

AN ACT CREATING THE PHILIPPINE NATIONAL EAR INSTITUTE WITHIN THE UNIVERSITY OF THE PHILIPPINES SYSTEM, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. Short Title. - This Act may be cited as the "Philippine Ear Research Institute Act of 2003."

SEC. 2. Declaration of Policy. - It is the policy of the State to undertake and promote scientific research in all areas of medicine and health care and to the extent possible, support and cooperate with research in highly specialized areas

SEC. 3. The Institute. - There is hereby created within the National Institutes of Health, University of the Philippines, the Philippine National Ear Institute, hereinafter referred to as the "Institute."

SEC. 4. Purpose. - The Institute shall basically be involved in research activities. Its training, teaching and service activities are only complementary functions and must be carried out in the pursuit of research. It shall have the following purposes and functions:

- a) To conduct institution and community-based epidemiological studies related to deafness and balance disorders;
- b) To initiate, conduct, monitor and evaluate researches dealing with curative, rehabilitative and preventive aspects of hearing and vestibular disorders;
- c) To disseminate results of researches to serve as foundations for decision-making and regulatory policies of health institutions and other policy-making bodies;
- d) To provide an ideal research environment for staff, residents, fellows, students and other individuals involved in the study of hearing, balance and related functions coming from within and outside of the university;
- e) To promote, coordinate and integrate research activities between different institutions nationally and globally;
- f) To solicit and receive endowments, donations and grants and generate funds and resources from all possible sources necessary for the acquisition, maintenance, operation and upgrading of the facilities and other equipment to attain the stated objectives;
- g) To consolidate and reinforce existing government programs, projects and activities related to prevention, treatment and rehabilitation of people affected by ear diseases;
- h) To formulate policies, programs, rules and regulations necessary for the effective operation of the Institute, subject to the approval of the same by the Board of Regents of the University of the Philippines; and
- i) To coordinate and establish partnership with other government agencies such as the Department of Health (DOH), the Department of Science and Technology (DOST), Department of Education (DepEd), Philippine Council of Health Research and Development (PCHRD), private and non government organizations (NGOs) doing related work in the prevention and treatment and rehabilitation of ear diseases.

SEC. 5. *Officers.* - The Institute shall be administered by a Director and Assistant Director who shall, among others, be recognized specialists in Otology.

The Director and Assistant Director shall be appointed by the Board of Regents upon the recommendation of the President of the University of the Philippines System.

SEC. 6. *Staff.* - The Institute shall have a regular staff of research scientists, technicians and administrative personnel.

SEC. 7. *Trust Fund.* - A Trust Fund, to be known as the Ear Research Fund, is hereby established for the support of the Institute, the purchase of research equipment and facilities, the compensation and honoraria to researchers, whether in the government service or not, and for such other expenses necessary to carry out the purposes of this Act.

SEC. 8. *Assistance form Government Offices.* - The Institute may call upon any department, bureau, office, agency or instrumentality of the government, including government-owned and -controlled corporation, particularly the Philippine Charity Sweepstakes Office, for such assistance it may need to pursue its purposes and objectives.

SEC. 9. *Exemptions form Taxes.* - Any provision of existing law to the contrary notwithstanding, all donations, contributions, endowments, subsidies or financial aids shall be exempt from income and gift taxes and shall constitute allowable deduction in full from the income of the donors.

The assets of the Institute and its equipment and supplies imported, which are actually, directly and exclusively used for the purposes stated herein, shall be exempt form all taxes, duties, fees, charges, and imposts imposed by the Republic of the Philippines: Provided, That articles entered as tax and/or duty-free by the Institute may not be sold, transferred or otherwise disposed of in any manner whatsoever to any person without the prior approval of the Secretary of the Department of Finance. Any transferee of said article shall be deemed the importer thereof, and the same shall be assessed its purchase value without depreciation.

SEC. 10. *Appropriations.* - The Board of Regents of the University of the Philippines System (UPS) shall immediately include in the UPS programs the institutionalization of the Philippine National Ear Institute, the initial funding of which shall be charged against he current year's appropriations and other internally generated income of the University of the Philippines System and thereafter in the annual General Appropriations Act.

SEC. 11. *Auditing.* - The book of accounts of the Institute shall be subject to the periodic audit by the Commission on Audit.

SEC. 12. *Annual Report.* - The Institute shall render to the President of the Philippines and the Department of Health an annual report of its activities, accomplishments and recommendations.

SEC. 13. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,

FRANKLIN DRILON	JOSE DE VENECIA JR.
President of the Senate	Speaker of the House of Representatives

This Act which is a consolidation of Senate Bill No. 1860 and House Bill No. 4438, was finally passed by the Senate and the House of Representatives on December 16, 2003 and December 17, 2003, respectively.

OSCAR G. YABES
Secretary of Senate

**ROBERTO P.
NAZARENO**
Secretary General
House of Representatives

Approved: February 19, 2004

GLORIA MACAPAGAL-ARROYO
President of the Philippines