

CREATING AND ESTABLISHING THE TECHNOLOGY RESOURCE CENTER, DEFINING ITS POWERS, FUNCTIONS AND RESPONSIBILITIES, AND FOR OTHER PURPOSES

PRESIDENTIAL DECREE NO. 1097, February 23, 1977

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WHEREAS, appropriate technological development is vital to a more responsive and coordinated planning and implementation of development activities in the Philippines as in other developing countries in the region;

WHEREAS, the provision of a system of monitoring, design, evaluation and dissemination of appropriate technology is a necessary support to the functions and activities of the production and service sectors;

WHEREAS, improved effectiveness and efficiency of technical activities in the total development effort of the New Society is enhanced by the establishment of a network of technology and information institutions;

WHEREAS, recent emphasis has been placed on such priority areas as production methods in agriculture and industry, population control and distribution, health care delivery systems, nutrition care, education, communication, energy research, science and technology transfer and utilization, environmental management, housing construction technology and approaches to urban development, natural disaster prediction, control and moderation, and planning management and decision-making;

WHEREAS, adequate government action is necessary in these as well as in related areas, for the improvement of our people's livelihood and well-being; and

WHEREAS, it is necessary to provide the appropriate institutional framework and adequate funds to meet these requirements;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby create and establish a body corporate to be known as the Technology Resource Center, which shall operate in accordance with the following provisions:

SECTION 1. Purposes. — The purposes of the Technology Resource Center are:

- (a) to hasten and enhance social and economic progress in the country, through self-reliance, by rationalizing and systematizing research and development efforts in the light of knowledge already available;
- (b) to harness indigenous resources and technologies in the search for improved effectiveness and efficiency of technical activities in the production and service sectors;
- (c) to effect a problem-oriented coordination of resources and a systematic but flexible approach to technology and information problems;
- (d) to support and encourage innovative alternatives and approaches to the solution of technical problems, and to broaden options for minimizing future technical problems;
- (e) to monitor such technological advances and store the information generated as would affect social, economic and physical planning and development, and to subscribe to acquire, process and disseminate

textual, statistical and graphic data and information needed by decision-makers and other users;

(f) to link foreign and national research institutions to users through information technology and planning research capabilities; and

(g) to establish a network of permanent coordinating committees on the following areas, but not limited to these: food, population control and distribution, health, nutrition, education, communications, energy, environmental management, science and technology transfer and utilization, housing and urban development, natural disaster prediction, control and moderation and planning management and decision-making.

SECTION 2. Corporate Powers. — To fulfill and accomplish its purposes the Center shall have the following powers:

(a) To adopt, alter and use a corporate seal;

(b) to take and hold by bequest, devise, gift, purchase or lease, either absolutely or in trust for any of its purposes, any property, real or personal, without limitations as to amount or value; to convey such property and to invest and reinvest any principal, and deal with and expand the income and principal of the said Center in such manner as will promote its objectives;

(c) to collect, receive and maintain a fund or funds, by subscription or otherwise, and to apply the income and principal thereof to the promotion of its aims and purposes hereinbefore set forth;

(d) to contract any obligation or enter into any agreement necessary or incidental to the proper management of its corporate powers;

(e) generally, to carry on any activity and to have and exercise all of the powers conferred upon private or government-owned or controlled corporations; to exercise such power and authority as may be directly or indirectly necessary, incidental or expedient to carry out the purposes and objectives hereinbefore specified; and to do any and all of the acts and things herein set forth to the same extent as juridical persons could do, and in any part of the world as principal, factor, agent or otherwise, alone or in syndicate or otherwise in conjunction with any person, entity, partnership, association or corporation, domestic or foreign.

SECTION 3. Domicile. — The principal office of the Technology Resource Center shall be established in Metro Manila, Philippines. The Center may also have branches or offices at such other place or places, within or outside the Philippines, as its operations and activities may require.

SECTION 4. Board of Trustees. — The governance and policy direction of the Center shall be vested in, and its powers exercised by, a Board of Trustees, which shall be composed of eleven members, as follows:

(a) Chairman of the National Science and Development Board

(b) Chairman of the Human Settlements Commission

(c) Governor of the Metro Manila Commission

(d) Commissioner of the Budget

(e) Secretary of Economic Planning

(f) Secretary of Natural Resources

(g) Secretary of Public Works, Transportation and Communication

(h) Secretary of Industry

(i) Secretary of Local Government and Community Development

(j) Secretary of National Defense

(k) Director-General of the Center

The Trustees shall not receive any compensation or remuneration for their services as such, but may be reimbursed for actual expenses incurred in discharging their functions or in carrying out the business of the Center.

SECTION 5. Responsibilities of the Board. — In the exercise of the powers granted to it under this Decree, the Board of Trustees shall:

(a) prepare and adopt such rules and regulations as it considers necessary for the effective discharge of its responsibilities;

(b) authorize the fields of operations and investigations to which the available funds are allocated, without determining, controlling or influencing the methodology of particular studies or the conclusions reached; provided, however, that policies for the development of the computer facilities and related equipment of the Center are formulated in consultation with the Chairman of the Presidential Committee per Memorandum Order No. 458, series of 1974;

(c) constitute the Executive Committee as hereinafter defined;

(d) recommend the appointment of the Director-General of the Center and appoint such other officers as are necessary to assist the President in the administration of the affairs of the Center;

(e) review periodically the administration and the programs of the Center.

SECTION 6. Executive Committee. — There shall be an Executive Committee consisting of the Director-General of the Center and four other members to be elected by the Board of Trustees from the members of the board. Members of the Executive Committee, other than the Director-General of the Center, shall hold office for a term of two years unless at the time of election a shorter term is specified, and shall be eligible for reelection. The Board shall elect the Chairman of the Executive Committee from the members of the Committee.

SECTION 7. Functions of the Executive Committee. — The Executive Committee shall administer the affairs of the Center in accordance with such functions, powers and responsibilities as may be delegated by the Board of Trustees. In the exercise of such delegated functions, powers and responsibilities, the Executive Committee shall have all powers of the Board, excepting the power to fill a vacancy on the Board and to amend the rules and regulations of the Center.

SECTION 8. Director General of the Center. — The Director General of the Center shall be its chief executive officers, who shall be appointed by the President of the Republic upon the recommendation of the Board of Trustees, and receive such compensation and remuneration to be fixed by the Board. His powers and duties are:

(a) to submit for the consideration of the Board of Trustees and the Executive Committee the policies and measures which he believes are necessary in the pursuit of the Center's objectives;

(b) to recommend, coordinate and administer the programs and projects of the Center;

(c) to direct and supervise the operations and internal administration of the Center, and to delegate administrative responsibilities in accordance with the rules and regulations of the Center;

(d) to submit an annual report to the Board of Trustees setting forth the Center's program operations during the year, its financial operations and status, and a program and budget for the ensuing year; and

(e) to exercise such other powers and to discharge such other functions as may be vested in him by the Board

of Trustees and the Executive Committee.

SECTION 9. Founding Institutions. — The founding institutions of the Technology Resource Center shall be the National Science and Development Board (NSDB), the Metro Manila Commission (MMC), and the Human Settlements Commission (HSC). Each of the founding institutions is hereby authorized to make contributions to the Center in the amount of P5 million which shall be an additional appropriation to their respective budgets for the fiscal year 1977. In addition, the sum of P5 million is hereby appropriated in lump sum for the operation of the Center out of any funds in the National Treasury not otherwise appropriated. Thereafter, such amount as necessary to carry out the provisions of this Decree shall be included in the Annual General Appropriations Decree.

SECTION 10. Expenditures and Disbursements. — Expenditures and disbursements of the Center in the conduct of its affairs shall not be subject to the procurement requirements and restrictions imposed by existing laws upon government agencies, instrumentalities and government-owned or controlled corporations.

SECTION 11. Staff Appointments. — The Center shall appoint and maintain an adequate technical and administrative staff. The regular professional and technical personnel of the Center shall be exempt from Office of Compensation and Position Classification rules and regulations.

SECTION 12. Exemption from Taxes. — Any donation, contribution, bequest, subsidy or financial aid which may be made to the Center shall be exempt from taxes of any kind, and shall constitute allowable deductions in full from the income of the donors or givers for income tax purposes.

The Center, its assets, acquisitions, income and its operations and transactions shall be exempt from any and all taxes, fees, charges, imposts, licenses and assessments, direct or indirect, imposed by the Republic of the Philippines or any of its political subdivision or taxing authority thereof, except import taxes, duties and fees.

SECTION 13. Disposition of Assets Upon Dissolution. — In the event of the dissolution of the Center, its remaining assets, after payment of other liabilities, shall be disposed of and turned over to any foundation or institutions dedicated to the same or similar pursuits as the Center, or to the Republic of the Philippines or any of its agencies or instrumentalities, as the Board of Trustees may determine.

SECTION 14. Separability Clause. — If any provision of this Decree shall be held invalid, the remainder shall not be affected thereby.

SECTION 15. Effectivity. — This Decree shall take effect immediately.

DONE in Metro Manila, Philippines, this 23rd day of February, in the year of Our Lord, Nineteen Hundred and Seventy-Seven.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA

Presidential Executive Assistant

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