

**IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 10692,
OTHERWISE KNOWN AS THE PAGASA MODERNIZATION ACT OF 2015**

Pursuant to Section 14 of Republic Act No. 10692, An Act Providing for the Modernization of the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA), Providing Funds Therefore and for Other Purposes, the Department of Science and Technology, the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA) and Department of Budget and Management (DBM), hereby jointly issue the following rules and regulations to implement the provisions of the aforesaid law.

RULE I - GENERAL PROVISIONS

Section 1. Title - This Joint Administrative Order shall be known as the Implementing Rules and Regulations of Republic Act (RA) 10692 and referred to as "IRR".

Section 2. Construction/Interpretation of this IRR - This IRR shall be construed and applied in accordance with and in furtherance of the policies and objectives of RA 10692. In case of conflict or ambiguity, the same shall be construed liberally in favor of the purpose of the law.

Section 3. Declaration of Policy - This IRR is issued pursuant to the policies declared in RA 10692 which provides to wit: *"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."*

Section 4. Mandate of the PAGASA - The implementation of RA 10692, shall be consistent with the following mandates of PAGASA:

- 4.1. 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 tropical cyclones, floods/drought, rain induced landslides, storm surges, extreme weather/climatic events, and climate change, among others, to afford greater protection of lives, livelihood, and properties;
- 4.2. Provide science and technology-based assessments and information for decision-making related to disaster risk reduction and management, climate change adaptation and integrated water resources management, as well as capacity building, to ensure local and national economic well-being; and,
- 4.3. Ensure that the country fulfills its commitments to international meteorological and climate change agreements.

Section 5. Objectives - This IRR is consistent with the objectives of RA 10692 and the DOST policy on technological self-reliance, among others, as follows:

- 5.1. To upgrade PAGASA's physical resources and operational techniques through the development and acquisition of state-of-the-art instruments, equipment, facilities, modeling, ICT 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 for use in all thematic areas of DRRM, climate change adaptation, water resources management, agriculture, transportation, health, tourism and other sectors;
- 5.2. To enhance PAGASA's research and development capabilities by adopting and developing a rationalized and integrated approach with focus on the improvement of basic operations and specialized services for different sectors;
- 5.3. To collaborate with National Disaster Risk Reduction Management Council (NDRRMC) and other concerned agencies in the integration of disaster risk reduction and management, climate change adaptation and water resources management in the sustainable socio-economic development planning at the national and local levels.
- 5.4. To strengthen linkages and cooperation at the international, national and local levels 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;
- 5.5. To establish and enhance field weather service centers in strategic areas in the country to broaden the delivery of services to the countryside;
- 5.6. 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;
- 5.7. To enhance public information, education and advocacy on atmospheric, astronomical and hydro meteorological hazards such as heavy rainfall, thunderstorms, strong winds, floods, rain induced landslides, storm surges, droughts, and other extreme weather and climatic events, as well as their impacts, risks and vulnerability;
- 5.8. To facilitate the appropriate appreciation and delivery of information, products and services to decision makers, media, other users and the general public; and,
- 5.9. To provide a more competitive base pay and other benefits for its personnel in order to promote professionalism and commitment to the service.

RULE II - DEFINITION OF TERMS

Section 6. Definition of Terms - For purposes of this IRR, the terms hereunder shall be defined as follows:

- 6.1. PAGASA shall refer to the Philippine Atmospheric, Geophysical and Astronomical Services Administration.
- 6.2. Weather Services Personnel shall refer to the technical personnel involved in the data gathering, processing and forecasting of weather and other related information, including, but not limited to installation, calibration and maintenance of weather instruments, equipment and facilities.
- 6.3. Specialized Products and Services in reference to Article 15 shall refer to, but not limited to, the following:
 - a) Aviation Forecast;
 - b) Marine Forecast;
 - c) Processed Data which include Weather, Climate, Flood, Rainfall and Solar Radiation Statistics;
 - d) Weather, Astronomy and other related Certifications;

- e) Astronomical Products and Services; and,
 - f) Scientific and Technical Publications
- 6.4. Cost-Recovery Program shall refer to monetary charges assessed to an individual or organization for the issuance by PAGASA of the above specialized products and services.

RULE III - ORGANIZATIONAL STRUCTURE

Section 7. Organizational Structure - Pursuant to RA 10692, 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 to national science and technology policies and priorities in order to achieve a science-based weather and flood information and climate change scenarios with associated impact assessments that enable concerned government agencies to develop appropriate mitigation strategies for a disaster and climate change resilient country.

For this purpose, the PAGASA shall develop a structural reform that will focus government's efforts and resources on its vital core functions which is relevant and responsive to new policies, strategic thrusts and major agency's programs while ensuring the effectiveness and efficiency in services delivery and improving agency performance through the rationalization of service delivery and support systems and organizational structure and staffing.

The PAGASA shall be headed by an Administrator with a rank and compensation of a Department Undersecretary, who shall be assisted by three (3) Deputy Administrators (DA) for (i) Deputy Administrator for Operations and Regional Services, (ii) Deputy Administrator for Research and Development and (iii) Deputy Administrator for Administration, Finance and Engineering Services.

PAGASA shall develop a new organizational structure and staffing pattern (OSSP), subject to approval of DBM.

Section 8. Qualifications - In order for a candidate to be considered for the position of an Administrator or Deputy Administrator of PAGASA, the person must possess the following minimum qualifications, Provided, that the Administrator and the two (2) Deputy Administrators shall be career executive service officers:

- 8.1 A citizen of the Republic of the Philippines;
- 8.2 Of good moral character and of proven integrity;
- 8.3 Have an Advanced degree in Meteorology or related fields of study; and,
- 8.4 Have at least five (5) years of competence and expertise in meteorology, geophysics, astronomy or allied sciences.

Provided, that the Deputy Administrator for Administrative and Engineering Services shall not be covered herein by Sec. 8.3 and 8.4.

RULE IV - PAGASA MODERNIZATION PROGRAM

Section 9. Components of Modernization - Consistent with Executive Order No. 128, the PAGASA Modernization Program shall be aligned with technological self-reliance, such as the use of locally designed and made sensors being developed by local scientists, among others. Pursuant to RA 10692, the PAGASA Modernization shall have the following components:

9.1 Modernization of Physical Resources and Operational Techniques - This shall entail the acquisition of state-of-the-art, highly technical/scientific equipment and upgrading of existing 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, food security and Disaster Risk Reduction (DRR): 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;

9.1.1 The inventory of all existing government and private weather instruments nationwide outside of PAGASA, shall be completed one year after the effectivity of this IRR. The inventory report shall form part of the basis of upgrading of weather equipment/instruments;

9.2 Enhancement of Research and Development Capability - The R&D capability of PAGASA shall be enhanced 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, in cooperation with local academic institutions;

9.3 Establishment of Regional Weather Service Centers - To broaden the agency base for delivery of service to the countryside, Regional Weather Service Centers shall be established. This shall include additional observing facilities and flood forecasting and warning sub-centers in strategic areas in the country.

9.4 Establishment of PAGASA Data Center - The existing PAGASA data center shall be strengthened which shall contain integrated data, information and technical outputs derived from the PAGASA operational systems. A redundant data center shall also be established to ensure the security of data and other critical information essential to the delivery of services of the agency.

The integrated information system shall be made 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. PAGASA shall ensure that in providing weather data or information to the public and private sector consistent with the data-sharing policy enunciated by the DOST.

9.5 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 shall enhance its existing weather data collection and partnership with, other government agencies, private entities, civil society groups/non-government organizations and quad-media for the collection, and dissemination of weather data and information

9.6 Strengthening of a Human Resource Development (HRD) Program - The existing PAGASA HRD Program shall be strengthened to be more responsive to the requirements of the Modernization program which shall include, among others, the following: hiring of

additional technical and administrative support personnel, development of competency-based HR system, and new salary scale.

- 9.6.1 New Salary Scale for PAGASA Personnel - The PAGASA shall propose a new salary scale for PAGASA personnel consistent with the principles under the present Compensation and Position Classification System (CPCS), competitiveness/comparability with prevailing market rates upheld by EO No. 201, s. 2016, and in consonance with RA No. 8439, other relevant laws, rules and regulations.
- 9.6.2 PAGASA Retention Incentive (PRI) - The PRI 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. Detailed guidelines on the grant of PRI shall be jointly issued by DBM, DOST and PAGASA.
- 9.6.3 Scholarship Program - The PAGASA in coordination with the DOST, CHED and HEIs shall provide a scholarship program, for undergraduate and graduate studies for technical and non-technical personnel. Provided however, that PAGASA personnel shall be given priority for said scholarship and training programs. Cooperation on human resources upgrading and capability enhancement with regional and international organizations shall also be undertaken.

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 be undertaken.

- 9.7 Public Information, Education and Advocacy Program - Public Information, Education and Advocacy Program shall be strengthened to enhance public information, education and advocacy on atmospheric, astronomical and hydro-meteorological hazards such as heavy rainfall, strong winds, floods, rain-induced landslides, storm surges, droughts, extreme weather and climactic events, and climate change, as well as their impacts, risks and vulnerability. It shall also facilitate the appropriate appreciation and delivery of information, products and services to decision makers, media, other users and the general public.
- 9.8 Development of Regional and International Cooperation Program - PAGASA shall continue to pursue the development of appropriate collaborative arrangements with relevant regional and international bodies and government institutions to complement the national effort for modernization. It shall also maintain close liaison with local, regional, and international organizations/agencies involved in meteorology, hydrology, astronomy and other related services.

Section 10. 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 Development Authority (NEDA), shall formulate the PAGASA Modernization Program which shall form part of this IRR and oversee its implementation based on the policy objectives provided, in this IRR.

The PAGASA Modernization Program shall indicate among others:

1. PAGASA's requirements in terms of organizational structure, staffing modifications, upgrading of positions, additional personnel, equipment and facilities during the various stages of modernization;
2. The modernization projects, which shall indicate the equipment and technology acquisitions, including major construction or upgrade of facilities and the particular objectives and components to which such intended acquisition, construction and upgrading belongs to; and,
3. The priorities, timeline and estimated cost of each modernization project.

RULE V - PAGASA MODERNIZATION FUND

Section 11. Period of Implementation - The modernization program under RA 10692 shall be implemented for an initial period of three (3) years: Provided, that payments for multi-year contract obligations incurred beyond the 3-year implementation period shall be subject to existing budgeting, accounting and auditing rules and regulations.

The PAGASA shall continue to modernize and constantly update its operational capabilities to keep pace with best global practices consistent with the purpose and objectives of RA 10692. PAGASA shall conduct consultations with different sectors/stakeholders to get the best needs.

Section 12. PAGASA Modernization Fund (PMF) - Pursuant to Section 10 of RA 10692, the PMF, which shall be used exclusively for the PAGASA Modernization Program, including expenses incidental to its implementation, shall be funded out of the following:

- 13.1 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 the RA 10692, 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.
- 13.2 Income from PAGASA Specialized Products and Services and Cost Recovery Program provided Under Article 15 of this IRR;
- 13.3 Loans with foreign financial institutions entered and signed by the President or with the authority granted to the Secretary of the DOST. Such loans agreements shall be with the approval of the NEDA and subsequently the Department of Finance; and
- 13.4 Grants, bequests, and donations from local or foreign sources initiated by the Administrator.

The DBM shall ensure continuous funding for the maintenance and operation of all instruments, equipment, facilities and systems of PAGASA used 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, which shall be provided every year in the general appropriations of the Agency.

Section 13. Administration of the PMF - The PMF shall be administered by the Administrator of the PAGASA in accordance with existing government budgeting, accounting and auditing rules and regulations.

Likewise, the Administrator of PAGASA shall submit an annual report on the status/utilization of the PMF which shall be included in the Annual Progress report that will be submitted to the President of the Republic of the Philippines and the Chairpersons of the Committee on Science and Technology in the Senate and House of Representatives.

RULE VI - SPECIALIZED PRODUCTS AND SERVICES AND COST RECOVERY PROGRAM

Section 14. 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 which shall be included in the PAGASA Modernization Plan 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/astronomical certifications, astronomical, 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.

Any income generated from the delivery of Special Products and Services shall be set-up/deposited in a Special Trust Fund and shall be used exclusively for the operation and maintenance of the equipment and facilities of the PAGASA. Provided further, that no income shall be used to pay personnel services, Provided, Finally, that weather data that will be used for research purposes and determined by PAGASA to be not detrimental to the safety and security of the general public, shall be free of charge.

RULE VII - MISCELLANEOUS AND FINAL PROVISIONS

Section 15. 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.

Section 16. Review of the Rules - The PAGASA, in coordination with DBM and DOST shall review this IRR two (2) years after its effectivity and every three (3) years or as necessary.

A Review Committee is hereby created composed of the following members which shall conduct a review of the IRR not earlier than two (2) years after its effectivity and every year thereafter:

1. The Secretary of the DOST;
2. The Administrator of the PAGASA;
3. Representative from DBM;
4. Representative from NEDA;

The Review Committee shall create a Committee Secretariat which will serve as the main support unit of the Review Committee.

Section 17. Amendments - The PAGASA, in coordination with DOST and DBM, reserves the right to amend this IRR but not earlier than two (2) years upon its effectivity. PAGASA, DOST and DBM either jointly or individually may initiate amendments to this IRR, provided, the initiating party shall first inform the other parties of the proposed amendment prior to the date of consultation.

Section 18. Separability Clause - If any provision or part of this Implementing Rules and Regulations should be declared invalid or unconstitutional by a competent court or tribunal, the remaining provisions hereof, unaffected thereby, shall remain valid and binding.

Section 19. Repealing Clause - All orders, circulars, rules and regulations or parts thereof which are inconsistent with the provisions of this IRR are hereby repealed or modified accordingly.

Section 20. Effectivity Clause - This IRR shall take effect after fifteen (15) days following its publication in a national newspaper or in the Official Gazette. This IRR shall be registered with the Office of the National Administrative Register at the University of the Philippines Law Center, UP Diliman, Quezon City.


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