

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES
H. No. 2174



Introduced by Representative Raul C. Tupas

AN ACT MANDATING THE INSTITUTIONALIZATION, DEVELOPMENT, TRAINING, ORGANIZATION AND ADMINISTRATION OF BASIC RESERVE OFFICERS' TRAINING CORPS (ROTC) IN GRADES 11 AND 12 IN PUBLIC AND PRIVATE EDUCATIONAL INSTITUTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7077, OTHERWISE KNOWN AS THE "CITIZEN ARMED FORCES OF THE PHILIPPINES RESERVIST ACT", AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Section 4 of Article II of the 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."*

This constitutional provision upholds that the defense of the State is primarily the duty of both the government and its people. It shall be the responsibility of every Filipino to defend the security, freedom and independence of the Philippine Republic by rendering personal, military or civil service. Accordingly, Republic Act No. 7077, otherwise known as the *"Armed Forces of the Philippines Reservist Act"* mandated the military training for students enrolled in colleges, universities and similar learning institutions and established the Reserves Officers' Training Corps (ROTC) course as a requirement in acquiring a baccalaureate degree.

The enactment of Republic Act No. 9163, otherwise known as the *"National Service Training Program of 2001"*, made the Reserve Officers' Training Corps (ROTC) optional among male college students and this resulted to the decrease in number of those pursuing military training. At present, there is an increasing concern about the sustainability of the Armed Forces of the Philippines (AFP) reserve manpower supply and the capacity of the government to respond to any national security threat or national emergency, not to mention our country's stake in the West Philippine Sea.

This bill seeks to provide for the restoration of mandatory military training for all Grade 11 and Grade 12 students in all public and private educational institutions. The two (2)-year Basic ROTC program for students enrolled in Grades 11 and 12 shall form part of the basic curricula for the Senior High School Education in pursuance to the provisions of the National Defense Act

and the 1987 Constitution, with the objective of producing well-trained and prepared reservists for military and civic service.

Hence, early approval of this bill is earnestly sought,

A handwritten signature in black ink, appearing to read 'R. C. Tupas', is positioned above the printed name.

RAUL "BOBOY" C. TUPAS

HOUSE OF REPRESENTATIVES
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Introduced by **Representative Raul C. Tupas**

AN ACT
MANDATING THE INSTITUTIONALIZATION, DEVELOPMENT,
TRAINING, ORGANIZATION AND ADMINISTRATION OF BASIC
RESERVE OFFICERS' TRAINING CORPS (ROTC) IN GRADES 11
AND 12 IN PUBLIC AND PRIVATE EDUCATIONAL INSTITUTIONS,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7077,
OTHERWISE KNOWN AS THE "CITIZEN ARMED FORCES OF THE
PHILIPPINES RESERVIST ACT", AND APPROPRIATING FUNDS
THEREFOR

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

1 **SECTION 1.** *Short Title.* - This Act shall be known as the "Reserve
2 Officers' Training Corps (ROTC) Act".
3

4 **SECTION 2.** *Declaration of Constitutional Policy.* - The prime duty of the
5 government is to serve and protect the people. The government may call
6 upon the people to defend the State and, in the fulfillment thereof, all
7 citizens may be required, under conditions provided by law, to render
8 personal military or civil service. In the same manner, the State
9 recognizes the vital role of the youth in nation-building, and shall promote
10 civic consciousness among the youth and shall develop their physical,
11 moral, spiritual, intellectual and social well-being. It shall inculcate in the
12 youth patriotism, nationalism, and encourage involvement in public and
13 civic affairs.
14

15 Towards this end, the State shall enhance the capacity of the nation
16 to produce the needed manpower and to expand its human resources in
17 times of war, calamities, and disasters, national or local emergencies, and
18 in support to the government's law enforcement strategy against crimes,
19 by creating a pool of trained reservists.
20

21 **SECTION 3.** *Coverage.* - The conduct of military training under the ROTC
22 shall apply to all students in Grades 11 and 12 in all senior high schools in
23 public and private educational institutions.
24

1 **SECTION 4. Establishment of ROTC Program in All Public and Private**
2 **Educational Institutions. —**

- 3
- 4 a) There is hereby established a mandatory two (2)-year Basic ROTC
5 program for students enrolled in Grades 11 and 12 which shall form
6 part of the basic curricula for the Senior High School Education in
7 public and private educational institutions in pursuance to the
8 provisions of the National Defense Act and the 1987 Constitution,
9 with the objective of producing well-trained and prepared reservists
10 for military and civic service. The ROTC training is aimed to instill
11 patriotism, love of country, moral and spiritual virtues, respect for
12 human rights and adherence to the Constitution. In no way shall the
13 ROTC be used for political aims, to teach and instill a particular
14 ideology and as a mechanism for hazing and abuse.
- 15
- 16 b) The ROTC shall include the following program of instruction:
- 17
- 18 1. Enhancing the students' consciousness in the ethics of service,
19 patriotism and nationalism, respect for human rights,
20 appreciation of the role of national heroes in the historical
21 development of the country, strengthen ethical and spiritual
22 values, develop personal discipline and leadership, and to
23 encourage creative thinking for scientific and technological
24 development.
- 25
- 26 2. Basic military training for students in order to motivate, train,
27 organize and utilize for national defense preparedness or civil-
28 military operations: *Provided*, That no students below the age
29 eighteen (18) shall take a direct part in hostilities.
- 30
- 31 3. Civic training for students in order to be active participants and
32 volunteers for the development and improvement of health,
33 education, ecology and environmental 49 protection, disaster
34 risk reduction and management, human and civil rights
35 awareness, and law enforcement.
- 36
- 37 c) Any student who fails to undergo the mandatory Basic ROTC in
38 accordance with this Act shall not be qualified for graduation. In
39 addition, thereto, the non-taking of Basic ROTC by any student shall
40 be a ground for Compulsory Military Training in pursuance to Section
41 14 of Republic Act No. 7077. Any educational institution that fails to
42 institute and implement the ROTC Program in pursuance to this Act
43 shall be subject to disciplinary and administrative sanctions as the
44 Department of Education (DepEd), Commission on Higher Education
45 (CHED), and Technical Education and Skills Development Authority
46 (TESDA) may impose.

1 d) Guided by the provision of Section 4 (b) hereof, the Department of
2 National Defense (DND), DepEd, and TESDA, in consultation with
3 other relevant government agencies and private stakeholders as the
4 Secretary of National Defense may determine, shall design and
5 formulate the Program of Instruction (POI) on the Basic ROTC
6 program in Grades 11 and 12, within sixty (60) days from the approval
7 of this Act and shall jointly issue the implementing rules and
8 regulations for the effective implementation of the provisions of this
9 Act.

10
11 **SECTION 5.** *Students Exempted from this Act.* - The following may be
12 exempted from the coverage of this Act:

- 13
14 a) Those who are physically or psychologically unfit, as certified by the
15 Armed Forces of the Philippines (AFP) Surgeon General or his
16 authorized medical officer, in pursuance to the recommendation of
17 the educational institutions where the concerned student is enrolled;
18
19 b) Those who have undergone or are undergoing similar military
20 training;
21
22 c) Those who were chosen by their school to serve as the school's
23 varsity players in sports competitions; and
24
25 d) Those who may be exempted from training for valid reasons as
26 approved by the DND, upon recommendation by any educational
27 institution where the concerned student is enrolled.

28
29 **SECTION 6.** *Acceptance for Advance ROTC.* — Students who volunteer
30 for Advance ROTC Program in universities, colleges, vocational schools
31 and other tertiary institutions shall be governed by Section 40 of Republic
32 Act No. 7077, or the Citizen Armed Forces of the Philippines Reservist
33 Act. The provisions of Section 42 and 43 of Republic Act No. 7077 in terms
34 of training, uniforms and supplies, and the scholarship incentive shall
35 remain effective and applicable for those accepted in the Advance ROTC
36 course.

37
38 **SECTION 7.** *Organization, Operation and Maintenance of ROTC Units.* -
39 The organization, operation and maintenance for the establishment of
40 ROTC shall be in accordance with Sections 41 and 42 of Republic Act No.
41 7077 which shall remain effective and operative unless inconsistent with
42 this Act. The Secretary of National Defense, in consultation with the
43 DepEd and TESDA, shall prescribe the organizational and operational
44 manual of ROTC units in public and private educational institutions for
45 Grades 11 and 12: *Provided*, That such educational institutions shall be
46 required to provide an adequate office for the ROTC administrative staff
47 assigned thereat.

1 The AFP shall create an office dedicated to the supervision and
2 administration of the ROTC Program within the Reserve Commands of
3 the AFP in coordination with the DepEd and TESDA.

4
5 **SECTION 8.** *Incentives for Undergoing the ROTC Program.* -
6

- 7 a) Subject to other requirements prescribed by rules and regulations,
8 graduates of Basic ROTC shall be eligible for commissionship/
9 lateral entry and enlistment in the AFP, Philippine National Police
10 (PNP), Philippine Coast Guard (PCG), Bureau of Jail Management
11 and Penology (BJMP), and Bureau of Fire Protection (BFP) unless
12 a waiver is issued by the Department Secretaries of the
13 aforementioned military and civilian armed forces.
14
15 b) Students undergoing Basic ROTC and those accepted in the
16 ROTC Advance Course shall be provided with free hospitalization
17 in any government hospital in case of accident or injury during the
18 training. Mandatory insurance for students undergoing ROTC
19 shall be provided by the school where the students are enrolled.
20
21 c) Students undergoing Basic and Advance ROTC shall be given
22 access and privileges with any AFP Commissary and PX Stores
23 nationwide. The Chief of Staff of the AFP shall issue the necessary
24 regulations for the implementation of this privilege.
25

26 **SECTION 9.** *The ROTC Grievance Board.* - There shall be created a
27 Reserve Officers' Training Corps (ROTC) Grievance Board composed of
28 one (1) representative from the Department of National Defense and two
29 (2) representatives from the Department of Education with the more senior
30 representative from the Department of Education as chairperson. These
31 representatives shall be appointed for their known integrity, probity, and
32 independence.
33

34 The ROTC Grievance Board shall have the following powers:
35

- 36 a) Investigate and resolve any and all complaints, in any form,
37 involving corruption and abuse, in any form, in the ROTC Program;
38
39 b) Ensure that the ROTC Program be free from politicization and from
40 being used to instill a particular ideology; and
41
42 c) Recommend policies and reforms to ensure adherence of the
43 ROTC Program to the Constitution and all laws penalizing abuse in
44 any form.
45

46 All decisions of the ROTC Grievance Board shall be appealable to the
47 Office of the President.
48

1 **SECTION 10. *Liability of the Educational Institution.*** - The instructor or
2 faculty-in-charge of the ROTC shall be responsible for monitoring the
3 activities involved in the ROTC. The instructor or the faculty-in-charge
4 must be a duly recognized active member, in good standing, of the faculty
5 at the school in which the ROTC course is being implemented.

6 The school or the university and its administrators shall exercise
7 special parental authority and supervise the implementation of the ROTC.
8

9 In case of violation of any of the provisions of this Act and other
10 related laws, the instructor or faculty-in-charge and the school or
11 university and its officials shall be responsible and liable for any damage
12 or injury caused to a student.
13

14 **SECTION 11. *Funding.*** - The funding requirement to implement the
15 establishment, maintenance and operations of the ROTC Program shall
16 be included in the budget of the implementing agencies/ departments in
17 the annual General Appropriations Act.
18

19 **SECTION 12. *Separability Clause.*** - If any provision of this Act is held
20 invalid or unconstitutional, the other provisions not so declared shall
21 remain in force and effect.
22

23 **SECTION 13. *Repealing Clause.*** - Pertinent provisions of Republic Act
24 No. 7077, or the "Citizen Armed Forces of the Philippines Reservist Act",
25 and all other laws, decrees, executive orders and rules and regulations
26 contrary to or inconsistent with the provisions of this Act are hereby
27 repealed or amended accordingly.
28

29 **SECTION 14. *Effectivity.*** - This Act shall take effect fifteen (15) days after
30 its publication in the Official Gazette or in a newspaper of general
31 circulation.
32

33 Approved,