

RULES AND REGULATIONS IMPLEMENTING REPUBLIC ACT NO. 11572

IRR REPUBLIC ACT NO. 11572, February 24, 2022

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/c6cbc91ef96f/>

Pursuant to Section 19 of Republic Act No. 11572, otherwise known as "An Act Establishing the Philippine Energy Research and Policy Institute, Defining its Objectives, Powers and Functions, and Providing Funds Therefor" (the "Act"), the University of the Philippines ("UP") in consultation with the members of the academe and other public and private stakeholders, hereby issues, adopts and promulgates the following Implementing Rules and Regulations ("IRR").

RULE 1 PRELIMINARY PROVISIONS

SECTION 1. Policy - it is the policy of the State to ensure energy security, equity and sustainability. It is also the policy of the State to:

- a. Enhance and promote the acquisition of knowledge in recent developments and scientific breakthrough in the field of energy;
- b. Identify key policy areas, issues and challenges in the country's energy sector;
- c. Formulate multidisciplinary or transdisciplinary research-based policies and strategies for the cost-effective use of energy resources towards environmentally sound energy development; and
- d. Promote, enhance and strengthen research efforts in the public and private sectors that are focused on sustainable, efficient and indigenous energy sources.

SECTION 2. Nature of the Institute and its Relationship with UP- The Philippine Energy Research and Policy Institute (The "Institute") created by the Act is an independent government agency attached to the University of the Philippines.

For purposes of policy and program coordination, the Institute of UP shall conduct quarterly consultative meetings with representatives of each institution engaged in research and policy work relating to the various subsectors of the Philippine energy industry. More frequent or ad hoc consultative meetings between the Institute and UP may be conducted upon the request of either institution. Subject to the approval of the Executive Director, resource persons not representing either institution may be invited to such consultative meetings.

SECTION 3. Objectives of the Institute - the Institute has the following objectives:

- a. To conduct pertinent independent multidisciplinary or transdisciplinary energy research and policy development on energy issues guided by the research agenda determined by the Executive Board;
- b. To promote collaborative and multidisciplinary or transdisciplinary energy research and policy development among government agencies, the academe and other public and private stakeholders;
- c. To maintain its independence and to ensure research endeavors shall not be influenced or constrained by political affiliations, technological bias or other presuppositions;

- d. To ensure the coordination and timely dissemination of results to key government agencies to guide policy and decision-making processes;
- e. To provide assistance to the government, energy regulators and the legislature on energy issues needing policy direction and advice, other energy policy issues and related matter;
- f. To establish mechanisms for the dissemination and utilization of research for technology and policy development outputs;
- g. To create and administer training programs and provide fellowship grants intended to build the capacity of government agencies, the academe, including graduate and postgraduate students and public and private energy stakeholders;
- h. To serve as a medium in bringing together local and international experts in the field of energy through local and international linkages;
- i. To create and maintain a data bank needed for the implementation of its functions, following the requirements under Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012,"; and
- j. To maximize the use of digital technologies in the storage and dissemination of data and information, as well as in the implementation of its other functions.

SECTION 4. Powers and Functions of the Institute- The Institute shall:

- a. Formulate and conduct research and development on energy, energy technology, public policy issues in energy markets and other pressing issues and problems including the environment, health and consumer impacts of energy policies and programs, all backed by rigorous empirical evidence;
- b. Establish linkages with government agencies, other universities and private and public institutions on existing energy research and policy studies;
- c. Conduct research and policy development programs and capacity-building trainings on energy; provided, that special attention shall be given to the needs of the Department of Energy ("DOE"), Energy Regulatory Commission ("ERC") and the legislature;
- d. Provide common research support facilities and maximize the utilization of its technical experts and staff;
- e. Enhance the pool of researchers and faculty with graduate and postgraduate degrees in the field of energy, such as energy economics, energy engineering, energy law, energy statistics and data science specializing in energy, among others, by providing research grants within and outside the University of the Philippines, among others;
- f. Establish local and foreign linkages in energy research and policy development;
- g. Serve as the repository of all energy-related researches, studies and data generated by the Institute and other academic, public and private groups, organizations and institutions;
- h. Propose and allocate its annual budgetary resources while optimizing resource generation and utilization; and
- i. Receive and manage grants, aid, donations, contributions, or any kind of assistance for achieving its objectives, in accordance with the rules and regulations of the University of the Philippines. The amounts received and the sources of grants, aid, donations, contributions or any kind of assistance received shall be published on its website for purposes of transparency.

RULE 2 ORGANIZATION AND GOVERNANCE

SECTION 1. Executive Board. The powers of the Institute shall be exercised, all business conducted and all property of the Institute controlled and held by the Executive Board, which shall be composed of seven (7) members, including the President of the University of the Philippines as the ex-officio Chairperson of the Executive Board, to be appointed by the President of the University of the Philippines in accordance with Act and this IRR.

a. Appointment and Term- The Executive Board shall be appointed by the President of the University of the Philippines within thirty (30) days from effectivity of this IRR and in accordance with the qualifications set out in this IRR. The members of the Executive Board shall hold office for three (3) years and until their successors are appointed and qualified, which can be renewed for two (2) more terms, but not in any case for more than nine (9) years; provided, that the first two (2) appointees from the academe and the first appointee from the private sector shall have a term of two (2) years, which can be renewed for two (2) more terms of three (3) years each but not in any case for more than eight (8) years. Any person appointed to replace a member who has resigned, died or removed for cause shall serve only the unexpired portion of the term of the member replaced.

Upon assumption of position, the members of the Executive Board shall:

- i. Publicly disclose within any previous employment, consultancy or any connection with, and any pecuniary interest in any energy industry participant; and
- ii. Avoid any conflict of interest in the conduct and performance of duties for the duration of the term.

The public disclosure required under subparagraph (i) above shall be submitted annually upon every anniversary of each Executive Board member's appointment.

b. Qualifications and Appointment Criteria. Except for the President of the university of the Philippines, members of the Executive Board shall have the following qualifications and shall be appointed on the basis of the following criteria:

- i. Should be recognized experts in the fields of engineering, law, science, statistics, economics, social science, public health or energy, provided that each representative shall come from different fields;
- ii. Four (4) members shall come from the academe; and
- iii. Two (2) members shall come from the private sector.

c. Powers and Functions.- The Executive Board shall have the following powers and functions:

- i. Provide the general direction and priorities of the Institute in accordance with Act;
- ii. Determine research and policy areas for study and investigation by the Institute and an annual research agenda, in consultation with the Executive Director based on its evaluation of the local and international energy policy landscape and advancements in technology taking into consideration, among others, the Philippine Energy Plan and the issuances of the DOE, ERC and other energy-related agencies;
- ii. Provide advice to the institute on any matter relating to the development of a research or policy area and the administration of research and policy research programs;
- iv. Approve the following:

(a) Organizational structure of the Institute, including position classification and compensation of employees

subject to Section 11 of the Act in coordination with the Department of Budget and Management ("DBM");

(b) Appointment of research fellows, officers and employees of the Institute; provided that the pool of research fellows shall include experts and researchers from diverse disciplines, public and private universities and other research institutions; and

(c) Institute's overall budget;

v. Create committees and working groups to further implement the research and development thrust and activities of the Institute;

vi. Monitor and review the programs and projects undertaken by the Executive Director to implement and enforce research and policy direction and priorities;

vii. Issue specific rules and guidelines in securing financial grants or donations in kind from local and foreign assistance agencies to support the programs of the Institute;

viii. Assist the Executive Director in generating resources and obtaining logistical and financial support for the programs and component units of the Institute; provided that in so doing, no conflict of interest exists with the objectives of the Act and functions of the Institute;

ix. Assign additional powers, functions and duties of the Executive Director in accordance with the objectives of the Act;

x. Perform any and all duties and functions consistent with the Act and section 3 and Section 4 of Rule 1 of this IRR; and

xi. Assign additional powers and functions to the Institute: Provided, that it shall be in accordance with the objectives of the Institute as stated in the Act.

d. Meetings ad Quorum- The Executive Board shall meet at least once a month and as often as may be necessary upon the call of the Chairman or in their absence, by a majority members.

The presence of at least four (4) members of the Executive Board shall constitute a quorum, which shall be necessary for the transaction of any business. The affirmative vote of a majority of the members present in a quorum shall be adequate for the approval of any resolution, decision or order.

e. Conduct of the Meetings.- Meetings of the Executive Board shall be presided over by the Chairman of the Board, or in his absence, by any other director chosen by the Executive Board. The Chairman shall appoint a secretary of the meeting.

Members of the Executive Board may attend regular or special meetings in person or, as may be allowed by the Executive Board, through teleconference or videoconference (i.e., conferences or meetings through electronic medium or telecommunications where the participants who are not physically present are at a different local or foreign locations), subject to observance of the requirements, rules and guidelines for the conduct of teleconferencing and videoconferencing by the Executive Board. The Executive Board may invite Secretaries of various government agencies as well as legitimate consumer ad advocacy groups as resource persons during its meeting and deliberations.

f. Vacancies.- any vacancy occurring in the Executive Board must be filled by the President of the University of the Philippines. A director so elected to fill a vacancy shall be elected only for the unexpired term of his predecessor in office.

g. Board Per Diems and Allowances. The members of the Executive Board shall receive a per diem for each regular or special meeting of the Executive Board actually attended by them and such other allowances as the President of the University of the Philippines may prescribe in accordance with pertinent law, rules, and regulations.

SECTION 2. Executive Director.- The Executive Director shall have administration and direction of the day-to-day business affairs of the Institute.

a. Appointment. The Executive Director shall be appointed by the President of the University of the Philippines within sixty (60) calendar days from effectivity of this IRR upon recommendation of the Executive Board.

b. Qualifications and Term. The Executive Director shall be a recognized expert in energy research policy development with at least three (3) years experience in the energy sector. The Executive Director shall have a strong organizational management background and shall serve i full-time capacity for a term of five (5) years which may be renewed. Upon assumption of position, the Executive Director shall:

- i. Publicly disclose any previous employment, consultancy, or any connection with, any pecuniary interest in any energy industry participant;
- ii. Divest of any and all interest in any energy industry participant;
- iii. Terminate employment or consultancy with energy industry participant; and
- iv. Avoid any conflict of interest in the conduct and performance of duties for the duration of the term.

The public disclosure required under subparagraph (i) above shall be submitted annually upon every anniversary of the Executive Director's appointment.

c. Powers and Functions. The Executive Director shall exercise the following powers and duties:

- i. To implement and enforce research and policy direction and priorities, policies, decisions, orders, rules and regulations determined by the Executive Board;
- ii. To formulate corporate objectives and policies and plan long range projects, plans and programs for the approval of the Executive Board, including those for executive training, development and compression;
- iii. To have general supervision and management of the business affairs and property of the Institute consistent with the policies of the Executive Board;
- iv. To ensure that the administrative and operational policies of the Institute are carried out under his supervision and control;

v. Recommended to the Executive Board:

(a) The organizational structure of the Institute, including the position classification and compensation of employees subject to Section 11 of the Act;

(b) The appointment of research fellows, officers, and employees of the Institute; provided that the pool of research fellows shall include experts and researchers from diverse disciplines, public and private universities and other research institutions; and

(c) The overall budget of the Institute;

vi. Subject to guidelines prescribed by law and the Executive Board, to appoint, remove, suspend or discipline employees of the Institute, prescribe their duties, and determine their salaries;

vii. To generate and obtain logistical and financial support for the programs and component units of the Institute with the assistance of the Executive Board; provided that in doing so, no conflict of interest exists with the objectives of the Act and the functions of the Institute. Subject to approval by and specific requirements of the Executive Board, the Executive Director shall negotiate and secure financial grants or donations in kind from local or foreign assistance agencies to support the programs of the Institute and provide reports to the Executive Board of the nature, amount and terms of such grants or donations within thirty (30) days upon signing of such grant agreement or deed of donation.

viii. To oversee the preparation of the budgets and the statements of accounts of the Institute;

ix. To prepare such statements and reports of the Executive Board as may be required of him by law;

x. To represent the Institute at all functions and proceedings as may be authorized by the Executive Board;

xi. To execute, on behalf of the Institute, all contracts, agreements and other instruments affecting the interest of the Institute, including negotiated or consultancy contracts for personnel and for the Institute's pool of researchers within and outside the University of the Philippines, within the limits of the authority determined by the Executive Board;

xii. To submit regular reports and statements to the Executive Board of Directors and President of the University of the Philippines relating to the Institute, including annual reports on operations, status of programs and projects and financial condition of the Institute; and

xiii. To perform such other duties as are incident to his office or are entrusted to him by the Executive Board.

SECTION 3. Organization of Human Resource Complement.- The human resource complement of the Institute shall be organized and set up by the Executive Director subject to Section 8 and 10 of the Act and the existing rules and regulations of UP.

In addition, the Executive Director shall maintain a pool of researchers from various disciplines, such as engineering, law, science, statistics, economics, social science, public health, and other allied disciplines, in accordance with Section 8 of the Act.

SECTION 4. Education and Capacity Building.- The Institute shall, through the Executive Director, support further education and training for its officers and employees, to include advanced degree studies, short-term programs, online courses, and participation in conferences.

RULE 3 RESEARCH DATA AND INFORMATION

SECTION 1. Public Access and Availability.- The Institute shall make available to the public its research papers, data and other resources by posting these on its website, and shall provide access to the same, including its facilities in a manner provided by the Executive Board; provided that any public disclosure shall be in accordance with the Act and Rule 8, Section 2 below.

SECTION 2. Confidentiality.- The Institute shall ensure compliance with the requirements of the Data Privacy Act of 2012 for any and all information set out in its research data and reports produced under the Act and this IRR. The Institute shall not post or disclose any proprietary or confidential data and other resources unless prior consent of the source or owner of such data and resources has been obtained.

RULE 4 FISCAL MATTERS

SECTION 1. Budget and Appropriations.- The Institute shall have its own budget separate from UP Funds necessary to finance the activities of the Institute, as provided in the Act and this IRR, shall be included in the annual General Appropriations Act.

SECTION 2. Special Account for Energy Research.- A Special Account in the General Fund (SAGF) for energy research, which shall be maintained and managed by the Bureau of Treasury, shall be established to support the research undertaken by the Institute. The SAGF for energy research shall recognize and accept grants, contributions and donations collected for energy research, for purposes of executing its mandate and functions. Provided, that in doing so, no conflict of interest exists with the objectives of the Act and the functions of the Institute.

SECTION 3. Operating Fund.- The administrative costs, travel costs, other actual expenses and initial operating fund of the Institute shall be derived or funded from the Two Hundred Million (P200,000,000) appropriation granted by the Act.

Every year thereafter, the Executive Board shall submit the Institute's annual financial plan to DBM for approval and appropriation under the General Appropriations Act. The financial plan shall include specific priority plans and programs of the Institute for research and development, capacity building and technology transfer activities taking into consideration the new investment environment, the technological advancements, and the policy thrusts of the Philippine government in the energy sector consistent with the objectives of the Act.

No program, project or activity shall be approved by the Executive Board for implementation and funding unless in line with or towards the attainment of the objectives and goals of the Institute as provided in this Act and in this IRR.

SECTION 4. Government Contribution to Research Funding.- Government agencies are authorized to include in their respective annual budget such necessary amounts as their contribution to the funding of certain research activities of the Institute. In this connection, the Executive Board for the engagement of government agencies for research.

SECTION 5. Tax Exemptions.- The Institute shall be entitled to all the tax exemptions under Section 25 of Republic Act No. 9500, or the University of the Philippines Charter of 2008, as amended by Republic Act No. 10963, or the Tax Reform Acceleration and Inclusion Act. Towards this goal, the Executive Director shall do all acts necessary to avail of the Tax Expenditure Fund pursuant to Executive Order No. 292, or the Administrative Code of 1987; Presidential Decree No. 93, Series of 1986; Presidential Decree No. 1177, Series of 1977; and other applicable laws, rules and regulations.

RULE 5 FINAL PROVISIONS

SECTION 1. Separability Clause.- If any provision of the IRR is declared unconstitutional or invalid, the remainder of this IRR or the provisions not otherwise affected shall remain valid and subsisting.

SECTION 2. Repealing Clause.- Any law, presidential decree or issuance, executive order, letter of instruction, administrative rule or regulations contrary to or inconsistent with the provisions of the Act and this IRR is hereby repealed, modified or amended accordingly.

SECTION 3. Effectivity.- This IRR shall become effective fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

The Office of the National Administrative Register (ONAR) of the UP Law Center shall be provided three (3) certified copies of these Rules.

Approved by the UP Board of Regents at its 1368th Meeting on 24 February 2022.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.