approves the detail or secondment.
- 2.1.2 During the period of such secondment, the salary of the seconded S&T personnel shall be borne by the private entity. The period of secondment shall be included in computing the length of service for purposes of retirement. The S&T personnel shall not earn leave credits during the period of secondment.
- 2.1.3 Such secondment shall not likewise affect his security of tenure nor result in the loss of seniority rights.

2.2 Special Conditions

- 2.2.1 S&T personnel who have rendered at least four (4) years of continuous and actual service in the institute/agency shall be allowed secondment to a private entity requiring their expertise for not more than twelve (12) months.

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- 2.2.2 S&T personnel who avail of this arrangement must serve the DOST or concerned agency for four (4) years after the secondment before another secondment may be granted upon the recommendation of the agency head and approval of the Secretary of the Department concerned.
- 2.2.3 During the secondment, the S&T personnel shall receive salary from the private entity where he/she is on detail. Such personnel shall not be entitled to any benefits provided under Republic Act No. 8439.
- 2.2.4 The agreement for secondment shall be covered by a tripartite contract among the S&T personnel, Secretary of the department concerned and the private entity with full disclosure of the terms and conditions.
- 2.2.5 The mother agency shall have a share of a minimum of five percent (5%) of the total compensation received from the private entity. The accumulated fund shall be considered as trust receipts and shall be used to support S&T activities as approved by the head of the agency.
- 2.2.6 In case the grantee opts to continue the secondment, he/she shall have to resign from the government service provided that he/she has no scholarship/service/financial obligation from the mother agency. Provided further, that the period of secondment immediately preceding the resignation shall not be counted in the computation of the number of years of service in the government.

Rule V - Hiring of Retired Scientists and Technical Personnel

Sec. 1 *Hiring of Retired S&T Personnel*

- 1.1 S&T personnel retired under any existing law, who, in the judgment of the governing board or head of a research agency, possess technical qualifications and the capability to undertake specific scientific research activities, may be rehired on contractual basis without refunding the unexpired portion of the gratuity and accumulated leave benefits received by them from the government; provided that no qualified science and technology expert is available to undertake said scientific activities.
- 1.2 The retired S & T personnel to be rehired must be mentally, emotionally and physically fit as supported by a medical certificate.



Rule VI - Science and Technology Awards

Sec. 1 S&T Awards

- 1.1 A Science and Technology Awards Committee shall be established which shall confer annually the science and technology awards for outstanding achievement/s and excellence or original contribution to science and technology. The Committee shall promulgate guidelines implementing this Section and shall specify the categories of awards to be given and the amount of financial reward for each category.
- 1.2 Such committee shall take into consideration the existing awards system being administered by the various councils and agencies of the DOST.

Rule VII - Congressional Commission on Science and Technology

Sec. 1 Congressional Commission on Science and Technology

- 1.1 A Congressional Commission on Science and Technology (S and T COM) shall be created to review and assess, among others, the state of the Philippine human resources development in S&T, the state of computerization and information technology in the Philippine economy and society, and the implementation of Republic Act No. 8439. Such Congressional review shall be undertaken at least once every five (5) years.
- 1.2 The Commission shall be composed of five (5) members of the House of Representatives and five (5) member of the Senate. It shall be co-chaired by the chairpersons of the Committee on Science and Technology of both Houses of Congress.



Rule VIII – Special Provisions

Sec. 1 *Science and Technology Career System*

- 1.1 A career system for science and technology personnel in the service of the government, patterned after the Scientific Career System (SCS), shall be formulated by a committee to be created by the DOST Secretary in coordination with the Civil Service Commission (CSC) and such other agencies as may be necessary.

Sec. 2 *Salary Scale*

- 2.1 The salary scale of S&T personnel to be developed pursuant to Section 6 of R.A. 8439 shall, after consultation with the Department of Budget and Management (DBM) and the Civil service Commission (CSC), and as approved by the President of the Philippines, take effect on the date of the effectivity of this law.

Sec. 3 *Highest Basic Salary Upon Retirement*

- 3.1 Upon retirement, the S&T personnel concerned shall be automatically granted one (1) salary grade higher than his/her basic salary at the same step of his/her current salary grade.
- 3.2 Retirement benefits shall be computed on the basis of his/her highest salary received.

Sec. 4 *Human Resource Development Council*

- 4.1 The Human Resource Development Council (HRDC) created under Republic Act. NO. 8248 shall formulate the rules and regulations and implement the scholarship programs as provided in Section 1 of Rule III. The scholarship programs of DOST, its councils and agencies, shall be submitted to the HRDC.



Rule IX – Report of the Secretary


Sec. 1. *Annual Report*

- 1.1 The Secretary of DOST shall submit to the Congressional Commission on Science and Technology, an annual report on the status of implementation of this Magna Carta.

Rule X - Date of Effectivity

Sec. *Effectivity*

- 1.1 These rules and regulations shall take effect fifteen days after publication.


WILLIAM G. PADOLINA
Secretary