

S. No. 2834
H. No. 4397

Republic of the Philippines
Congress of the Philippines
Metro Manila
Sixteenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand fifteen.

[REPUBLIC ACT No. 10692]

AN ACT PROVIDING FOR THE MODERNIZATION OF THE PHILIPPINE ATMOSPHERIC, GEOPHYSICAL AND ASTRONOMICAL SERVICES ADMINISTRATION (PAGASA), 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. *Title.* – This Act shall be known as “The PAGASA Modernization Act of 2015”.

SEC. 2. *Declaration of Policy.* – It is hereby declared to be the policy of the State to utilize scientific and technical knowledge and information as an effective instrument to ensure the safety, well-being and economic security of the people; to safeguard the environment; and to promote national progress and sustainable socioeconomic development through various

applications of meteorology, geophysics, astronomy and allied sciences. The State also recognizes the need to strengthen the capability of government personnel tasked to provide atmospheric, geophysical, astronomical and other weather and climate-related services and information to the public. Towards this end, the State shall undertake the modernization of the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA) to improve its technological operational capacity, strengthen its role as the premier national weather agency and to attain its vision as a center of excellence for weather-related information services.

SEC. 3. Mandate of the PAGASA. – The PAGASA shall provide adequate, up-to-date data, and timely information on atmospheric, astronomical and other weather-related phenomena using the advances achieved in the realm of science to help government and the people prepare for calamities caused by typhoons, floods, landslides, storm surges, extreme climatic events, and climate change, among others, to afford greater protection to the people. It shall also provide science and technology-based assessments pertinent to decision-making in relevant areas of concern such as in disaster risk reduction, climate change adaptation and integrated water resources management, as well as capacity building. The PAGASA shall ensure that the country fulfills its commitments to international meteorological and climate change agreements.

SEC. 4. Objectives. – Pursuant to the foregoing policy, the PAGASA Modernization Program shall be implemented in accordance with the following objectives:

(a) To upgrade physical resources and operational techniques through acquisition and development of state-of-the-art instruments, equipment, facilities and systems to enhance current capabilities in providing useful, timely, accurate and reliable weather, flood and climate monitoring, forecasting, and localized warning and information services for use in decision-making in disaster preparedness, climate change adaptation, water resources management, agriculture, transportation, health, tourism and other sectors;

(b) To enhance research and development capabilities by adopting a rationalized and integrated approach with focus on the improvement of basic operations and specialized services;

(c) To integrate disaster risk reduction and management, climate change adaptation and water resources management in the sustainable socioeconomic development planning at the national and local levels in coordination with appropriate government agencies and other entities;

(d) To strengthen linkages and cooperation at the national level among the various providers and users of weather, climate, and water-related information, products and services as well as to provide for the appropriate mechanisms for this purpose;

(e) To establish and enhance field weather service centers in strategic areas in the country to broaden the agency base for the delivery of service in the countryside;

(f) To strengthen a technology-based data center consistent with international standards to make information available to those involved, whether from the government or private sector in Disaster Risk Reduction and Management Plans, Climate Change Adaptation Program and Water Resources Program, among others;

(g) To enhance public information, education and advocacy on atmospheric, astronomical and hydro meteorological hazards such as heavy rainfall, strong winds, floods, landslides, storm surges, droughts, extreme weather and climatic events, and climate change, as well as their impacts, risks and vulnerability;

(h) To facilitate the appropriate appreciation and delivery of information, products and services to decision makers, media, other users and the general public; and

(i) To provide a more competitive base pay and other benefits for its personnel in order to promote professionalism and commitment to the service.

SEC. 5. Organizational Structure. – The PAGASA shall be an attached agency of the Department of Science and Technology (DOST) for purposes of policy and program coordination, to ensure alignment in national science and technology policies and priorities. It shall be headed by an Administrator with the rank and compensation of a Department Undersecretary who shall be appointed by the President upon recommendation by the Secretary of the DOST.

The Administrator shall be assisted by three (3) Deputy Administrators for Operations and Regional Services, Research and Development and Administration, Finance and Engineering Services, to be appointed by the President.

SEC. 6. Qualifications. – No person shall be appointed as Administrator or Deputy Administrator unless that person is a citizen and resident of the Philippines, of good moral character, of proven integrity, with an advanced degree in Meteorology or related fields of study, and with at least five (5) years of competence and expertise in meteorology, geophysics, astronomy or allied sciences: *Provided*, That the Administrator and the two (2) Deputy Administrators shall be career executive officers.

SEC. 7. Components of Modernization. – The PAGASA modernization shall have the following components:

(a) Modernization of Physical Resources and Operational Techniques. – This shall entail the acquisition and/or upgrade of state-of-the-art instruments, equipment, facilities and systems, with emphasis on weather and flood monitoring and warning system and agro-meteorological observation system to strengthen services for agriculture and food security: *Provided*, That prior to such acquisition and/or upgrade, an inventory of all existing government and private weather instruments nationwide shall be undertaken: *Provided, further*, That the acquisition of new instruments, equipment and systems shall be harmonized with the phase-out of uneconomical and obsolete instruments, equipment and systems in the PAGASA inventory;

(b) Enhancement of Research and Development Capability. – This shall involve the enhancement of research and development capability through a more rationalized and totally integrated approach and identified activities, with focus on improvement of operations, as well as the development of specialized services with cost recovery measures;

(c) Establishment of Regional Weather Service Centers. – This shall include the establishment of flood forecasting and warning sub-centers in strategic areas in the country to broaden the agency base for delivery of service to the countryside;

(d) Establishment of PAGASA Data Center. – This shall include the centralization of the different technical outputs which include facts, figures and statistics derived from the PAGASA operations and systems, through the establishment of a technology-based data center that is consistent with international standards in order to make atmospheric, astronomical and weather-related information accessible and readily available to all government agencies involved in climate change adaptation and disaster risk reduction and management, the academe, researchers, media and the general public.

(e) Enhancement of Weather Data Collection and Information Dissemination Services. – This shall involve the development and use of effective weather information method using local dialects, nontechnical terms and familiar graphical presentations that will ensure the delivery of accurate, up-to-date and timely atmospheric, astronomical and weather-related information to create greater public awareness and draw appropriate response for disaster risk reduction: *Provided*, That PAGASA should partner with other government agencies and private entities for the collection and dissemination of weather data and information.

(f) Creation of a Human Resource Development Program. – This component shall include the following:

(i) New Salary Scale for PAGASA Personnel. – The Department of Budget and Management (DBM) shall develop a new salary scale for PAGASA personnel in consonance with Republic Act No. 8439, otherwise known as the “Magna Carta for Scientists, Engineers, Researchers and other Science and Technology Personnel in Government” with a corresponding increase in the base pay, allowances and other benefits;

(ii) PAGASA Personnel Retention Incentive. – An additional incentive to be known as the “Personnel Retention Incentive” shall be provided to qualified PAGASA personnel, to be determined by PAGASA in consultation with DBM in an amount not exceeding twenty percent (20%) of the monthly basic salary subject to the implementing rules and regulations (IRR) which shall be hereinafter formulated; and

(iii) Scholarship Program. – Not later than three (3) years from the enactment of this Act, scholarships shall be provided for

undergraduate and graduate studies in meteorology and related fields as well as for specialized training programs, in coordination with the DOST, Commission on Higher Education (CHED) and Higher Education Institutions (HEIs). Cooperation on human resources upgrading and capability enhancement with regional and international organizations shall also be undertaken.

(g) Development of Regional and International Cooperation Program. – This shall entail the development of appropriate collaborative arrangements with relevant regional and international bodies and government institutions to complement the national effort for modernization.

SEC. 8. Formulation and Submission of the PAGASA Modernization Program. – The Secretary of the DOST and the Administrator of the PAGASA, in coordination with the Secretary of the DBM and the Director-General of the National Economic and Development Authority (NEDA), shall formulate the PAGASA Modernization Program and oversee its implementation based on the policy objectives provided in this Act.

The PAGASA Modernization Program shall indicate among others:

(a) PAGASA's requirements in terms of personnel, equipment and facilities during the various stages of modernization;

(b) The modernization projects, which shall indicate the equipment and technology acquisitions, including major construction or upgrade of facility and the particular objective and component to which such intended acquisition, construction and upgrading belongs to; and

(c) The priorities, schedules and estimated cost of each modernization project.

Within ninety (90) days from the effectivity of this Act, the Secretary of the DOST shall submit to the President the PAGASA Modernization Program for approval.

SEC. 9. Period of Implementation. – The modernization program under this Act shall be implemented for an initial period of three (3) years: *Provided*, That payments for multi-year contract

obligations incurred under this Act may extend beyond this period: *Provided, further*, That PAGASA shall continue to modernize and constantly update its operational capabilities to keep pace with best global practices.

SEC. 10. PAGASA Modernization Fund. – There is hereby created the PAGASA Modernization Fund to be used exclusively for the PAGASA Modernization Program. The PAGASA Modernization Fund shall be sourced from the following:

(a) The amount of three billion pesos (P3,000,000,000.00) to be taken from the share of the National Government in the gross income of the Philippine Amusement and Gaming Corporation (PAGCOR). For two (2) years after the effectivity of this Act, an amount of one billion five hundred million pesos (P1,500,000,000.00) per year shall be released to the PAGASA. The entire amount of three billion pesos (P3,000,000,000.00), including any interest income thereon, shall be used exclusively for capital outlay.

(b) Income from PAGASA Specialized Products and Services and Cost Recovery Program provided under Section 11 of this Act; and

(c) Loans, grants, bequests, and donations whether from local or foreign sources. The Secretary of the DOST with the approval of the NEDA and subsequently the Department of Finance (DOF) is hereby granted the authority to enter into loan agreements with foreign financial institutions.

The PAGASA Modernization Fund shall be administered by the Administrator of the PAGASA in accordance with existing government budgeting, accounting and auditing rules and regulations.

SEC. 11. Specialized Products and Services and Cost Recovery Program. – The PAGASA, with the approval of the Secretary of the DOST shall implement a sustainable PAGASA Specialized Services and Cost Recovery Program that will allow it to earn revenue from its issuance of specialized weather products and services, especially, but not limited to, those related to aviation and maritime industry, weather certifications, and scientific and technical publications for which the necessary fees can be charged:

Provided, That no fees shall be charged on the issuance of regular and special forecasts, warnings that affect national safety, and such other relevant data, products and services for the public good.

SEC. 12. *Progress Report.* – The Administrator of the PAGASA shall prepare an annual report on the status of the implementation of the PAGASA Modernization Program which shall be submitted, through the Secretary of the DOST, to the President and to the Chairpersons of the Committees on Science and Technology of the Senate and the House of Representatives not later than June 30 of the succeeding year.

SEC. 13. *Appropriations.* – The amount necessary to carry out the implementation of this Act shall be initially charged against the current fiscal year appropriations of the DOST – PAGASA. Thereafter, the amount needed for the continued implementation of the modernization program shall be included in the annual General Appropriations Act.

The above-stated amount may be augmented by grants, bequests, contributions and donations whether from local or foreign sources: *Provided*, That acceptance of grants, bequests, contributions and donations from foreign governments shall be subject to the approval of the President upon the recommendation of the Secretaries of the DOST and the Department of Foreign Affairs (DFA).


SEC. 14. *Implementing Rules and Regulations (IRR).* – Within ninety (90) days from the effectivity of this Act, the DOST, PAGASA and DBM shall issue the IRR for the effective implementation of this Act.

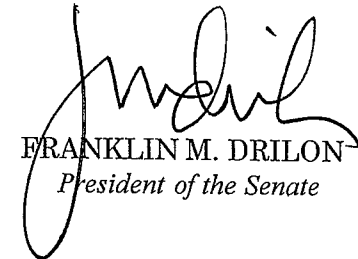
SEC. 15. *Separability Clause.* – If any provision or part of this Act is declared invalid or unconstitutional, the other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 16. *Repealing Clause.* – All laws, orders, proclamations, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

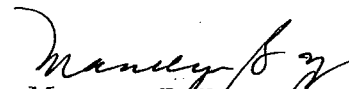
SEC. 17. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

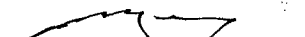
Approved,


FELICIANO BELMONTE JR.
Speaker of the House
of Representatives


FRANKLIN M. DRILON
President of the Senate


Senate Bill No. 2834, which was approved by the Senate on August 17, 2015, was adopted as an amendment to House Bill No. 4397 by the House of Representatives on August 25, 2015.

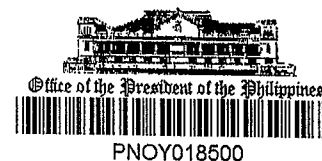
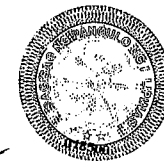

MARILYN B. BARUA YAP
Secretary General
House of Representatives


OSCAR C. YABES
Secretary of the Senate

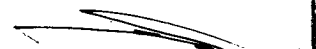
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Approved:


BENIGNO S. AQUINO III
President of the Philippines



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CERTIFIED COPY:


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