

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. **3207**



Introduced by **MAGDALO Party List Representatives**
Gary C. Alejano and Francisco Ashley L. Acedillo

EXPLANATORY NOTE

Last year, President Benigno Simeon Aquino III finally affixed his signature on the Revised Armed Forces Modernization Program to extend the 15-year old measure, which aims to modernize all branches of the AFP. However, despite the laudable action, the law, as amended, is in need of at least one relevant and urgent amendment.

Among the major obstruction, which has thwarted the full implementation of the law, is the highly tedious and circuitous procurement process of the AFP. This has consequently resulted to the lengthy and protracted acquisition of the AFP's weaponry and artillery. Indeed, in the early years of the implementation of the extended AFP Modernization Program, AFP and defense officials cited lack of funds and the cumbersome procurement process as among the reasons for the AFP's failure to acquire equipment.

One of the possible roadblocks to the acquisition of necessary armament and equipment is the provision in the AFP modernization law that no major equipment and/or weapons system shall be purchased if the same are not being used by the armed forces in the country of origin or used by the armed forces of at least two countries.

This bill seeks to amend and relax the aforementioned provision by allowing the purchase of major equipment and/or weapons system so long as the same are being used by the armed forces in the country of origin or by the armed forces of another country.

It is hoped that by relaxing said requirement in the acquisition of quality and modern equipment and weapons system, the acquisition process of the AFP can be unclogged, thereby hastening the implementation of the law.

A similar bill was filed and adopted on third reading by the Senate during the 15th Congress but failed to get the nod of the bicameral conference committee. It is hoped that during this Congress, a compromise could be arrived at and this bill could be finally enacted into law for the benefit of our armed forces and of our country.

GARY C. ALEJANO

FRANCISCO ASHLEY L. ACEDILLO

inconsistent with or contrary to this Act are hereby deemed accordingly repealed or amended.

~~SEC. 2. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its~~

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AN ACT
AMENDING SECTION 4(B) OF REPUBLIC ACT NO. 7898, OTHERWISE KNOWN AS
THE AFP MODERNIZATION ACT, AS AMENDED BY REPUBLIC ACT NO, 10349,
ESTABLISHING THE “REVISED AFP MODERNIZATION PROGRAM”, AND FOR
OTHER PURPOSES

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

SECTION 1.Section 4(b) of Republic Act No. 7898, otherwise known as the AFP
Modernization Act, as amended by Republic Act No, 10349, establishing the “Revised AFP
Modernization Program” is hereby further amended to read as follows:

“(b) *Capability, material, and technology development.* – the AFP
modernization program entails the development and employment of certain
capabilities that can address the assessed threats: *Provided,* That the acquisition of
air force, navy and army equipment and material of such types and quantities shall
be made in accordance with the need to develop AFP capabilities pursuant to its
modernization objectives: *Provided, further,* That the acquisition of new
equipment and weapons systems, shall be synchronized with the phase-out of
uneconomical and obsolete major equipment and weapons systems in the AFP
inventory: *Provided, even further,* That **ONLY** [no] major equipment and
weapons system [shall be purchased if the same are not] being used by the armed
forces in the country of origin or used by the armed forces of [at least two
countries] **ANOTHER COUNTRY SHALL BE PURCHASED UNDER THIS**
ACT: *Provided, furthermore,* That only offers from suppliers who are themselves
the manufacturers shall be entertained: *Provided, final,* That no supply contract

1 shall be entered into unless such contract provides for, in clear and unambiguous
2 terms, an after-sales services and availability of spare parts.

3
4 **SEC. 2. *Repealing Clause.*** - All laws, executive orders, rules and regulations
5 inconsistent with or contrary to this Act are hereby deemed accordingly repealed or amended.

6
7 **SEC. 3. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its
8 publication in at least two (2) newspapers of national circulation.

Approved,