

[REPUBLIC ACT NO. 11572, July 30, 2021]

AN ACT ESTABLISHING THE PHILIPPINE ENERGY RESEARCH AND POLICY INSTITUTE, DEFINING ITS OBJECTIVES, POWERS, AND FUNCTIONS, AND PROVIDING FUNDS THEREFOR

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

SECTION 1. *Title.* – This Act shall be known as the “Philippine Energy Research and Policy Institute Act.”

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to ensure energy security, equity, and sustainability. Towards this end, 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 of 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.

SEC. 3. *Establishment of the Philippine Energy Research and Policy Institute.* – Pursuant to the national policy of enhancing the country’s capability for energy research and policy development, there is hereby established a Philippine Energy Research and Policy Institute, hereinafter referred t as the Institute. The Institute shall be an independent agency attached to the University of the Philippines (UP). The Institute shall have its own budget separate from the UP.

SEC. 4. *Objectives of the Institute.* – The objectives of the Institute are:

- (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 pursuant to Section 10 of this Act;
- (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 matters;
- (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 need 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 the implementation of its other functions.

SEC. 5. *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 in energy: *Provided, That* special attention shall be given to the needs of the Department of Energy (DOE), the 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 degree 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 UP, 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 UP. The amounts received and the sources of grants, aid, donations, contribution, or any kind of assistance received shall be published on its website for purposes of transparency.

The Executive Board may assign additional powers and functions to the Institute: *Provided*, That is shall be in accordance with the objectives of the Institute as stated in this Act.

SEC. 6. Organizational Structure. – The Executive Director shall head the Institute and shall report directly to the Executive Board. The Institute’s research and policy direction and priorities shall be determined by the Executive Board and implemented by the Executive Director. The Institute shall be supported by a pool of research fellows, which shall include experts and researchers from diverse disciplines and various public and private universities across the country, and other technical staff in carrying out its functions.

SEC. 7. The Executive Director. – The Executive Director shall be a recognized expert in energy research and policy development with at least three (3) years experience in the energy sector, and shall have a strong organizational management background. The Executive Director shall be appointed by the UP President within sixty (60) calendar days after the effectivity of the implementing rules and regulations of this Act, upon the recommendation of the Executive Board. The Executive Director shall serve in full-time capacity for a term of five (5) years which may be renewed.

Upon assumption, the Executive Director shall:

(a) Public disclose any previous employment, consultancy, or any connection with, and any pecuniary interest in any energy industry participant;

(b) Divest of any and all interest in any energy industry participant; and

(c) Terminate employment or consultancy with any energy industry participant.

The Executive Director shall strictly avoid any conflict of interest in the conduct and performance of duties for the duration of the term.

SEC. 8. Powers and Functions of the Executive Director. – The Executive Director of the Institute shall:

(a) Implement and enforce research and policy direction and priorities, policies, decisions, orders, rules, and regulations determined by the Executive Board;

(b) Exercise administrative and supervisory functions over the planning, implementation, and evaluation of the policies, programs, and projects of the Institute;

(c) Recommend to the Executive Board, the following:

(i) Organizational structure of the Institute including the position classification and compensation of employees subject to Section 11 of this Act.

(ii) 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 institution, and

(iii) Overall budget of the Institute;

(d) Submit to the Executive Board, regular reports on the Institute, to include annual reports on operations, status of programs and projects, and the financial condition of the Institute;

(e) Apprise regularly the Executive Board on the programs and projects of the Institute;

(f) Execute contracts, incur obligations, acquire and dispose of assets, and deliver documents on behalf of the Institute, including negotiated or consultancy contracts for personnel and for the Institute's pool of researchers within and outside of the UP, within the limits of the authority determined by the Executive Board.

(g) 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 so doing, no conflict of interest exists with the objectives of this Act and the functions of the Institute;

(h) Not engage in any act that may result to a conflict of interest with the objectives, functions, and powers of the Institute; and

(i) Exercise and perform such other powers, functions, and duties as may be authorized or assigned by the Executive Board, and in accordance with the objectives of this Act.

SEC. 9. Executive Board of the Institute. – There shall be an Executive Board of the Institute to be composed of seven (7) members comprised of the UP President as the *ex officio* Chairperson, and at least one (1) representative from the fields of engineering, law, science, statistics, economics, social science, and public health, either from the academe or the private sector: *Provided*, That four (4) members shall come from the academe and two (2) members shall come from the private sector: *Provided, further*, That each representative shall come from different fields.

The other members of the Executive Board shall be chosen by the UP President. Each member shall have a term of three (3) years, which can be renewed for two (2) more terms: *Provided*, That the first two (2) appointees from the academe and