



HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3157

Introduced by **REP. ROMAN T. ROMULO**
Lone District, Pasig City

AN ACT TO FURTHER DEVELOP CAPABILITY AND ESTABLISH EXPEDITIOUS TRANSFORMATION OF THE DEPARTMENT OF NATIONAL DEFENSE AND ITS BUREAUS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.

EXPLANATORY NOTE

The Department of National Defense (DND) is the primary agency which supervises the Armed Forces of the Philippines (AFP), the Government Arsenal (GA), the Philippine Veterans Affairs Office (PVAO), the National Defense College of the Philippines (NDCP) and the Office of Civil Defense (OCD). Furthermore, the DND is mandated to supervise and administer the AFP Modernization Program.

Section 15, Chapter I, Title VIII, Book IV of Executive Order No. 292 mandates the DND to maximize its effectiveness for guarding against external and internal threats to national peace and security, and provide support for social and economic development.

Enacted 82 years ago, Commonwealth Act No. 1 or the National Defense Act of 1935 is the primary legislation that governs the defense and security of our country. Amid the many institutional and organizational developments, technical and capability enhancements, and technological advances in the AFP, the provisions of the law are deemed to be obsolete to adapt to changes. Thus, it is high time to pass a law that envisions a stronger defense department capable of addressing the current threats to our national security.

No less than President Rodrigo Roa Duterte, during his second State of the Nation Address (SONA), declared the need for a stronger and more credible National Defense System in order to address transnational issues such as insurgency and terrorism.

Hence, this Bill is envisioned to update national defense policies, principles and concepts, to institutionalize needed improvements and to codify various laws on national defense, the

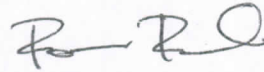
AFP, and the civilian bureaus, with the end in view of streamlining and further professionalizing our country's defense establishment.

Among the salient provisions of the Bill include:

1. Prohibition on the sale of defense real estates, except otherwise recommended by the Secretary of National Defense (SND), approved by the President and with the consent of Congress; and a provision mandating that all income derived from the lease or development of defense real estate shall be remitted only to the AFP Modernization Act Trust Fund.
2. Inclusion of the SND in the Chain of Command. Under the new Chain of Command, exercise of authority, direction, command and control over the AFP shall be carried out from the President as the Commander-in-Chief, through the SND, AFP Chief of Staff (COS) down to the commander of the lowest level of commands in the AFP. However, such new chain would not preclude the President from issuing orders directly to the AFP.
3. The Joint Force Operational Commands (JFOC), as force employers, and the Component Services as force providers.
4. The SND shall prescribe the authorized number of officers in the regular force in each grade in each Component Service in accordance with the Table of Organization and Equipment.
5. The integration of the Women's Auxiliary Corps in the Component Services and repeal of RA 3885, as amended.
6. The integration of the Technical and Administrative Service in the Component Services.
7. The establishment of the Warrant Officers in the AFP composed of highly technical experts, combat leaders, trainers, and advisors who specialize, throughout their career in a specific technical area. Warrant officers shall serve in specific positions requiring greater longevity to achieve increased technical expertise, as well as increased leadership and management skills.
8. Mandatory citizen service for all natural-born or naturalized Filipino citizens for a minimum of two (2) years.
9. Transformation of the National Defense College of the Philippines (NDCP) into the National Defense University of the Philippines (NDUP). The Master in National Security Administration (MNSA) or its equivalent shall be required for appointment or designation to key positions and promotion of AFP officers to the grade of O-7 (Brigade General/Commodore).

10. Exemption from the requirement of RA9184 or the government procurement law in the acquisition for use by the AFP, upon prior approval of the President of the Philippines, if it involves special defense equipment, or when the SND has determined that the interests of the country shall be protected by negotiating directly with a local or foreign supplier, provided that such procurement contract shall be covered by a performance security.
11. Exemption from import and other licenses imposed by other agencies for all acquisition by the DND of defense materiel.

It is for this purpose that the approval of this bill is earnestly sought.



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NATIONAL DEFENSE AND ITS BUREAUS, APPROPRIATING FUNDS
THEREFOR
AND FOR OTHER PURPOSES.**

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

Preliminary Provisions

1 **Section 1. Short Title.** -This Act shall be known as "**The National Defense**
2 **Act of 2019.**"

3
4 **Section 2. Declaration of National Defense Policies.** - The national defense
5 policies of the Republic of the Philippines shall be as follows:

6
7 a. In defending the Philippines, the paramount consideration shall be national
8 sovereignty, territorial integrity, national interest and the right to self-determination;

9
10 b. The preservation of the State is the obligation of every citizen. The security,
11 freedom and independence of the Philippines shall be guaranteed by the employment
12 of all citizens, without distinction of age or sex, and all resources;

13
14 c. The national defense organization shall be adapted as closely as possible to
15 the territorial and administrative organization of the Philippines;

16
17 d. The civil authority shall at all times be supreme over the military. The
18 President of the Philippines as the Commander-in-Chief of all military forces, shall be
19 responsible that mobilization measures are prepared at all times;

1 e. The employment of the nation's citizens and resources for national defense
2 shall be effected by a mobilization;
3

4 f. The mobilization shall include the execution of all measures necessary to
5 pass from a peace to a war footing or in any case of actual invasion or when public
6 safety so requires as well as during its transition to normalcy or rehabilitation;
7

8 g. The mobilization plans of financial, industrial, economic, technological and
9 social resources of the Philippines shall conform to the provisions of the Constitution
10 and shall be prepared by the executive departments concerned in accordance with the
11 following general policies:
12

13 1. The respective responsibilities of the several executive departments in
14 mobilization planning will be prescribed by the President;

15 2. Forces and resources shall be employed so as to ensure unity and
16 continuity of effort until normalcy has been attained; and
17

18 h. No profit incident to war shall accrue to any individual, corporation,
19 association or partnership.
20

21 **Section 3. *Defense Conditions and Authority.*** – Defense conditions shall be
22 the bases for the designation of persons and entities to act in behalf of the state.
23 Defense Conditions, hereinafter referred to as DEFCON, are circumstances where the
24 three categories of events – disaster, internal disorders, and invasion– acting
25 separately or in concert tend to, or actually threaten, the security of the state. The
26 hierarchy of defense conditions and the persons or entities designated to act in behalf
27 of the state shall be prescribed by the President.
28
29

30 **ARTICLE I- Employment of Persons and Resources**

31

32 **Section 4.** Military service shall be mandatory for all citizens of the
33 Philippines, and the methods and procedures for the classification, selection,
34 examination, induction, training, employment, and release of all citizens from their
35 military obligations shall be prescribed by the President of the Philippines.
36

37 **Section 5.** The registration of citizens for mandatory military service shall be a
38 military function carried out by the Component Services through their respective
39 Reserve Commands.
40

41 **Section 6.** During a mobilization, the President through the Secretary of
42 National Defense shall have the power to secure all such resources as may be
43 necessary for national defense.
44

45 **Article II- National Defense Council**

46

47 **Section 7. *National Defense Council*** – (a) The National Defense Council

1 (NDC) chaired by the President is composed of heads of the executive departments,
2 past Presidents, past Chief Justices of the Supreme Court and other government
3 officials and private citizens as the President may appoint or designate. It shall have a
4 permanent staff which shall preserve a documentary record of the Council's
5 deliberations.

6
7 (b) The method of operation of the National Defense Council, its detailed duties, and
8 its rights to summon witnesses or consultants shall be fixed in executive orders to be
9 issued by the President. Funds for its operation shall be provided in the appropriations
10 for the Executive Department.

11 12 TITLE I

13 14 DEPARTMENT OF NATIONAL DEFENSE

15 Article I – General Provisions

16
17 **Section 8. *Mandate.*** - The Department of National Defense is the primary
18 government agency charged with the duty of implementing the provisions of this Act.
19 The defense establishment shall be maintained to maximize its effectiveness for
20 guarding against external and internal threats to national peace and security.

21
22 **Section 9. *Powers and Functions of the Department.*** - To carry out the
23 above-declared policy, the Department shall exercise and perform the following
24 powers and functions:

25
26 a. Formulate and prepare national defense policies, strategies, plans and
27 programs;

28
29 b. Formulate, develop and update the national defense plan of the country,
30 including the mobilization plan for the employment of the country's citizens and
31 resources for national defense;

32
33 c. Control, monitor, coordinate, supervise and evaluate the implementation
34 of national defense policies, plans, programs and activities;

35
36 d. Exercise supervision and control over the Armed Forces of the
37 Philippines (AFP), Government Arsenal (GA), Office of Civil Defense (OCD),
38 Philippine Veterans Affairs Office (PVAO) and the National Defense University of
39 the Philippines (NDUP);

40
41 e. Formulate, establish, implement, supervise and control quality
42 management system.

43
44 f. Establish, promote and maintain bilateral and multilateral linkages for
45 defense and military cooperation with its international counterparts for the purpose of
46 addressing traditional and non-traditional security threats.

1 g. Implement the country's international defense and security
2 commitments based on defense and security treaties, cooperation agreements,
3 international covenants, protocols and other similar arrangements;
4

5 h. Develop self-reliance defense posture to guarantee the enhancement of
6 responsive and progressive capabilities and maximum utilization of resources;
7

8 i. Develop a responsive Armed Forces capable of addressing various
9 threats to national security; and
10

11 j. Perform such other defense-related functions as may be provided by law
12 or directed by the President of the Philippines.
13

14 **Section 10. *Contracts.*** - The Department is hereby authorized to enter into,
15 make, perform and carry out contracts of every class, kind and description which are
16 necessary or incidental to the performance of its mandate as provided herein, with
17 any person, firm or corporation, public or private, and with foreign government
18 entities, subject to the provisions of existing laws, rules and regulations.
19

20 **Section 11. *Management and Control of Defense Real Properties.*** - (a) The
21 Department is hereby authorized to administer, operate, manage, control, maintain
22 and develop defense real properties for strategic basing and to use, hold, acquire, or
23 lease any private real property, right of way, or easement which may be proper or
24 necessary for the accomplishment of its mandate as provided in this Act.
25

26 (b) The sale and/or exchange of strategic defense real properties shall be
27 prohibited unless otherwise recommended by the Secretary of National Defense,
28 approved by the President of the Philippines, with the consent of Congress.
29

30 (c) The lease and/or development of defense real properties, by joint venture or
31 otherwise shall be allowed upon prior approval by the President of the Philippines.
32

33 (d) Any and all income derived from the lease or disposition of such defense
34 real estate shall be remitted only to the AFP Modernization Act Trust Fund, and
35 disbursed in accordance with existing laws, rules and regulations.
36

37 **Section 12. *Special Defense Materiel Acquisition.*** -Upon prior approval by
38 the President of the Philippines, and when the procurement for use by the AFP
39 involves major defense equipment or materiel and/or defense-related consultancy
40 services, when the expertise or capability required is not available locally, and the
41 Secretary of National Defense has determined that the interests of the country shall be
42 protected by negotiating directly with an agency or instrumentality of another country
43 with which the Philippines has entered into a defense cooperation agreement or
44 otherwise maintains diplomatic relations, the AFP may be allowed to resort to
45 negotiated procurement: Provided, however, That the performance by the supplier of
46 its obligations under the procurement contract shall be covered by a performance
47 security in accordance with Sec. 39 of the IRR of R.A. 9184.

1
2 **Section 13. *Exemption from Import Licenses.*** - All acquisition of defense
3 materiel by the DND and its bureaus shall be exempt from import and other licenses
4 imposed by other agencies of the government. In lieu thereof, the SND shall issue a
5 certification that the goods being imported are exempt from such licenses.
6

7 **Section 13. *Grants and Donations.*** - The Department, or any of the bureaus,
8 agencies or offices under it, may accept donations, contributions, and grants from
9 various sources, domestic or foreign, for purposes relevant to its functions: *Provided,*
10 That in case of donations from foreign governments or persons, acceptance thereof
11 shall be subject to existing laws, rules and regulations.
12

13 **Section 14. *Defense Cooperation Agreements.*** - (a) Unless otherwise
14 provided by the Constitution, the Department of National Defense may enter into
15 Defense/Military Cooperation Agreements to develop, enhance and sustain multi-
16 faceted defense and security engagements and cooperation with the defense and armed
17 forces of other countries.
18

19 (b) Defense/Military Cooperation Agreements shall include but not limited to
20 the exchange of information, exchange of visits, exchange of personnel, subject matter
21 expert exchange, logistics cooperation, defense industry cooperation, humanitarian
22 assistance and disaster response, defense and military doctrine development, research
23 and development in defense science and technology, participation in trade, science or
24 technology exhibits, military and defense exercises, training activities, and education
25 exchanges or other areas of mutual concern.
26

27 **Article II - Organization**

28 **Section 15. *Organizational Structure.*** - The Defense Department shall be
29 composed of the DND-Proper and its bureaus namely, the Armed Forces of the
30 Philippines (AFP), Philippine Veterans Affairs Office (PVAO), Government Arsenal
31 (GA), National Defense University of the Philippines (NDUP), Office of Civil
32 Defense (OCD), and other instrumentalities under the supervision and control of the
33 Secretary of National Defense as provided for by law.
34

35 **Section 16. *Composition.*** - The DND-Proper shall be composed of the Office
36 of the Secretary of National Defense and the Offices of the Undersecretaries and
37 Assistant Secretaries, and the Department Services.
38

39 **Section 17. *Office of the Secretary.*** - The Office of the Secretary shall consist
40 of the Secretary of National Defense and his/her immediate staff as determined by
41 him/her.
42

43
44 **Section 18. *The Secretary of National Defense.*** - The Secretary of National
45 Defense shall be appointed by the President, subject to confirmation by the
46 Commission on Appointments.
47

1 **Section 19. Powers and Functions of the Secretary.** - The authority and
2 responsibility for the exercise of the mandate of the Department and for the discharge
3 of its powers and functions shall be vested in the Secretary of National Defense, who
4 shall have supervision and control of the Department. The Secretary shall also
5 perform such other functions as may be necessary or proper to attain the objectives of
6 this Act or as may be provided by law or directed by the President.

7
8
9 **TITLE II - THE ARMED FORCES OF**
10 **THE PHILIPPINES**
11 **Article I - General Provisions**

12
13 **Section 20. Declaration of Policies.** -

14
15 a. The AFP, as the protector of the people and the State, shall secure the
16 sovereignty and defend the territory of the Republic of the Philippines against all
17 threats;

18
19 b. The AFP shall uphold the Constitution and adhere to the rule of law at all
20 times;

21
22 c. Professionalism in the armed forces and adequate remuneration and benefits
23 of its members shall be a prime concern of the State; and

24
25 d. The AFP, as an institution, shall be insulated from partisan politics. No
26 member of the military shall engage, directly or indirectly, in any partisan political
27 activity, except to exercise the right of suffrage.

28
29 **Section 21. Mission and Functions.** - The AFP is the protector of the people
30 and the State. Its goal is to secure the sovereignty of the State and the integrity of the
31 national territory. It shall have the duty to:

32
33 a. Defend against all forms of threats to national defense and security;

34
35 b. Plan, organize, train, equip, develop, employ and sustain its Regular and
36 Reserve Force for national defense and security; and

37
38 c. Perform such other functions as may be provided by law or assigned by the
39 Commander-in- Chief.

40
41 **Section 22. Chain of Command.** - The exercise of authority, direction,
42 command and control over the AFP shall be carried out through the Chain of
43 Command, which is the line of authority and responsibility along which orders are
44 passed, beginning from the President as the Commander-in-Chief, through the
45 Secretary of National Defense, to the Chief of Staff of the Armed Forces of the
46 Philippines (CSAFP) down to the commander of the lowest echelon of command in

1 the AFP: *Provided*, That this does not preclude the President from issuing orders
2 directly to the AFP.

3
4 **Section 23. *Organization and Composition.*** - The AFP shall be initially
5 composed of three (3) component services- the Philippine Army, the Philippine Air
6 Force, and the Philippine Navy. These services shall form the Citizens Armed Force
7 composed of the Regular Force and Reserve Force guided by the Table of
8 Organization and Equipment of the AFP, prescribed by the Secretary of National
9 Defense upon recommendation of the CSAFP.

10
11
12 **Article II - The Regular Force**
13 **A. ORGANIZATION AND COMPOSITION**
14 **Chapter 1 - General Provisions**
15

16 **Section 24. *Size and Composition.*** - The Regular Force, alternately referred to
17 as the Standing Force, shall be initially composed of the following:

- 18
19 a. Regular Officers, Warrant Officers and Enlisted Personnel;
20 b. Reservists called to active duty, or on active duty tour for training; and
21 c. Draftees, trainees and government-sponsored Filipino cadets enrolled in
22 local or foreign military schools.

23
24 The size and composition of the Regular Force shall be prescribed by the
25 President, upon the recommendation of the CSAFP of the Philippines through the
26 Secretary of National Defense.

27
28 **Section 25. *Organizational Principle.*** - The President, through the Secretary
29 of National Defense, shall organize the AFP into such commands, forces and units in
30 accordance with operational requirements. For this purpose, the national territory may
31 be divided into such operational areas as the Secretary of National Defense may
32 direct.

33
34 **Section 26. *Organizational Structure.*** - The Regular Force of the AFP shall
35 consist of the Joint Headquarters; the Joint Force Operational and Functional
36 Commands; the Component Services namely: the Philippine Army, the Philippine
37 Navy and the Philippine Air Force; and the other existing units, component services,
38 commands, and task forces of the AFP. The Secretary of National Defense upon the
39 recommendation of the CSAFP may, in accordance with the policies or directives of
40 the President, create additional units, services, commands and task forces, or
41 reorganize the AFP in response to any situation or in pursuance of operational or
42 contingency plans.

43
44 **Section 27. *Operational Principles.*** - The operational principles of the AFP
45 shall be as follows:

- 46
47 a. The Commander-in-Chief shall exercise command and control through

1 the CSAFP with the supervision of the Secretary of National Defense. The Joint
2 Headquarters AFP, shall be the command and control element of the AFP;

3
4 b. The Joint Headquarters AFP shall exercise centralized command and
5 control to ensure unity and coordination of efforts throughout the military
6 establishment;

7
8 c. The Joint Force Operational Commands as force employers shall be
9 responsible for the decentralized execution of joint operations to achieve maximum
10 operational efficiency within the military establishment unless otherwise determined
11 by the CSAFP through the supervision of the Secretary of National Defense;

12
13 d. The Component Services as force providers shall be responsible for the
14 development, organization, training, equipping, maintenance and sustainment of
15 combat forces, combat service forces, technical and administrative service, and
16 combat service support forces.

17
18 e. The AFP Reserve Force shall provide for the base of expansion of the
19 Component Services.

20 21 **Chapter 2 - The Joint Staff Headquarters Armed Forces of the Philippines**

22
23 **Section 28. *Mandate.***- The Joint Staff Headquarters, which shall be headed by
24 the CSAFP, shall be the command and control element of the AFP.

25
26 **Section 29. *Organization.*** - The Joint Staff Headquarters shall be composed of
27 the Office of the Chief of Staff of the Armed Forces of the Philippines, Office of the
28 Vice Chief of Staff, Office of the Deputy Chief of Staff; the AFP Joint, Personal and
29 Special Staff and the other key staff offices and units necessary for effective command
30 and control of the AFP as recommended by the CSAFP with the approval of the
31 Secretary of National Defense.

32
33 **Section 30. *The Chief of Staff of the Armed Forces of the Philippines.*** - (a)
34 The President shall appoint the CSAFP from among the officers with the rank of
35 Lieutenant General/Vice Admiral in the active service, who shall hold the rank of
36 General/Admiral.

37
38 (b) CSAFP shall serve a minimum tour of duty of 2 years and maximum of 3
39 years. For this purpose, the CSAFP shall be allowed to complete his maximum tour of
40 duty beyond his retirement age: *Provided*, That the CSAFP may be removed by the
41 President as Commander in Chief at any time before the end of the term of 3 years
42 and deemed retired from active military service.

43
44 **Section 31. *Powers and Functions.***- The Chief of Staff shall:

45
46 a. Serve as the principal military advisor to the President and the Secretary of
47 National Defense;

1
2 b. Be responsible for the formulation of the national military strategy consistent
3 with the national defense strategy;

4
5 c. Be responsible for the development of the policies, strategies, missions,
6 plans and programs of the AFP;

7
8 d. Prescribe the organization, powers, functions and duties of the various staff,
9 services, and other units of the AFP in accordance with the national defense policy;

10
11 **Section 32. *The Vice Chief of Staff.*** - The Vice Chief of Staff shall be the
12 principal assistant of the CSAFP and shall perform the functions of the CSAFP during
13 the latter's absence or incapacity. He shall be appointed in the same manner as the
14 CSAFP.

15
16 The Vice Chief of Staff shall serve for a minimum term of 1 year and
17 maximum of 3 years unless otherwise promoted to the next higher position and
18 without prejudice to compulsory retirement age as provided in this Act: *Provided,*
19 That no Officer shall be appointed as a Vice Chief of Staff if that officer has less than
20 one (1) year remaining in the active service: *Provided further,* That Vice Chief of
21 Staff may be removed by the President as Commander in Chief at any time before the
22 end of the term of 3 years and deemed retired from active military service.

23
24 **Section 33. *The Deputy Chief of Staff.***- The Deputy Chief of Staff shall
25 integrate and synchronize the Joint Staff works to assist the CSAFP in policy
26 formulation and implementation, and command decision making process through
27 completed staff work.

28
29 The Deputy Chief of Staff shall serve for a minimum term of 1 year and
30 maximum of 3 years unless otherwise promoted to the next higher position and
31 without prejudice to compulsory retirement age as provided in this Act: *Provided,*
32 That no Officer shall be appointed as The Deputy Chief of Staff if that officer has less
33 than one (1) year remaining in the active service: *Provided further,* That the Deputy
34 Chief of Staff may be removed by the President as Commander in Chief at any time
35 before the end of the term of 3 years and deemed retired from active military service.

36
37 **Section 34. *The Joint Staff.***- The Joint Staff, as coordinating staff shall advise
38 and assist the CSAFP in the performance of his/her functions. The organization,
39 functions and duties of the Joint Staff shall be prescribed by the CSAFP.

40
41 **Section 35. *Personal Staff.***- The Personal Staff, as immediate staff shall
42 directly advise and assist the CSAFP in the performance of his/her functions. The
43 organization, functions and duties of the Personal Staff shall be prescribed by the
44 CSAFP: *Provided,* That coordination with other staff is not precluded.

45
46 **Section 36. *Special Staff.***- The Special Staff, as specialized, technical and
47 administrative staff shall advise and assist the CSAFP in the performance of his/her

1 functions. The organization, functions and duties of the Special Staff shall be
2 prescribed by the CSAFP

3
4 **Section 37. Authority to Reorganize the General Headquarters into the**
5 **Joint Staff Headquarters.**- In the interest of efficiency and effectiveness, the CSAFP,
6 upon the approval of the Secretary of National Defense, may:

7
8 a. Establish and organize staffs, offices and units in the Joint Staff
9 Headquarters in addition to the AFP Joint, Personal and Special Staff, and prescribe
10 the organization, mission and functions; and

11
12 b. Abolish existing staffs, offices and units in the Joint Staff Headquarters not
13 specifically provided in this Chapter or by any other provision of law, or transfer or
14 consolidate their functions and duties with other staffs, offices or units.

15 16 **Chapter 3 – Joint Force Operational Commands**

17
18 **Section 38. Organization, Mission and Function.** - (a) The Joint Force
19 Operational Commands shall be organized and established by the CSAFP with the
20 approval of the Secretary of National Defense which shall be under the command,
21 control and operational direction of its Joint Force Commander.

22
23 (b) The mission, functions, duties and responsibilities and joint area of
24 operations of the Joint Force Operational Commands shall be prescribed by the
25 Secretary of National Defense, in consultation with, or upon the recommendation of
26 the CSAFP.

27
28 **Section 39. Designation or Assignment of Joint Force Commanders.** – (a)
29 The Joint Force Commanders of the JFOC shall be designated or assigned to the said
30 position by the President, upon the recommendation of the CSAFP of the Philippines
31 through the Secretary of National Defense.

32
33 (b) The Joint Force Commanders of the JFOC, as force employer, shall have
34 operational control over all units operating within their respective joint area of
35 operations.

36
37 (c) The Joint Force Commanders of the JFOC shall serve for a minimum term
38 of 2 years and maximum of 3 years unless otherwise promoted to the next higher
39 position and without prejudice to compulsory retirement age as provided in this Act:
40 *Provided*, That no officer shall be appointed as a Joint Force Commander if that
41 officer has less than two (2) years remaining in the active service: *Provided further*,
42 That Joint Force Commanders may be removed by the President as Commander in
43 Chief at any time before the end of the term of 3 years and deemed retired from active
44 military service.

45 46 **Chapter 4 - The Component Services**

1 **Section 40. Organization.** – (a) The Component Services shall be organized
2 by the President, upon the recommendation of the Secretary of National Defense and
3 the CSAFP. The Chiefs of the Component Services shall be designated or assigned to
4 the said position by the President.

5
6 (b) The Chiefs of the Component Services shall serve for a minimum term of
7 2 years and maximum of 3 years unless otherwise promoted to the next higher
8 position and without prejudice to compulsory retirement age as provided in this Act:
9 Provided, That no Officer shall be appointed as Chief of Component Service if that
10 officer has less than two (2) years remaining in the active service: *Provided further*,
11 That Chief of Component Service may be removed by the President as Commander
12 in Chief at any time before the end of the term of 3 years and deemed retired from
13 active military service.

14
15 (c) The Component Services shall act as force providers, which shall develop,
16 organize, train, equip, maintain and sustain the necessary forces in support of the
17 AFP missions.

18
19 **Section 41. The Philippine Army.** - The Philippine Army (PA), headed by the
20 Chief of the Philippine Army shall provide forces that will be responsible for the
21 conduct of prompt and sustained joint and combined ground operations in support of
22 the AFP mission. It shall be composed of its headquarters, maneuver units, and
23 sustainment units and such other units as may be necessary for the conduct of ground
24 operations.

25
26 **Section 42. Functions of the Philippine Army.** - The Philippine Army shall:

27
28 a. Develop, organize, train, equip, maintain, and sustain such ground
29 forces or units as may be necessary for the conduct of prompt and sustained
30 operations;

31
32 b. Prepare such forces or units as may be necessary for the effective
33 implementation of the national defense plans and programs and armed forces
34 missions;

35
36 c. Formulate and develop, in coordination with the other Component
37 Services, doctrines, systems, tactics, techniques and procedures peculiar to the Army;

38
39 d. Implement mobilization of the Army Reserve; and

40
41 e. Perform such other functions and duties as may be provided by law or
42 assigned by the CSAFP.

43
44 **Section 43. The Philippine Air Force.** – The Philippine Air Force (PAF)
45 headed by the Chief of the Philippine Air Force shall provide forces that will be
46 responsible for the conduct of prompt and sustained air operations in support of the
47 AFP mission. It shall be composed of its headquarters, air combat, combat support

1 and sustainment units and such other units as may be necessary for the conduct of air
2 and support operations.

3
4 **Section 44. *Functions of the Philippine Air Force.*** – The Philippine Air
5 Force shall:

6 a. Develop, organize, train, equip, maintain, and sustain such air forces or
7 units as may be necessary for the conduct of prompt and sustained operations;

8
9 b. Prepare such forces or units as may be necessary for the effective
10 implementation of the national defense plans and programs and armed forces
11 missions;

12
13 c. Formulate and develop, in coordination with the other Component
14 Services, doctrines, systems, tactics, techniques and procedures peculiar to the Air
15 Force;

16
17 d. Implement mobilization of the Air Force Reserve; and

18
19 e. Perform such other functions and duties as may be provided by law or
20 assigned by the CSAFP.

21
22 **Section 45. *The Philippine Navy.*** – The Philippine Navy (PN) headed by the
23 Chief of the Philippine Navy, shall provide forces that shall be employed for the
24 conduct of prompt and sustained naval operations in support of the AFP missions. It
25 shall be composed of its headquarters, naval forces, service support and sustainment
26 units and such other units as may be necessary for the conduct of naval operations.

27
28 **Section 46. *Functions of the Philippine Navy.*** – The Philippine Navy shall:

29
30 a. Develop, organize, train, equip, maintain, and sustain such naval forces or
31 units as may be necessary for the conduct of prompt and sustained operations;

32
33 b. Prepare such forces or units as may be necessary for the effective
34 implementation of the national defense plans and programs and armed forces
35 missions;

36
37 c. Formulate and develop, in coordination with the other Component
38 Services, doctrines, systems, tactics, techniques and procedures peculiar to the Navy;

39
40 d. Implement mobilization of the Navy Reserve; and

41
42 e. Perform such other functions and duties as may be provided by law or
43 assigned by the CSAFP.

44
45 **Section 47. *Technical and Administrative Service.*** - Each Component Service
46 shall develop, organize, train, equip, maintain, and sustain their respective Technical
47 and Administrative Service composed of but not limited to, The Judge Advocate

1 General Service, Medical Corps, Veterinary Corps, Medical and Administrative
2 Corps, Nurse Corps, Dental Corps, Chaplain Service, and Corps of Professors.

3
4 **Section 48. *The Women's Auxiliary Corps.*** – The Women's Auxiliary Corps as
5 created by Republic Act No. 3835, as amended shall be integrated to their respective
6 Component Service. For this purpose, RA 3835 is hereby repealed. Further, the
7 number of female personnel in the AFP, notwithstanding provision of relevant laws,
8 shall be prescribed by the Secretary of National Defense.

10 **Chapter 5 – Military Education and Training Institutions**

11
12
13 **Section 49. *Organization, Mission and Function.*** - (a) The Philippine Military
14 Academy (PMA), Command and General Staff College (CGSC), Officer Candidate
15 School (OCS), Non-commissioned Officer Academy and other Military Education and
16 Training Institutions organized and established by the CSAFP with the approval of the
17 Secretary of National Defense shall be under the command, control and direction of
18 their Military Education and Training Superintendent/Commandant.

19
20 (b) The mission, functions, duties and responsibilities of the military education and
21 training institutions shall be prescribed by the CSAFP with the approval of the
22 Secretary of National Defense.

23 **Section 50. *The Philippine Military Academy.*** –

24
25
26 (a) Mandate. The Philippine Military Academy categorized as special higher
27 education institution is the primary training and educational institution of the AFP,
28 which shall be its principal source of regular officers. The degree programs,
29 instruction, faculty complement, research, and facilities of the PMA shall be
30 accredited by the Commission on Higher Education (CHED).

31
32 (b) Organization. - The Academy headed by the Superintendent shall be
33 organized as prescribed by the Secretary of National Defense, upon the
34 recommendation of the CSAFP.

35
36 (c) Development. – The Academy shall determine its teaching, manpower,
37 curriculum, research and extension thrusts, plans and programs, standards and
38 budget.

39
40 (d) Cadet Corps. - The student body of the Academy shall be known as the
41 Cadet Corps Armed Forces of the Philippines (CCAFP) and shall have such strength,
42 as the Secretary of National Defense shall determine, upon the recommendation of
43 the CSAFP.

44
45 (e) Academic Board. - There shall be an Academic Board organized by the
46 Superintendent. The Board shall, in accordance with the rules and regulations
47 prescribed by the CSAFP, have the power to confer baccalaureate degrees upon the

cadets who satisfactorily complete the approved course of study.

(f) The Superintendent shall serve for a minimum term of 2 years and maximum of 3 years unless otherwise promoted to the next higher position and without prejudice to compulsory retirement age as provided in this Act: *Provided*, That no Officer shall be appointed as Superintendent if that officer has less than two (2) years remaining in the active service: *Provided further*, That the Superintendent may be removed by the President as Commander in Chief at any time before the end of the term of 3 years.

(g) Board of Visitors. The PMA shall establish a board of visitors to look into the academic affairs of the Academy with the end of enhancing its educational systems. The Board of Visitors shall be composed of at least five (5) but not more than seven (7) members designated by the Superintendent, whose membership shall meet at least once a year.

Section 51. Authority to Establish Other Military Training Institutions. - The President, upon the recommendation of the CSAFP through the Secretary of National Defense, is hereby authorized to establish other military training academies and institutions in the AFP.

B. RECRUITMENT, PROMOTION AND CAREER DEVELOPMENT

Chapter 1 – Commissioned Officers

Section 52. Qualifications. - All persons commissioned as officers in the Regular Force shall be natural born citizens of the Philippines, of legal age, of good moral character, physically and mentally qualified for active military service, and shall have such other qualifications as may be prescribed by the Secretary of National Defense.

Section 53. Appointments in the Regular Force. – (a) Officers shall be permanently appointed by the President in the Regular Force in accordance with the provisions of the Constitution.

(b) Except as otherwise provided in this Act, the date of rank of a commissioned officer in active service in the Regular Force shall be the date of permanent appointment in that grade by the President.

Section 54. Revocation of Commission. - The commission of an officer may be revoked by the President at any time, upon the recommendation of the Secretary of National Defense when found not fully qualified for such commission or who lacks any of the qualifications prescribed by law or regulation.

Section 55. Officer Grade Distribution. —The Secretary of National Defense shall prescribe the authorized number of officers in the Regular Force in each grade in each Component Service in accordance with the Table of Organization and

Equipment.

Section 56. Distribution of General/Flag Officers. - The number of general/flag officers herein authorized shall be distributed to the various general/flag officer grades by the Secretary of National Defense based on the recommendation of the CSAFP in accordance with the Table of Organization and Equipment.

Section 57. Tour of Duty in Key Positions. - No officers with less than 1 year remaining active service shall be designated to positions requiring the rank of Brigadier General/Commodore or higher.

Section 58. AFP Promotion System. - (a) The AFP Promotion System shall be governed by the principle that as officers are promoted from one grade to the next higher grade, the criteria of competence, merit and potentials are the primary consideration.

(b) The AFP Promotion System shall be the primary means by which the AFP shall periodically evaluate and assess its ranks of officers and shall institutionalize and continue to implement an efficient process of selection for promotion, as well as for attrition of officers as prescribed by the Secretary of National Defense.

(c) The AFP Promotion System shall be governed by a management system with a view of ensuring smooth succession in the filling of vacancies in key positions as and when these occur.

(d) The Secretary of National Defense shall prescribe the seniority and promotional lineal list of the AFP.

Section 59. Promotion to General/Flag Officer Grades. - No officer shall be promoted to the rank of Brigadier General/Commodore or higher unless there is an existing vacancy and the officer is occupying a position in the Table of Organization and Equipment that requires the rank for which he is being considered for promotion or assignment.

Section 60. Maximum Tenure in Rank. - The maximum tenure of officers in the ranks of Colonel/Captain and General/Flag Officer in the AFP are hereby prescribed as follows:

Colonel/Captain	8 years
Brigadier General/Commodore	4 years
Major General/Rear Admiral	3 years
Lieutenant General/Vice Admiral	3 years
General/Admiral	3 years

Unless earlier separated or retired or promoted to the next higher rank or occupying a position calling for the ranks of higher grade in the AFP TO&E, Colonels/Captains and Generals/Flag Officers shall be compulsorily retired upon the

1 attainment of the maximum tenure in rank herein prescribed, or upon reaching the age
2 of compulsory retirement, whichever is earlier, except for those, who may be allowed
3 by the President to finish tenure in position as recommended by the Secretary of
4 National Defense.

5
6 **Section 61. *Determination and Allocation of Key Positions.*** — The Secretary
7 of the Department of National Defense upon the recommendation of the CSAFP shall
8 determine and allocate the number of key positions among the component services,
9 headquarters and support units of the AFP based on the technical nature of the
10 organization, position, task, scope and area of responsibilities, equipage, prevailing
11 Defense Condition and other considerations as the exigencies of the service may
12 require.

13 14 **Chapter 2- Warrant Officers**

15
16 **Section 62. *Qualifications for Appointment.*** - Any natural born citizen of the
17 Philippines, of legal age, physically and mentally fit for military service, of good
18 moral character, and possessed of such educational attainments and specialized skills
19 or expertise as may be prescribed by the Secretary of National Defense, may be
20 appointed in the Regular Force.

21
22 **Section 63. *Appointments in the Regular Force.*** – Warrant Officers shall be
23 appointed by the Secretary of National Defense.

24
25 **Section 64. *Revocation of Appointment.*** - The appointment of an officer,
26 who is found not fully qualified for such appointment or who lacks any of the
27 qualifications prescribed by law or regulation may be revoked by the Secretary of
28 National Defense at any time, upon the recommendation of the CSAFP.

29
30 **Section 65. *Warrant Officer Management.*** — The Secretary of National
31 Defense shall prescribe the special career management, employment, grades, rank and
32 authorized number of warrant officers in the Regular Force in each grade in each
33 Component Service in accordance with the operational and organizational needs of the
34 AFP.

35 36 **Chapter 3-Enlisted Personnel**

37
38 **Section 66. *Qualifications for Enlistment.*** - Any natural born citizen of the
39 Philippines, of legal age, physically and mentally fit for military service, of good
40 moral character, and possessed of such educational attainments as may be prescribed
41 by the Secretary of National Defense, may be enlisted in the Regular Force under the
42 following restrictions:

43
44 a. Except as otherwise provided herein, each enlistment in the Regular Force
45 shall be for a term of five (5) years: *Provided*, That all enlistments in force at the
46 outbreak of war, or other grave national emergency, or entered into during its

1 continuation shall remain in force until six months after its termination, unless sooner
2 terminated by the President;

3
4 b. Enlistments for service shall be apportioned among the various provinces of
5 the Philippines, as far as practicable, provided that qualifications for competency as
6 prescribed shall be observed; and

7
8 c. Re-enlistment in the Regular Force shall be prescribed by the Secretary of
9 National Defense.

10
11 **Section 67. *Enlisted Ranks.*** - The ranks of enlisted personnel in the AFP shall
12 be in accordance with the guidelines set forth by the CSAFP. The total number of
13 enlisted personnel in the enlisted ranks and non-commissioned officer grades shall be
14 prescribed by the CSAFP in accordance with the number of authorized positions in
15 the approved Table of Organization & Equipment.

16
17 **Section 68. *Enlistment and Career Development of Enlisted Personnel***
18 ***System.*** - The Secretary of National Defense shall, upon the recommendation of the
19 CSAFP, prescribe the guidelines, which shall govern the procurement, enlistment,
20 training, promotion and discharge or separation of all enlisted personnel in the AFP.

21
22 **Section 69. *Authority to Promote and Demote.*** - The authority to promote and
23 demote Enlisted Personnel shall be prescribed by the CSAFP.

24 25 C. RETIREMENT AND SEPARATION

26
27 **Section 70. *Retirement and Separation.***- Retirement, whether compulsory or
28 optional, and separation from military service, shall conform with existing laws, rules
29 and regulations without prejudice to the provisions of this Act.

30
31 **Section 71. *Recall from Retirement.*** - An Officer, Warrant Officer or Enlisted
32 Personnel who retired from the active service, may be recalled to active duty by the
33 President during national mobilization and shall be subject to the Articles of War.
34 They shall be recalled in the last permanent rank held before retirement.

35
36 **Section 72. *Retirement and Separation Benefits.*** Congress shall allocate funds
37 for the retirement and separation benefits as according to existing laws, rules and
38 regulations.

39
40 **Section 73. *Attrition System.*** - (a) The attrition system for Officers shall be
41 prescribed by the President as recommended by the Secretary of National Defense.

42
43 (b) The attrition system for Warrant Officers and Enlisted Personnel shall be
44 prescribed by the Secretary of National Defense as recommended the CSAFP.

45
46 **Section 74. *Effect of Loss of Filipino Citizenship.*** - Pursuant to existing
47 laws, any retired military personnel, receiving retirement and pension benefits

1 pursuant to the provisions of this Act, who loses his/her Filipino citizenship shall no
2 longer be entitled to receive pension and retirement benefits. The survivors of any
3 retired military personnel who lose his Filipino citizenship shall no longer be entitled
4 to receive survivorship benefits.

6 **D. ADMINISTRATION OF MILITARY JUSTICE SYSTEM**

7
8 **Section 75. *Military Justice.***- (a) Except as otherwise provided in this Act,
9 enforcement of discipline and military justice shall be governed by applicable laws
10 and administrative issuances as prescribed by the President upon recommendation of
11 the Secretary of National Defense.

12
13 (b) There shall be reduction in grade, demotion of rank, suspension of active
14 service, and forfeiture, suspension, or withholding of pay and allowances of Officers,
15 except those ranks confirmed by Commission on Appointments, found
16 administratively liable. The procedure, extent or system of which shall be prescribed
17 by the President as recommended by the Secretary of National Defense.

18 (c) Procedure, extent or system of reduction in grade, demotion of rank,
19 suspension of active service, and forfeiture, suspension or withholding of pay and
20 allowances of Warrant Officers and Enlisted Personnel found administratively liable
21 shall be prescribed by the Secretary of National Defense as recommended by the
22 CSAFP.

23 24 **E. LEGAL ASSISTANCE**

25 **Section 76. *Extension of Legal Assistance.*** - All military personnel charged of
26 service-related or service-connected administrative, civil or criminal offenses, upon
27 approval of their Chiefs of Component Services, shall be provided adequate legal
28 representation and assistance by military lawyers or counsel of their own choice until
29 conclusion of the case. Reasonable allocation can be charged against the fund of
30 component service to support such case.

31 32 **ARTICLE III - THE RESERVE FORCE** 33 **Chapter 1 -GENERAL PROVISIONS**

34
35 **Section 77. *Mandatory Military Service.***- In relation to the patriotic duty of
36 every citizen to defend the country when obliged to preserve and protect sovereignty,
37 every Filipino, natural-born or naturalized shall be subject to basic, suitable and
38 sufficient military training and education for a minimum of two (2) years mandatory
39 military service.

40
41 **Section 78. *Purpose.*** -The purpose of the Reserve Force is to provide the base
42 for the expansion of the AFP in the event of disaster, internal disorder and invasion;
43

44 **Section 79. *Organization of the Reserve Force.*** - The organization of the
45 Reserve Force shall conform to projected and actual needs as determined by the

1 Secretary of National Defense upon the approval by the President. The Table of
2 Organization and Equipment of the Reserve Force shall be prescribed by the
3 Secretary of National Defense upon recommendation of the CSAFP.

4 5 **Chapter 2- Composition of the Reserve Force**

6
7 **Section 80. Composition.** – The Reserve Force shall have three (3)
8 components, namely:

- 9
10 a. The Army Reserve Component;
11 b. The Air Force Reserve Component; and
12 c. The Navy Reserve Component.

13
14 **Section 81. Affiliated Reserve Units.** – Affiliated Reserve Units (ARUs) are
15 private and government entities, corporations, establishments and organizations at the
16 national, provincial, city and municipal levels which provide essential public and
17 strategic services necessary to support the prosecution of national defense plans or to
18 meet an emergency. ARUs shall belong to any of the Reserve Force Components.

19
20 **Section 82. Call to Active Duty of the Reserve Force.** – Reservists may be
21 called to active duty for training and/or deployment as prescribed by the CSAFP as
22 approved by the Secretary of National Defense.

23 24 **TITLE III**

25 26 **OTHER BUREAUS AND AGENCIES UNDER THE DEPARTMENT** 27 **ARTICLE I - GENERAL PROVISIONS**

28
29 **Section 83. Supervision and Control.** – The Secretary of National Defense
30 shall exercise supervision and control over the bureaus and agencies under this Title,
31 as well as its personnel.

32
33 **Section 84. Organization.** – (a) Unless otherwise provided by law, the
34 organization, functions, duties and responsibilities of the staff and operating units of
35 each of the bureaus and agencies under the Department shall be as prescribed by the
36 Secretary of National Defense in appropriate rules and regulations issued for the
37 purpose.

38
39 (b) For this purpose, and in the interest of service, the Secretary of National
40 Defense may, in accordance with the policies or directives of the President:

- 41
42 1. Establish and organize staffs, offices and units in the bureaus or
43 agencies and prescribe the titles, powers, functions and duties of the
44 positions therein;
45
46 2. Abolish existing staffs, offices and units in the bureaus or agencies not
47 specifically provided by law, or transfer or consolidate their functions

1 and duties with other staffs, offices or units; and

- 2
3 3. Abolish a position of any bureau or agency and transfer or consolidate
4 its functions and duties with those of another position.
5

6 **Section 85. Separation Benefits of Officials and Employees of Affected**
7 **Bureaus or Agencies.** - Government employees displaced or separated from the
8 service as a result of the restructuring pursuant to this Act shall be entitled to a
9 separation pay and other benefits in accordance with existing laws, rules or
10 regulations.
11

12
13 **ARTICLE II**
14 **THE GOVERNMENT ARSENAL**
15

16 **Section 86. Mandate.** - The Government Arsenal shall develop, operate,
17 maintain and secure facilities for the manufacture of weapons, munitions and other
18 defense materiel to support the requirements of the AFP, Philippine National Police
19 (PNP) and other law enforcement agencies; and, to sell and export products in excess
20 of the local demand.
21

22 **Section 87. Power and Functions.-** The Government Arsenal shall have the
23 following powers and functions:
24

25 a. Formulate and implement plans and programs towards the achievement
26 of self-sufficiency in weapons, small arms ammunition, mortars, medium and large
27 caliber ammunition and other munitions needed by the country's defense and security
28 establishments;
29

30 b. Design, conduct research, develop, manufacture, procure, repair, stockpile
31 and allocate weapons, munitions and other defense materiel subject to existing laws
32 and regulatory requirements.
33

34 c. Sell and export products in excess of the requirements of the AFP and other
35 law enforcement agencies, subject to existing laws;
36

37 d. Devise ways and means for the efficient mobilization of civilian/private
38 industry to augment its production for use of the defense and security forces;
39

40 e. Establish, secure and operate government defense manufacturing plants, as
41 necessary, in strategic locations within the country; and
42

43 **Section 88. Organization and Administration.-** The Government Arsenal shall
44 be headed by a Director with one or more Assistant Directors who shall support the
45 Director in the administration, manufacturing operations and other affairs of the
46 bureau; all of whom shall be appointed by the President upon the recommendation
47 from the Secretary of National Defense, and who shall have the relevant expertise,

1 training and experience in the field of munitions.

2
3 **Section 89. *Modernization of the Arsenal.*** - The modernization of the
4 Government Arsenal, for the development of production capabilities to enhance self-
5 sufficiency in defense requirements, shall be part of the defense modernization
6 program. The Government Arsenal may use such production facilities as it may own
7 or be provided with under this Act or as it may arrange, under joint venture, co-
8 production or similar agreements with local and foreign entities.

9
10
11 **ARTICLE III**
12 **NATIONAL DEFENSE UNIVERSITY OF THE PHILIPPINES**
13

14 **Section 90. *Transformation of the NDCP.*** – In view of the rapidly evolving
15 national and regional security environment, the current academic trends and research
16 thrusts of defense institutions in the Asia Pacific, and the increasing need for
17 specialized defense and security courses to enhance the academic foundation of
18 promoting Philippine national security, The National Defense College of the
19 Philippines (NDCP) is hereby transformed into the National Defense University of
20 the Philippines (NDUP) categorized as a special higher education institution. To
21 ensure the continuous operation of the College, all its personnel and resources shall be
22 absorbed by the NDUP.

23
24 The degree programs, instruction, faculty complement, research, and facilities
25 of the NDUP shall be accredited by the Commission on Higher Education (CHED).
26 The NDUP shall likewise have adequate plantilla positions and receive appropriate
27 funding to fulfill the requirements of transforming into a defense university.

28
29 **Section 91. *Mandate.*** – In accordance with the standards set forth in pertinent
30 laws and regulations on higher education, the NDUP shall train and develop the
31 competence of potential national defense leaders, civilian officials of the different
32 agencies and instrumentalities of the Government, and selected executives from the
33 private sector in the formulation and review of national security policies and
34 undertake research and studies as basis for the formulation of national defense and
35 security policies, plans and programs. The NDUP shall be headed by a President, and
36 assisted by an Executive Vice President, and four (4) Vice-Presidents, all of whom
37 shall be appointed by the President of the Philippines, upon the recommendation of
38 the Secretary of National Defense. The NDUP President shall have a term of six (6)
39 years.

40
41 **Section 92. *Powers and Functions.*** — The University shall have the
42 following powers and functions:

43
44 a. Confer the degree of Master in National Security Administration (MNSA)
45 upon the graduates thereof;

46
47 b. Develop and Confer other baccalaureate, master's, and doctorate degrees on

1 defense and security; and

2
3 c. Undertake policy research and special studies as well as policy formulation
4 on strategic defense and security issues.

5
6 **Section 93. *Organization and Administration.*** — (a) The NDUP President
7 shall administer the affairs of the University.

8
9 (b) The NDUP President shall be assisted by the Executive Vice President
10 (EVP). The EVP shall act as NDUP President in the absence or incapacity of the
11 NDUP President, and shall perform such other functions and duties as may be
12 assigned to him by the NDUP President or the Secretary of National Defense.

13
14 (c) There shall be a Vice-President for Academic Affairs, who shall be
15 responsible for the development, implementation, supervision and evaluation of
16 academic programs; a Vice-President for Strategic Studies and Policy Formulation,
17 who shall be responsible for the conduct and supervision of research and special
18 studies and policy formulation and review for the Department; a Vice-President for
19 Military Affairs, who shall be responsible for the overall military activities of the
20 University; a Vice-President for Administration, who shall be responsible for the
21 overall administrative support to all the activities of the University and such other
22 officials as may be required by the University subject to the approval of the Secretary
23 of National Defense.

24
25 (d) The University shall have an Academic Board to assist the President
26 discharge the following functions:

- 27
28 1. Supervise the academic affairs of the University;
29 2. Recommend academic consultants, professors, lecturers, instructors,
30 research assistants and other resource persons of the University; and
31 3. Recommend the courses of studies to be conducted by the University to
32 accomplish its objectives.

33
34 The Board shall be composed of the Vice President for Academic Affairs as
35 Chairman, and the Heads of the various academic disciplines as members, who shall
36 be designated by the NDUP President subject to the approval of the Secretary of
37 National Defense.

38
39 (e) All resource persons of the University including but not limited to
40 academic consultants, professors, lecturers, instructor, thesis advisers, members of
41 examining and evaluating panels, examiners, correctors, and technicians who are
42 regularly employed in the Government shall, in addition to their salaries, be entitled
43 to receive honoraria, fees and other emoluments fixed by the Secretary of National
44 Defense.

45
46 (d) The Secretary of National Defense may establish a *Council of Fellows*
47 in the University to assist and advise him in providing strategic direction and guidance

1 necessary to ensure the accomplishment of the mandate of the University.

2
3 **Section 94. *Graduates of the Regular Course of the University.*** — All
4 graduates of the University shall be conferred the degree of Master in National
5 Security Administration (MNSA). Civilian graduates of the MNSA program shall
6 receive an initial rank of Lieutenant Colonel/Commander in the Reserve Force subject
7 to existing AFP regulations. The MNSA or its equivalent in military career
8 development course shall be required for appointment or designation to key positions
9 and promotion of AFP officers to the grade of O-7 (Brigadier General/Commodore).

10
11 **Section 95. *Transition.***— The SND shall determine the appropriate transition
12 period for NDCP to attain the status and competency of becoming a university.
13 Further, Congress shall allocate the necessary funds for the transformation of NDCP
14 to NDUP.

15
16
17 **ARTICLE IV**
18 **OFFICE OF CIVIL DEFENSE**
19

20 **Section 96. *Mandate.*** —The Office of Civil Defense (OCD) shall have the
21 primary mission of administering a comprehensive national civil defense and disaster
22 risk reduction and management program during local and national emergencies by
23 providing leadership in the continuous development of strategic and systematic
24 approaches as well as measures to reduce the vulnerabilities and risks to hazards and
25 manage the consequences of disasters.

26
27 **Section 97. *Powers and Functions.*** - The Office shall have the following
28 powers and functions:

29
30 a. Establish and administer a comprehensive national civil defense and
31 civil assistance program to include the allocation to agencies and local government
32 units such aid and funds as may be made available by the national government,
33 assisting governments, and international and local organizations;

34 b. Formulate policies and prepare plans for the protection and welfare of
35 the civilian population in times of war or other national emergencies as may be
36 determined by the President of the Philippines;

37
38 c. Furnish guidance and coordinate the activities of national government
39 agencies, local government units, private institutions and civic organizations for
40 natural and human-induced disasters;

41
42 d. Develop and coordinate a program for informing, educating and training
43 the general public, volunteer workers and civil defense groups on civil defense and
44 assistance measures and activities;

45
46 e. Prepare and disseminate disaster control manuals and other publications
47 related to measures on disaster prevention and mitigation, preparedness, response and

1 rehabilitation and recovery;

2
3 f. Advise the Secretary of National Defense on matters concerning civil
4 defense and make recommendations from time to time as may be deemed appropriate
5 or as the Secretary may require;

6
7 g. Provide assistance and secretariat services to the National Disaster Risk
8 Reduction and Management Council to implement the policies set by the latter
9 relative to disaster management;

10
11 h. Furnish guidance to the various provinces, cities and municipalities in
12 the planning, accreditation, organization and operation of their civil defense
13 organizations; and

14
15 i. Perform such other civil defense functions as may be provided by law.
16

17 **Section 98. Organization.** - The Office of Civil Defense shall be headed by an
18 Administrator who shall also serve as Executive Director of the National Disaster Risk
19 Reduction and Management Council and, as such, shall have the same duties and
20 privileges of a department undersecretary. It shall operate under a duly approved
21 organization and staffing as recommended by the Secretary of National Defense.
22

23
24 **ARTICLE V**
25 **PHILIPPINE VETERANS AFFAIRS OFFICE**
26

27 **Section 99. Mandate.** - The Philippine Veterans Affairs Office shall be the
28 government agency responsible for administering the benefits due to veterans, their
29 heirs and beneficiaries and shall provide medical care and treatment to veterans
30 pursuant to existing laws. It shall also administer, maintain and develop military
31 memorials and battle monuments proclaimed as national shrines.
32

33 **Section 100. Powers and Functions.** - The Office shall have the following
34 powers and functions:
35

36 a. Formulate and promulgate, subject to the approval of the Secretary of
37 National Defense, policies, rules and regulations governing the adjudication and
38 administration of veterans claims and benefits;
39

40 b. Adjudicate and administer benefits, pensions and other privileges granted to
41 veterans, their heirs and beneficiaries;
42

43 c. Provide medical care and treatment to veterans pursuant to existing law;
44

45 d. Administer, develop and maintain military memorials and battle monuments
46 proclaimed as national shrines; and
47

1 e. Perform such other functions as may be provided by law.

2
3 **Section 101. *Organization.*** - The Philippine Veterans Affairs Office shall be
4 headed by an Administrator who may be assisted by one or more Deputy
5 Administrators, all of whom shall be appointed by the President upon the
6 recommendation of the Secretary of National Defense. It shall have such staff and
7 other operating units as may be prescribed by the Secretary of National Defense.

8
9 **FINAL PROVISIONS**

10
11 **Section 102. *Implementing Rules and Regulations.*** - The DND shall
12 formulate the Implementing Rules and Regulations (IRR) for proper implementation
13 of this Act within twelve (12) months from the effectivity hereof. The said rules and
14 regulations shall be approved by the President of the Philippines.

15
16 **Section 103. *Appropriations.*** - The amount necessary to carry out the
17 provisions of this Act is hereby appropriated in the General Appropriations Act of the
18 year following its enactment into law. Thereafter, such sums as may be necessary for
19 its continued implementation shall be included in the annual General Appropriations
20 Act.

21
22 **Section 104. *Separability Clause.*** - If any part or provision of this Act is held
23 invalid or unconstitutional, other provisions not affected thereby shall remain in force
24 and effect.

25
26 **Section 105. *Repealing Clause.*** - All laws, Executive Orders, Presidential
27 Decrees, rules and regulations inconsistent herewith are deemed modified and
28 repealed accordingly. *All affected provisions of existing laws are deemed effective*
29 *until such promulgation of the IRR.*

30
31 **Section 106. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days
32 upon its complete publication in the Official Gazette or in at least two (2) newspapers
33 of general circulation, whichever comes first.

34
35 Approved,