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Prepared Jointly by the Committees on Science and Technology and Finance with Senators Loren B. Legarda, Francis "Chiz" G. Escudero, Antonio "Sonny" F. Trillanes, Joseph Victor G. Ejercito, Ramon Bong Revilla, Jr., Cynthia A. Villar, Ferdinand R. Marcos, Jr., Franklin M. Drilon and Ralph G. Recto as authors

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:

1 **SECTION. 1. Title.** – This Act shall be known as “The PAGASA Modernization Act
2 of 2015”.

3 **SEC. 2. Declaration of Policy.** – It is hereby declared to be the policy of the State to
4 utilize scientific and technical knowledge and information as an effective instrument to
5 ensure the safety, well-being and economic security of the people; to safeguard the
6 environment; and to promote national progress and sustainable socioeconomic development
7 through various applications of meteorology, geophysics, astronomy and allied sciences. The
8 State also recognizes the need to strengthen the capability of government personnel tasked to
9 provide atmospheric, geophysical, astronomical and other weather and climate-related
10 services and information to the public. Towards this end, the State shall undertake the
11 modernization of the Philippine Atmospheric, Geophysical and Astronomical Services
12 Administration (PAGASA) to improve its technological operational capacity, strengthen its
13 role as the premier national weather agency and to attain its vision as a center of excellence
14 for weather related information services.

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

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

- 13 a) To upgrade physical resources and operational techniques through acquisition and
14 development of state-of-the-art instruments, equipment, facilities and systems to
15 enhance current capabilities in providing useful, timely, accurate and reliable
16 weather, flood and climate monitoring, forecasting, and localized warning and
17 information services for use in decision making in disaster preparedness, climate
18 change adaptation, water resources management, agriculture, transportation,
19 health, tourism and other sectors;
- 20 b) To enhance research and development capabilities by adopting a rationalized and
21 integrated approach with focus on the improvement of basic operations and
22 specialized services;
- 23 c) To integrate disaster risk reduction and management, climate change adaptation
24 and water resource management in the sustainable socioeconomic development
25 planning at the national and local levels in coordination with appropriate
26 government agencies and other entities;
- 27 d) To strengthen linkages and cooperation at the national level among the various
28 providers and users of weather, climate, and water-related information, products
29 and services as well as to provide for the appropriate mechanisms for this
30 purpose;
- 31 e) To establish and enhance field weather service centers in strategic areas in the
32 country to broaden the agency base for the delivery of service in the countryside;

- 1 f) To strengthen a technology-based data center consistent with international
2 standards to make information available to those involved, whether from the
3 government or private sector in Disaster Risks Reduction and Management Plans,
4 Climate Change Adaptation Program and Water Resources Program; among
5 others;
- 6 g) To enhance public information, education and advocacy on atmospheric,
7 astronomical and hydro meteorological hazards such as heavy rainfall, strong
8 winds, floods, landslides, storm surges, droughts, extreme weather and climatic
9 events, and climate change, as well as their impacts, risks and vulnerability;
- 10 h) To facilitate the appropriate appreciation and delivery of information, products
11 and services to decision makers, media, other users and the general public; and
- 12 i) To provide a more competitive base pay and other benefits for its personnel in
13 order to promote professionalism and commitment to the service.

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

20 The Administrator shall be assisted by three (3) Deputy Administrators for Operations
21 and Regional Services, Research and Development and Administration, Finance and
22 Engineering Services, to be appointed by the President: *Provided*, That two (2) of the Deputy
23 Administrators shall be career officers.

24 **SEC. 6. *Qualifications.***– No person shall be appointed as Administrator or Deputy
25 Administrator unless he or she is a citizen and resident of the Philippines, of good moral
26 character, of proven integrity, with an advanced degree in Meteorology or related fields of
27 study and with at least three (3) years of competence and expertise in meteorology,
28 geophysics, astronomy or allied sciences.

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

- 31 a) *Modernization of physical resources and operational techniques.* – This shall
32 entail the acquisition and/or upgrade of state-of-the-art instruments, equipment,
33 facilities and systems, with emphasis on weather and flood monitoring and

1 warning system and agro-meteorological observation system to strengthen
2 services for agriculture and food security: *Provided*, That prior to such acquisition
3 and/or upgrade, an inventory of all existing government and private weather
4 instruments nationwide shall be undertaken: *Provided further*, That the acquisition
5 of new instruments, equipment and systems shall be harmonized with the phase-
6 out of uneconomical and obsolete instruments, equipment and systems in the
7 PAGASA inventory;

8 b) *Enhancement of research and development capability*. – This shall involve the
9 enhancement of research and development capability through a more rationalized
10 and totally integrated approach and identified activities, with focus on
11 improvement of operations, as well as the development of specialized services
12 with cost recovery measures;

13 c) *Establishment of regional weather service centers*. – This shall include the
14 establishment of flood forecasting and warning sub-centers in strategic areas in
15 the country to broaden the agency base for delivery of service to the countryside;

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

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

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

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

9 ii. *PAGASA Personnel Retention Incentive.* – An additional incentive to be
10 known as the “Personnel Retention Incentive” shall be provided to
11 qualified PAGASA personnel, to be determined by PAGASA in
12 consultation with DBM in an amount not exceeding twenty percent (20%)
13 of the monthly basic salary subject to the Implementing Rules and
14 Regulations (IRR) which shall be hereinafter formulated; and

15 iii. *Scholarship Program.* – Not later than three (3) years from the enactment
16 of this Act, scholarships shall be provided for undergraduate and graduate
17 studies in Meteorology and related fields as well as for specialized training
18 programs, in coordination with the DOST, Commission on Higher
19 Education (CHED) and Higher Education Institutions (HEIs). Cooperation
20 on human resources upgrading and capability enhancement with regional
21 and international organizations shall also be undertaken.

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

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

31 The PAGASA Modernization Program shall indicate among others:

32 a) PAGASA’s requirements in terms of personnel, equipment and facilities during
33 the various stages of modernization;

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

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

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

8 **SEC. 9. *Period of Implementation.*** –The modernization program under this Act shall
9 be implemented for an initial period of three (3) years: *Provided*, That payments for multi-
10 year contract obligations incurred under this Act may extend beyond this period: *Provided*,
11 *further*, That PAGASA shall continue to modernize and constantly update its operational
12 capabilities to keep pace with best global practices.

13 **SEC. 10. *PAGASA Modernization Trust Fund.*** – There is hereby created the
14 PAGASA Modernization Trust Fund which shall be used exclusively to fund the
15 modernization program which shall include whatever funds that may be available from, but
16 not limited to, the following sources:

17 a) Three Billion Pesos (P3,000,000,000.00) from the net income of the Philippine
18 Amusement and Gaming Corporation (PAGCOR), to be taken from the fifty
19 percent (50%) share of the National Government: *Provided*, That not less than
20 seventy percent (70%) of the P3 Billion shall be utilized for capital outlays.

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

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

27 d) Any funds as may be authorized by Congress; and

28 e) All interest income of the PAGASA Modernization Trust Fund.

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

32 **SEC. 11. *Specialized Products and Services and Cost Recovery Program.*** – The
33 PAGASA, with the approval of the DOST Secretary shall implement a sustainable PAGASA

1 Specialized Services and Cost Recovery Program that will allow it to earn revenue from its
2 issuance of specialized weather products and services, especially, but not limited to those
3 related to aviation and maritime industry, weather certifications, and scientific and technical
4 publications for which the necessary fees can be charged: *Provided*, That no fees shall be
5 charged on the issuance of regular and special forecasts, warnings that affect national safety,
6 and such other relevant data, products and services for the public good.

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

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

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

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

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

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

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

Approved,