

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3497



Introduced by: **HON. "KUYA" JOSE ANTONIO R. SY-ALVARADO**

AN ACT MANDATING THE INSTITUTIONALIZATION, DEVELOPMENT, TRAINING, ORGANIZATION AND ADMINISTRATION OF BASIC RESERVE OFFICERS TRAINING CORPS (ROTC) IN GRADE 11 AND 12 IN PUBLIC AND PRIVATE EDUCATIONAL INSTITUTIONS, FURTHER AMENDING REPUBLIC ACT NO. 7077, OTHERWISE KNOWN AS THE "CITIZEN ARMED FORCES OF THE PHILIPPINES RESERVIST ACT", AS AMENDED BY REPUBLIC ACT NO. 9163, OTHERWISE KNOWN AS THE "NATIONAL SERVICE TRAINING PROGRAM" AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

To restore basic military and leadership trainings for the youth in order to invigorate their sense of nationalism and patriotism necessary in defending the State and to further promote their vital role in nation-building, the President emphasizes the necessity of the immediate enactment of the institutionalization and implementation of mandatory Reserve Officers' Training Corps (ROTC) program.

This objective is also pursuant to the provisions under Article II, Section 13 of the 1987 Philippine Constitution which states that, "The State recognizes the vital role of the youth in nation building and shall promote and protect their physical, moral spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs."

Likewise, according to Article II, Section 4 of the Constitution the prime duty of the government is to serve and protect the people. The Government may call upon the people to defend the State, and in the fulfillment thereof, all citizens may be required, under conditions provided by law, to render personal, military or civil service.

Reserve Officers' Training Corps (ROTC) aims to provide military education and training for students to mobilize them for national defense preparedness. It was once a mandatory component school. But today, ROTC is just one of three tracks of the National Service Training Program (NSTP). Before the enactment of Republic Act No. 9163 otherwise known as the "National Service Training Program (NSTP) Act of 2001", almost 800,000 students enrolled in ROTC in any given year. Over the past decade and a half, young Filipinos have become increasingly removed from the concept of military service. Only 14% of NSTP enrollees opt for the ROTC track.¹

Thru ROTC program, we can train millions of Filipino youth on how they can defend themselves, their families and their communities, in the event of war, invasion or rebellion, and to assist in relief and rescue during disasters or calamities. It will also instill discipline among the youth.

The increasing tensions over the West Philippine Sea, the persisting threats posed by domestic and international terrorism, the increasing frequency and destructive force of recent natural disasters, and the importance of maintaining a vigorous reservist force necessitates the institutionalization and implementation of mandatory Reserve Officers' Training Corps (ROTC) program.

Thus, the approval of this bill is earnestly sought.

"KUYA" JOSE ANTONIO R. SY-ALVARADO
Representative
First District of Bulacan

¹ (Pampublico, 2016) Pampublico. (2016, 1 22). *Revisiting the Role of the Reserve Officer Training Corps (ROTC)*. Retrieved from pampublico.com.

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

SECTION 1. *Short Title.* – This Act shall be known as "ROTC Act".

SECTION 2. *Statement of Policy.* – The 1987 Constitution provides that the Government may call upon the people to defend the State, and, in the fulfillment thereof, all citizens may be required, under conditions provided by law, to render personal, military or civil service.

In the same vein, the State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

Towards this end, the State shall enhance the capacity of the nation to produce the needed manpower and to expand its human resources in times of war, calamities and disasters, national or local emergencies, and in support to the Government's law enforcement strategy against crimes by creating a pool or trained reservists.

SECTION 3. *Coverage.* – The conduct of basic military and leadership training under the ROTC shall apply to all students in Grades 11 and 12 in all senior high schools in public and private educational institutions.

SECTION 4. *Establishment of the ROTC Program in Public and Private Educational Institutions.* –

- a. There is hereby established a mandatory two (2) year Basic ROTC program for students in Grades 11 and 12 which shall form part of the basic curricula for the Senior High School Education in any public and private educational institutions in pursuance to the provision of the National Defense Act, Revised Administrative Code of 1987, and the 1987 Constitution, with the objective of producing well-trained and prepared reservists for military and civil service.
- b. The Basic ROTC shall include the following program of instruction:

1. Enhancing the student's consciousness in the ethics of service, patriotism and nationalism, respect for human rights, appreciation of the role of national heroes in the historical development of the country, strengthen ethical and spiritual values, develop personal discipline and leadership and to encourage creative thinking for scientific and technological development;
 2. Basic military training for students in order to motivate, train, organize and utilize for national defense preparedness or civil-military operations: *Provided*, that no student below the age of eighteen (18) years shall take a direct part of hostilities;
 3. Civic training for students in order to be active participants and volunteers for the development and improvement of health, education, ecology and environmental protection, human and civil rights awareness and law enforcement;
 4. Preparedness during actual disaster response operations on needs assessment, improved skills for search, rescue and relief operations, and early recovery activities. Integration of capacity-building activities will help build understanding and skills with the end in view of applying disaster risk reduction and management principles, concepts, and concrete actions steps towards building their resilience.
- c. Any student who fails to undergo the mandatory Basic ROTC in accordance with this Act shall not be qualified for graduation. In addition, thereto, the non-taking of ROTC by any student shall be a ground for Compulsory Military Training in pursuance to this Act shall be subject to disciplinary and administrative sanctions as the Department of Education (DepEd) may impose.
- d. Guided by the provisions of Section 5(b) hereof, the DND and the DepEd, in consultation with other relevant government agencies and private stakeholders as the Secretary of National Defense may determine, shall design and formulate the Program of Instructions (POI) on the Basic ROTC program in Grades 11 and 12.

SECTION 5. *Exemptions to the mandatory ROTC course.* – The following students are exempted from the application of mandatory ROTC course:

- a. Ecclesiastics regularly ordained and serving as a member of the clergy and seminary students of a recognized church or sect;
- b. Those who are physically or mentally unfit as certified by any government physicians or by AFP medical officer;
- c. Those who may be exempted for valid reasons by appropriate and competent authority;
- d. Those who have undergone or are undergoing military training;
- e. Such others as may hereafter be exempted by law.

SECTION 6. *Advance ROTC.* – The basic ROTC established in Section 4, paragraph 1 of RA 9163, also known as the “National Service Training Program (NSTP) Act of 2001”, as a component of the NSTP which forms part of the curricula for students of any baccalaureate degree course shall be modified or reclassified as the advance ROTC pursuant to RA 7077, or the *Citizen Armed Forces of the Philippines Reservist Act*”

The advance ROTC in the tertiary level shall continue as an optional and voluntary component of the NSTP. Students who opt to enroll in Advance ROTC program in universities, colleges, vocational schools and other tertiary institutions shall remain to be governed by RA 9163 in so far as they are consistent with this Act.

The Department of National Defense, in coordination with the Commission on Higher Education (CHED), shall prescribe the curriculum of the Advance ROTC and the program of instruction in pursuance to the applicable provisions of RA 7077.

SECTION 7. *Organization, Operation and Maintenance of ROTC Units.* – The Secretary of National Defense, in consultation with the DepEd, shall prescribe the organization and operational manual of ROTC units in public and private educational institutions for Grades 11 and 12: *Provided*, that such educational institutions shall be required to provide an adequate office for the ROTC administrative staff assigned thereat.

SECTION 8. *Incentives for Undergoing ROTC Program.* –

- a. Subject to other requirements prescribed by rules and regulations, graduates of Basic ROTC shall be eligible for commissionship/lateral entry and enlistment in the AFP, Philippine National Police (PNP), Philippine Coast Guard (PCG), Bureau of Jail Management and Penology (BJMP), and the Bureau of Fire Protection (BFP) unless a waiver is issued by the Secretaries of the aforementioned military and civilian Armed Forces;
- b. Students undergoing Basic ROTC and those enrolled in Advance ROTC Program shall be provided with free hospitalization in any government hospital in case of accident or injury during the training. Mandatory insurance for students undergoing ROTC shall be provided by the school where the students are enrolled;
- c. Students undergoing Advance ROTC shall be given access and privileges with any AFP Commissary. The AFP shall issue the necessary regulations for the implementation of this privilege.

SECTION 9. *Establishment of ROTC Grievance Board.* – There shall be created a ROTC Grievance Board composed of the following:

- a. One (1) representative from the DND;
- b. One (1) District Schools Supervisors from the DepEd; and
- c. One (1) Legal Officer from the DepEd.

The DepEd and the DND shall formulate the manner by which the educational institutions implementing the Basic ROTC shall be clustered for the efficient resolution of grievances.

The Grievance Committee shall function as an independent investigative body, which shall formulate the recommendation to the proper disciplinary authority that has jurisdiction over the respondent, depending on whether he/she belongs to the military for which purpose, the Articles of War shall be employed. Whereas, for school officials and/or employees of public and private educational institutions, the provisions of RA 6173 or the *Code of Conduct of Public Officers and Employees* and other relevant laws on the matter shall be applied. This is without prejudice to administrative cases that may be filed pursuant to the Civil Service rules for public officers and employees involved in the complaint.

SECTION 10. *Appropriation.* – The funding requirement necessary to implement the establishment, maintenance, and operations of the Basic ROTC Program shall be included in the budget of the implementing Department in the annual General Appropriation Act.

SECTION 11. *Mandatory Evaluation Review.* – The DND and the DepEd shall jointly conduct an annual review and submit a report to Congress on the status of the implementation of the Basic ROTC and Advance ROTC Program one year after its full implementation and annually thereafter.

SECTION 12. *Implementing Rules.* The DND, DepEd, and CHED shall have the joint responsibility for the adoption of the implementing rules of this Act within sixty (60) days from the approval of this Act.

These three (3) agencies shall consult with other concerned government agencies, NGOs and recognized student organizations in drafting the implementing rules.

SECTION 13. *Repealing Clause.* – All laws, ordinances, rules, regulations, other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SECTION 14. *Separability Clause.* – If any section or provision of this Act shall be declared unconstitutional or invalid, the other sections or provisions not affected thereby shall remain in full force and effect.

SECTION 15. *Effectivity.* – This Act shall take effect fifteen (15) days after publication in the *Official Gazette* or in two (2) national newspapers of general circulation.

Approved,

