

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4308



Introduced by Representative Rex Gatchalian

AN ACT
REINSTITUTING MANDATORY BASIC RESERVE OFFICERS TRAINING CORPS (ROTC) IN ALL PUBLIC AND PRIVATE COLLEGES, UNIVERSITIES AND SIMILAR INSTITUTIONS OF LEARNING, FURTHER AMENDING REPUBLIC ACT NO. 7077, OTHERWISE KNOWN AS THE "CITIZEN ARMED FORCE OR ARMED FORCES OF THE PHILIPPINES RESERVIST ACT", AS AMENDED BY REPUBLIC ACT NO. 9163, OTHERWISE KNOWN AS THE "NATIONAL SERVICE TRAINING PROGRAM" AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

In the Declaration of Principles and State Policies, our Constitution states that the government may call upon the people to defend the State and, in the fulfillment thereof, all citizens may be required, under conditions required by law, to render personal military or civil service. At the same time, the State recognizes the vital role of the youth in nation-building and seeks to promote and protect their physical, moral, spiritual, intellectual and social well-being. It also seeks to inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

Pursuant to these principles, this bill is being filed to reinstitute the mandatory two (2) year basic Reserved Officers Training Corps (ROTC) program for students enrolled in all public and private colleges, universities, and similar institutions of learning. Since the mandatory ROTC program was removed as a pre-requisite for graduation, the Association of Generals and Flag Officers, Inc. opined that, *"the present National Service Training Program that became the alternative program for the ROTC, are deemed insufficient to inculcate the values of discipline and patriotism required and do not address the military training ideally required of every citizen."*

As it is the youth of today who will lead the nation in the future, it is vital for the nation to instill in them the importance of discipline. Discipline is a foundational attribute necessary to succeed in any endeavor, and this is doubly true in nation-building. The successful inculcation of this skill will determine whether they, as a generation, will hit the ground running or tap the snooze button every time the country is faced with challenges.

The reinstitution of the mandatory basic ROTC program for all students in colleges, universities, and similar institutions of learning will inculcate this kind of discipline in our youth through the enhancement of the values of leadership, camaraderie, and sacrifice for common objectives. The program will also be designed around the ideals of patriotism and nationalism, all while emphasizing respect for human rights and the strengthening of ethical and spiritual values. The ROTC program will also put a premium on disaster preparedness and capacity-building for risk-related situations – skills that become increasingly necessary as the country bears the brunt of climate change, among other internal and external threats.

To protect our youth from the abuses prevalent in ROTC programs of the past, the bill mandates the establishment of grievance committees that shall receive complaints or *motu proprio* conduct investigations on any complaint or allegation of abuse, violence or corruption in any educational institution implementing the basic ROTC program.

If done right, the standards of discipline, love for country, disaster preparedness and basic military training are valuable at any given time. This generation of Filipino youth thus stand to benefit immensely from this endeavor.

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



HON. REX GATCHALIAN
Representative
1st District, Valenzuela City

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AN ACT
REINSTITUTING MANDATORY BASIC RESERVE OFFICERS TRAINING CORPS
(ROTC) IN ALL PUBLIC AND PRIVATE COLLEGES, UNIVERSITIES AND
SIMILAR INSTITUTIONS OF LEARNING, FURTHER AMENDING REPUBLIC ACT
NO. 7077, OTHERWISE KNOWN AS THE "CITIZEN ARMED FORCE OR ARMED
FORCES OF THE PHILIPPINES RESERVIST ACT", AS AMENDED BY REPUBLIC
ACT NO. 9163, OTHERWISE KNOWN AS THE "NATIONAL SERVICE TRAINING
PROGRAM" AND APPROPRIATING FUNDS THEREFOR

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

1 SECTION 1. **Short Title.** – This Act shall be known as the “*Reserve Officers*
2 *Training Corps (ROTC) Reinstitution Act of 2022.*”
3

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

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

1 SEC. 3. **Definition of Terms.** - As used in this Act, the following terms are
2 defined as follows:

- 3
- 4 a. *Advance Reserve Officers' Training Corps (ROTC)* refers to the optional
5 and enhanced two (2)-year ROTC course after the completion of basic
6 ROTC offered in colleges, universities, and similar institutions of
7 learning.
- 8
- 9 b. *Basic ROTC* refers to the mandatory two (2) year basic leadership and
10 military training program for students enrolled in colleges, universities
11 and similar institutions of learning.
- 12
- 13 c. *Clustered ROTC Unit* refers to two or more educational institutions that
14 are strategically grouped together for the purpose of holding ROTC
15 classes in one location.
- 16
- 17 d. *Grievance committee* refers to an independent body that is tasked to
18 investigate any complaint or allegation of abuse, violence or corruption
19 in any clustered ROTC unit or any educational institution
20 implementing the ROTC program.
- 21
- 22 e. *National grievance committee* refers to the appellate body that has
23 jurisdiction to hear appeals on the findings and recommendations of
24 any local grievance committee.
- 25
- 26 f. *Private educational institutions* refer to colleges, universities, and
27 similar institutions of learning maintained and administered by private
28 individuals or groups.
- 29
- 30 g. *Public educational institutions* refer to colleges, universities, and similar
31 institutions of learning that are established and administered by the
32 government.
- 33
- 34 h. *Registration* refers to the act of recording the name and other relevant
35 information of students who have completed the ROTC program on the
36 official list of ROTC graduates. *Provided, That the registration that is*

referred to under this Act shall not be construed as enlistment in the Armed Forces of the Philippines (AFP) Reserve or Regular Force.

- i. *Reserve force* refers to the organization of trained reservists under the command of the AFP who may be called for duty in the event of war, invasion or rebellion; to assist in relief and rescue during disaster or calamities; to assist in socioeconomic development; and to assist in the operation and maintenance of essential government or private utilities in the furtherance of overall mission.

SEC. 4. ***Coverage of this Act.*** – The conduct of basic military and leadership training under the ROTC shall apply to all students enrolled in colleges, universities and similar institutions of learning.

SEC. 5. ***Abolition of the National Service Training Program.*** – The National Service Training Program (NSTP) created under Section 4 of Republic Act No. 9163, otherwise known as the “National Service Training Program (NSTP) Act of 2001,” is hereby abolished.

SEC. 6. ***Reversion of the Special Scholarship Program Fund.*** – All unutilized funds under the Special Scholarship Program established by virtue of Section 9, of Republic Act No. 9163 shall revert to the respective general funds of the Commission on Higher Education (CHED) and Technical Education and Skills Development Authority.

SEC. 7. ***Reinstituting Mandatory Basic Reserve Officers’ Training Corps (ROTC) Program in all colleges, universities and similar institutions of learning.***

- (A) The mandatory two (2)-year basic ROTC program for all students enrolled in colleges, universities, and similar institutions of learning is hereby reinstituted. The basic ROTC program shall be a requirement for graduation and shall form part of the curricula of all public and private colleges, universities, and similar institutions of learning pursuant to the provisions of the National Defense Act, Revised Administrative Code of 1987, and the 1987 Constitution, with the

objective of producing well-trained and prepared reservists for military and civic service. The basic ROTC program is aimed to instill patriotism, love for country, moral and spiritual virtues, respect for human rights and adherence to the Constitution.

(B) The basic ROTC program, instituted as part of the curricula shall be administered in accordance with the following modules:

- (i) Enhancing the consciousness of students in the ethics of service, patriotism and nationalism, respect for human rights, appreciation of the role of national heroes in the historical development of the country, strengthen ethical and spiritual values, develop personal discipline and leadership and to encourage creative thinking for scientific and technological development;
- (ii) Basic military training for students in order to motivate, train, organize and utilize for national defense preparedness or civil-military operations: *Provided*, That no student below the age of eighteen (18) years shall take a direct part in hostilities;
- (iii) Civic training for students in order to be active participants and volunteers for the development and improvement of health, education, ecology and environmental protection, human and civil rights awareness and law enforcement; and
- (iv) Preparedness during actual disaster response operations on needs assessment, improved skills for search, rescue and relief operations, and early recovery activities. Integration of capacity-building activities revolving around risk-related situations in order for students to be proactive in lessening the socio-economic and environmental impacts of disasters including climate change. These capacity building activities will help build understanding and skills with the end in view of applying disaster risk reduction and management principles, concepts, and concrete action steps towards building resilience.

1
2 (C) Any student who fails to undergo the mandatory basic ROTC program
3 in accordance with this Act shall not be qualified for graduation. In
4 addition thereto, the failure to complete the basic ROTC program by
5 any student shall be a ground for Compulsory Military Registration and
6 Training pursuant to Section 14 of Republic Act No. 7077, otherwise
7 known as the "*Citizen Armed Force or Armed Forces of the Philippines*
8 *Reservist Act*".
9

10 (D) Guided by the provisions of Section 5(b) hereof, the Commission on
11 Higher Education (CHED) and the Department of National Defense
12 (DND), in consultation with other relevant government agencies and
13 private stakeholders as the Secretary of National Defense may
14 determine, shall design and formulate the Program of Instruction (POI)
15 on the Basic ROTC program in Grades 11 and 12.
16

17 SEC. 8. ***Students Exempted from this Act.*** – The following students are
18 exempted from the coverage of this Act:
19

20 (A) Those who are physically or psychologically unfit, as certified by the
21 AFP Surgeon General or his authorized medical officer, in pursuance to
22 the recommendation of the educational institution where the concerned
23 student is enrolled;
24

25 (B) Those who have undergone or are undergoing similar military training;
26

27 (C) Those who were chosen by their school to serve as varsity players in
28 sports competitions; and
29

30 (D) Those who may be exempted from training for valid reasons as
31 approved by the DND, upon recommendation by any educational
32 institution.
33

34 SEC. 9. ***Advance ROTC.*** – ROTC training in addition to the first two (2)
35 years of basic ROTC training shall continue to be known as advance ROTC. Advance
36 ROTC shall continue to be voluntary and optional.

1
2 The provisions of Section 42 and 43 of Republic Act No. 7077 in terms of
3 training, uniforms and supplies, and the scholarship incentive shall remain effective
4 and applicable for those accepted in the advance ROTC course. It shall be mandatory
5 for all public and private universities, college, and similar learning institutions to
6 offer and provide a training school for the advance ROTC program which shall have
7 a duration in accordance with the curriculum prescribed by the DND and the
8 Commission on Higher Education (CHED).

9
10 The DND, in coordination with the CHED, shall prescribe the curriculum for
11 Advance ROTC and the program of instruction in pursuance to the applicable
12 provisions of Republic Act No. 7077.

13
14 **SEC. 10. *Organization, Operation, and Maintenance of ROTC Units.*** –
15 The organization, operation and maintenance for the establishment of the Basic
16 ROTC Program shall be in accordance with Section 41 and Section 42 of Republic
17 Act No. 7077 which shall remain effective and operative unless inconsistent with this
18 Act. The Secretary of National Defense, in consultation with the CHED, shall
19 prescribe the organization and operational manual of ROTC units in public and
20 colleges, universities and similar educational institutions: *Provided*, That such
21 educational institutions shall be required to provide an adequate office for the ROTC
22 administrative staff assigned thereat.

23
24 The AFP shall create an office dedicated to the supervision and administration
25 of the Basic ROTC Program within the Reserve Commands of the AFP in coordination
26 with the CHED.

27
28 **SEC. 11. *Registration in the Reserve Force.*** – Pursuant to Section 14 of
29 Republic Act No. 7077, a student who has completed the Basic ROTC Program in
30 shall immediately be registered in the Reserve Force or upon reaching the legal age
31 if the student completes the Basic ROTC Program before reaching the age of majority.

32
33 **SEC. 12. *Guidelines to Safeguard Students of the Basic ROTC Program.***
34 – In order for the proper and effective implementation of the Basic ROTC Program,
35 the following policies shall be adopted to prevent the occurrence of hazing, corruption
36 and other forms of abuses:

- 1
- 2 (A) The Basic ROTC Program prohibits hazing as defined under Republic
- 3 Act No. 8049, otherwise known as "*An Act Regulating Hazing and Other*
- 4 *Forms of Initiation Rites in Fraternities, Sororities, And Other*
- 5 *Organizations and Providing Penalties Therefor*" as amended by
- 6 Republic Act No. 11053, otherwise known as the "*Anti-Hazing Act of*
- 7 *2018*" and as such, adopts the penalties for any act committed under
- 8 the provisions of the said law;
- 9
- 10 (B) Cognizant of the provisions under Republic Act No. 7610, otherwise
- 11 known as the "*Special Protection of Children Against Abuse, Exploitation*
- 12 *and Discrimination Act*", any physical, sexual or psychological abuse,
- 13 emotional maltreatment, or any act by deed which tends to degrade or
- 14 demean the dignity of a child/student is prohibited;
- 15
- 16 (C) In case of school officials or employees of public or government
- 17 educational institutions, who shall accept any gift from any student, or
- 18 from any parent or guardian of the student, or who shall commit other
- 19 practices contemplated under Republic Act No. 3019, otherwise known
- 20 as the "*Anti-Graft and Corrupt Practices Act*" and the Revised Penal Code
- 21 on Bribery and Corruption, the maximum penalty shall be imposed;
- 22 and
- 23
- 24 (D) The penalties provided under the Revised Penal Code for the Crimes of
- 25 Bribery and Corruption shall be imposed upon school officials or
- 26 employees of private educational institutions who shall accept directly
- 27 or indirectly, any gift, in cash or in kind, from any student, or from any
- 28 parent or guardian of the student in relation to or pertinent with the
- 29 conduct of the basic ROTC program.
- 30

31 SEC. 13. ***Establishment of Grievance Committees.*** –

32

- 33 (A) A grievance committee shall be formed from a cluster of educational
- 34 institutions that shall receive complaints or motu proprio conduct
- 35 investigations on any complaint or allegation of abuse, violence or

1 corruption in any educational institution implementing the basic ROTC
2 program.

3
4 (B) Every grievance committee shall be composed of three members, to be
5 chosen by the Secretary of National Defense and the Secretary of
6 Education: one (1) District Commandant from the DND, one (1)
7 representative from the CHED, and one (1) Legal Officer from the
8 CHED.

9
10 (C) The CHED and the DND shall formulate the manner by which the
11 educational institutions implementing the basic ROTC program shall
12 be clustered for the efficient resolution of grievances.

13
14 (D) The grievance committee shall function as an independent investigative
15 body, which shall formulate the recommendation to the proper
16 disciplinary authority that has jurisdiction over the respondent,
17 depending on whether he or she belongs to the military for which
18 purpose, the Articles of War shall be employed. Whereas, for school
19 officials or employees of public and private educational institutions, the
20 provisions of Republic Act No. 6713, otherwise known as the "*Code of*
21 *Conduct and Ethical Standards for Public Officials and Employees*" and
22 other relevant laws on the matter shall be applied. This is without
23 prejudice to administrative cases that may be filed pursuant to the Civil
24 Service rules for public officers and employees involved in the
25 complaint.

26
27 (E) Nothing herein shall prevent any person from filing directly with the
28 regular courts any incident of violation of Republic Act No. 11053.

29
30 SEC. 14. **Powers and Duties of the Grievance Committee.** – In view of the
31 laws providing protection for children, every grievance committee shall be pro-active
32 in its duty to:

33
34 (A) Encourage the reporting of any incident of hazing, violence, abuse and
35 corruption in every clustered ROTC unit;
36

- 1 (B) *Motu proprio* or upon a complaint filed by any person, investigate, any
2 act of hazing, violence, abuse and corruption in the clustered ROTC
3 unit;
4
- 5 (C) Issue preventive suspension orders against officers of the ROTC or any
6 school employee involved in the training within three (3) days: (1) upon
7 receipt of the complaint; or (2) after initiation of the *motu proprio*
8 investigation, to preclude him from exerting undue influence over the
9 complainant and impede the normal course of the investigation;
10
- 11 (D) Recommend the appropriate action for any offense committed in the
12 clustered ROTC unit to the proper disciplinary authority which has
13 jurisdiction over the respondent within fifteen (15) days upon receipt of
14 the complaint or after initiation of the *motu proprio* investigation;
15
- 16 (E) Monitor all complaints filed with the Committee and maintain an
17 updated record of the status of each case;
18
- 19 (F) Provide the parties of the complaint its findings and recommendations
20 within thirty (30) days upon receipt thereof;
21
- 22 (G) Promulgate rules and regulations necessary to carry out its objectives,
23 functions and disciplinary procedures; and
24
- 25 (H) Performs such other functions as may be provided by law.
26

27 SEC. 15. **National Grievance Committee.** – There is hereby established a
28 National Grievance Committee (NGC) composed of the Secretary of National Defense
29 or his or her permanent authorized representative, the Secretary of Education or his
30 or her permanent authorized representative, and the Secretary of Justice or his or
31 her permanent authorized representative.
32

33 The NGC shall receive appeals on petitions for review from the findings or
34 recommendation of any of the Grievance Committees. It shall provide the parties of
35 its decision within fifteen (15) days from the time of receipt of the petition. Any
36 resolution of the NGC shall be final.

1
2 SEC. 16. ***Incentive for Undergoing the ROTC Program.*** –
3

4 (A) Subject to other requirements that may be prescribed by rules and
5 regulations, graduates of the advance ROTC shall be eligible for
6 commissionship or lateral entry and enlistment in the AFP, Philippine
7 National Police, Philippine Coast Guard, Bureau of Jail Management
8 and Penology, and Bureau of Fire Protection unless a waiver is issued
9 by the Department Secretaries of the aforementioned military and
10 civilian armed forces.
11

12 (B) Students undergoing the basic ROTC program and those accepted in
13 the ROTC advance course shall be provided with free hospitalization in
14 any government hospital in case of accident or injury during the
15 training. Mandatory insurance for students undergoing ROTC shall be
16 provided by the school where the students are enrolled.
17

18 (C) Students undergoing the advance ROTC program shall be given access
19 and privileges with any AFP Commissary. The Chief of Staff of the AFP
20 shall issue the necessary regulations for the implementation of this
21 privilege.
22

23 SEC. 17. ***Classification of ROTC Students Below the age of Majority.*** –
24 Students under the age of eighteen (18) years old who are enrolled in the basic ROTC
25 program shall be recognized as civilians in law.
26

27 SEC. 18. ***Capacity Development and Enhancement Program for Basic***
28 ***ROTC Program Instructors.*** – There is hereby created and established a training
29 program for basic ROTC program instructors, to ensure that they meet the highest
30 physical and moral standards to teach and carry out the basic ROTC program. The
31 program shall be developed and administered under the guidance and tutelage of the
32 CHED and the DND.
33

34 A comprehensive training manual shall be developed for the conduct of these
35 trainings, incorporating among other things, gender-appropriate and child-sensitive
36 awareness, familiarity with relevant laws on the ROTC, Special Protection of

1 Children, other domestic laws and international obligations necessary and
2 appropriate to guaranty the integrity and the highest standard of moral scruple for
3 the implementers of the basic ROTC program.
4

5 SEC. 19. **Penal Provisions.** – Offenses committed by persons involved in or
6 in relation to the implementation of this Act shall be subject to penalties in
7 accordance with the applicable laws, rules and regulations. Students undergoing the
8 Basic ROTC Program must not be subjected to military law.
9

10 SEC. 20. **Transitory Provisions.** – In order to manage the initial
11 implementation of the mandatory basic ROTC program, the CHED and the DND
12 shall, within six (6) months from the effectivity of this Act, design, institute and
13 implement a pilot program.
14

15 The CHED and the DND shall jointly submit an annual review and evaluation
16 report to Congress on the implementation of the pilot program. Upon review and
17 approval by Congress, the framework utilized under the pilot program shall become
18 the standard for the full national implementation of the basic ROTC program.
19

20 SEC. 21. **Report to Congress.** – The CHED and the DND shall conduct a
21 mandatory review for the implementation of this Act and submit an assessment
22 report to Congress on its impact and effectiveness not later than two (2) years from
23 its effectivity.
24

25 SEC. 22. **Joint Congressional Oversight Committee.** – There is hereby
26 created a Joint Congressional Oversight Committee (JCOC) to oversee, monitor, and
27 evaluate the implementation of this Act. The JCOC shall be composed of five (5)
28 members each from the Senate and from the House of Representatives with the
29 Chairpersons of the Committees on Basic Education of both houses as Co-
30 Chairpersons. The Chairpersons of the Committees on National Defense and Security
31 shall likewise be designated as members of the JCOC. The Speaker of the House of
32 Representatives and the President of the Senate shall designate the other three (3)
33 members of the JCOC and the House and the Senate, respectively, from among the
34 members of the Committees on Basic Education, one (1) member of which shall be
35 from the minority.
36

1 SEC. 23. **Appropriations.** – The amount necessary for the implementation
2 of this Act shall be charged against those authorized in the current appropriations
3 of the CHED and the DND. Thereafter, the amount necessary for its continued
4 implementation shall be included in the annual General Appropriations Act.
5

6 SEC. 24. **Implementing Rules and Regulations (IRR).** – Within ninety (90)
7 days from the effectivity of this Act, the DepEd and the DND shall issue the rules
8 and regulations implementing its provisions. The Implementing Rules and
9 Regulations (IRR) issued pursuant to this section shall take effect thirty (30) days
10 after its publication in a newspaper of general circulation.
11

12 SEC. 25. **Separability Clause.** – If any provision of this Act is held invalid
13 or unconstitutional, the other provisions not so declared shall remain in force and
14 effect.
15

16 SEC. 26. **Repealing Clause.** – Republic Act No. 9135, Section 38 and Section
17 39 of Republic Act No. 7077, Section 4 of Republic Act No. 9163, and all other laws,
18 executive orders, presidential decrees, administrative orders, rules and regulations,
19 issuances, or parts thereof contrary to or inconsistent with any provisions of this Act
20 are hereby repealed or amended accordingly.
21

22 SEC. 27. **Effectivity Clause.** – Notwithstanding the non-issuance of the IRR,
23 this Act shall take effect fifteen (15) days after its publication in the Official Gazette
24 or in a newspaper of general circulation
25

26 Approved,