

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS

First Regular Session

House Bill No. 522



Introduced by **Hon. Rodolfo G. Biazon**

EXPLANATORY NOTE

The 1987 Constitution provides:

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

"The Armed Forces of the Philippines shall be composed of a citizen armed force which shall undergo military training and serve as may be provided by law. It shall keep a regular force necessary for the security of the State." (Article XVI, Section 4)

Previous laws made the Reserve Officers' Training Corps (ROTC) a mandatory training program that formed part of the curricula of all baccalaureate degrees and other related courses. However, due to reported violent incidents and corruptions which attended the ROTC, RA 9163, otherwise known as the National Service Training Program (NSTP) of 2002, was enacted which, among others, made it optional among the students in the tertiary level. The passage of years has shown that this course of action adversely affected the recruitment, formation and development of a military reserve component which could be utilized for the defense and security of the State. According to some experts, if this is allowed to continue, the concept of a citizen armed force as envisioned by the framers of the Constitution will not be

realized. This intent can only come into fruition if the State will have a regular base from where it can source the members of this citizen armed force.

In order to correct this situation, this proposed measure seeks to make the ROTC Program mandatory among tertiary students in state colleges and universities. Since the State subsidizes the education of these students, it is but proper that it should be able to primarily depend on them for its defense.

Due to the foregoing, early passage of this bill is earnestly sought.


RODOLFO G. BIAZON
Representative
Lone District, Muntinlupa City

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AN ACT
AMENDING REPUBLIC ACT NUMBERED 9163, OTHERWISE KNOWN AS THE
“NATIONAL SERVICE TRAINING PROGRAM ACT OF 2001,” AND FOR OTHER
PURPOSES

SECTION 1. Section 4 (1) of Republic Act No. 9163 is hereby amended to read as follows:

“Sec. 4. *Establishment of the National Service Training Program.* - There is hereby established a National Service Training Program, which shall form part of the curricula of all baccalaureate degree courses and of at least two (2)-year technical vocational courses and is a requisite for graduation, consisting of the following service components:

- (1) The Reserve Officers' Training Corps (ROTC), which, **EXCEPT IN STATE COLLEGES AND UNIVERSITIES**, is hereby made optional and voluntary upon the effectivity of this Act;”

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Sec. 2. Section 7 of the same law is also hereby amended to read as follows:

“Sec. 4. *NSTP Offering in Higher and Technical-Vocational Educational Institutions* - All higher and technical-vocational institutions, public and private, must offer at least one of the program components; *Provided*, That State universities and colleges shall offer the ROTC component, **WHICH SHALL BE MANDATORY FOR ITS MALE STUDENTS**, and at least one other component as provided herein: *Provided, further*, That private higher and technical-vocational education institutions may also offer the ROTC if they have at least three hundred and fifty (350) cadet students.

In offering the NSTP whether during the semestral or summer periods, clustering of affected students from different educational institutions may be done, taking into

account logistics, branch of service and geographical considerations. Schools that do not meet the required number of students to maintain the optional ROTC and any of the NSTP components shall allow their students to cross-enroll to other schools irrespective of whether or not the NSTP components in said schools are being administered by the same or another branch of service in the Armed Forces of the Philippines (AFP), CHED and TESDA to which schools are identified.”

Sec. 3. Separability Clause. – If for any reason, any section or provision of this Act is declared invalid or unconstitutional, the other sections or provisions hereof, unaffected thereby, shall continue to be in full force and effect.

Sec. 4. Repealing Clause. - All laws, executive issuances or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

Sec. 5. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspaper of general circulation.

Approved,