

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1656



Introduced by Representative Roman T. Romulo

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 in 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.

Hence, this Bill is envisioned to update national defense policies, principles and concepts, institutionalize needed improvements and 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, the 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 3835, 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.

In view of the foregoing, the approval of this bill is earnestly sought.



ROMAN T. ROMULO

Lone District, Pasig City

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HOUSE OF REPRESENTATIVES
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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 2022."
2

3 **Section 2. *Declaration of National Defense Policies.*** - The national defense policies of
4 the Republic of the Philippines shall be as follows:
5

6 a. In defending the Philippines, the paramount consideration shall be national
7 sovereignty, territorial integrity, national interest and the right to self-determination;
8

9 b. The preservation of the State is the obligation of every citizen. The security, freedom
10 and independence of the Philippines shall be guaranteed by the employment of all citizens,
11 without distinction of age or sex, and all resources;
12

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

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

1
2 e. The employment of the nation's citizens and resources for national defense shall be
3 effected by a mobilization;
4

5 f. The mobilization shall include the execution of all measures necessary to pass from
6 a peace to a war footing or in any case of actual invasion or when public safety so requires as
7 well as during its transition to normalcy or rehabilitation;
8

9 g. The mobilization plans of financial, industrial, economic, technological and social
10 resources of the Philippines shall conform to the provisions of the Constitution and shall be
11 prepared by the executive departments concerned in accordance with the following general
12 policies:
13

14 1. The respective responsibilities of the several executive departments in
15 mobilization planning will be prescribed by the President;
16

17 2. Forces and resources shall be employed so as to ensure unity and continuity
18 of effort until normalcy has been attained; and
19

20 h. No profit incident to war shall accrue to any individual, corporation, association or
21 partnership.
22

23 **Section 3. *Defense Conditions and Authority.*** – Defense conditions shall be the bases
24 for the designation of persons and entities to act in behalf of the state. Defense Conditions,
25 hereinafter referred to as DEFCON, are circumstances where the three categories of events –
26 disaster, internal disorders, and invasion, acting separately or in concert tend to, or actually
27 threaten, the security of the state. The hierarchy of defense conditions and the persons or
28 entities designated to act in behalf of the state shall be prescribed by the President.
29

30 **Article I - Employment of Persons and Resources**

31

32 **Section 4.** Military service shall be mandatory for all citizens of the Philippines, and
33 the methods and procedures for the classification, selection, examination, induction, training,
34 employment, and release of all citizens from their military obligations shall be prescribed by
35 the President of the Philippines.
36

37 **Section 5.** The registration of citizens for mandatory military service shall be a military
38 function carried out by the Component Services through their respective Reserve Commands.
39

1 **Section 6.** During a mobilization, the President through the Secretary of National
2 Defense shall have the power to secure all such resources as may be necessary for national
3 defense.
4

5 **Article II - National Defense Council** 6

7 Section 7. National Defense Council – (a) The National Defense Council (NDC) chaired
8 by the President is composed of heads of the executive departments, past Presidents, past
9 Chief Justices of the Supreme Court and other government officials and private citizens as the
10 President may appoint or designate. It shall have a permanent staff which shall preserve a
11 documentary record of the Council's deliberations.
12

13 (b) The method of operation of the National Defense Council, its detailed duties, and its rights
14 to summon witnesses or consultants shall be fixed in executive orders to be issued by the
15 President. Funds for its operation shall be provided in the appropriations for the Executive
16 Department.
17

18 **TITLE I** 19 **DEPARTMENT OF NATIONAL DEFENSE** 20 **Article I - General Provisions** 21

22 **Section 8. *Mandate.*** - The Department of National Defense is the primary government
23 agency charged with the duty of implementing the provisions of this Act. The defense
24 establishment shall be maintained to maximize its effectiveness for guarding against external
25 and internal threats to national peace and security.
26

27 **Section 9. *Powers and Functions of the Department.*** - To carry out the above-declared
28 policy, the Department shall exercise and perform the following powers and functions:
29

- 30 a. Formulate and prepare national defense policies, strategies, plans and
31 programs;
32
- 33 b. Formulate, develop and update the national defense plan of the country,
34 including the mobilization plan for the employment of the country's citizens and resources
35 for national defense;
36
- 37 c. Control, monitor, coordinate, supervise and evaluate the implementation of
38 national defense policies, plans, programs and activities;
39

1 d. Exercise supervision and control over the Armed Forces of the Philippines
2 (AFP), Government Arsenal (GA), Office of Civil Defense (OCD), Philippine Veterans Affairs
3 Office (PVAO) and the National Defense University of the Philippines (NDUP);
4

5 e. Formulate, establish, implement, supervise and control quality management
6 system;
7

8 f. Establish, promote and maintain bilateral and multilateral linkages for defense
9 and military cooperation with its international counterparts for the purpose of addressing
10 traditional and non-traditional security threats;
11

12 g. Implement the country's international defense and security commitments
13 based on defense and security treaties, cooperation agreements, international covenants,
14 protocols and other similar arrangements;
15

16 h. Develop self-reliance defense posture to guarantee the enhancement of
17 responsive and progressive capabilities and maximum utilization of resources;
18

19 i. Develop a responsive Armed Forces capable of addressing various threats to
20 national security; and
21

22 j. Perform such other defense-related functions as may be provided by law or
23 directed by the President of the Philippines.
24

25 **Section 10. *Contracts.*** - The Department is hereby authorized to enter into, make,
26 perform and carry out contracts of every class, kind and description which are necessary or
27 incidental to the performance of its mandate as provided herein, with any person, firm or
28 corporation, public or private, and with foreign government entities, subject to the provisions
29 of existing laws, rules and regulations.
30

31 **Section 11. *Management and Control of Defense Real Properties.*** - (a) The
32 Department is hereby authorized to administer, operate, manage, control, maintain and
33 develop defense real properties for strategic basing and to use, hold, acquire, or lease any
34 private real property, right of way, or easement which may be proper or necessary for the
35 accomplishment of its mandate as provided in this Act.
36

37 (b) The sale and/or exchange of strategic defense real properties shall be prohibited
38 unless otherwise recommended by the Secretary of National Defense, approved by the
39 President of the Philippines, with the consent of Congress.
40

1 (c) The lease and/or development of defense real properties, by joint venture or
2 otherwise shall be allowed upon prior approval by the President of the Philippines.
3

4 (d) Any and all income derived from the lease or disposition of such defense real estate
5 shall be remitted only to the AFP Modernization Act Trust Fund, and disbursed in accordance
6 with existing laws, rules and regulations.
7

8 **Section 12. *Special Defense Materiel Acquisition.*** - Upon prior approval by the
9 President of the Philippines, and when the procurement for use by the AFP involves major
10 defense equipment or materiel and/or defense-related consultancy services, when the
11 expertise or capability required is not available locally, and the Secretary of National Defense
12 has determined that the interests of the country shall be protected by negotiating directly
13 with an agency or instrumentality of another country with which the Philippines has entered
14 into a defense cooperation agreement or otherwise maintains diplomatic relations, the AFP
15 may be allowed to resort to negotiated procurement: *Provided, however, That the*
16 *performance by the supplier of its obligations under the procurement contract shall be*
17 *covered by a performance security in accordance with Sec. 39 of the IRR of R.A. 9184.*
18

19 **Section 13. *Exemption from Import Licenses.*** - All acquisition of defense materiel by
20 the DND and its bureaus shall be exempt from import and other licenses imposed by other
21 agencies of the government. In lieu thereof, the SND shall issue a certification that the goods
22 being imported are exempt from such licenses.
23

24 **Section 14. *Grants and Donations.*** - The Department, or any of the bureaus, agencies
25 or offices under it, may accept donations, contributions, and grants from various sources,
26 domestic or foreign, for purposes relevant to its functions: *Provided, That in case of donations*
27 *from foreign governments or persons, acceptance thereof shall be subject to existing laws,*
28 *rules and regulations.*
29

30 **Section 15. *Defense Cooperation Agreements.*** - (a) Unless otherwise provided by the
31 Constitution, the Department of National Defense may enter into Defense/Military
32 Cooperation Agreements to develop, enhance and sustain multifaceted defense and security
33 engagements and cooperation with the defense and armed forces of other countries.
34

35 (b) Defense/Military Cooperation Agreements shall include but not limited to the
36 exchange of information, exchange of visits, exchange of personnel, subject matter expert
37 exchange, logistics cooperation, defense industry cooperation, humanitarian assistance and
38 disaster response, defense and military doctrine development, research and development in
39 defense science and technology, participation in trade, science or technology exhibits,
40 military and defense exercises, training activities, and education exchanges or other areas of
41 mutual concern.

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Article II - Organization

Section 16. *Organizational Structure.* - The Defense Department shall be composed of the DND-Proper and its bureaus namely, the Armed Forces of the Philippines (AFP), Philippine Veterans Affairs Office (PVAO), Government Arsenal (GA), National Defense University of the Philippines (NDUP), Office of Civil Defense (OCD), and other instrumentalities under the supervision and control of the Secretary of National Defense as provided for by law.

Section 17. *Composition.* - The DND-Proper shall be composed of the Office of the Secretary of National Defense and the Offices of the Undersecretaries and Assistant Secretaries, and the Department Services.

Section 18. *Office of the Secretary.* - The Office of the Secretary shall consist of the Secretary of National Defense and his/her immediate staff as determined by him/her.

Section 19. *The Secretary of National Defense.* - The Secretary of National Defense shall be appointed by the President, subject to confirmation by the Commission on Appointments.

Section 20. *Powers and Functions of the Secretary.* - The authority and responsibility for the exercise of the mandate of the Department and for the discharge of its powers and functions shall be vested in the Secretary of National Defense, who shall have supervision and control of the Department. The Secretary shall also perform such other functions as may be necessary or proper to attain the objectives of this Act or as may be provided by law or directed by the President.

TITLE II

THE ARMED FORCES OF THE PHILIPPINES

Article I - General Provisions

Section 21. *Declaration of Policies.* -

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 22. 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.

Section 23. 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.

Section 24. 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.

Article II - The Regular Force

A. ORGANIZATION AND COMPOSITION

Chapter 1 - General Provisions

Section 25. 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 foreign military schools.

1
2 The size and composition of the Regular Force shall be prescribed by the President,
3 upon the recommendation of the CSAFP of the Philippines through the Secretary of National
4 Defense.

5 **Section 26. Organizational Principle.** - The President, through the Secretary of
6 National Defense, shall organize the AFP into such commands, forces and units in accordance
7 with operational requirements. For this purpose, the national territory may be divided into
8 such operational areas as the Secretary of National Defense may direct.
9

10 **Section 27. Organizational Structure.** - The Regular Force of the AFP shall consist of
11 the Joint Headquarters; the Joint Force Operational and Functional Commands; the
12 Component Services namely: the Philippine Army, the Philippine Navy and the Philippine Air
13 Force; and the other existing units, component services, commands, and task forces of the
14 AFP. The Secretary of National Defense upon the recommendation of the CSAFP may, in
15 accordance with the policies or directives of the President, create additional units, services,
16 commands and task forces, or reorganize the AFP in response to any situation or in pursuance
17 of operational or contingency plans.
18

19 **Section 28. Operational Principles.** - The operational principles of the AFP shall be as
20 follows:

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

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

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

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

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

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

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2 **Section 29. *Mandate.*** - The Joint Staff Headquarters, which shall be headed by the
3 CSAFP, shall be the command and control element of the AFP.
4

5 **Section 30. *Organization.*** - The Joint Staff Headquarters shall be composed of the
6 Office of the Chief of Staff of the Armed Forces of the Philippines, Office of the Vice Chief of
7 Staff, Office of the Deputy Chief of Staff; the AFP Joint, Personal and Special Staff and the
8 other key staff offices and units necessary for effective command and control of the AFP as
9 recommended by the CSAFP with the approval of the Secretary of National Defense.
10

11 **Section 31. *The Chief of Staff of the Armed Forces of the Philippines.*** - (a) The
12 President shall appoint the CSAFP from among the officers with the rank of Lieutenant
13 General/Vice Admiral in the active service, who shall hold the rank of General Admiral.
14

15 (b) CSAFP shall serve a minimum tour of duty of 2 years and maximum of 3 years. For
16 this purpose, the CSAFP shall be allowed to complete his maximum tour of duty beyond his
17 retirement age: Provided, That the CSAFP may be removed by the President as Commander
18 in Chief at any time before the end of the term of 3 years and deemed retired from active
19 military service.
20

21 **Section 32. *Powers and Functions.*** - The Chief of Staff shall:
22

23 a. Serve as the principal military advisor to the President and the Secretary of National
24 Defense;
25

26 b. Be responsible for the formulation of the national military strategy consistent with
27 the national defense strategy;
28

29 c. Be responsible for the development of the policies, strategies, missions, plans and
30 programs of the AFP;
31

32 d. Prescribe the organization, powers, functions and duties of the various staff,
33 services, and other units of the AFP in accordance with the national defense policy.
34

35 **Section 33. *The Vice Chief of Staff.*** - The Vice Chief of Staff shall be the principal
36 assistant of the CSAFP and shall perform the functions of the CSAFP during the latter's
37 absence or incapacity. He shall be appointed in the same manner as the CSAFP.
38

39 The Vice Chief of Staff shall serve for a minimum term of 1 year and maximum of 3
40 years unless otherwise promoted to the next higher position and without prejudice to
41 compulsory retirement age as provided in this Act: Provided, That no Officer shall be

1 appointed as a Vice Chief of Staff if that officer has less than one (1) year remaining in the
2 active service: Provided further, That Vice Chief of Staff may be removed by the President as
3 Commander in Chief at any time before the end of the term of 3 years and deemed retired
4 from active military service.

5
6 **Section 34. *The Deputy Chief of Staff.*** - The Deputy Chief of Staff shall integrate and
7 synchronize the Joint Staff works to assist the CSAFP in policy formulation and
8 implementation, and command decision making process through completed staff work.
9

10 The Deputy Chief of Staff shall serve for a minimum term of 1 year and maximum of 3
11 years unless otherwise promoted to the next higher position and without prejudice to
12 compulsory retirement age as provided in this Act: Provided, That no Officer shall be
13 appointed as The Deputy Chief of Staff if that officer has less than one (1) year remaining in
14 the active service: Provided further, That the Deputy Chief of Staff may be removed by the
15 President as Commander in Chief at any time before the end of the term of 3 years and
16 deemed retired from active military service.
17

18 **Section 35. *The Joint Staff.*** - The Joint Staff, as coordinating staff shall advise and assist
19 the CSAFP in the performance of his/her functions. The organization, functions and duties of
20 the Joint Staff shall be prescribed by the CŞAFP.
21

22 **Section 36. *Personal Staff.*** - The Personal Staff, as immediate staff shall directly advise
23 and assist the CSAFP in the performance of his/her functions. The organization, functions and
24 duties of the Personal Staff shall be prescribed by the CSAFP: *Provided*, That coordination with
25 other staff is not precluded.
26

27 **Section 37. *Special Staff.*** - The Special Staff, as specialized, technical and
28 administrative staff shall advise and assist the CSAFP in the performance of his/her functions.
29 The organization, functions and duties of the Special Staff shall be prescribed by the CSAFP.
30

31 **Section 38. *Authority to Reorganize the General Headquarters into the Joint Staff***
32 ***Headquarters.*** - In the interest of efficiency and effectiveness, the CSAFP, upon the approval
33 of the Secretary of National Defense, may:
34

35 a. Establish and organize staffs, offices and units in the Joint Staff Headquarters in
36 addition to the AFP Joint, Personal and Special Staff, and prescribe the organization, mission
37 and functions; and

38 b. Abolish existing staffs, offices and units in the Joint Staff Headquarters not
39 specifically provided in this Chapter or by any other provision of law, or transfer or consolidate
40 their functions and duties with other staffs, offices or units.
41

Chapter 3 - Joint Force Operational Commands

Section 39. Organization, Mission and Function. - (a) The Joint Force Operational Commands shall be organized and established by the CSAFP with the approval of the Secretary of National Defense which shall be under the command, control and operational direction of its Joint Force Commander.

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

Section 40. Designation or Assignment of Joint Force Commanders. - (a) The Joint Force Commanders of the JFOC shall be designated or assigned to the said position by the President, upon the recommendation of the CSAFP of the Philippines through the Secretary of National Defense.

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

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

Chapter 4 - The Component Services

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

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

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

Section 42. The Philippine Army. - The Philippine Army (PA), headed by the Chief of the Philippine Army shall provide forces that will be responsible for the conduct of prompt and sustained joint and combined ground operations in support of the AFP mission. It shall be composed of its headquarters, maneuver units, and sustainment units and such other units as may be necessary for the conduct of ground operations.

Section 43. Functions of the Philippine Army. - The Philippine Army shall:

a. Develop, organize, train, equip, maintain, and sustain such ground forces or units as may be necessary for the conduct of prompt and sustained operations;

b. Prepare such forces or units as may be necessary for the effective implementation of the national defense plans and programs and armed forces missions;

c. Formulate and develop, in coordination with the other Component Services, doctrines, systems, tactics, techniques and procedures peculiar to the Army;

d. Implement mobilization of the Army Reserve; and

e. Perform such other functions and duties as may be provided by law or assigned by the CSAFP.

Section 44. The Philippine Air Force. - The Philippine Air Force (PAF) headed by the Chief of the Philippine Air Force shall provide forces that will be responsible for the conduct of prompt and sustained air operations in support of the AFP mission. It shall be composed of its headquarters, air combat, combat support and sustainment units and such other units as may be necessary for the conduct of air and support operations.

Section 45. Functions of the Philippine Air Force. - The Philippine Air Force shall:

a. Develop, organize, train, equip, maintain, and sustain such air forces or units as may be necessary for the conduct of prompt and sustained operations;

b. Prepare such forces or units as may be necessary for the effective implementation of the national defense plans and programs and armed forces missions;

c. Formulate and develop, in coordination with the other Component Services, doctrines, systems, tactics, techniques and procedures peculiar to the Air Force;

- 1
2 d. Implement mobilization of the Air Force Reserve; and
3 e. Perform such other functions and duties as may be provided by law or assigned by
4 the CSAFP.
5

6 **Section 46. *The Philippine Navy.*** - The Philippine Navy (PN) headed by the Chief of the
7 Philippine Navy, shall provide forces that shall be employed for the conduct of prompt and
8 sustained naval operations in support of the AFP missions. It shall be composed of its
9 headquarters, naval forces, service support and sustainment units and such other units as
10 may be necessary for the conduct of naval operations.
11

12 **Section 47. *Functions of the Philippine Navy.*** - The Philippine Navy shall:
13

14 a. Develop, organize, train, equip, maintain, and sustain such naval forces or units as
15 may be necessary for the conduct of prompt and sustained operations;
16

17 b. Prepare such forces or units as may be necessary for the effective implementation
18 of the national defense plans and programs and armed forces missions;
19

20 c. Formulate and develop, in coordination with the other Component Services,
21 doctrines, systems, tactics, techniques and procedures peculiar to the Navy;
22

23 d. Implement mobilization of the Navy Reserve; and
24

25 e. Perform such other functions and duties as may be provided by law or assigned by
26 the CSAFP.
27

28 **Section 48. *Technical and Administrative Service.*** - Each Component Service shall
29 develop, organize, train, equip, maintain, and sustain their respective Technical and
30 Administrative Service composed of but not limited to, The Judge Advocate General Service,
31 Medical Corps, Veterinary Corps, Medical and Administrative Corps, Nurse Corps, Dental
32 Corps, Chaplain Service, and Corps of Professors.
33

34 **Section 49. *The Women's Auxiliary Corps.*** - The Women's Auxiliary Corps as created
35 by Republic Act No. 3835, as amended shall be integrated to their respective Component
36 Service. For this purpose, the said law is hereby repealed. Further, the number of female
37 personnel in the AFP, notwithstanding provision of relevant laws, shall be prescribed by the
38 Secretary of National Defense.
39

40 **Chapter 5 - Military Education and Training Institutions** 41

1 **Section 50. Organization, Mission and Function.** - (a) The Philippine Military Academy
2 (PMA), Command and General Staff College (CGSC), Officer Candidate School (OCS), Non-
3 commissioned Officer Academy and other Military Education and Training Institutions
4 organized and established by the CSAFP with the approval of the Secretary of National
5 Defense shall be under the command, control and direction of their Military Education and
6 Training Superintendent/Commandant.

7
8 (b) The mission, functions, duties and responsibilities of the military education and
9 training institutions shall be prescribed by the CSAFP with the approval of the Secretary of
10 National Defense.

11
12 **Section 51. The Philippine Military Academy. -**

13
14 (a) Mandate. The Philippine Military Academy categorized as special higher education
15 institution is the primary training and educational institution of the AFP, which shall be its
16 principal source of regular officers. The degree programs, instruction, faculty complement,
17 research, and facilities of the PMA shall be accredited by the Commission on Higher Education
18 (CHED).

19
20 (b) Organization. - The Academy headed by the Superintendent shall be organized as
21 prescribed by the Secretary of National Defense, upon the recommendation of the CSAFP.

22
23 (c) Development. - The Academy shall determine its teaching, manpower, curriculum,
24 research and extension thrusts, plans and programs, standards and budget.

25
26 (d) Cadet Corps. - The student body of the Academy shall be known as the Cadet Corps
27 Armed Forces of the Philippines (CCAFP) and shall have such strength, as the Secretary of
28 National Defense shall determine, upon the recommendation of the CSAFP.

29
30 (e) Academic Board. - There shall be an Academic Board organized by the
31 Superintendent. The Board shall, in accordance with the rules and regulations prescribed by
32 the CSAFP, have the power to confer baccalaureate degrees upon the cadets who
33 satisfactorily complete the approved course of study.

34
35 (f) The Superintendent shall serve for a minimum term of 2 years and maximum of 3
36 years unless otherwise promoted to the next higher position and without prejudice to
37 compulsory retirement age as provided in this Act: *Provided*, That no Officer shall be
38 appointed as Superintendent if that officer has less than two (2) years remaining in the active
39 service: *Provided further*, That the Superintendent may be removed by the President as
40 Commander in Chief at any time before the end of the term of 3 years.

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

6 **Section 52. Authority to Establish Other Military Training Institutions.** - The
7 President, upon the recommendation of the CSAFP through the Secretary of National
8 Defense, is hereby authorized to establish other military training academies and institutions
9 in the AFP.
10

11 **B. RECRUITMENT, PROMOTION AND CAREER DEVELOPMENT**
12 **Chapter 1 - Commissioned Officers**
13

14 **Section 53. Qualifications.** - All persons commissioned as officers in the Regular Force
15 shall be natural-born citizens of the Philippines, of legal age, of good moral character,
16 physically and mentally qualified for active military service, and shall have such other
17 qualifications as may be prescribed by the Secretary of National Defense.
18

19 **Section 54. Appointments in the Regular Force.** - (a) Officers shall be permanently
20 appointed by the President in the Regular Force in accordance with the provisions of the
21 Constitution.
22

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

27 **Section 55. Revocation of Commission.** - The commission of an officer may be revoked
28 by the President at any time, upon the recommendation of the Secretary of National Defense
29 when found not fully qualified for such commission or who lacks any of the qualifications
30 prescribed by law or regulation.
31

32 **Section 56. Officer Grade Distribution.** - The Secretary of National Defense shall
33 prescribe the authorized number of officers in the Regular Force in each grade in each
34 Component Service in accordance with the Table of Organization and Equipment.
35

36 **Section 57. Distribution of General/Flag Officers.** - The number of general/flag
37 officers herein authorized shall be distributed to the various general/flag officer grades by the
38 Secretary of National Defense based on the recommendation of the CSAFP in accordance with
39 the Table of Organization and Equipment.

1 **Section 58. Tour of Duty in Key Positions.** - No officers with less than 1 year remaining
2 active service shall be designated to positions requiring the rank of Brigadier
3 General/Commodore or higher.
4

5 **Section 59. AFP Promotion System.** - (a) The AFP Promotion System shall be governed
6 by the principle that as officers are promoted from one grade to the next higher grade, the
7 criteria of competence, merit and potentials are the primary consideration.
8

9 (b) The AFP Promotion System shall be the primary means by which the AFP shall
10 periodically evaluate and assess its ranks of officers and shall institutionalize and continue to
11 implement an efficient process of selection for promotion, as well as for attrition of officers
12 as prescribed by the Secretary of National Defense.
13

14 (c) The AFP Promotion System shall be governed by a management system with a view
15 of ensuring smooth succession in the filling of vacancies in key positions as and when these
16 occur.
17

18 (d) The Secretary of National Defense shall prescribe the seniority and promotional
19 lineal list of the AFP.
20

21 **Section 60. Promotion to General/Flag Officer Grades.** - No officer shall be promoted
22 to the rank of Brigadier General/Commodore or higher unless there is an existing vacancy and
23 the officer is occupying a position in the Table of Organization and Equipment that requires
24 the rank for which he is being considered for promotion or assignment.
25

26 **Section 61. Maximum Tenure in Rank.** - The maximum tenure of officers in the ranks
27 of Colonel/Captain and General/Flag Officer in the AFP are hereby prescribed as follows:
28

29	Colonel/Captain	8 years
30	Brigadier General/Commodore	4 years
31	Major General/Rear Admiral	3 years
32	Lieutenant General/Vice Admiral	3 years
33	General/Admiral	3 years
34		

35 Unless earlier separated or retired or promoted to the next higher rank or occupying
36 a position calling for the ranks of higher grade in the AFP TO&E, Colonels/Captains and
37 Generals/Flag Officers shall be compulsorily retired upon the attainment of the maximum
38 tenure in rank herein prescribed, or upon reaching the age of compulsory retirement,
39 whichever is earlier, except for those, who may be allowed by the President to finish tenure
40 in position as recommended by the Secretary of National Defense.
41

Section 62. Determination and Allocation of Key Positions. - The Secretary of the Department of National Defense upon the recommendation of the CSAFP shall determine and allocate the number of key positions among the component services, headquarters and support units of the AFP based on the technical nature of the organization, position, task, scope and area of responsibilities, equipage, prevailing Defense Condition and other considerations as the exigencies of the service may require.

Chapter 2 - Warrant Officers

Section 63. *Qualifications for Appointment.* - Any natural born citizen of the Philippines, of legal age, physically and mentally fit for military service, of good moral character, and possessed of such educational attainments and specialized skills or expertise as may be prescribed by the Secretary of National Defense, may be appointed in the Regular Force.

Section 64. *Appointments in the Regular Force.* - Warrant Officers shall be appointed by the Secretary of National Defense.

Section 65. Revocation of Appointment. - The appointment of an officer, who is found not fully qualified for such appointment or who lacks any of the qualifications prescribed by law or regulation may be revoked by the Secretary of National Defense at any time, upon the recommendation of the CSAFP.

Section 66. Warrant Officer Management. - The Secretary of National Defense shall prescribe the special career management, employment, grades, rank and authorized number of warrant officers in the Regular Force in each grade in each Component Service in accordance with the operational and organizational needs of the AFP.

Chapter 3 - Enlisted Personnel

Section 67. Qualifications for Enlistment. - Any natural born citizen of the Philippines, of legal age, physically and mentally fit for military service, of good moral character, and possessed of such educational attainments as may be prescribed by the Secretary of National Defense, may be enlisted in the Regular Force under the following restrictions:

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

1 b. Enlistments for service shall be apportioned among the various provinces of the
2 Philippines, as far as practicable, provided that qualifications for competency as prescribed
3 shall be observed; and
4

5 c. Re-enlistment in the Regular Force shall be prescribed by the Secretary of National
6 Defense.
7

8 **Section 68. Enlisted Ranks.** - The ranks of enlisted personnel in the AFP shall be in
9 accordance with the guidelines set forth by the CSAFP. The total number of enlisted personnel
10 in the enlisted ranks and non-commissioned officer grades shall be prescribed by the CSAFP
11 in accordance with the number of authorized positions in the approved Table of Organization
12 & Equipment.
13

14 **Section 69. Enlistment and Career Development of Enlisted Personnel System.** - The
15 Secretary of National Defense shall, upon the recommendation of the CSAFP, prescribe the
16 guidelines, which shall govern the procurement, enlistment, training, promotion and
17 discharge or separation of all enlisted personnel in the AFP.
18

19 **Section 70. Authority to Promote and Demote.** - The authority to promote and
20 demote Enlisted Personnel shall be prescribed by the CSAFP.
21

22 C. RETIREMENT AND SEPARATION 23

24 **Section 71. Retirement and Separation.** - Retirement, whether compulsory or
25 optional, and separation from military service, shall conform with existing laws, rules and
26 regulations without prejudice to the provisions of this Act.
27

28 **Section 72. Recall from Retirement.** - An Officer, Warrant Officer or Enlisted Personnel
29 who retired from the active service, may be recalled to active duty by the President during
30 national mobilization and shall be subject to the Articles of War. They shall be recalled in the
31 last permanent rank held before retirement.
32

33 **Section 73. Retirement and Separation Benefits.** - Congress shall allocate funds for
34 the retirement and separation benefits as according to existing laws, rules and regulations.
35

36 **Section 74. Attrition System.** - (a) The attrition system for Officers shall be prescribed
37 by the President as recommended by the Secretary of National Defense.
38

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

1 **Section 75. *Effect of Loss of Filipino Citizenship.*** - Pursuant to existing laws, any retired
2 military personnel, receiving retirement and pension benefits pursuant to the provisions of
3 this Act, who loses his/her Filipino citizenship shall no longer be entitled to receive pension
4 and retirement benefits. The survivors of any retired military personnel who lose his Filipino
5 citizenship shall no longer be entitled to receive survivorship benefits.

6 7 **D. ADMINISTRATION OF MILITARY JUSTICE SYSTEM** 8

9 **Section 76. *Military Justice.*** - (a) Except as otherwise provided in this Act,
10 enforcement of discipline and military justice shall be governed by applicable laws and
11 administrative issuances as prescribed by the President upon recommendation of the
12 Secretary of National Defense.

13
14 (b) There shall be reduction in grade, demotion of rank, suspension of active service,
15 and forfeiture, suspension, or withholding of pay and allowances of Officers, except those
16 ranks confirmed by Commission on Appointments, found administratively liable. The
17 procedure, extent or system of which shall be prescribed by the President as recommended
18 by the Secretary of National Defense.

19
20 (c) Procedure, extent or system of reduction in grade, demotion of rank, suspension
21 of active service, and forfeiture, suspension or withholding of pay and allowances of Warrant
22 Officers and Enlisted Personnel found administratively liable shall be prescribed by the
23 Secretary of National Defense as recommended by the CSAFP.

24 25 **E. LEGAL ASSISTANCE** 26

27 **Section 77. *Extension of Legal Assistance.*** - All military personnel charged of service-
28 related or service-connected administrative, civil or criminal offenses, upon approval of their
29 Chiefs of Component Services, shall be provided adequate legal representation and assistance
30 by military lawyers or counsel of their own choice until conclusion of the case. Reasonable
31 allocation can be charged against the fund of component service to support such case.

32 33 **ARTICLE III - THE RESERVE FORCE** 34 **Chapter 1 - GENERAL PROVISIONS** 35

36 **Section 78. *Mandatory Military Service.*** - In relation to the patriotic duty of every
37 citizen to defend the country when obliged to preserve and protect sovereignty, every
38 Filipino, natural-born or naturalized shall be subject to basic, suitable and sufficient military
39 training and education for a minimum of two (2) years mandatory military service.
40

1 **Section 79. Purpose.** - The purpose of the Reserve Force is to provide the base for the
2 expansion of the AFP in the event of disaster, internal disorder and invasion.

3
4 **Section 80. Organization of the Reserve Force.** - The organization of the Reserve Force
5 shall conform to projected and actual needs as determined by the Secretary of National
6 Defense upon the approval by the President. The Table of Organization and Equipment of the
7 Reserve Force shall be prescribed by the Secretary of National Defense upon
8 recommendation of the CSAFP.

9 10 **Chapter 2 - Composition of the Reserve Force**

11
12 **Section 81. Composition.** - The Reserve Force shall have three (3) components,
13 namely:

- 14
15 a. The Army Reserve Component;
16 b. The Air Force Reserve Component; and
17 c. The Navy Reserve Component.

18
19 **Section 82. Affiliated Reserve Units.** - Affiliated Reserve Units (ARUS) are private and
20 government entities, corporations, establishments and organizations at the national,
21 provincial, city and municipal levels which provide essential public and strategic services
22 necessary to support the prosecution of national defense plans or to meet an emergency.
23 ARUS shall belong to any of the Reserve Force Components.

24
25 **Section 83. Call to Active Duty of the Reserve Force.** - Reservists may be called to
26 active duty for training and/or deployment as prescribed by the CSAFP as approved by the
27 Secretary of National Defense.

28 29 **TITLE III**

30 **OTHER BUREAUS AND AGENCIES UNDER THE DEPARTMENT**

31 **ARTICLE I - GENERAL PROVISIONS**

32
33 **Section 84. Supervision and Control.** - The Secretary of National Defense shall exercise
34 supervision and control over the bureaus and agencies under this Title, as well as its
35 personnel.

36
37 **Section 85. Organization.** - (a) Unless otherwise provided by law, the organization,
38 functions, duties and responsibilities of the staff and operating units of each of the bureaus
39 and agencies under the Department shall be as prescribed by the Secretary of National
40 Defense in appropriate rules and regulations issued for the purpose.

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

- 3
- 4 1. Establish and organize staffs, offices and units in the bureaus or agencies and
5 prescribe the titles, powers, functions and duties of the positions therein;
6
- 7 2. Abolish existing staffs, offices and units in the bureaus or agencies not specifically
8 provided by law, or transfer or consolidate their functions and duties with other
9 staffs, offices or units; and
10
- 11 3. Abolish a position of any bureau or agency and transfer or consolidate its functions
12 and duties with those of another position.
13

14 **Section 86. *Separation Benefits of Officials and Employees of Affected Bureaus or***
15 ***Agencies.*** - Government employees displaced or separated from the service as a result of the
16 restructuring pursuant to this Act shall be entitled to a separation pay and other benefits in
17 accordance with existing laws, rules or regulations.
18

19 **ARTICLE II**
20 **THE GOVERNMENT ARSENAL**
21

22 **Section 87. *Mandate.*** - The Government Arsenal shall develop, operate, maintain and
23 secure facilities for the manufacture of weapons, munitions and other defense materiel to
24 support the requirements of the AFP, Philippine National Police (PNP) and other law
25 enforcement agencies, and, to sell and export products in excess of the local demand.
26

27 **Section 88. *Power and Functions.*** - The Government Arsenal shall have the following
28 powers and functions:

29 a. Formulate and implement plans and programs towards the achievement of self-
30 sufficiency in weapons, small arms ammunition, mortars, medium and large caliber
31 ammunition and other munitions needed by the country's defense and security
32 establishments;
33

34 b. Design, conduct research, develop, manufacture, procure, repair, stockpile and
35 allocate weapons, munitions and other defense materiel subject to existing laws and
36 regulatory requirements;
37

38 c. Sell and export products in excess of the requirements of the AFP and other law
39 enforcement agencies, subject to existing laws;
40

1 d. Devise ways and means for the efficient mobilization of civilian/private industry to
2 augment its production for use of the defense and security forces; and
3

4 e. Establish, secure and operate government defense manufacturing plants, as
5 necessary, in strategic locations within the country.
6

7 **Section 89. *Organization and Administration.*** - The Government Arsenal shall be
8 headed by a Director with one or more Assistant Directors who shall support the Director in
9 the administration, manufacturing operations and other affairs of the bureau, all of whom
10 shall be appointed by the President upon the recommendation from the Secretary of National
11 Defense, and who shall have the relevant expertise, training and experience in the field of
12 munitions.
13

14 **Section 90. *Modernization of the Arsenal.*** - The modernization of the Government
15 Arsenal, for the development of production capabilities to enhance self-sufficiency in defense
16 requirements, shall be part of the defense modernization program. The Government Arsenal
17 may use such production facilities as it may own or be provided with under this Act or as it
18 may arrange, under joint venture, co-production or similar agreements with local and foreign
19 entities.
20

21 **ARTICLE III**

22 **NATIONAL DEFENSE UNIVERSITY OF THE PHILIPPINES**

23

24 **Section 91. *Transformation of the NDCP.*** - In view of the rapidly evolving national and
25 regional security environment, the current academic trends and research thrusts of defense
26 institutions in the Asia Pacific, and the increasing need for specialized defense and security
27 courses to enhance the academic foundation of promoting Philippine national security, The
28 National Defense College of the Philippines (NDCP) is hereby transformed into the National
29 Defense University of the Philippines (NDUP) categorized as a special higher education
30 institution. To ensure the continuous operation of the College, all its personnel and resources
31 shall be absorbed by the NDUP.
32

33 The degree programs, instruction, faculty complement, research, and facilities of the
34 NDUP shall be accredited by the Commission on Higher Education (CHED). The NDUP shall
35 likewise have adequate plantilla positions and receive appropriate funding to fulfill the
36 requirements of transforming into a defense university.
37

38 **Section 92. *Mandate.*** - In accordance with the standards set forth in pertinent laws
39 and regulations on higher education, the NDUP shall train and develop the competence of
40 potential national defense leaders, civilian officials of the different agencies and
41 instrumentalities of the Government, and selected executives from the private sector in the

1 formulation and review of national security policies and undertake research and studies as
2 basis for the formulation of national defense and security policies, plans and programs. The
3 NDUP shall be headed by a President, and assisted by an Executive Vice President, and four
4 (4) Vice-Presidents, all of whom shall be appointed by the President of the Philippines, upon
5 the recommendation of the Secretary of National Defense. The NDUP President shall have a
6 term of six (6) years.

7
8 **Section 93. Powers and Functions.** - The University shall have the following powers
9 and functions:

10
11 a. Confer the degree of Master in National Security Administration (MNSA) upon the
12 graduates thereof;

13
14 b. Develop and Confer other baccalaureate, master's, and doctorate degrees on
15 defense and security; and

16
17 c. Undertake policy research and special studies as well as policy formulation on
18 strategic defense and security issues.

19
20 **Section 94. Organization and Administration.** - (a) The NDUP President shall
21 administer the affairs of the University.

22
23 (b) The NDUP President shall be assisted by the Executive Vice President (EVP). The
24 EVP shall act as NDUP President in the absence or incapacity of the NDUP President, and shall
25 perform such other functions and duties as may be assigned to him by the NDUP President or
26 the Secretary of National Defense.

27
28 (c) There shall be a Vice-President for Academic Affairs, who shall be responsible for
29 the development, implementation, supervision and evaluation of academic programs, a Vice-
30 President for Strategic Studies and Policy Formulation, who shall be responsible for the
31 conduct and supervision of research and special studies and policy formulation and review
32 for the Department; a Vice-President for Military Affairs, who shall be responsible for the
33 overall military activities of the University, a Vice-President for Administration, who shall be
34 responsible for the overall administrative support to all the activities of the University and
35 such other officials as may be required by the University subject to the approval of the
36 Secretary of National Defense.

37
38 (d) The University shall have an Academic Board to assist the President discharge the
39 following functions:

40
41 1. Supervise the academic affairs of the University;

2. Recommend academic consultants, professors, lecturers, instructors, research assistants and other resource persons of the University; and
3. Recommend the courses of studies to be conducted by the University to accomplish its objectives.

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

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

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

Section 95. *Graduates of the Regular Course of the University.* - All graduates of the University shall be conferred the degree of Master in National Security Administration (MNSA). Civilian graduates of the MNSA program shall receive an initial rank of Lieutenant Colonel/Commander in the Reserve Force subject to existing AFP regulations. The MNSA or its equivalent in military career development course shall be required for appointment or designation to key positions and promotion of AFP officers to the grade of O-7 (Brigadier General/Commodore).

Section 96. *Transition.* - The SND shall determine the appropriate transition period for NDCP to attain the status and competency of becoming a university. Further, Congress shall allocate the necessary funds for the transformation of NDCP to NDUP.

ARTICLE IV OFFICE OF CIVIL DEFENSE

Section 97. *Mandate.* - The Office of Civil Defense (OCD) shall have the primary mission of administering a comprehensive national civil defense and disaster risk reduction and management program during local and national emergencies by providing leadership in the continuous development of strategic and systematic approaches as well as measures to reduce the vulnerabilities and risks to hazards and manage the consequences of disasters.

1 **Section 98. Powers and Functions.** - The Office shall have the following powers and
2 functions:

3 a. Establish and administer a comprehensive national civil defense and civil assistance
4 program to include the allocation to agencies and local government units such aid and funds
5 as may be made available by the national government, assisting governments, and
6 international and local organizations;

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

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

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

19
20 e. Prepare and disseminate disaster control manuals and other publications related to
21 measures on disaster prevention and mitigation, preparedness, response and rehabilitation
22 and recovery;

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

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

31
32 h. Furnish guidance to the various provinces, cities and municipalities in the planning,
33 accreditation, organization and operation of their civil defense organizations; and

34
35 i. Perform such other civil defense functions as may be provided by law.
36

37 **Section 99. Organization.** - The Office of Civil Defense shall be headed by an
38 Administrator who shall also serve as Executive Director of the National Disaster Risk
39 Reduction and Management Council and, as such, shall have the same duties and privileges
40 of a department undersecretary. It shall operate under a duly approved organization and
41 staffing as recommended by the Secretary of National Defense.

1
2 **ARTICLE V PHILIPPINE VETERANS AFFAIRS OFFICE**

3 **Section 100. *Mandate.*** - The Philippine Veterans Affairs Office shall be the
4 government agency responsible for administering the benefits due to veterans, their heirs
5 and beneficiaries and shall provide medical care and treatment to veterans pursuant to
6 existing laws. It shall also administer, maintain and develop military memorials and battle
7 monuments proclaimed as national shrines.

8
9 **Section 101. *Powers and Functions.*** - The Office shall have the following powers and
10 functions:

11
12 a. Formulate and promulgate, subject to the approval of the Secretary of National
13 Defense, policies, rules and regulations governing the adjudication and administration of
14 veterans claims and benefits;

15
16 b. Adjudicate and administer benefits, pensions and other privileges granted to
17 veterans, their heirs and beneficiaries;

18
19 c. Provide medical care and treatment to veterans pursuant to existing law;

20
21 d. Administer, develop and maintain military memorials and battle monuments
22 proclaimed as national shrines; and

23
24 e. Perform such other functions as may be provided by law.

25
26 **Section 102. *Organization.*** - The Philippine Veterans Affairs Office shall be headed by
27 an Administrator who may be assisted by one or more Deputy Administrators, all of whom
28 shall be appointed by the President upon the recommendation of the Secretary of National
29 Defense. It shall have such staff and other operating units as may be prescribed by the
30 Secretary of National Defense.

31
32 **FINAL PROVISIONS**

33
34 **Section 103. *Implementing Rules and Regulations.*** - The DND shall formulate the
35 Implementing Rules and Regulations (IRR) for proper implementation of this Act within twelve
36 (12) months from the effectivity hereof. The said rules and regulations shall be approved by
37 the President of the Philippines.

38
39 **Section 104. *Appropriations.*** - The amount necessary to carry out the provisions of
40 this Act is hereby appropriated in the General Appropriations Act of the year following its

1 enactment into law. Thereafter, such sums as may be necessary for its continued
2 implementation shall be included in the annual General Appropriations Act.

3 **Section 105. *Separability Clause.*** - If any part or provision of this Act is held invalid or
4 unconstitutional, other provisions not affected thereby shall remain in force and effect.

5
6 **Section 106. *Repealing Clause.*** - All laws, Executive Orders, Presidential Decrees, rules
7 and regulations inconsistent herewith are deemed modified and repealed accordingly. All
8 affected provisions of existing laws are deemed effective until such promulgation of the IRR.

9
10 **Section 107. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days upon its
11 complete publication in the Official Gazette or in at least two (2) newspapers of general
12 circulation, whichever comes first.

13
14 Approved,