

SEVENTEENTH CONGRESS OF THE REPUBLIC }
OF THE PHILIPPINES }
Second Regular Session }

'18 MAR -8 A11 :22

SENATE
Senate Bill No. 1734

RECEIVED



Introduced by **SENATOR LACSON**

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.


PANFILO M. LACSON
Senator

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Introduced by **SENATOR LACSON**

**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.**

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 Act of
2 **2018."**

3
4 **Section 2. Declaration of National Defense Policies.** - The national defense policies of
5 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, freedom
11 and independence of the Philippines shall be guaranteed by the employment of all citizens,
12 without distinction of age or sex, and all resources;

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

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

20
21 e. The employment of the nation's citizens and resources for national defense shall be
22 effected by a mobilization;

23
24 f. The mobilization shall include the execution of all measures necessary to pass from a
25 peace to a war footing or in any case of actual invasion or when public safety so requires as well
26 as during its transition to normalcy or rehabilitation;

27
28 g. The mobilization plans of financial, industrial, economic, technological and social
29 resources of the Philippines shall conform to the provisions of the Constitution and shall be
30 prepared by the executive departments concerned in accordance with the following general
31 policies:

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

4 2. Forces and resources shall be employed so as to ensure unity and continuity of
5 effort until normalcy has been attained; and
6

7 h. No profit incident to war shall accrue to any individual, corporation, association or
8 partnership.
9

10 **Section 3. *Defense Conditions and Authority.*** – Defense conditions shall be the bases
11 for the designation of persons and entities to act in behalf of the state. Defense Conditions,
12 hereinafter referred to as DEFCON, are circumstances where the three categories of events –
13 disaster, internal disorders, and invasion– acting separately or in concert tend to, or actually
14 threaten, the security of the state. The hierarchy of defense conditions and the persons or entities
15 designated to act in behalf of the state shall be prescribed by the President.
16

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

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19
20 **Section 4.** Military service shall be mandatory for all citizens of the Philippines, and the
21 methods and procedures for the classification, selection, examination, induction, training,
22 employment, and release of all citizens from their military obligations shall be prescribed by the
23 President of the Philippines.
24

25 **Section 5.** The registration of citizens for mandatory military service shall be a military
26 function carried out by the Component Services through their respective Reserve Commands.
27

28 **Section 6.** During a mobilization, the President through the Secretary of National
29 Defense shall have the power to secure all such resources as may be necessary for national
30 defense.
31

32 **Article II- National Defense Council**

33
34 **Section 7. *National Defense Council*** – (a) The National Defense Council (NDC) chaired
35 by the President is composed of heads of the executive departments, past Presidents, past Chief
36 Justices of the Supreme Court and other government officials and private citizens as the
37 President may appoint or designate. It shall have a permanent staff which shall preserve a
38 documentary record of the Council’s deliberations.
39

40 (b) The method of operation of the National Defense Council, its detailed duties, and its rights to
41 summon witnesses or consultants shall be fixed in executive orders to be issued by the President.
42 Funds for its operation shall be provided in the appropriations for the Executive Department.
43

44 **TITLE I**

45 **DEPARTMENT OF NATIONAL DEFENSE**

46 **Article I – General Provisions**

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48
49 **Section 8. *Mandate.*** - The Department of National Defense is the primary government
50 agency charged with the duty of implementing the provisions of this Act. The defense
51 establishment shall be maintained to maximize its effectiveness for guarding against external
52 and internal threats to national peace and security.
53

54 **Section 9. *Powers and Functions of the Department.*** - To carry out the above-declared
55 policy, the Department shall exercise and perform the following powers and functions:
56

57 a. Formulate and prepare national defense policies, strategies, plans and programs;
58

1 b. Formulate, develop and update the national defense plan of the country, including
2 the mobilization plan for the employment of the country's citizens and resources for national
3 defense;

4
5 c. Control, monitor, coordinate, supervise and evaluate the implementation of
6 national defense policies, plans, programs and activities;

7
8 d. Exercise supervision and control over the Armed Forces of the Philippines (AFP),
9 Government Arsenal (GA), Office of Civil Defense (OCD), Philippine Veterans Affairs Office
10 (PVAO) and the National Defense University of the Philippines (NDUP);

11
12 e. Formulate, establish, implement, supervise and control quality management
13 system.

14
15 f. Establish, promote and maintain bilateral and multilateral linkages for defense
16 and military cooperation with its international counterparts for the purpose of addressing
17 traditional and non-traditional security threats.

18
19 g. Implement the country's international defense and security commitments based
20 on defense and security treaties, cooperation agreements, international covenants, protocols and
21 other similar arrangements;

22
23 h. Develop self-reliance defense posture to guarantee the enhancement of
24 responsive and progressive capabilities and maximum utilization of resources;

25
26 i. Develop a responsive Armed Forces capable of addressing various threats to
27 national security; and

28
29 j. Perform such other defense-related functions as may be provided by law or
30 directed by the President of the Philippines.

31
32 **Section 10. *Contracts.*** - The Department is hereby authorized to enter into, make,
33 perform and carry out contracts of every class, kind and description which are necessary or
34 incidental to the performance of its mandate as provided herein, with any person, firm or
35 corporation, public or private, and with foreign government entities, subject to the provisions of
36 existing laws, rules and regulations.

37
38 **Section 11. *Management and Control of Defense Real Properties.*** - (a) The
39 Department is hereby authorized to administer, operate, manage, control, maintain and develop
40 defense real properties for strategic basing and to use, hold, acquire, or lease any private real
41 property, right of way, or easement which may be proper or necessary for the accomplishment
42 of its mandate as provided in this Act.

43
44 (b) The sale and/or exchange of strategic defense real properties shall be prohibited
45 unless otherwise recommended by the Secretary of National Defense, approved by the President
46 of the Philippines, with the consent of Congress.

47
48 (c) The lease and/or development of defense real properties, by joint venture or otherwise
49 shall be allowed upon prior approval by the President of the Philippines.

50
51 (d) Any and all income derived from the lease or disposition of such defense real estate
52 shall be remitted only to the AFP Modernization Act Trust Fund, and disbursed in accordance
53 with existing laws, rules and regulations.

54
55 **Section 12. *Special Defense Materiel Acquisition.*** -Upon prior approval by the
56 President of the Philippines, and when the procurement for use by the AFP involves major
57 defense equipment or materiel and/or defense-related consultancy services, when the expertise or
58 capability required is not available locally, and the Secretary of National Defense has determined

1 that the interests of the country shall be protected by negotiating directly with an agency or
2 instrumentality of another country with which the Philippines has entered into a defense
3 cooperation agreement or otherwise maintains diplomatic relations, the AFP may be allowed to
4 resort to negotiated procurement: Provided, however, That the performance by the supplier of its
5 obligations under the procurement contract shall be covered by a performance security in
6 accordance with Sec. 39 of the IRR of R.A. 9184.

7
8 **Section 13. Exemption from Import Licenses.** - All acquisition of defense materiel by
9 the DND and its bureaus shall be exempt from import and other licenses imposed by other
10 agencies of the government. In lieu thereof, the SND shall issue a certification that the goods
11 being imported are exempt from such licenses.

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

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

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

31 32 **Article II - Organization**

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

39
40 **Section 16. Composition.** - The DND-Proper shall be composed of the Office of the
41 Secretary of National Defense and the Offices of the Undersecretaries and Assistant Secretaries,
42 and the Department Services.

43
44 **Section 17. Office of the Secretary.** - The Office of the Secretary shall consist of the
45 Secretary of National Defense and his/her immediate staff as determined by him/her.

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

50
51
52 **Section 19. Powers and Functions of the Secretary.** - The authority and responsibility
53 for the exercise of the mandate of the Department and for the discharge of its powers and
54 functions shall be vested in the Secretary of National Defense, who shall have supervision and
55 control of the Department. The Secretary shall also perform such other functions as may be
56 necessary or proper to attain the objectives of this Act or as may be provided by law or directed
57 by the President.

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**TITLE II - THE ARMED FORCES OF THE
PHILIPPINES
Article I - General Provisions**

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Section 20. Declaration of Policies. –

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

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

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

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

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

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

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

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

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Section 22. Chain of Command. - The exercise of authority, direction, command and control over the AFP shall be carried out through the Chain of Command, which is the line of authority and responsibility along which orders are passed, beginning from the President as the Commander-in-Chief, through the Secretary of National Defense, to the Chief of Staff of the Armed Forces of the Philippines (CSAFP) down to the commander of the lowest echelon of command in the AFP: *Provided*, That this does not preclude the President from issuing orders directly to the AFP.

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

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**Article II - The Regular Force
A. ORGANIZATION AND COMPOSITION
Chapter 1 - General Provisions**

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

a. Regular Officers, Warrant Officers and Enlisted Personnel;

b. Reservists called to active duty, or on active duty tour for training; and

c. Draftees, trainees and government-sponsored Filipino cadets enrolled in local or

1 foreign military schools.

2
3 The size and composition of the Regular Force shall be prescribed by the President, upon
4 the recommendation of the CSAFP of the Philippines through the Secretary of National Defense.

5
6 **Section 25. Organizational Principle.** - The President, through the Secretary of National
7 Defense, shall organize the AFP into such commands, forces and units in accordance with
8 operational requirements. For this purpose, the national territory may be divided into such
9 operational areas as the Secretary of National Defense may direct.

10
11 **Section 26. Organizational Structure.** - The Regular Force of the AFP shall consist of
12 the Joint Headquarters; the Joint Force Operational and Functional Commands; the Component
13 Services namely: the Philippine Army, the Philippine Navy and the Philippine Air Force; and
14 the other existing units, component services, commands, and task forces of the AFP. The
15 Secretary of National Defense upon the recommendation of the CSAFP may, in accordance with
16 the policies or directives of the President, create additional units, services, commands and task
17 forces, or reorganize the AFP in response to any situation or in pursuance of operational or
18 contingency plans.

19
20 **Section 27. Operational Principles.** - The operational principles of the AFP shall be as
21 follows:

22
23 a. The Commander-in-Chief shall exercise command and control through the
24 CSAFP with the supervision of the Secretary of National Defense. The Joint Headquarters AFP,
25 shall be the command and control element of the AFP;

26
27 b. The Joint Headquarters AFP shall exercise centralized command and control to
28 ensure unity and coordination of efforts throughout the military establishment;

29
30 c. The Joint Force Operational Commands as force employers shall be responsible
31 for the decentralized execution of joint operations to achieve maximum operational efficiency
32 within the military establishment unless otherwise determined by the CSAFP through the
33 supervision of the Secretary of National Defense;

34
35 d. The Component Services as force providers shall be responsible for the development,
36 organization, training, equipping, maintenance and sustainment of combat forces, combat
37 service forces, technical and administrative service, and combat service support forces.

38
39 e. The AFP Reserve Force shall provide for the base of expansion of the Component
40 Services.

41 42 **Chapter 2 - The Joint Staff Headquarters Armed Forces of the Philippines**

43
44 **Section 28. Mandate.**- The Joint Staff Headquarters, which shall be headed by the
45 CSAFP, shall be the command and control element of the AFP.

46
47 **Section 29. Organization.** - The Joint Staff Headquarters shall be composed of the
48 Office of the Chief of Staff of the Armed Forces of the Philippines, Office of the Vice Chief of
49 Staff, Office of the Deputy Chief of Staff; the AFP Joint, Personal and Special Staff and the
50 other key staff offices and units necessary for effective command and control of the AFP as
51 recommended by the CSAFP with the approval of the Secretary of National Defense.

52
53 **Section 30. The Chief of Staff of the Armed Forces of the Philippines.** - (a) The
54 President shall appoint the CSAFP from among the officers with the rank of Lieutenant
55 General/Vice Admiral in the active service, who shall hold the rank of General/Admiral.

56
57 (b) CSAFP shall serve a minimum tour of duty of 2 years and maximum of 3 years. For
58 this purpose, the CSAFP shall be allowed to complete his maximum tour of duty beyond his

1 retirement age: *Provided*, That the CSAFP may be removed by the President as Commander in
2 Chief at any time before the end of the term of 3 years and deemed retired from active military
3 service.

4
5 **Section 31. Powers and Functions.-** The Chief of Staff shall:

6
7 a. Serve as the principal military advisor to the President and the Secretary of National
8 Defense;

9
10 b. Be responsible for the formulation of the national military strategy consistent with the
11 national defense strategy;

12
13 c. Be responsible for the development of the policies, strategies, missions, plans and
14 programs of the AFP;

15
16 d. Prescribe the organization, powers, functions and duties of the various staff, services,
17 and other units of the AFP in accordance with the national defense policy;

18
19 **Section 32. The Vice Chief of Staff.** - The Vice Chief of Staff shall be the principal
20 assistant of the CSAFP and shall perform the functions of the CSAFP during the latter's absence
21 or incapacity. He shall be appointed in the same manner as the CSAFP.

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

29
30 **Section 33. The Deputy Chief of Staff.-** The Deputy Chief of Staff shall integrate and
31 synchronize the Joint Staff works to assist the CSAFP in policy formulation and implementation,
32 and command decision making process through completed staff work.

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

41
42 **Section 34. The Joint Staff.-** The Joint Staff, as coordinating staff shall advise and
43 assist the CSAFP in the performance of his/her functions. The organization, functions and
44 duties of the Joint Staff shall be prescribed by the CSAFP.

45
46 **Section 35. Personal Staff.-** The Personal Staff, as immediate staff shall directly advise
47 and assist the CSAFP in the performance of his/her functions. The organization, functions and
48 duties of the Personal Staff shall be prescribed by the CSAFP: *Provided*, That coordination with
49 other staff is not precluded.

50
51 **Section 36. Special Staff.-** The Special Staff, as specialized, technical and
52 administrative staff shall advise and assist the CSAFP in the performance of his/her functions.
53 The organization, functions and duties of the Special Staff shall be prescribed by the CSAFP

54
55 **Section 37. Authority to Reorganize the General Headquarters into the Joint Staff**
56 **Headquarters.-** In the interest of efficiency and effectiveness, the CSAFP, upon the approval of
57 the Secretary of National Defense, may:

1 a. Establish and organize staffs, offices and units in the Joint Staff Headquarters in
2 addition to the AFP Joint, Personal and Special Staff, and prescribe the organization, mission
3 and functions; and
4

5 b. Abolish existing staffs, offices and units in the Joint Staff Headquarters not
6 specifically provided in this Chapter or by any other provision of law, or transfer or consolidate
7 their functions and duties with other staffs, offices or units.
8

9 Chapter 3 – Joint Force Operational Commands

10
11 **Section 38. *Organization, Mission and Function.*** - (a) The Joint Force Operational
12 Commands shall be organized and established by the CSAFP with the approval of the Secretary
13 of National Defense which shall be under the command, control and operational direction of its
14 Joint Force Commander.
15

16 (b) The mission, functions, duties and responsibilities and joint area of operations of the
17 Joint Force Operational Commands shall be prescribed by the Secretary of National Defense, in
18 consultation with, or upon the recommendation of the CSAFP.
19

20 **Section 39. *Designation or Assignment of Joint Force Commanders.*** - (a) The Joint
21 Force Commanders of the JFOC shall be designated or assigned to the said position by the
22 President, upon the recommendation of the CSAFP of the Philippines through the Secretary of
23 National Defense.
24

25 (b) The Joint Force Commanders of the JFOC, as force employer, shall have operational
26 control over all units operating within their respective joint area of operations.
27

28 (c) The Joint Force Commanders of the JFOC shall serve for a minimum term of 2 years
29 and maximum of 3 years unless otherwise promoted to the next higher position and without
30 prejudice to compulsory retirement age as provided in this Act: *Provided*, That no officer shall
31 be appointed as a Joint Force Commander if that officer has less than two (2) years remaining in
32 the active service: *Provided further*, That Joint Force Commanders may be removed by the
33 President as Commander in Chief at any time before the end of the term of 3 years and deemed
34 retired from active military service.
35

36 Chapter 4 - The Component Services

37
38 **Section 40. *Organization.*** - (a) The Component Services shall be organized by the
39 President, upon the recommendation of the Secretary of National Defense and the CSAFP. The
40 Chiefs of the Component Services shall be designated or assigned to the said position by the
41 President.
42

43 (b) The Chiefs of the Component Services shall serve for a minimum term of 2 years
44 and maximum of 3 years unless otherwise promoted to the next higher position and without
45 prejudice to compulsory retirement age as provided in this Act: *Provided*, That no Officer shall
46 be appointed as Chief of Component Service if that officer has less than two (2) years
47 remaining in the active service: *Provided further*, That Chief of Component Service may be
48 removed by the President as Commander in Chief at any time before the end of the term of 3
49 years and deemed retired from active military service.
50

51 (c) The Component Services shall act as force providers, which shall develop, organize,
52 train, equip, maintain and sustain the necessary forces in support of the AFP missions.
53

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

1
2 **Section 42. *Functions of the Philippine Army.*** - The Philippine Army shall:
3

- 4 a. Develop, organize, train, equip, maintain, and sustain such ground forces or units
5 as may be necessary for the conduct of prompt and sustained operations;
6
7 b. Prepare such forces or units as may be necessary for the effective implementation
8 of the national defense plans and programs and armed forces missions;
9
10 c. Formulate and develop, in coordination with the other Component Services,
11 doctrines, systems, tactics, techniques and procedures peculiar to the Army;
12
13 d. Implement mobilization of the Army Reserve; and
14
15 e. Perform such other functions and duties as may be provided by law or assigned by the
16 CSAFP.
17

18 **Section 43. *The Philippine Air Force.*** – The Philippine Air Force (PAF) headed by the
19 Chief of the Philippine Air Force shall provide forces that will be responsible for the conduct of
20 prompt and sustained air operations in support of the AFP mission. It shall be composed of its
21 headquarters, air combat, combat support and sustainment units and such other units as may be
22 necessary for the conduct of air and support operations.
23

24 **Section 44. *Functions of the Philippine Air Force.*** – The Philippine Air Force shall:

- 25 a. Develop, organize, train, equip, maintain, and sustain such air forces or units as may
26 be necessary for the conduct of prompt and sustained operations;
27
28 b. Prepare such forces or units as may be necessary for the effective implementation
29 of the national defense plans and programs and armed forces missions;
30
31 c. Formulate and develop, in coordination with the other Component Services,
32 doctrines, systems, tactics, techniques and procedures peculiar to the Air Force;
33
34 d. Implement mobilization of the Air Force Reserve; and
35
36 e. Perform such other functions and duties as may be provided by law or assigned by the
37 CSAFP.
38

39 **Section 45. *The Philippine Navy.*** – The Philippine Navy (PN) headed by the Chief of
40 the Philippine Navy, shall provide forces that shall be employed for the conduct of prompt and
41 sustained naval operations in support of the AFP missions. It shall be composed of its
42 headquarters, naval forces, service support and sustainment units and such other units as may be
43 necessary for the conduct of naval operations.
44

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

- 46 a. Develop, organize, train, equip, maintain, and sustain such naval forces or units as
47 may be necessary for the conduct of prompt and sustained operations;
48
49 b. Prepare such forces or units as may be necessary for the effective implementation
50 of the national defense plans and programs and armed forces missions;
51
52 c. Formulate and develop, in coordination with the other Component Services,
53 doctrines, systems, tactics, techniques and procedures peculiar to the Navy;
54
55 d. Implement mobilization of the Navy Reserve; and
56
57 e. Perform such other functions and duties as may be provided by law or assigned by the
58

1 CSAFP.

2
3 **Section 47. Technical and Administrative Service.** - Each Component Service shall
4 develop, organize, train, equip, maintain, and sustain their respective Technical and
5 Administrative Service composed of but not limited to, The Judge Advocate General Service,
6 Medical Corps, Veterinary Corps, Medical and Administrative Corps, Nurse Corps, Dental
7 Corps, Chaplain Service, and Corps of Professors.

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

14
15
16
17
18 **Chapter 5 – Military Education and Training Institutions**

19
20 **Section 49. Organization, Mission and Function.** - (a) The Philippine Military Academy
21 (PMA), Command and General Staff College (CGSC), Officer Candidate School (OCS), Non-
22 commissioned Officer Academy and other Military Education and Training Institutions
23 organized and established by the CSAFP with the approval of the Secretary of National Defense
24 shall be under the command, control and direction of their Military Education and Training
25 Superintendent/Commandant.

26
27 (b) The mission, functions, duties and responsibilities of the military education and training
28 institutions shall be prescribed by the CSAFP with the approval of the Secretary of National
29 Defense.

30
31 **Section 50. The Philippine Military Academy.** -

32
33 (a) Mandate. The Philippine Military Academy categorized as special higher education
34 institution is the primary training and educational institution of the AFP, which shall be its
35 principal source of regular officers. The degree programs, instruction, faculty complement,
36 research, and facilities of the PMA shall be accredited by the Commission on Higher Education
37 (CHED).

38
39 (b) Organization. - The Academy headed by the Superintendent shall be organized
40 as prescribed by the Secretary of National Defense, upon the recommendation of the CSAFP.

41
42 (c) Development. - The Academy shall determine its teaching, manpower,
43 curriculum, research and extension thrusts, plans and programs, standards and budget.

44
45 (d) Cadet Corps. - The student body of the Academy shall be known as the Cadet Corps
46 Armed Forces of the Philippines (CAAFP) and shall have such strength, as the Secretary of
47 National Defense shall determine, upon the recommendation of the CSAFP.

48
49 (e) Academic Board. - There shall be an Academic Board organized by the
50 Superintendent. The Board shall, in accordance with the rules and regulations prescribed by the
51 CSAFP, have the power to confer baccalaureate degrees upon the cadets who satisfactorily
52 complete the approved course of study.

53
54 (f) The Superintendent shall serve for a minimum term of 2 years and maximum of 3
55 years unless otherwise promoted to the next higher position and without prejudice to compulsory
56 retirement age as provided in this Act: *Provided*, That no Officer shall be appointed as
57 Superintendent if that officer has less than two (2) years remaining in the active service:
58 *Provided further*, That the Superintendent may be removed by the President as Commander in

1 Chief at any time before the end of the term of 3 years.
2

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

8 **Section 51. Authority to Establish Other Military Training Institutions.** - The President,
9 upon the recommendation of the CSAFP through the Secretary of National Defense, is hereby
10 authorized to establish other military training academies and institutions in the AFP.
11

12 **B. RECRUITMENT, PROMOTION AND CAREER DEVELOPMENT**
13 **Chapter 1 – Commissioned Officers**
14

15 **Section 52. Qualifications.** - All persons commissioned as officers in the Regular Force
16 shall be natural born citizens of the Philippines, of legal age, of good moral character, physically
17 and mentally qualified for active military service, and shall have such other qualifications as
18 may be prescribed by the Secretary of National Defense.
19

20 **Section 53. Appointments in the Regular Force.** – (a) Officers shall be permanently
21 appointed by the President in the Regular Force in accordance with the provisions of the
22 Constitution.
23

24 (b) Except as otherwise provided in this Act, the date of rank of a commissioned
25 officer in active service in the Regular Force shall be the date of permanent appointment in that
26 grade by the President.
27

28 **Section 54. Revocation of Commission.** - The commission of an officer may be revoked
29 by the President at any time, upon the recommendation of the Secretary of National Defense
30 when found not fully qualified for such commission or who lacks any of the qualifications
31 prescribed by law or regulation.
32

33 **Section 55. Officer Grade Distribution.** —The Secretary of National Defense shall
34 prescribe the authorized number of officers in the Regular Force in each grade in each
35 Component Service in accordance with the Table of Organization and Equipment.
36

37 **Section 56. Distribution of General/Flag Officers.** - The number of general/flag officers
38 herein authorized shall be distributed to the various general/flag officer grades by the Secretary
39 of National Defense based on the recommendation of the CSAFP in accordance with the Table
40 of Organization and Equipment.
41

42 **Section 57. Tour of Duty in Key Positions.** - No officers with less than 1 year remaining
43 active service shall be designated to positions requiring the rank of Brigadier
44 General/Commodore or higher.
45

46 **Section 58. AFP Promotion System.** - (a) The AFP Promotion System shall be governed
47 by the principle that as officers are promoted from one grade to the next higher grade, the
48 criteria of competence, merit and potentials are the primary consideration.
49

50 (b) The AFP Promotion System shall be the primary means by which the AFP shall
51 periodically evaluate and assess its ranks of officers and shall institutionalize and continue to
52 implement an efficient process of selection for promotion, as well as for attrition of officers as
53 prescribed by the Secretary of National Defense.
54

55 (c) The AFP Promotion System shall be governed by a management system with a
56 view of ensuring smooth succession in the filling of vacancies in key positions as and when these
57 occur.
58

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

3
4 **Section 59. Promotion to General/Flag Officer Grades.** - No officer shall be promoted
5 to the rank of Brigadier General/Commodore or higher unless there is an existing vacancy and
6 the officer is occupying a position in the Table of Organization and Equipment that requires the
7 rank for which he is being considered for promotion or assignment.

8
9 **Section 60. Maximum Tenure in Rank.** - The maximum tenure of officers in the ranks of
10 Colonel/Captain and General/Flag Officer in the AFP are hereby prescribed as follows:

11		
12	Colonel/Captain	8 years
13	Brigadier General/Commodore	4 years
14	Major General/Rear Admiral	3 years
15	Lieutenant General/Vice Admiral	3 years
16	General/Admiral	3 years
17		

18 Unless earlier separated or retired or promoted to the next higher rank or occupying a
19 position calling for the ranks of higher grade in the AFP TO&E, Colonels/Captains and
20 Generals/Flag Officers shall be compulsorily retired upon the attainment of the maximum tenure
21 in rank herein prescribed, or upon reaching the age of compulsory retirement, whichever is earlier,
22 except for those, who may be allowed by the President to finish tenure in position as
23 recommended by the Secretary of National Defense.

24
25 **Section 61. Determination and Allocation of Key Positions.** — The Secretary of the
26 Department of National Defense upon the recommendation of the CSAFP shall determine and
27 allocate the number of key positions among the component services, headquarters and support
28 units of the AFP based on the technical nature of the organization, position, task, scope and area
29 of responsibilities, equipage, prevailing Defense Condition and other considerations as the
30 exigencies of the service may require.

31 32 33 **Chapter 2- Warrant Officers**

34
35 **Section 62. Qualifications for Appointment.** - Any natural born citizen of the
36 Philippines, of legal age, physically and mentally fit for military service, of good moral
37 character, and possessed of such educational attainments and specialized skills or expertise as
38 may be prescribed by the Secretary of National Defense, may be appointed in the Regular Force.

39
40 **Section 63. Appointments in the Regular Force.** – Warrant Officers shall be appointed
41 by the Secretary of National Defense.

42
43 **Section 64. Revocation of Appointment.** - The appointment of an officer, who is found
44 not fully qualified for such appointment or who lacks any of the qualifications prescribed by law
45 or regulation may be revoked by the Secretary of National Defense at any time, upon the
46 recommendation of the CSAFP.

47
48 **Section 65. Warrant Officer Management.** — The Secretary of National Defense shall
49 prescribe the special career management, employment, grades, rank and authorized number of
50 warrant officers in the Regular Force in each grade in each Component Service in accordance
51 with the operational and organizational needs of the AFP.

52 53 **Chapter 3-Enlisted Personnel**

54
55 **Section 66. Qualifications for Enlistment.** - Any natural born citizen of the Philippines,
56 of legal age, physically and mentally fit for military service, of good moral character, and
57 possessed of such educational attainments as may be prescribed by the Secretary of National
58 Defense, may be enlisted in the Regular Force under the following restrictions:

1
2 a. Except as otherwise provided herein, each enlistment in the Regular Force shall be for
3 a term of five (5) years: *Provided*, That all enlistments in force at the outbreak of war, or other
4 grave national emergency, or entered into during its continuation shall remain in force until six
5 months after its termination, unless sooner terminated by the President;

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

10
11 c. Re-enlistment in the Regular Force shall be prescribed by the Secretary of National
12 Defense.

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

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

24
25 **Section 69. *Authority to Promote and Demote.*** - The authority to promote and demote
26 Enlisted Personnel shall be prescribed by the CSAFP.

27 28 C. RETIREMENT AND SEPARATION

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

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

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

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

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

47
48 **Section 74. *Effect of Loss of Filipino Citizenship.*** - Pursuant to existing laws, any
49 retired military personnel, receiving retirement and pension benefits pursuant to the provisions
50 of this Act, who loses his/her Filipino citizenship shall no longer be entitled to receive pension
51 and retirement benefits. The survivors of any retired military personnel who lose his Filipino
52 citizenship shall no longer be entitled to receive survivorship benefits.

53 54 D. ADMINISTRATION OF MILITARY JUSTICE SYSTEM

55
56 **Section 75. *Military Justice.***- (a) Except as otherwise provided in this Act, enforcement
57 of discipline and military justice shall be governed by applicable laws and administrative
58 issuances as prescribed by the President upon recommendation of the Secretary of National

1 Defense.

2
3 (b) There shall be reduction in grade, demotion of rank, suspension of active service, and
4 forfeiture, suspension, or withholding of pay and allowances of Officers, except those ranks
5 confirmed by Commission on Appointments, found administratively liable. The procedure,
6 extent or system of which shall be prescribed by the President as recommended by the Secretary
7 of National Defense.

8 (c) Procedure, extent or system of reduction in grade, demotion of rank, suspension of
9 active service, and forfeiture, suspension or withholding of pay and allowances of Warrant
10 Officers and Enlisted Personnel found administratively liable shall be prescribed by the Secretary
11 of National Defense as recommended by the CSAFP.
12

13 E. LEGAL ASSISTANCE

14 **Section 76. *Extension of Legal Assistance.*** - All military personnel charged of service-
15 related or service-connected administrative, civil or criminal offenses, upon approval of their
16 Chiefs of Component Services, shall be provided adequate legal representation and assistance by
17 military lawyers or counsel of their own choice until conclusion of the case. Reasonable
18 allocation can be charged against the fund of component service to support such case.
19

20 ARTICLE III - THE RESERVE FORCE

21 Chapter 1 -GENERAL PROVISIONS

22
23 **Section 77. *Mandatory Military Service.***- In relation to the patriotic duty of every
24 citizen to defend the country when obliged to preserve and protect sovereignty, every Filipino,
25 natural-born or naturalized shall be subject to basic, suitable and sufficient military training and
26 education for a minimum of two (2) years mandatory military service.
27

28 **Section 78. *Purpose.*** -The purpose of the Reserve Force is to provide the base for the
29 expansion of the AFP in the event of disaster, internal disorder and invasion;
30

31 **Section 79. *Organization of the Reserve Force.*** - The organization of the Reserve Force
32 shall conform to projected and actual needs as determined by the Secretary of National Defense
33 upon the approval by the President. The Table of Organization and Equipment of the Reserve
34 Force shall be prescribed by the Secretary of National Defense upon recommendation of the
35 CSAFP.
36

37 Chapter 2- Composition of the Reserve Force

38
39 **Section 80. *Composition.*** - The Reserve Force shall have three (3) components, namely:

- 40
41 a. The Army Reserve Component;
42 b. The Air Force Reserve Component; and
43 c. The Navy Reserve Component.
44

45 **Section 81. *Affiliated Reserve Units.*** - Affiliated Reserve Units (ARUs) are private and
46 government entities, corporations, establishments and organizations at the national, provincial,
47 city and municipal levels which provide essential public and strategic services necessary to
48 support the prosecution of national defense plans or to meet an emergency. ARUs shall belong to
49 any of the Reserve Force Components.
50

51 **Section 82. *Call to Active Duty of the Reserve Force.*** - Reservists may be called to
52 active duty for training and/or deployment as prescribed by the CSAFP as approved by the
53 Secretary of National Defense.
54

55 TITLE III

1 **OTHER BUREAUS AND AGENCIES UNDER THE DEPARTMENT**
2 **ARTICLE I - GENERAL PROVISIONS**

3
4 **Section 83. *Supervision and Control.*** – The Secretary of National Defense shall exercise
5 supervision and control over the bureaus and agencies under this Title, as well as its personnel.
6

7 **Section 84. *Organization.*** – (a) Unless otherwise provided by law, the organization,
8 functions, duties and responsibilities of the staff and operating units of each of the bureaus and
9 agencies under the Department shall be as prescribed by the Secretary of National Defense in
10 appropriate rules and regulations issued for the purpose.
11

12 (b) For this purpose, and in the interest of service, the Secretary of National Defense
13 may, in accordance with the policies or directives of the President:
14

- 15 1. Establish and organize staffs, offices and units in the bureaus or agencies and
16 prescribe the titles, powers, functions and duties of the positions therein;
- 17 2. Abolish existing staffs, offices and units in the bureaus or agencies not
18 specifically provided by law, or transfer or consolidate their functions and duties
19 with other staffs, offices or units; and
- 20 3. Abolish a position of any bureau or agency and transfer or consolidate its
21 functions and duties with those of another position.
22
23
24

25 **Section 85. *Separation Benefits of Officials and Employees of Affected Bureaus or***
26 ***Agencies.*** - Government employees displaced or separated from the service as a result of the
27 restructuring pursuant to this Act shall be entitled to a separation pay and other benefits in
28 accordance with existing laws, rules or regulations.
29

30 **ARTICLE II**
31 **THE GOVERNMENT ARSENAL**

32
33 **Section 86. *Mandate.*** - The Government Arsenal shall develop, operate, maintain and
34 secure facilities for the manufacture of weapons, munitions and other defense materiel to support
35 the requirements of the AFP, Philippine National Police (PNP) and other law enforcement
36 agencies; and, to sell and export products in excess of the local demand.
37

38 **Section 87. *Power and Functions.***- The Government Arsenal shall have the following
39 powers and functions:
40

41 a. Formulate and implement plans and programs towards the achievement of self-
42 sufficiency in weapons, small arms ammunition, mortars, medium and large caliber ammunition
43 and other munitions needed by the country's defense and security establishments;
44

45 b. Design, conduct research, develop, manufacture, procure, repair, stockpile and allocate
46 weapons, munitions and other defense materiel subject to existing laws and regulatory
47 requirements.
48

49 c. Sell and export products in excess of the requirements of the AFP and other law
50 enforcement agencies, subject to existing laws;
51

52 d. Devise ways and means for the efficient mobilization of civilian/private industry to
53 augment its production for use of the defense and security forces;
54

55 e. Establish, secure and operate government defense manufacturing plants, as necessary,
56 in strategic locations within the country; and
57

58 **Section 88. *Organization and Administration.***- The Government Arsenal shall be headed

1 by a Director with one or more Assistant Directors who shall support the Director in the
2 administration, manufacturing operations and other affairs of the bureau; all of whom shall be
3 appointed by the President upon the recommendation from the Secretary of National Defense,
4 and who shall have the relevant expertise, training and experience in the field of munitions.
5

6 **Section 89. *Modernization of the Arsenal.*** - The modernization of the Government
7 Arsenal, for the development of production capabilities to enhance self-sufficiency in defense
8 requirements, shall be part of the defense modernization program. The Government Arsenal may
9 use such production facilities as it may own or be provided with under this Act or as it may
10 arrange, under joint venture, co-production or similar agreements with local and foreign entities.
11

12 **ARTICLE III**
13 **NATIONAL DEFENSE UNIVERSITY OF THE PHILIPPINES**
14

15 **Section 90. *Transformation of the NDCP.*** - In view of the rapidly evolving national
16 and regional security environment, the current academic trends and research thrusts of defense
17 institutions in the Asia Pacific, and the increasing need for specialized defense and security
18 courses to enhance the academic foundation of promoting Philippine national security, The
19 National Defense College of the Philippines (NDCP) is hereby transformed into the National
20 Defense University of the Philippines (NDUP) categorized as a special higher education
21 institution. To ensure the continuous operation of the College, all its personnel and resources
22 shall be absorbed by the NDUP.
23

24 The degree programs, instruction, faculty complement, research, and facilities of the
25 NDUP shall be accredited by the Commission on Higher Education (CHED). The NDUP shall
26 likewise have adequate plantilla positions and receive appropriate funding to fulfill the
27 requirements of transforming into a defense university.
28

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

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

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

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

48 c. Undertake policy research and special studies as well as policy formulation on strategic
49 defense and security issues.
50

51 **Section 93. *Organization and Administration.*** - (a) The NDUP President shall
52 administer the affairs of the University.
53

54 (b) The NDUP President shall be assisted by the Executive Vice President (EVP). The
55 EVP shall act as NDUP President in the absence or incapacity of the NDUP President, and shall
56 perform such other functions and duties as may be assigned to him by the NDUP President or
57 the Secretary of National Defense.
58

1 (c) There shall be a Vice-President for Academic Affairs, who shall be responsible for
2 the development, implementation, supervision and evaluation of academic programs; a Vice-
3 President for Strategic Studies and Policy Formulation, who shall be responsible for the conduct
4 and supervision of research and special studies and policy formulation and review for the
5 Department; a Vice-President for Military Affairs, who shall be responsible for the overall
6 military activities of the University; a Vice-President for Administration, who shall be
7 responsible for the overall administrative support to all the activities of the University and such
8 other officials as may be required by the University subject to the approval of the Secretary of
9 National Defense.

10
11 (d) The University shall have an Academic Board to assist the President discharge
12 the following functions:

- 13
14 1. Supervise the academic affairs of the University;
15 2. Recommend academic consultants, professors, lecturers, instructors, research
16 assistants and other resource persons of the University; and
17 3. Recommend the courses of studies to be conducted by the University to accomplish
18 its objectives.

19
20 The Board shall be composed of the Vice President for Academic Affairs as Chairman,
21 and the Heads of the various academic disciplines as members, who shall be designated by the
22 NDUP President subject to the approval of the Secretary of National Defense.

23
24 (e) All resource persons of the University including but not limited to academic
25 consultants, professors, lecturers, instructor, thesis advisers, members of examining and
26 evaluating panels, examiners, correctors, and technicians who are regularly employed in the
27 Government shall, in addition to their salaries, be entitled to receive honoraria, fees and other
28 emoluments fixed by the Secretary of National Defense.

29
30 (d) The Secretary of National Defense may establish a *Council of Fellows* in the
31 University to assist and advise him in providing strategic direction and guidance necessary to
32 ensure the accomplishment of the mandate of the University.

33
34 **Section 94. *Graduates of the Regular Course of the University.*** — All graduates of the
35 University shall be conferred the degree of Master in National Security Administration (MNSA).
36 Civilian graduates of the MNSA program shall receive an initial rank of Lieutenant
37 Colonel/Commander in the Reserve Force subject to existing AFP regulations. The MNSA or its
38 equivalent in military career development course shall be required for appointment or
39 designation to key positions and promotion of AFP officers to the grade of O-7 (Brigadier
40 General/Commodore).

41
42 **Section 95. *Transition.***— The SND shall determine the appropriate transition period for
43 NDCP to attain the status and competency of becoming a university. Further, Congress shall
44 allocate the necessary funds for the transformation of NDCP to NDUP.

45
46 **ARTICLE IV**
47 **OFFICE OF CIVIL DEFENSE**

48
49 **Section 96. *Mandate.*** —The Office of Civil Defense (OCD) shall have the primary
50 mission of administering a comprehensive national civil defense and disaster risk reduction and
51 management program during local and national emergencies by providing leadership in the
52 continuous development of strategic and systematic approaches as well as measures to reduce the
53 vulnerabilities and risks to hazards and manage the consequences of disasters.

54
55 **Section 97. *Powers and Functions.*** - The Office shall have the following powers and
56 functions:

- 57
58 a. Establish and administer a comprehensive national civil defense and civil

1 assistance program to include the allocation to agencies and local government units such aid and
2 funds as may be made available by the national government, assisting governments, and
3 international and local organizations;

4
5 b. Formulate policies and prepare plans for the protection and welfare of the civilian
6 population in times of war or other national emergencies as may be determined by the President
7 of the Philippines;

8
9 c. Furnish guidance and coordinate the activities of national government agencies,
10 local government units, private institutions and civic organizations for natural and human-
11 induced disasters;

12
13 d. Develop and coordinate a program for informing, educating and training the
14 general public, volunteer workers and civil defense groups on civil defense and assistance
15 measures and activities;

16
17 e. Prepare and disseminate disaster control manuals and other publications related to
18 measures on disaster prevention and mitigation, preparedness, response and rehabilitation and
19 recovery;

20
21 f. Advise the Secretary of National Defense on matters concerning civil defense and
22 make recommendations from time to time as may be deemed appropriate or as the Secretary may
23 require;

24
25 g. Provide assistance and secretariat services to the National Disaster Risk
26 Reduction and Management Council to implement the policies set by the latter relative to
27 disaster management;

28
29 h. Furnish guidance to the various provinces, cities and municipalities in the
30 planning, accreditation, organization and operation of their civil defense organizations; and

31
32 i. Perform such other civil defense functions as may be provided by law.

33
34 **Section 98. Organization.** - The Office of Civil Defense shall be headed by an
35 Administrator who shall also serve as Executive Director of the National Disaster Risk
36 Reduction and Management Council and, as such, shall have the same duties and privileges of a
37 department undersecretary. It shall operate under a duly approved organization and staffing as
38 recommended by the Secretary of National Defense.

39
40 **ARTICLE V**
41 **PHILIPPINE VETERANS AFFAIRS OFFICE**

42
43 **Section 99. Mandate.** - The Philippine Veterans Affairs Office shall be the government
44 agency responsible for administering the benefits due to veterans, their heirs and beneficiaries
45 and shall provide medical care and treatment to veterans pursuant to existing laws. It shall also
46 administer, maintain and develop military memorials and battle monuments proclaimed as
47 national shrines.

48
49 **Section 100. Powers and Functions.** - The Office shall have the following powers and
50 functions:

51
52 a. Formulate and promulgate, subject to the approval of the Secretary of National
53 Defense, policies, rules and regulations governing the adjudication and administration of
54 veterans claims and benefits;

55
56 b. Adjudicate and administer benefits, pensions and other privileges granted to veterans,
57 their heirs and beneficiaries;

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

2
3 d. Administer, develop and maintain military memorials and battle monuments
4 proclaimed as national shrines; and

5
6 e. Perform such other functions as may be provided by law.
7

8 **Section 101. *Organization.*** - The Philippine Veterans Affairs Office shall be headed by
9 an Administrator who may be assisted by one or more Deputy Administrators, all of whom shall
10 be appointed by the President upon the recommendation of the Secretary of National Defense. It
11 shall have such staff and other operating units as may be prescribed by the Secretary of National
12 Defense.
13

14 FINAL PROVISIONS

15
16 **Section 102. *Implementing Rules and Regulations.*** - The DND shall formulate the
17 Implementing Rules and Regulations (IRR) for proper implementation of this Act within twelve
18 (12) months from the effectivity hereof. The said rules and regulations shall be approved by the
19 President of the Philippines.
20

21 **Section 103. *Appropriations.*** - The amount necessary to carry out the provisions of this
22 Act is hereby appropriated in the General Appropriations Act of the year following its enactment
23 into law. Thereafter, such sums as may be necessary for its continued implementation shall be
24 included in the annual General Appropriations Act.
25

26 **Section 104. *Separability Clause.*** - If any part or provision of this Act is held invalid or
27 unconstitutional, other provisions not affected thereby shall remain in force and effect.
28

29 **Section 105. *Repealing Clause.*** - All laws, Executive Orders, Presidential Decrees,
30 rules and regulations inconsistent herewith are deemed modified and repealed accordingly. *All*
31 *affected provisions of existing laws are deemed effective until such promulgation of the IRR.*
32

33 **Section 106. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days upon its
34 complete publication in the Official Gazette or in at least two (2) newspapers of general
35 circulation, whichever comes first.
36

37 Approved,