COLLECTION OF LEGAL RESEARCH FEE IMPOSED BY REPUBLIC ACT NO. 3870, AS AMENDED BY PD 200 AND FURTHER AMENDED BY PD 1856

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I. Background/Rationale:

Republic Act No. 3870 (as amended by PD 200 and further amended by PD 1856) otherwise known as "An Act Defining the Functions of the U.P. Law Center, Providing for its Financing and for other Purposes" expressly mandates that:

> Section 4. In order to provide for the support of the U.P. Law Center and the University of the Philippines Law Complex, the additional amount of one percent (1 %) of the filing fee imposed, but in no case lower than Twenty Pesos, in the case of appellate courts and the additional amount of one percent (1 %) of the filing fee imposed, but in no case lower than Ten Pesos in the case of all other courts, including all administrative or special courts, as well as agencies or tribunals exercising quasi-judicial functions and those enumerated in Letter of Instructions No. 1182, issued on December 16. 1981, shall be collected by their respective clerks of court, or equivalent functionary, for each action or special proceeding filed therewith and for which the fees prescribed in the Rules of Court or in any statute or regulation as due and payable'. For this purpose, "special proceeding" shall include any petition or application, paper or document seeking official action to establish a status, a right, privilege or particular fact or command the performance of a duty. Such additional amounts shall be receipted for as part of a special fund to be known as the "Legal Research Fund," and shall, upon collection, be immediately remitted to the University of the Philippines and deposited in a separate account in any authorized government depository bank in the name of the National Treasurer as Ex-Officio Treasurer of the U.P. under this Charter.

Letter of Instructions No. 1182, issued on December 16, 1981 identified the Food and Drug Administration as one of those agencies covered by Republic Act No. 3870 (as amended by PD 200 and further amended by PD 1856). A copy of LOI No. 1182 is attached to this Circular as Annex "A"[*]. In compliance with the above provision, this Order is hereby issued concerning the collection of Legal Research Fee (LRF) for adherence of all concerned.

II. Details:

- In line with the implementation of the above laws, the computation of the Legal Research Fee for the University of the Philippines Law Center (UPLR Fee) shall be based on the schedule of fees and charges implemented by the FDA and assessed only and exclusively against the following applications/transactions:

- Fees for Licensing of Establishments regulated by FDA or any amendment thereto.

- Fees for Registration and Notification of, or other Authorization for Products Regulated by FDA or any amendment thereto.

- Cost of Laboratory Analysis.

- Accreditation of Testing Laboratories including Bioequivalence testing center.

- Fees for appropriate Advertisements, Promotions, Sponsorships and/or other marketing activities.

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- Fees as may be imposed for Other Special proceedings.

- From the date of effectivity of this Circular, the Cashier Section of the Administrative Division of this Office, including the Bureau of Health Devices and Technology, is directed to immediately collect the LRF corresponding for each services enumerated in the list below and thereafter remit such fees without delay to the University of the Philippines (UP) following the procedure of remitting LRF established by UP. The said list may be revised from time to time.

- Schedule of Fees

(Text Available at Office of the National Administrative Register (ONAR), U.P. Law Complex, Diliman, Quezon City)

This FDA Circular shall take effect after fifteen (15) days following its publication in a newspaper of national circulation and upon submission to the University of the Philippines Law Center.

Adopted: 24 June 2011

(SGD.) SUZETTE H. LAZO, M.D., FPSECP
Acting Director IV

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[*] Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City.

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