

# **REPUBLIC ACT 7077**

(AFP Reservist Act of 1991)

AN ACT PROVIDING FOR THE ORGANIZATION, ADMINISTRATION, TRAINING, MAINTENANCE, AND UTILIZATION OF THE CITIZEN ARMED FORCE OF THE ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES

## **ARTICLE I**

### **TITLE**

**SECTION 1.** Title. – This Act shall be known as the "Citizen Armed Forces or Armed Forces of the Philippines Reservist Act."

## **ARTICLE II**

### **DECLARATION OF POLICY**

**SECTION 2.** The Regular Force. – It is the policy of the State to maintain a standing force or regular military force in times of peace consonant to its adequate and actual needs for the security of the State but which can be rapidly expanded by the well-disciplined Citizen Armed Force in the event of war, invasion or rebellion.

**SECTION 3.** The Security and Socio-Economic Development of the State. – The Citizen Armed Force shall be provided maximum opportunity to participate in safeguarding the security of the state and assisting in socioeconomic.

**SECTION 4.** The Call to Personal Military and Civil Service. – The Citizen Armed Force shall be so organized, trained, developed and maintained as to ensure their readiness to immediately respond to the call to service.

**SECTION 5.** The Public Awareness. – The State shall promote and develop public support to and awareness of the important role of the Citizen Armed Force as protector of the people and the State.

**SECTION 6.** The manpower of the Citizen Armed Force. – The manpower objective

of the Citizen Armed Force shall conform to projected and actual needs. It is not envisioned by the State to have a nation under arms, unless extremely necessary.

### **ARTICLE III**

#### **MISSION AND ORGANIZATION OF THE CITIZEN ARMED FORCE**

**SECTION 7.** Mission – The Mission of the Citizen Armed Force, alternately referred to as the Reserve Force, is to provide the base for the expansion of the Armed Forces of the Philippines in the event of war, invasion or rebellion; to assist in relief and rescue during disaster or calamities; to assist in socioeconomic development; and to assist in the operation and maintenance of essential government or private utilities in the furtherance of the overall mission.

**SECTION 8.** ORGANIZATION. – The Reserve Force shall be organized into five (5) components, namely:

The Army Reserve Component;

The Air Force Reserve Component

The Navy Reserve Component

The AFP-Wide Technical Reserve Component; and

The Affiliated Reserves.

**SECTION 9.** Organization of Reserve Components. – The organization of each component of the Reserve Force and the manpower objective of each component shall be as prescribed by the Secretary of National Defense and approved by the President of the Philippines. The organization, structure, manning and equipment of reserve units shall conform to the organization of the regular force. Reserve units of a battalion type or equivalent shall be organized on a provincial basis, and reserve units of a brigade or division type or equivalent, on a regional basis. The organizational structure and manning of the affiliated reserve units shall be prescribed by the Secretary of National Defense and shall as much as possible conform to their existing organization.

**SECTION 10.** Affiliated Reserves. – As the President shall approve upon recommendation of the Secretary of National Defense, certain private and government entities, corporations, establishments and organizations at the national, provincial and municipal levels which provide essential public services such as water, light, transportation and communications which are necessary to support the prosecution of national defense plans or to meet an emergency shall be organized as affiliated units of the Reserve Force. These affiliated units shall be constituted by appropriate orders to be issued by the Secretary of National Defense, given unit designation and assigned to the appropriate reserve components of the Armed Forces of the Philippines (AFP). The roster of the officials and employees of these affiliated units shall be included in the orders of constituting the units. These units shall be so utilized in times of war or emergency to ensure the continuous and uninterrupted provision of the essential services they are rendering.

## **ARTICLE IV**

### **DEFINITION OF CITIZEN SOLDIERS**

**SECTION 11.** Citizen Soldiers. – The citizen soldiers, alternately referred to as reservists, who compose the Reserve Forces are those reservist of the Armed Forces of the Philippines who are incorporated into the Reserve Force, as follows:

Graduates of the Reserve officers' Training Corps (ROTC) basic and advance courses and who were issued orders as enlisted reservists or reserve officers of the AFP.

Graduates of authorized basic military training instructions who, as a result thereof, were issued orders as enlisted reservists or reserve officers;

Ex-servicemen and retired officers of the AFP and other armed forces that have diplomatic relations with the Philippines who were honorably discharged or retired from the service and who are Filipino citizens upon their application;

Recognized World War II guerillas who were honorably discharged from the service;

Commissioned and noncommissioned officers under the affiliated Reserves category and graduates of the National Defense College of the Philippines (NDCP); and

Commissioned, noncommissioned officers and privates under the existing laws and including those procured under Project 36-70 and included in the present AFP roster before the enactment of this Act and those to be commissioned or enlisted after the enactment of this Act.

## **ARTICLE**

### **CATEGORIZATION AND CLASSIFICATION OF CITIZEN SOLDIERS**

**SECTION 12.** Categorization of Citizen Soldiers. – There shall be there (3) categories of citizen soldiers or AFP reservists: the First Category Reserve, the Second Category Reserve, and the Third Category Reserve based on age.

First Category Reserve – The First Category Reserve shall be composed of able bodied reservist whose ages are between eighteen (18) years and thirty five (35) years, inclusive.

Second Category Reserve – The Second Category Reserve shall be composed of able-bodied reservist whose ages are between thirty-six (36) years and fifty-one (51) years, inclusive.

Third Category Reserve – The Third Category Reserve shall be composed of able-bodied reservist who are above fifty-one years (51) of age.

**SECTION 13.** Classification of Reserve Force Units – Based on the categorization provided in Section 12 above, the Reserve Force units shall further be classified into the Ready Reserve, the Standby Reserve and the Retired Reserve based on their operational readiness for immediate deployment /utilization.

Ready Reserve – The ready Reserve shall be composed of citizen soldiers belonging mostly to the first category reserve and others as provided in this Act who shall be organized, trained and maintained as mobilizable ready reserve

subject to call at any time to augment the regular armed force of the AFP not only in times of war or national emergency but also to meet local emergencies arising from calamities, disasters and threats to peace, order, security and stability in any locality, including the need to provide assistance in relief and rescue work and other civil assistance activities.

Any reservist or citizen soldier belonging to the Second Category Reserve and/or the Third Category Reserve, particularly the commissioned and noncommissioned officers, who will volunteer to serve with the Ready Reserve shall be allowed, if qualified and fit for duty, to join and actively participate as part of the Ready Reserve and shall serve with an appropriate Ready Reserve unit.

Furthermore, members of the AFP Affiliated Reserve units of various government and private utilities and services considered essential for the preservation of economic stability of the country or particular locality, such as power and electricity, water supply, transportation and communications, among others, regardless of their categorization shall be classified as Ready Reserve.

All citizens soldiers belonging to the First Category Reserve, except those exempted under this Act, shall be required to serve with the Ready Reserve units and will have assignments and promotions in accordance with existing policies of the AFP until transferred to the Standby Reserve by virtue of their age.

The following citizen soldiers may be exempted from rendering service with said reserve units:

Active members of the Armed Forces of the Philippines and the Philippines National Police;

Those who are residing abroad but only during the duration of their absence from the Philippines;

Those who are physically and mentally unfit to serve their tour of duty;

Those who are convicted of crimes involving moral turpitude; and

Those who may be exempted from duty for valid reasons which may be

authorized on a case-to-case basis by appropriate and competent authority. For this purpose, the AFP shall such appropriate guidelines, rules and regulations as may be necessary.

**Standby Reserve** – The Standby Reserve shall be composed of citizen soldiers belonging mostly to the Second Category Reserve and the Third Category Reserve, except as provided in this Act. The members of the Standby Reserve shall be organized and assigned to specified reserve units and shall be maintained through annual assembly test to update their records and present addresses, among others. The Standby Reserve may be mobilized or ordered to active duty only in times of national emergency or war. The ranks of the members of the Standby Reserve may be upgraded if they voluntarily participate in training or serve with the ready Reserve units in their areas or if their Standby Reserve units undergo retraining. They will however be encouraged to upgrade their military knowledge and skills by taking up nonresident or resident courses which shall be set up for the purpose.

**Retired Reserve** – The Retired Reserve shall be composed of citizen soldiers who have qualified for retirement through length of service, old age or disability. For this purpose, sixty-five (65) years shall be considered as the retirement age. However, if qualified and fit for duty, a member of the Retired Reserve may be ordered to active duty in times of local or national emergencies if he volunteers for active duty and when the Secretary of National Defense determines that there are not enough qualified citizen soldiers with his special skills and qualifications in the Ready Reserve or Standby Reserve in his particular area of residence.

## **ARTICLE VI**

### **MANPOWER DEVELOPMENT**

**SECTION 14.** Compulsory Military Registration and Training. – All male citizens between the ages of eighteen (18) and twenty-five (25) years who are not reservists shall be required to register for military instruction. Registration shall take place in suitable registration places to be prescribed by the city or municipal government between the dates of April First and Seventh commencing one (1) year after the effectivity of this Act. Biennial registration shall be held during the same period in succeeding years.

**SECTION 15.** Exemption from Compulsory Military Training. – The following are exemption from military training:

Members of the clergy of any religious order or sect, except if they volunteer;

Those in the active service of the Armed Forces of the Philippines and police members of the Philippine National Police;

Superintendent and uniformed members of the National Penitentiary, corrective instructions, and insane asylums; and

Licensed air and maritime pilots, navigators and merchant marine officers.

**SECTION 16.** Registering Officer. – For the purpose of registration as provided for in Section 14 hereof, the city/municipal treasurers of chartered cities and municipalities are hereby designated as registering officers. The secretary of National Defense shall prescribe and provide the forms to be used in registration and prescribe the procedures for the conduct and reporting of the results of the registration.

**SECTION 17.** Persons Disqualified or Exempted from Registration. – The following persons are disqualified or exempted from registering:

Persons who are disqualified by law from employment in government service;

Those who are physically or mentally unfit as certified by an AFP medical officer;

Those suffering incarceration awaiting trial by a court of law; Provided, that upon their release from custody they shall without delay register;

Those convicted by final judgment of criminal offenses involving moral turpitude;

Students of colleges, universities and similar institutions who are undergoing ROTC training during the tendency of their training recognized by the military authorities as among those undergoing training to qualify as reservists; and

Those persons who are constituted as members of affiliated units for the duration of time they hold such membership; Provided, That upon the termination of their membership, they shall be subject to military training.

**SECTION 18.** Selection of Registrants for Compulsory Training. – Registrants who are to undergo compulsory training as provided for in this Act shall be selected in the month of May every year by drawing of lots by a board of canvassers. The Secretary of National Defense shall prescribe the procedure for the selection of registrants.

**SECTION 19.** Board of Canvassers. – There is hereby created a board of canvassers, one (1) for each province and chartered city, for the purpose of selecting the registrants who will undergo compulsory military training as provided for in Section 18 thereof. The board shall be composed of the following:

IN PROVINCES

Division Superintendent of Schools ----- Chairman

Provincial Fiscal----- Member

They appropriate military commander as the Secretary of National Defense may be designate -----Member

IN CHARTERED CITIES

City Superintendent of Schools ----- Chairman

City Fiscal ----- Member

Chief of Police ----- Member

**SECTION 20.** Quota for Compulsory Training. – The Secretary of National Defense shall furnish each provincial governor and city mayor with the quota of registrants for compulsory military training to be drawn from their respective province or chartered city. The quota for the province shall be broken into municipal quotas.



**SECTION 21.** Acceptance of Registrants. – Volunteering for Military Training. – registrants who are not selected for compulsory military training but who volunteer for such training may be accepted and allowed to undergo military training; Provided, That said volunteers shall be made to execute a written statement that they volunteered for training at their own will.

**SECTION 22.** Registration of Citizens Residing or Working Abroad. – Filipino citizens residing or working abroad, when they become liable to register for reservists' training under this Act, shall register with the nearest diplomatic or consular officer of the Republic of the Philippines which shall transmit the registrants' data to the Secretary of National defense.

**SECTION 23.** Notice to Selected Registrants. – The board of canvassers shall cause the immediate and adequate publication of the names of the registrants who have been selected in accordance with Section 18 hereof and at once notify the registrants concerned to report to the acceptance board of the city or municipality where they reside. The board of canvassers shall furnish each acceptance board with the list of the registrants whose names were drawn.

**SECTION 24.** Acceptance Board. – There is hereby created an acceptance board in each municipality and chartered city which shall examine and classify registrants whose names have been referred to it by the board of canvassers and pass upon the registrants' fitness for training and application for deferment, if any. The decision of the board shall be by majority vote. The Secretary of National Defense shall prescribe the procedure for the operation of the acceptance board.

**SECTION 25.** Composition of the Acceptance Board. – The board shall be composed as follows:

IN CHARTERED CITIES

Local Civil Registrar -----Chairman

City Health Officer -----Member

Chief of Police -----Member

One Civic Leader (to be chosen by

Local civic organizations) -----Member

#### IN MUNICIPALITIES

Local Civil Registrar/Municipal Treasurer ----- Chairman

Municipal Health Officer ----- Member

Chief of Police ----- Member

One Civic Leader (to be chosen by

Local civic organizations) ----- Member

**SECTION 26.** Classification of Selected Registrants. – Registrants shall undergo physical examination to be conducted by the health officer. The acceptance board shall then classify them into the following categories:

Class A – Fit for unlimited service;

Class B – Fit for limited service only;

Class C – Deferred until later date; and

Class D – Exempted for mental/physical reasons.

**SECTION 27.** Deferment from Training. – The acceptance board, upon evaluation of the evidence to support application for deferment, may grant deferment on the following grounds and conditions:

Individuals who are indispensable to the support of their dependent families may be granted deferments not exceeding two (2) years after which they shall be subject to training;

Students enrolled in the Reserve Officers' Training Corps (ROTC) in colleges and

universities are automatically granted deferment which shall not extend beyond the period they are to complete their basic ROTC training. Students who successfully complete such training shall be exempted. Those who fail to complete, or discontinue the training, shall be subject to training.

Seminary students of any religious sect shall be granted deferments for not exceeding the prescribed course in the seminary. Those who completed the course shall be exempted from training. Those who fail to complete shall be subject to training;

Cadets of the Philippine Military Academy and of other military or police service academics, local or foreign, to include cadets of the Philippine Merchant Marine Academy and other similar local merchant marine academies duly recognized by the Government for the training of officers candidates, including those selected for cadetship in such academies, shall be granted deferments for not exceeding two (2) years. Those who successfully complete at least one-half (1/2) of the prescribed period of the course shall be exempted from training. Those who fail to complete one-half (1/2) of the prescribed period shall, upon their discharge from their courses, be subject to training.

High school students who are in their last year of schooling may be granted deferment for not more than one (1) year;

Selected registrants residing or working abroad shall be granted deferment for the duration of their stay abroad; and

Elected officials and presidential appointees whose appointments are passed upon by the Commission on Appointment, during their incumbency.

**SECTION 28.** Appeal from Decision of the Acceptance Board. – Where the acceptance board denies the claim of an individual for deferment, he may within thirty (30) days after receipt of written notification by the board appeal his case in writing directly to the Secretary of National Defense. The Secretary of National Defense shall render a decision thereon within sixty (60) days from the date of filing of the appeal. The appellant shall be accorded the right to enjoy the right to be heard by himself and counsel and to present evidence in his behalf. The decision of the Secretary of National Defense or his duly authorized representative

shall be final.

**SECTION 29.** Expenses of the Acceptance Board. – The expenses incident to the operation of the acceptance board shall be borne by the Department of National Defense which shall include the funds therefor in its annual appropriations. The nature and amount of such expenses shall be prescribed by the Secretary of National Defense. The members of the acceptance board shall not receive any salary or compensation for their services in the board.

**SECTION 30.** Final Acceptance by Board. – The registrants who shall have been finally qualified and selected by the acceptance board shall be reported to the Secretary of National Defense. Those selected shall upon instruction report to the designated military camp or unit for training.

**SECTION 31.** Procurement of Reservist Officers and Non-commissioned Officers for Affiliated Reserve Units. – Key officers and employees of government or private entities, corporations, establishments and organization which have affiliated units shall be encouraged to undergo military training to qualify them as reserve officers or noncommissioned officers. As such, they shall be assigned to key positions in the affiliated units where they are employed and called to active service with these units once they are activated.

**SECTION 32.** Security of Tenure in Government or private Employment while on Military training. – An employee in the Government including one in a government-owned or controlled corporation or private employment with monthly operating volume of not less than three hundred thousand pesos (300,000.00) and not less than twenty (20) employees who undergoes military training shall not be separated or terminated from such employment, shall not be considered as having forfeited his seniority status, if any, and shall continue to receive the salary he was receiving prior to his call to military training. In the case of private employment, payment of basic salary during such military training shall be in accordance with existing laws or with his company's policies on its employees on leave from his employment. Upon termination of his military training, he shall resume his former position or, if not practicable, he shall be assigned to a new position or, if not practicable, he shall be assigned to a new position without diminution of his pay and allowances, provided he is honorably terminated or discharged from military training or service shall be taken into

account as to whether or not he should be reinstated to his former employment.

**SECTION 33.** Draftee Training and Service. –As may be ordered by the President, male citizens between the ages of eighteen (18) and thirty-five (35) shall be called to training and active service for a period not to exceed twenty-four (24) months, broken down into a training period of not more than six (6) months and an active service period of not more than eighteen (18) months. Registrants will be selected for draftee training and service in accordance with Sections 14 to 26 hereof. A draftee may volunteer and be accepted for an extension of active service of not more than twelve (12) consecutive months, after which his services as draftee shall be terminated. A draftee during the period of his active duty service to include extension of such service is entitled to receive all the pay and allowances due his grades as received by any member of the regular force; Provided, That upon termination of his draftee service, he shall receive a separation gratuity of not less than one (1) month salary for every of his service to include six (6) months of training upon the condition that a period of six (6) months shall be considered a complete year for purposes of this gratuity.

**SECTION 34.** Retention for Maximum Hospitalization. – A reservist/draftee who is injured or contracts a disease or sickness while undergoing training and service, not due to his intentional misconduct, willful failure or neglect, or vicious or immoral habits, shall be retained beyond the period of his reservist/draftee service with his consent for the necessary hospitalization and medical care until such time that he recovers, or is determined that further hospitalization will not improve his condition. During the period of hospitalization, he shall be entitled to subsistence allowances and hospitalization benefits as are available to the members of the regular force who are patients in armed forces hospitals.

## **ARTICLE VII**

### **CITIZEN MILITARY TRAINING**

**SECTION 35.** Basic Citizen Military training. – Registrants finally selected for military training pursuant to Section 30 hereof shall undergo a basic military training for a period of not more than six (6) months. The Secretary of National Defense shall prescribe the course of instruction.

The course of instruction shall include, among others, subjects on moral virtues, patriotism, discipline support for an adherence to the Constitution, and respect for the rights of civilians.

**SECTION 36.** Citizen Military Training Center. – There shall be established in every province at least one (1) training center for the conduct of citizen military and reservist training with a minimum training capacity of one (1) infantry rifle company at a time. These training centers shall form part of the reserve component organization of the major services and shall be referred to as citizen military training centers.

**SECTION 37.** Incorporation into Training. – Upon reporting to their assigned training centers, the selected registrants shall be physically examined and if found fit for the service shall be inducted into service. Where a change of training center is necessary to provide the requisite training, the commanding officer of the training center shall be authorized to issue the necessary orders covering his transportation and provide the funds for the purpose: Provide, That no registrants shall be transferred to a training center outside his province or designated training center except in the case of Philippine Navy and Philippine Air Force registrants if there are air or naval training centers thereat.

**SECTION 38.** Reserve Officers' Training Corps (ROTC). – Military training for students enrolled in colleges, universities and similar institutions of learning is mandatory pursuant to the provisions of the National Defense Act and the 1987 Constitution.

**SECTION 39.** Establishment of ROTC Units in Schools. – At such colleges, universities and similar institutions of learning that request for the conduct of military training in their institutions, there shall be established and maintained Reserve Officers' Training Corps units as the Secretary of National Defense may approve, which shall conduct military training for the students of such institutions for the purpose of producing enlisted and officers reservists. The program of institution shall be prescribed by the Secretary of National Defense and may include instruction to prepare female students for military service: Provided, That such course of instruction shall not exceed two (2) academics years in the case of enlisted reservist, and four (4) academic years in the case of officer reservists which shall include as necessary summer probationary training of not more than

sixty (60) consecutive days. The first two (2) years of training, which is mandatory, shall hereafter be referred to as basic ROTC while the second two (2) years after said basic ROTC, which is voluntary, shall hereafter be referred to as advance ROTC. The allocation of ROTC units to the various major services of the AFP shall conform to the projected manpower needs of their respective reserve components.

**SECTION 40.**Acceptance for Advance ROTC. – Students who volunteer for advance ROTC shall be screened by an ROTC acceptance board which is hereby created for the purpose, composed of the commandant of the ROTC unit, a representative of the school nominated by the school authorities, and a military physician. The student volunteer shall be physically examined for fitness for training and shall further be made to execute in writing a testament that he volunteered for training of his own volition. Where the student is below eighteen (18) years of age, he shall be required to obtain his parent's or guardian's consent. In the case of students volunteering for reserve officers' training, they shall further be subject to competitive examination in order to select the best material. The students undergoing advance ROTC shall be referred to as advance ROTC cadets.

**SECTION 41.** Organization and Staffing of ROTC Units. – The Secretary of National Defense shall prescribe the organization and staffing of ROTC units. Reserve Officers in the active service as well as qualified enlisted and officer reservists in the inactive status shall be given priority to handle training instruction and to assist in the administration and shall be entitled to receive honoraria and other allowances as the Secretary of National Defense shall prescribe..

**SECTION 42.** Funds for Maintenance and Operation of School ROTC Units. – The funds for the establishment, maintenance and operation of ROTC units shall be provided for in the regular annual appropriations of the Armed Forces of the Philippines. Such appropriations shall provide for all the full funding support for advance ROTC only. The school of the student may not be required to spend any amount for the establishment, operation and maintenance of ROTC training: Provided, That the school requesting for such establishment shall provide the training ground and office facilities free of charge. The advance ROTC cadets shall each be provided free two (2) suits of fatigue uniform with headgear, belt and one (1) pair of combat boots for the duration of the training. However, those taking the basic ROTC are required to pay a reasonable fee, the amount to be

determined by the Secretary of National Defense in coordination with the school officials concerned.

**SECTION 43.** Scholarship Incentive for Advance ROTC Training. – Students undergoing advance ROTC who belong to the upper five percent (5%) of their academic class shall be provided a tuition subsidy of fifty (50%) of their annual tuition for the period of their advance ROTC. The funds for the purpose shall be carried in the annual appropriations of the AFP. The Chief of Staff, AFP shall promulgate the guidelines for the implementation of this provision.

## **ARTICLE VIII**

### **INCORPORATION INTO THE RESERVE FORCE**

**SECTION 44.** Elected Officials and Presidential Appointees. – Elected officials and presidential appointees may be commissioned into the Reserve Force subject to the existing AFP rules and regulations.

**SECTION 45.** Award of Ranks and Assignments to reserve Units of Graduates of ROTC. – Graduates of basic ROTC shall be given a reserve enlisted rank and serial number and assigned to reserve units and mobilization centers in their provinces. The ranks to be awarded shall be from private and sergeant or its equivalent: Provided, That the quota for noncommissioned officers shall not exceed five percent (5%) of the authorized strength of the unit to which the reservist shall be assigned after graduation: Provided, further, That those to be awarded rank above private shall be chosen based on merit. Those who continue to the advance ROTC course shall continue to carry their enlisted rank until their successful completion of advance ROTC.

**SECTION 46.** Disposition of Graduates of Advance ROTC. – Those who successfully completed the advance ROTC course shall be recommended for commission in the reserve as second lieutenants and assigned to the reserve units and mobilization centers in their provinces. Those with manifest potential may be commissioned in the regular force as second lieutenants subject to the criteria for regular officers of this rank for that particular service. Those who fail to complete the course shall be conferred the enlisted rank of sergeant or its equivalent and similarly assigned to reserve units and mobilization centers. Probationary training as a requisite



before commissionship shall be determined by the major service concerned based on technical skills, experience or qualifications of the applicants.

**SECTION 47.** Notification of Reserve Assignment. – The reservist shall be notified in writing of his assignment to reserve unit and a mobilization center. He shall be made to acknowledge receipt in writing of such notification.

**SECTION 48.** Reservist Registry. – The armed Forces of the Philippines shall provide all city/municipal treasurers of chartered cities and municipalities of the list of those who have successfully completed military training, indicating therein among others their rank, serial number, reserve unit assignment and mobilization center. It shall be the duty of the local civil registrar to maintain and update the reservist registry.

## **ARTICLE IX**

### **MAINTENANCE, TRAINING AND ADMINISTRATION OF THE RESERVE FORCE**

**SECTION 49.** Accounting of Reservists. – All reservists, particularly those belonging to the Ready and Standby Reserves, Shall be accounted for, their records and status updated and present whereabouts ascertained in order to ensure their readiness to the call of duty. As far as practicable, the services of the national and local reservists and veterans organizations will be tapped to assist in the accounting of reservists.

**SECTION 50.** Organization for Maintenance and Administration of the Reserve Force. – The major services shall be responsible for the administration, training, equipage and maintenance of their respective reserve components subject to the regulations to be prescribed by the Secretary of National Defense. In the General Headquarters, AFP and in each Major Service Headquarters, there shall be a staff division of the level of the principal coordinating staff which shall be dedicated to planning and policy formulation for the administration, development and utilization of their respective Reserve Force component. The chief of Staff, AFP shall create an AFP Reserve Command within one (1) year from the effectivity of this ACT. In the case of the major services, there shall further be a separate unit dedicated to the implementation of such plans and policies. In staffing the command structure of these units, preference shall be given to qualified reserve

officers in the active service and integrees.

**SECTION 51.** Training of Individual of Reservist and Reserve Units. – Maximum opportunity shall be afforded the reservists to update their skills through compulsory or voluntary training. Such training shall have for its principal purpose the enhancement of the readiness of the individual reservists and reserve units to respond to the call to service. To this end, there shall be two (2) types of training:

Compulsory training of not less than thirty (30) days but not more than sixty (60) days for reserve units and/or individual reservist in a given year preferably to First Category Reservists; and

Voluntary training subject to the capability of the AFP to provide the training. Individual reservists, commissioned and noncommissioned officers shall be encouraged to undergo training on a voluntary basis to upgrade their proficiency with priority to the officers and key noncommissioned officers of the Standby Reserve units. The Secretary of National Defense shall prescribe the course of instruction for the aforementioned training. The services of qualified individual enlisted and officer reservists shall be utilized to the maximum in the conduct ROTC and reservists training.

**SECTION 52.** Reserve Officers' Nonresident Instruction. – Each major service shall conduct on a continuing basis nonresident instruction for the purpose of maintaining and updating the proficiency of its reservist officers, particularly key officers of Ready Reserve units. Such instruction shall prepare the reserve officers to assume duties up to brigade command and staff or equivalent. The reserve officers undertaking such course shall be given priority for call to annual duty training or service with their units or with other AFP units. Successful completion of the nonresident course will be equivalent to having undertaken one (1) annual active duty training tour.

**SECTION 53.** Active Duty Tour for Training of Reserve Officers. – In order to improve their professional competence and leadership qualities, reserve officers in the inactive status shall be called to active duty for a period not exceeding two (2) years without extension: Provided, That the quota for such active duty tour shall as far as practicable be proportionately distributed to the provinces and cities based on their reserve officer population and size of the reserve units, with

priority to units of Ready Reserve I: Provided, further, That the reserve officers called to active duty shall as far as practicable serve in the province of their reserve unit assignment. A reserve officer who has served his tour shall not be called again to active duty until after (5) years, except in case of mobilization.

**SECTION 54.** Classification and Maintenance of Readiness of Reserve Units. – Units which are composed of reservists of the Ready Reserve shall be classified as to degree of readiness to respond to the call to service, as follows:

Ready Reserve I – Units classified as Ready Reserve I shall be maintained in a high degree of readiness as to be ready for operational employment in not more than seven (7) days after activation. The individual and crew served weapons and individual clothing and equipment shall be ready for distribution upon their activation. The whereabouts of their reservists shall be constantly ascertained. As necessary, there units shall carry an excess of twenty percent (20%) of their authorized personnel strength to compensate for those who may fail to report or be late in reporting for duty.

Ready Reserve II – Units classified as Ready Reserve II shall be maintained in a high degree of readiness as to be ready for operational employment in not more than fifteen (15) days.

The Chief of Staff, AFP shall select and recommend to the Secretary of National Defense the reserve units under Ready Reserve I and Ready Reserve II: Provided, That in areas threatened by insurgency, there shall be at least one (1) unit of infantry battalion strength under readiness status of Ready reserve I.

**SECTION 55.** Mobilization Stock. – The minimum essential individual and organizational equipment and supplies shall be procured, stored and maintained for selected Ready Reserve units to enhance rapid transition to readiness required for employment in the shortest possible time.

**SECTION 56.** – Training as Requisite for Promotion. – Successful completion of training pursuant to Section 51 and 52 hereof shall be a requisite for promotion in rank in the inactive status.

**SECTION 57.** – Classification of Reserve Officers in the Inactive Status. – There

shall be only one (1) classification of reserve officers in the inactive status regardless of their source or nature of commission. Likewise, there shall be only one (1) seniority and lineal list for all reservist officers in the inactive status regardless of their source of commission, subject to the rules and regulations to be prescribed by the Secretary of National Defense.

**SECTION 58.** Status of Reservists on Training. – Reservists on compulsory training shall be subject to military law. They shall not receive pay but shall be entitled to allowances and burial benefits as provided by law. Reservists on voluntary training are also subject to military law but shall not be entitled to allowances.

## **ARTICLE X.**

### **UTILIZATION OF THE RESERVE FORCE.**

**SECTION 59.** Mobilization. – The utilization of the Reserve Force in times of emergency to meet threats to national security shall be through mobilization.

Full Mobilization – Full mobilization shall be through the joint act of Congress and the President. When full mobilization is ordered, all units of the Ready and Standby Reserves will be activated, the reservists constituting them are called to active duty, and the units activated are placed on operational readiness. All other reservists not assigned to any unit or those assigned to reserve pools shall be organized into replacement units;

Partial Mobilization. – Partial mobilization shall be through the joint act of Congress and the President. When partial mobilization is ordered, only the units of the Ready Reserve as are necessary to meet the threat will be activated, the reservists assigned to these units are called to active duty and the activated units are placed on operational readiness. The President will specify the units to be activated; and

Selective Mobilization. – Selective mobilization shall be by authority of President. Selective mobilization may be ordered to meet a local threat or emergency situation. When so ordered, only selected units of the Ready Reserve of the localities involved are activated and the reservists assigned to them are called to active duty; or active auxiliary units are organized and volunteer reservist are

called to active auxiliary service for the purpose, under such rules and regulations as the Secretary of National Defense may prescribe.

**SECTION 60.** Status of Reservist under Mobilization. – An enlisted or officer reservist when called to active duty by virtue of mobilization shall receive all the pay and allowances, medical care, hospitalization and other privileges and benefits prescribed by law or regulations for officers and enlisted personnel of the regular force.

**SECTION 61.** Mobilization Centers. – There shall be established in each province as many mobilization centers as needed corresponding to the number and distribution of reservists in the province to which reservists will report when mobilization is ordered. The citizen military training centers in the provinces established under this Act may also be used as mobilization centers. The Secretary of National Defense, upon recommendation of the Chief of Staff, AFP and in consultation with the local executives, shall prescribe the location of the mobilization centers. The location of these centers shall be given the widest public information by the local executives.

**SECTION 62.** Demobilization – When the threat or emergency for which mobilization had been ordered has passed, the President shall order the demobilization of the reserve units activated and the reservists of such deactivated units shall be reverted to the inactive status.

**SECTION 63.** Auxiliary Service. – For the purpose of helping maintain local peace and order meeting local insurgency threat, assisting in rescue and relief operations during disasters and calamities, health welfare activities and participating in local socioeconomic development projects, the President may call upon the reservists in the affected or concerned localities to volunteer their services. Such voluntary services shall be referred to as auxiliary service and shall be of two (2) types:

Civil Auxiliary Service – Civil auxiliary service covers services rendered in helping maintain law and order, assisting in rescue and relief operations, participating in socioeconomic development projects, delivery of health services and any other nonmilitary activity. Female reservists shall be given greater participation in this regard. Reservists serving under this category shall not be armed. Those who have licensed firearms may be granted permit to carry firearms only when they are

actually performing duties in maintaining peace and order, provided adequate control measures are instituted by the proper authorities concerning the carrying and use of firearms. In no case shall the reservists be vested with police powers.

**Military Auxiliary Service** – Military auxiliary service covers services rendered in meeting local insurgency threat. Reservist serving under this category will be organized into Ready Reserve units. They must be issued and allowed to carry firearms: Provided, That these reservists will be utilized only for the defense of their respective localities and will not be employed outside their localities. Elected/appointment local government officials are expected to perform their duties and responsibilities in their respective peace and order council levels or similar organizations efficiently and effectively to enhance a total integrated system approach against threats to national security.

The Secretary of National Defense shall prescribe the rules and regulations to implement this section in coordination with the Secretary of the Interior and Local Government.

**SECTION 64.** Status of Reservists on Auxiliary Service. –All reservist performing auxiliary service shall not receive pay but shall be entitled to receive allowances and burial benefits as provided by law. With his consent, a reservist on auxiliary service, whether civil or military, may continue to render such service without receiving the allowances due him. A reservist serving military auxiliary service is subject to military auxiliary service is subject to military law; whereas, a reservist serving civil auxiliary service is not.

**SECTION 65.** Women Reservists – Women shall have the right and duty to serve in the AFP. The relevant standards for admission, training and commissioning of women shall be the same as those required for men, except for those essential adjustments in such standards required because of physiological differences between men and women.

## **ARTICLE XI**

### **FUNDING**

**SECTION 66.** Funding. – All funds previously appropriated for the administration,

development and training of the reserve components of the AFP and which will subsequently and hereafter be appropriated for the purpose shall be used exclusively for the purpose of implementing the provisions of this Act.

To sustain the efficient and effective administration, organization, training, maintenance and utilization of Ready Reserve units and keep them appropriately and adequately equipped and in a state of readiness, as well as provide for the adequate training of citizen soldiers or reservists, adequate funds for this purpose, as may be requested or recommended by the AFP Reserve Command or the AFP, shall be appropriated and made available on a continuing basis.

The President shall utilize a portion of the Military Assistance Fund available from any source to augment the appropriation for the Reserve Force.

## **ARTICLE XII**

### **TRANSITORY PROVISIONS**

**SECTION 67.** Retention of ROTC Units in Colleges and Universities. – ROTC units in colleges and universities shall continue with ROTC training in accordance with this Act.

## **ARTICLE XIII**

**SECTION 68.** Penalties. – Failure of reservists to respond to the call to compulsory training or service shall be punishable in accordance with the Articles of War, and those convicted by a court martial shall be liable for imprisonment of not less than two (2) months to not more than twelve (12) months. Citizens who fail to register for compulsory military training or who after having selected to undergo such training and have been notified thereof fail to report for training shall, upon conviction by the civil court, be punishable and liable for imprisonment of not less than one (1) month to not more than three (3) months.

**SECTION 69.** Failure to Provide Updated List of Registrants. – Failure of registrars and canvassers to provide an updated listing of registrants under their responsibility shall, upon conviction by the civil court be punishable and liable for imprisonment of not less than one (1) month to not more than three (3) months

under Section 16 and 19 of this Act.

## **ARTICLE XIV**

### **RESCISSION AND EFFECTIVITY**

**SECTION 70.** Repealing Clause. – All laws, decrees, executive orders, rules and regulations which are inconsistent or in conflict with any provision of this Act are hereby repealed or modified.

**SECTION 71.** Effectivity. – This Act shall take effect upon its approval.