PROMULGATION OF THE REVISED RULES AND REGULATIONS IMPLEMENTING THE PROVISIONS OF EXECUTIVE ORDER NO. 130 DATED 25 OCTOBER 1993, INSTITUTING THE BALIK-SCIENTIST PROGRAM UNDER THE...

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Pursuant to the provisions of Section 6 of Executive Order No. 130, the following revised rules and regulations implementing the Balik Scientist Program is hereby issued and promulgated.

I
Policy

Science and technology experts who are Filipinos, or foreigners of Filipino descent shall be encouraged to return or reside in the Philippines, and share their expertise in order to accelerate the scientific, agro-industrial and economic development of the country.

II
Objective
The Balik Scientist Program aims to strengthen the scientific and technological human resources of academic, public and private institutions in order to accelerate the flow of technologies and stimulate the development of new or strategically important technologies that are vital to national development and progress.

III
Definition
A Balik Scientist shall refer to a science and technology expert who is a Filipino citizen or a foreigner of Filipino descent, residing abroad and contracted by the Government to return and work in the Philippines.

IV
TYPE OF PARTICIPANTS

A participant to the Program may fall under any of the following types:

1. Short-term Expert - a Balik Scientist with at least five years relevant work experience beyond graduate degree, residing abroad and contracted to return and work in the Philippines along his/her field of specialization for a period of at least one month. An expert can avail of the short-term program only once.

2. Long-term Expert - A Balik Scientist with at least five years relevant work experience beyond graduate degree, residing abroad and contracted to return and work in the Philippines along his/her field of specialization for a period of at least two years.

3. New Graduate - A Balik Scientist who has attained his/her doctoral (Ph.D.) degree for not more than two years prior to filing of application to the Program and contracted to return and work in the Philippines along his/her field of specialization for not less than three years.

V

QUALIFICATIONS OF APPLICANT

The following shall be the minimum qualifications of an applicant to the Program:

- Short-and-Long-Term Experts

1.1 Must be in good health, physically and mentally.

1.2 Must have a graduate degree and must have practised his/her profession for not less than five (5) years after obtaining the MS or PhD degree, preferably in the private sector, a reputable R & D institution and/or in the academe.

However, an applicant with highly specialized skills without a graduate degree may be qualified on special cases. In both instances, his/her field of expertise must be consistent with the priorities of science and technology (S&T) promulgated by the Department of Science and Technology (DOST).

1.3 Must have made an outstanding contribution in his/her field of specialization;

1.4 Must not be a recipient of any grant (scholarship or fellowship and other similar grants) that requires him/her to come back to the country. However, applicants from the USA who hold exchange visitor's visas (J-1) shall be allowed to participate in the program provided that their training in the USA was self-solicited and that they have no outstanding financial or service obligation with any public or private institution in the Philippines.

- New Graduates

2.1 Must be in good health, physically, emotionally and mentally;

2.2 Holder of PhD degree; no experience required;

2.3 Field of study must be consistent with the S & T priorities promulgated by DOST; and

2.4 Must hot be a recipient of any grant (scholarship or fellowship and other similar grants) that requires him/her to come back to the country. However, applicants from the USA who hold exchange visitor's visas (J-1) shall be allowed to participate in the program provided that their training in the USA was self-solicited and that they have no financial or service obligation with any public or private institution in the Philippines.

VI
PROCEDURE OF APPLICATION

- Qualified applicants shall file the following requirements:

1.1. Accomplished Balik Scientist Program (BSP) Form No. 001, with 2" x 2" ID photo and detailed curriculum vitae;

1.2 Transcript of academic record, a photocopy of the diploma or certificate attesting fulfillment of the required academic degree;

1.3 Latest medical certificate from licensed medical practitioner in the country of present residence with six months validity prior to engagement as Balik Scientist;

1.4 Statement of release whether temporary or permanent from place of employment abroad;

1.5 Certificate of good moral character from last employer;

1.6 For short-term experts, schedule of activities and expected output;

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1.7 For long-term experts and new graduates, a detailed statement of research and/or development plans with "conforme" of the receiving institution;

1.8 Copy of a valid certificate of registration and a valid professional license or a temporary special permit and/or any foreign license, etc., if applicable.

1.9 Copy of an alien employment permit from the Department of Labor and Employment (DOLE), if applicable

- All applications and requirements of applicants shall be addressed to:

The Balik-Scientist
Program Department of Science and Technology
Gen. Santos Avenue, Bicutan, Taguig
Metro Manila, Philippines
P.O Box 3596 Manila, Philippines
or thru Fax No. (632) 837-0086

- Applications for any type of participant shall be submitted for evaluation and processing by the Balik Scientist Evaluation Committee (BSEC) and shall be approved by the DOST Secretary.

VIIPROCEDURE OF SELECTION

1. The BSEC, appointed by the Secretary of the Department of Science and Technology (DOST), shall evaluate the qualification of all applicants on the basis of information submitted.

2. The BSEC shall elect from among qualified candidates those who shall be given priority using the following guidelines:

2.1 Those whose expertise are consistent with the S & T priorities promulgated by DOST;

2.2 Those who are in the field of basic sciences, engineering, and information and communications technology and are actually undertaking research and development (R & D) and proposing to take up R & D projects with the Philippine counterparts on priority programs/projects of the government and private sector and those whose research plans have passed the evaluation of the concerned S & T Council of the DOST;

2.3 Those who received a firm offer of acceptance from a locally-based private firm, academic institution or government agency engaged in priority R & D projects and S & T services; and

2.4 The activities of the identified receiving institution/cooperating agency(ies) are relevant to the expertise or field of specialization of the applicant.

3. Only applicants who meet the following criteria shall be admitted to the Balik Scientist Program:

3.1 those who meet and pass the set of criteria in Article V;

3.2 those who have received firm offers of acceptance from their respective receiving institutions;

3.3 those who have well-defined work programs, schedules of activities and targets, which are mutually acceptable to both the applicants and their respective receiving institutions; and

3.4 those whose receiving institutions have committed to provide the necessary resources.

VIII

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TERMS AND CONDITIONS OF AWARD

1. A Balik Scientist grantee shall have the following obligations;

1.1 Short-term Experts

1.1.1 Render service to the receiving institution and other interested local institutions in the Philippines, if any, for the duration of the work contract. Such service shall be for at least forty hours per week

1.1.2 Submit to DOST prior to leaving for abroad, a terminal report which shall include the following information.

1.1.2.1 Account of work activities/outputs, detailed schedule including persons met and worked with and list of seminar-workshops conducted with indications of number of participants;

1 1.2 2 Identification and analysis of problem areas and issue studied.

1.1.2.3 Recommendations to address problems, meet requirements of work program/arrangements for implementation, follow-up advisory services;

1 1:2.4 Other comments/observations on areas related to expertise or specialization; and

1.1.2.5 Suggestions to improve the effectiveness of the Balik Scientist Program.

1.1.3 If necessary, obtain a certificate of registration and a professional license or a temporary/special permit from the Professional Regulation Board (PRB) and the Professional Regulation Commission (PRO) and renew such license or permit upon its expiry.

1.2. Long-Term Experts

1.2.1 Have definite placement in a (a) government agency (b) academe or (c) private institution;

1.2.2 Render service to the receiving institution and other cooperating agencies in the Philippines, if any, for the duration of the work contract;

1.2.3 If foreigner, secure an Alien Employment Permit from the Department of Labor and Employment;

1.2.4 If necessary, apply for/renew professional license with the Professional Regulation Commission;

1.2.5 Attend meetings that may be called by the DOST from time to time;

1.2.6 Submit periodic reports on employment status and achievements in the S & T field as required by the Program;

1.2.7 Obtain prior approval from the Program for any travel abroad during the period of contractual obligation;

1.2.8 Work in the country for not less than two years.

1.3 New Graduates

1.3.1 Same as 1.2.1 to 1.2.7 above; and

1.3.2 Work in the country for not less than three years.

2. For failure of the grantee to comply with the terms and conditions and to meet the target output(s) through his/her own fault or wilfull neglect, resignation or other causes within his/ her control, the DOST shall require the grantee to refund in full, of proportionately, if he/she has rendered at least 50% of the service obligation to his/her receiving institution, such sum of money to defray the expenses incurred by the Program for his/her airfare

including, whenever applicable, those of his/her spouse and two direct minor dependents, below 18 years of age (R.A. 6809), cost of shipment of personal effects and household goods, relocation allowance, daily subsistence allowance and other expenses incident to the award as may be determined by the Inter-agency Implementing Committee of the Balik Scientist Program.

IX
INCENTIVES FOR AWARDEES

The following incentives shall be given to the awardees of the program:

1. Short-term Experts

1.1 Reimbursement of peso equivalent of the cost of round trip economy airfare originating from foreign country to the Philippines by direct route. Computation shall be based on the currency rate prevailing on the date when the airline ticket was purchased.

1.2 Daily subsistence on the prevailing rates of consultant's fee of the United Nations Development Program (UNDP).

1.3 Exemption from payment of the travel tax for grantee, as per Republic Act No. 6809 upon full satisfaction of the requirements of P.D. 1183 as amended by E.O-.MO: 283 dated 25 July 1987

1.4 Health insurance coverage not exceeding P120.000 per illness;

1.5 Accident insurance coverage not exceeding P1 Million;

1.6 Lodging subsidy of P5.000.00 per month;

1.7 Transportation allowance of P5.000.00 per month;

1.8 Availment of the privilege granted under Section 105(g) of the Tariff and Customs Code of the Philippines (TCCP) which provides for the conditionally-free importation of wearing apparel, articles of personal adornment, toilet articles, portable tools and instruments, theatrical costumes and similar effects which are necessary and appropriate for the wear and use of such persons but not for barter, sale or hire; and

1.9 Financial support for research and development projects approved by the Secretary of the Department of Science and Technology.

2. Long-term Experts and New Graduates

2.1 For a grantee whose Contract of ^ward has been signed by, the DOST Secretary and duly notarized, pre-paid one-way economy air ticket shall be provided to the grantee and whenever applicable his/her spouse and two direct minor, dependents

2.2 For a grantee whose Contract of Award is still in process but necessary arrangements for his/her return to the Philippines had already been completed, reimbursement of the peso equivalent of the cost of one-way economy airfaire originating from a foreign country to the Philippines, by direct route, including whenever applicable, the airfare for the spouse and two direct minor dependents shall be made by DOST, provided, however, that the DOST Secretary has approved his/her application and the receiving institution is ready to receive the grantee. Computation of the reimbursement shall be based on the prevailing currency rate on the date the airline ticket was purchased.

Minor dependents shall include children who are below 18 years old and those who are 18 years old and above but suffering from congenital disability, either physical or mental, or any disability acquired before the age of 18 that renders them totally dependent on the grantee for support.

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2.3 Pre-paid return air ticket (one-way economy) after satisfactorily serving their contract including airfare for the spouse and two direct minor dependents.

2.4 Participants within one year of their contracted service may avail of the following incentives:

2.4.1 No-dollar importation of motor vehicles for a limited period of three months subject to the guidelines prescribed and promulgated by the Department of Trade and Industry (DTI) for No-Dollar Importation of Second-Hand Motor Vehicles of Returning Residents/Immigrants, and such other guidelines as may be issued by the Bureau of Import Services and the DTI. However, taxes and duties have to be paid by the awardee.

2.4.1.1 Allowable motor vehicles

a. Left-hand drive passenger cars or those with left-hand drive conversion kits in compliance with regulations for registration of the Land Transportation Office (LTO);

b- Left-hand commercial vehicles or those with left-hand drive conversion kits such as vans, pick-ups, jeeps and coasters, provided that the gross vehicle weight shall not exceed 3,000 kgs. in compliance with regulations for registration of the Land Transportation Office;

c. Motorcycles and scooters.

2.4.1.2 Motor Vehicles should have been registered under the name of the grantee or his/her spouse in the country of residence for at least six months before the submission of the application.

2.4.1.3. Prior authority from the DTI is required before shipment of the motor vehicle, in order to prevent inconvenience of the applicants in the importation of motor vehicles under this scheme. Application to import should be submitted or mailed to the Bureau of import Services, DTI, with the following documents duly notarized by a notary public and authenticated by the nearest Philippine Consular Office abroad:

- Copy of the existing vehicle registration; and

- Stencils of the vehicle I.D. number, chassis and engine numbers.

2.4.1.4 The authority issued for this purpose shall be valid for a period of 180 days from elate of issue and shall indicate the taxes and duties payable on the motor vehicle for the importation as estimated by the Bureau of Customs. Taxes and duties shall be based on the brand new value of the vehicle taken from US Blue Book, Japan Red Book or the World Car Year Book, depending upon the country of origin and the model of the vehicle, less applicable depreciation Memorandum Order No. 10-89.

2.4.2 Duty-free importation of professional instruments and implements, tools of trade, occupation or employment, wearing apparel, domestic animals, and personal and household effects in quantities of the class suitable to the profession, rank or position of the persons importing them; for their own use and not for barter or sale under Section 105 (h) of the Tariff and Customs Code. If the grantee would bring some equipment that would be used during his stay, it would be non-dutiable- provided it is portable pursuant to Sec. 105 (h) of the Tariff and Customs Code.

2.4.3 Exemption from payment of travel tax for grantee, spouse and two direct minor dependents below 18 years of age as per Republic Act No. 6809 upon full satisfaction of the requirements of P.D. 1183 as amended by Executive Order No. 283 dated 25 July 1987;

2.5 Reimbursement of expenses for the surface shipment of a car and personal effects.

2.5.1 International and Local

2.5.1.1 The family is allowed 2-1/2 tons volume weight for surface shipment of a car and personal effects. If no car is shipped, the grantee shall be entitled to only 1.5 tons. Surface shipment of scientific equipment to be

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used in the exercise of the grantee's profession white serving as Balik Scientist shall be allowed.

2.5.1.2 When travelling by air, the grantee is entitled to reimbursement for excess baggage not exceeding 20 kgs. per adult and 10 kgs. per minor dependent. Any excess will be borne by the grantee.

2.6 Assistance in securing a certificate of registration and a professional license or a temporary/special permit from PRB and PRC to practise profession, expertise or skill in the Philippines in accordance with Section 5 (j) of Presidential Decree No. 223 dated 22 June 1973, as amended by Presidential Decree No. 657, dated 19 February 1975 and/or the applicable professional regulatory Law. However, the DOST must first ascertain the qualifications of the participant under Section 5 of P.D. 223 before he/she is allowed to depart for the Philippines.

2.7 Payment of the salary of a long-term expert/new graduate shall be the responsibility of the institution. In the case of a DOST institution wishing to avail of the expertise of Balik Scientists but is unable to do so due to unavailability of an appropriate position, said DOST agency, in consultation with the Balik Scientist, may propose a project within the priorities of DOST where the salary of the Balik Scientist could be charged. The Batik Scientist working in a DOST-funded project shall receive a salary equivalent to Salary Grade 30. The performance of the Balik Scientist shall be evaluated annually by the DOST.

2.8 Housing allowance of P120,000.00 per year in the absence of provision for housing facility.

2.9 Health insurance coverage with premium not exceeding P120.000.00 per illness.

2.10 Accident insurance coverage not exceeding P1 Million.

2.11 Tuition fee assistance per school year for two direct minor dependents at actual cost but not exceeding the following amounts for:

- P15,000.00 per child in highschool

- P5 ,000.00 per child in elementary

2.12 Transportation assistance of P5.000.00 per month;

2.13 Grants-in-Aid for research projects approved by DOST

2.14 Relocation allowance of Forty Thousand Pesos (P40,000.00). Spouses who both qualified in the Balik Scientist Program shall each be entitled to receive the relocation allowance. However, all other incentives shall be provided to them not as individual grantees but as a family.

2.16 Foreign participants under the Program, including their dependents, as certified by the Department of Science and Technology, shall be granted by the Secretary of Justice special nonimmigrant visas under Section 47 (a) (2) of the Philippine Immigration Act of 1940, as amended, after compliance with the requirements therefor. Said participants including their dependents shall be exempted from the payment of visa, immigration and registration fees in accordance with existing laws and regulations.

The length of the validity of said visas and their extension shall be in accordance with the policy determined by the Secretary of Justice. The Secretary of Justice may refuse to grant a 47 (a) (2) visa to restricted aliens.

X
IMPLEMENTING COMMITTEE

An inter-agency implementing committee composed of representatives of the different agencies involved in the Program shall be created by the DOST Secretary. This Committee shall provide technical assistance to the Program Director on matters pertaining to implementation, policies required and strategies to be adopted.

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XI
LIMITATION TO THE AWARP

1. An award shall not become final until the DOST shall have received the signed Contract of Services from the awardee and signed by the appropriate DOST Official as parties to the contract.

2. The privileges approved for an awardee shall be availed of only within the period specified in the terms of the award.

3. In claiming for the reimbursement of allowable expenses, only original official receipts (ORs) and used plane ticket(s) shall be honored, unless otherwise specified.

XII
MISCELLANEOUS ITEM
In exceptional or meritorious cases where substantial benefits will accrue to the receiving institution and to the national government, the basic educational requirement for an applicant to the Balik Scientist Program may be waived,

XIII
REPEALING CLAUSE

DOST Administrative Order No. 009, Series of 1994 and all other issuances inconsistent with the provisions of these Rules are hereby amended, modified or repealed accordingly

XIV
EFFECTIVITY

These rules and regulations shall take effect fifteen days, after its publication in the official gazette or newspaper of general circulation, whichever comes earlier.

Adopted: 13 Feb. 2001

(SGD.) ROGEUO A, PANLASIGUI
Acting Secretary

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* This Administrative Order No. 008, s.2001 was misnumbered as 013, s.2000 but was corrected to 008, s. 2001 by DOST per communication to ONAR dated May 21, 2001

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