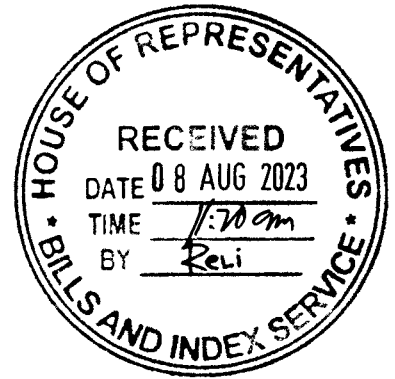


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
Second Regular Session

House Bill No. **8801**



INTRODUCED BY REPRESENTATIVES RALPH WENDEL P. TULFO,
JOCELYN P. TULFO, AND ERWIN T. TULFO

**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

With the ever-changing geopolitical landscape and emerging threats to national security, it is imperative to enhance the capability and efficiency of our defense apparatus to safeguard the sovereignty and territorial integrity of our nation.

This bill seeks to address evolving national security challenges and promote the modernization of the Department of National Defense (DND) and its various bureaus.

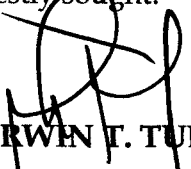
This proposed legislative measure further aims to enhance defense capabilities of the DND by allocating resources for the acquisition and development of state-of-the-art defense equipment and training facilities to strengthen the armed forces and enhance their operational readiness, promoting collaboration among the different branches of the armed forces to foster a unified approach to national defense, and improving human resources to ensure a high level of professionalism within the defense sector among others.

In view of the current and future security challenges, this bill aims to strengthen the nation's defense and ensure the protection of its citizens and territorial integrity through improved capabilities, increased collaboration, and responsible resource management.

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


RALPH WENDEL P. TULFO
Representative
2nd District of Quezon City


JOCELYN P. TULFO
Representative
ACT-CIS Partylist


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EDVIC G. YAP
Representative
ACT-CIS Partylist

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TRANSFORMATION OF THE DEPARTMENT OF NATIONAL DEFENSE AND ITS
BUREAUS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

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

SECTION 1. *Short Title.* – This Act shall be known as the “The National Defense Act of 2023”.

SEC. 2. *Declaration of Policy.* – The national defense policies of the Republic of the Philippines shall be as follows:

- (a) In defending the Philippines, the paramount consideration shall be national sovereignty, territorial integrity, national interest and the right to self-determination;
- (b) The preservation of the State is the obligation of every citizen. The security, freedom, and independence of the Philippines shall be guaranteed by the employment of all citizens, without distinction of age or sex, and all resources;
- (c) The national defense organization shall be adapted as closely as possible to the territorial and administrative organization of the Philippines;
- (d) The civil authority shall at all times be supreme over the military. The President of the Philippines as the Commander-in-Chief of all military forces shall be responsible that mobilization measures are prepared at all times;

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

3
4 (f) The mobilization shall include the execution of all measures necessary to pass from a
5 peace to a war footing or in any case of actual invasion or when public safety so requires
6 as well as during its transition to normalcy or rehabilitation;

7
8 (g) The mobilization plans of financial, industrial, economic, technological and social
9 resources of the Philippines shall conform to the provisions of the Constitution and shall
10 be prepared by the executive departments concerned in accordance with the following
11 general policies:

- 12
13 1. The respective responsibilities of the several executive departments in
14 mobilization planning will be prescribed by the President; and
15 2. Forces and resources shall be employed so as to ensure unity and continuity of
16 effort until normalcy has been attained; and
17

18 (h) No profit incident to war shall accrue to any individual, corporation, association or
19 partnership.
20

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

28 **ARTICLE I – NATIONAL DEFENSE COUNCIL**

29

30 **SEC. 4. *National Defense Council.*** – (a) The National Defense Council (NDC) chaired by the
31 President is composed of heads of the executive departments, past Presidents, past Chief
32 Justices of the Supreme Court, and other government officials and private citizens as the
33 President may appoint or delegate. It shall have a permanent staff which shall preserve a
34 documentary record of the Council's deliberations.

1
2 (b) The method of operation of the National Defense Council, its detailed duties, and its
3 rights to summon witnesses or consultants shall be fixed in executive orders to be issued by the
4 President. Funds for its operation shall be provided in the appropriations for the Executive
5 Department.
6

7
8 **TITLE I**
9 **DEPARTMENT OF NATIONAL DEFENSE**
10 **ARTICLE I – GENERAL PROVISIONS**

11 **SEC. 5. *Mandate.*** – The Department of National Defense, hereinafter referred as the
12 “Department” or “DND”, is the primary government agency charged with the duty of
13 implementing the provisions of this Act. The defense establishment shall be maintained to
14 maximize its effectiveness for guarding against external and internal threats to national peace
15 and security.
16

17 **SEC. 6. *Powers and Functions of the Department.*** – To carry out the above-declared policy,
18 the Department shall exercise and perform the following powers and functions:
19

20 (a) Formulate and prepare national defense policies, strategies, plans and programs;
21

22 (b) Formulate, develop, and update the national defense plan of the country, including the
23 mobilization plan for the employment of the country’s citizens and resources for national
24 defense;
25

26 (c) Control, monitor, coordinate, supervise, and evaluate the implementation of national
27 defense policies, plans, programs, and activities;
28

29 (d) Exercise supervision and control over the Armed Forces of the Philippines (AFP),
30 Government Arsenal (GA), Office of Civil Defense (OCD), Philippine Veterans Affairs
31 Office (PVAO), and the National Defense University of the Philippines (NDUP);
32

33 (e) Formulate, establish, implement, supervise, and control a quality management system;
34

1 (f) Establish, promote, and maintain bilateral and multilateral linkages for defense and
2 military cooperation with its international counterparts for the purpose of addressing
3 traditional and non-traditional security threats;

4
5 (g) Implement the country's international defense and security commitments based on
6 defense and security treaties, cooperation agreements, international covenants,
7 protocols, and other similar arrangements;

8
9 (h) Develop self-reliance defense posture to guarantee the enhancement of responsive and
10 progressive capabilities and maximum utilization of resources;

11
12 (i) Develop a responsive Armed Forces capable of addressing various threats to national
13 security; and

14
15 (j) Perform such other defense-related functions as may be provided by law or directed by
16 the President of the Philippines.

17
18 **SEC. 7. *Contracts.*** – The Department is hereby authorized to enter into, make, perform, and
19 carry out contracts of every class, kind, and description which are necessary or incidental to the
20 performance of its mandate as provided herein, with any person, firm or corporation, public or
21 private, and with foreign government entities, subject to the provisions of existing laws, rules
22 and regulations.

23
24 **SEC. 8. *Management and Control of Defense Real Properties.*** – (a) The Department is hereby
25 authorized to administer, operate, manage, control, maintain, and develop defense real
26 properties for strategic basing, and to use, hold, acquire, or lease any private real property, right
27 of way, or easement which may be proper or necessary for the accomplishment of its mandate
28 as provided in this Act.

29
30 (b) The sale and/or exchange of strategic defense real properties shall be prohibited unless
31 otherwise recommended by the Secretary of National Defense, approved by the President of the
32 Philippines, and with the consent of the Congress.

1 (c) The lease and/or development of defense real properties, by joint venture or otherwise,
2 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 shall
5 be remitted only to the AFP Modernization Act Trust Fund, and disbursed in accordance with
6 existing laws, rules and regulations.

7
8 **SEC. 9. *Special Defense Materiel Acquisition.*** – When the acquisition for use by the AFP
9 involves special defense equipment or materiel or the Secretary of National Defense has
10 determined that the interests of the country shall be protected by negotiating directly with a
11 local or foreign supplier, the AFP shall be exempted from the requirement of government
12 procurement laws subject to government accounting and auditing rules and regulations:
13 *Provided, That the performance by the supplier of its obligations under the procurement contract*
14 *shall be covered by a performance security.*

15
16 **SEC. 10. *Exemption from Import Licenses.*** – All acquisition of defense materiel by the
17 Department and its bureaus shall be exempt from import and other licenses imposed by other
18 agencies of the government. In lieu thereof, the Secretary of National Defense shall issue a
19 certification that the goods being imported are exempt from such licenses.

20
21 **SEC. 11. *Grants and Donations.*** – The Department, or any of the bureaus, agencies or offices
22 under it, may accept donations, contributions, and grants from various sources, domestic or
23 foreign, for purposes relevant to its functions: *Provided, That in case of donations from foreign*
24 *governments or persons, acceptance thereof shall be subject to existing laws, rules and*
25 *regulations.*

26
27 **SEC. 12. *Defense Cooperation Agreements.*** – (a) Unless otherwise provided by the
28 Constitution, the Department of National Defense may enter into Defense/Military
29 Cooperation Agreements to develop, enhance, and sustain multi-faceted defense and security
30 engagements and cooperation with the defense and armed forces of other countries.

31
32 (b) Defense/Military Cooperation Agreements shall include, but not limited to, the exchange
33 of information, exchange of visits, exchange of personnel, subject matter expert exchange,

1 logistics cooperation, defense industry cooperation, humanitarian assistance and disaster
2 response, defense and military doctrine development, research and development in defense
3 science and technology, participation in trade, science or technology exhibits, military and
4 defense exercises, training activities, and education exchanges or other areas of mutual concern.

6 ARTICLE II - ORGANIZATION

8 **SEC. 13. *Organizational Structure.*** – The Defense Department shall be composed of the
9 DND-Proper and its bureaus namely, the AFP, PVAO, GA, NDUP, Office of Civil Defense
10 (OCD), and other instrumentalities under the supervision and control of the Secretary of
11 National Defense as provided for by law.

13 **SEC. 14. *Composition.*** – The DND-Proper shall be composed of the Office of the Secretary
14 of the National Defense and the Offices of the Undersecretaries and Assistant Secretaries, and
15 the Department Services.

17 **SEC. 15. *Office of the Secretary.*** – The Office of the Secretary shall consist of the Secretary of
18 National Defense and his/her immediate staff as determined by him/her.

20 **SEC. 16. *The Secretary of National Defense.*** – The Secretary of National Defense shall be
21 appointed by the President, subject to confirmation by the Commission on Appointments.

23 **SEC. 17. *Powers and Functions of the Secretary.*** – The authority and responsibility for the
24 exercise of the mandate of the Department and for the discharge of its powers and functions
25 shall be vested in the Secretary of National Defense, who shall have supervision and control of
26 the Department. The Secretary shall also perform such other functions as may be necessary or
27 proper to attain the objectives of this Act or as may be provided by law or directed by the
28 President.

30 TITLE II 31 THE ARMED FORCES OF THE PHILIPPINES 32 ARTICLE I - GENERAL PROVISIONS

34 **SEC. 18. *Declaration of Policies.*** –

1
2 (a) The AFP, as the protector of the people and the State, shall secure the sovereignty and
3 defend the territory of the Republic of the Philippines against all threats;

4
5 (b) The AFP shall uphold the Constitution and adhere to the rule of law at all times;

6
7 (c) Professionalism in the armed forces and adequate remuneration and benefits of its
8 members shall be a prime concern of the State; and

9
10 (d) The AFP, as an institution, shall be insulated from partisan politics. No member of the
11 military shall engage, directly or indirectly, in any partisan political activity, except to
12 exercise the right of suffrage.

13
14 **SEC. 19. *Mission and Functions.*** – The AFP is the protector of the people and the State. Its
15 goal is to secure the sovereignty of the State and the integrity of the national territory. It shall
16 have the duty to:

17
18 (a) Defend against all forms of threats to national defense and security;

19
20 (b) Plan, organize, train, equip, develop, employ, and sustain its Regular Reserve Force for
21 national defense and security; and

22
23 (c) Perform such other functions as may be provided by law or assigned by the Commander-
24 in-Chief.

25
26 **SEC. 20. *Chain of Command.*** – The exercise of authority, direction, command, and control
27 over the AFP shall be carried out through the Chain of Command, which is the line of authority
28 and responsibility along which orders are passed, beginning from the President as the
29 Commander-in-Chief, through the Secretary of National Defense, to the Chief of Staff of the
30 Armed Forces of the Philippines (CSAFP) down to the commander of the lowest echelon of
31 command in the AFP: *Provided*, That this does not preclude the President from issuing orders
32 directly to the AFP.

1 **SEC. 21. *Organization and Composition.*** – The AFP shall be initially composed of three (3)
2 component services – the Philippine Army, the Philippine Air Force, and the Philippine Navy.
3 These services shall form the Citizens Armed Force, composed of the Regular Force and Reserve
4 Force, guided by the Table of Organization and Equipment (TOE) of the AFP, prescribed by the
5 Secretary of National Defense upon recommendation of the CSAFP.

6
7 **ARTICLE II – THE REGULAR FORCE**
8 **A. ORGANIZATION AND COMPOSITION**
9 **CHAPTER 1 – GENERAL PROVISIONS**
10

11 **SEC. 22. *Size and Composition.*** – The Regular Force, alternately referred to as the Standing
12 Force, shall be initially composed of the following:

13
14 (a) Regular Officers and Warrant Officers;

15
16 (b) Reservists called to active duty or on active duty tour for training; and

17
18 (c) Draftees, trainees, and government-sponsored Filipino cadets enrolled in local or foreign
19 military schools.

20
21 The size and composition of the Regular Force shall be prescribed by the President, upon the
22 recommendation of the CSAFP of the Philippines through the Secretary of National Defense.

23
24 **SEC. 23. *Organizational Principle.*** – The President, through the Secretary of National
25 Defense, shall organize the AFP into such commands, forces, and units in accordance with
26 operational requirements. For this purpose, the national territory may be divided into such
27 operational areas as the Secretary of National Defense may direct.

28
29 **SEC. 24. *Organizational Structure.*** – The Regular Force of the AFP shall consist of the Joint
30 Headquarters; the Joint Force Operational and Functional Commands; the Component Services,
31 namely the Philippine Army, the Philippine Navy, and the Philippine Air Force; and other
32 existing units, component services, commands, and task forces of the AFP. The Secretary of
33 National Defense upon the recommendation of the CSAFP may, in accordance with the policies
34 or directives of the President, create additional units, services, commands and task forces, or

1 reorganize the AFP in response to any situation or in pursuance of operational or contingency
2 plans.

3
4 **SEC. 25. *Operational Principles.*** – The operational principles of the AFP shall be as follows:

5
6 (a) The Commander-in-Chief shall exercise command and control through the CSAFP with
7 the supervision of the Secretary of the National Defense. The Joint Headquarters AFP
8 shall be the command-and-control element of the AFP.

9
10 (b) The Joint Headquarters AFP shall exercise centralized command-and-control to ensure
11 unity and coordination of efforts throughout the military establishment;

12
13 (c) The Joint Force Operational Commands (JFOC) as force employers shall be responsible
14 for the decentralized execution of joint operations to achieve maximum operational
15 efficiency within the military establishment unless otherwise determined by the CSAFP
16 through the supervision of the Secretary of National Defense;

17
18 (d) The Component Services as force providers shall be responsible for the development,
19 organization, training, equipping, maintenance and sustainment of combat forces,
20 combat service forces, technical and administrative service, and combat service support
21 forces; and

22
23 (e) The AFP Reserve Force shall provide for the base of expansion of the Component
24 Services.

25
26 **CHAPTER 2 - THE JOINT STAFF HEADQUARTERS**
27 **ARMED FORCES OF THE PHILIPPINES**
28

29 **SEC. 26. *Mandate.*** – The Joint Staff Headquarters, which shall be headed by the CSAFP, shall
30 be the command-and-control element of the AFP.

31
32 **SEC. 27. *Organization.*** – The Joint Staff Headquarters shall be composed of the Office of the
33 Chief of Staff of the Armed Forces of the Philippines, Office of the Vice Chief of Staff, Office of
34 the Deputy Chief of Staff, the AFP Joint, Personal, and Special Staff, and other key staff offices

1 and units necessary for the effective command and control of the AFP as recommended by the
2 CSAFP with the approval of the Secretary of National Defense.

3
4 **SEC. 28. *The Chief of Staff of the Armed Forces of the Philippines.*** – (a) The President shall
5 appoint the CSAFP from among the officers with the rank of Lieutenant General/Vice Admiral
6 in the active service, who shall hold the rank of General/Admiral.

7
8 (b) CSAFP shall serve a minimum tour of duty of two (2) years and a maximum of three (3)
9 years. For this purpose, the CSAFP shall be allowed to complete his maximum tour of duty
10 beyond his retirement age: *Provided*, That the CSAFP may be removed by the President as
11 Commander-in-Chief at any time before the end of the term of three (3) years and deemed
12 retired from active military service.

13
14 **SEC. 29. *Powers and Functions.*** – The Chief of Staff shall:

15
16 (a) Serve as the principal military advisor to the President and the Secretary of National
17 Defense;

18
19 (b) Formulate the national military strategy consistent with the national defense strategy;

20
21 (c) Develop policies, strategies, missions, plans, and programs of the AFP; and

22
23 (d) Prescribe the organization, powers, functions, and duties of the various staff, services,
24 and other units of the AFP in accordance with the national defense policy.

25
26 **SEC. 30. *The Vice Chief of Staff.*** – The Vice Chief of Staff shall be the principal assistant of
27 the CSAFP and shall perform the functions of the CSAFP during the latter's absence or
28 incapacity. He shall be appointed in the same manner as the CSAFP.

29
30 The Vice Chief of Staff shall serve for a minimum term of one (1) year and a maximum of
31 three (3) years, unless otherwise promoted to the next higher position and without prejudice to
32 the compulsory retirement age as provided in this Act: *Provided*, That no officer shall be
33 appointed as a Vice Chief of Staff if that officer has less than one (1) year remaining in the active
34 service: *Provided further*, That the Vice Chief of Staff may be removed by the President as

1 Commander-in-Chief at any time before the end of the term of three (3) years and deemed
2 retired from active military service.

3
4 **SEC. 31. *The Deputy Chief of Staff.*** – The Deputy Chief of Staff shall integrate and
5 synchronize the Joint Staff works to assist the CSAFP in policy formulation and implementation,
6 and command decision-making process through completed staff work.

7
8 The Deputy Chief of Staff shall serve for a minimum term of one (1) year and a maximum of
9 three (3) years, unless otherwise promoted to the next higher position and without prejudice to
10 the compulsory retirement age as provided in this Act: *Provided*, That no officer shall be
11 appointed as the Deputy Chief of Staff if that officer has less than one (1) year remaining in the
12 active service: *Provided further*, That the Deputy Chief of Staff may be removed by the President
13 as Commander-in-Chief at any time before the end of the term of three (3) years and deemed
14 retired from active military service.

15
16 **SEC. 32. *The Joint Staff.*** – The Joint Staff, as coordinating staff, shall advise and assist the
17 CSAFP in the performance of his/her functions. The organization, functions, and duties of the
18 Joint Staff shall be prescribed by the CSAFP.

19
20 **SEC. 33. *Personal Staff.*** – The Personal Staff, as immediate staff, shall directly advise and
21 assist the CSAFP in the performance of his/her functions. The organization, functions, and
22 duties of the Personal Staff shall be prescribed by the CSAFP: *Provided*, That coordination with
23 other staff is not precluded.

24
25 **SEC. 34. *Special Staff.*** – The Special Staff, as specialized, technical, and administrative staff
26 shall advise and assist the CSAFP in the performance of his/her functions. The organization,
27 functions, and duties of the Special Staff shall be prescribed by the CSAFP.

28
29 **SEC. 35. *Authority to Reorganize the General Headquarters into the Joint Staff***
30 ***Headquarters.*** – In the interest of efficiency and effectiveness, the CSAFP, upon the approval of
31 the Secretary of National Defense, may:
32

1 (a) Establish and organize staffs, offices, and units in the Joint Staff Headquarters in addition
2 to the AFP Joint Personal and Special Staff, and prescribe the organization, mission, and
3 functions; and
4

5 (b) Abolish existing staffs, offices, and units in the Joint Staff Headquarters not specifically
6 provided in this Chapter, or by any other provision of law, or transfer or consolidate their
7 functions and duties with other staffs, offices, or units.
8

9 CHAPTER 3 - JOINT FORCE OPERATIONAL COMMANDS 10

11 **SEC. 36. *Organization, Mission, and Function.*** - (a) The JFOC shall be organized and
12 established by the CSAFP with the approval of the Secretary of National Defense which shall
13 be under the command, control, and operational direction of its Joint Force Commander.
14

15 (b) The mission, functions, duties, and responsibilities, and joint area of operations of the
16 JFOC shall be prescribed by the Secretary of National Defense, in consultation with, or upon the
17 recommendation of the CSAFP.
18

19 **SEC. 37. *Designation or Assignment of Joint Force Commanders.*** - (a) The Joint Force
20 Commanders of the JFOC shall be designated or assigned to the said position by the President,
21 upon the recommendation of the CSAFP of the Philippines through the Secretary of National
22 Defense.
23

24 (b) The Joint Force Commanders of the JFOC, as force employer, shall have operational
25 control over all units operating within their respective joint area of operations.
26

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

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1
2 (d) Implement mobilization of the Army Reserve; and

3
4 (e) Perform such other functions and duties as may be provided by law or assigned by the
5 CSAFP.
6

7 **SEC. 41. *The Philippine Air Force.*** – The Philippine Air Force (PAF), headed by its Chief,
8 shall provide forces that shall be employed for the conduct of prompt and sustained naval
9 operations in support of the AFP mission. It shall be composed of its headquarters, air combat,
10 combat support, and sustainment units and such other units as may be necessary for the
11 conduct of air support operations.
12

13 **SEC. 42. *Functions of the Philippine Air Force.*** – The Philippine Air Force shall:
14

15 (a) Develop, organize, train, equip, maintain, and sustain such naval forces or units as may
16 be necessary for the conduct of prompt and sustained operations;
17

18 (b) Prepare such forces or units as may be necessary for the effective implementation of the
19 national defense plans and programs and armed forces missions;
20

21 (c) Formulate and develop, in coordination with the other Component Services, doctrines,
22 systems, tactics, techniques, and procedures peculiar to the Air Force;
23

24 (d) Implement mobilization of the Air Force Reserve; and
25

26 (e) Perform such other functions and duties as may be provided by law or assigned by the
27 CSAFP.
28

29 **SEC. 43. *The Philippine Navy.*** – The Philippine Navy (PN), headed by its Chief, shall provide
30 forces that shall be employed for the conduct of prompt and sustained naval operations in
31 support of the AFP mission. It shall be composed of its headquarters, naval forces, service
32 support, and sustainment units and such other units as may be necessary for the conduct of
33 naval operations.
34
35

1 **SEC. 44. *Functions of the Philippine Navy.*** – The Philippine Navy shall:

- 2
- 3 (a) Develop, organize, train, equip, maintain, and sustain such naval forces or units as may
- 4 be necessary for the conduct of prompt and sustained operations;
- 5
- 6 (b) Prepare such forces or units as may be necessary for the effective implementation of the
- 7 national defense plans and programs and armed forces missions;
- 8
- 9 (c) Formulate and develop, in coordination with the other Component Services, doctrines,
- 10 systems, tactics, techniques, and procedures peculiar to the Navy;
- 11
- 12 (d) Implement mobilization of the Navy Reserve; and
- 13
- 14 (e) Perform such other functions and duties as may be provided by law or assigned by the
- 15 CSAFP.
- 16

17 **SEC. 45. *Technical and Administrative Service.*** – Each Component Service shall develop,

18 organize, train, equip, maintain, and sustain their respective Technical and Administrative

19 Service composed of, but not limited to, The Judge Advocate General Service, Medical Corps,

20 Veterinary Corps, Medical and Administrative Corps, Nurse Corps, Dental Corps, Chaplain

21 Service, and Corps of Professors.

22

23 **SEC. 46. *The Women's Auxiliary Corps.*** – The Women's Auxiliary Corps as created by

24 Republic Act (RA) No. 3835, as amended, shall be integrated to their respective Component

25 Service. For this purpose, R.A. No. 3835 is hereby repealed. Further, the number of female

26 personnel in the AFP, notwithstanding provision of relevant laws, shall be prescribed by the

27 Secretary of National Defense.

28

29 **CHAPTER 5 – MILITARY EDUCATION AND TRAINING INSTITUTIONS**

30

31 **SEC. 47. *Organization, Mission, and Function.*** – The Philippine Military Academy (PMA),

32 Command and General Staff College (CGSC), Officer Candidate School (OCS), Non-

33 Commissioned Officer Academy and other Military Education and Training Institutions

34 organized and established by the CSAFP with the approval of the Secretary of the National

1 Defense shall be under the command, control, and direction of their Military Education and
2 Training Superintendent/Commandant.

3
4 (b) The mission, functions, duties, and responsibilities of the military education and training
5 institutions shall be prescribed by the CSAFP with the approval of the Secretary of National
6 Defense.

7
8 **SEC. 48. *The Philippine Military Academy.* –**
9

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

15
16 (b) *Organization.* The PMA headed by the Superintendent shall be organized as prescribed
17 by the Secretary of National Defense, upon the recommendation of the CSAFP.

18
19 (c) *Development.* The PMA shall determine its teaching, manpower, curriculum, research and
20 extension thrusts, plans and programs, standards and budget.

21
22 (d) *Cadet Corps.* The student body of the PMA shall be known as the Cadet Corps Armed
23 Forces of the Philippines (CCAFP) and shall have such strength, as the Secretary of
24 National Defense, shall determine, upon the recommendation of the CSAFP.

25
26 (e) *Academic Board.* There shall be an Academic Board organized by the Superintendent. The
27 Board shall, in accordance with the rules and regulations prescribed by the CSAFP, have
28 the power to confer baccalaureate degrees upon the cadets who satisfactorily complete
29 the approved course of study.

30
31 (f) *Superintendent.* The Superintendent shall serve for a minimum term of two (2) years and
32 a maximum of three (3) years, unless otherwise promoted to the next higher position and
33 without prejudice to compulsory retirement age as provided in this Act: *Provided, That*
34 no officer shall be appointed as Superintendent if that officer has less than two (2) years

1 remaining in the active service: *Provided, further,* That the Superintendent may be
2 removed by the President as Commander-in-Chief at any time before the end of the term
3 of three (3) years.

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

9
10 **SEC. 49. *Authority to Establish Other Military Training Institutions.*** – The President, upon
11 the recommendation of the CSAFP through the Secretary of National Defense, is hereby
12 authorized to establish other military training academies and institutions in the AFP.

13
14 **B. RECRUITMENT, PROMOTION, AND CAREER DEVELOPMENT**
15 **CHAPTER 1 – COMMISSIONED OFFICERS**
16

17 **SEC. 50. *Qualifications.*** – All persons commissioned as officers in the Regular Force shall be
18 natural born citizens of the Philippines, of legal age, of good moral character, physically and
19 mentally qualified for active military service, and shall have such other qualifications as may be
20 prescribed by the Secretary of National Defense.

21
22 **SEC. 51. *Appointments in the Regular Force.*** – (a) Officers shall be permanently appointed
23 by the President in the Regular Force in accordance with the provisions of the Constitution.

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

28
29 **SEC. 52. *Revocation of Commission.*** – The commission of an officer may be revoked by the
30 President at any time, upon the recommendation of the Secretary of National Defense, when
31 found not fully qualified for such commission or lacking any qualification prescribed by law or
32 regulation.

1 **SEC. 53. Officer Grade Distribution.** – The Secretary of National Defense shall prescribe the
2 authorized number of officers in the Regular Force in each grade in each Component Service in
3 accordance with the TOE.

4
5 **SEC. 54. Distribution of General/Flag Officers.** – The number of general/flag officers herein
6 authorized shall be distributed to the various general/flag officer grades by the Secretary of
7 National Defense based on the recommendation of the CSAFP in accordance with the TOE.

8
9 **SEC. 55. Tour of Duty in Key Positions.** – No officers with less than one (1) year remaining
10 active service shall be designated to positions requiring the rank of Brigadier
11 General/Commodore or higher.

12
13 **SEC. 56. AFP Promotion System.** – (a) The AFP Promotion System shall be governed by the
14 principle that as officers are promoted from one grade to the next higher grade, the criteria of
15 competence, merit, and potential are the primary consideration.

16
17 (b) The AFP Promotion System shall be the primary means by which the AFP shall
18 periodically evaluate and assess its ranks of officers and shall institutionalize and continue to
19 implement an efficient process of selection for promotion, as well as for attrition for officers as
20 prescribed by the Secretary of National Defense.

21
22 (c) The AFP Promotion System shall be governed by a management system with a view of
23 ensuring smooth succession in the filling of vacancies in key positions as and when these occur.

24
25 (d) The Secretary of National Defense shall prescribe the seniority and promotional lineal list
26 of the AFP.

27
28 **SEC. 57. Promotion to General/Flag Officer Grades.** – No officer shall be promoted to the
29 rank of Brigadier General/Commodore or higher unless there is an existing vacancy and the
30 officer is occupying a position in the TOE that requires the rank for which he is being considered
31 for promotion or assignment.

1 **SEC. 58. *Maximum Tenure in Rank.*** – The maximum tenure of officers in the ranks of
2 Colonel/Captain and General/Flag Officer in the AFP are hereby prescribed as follows:

3

4 Colonel/Captain	8 years
5 Brigadier General/Commodore	4 years
6 Major General/Rear Admiral	3 years
7 Lieutenant General/Vice Admiral	4 years
8 General/Admiral	4 years

9

10 Unless earlier separated or retired or promoted to the next higher rank or occupying a
11 position calling for the ranks of higher grade in the AFP TOE, Colonels/Captains and
12 Generals/Flag Officers shall be compulsorily retired upon the attainment of the maximum
13 tenure in rank herein prescribed, or upon reaching the age of compulsory retirement, whichever
14 is earlier, except for those who may be allowed by the President to finish tenure in position as
15 recommended by the Secretary of National Defense.

16

17 **SEC. 59. *Determination and Allocation of Key Positions.*** – The Secretary of the Department
18 of National Defense, upon the recommendation of the CSAFP, shall determine and allocate the
19 number of key positions among the component services, headquarters and support units of the
20 AFP based on the technical nature of the organization, position, task, scope and area of
21 responsibilities, equipage, prevailing Defense Condition and other considerations as the
22 exigencies of the service may require.

23

24 **CHAPTER 2 – WARRANT OFFICERS**

25

26 **SEC. 60. *Qualifications for Appointment.*** – Any natural born citizen of the Philippines, of
27 legal age, physically and mentally fit for military service, of good moral character, and
28 possessed of such educational attainments and specialized skills or expertise as may be
29 prescribed by the Secretary of National Defense, may be appointed in the Regular Force.

30

31 **SEC. 61. *Appointments in the Regular Force.*** – Warrant Officers shall be appointed by the
32 Secretary of National Defense.

33

1 **SEC. 62. *Revocation of Appointment.*** – The appointment of an officer, who is found not fully
2 qualified for such appointment or who lacks any of the qualifications prescribed by law or
3 regulation may be revoked by the Secretary of National Defense at any time, upon the
4 recommendation of the CSAFP.

5
6 **SEC. 63. *Warrant Officer Management.*** – The Secretary of National Defense shall prescribe
7 the special career management, employment, grades, rank and authorized number of warrant
8 officers in the Regular Force in each grade in each Component Service in accordance with the
9 operational and organizational needs of the AFP.

10 11 **CHAPTER 3 – ENLISTED PERSONNEL** 12

13 **SEC. 64. *Qualifications for Enlistment.*** – Any natural born citizen of the Philippines, of legal
14 age, physically and mentally fit for military service, of good moral character, and possessed of
15 such educational attainments as may be prescribed by the Secretary of National Defense, may
16 be enlisted in the Regular Force under the following restrictions:

- 17
18 (a) Except as otherwise provided herein, each enlistment in the Regular Force shall be for a
19 term of five (5) years: *Provided*, That all enlistments in force at the outbreak of war, or
20 other grave national emergency, or entered into during its continuation shall remain in
21 force until six (6) months after its termination, unless sooner terminated by the President;
22
23 (b) Enlistment for service shall be apportioned among the various provinces of the
24 Philippines, as far as practicable, provided that qualifications for competency as
25 prescribed shall be observed; and
26
27 (c) Re-enlistment in the Regular Force shall be prescribed by the Secretary of National
28 Defense.

29
30 **SEC. 65. *Enlisted Ranks.*** – The ranks of enlisted personnel in the AFP shall be in accordance
31 with the guidelines set forth by the CSAFP. The total number of enlisted personnel in the
32 enlisted ranks and non-commissioned officer grades shall be prescribed by the CSAFP in
33 accordance with the number of authorized positions in the approved TOE.

1
2 **SEC. 66. *Enlistment and Career Development of Enlisted Personnel System.*** – The Secretary
3 of National Defense shall, upon the recommendation of the CSAFP, prescribe the guidelines,
4 which shall govern the procurement, enlistment, training, promotion, and discharge or
5 separation of all enlisted personnel in the AFP.
6

7 **SEC. 67. *Authority to Promote and Demote.*** – The authority to promote and demote Enlisted
8 Personnel shall be prescribed by the CSAFP.
9

10 **C. RETIREMENT AND SEPARATION** 11

12 **SEC. 68. *Retirement and Separation.*** – Retirement, whether compulsory or optional, and
13 separation from military service, shall conform with existing laws, rules, and regulations
14 without prejudice to the provisions of this Act.
15

16 **SEC. 69. *Recall from Retirement.*** – An Officer or Warrant Officer who retired from active
17 service may be recalled to active duty by the President during national mobilization and shall
18 be subject to the Articles of War. They shall be recalled in the last permanent rank held before
19 retirement.
20

21 **SEC. 70. *Retirement and Separation Benefits.*** – Congress shall allocate funds for the
22 retirement and separation benefits as according to existing laws, rules, and regulations.
23

24 **SEC. 71. *Attrition System.*** – (a) The attrition system for Officers shall be prescribed by the
25 President as recommended by the Secretary of National Defense.
26

27 (b) The attrition system for Warrant Officers shall be prescribed by the Secretary of National
28 Defense as recommended by the CSAFP.
29

30 **SEC. 72. *Effect of Loss of Filipino Citizenship.*** – Pursuant to existing laws, any retired
31 military personnel, receiving retirement and pension benefits pursuant to the provisions of this
32 Act, who loses his/her Filipino citizenship, shall no longer be entitled to receive pension and

1 retirement benefits. The survivors of any retired military personnel who loses his Filipino
2 citizenship shall no longer be entitled to receive survivorship benefits.

3 4 **D. ADMINISTRATION OF MILITARY JUSTICE SYSTEM**

5
6 **SEC. 73. *Military Justice.*** – (a) Except as otherwise provided in this Act, enforcement of
7 discipline and military justice shall be governed by applicable laws and administrative
8 issuances as prescribed by the President upon recommendation of the Secretary of National
9 Defense.

10
11 (b) There shall be reduction in grade, demotion of rank, suspension of active service,
12 forfeiture, suspension, or withholding of pay and allowances of Officers, except those ranks
13 confirmed by the Commission on Appointments, found administratively liable. The procedure,
14 extent, or system of which shall be prescribed by the President as recommended by the Secretary
15 of National Defense.

16
17 (c) Procedure, extent, or system of reduction in grade, demotion of rank, suspension of active
18 service, forfeiture, suspension or withholding of pay and allowances of Warrant Officers found
19 administratively liable shall be prescribed by the Secretary of National Defense as
20 recommended by the CSAFP.

21 22 **E. LEGAL ASSISTANCE**

23
24 **SEC. 74. *Extension of Legal Assistance.*** – All military personnel charged of service-related
25 or service-connected administrative, civil, or criminal offenses, upon approval of their Chiefs of
26 Component Services, shall be provided adequate legal representation and assistance by military
27 lawyers or counsel of their own choice until conclusion of the case. Reasonable allocation can
28 be charged against the fund of component service to support such case.

29 30 **ARTICLE III - THE RESERVE FORCE** 31 **CHAPTER 1 - GENERAL PROVISIONS** 32

33 **SEC. 75. *Mandatory Military Service.*** – In relation to the patriotic duty of every citizen to
34 defend the country when obliged to preserve and protect sovereignty, every Filipino, natural

1 born or naturalized, shall be subject to basic, suitable, and sufficient military training and
2 education for a minimum of two (2) years of mandatory military service.

3
4 **SEC. 76. *Purpose.*** – The purpose of the Reserve Force is to provide the base for the expansion
5 of the AFP in the event of disaster, internal disorder, and invasion.

6
7 **SEC. 77. *Organization of the Reserve Force.*** – The organization of the Reserve Force shall
8 conform to the projected and actual needs as determined by the Secretary of National Defense
9 upon the approval by the President. The TOE of the Reserve Force shall be prescribed by the
10 Secretary of National Defense upon recommendation of the CSAFP.

11 12 **CHAPTER 2 – COMPOSITION OF THE RESERVE FORCE**

13
14 **SEC. 78. *Composition.*** – The Reserve Force shall have three (3) components, namely:

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

19
20 **SEC. 79. *Affiliated Reserve Units.*** – Affiliated Reserve Units (ARUs) are private and
21 government entities, corporations, establishments, and organizations at the national, provincial,
22 city, and municipal levels which provide essential public and strategic services necessary to
23 support the prosecution of national defense plans or to meet an emergency. ARUs shall belong
24 to any of the Reserve Force Components.

25
26 **SEC. 80. *Call to Active Duty of the Reserve Force.*** – Reservists may be called to active duty
27 for training and/or deployment as prescribed by the CSAFP as approved by the Secretary of
28 National Defense.

1 TITLE III
2 OTHER BUREAUS AND AGENCIES UNDER THE DEPARTMENT
3 ARTICLE I - GENERAL PROVISIONS
4

5 SEC. 81. *Supervision and Control.* - The Secretary of National Defense shall exercise
6 supervision and control over the bureaus and agencies under this Title, as well as its personnel.
7

8 SEC. 82. *Organization.* - (a) Unless otherwise provided by law, the organization, functions,
9 duties, and responsibilities of the staff and operating units of each of the bureaus and agencies
10 under the Department shall be as prescribed by the Secretary of National Defense in appropriate
11 rules and regulations issued for the purpose.
12

13 (b) For this purpose, and in the interest of service, the Secretary of National Defense may, in
14 accordance with the policies or directives of the President:
15

- 16 1. Establish and organize staffs, offices, and units in the bureaus or agencies and
17 prescribe the titles, powers, functions, and duties of the positions therein;
18
19 2. Abolish existing staffs, offices, and units in the bureaus or agencies not specifically
20 provided by law, or transfer or consolidate their functions and duties with other
21 staffs, offices, or units; and
22
23 3. Abolish a position of any bureau or agency and transfer or consolidate its functions
24 and duties with those of another position.
25

26 SEC. 83. *Separation Benefits of Officials and Employees of Affected Bureaus or Agencies.* -
27 Government employees displaced or separated from the service as a result of the restructuring
28 pursuant to this Act shall be entitled to a separation pay and other benefits in accordance with
29 existing laws, rules, or regulations.
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ARTICLE II
THE GOVERNMENT ARSENAL

SEC. 84. *Mandate.* – The Government Arsenal shall develop, operate, maintain, and secure facilities for the manufacture of weapons, munitions, and other defense materiel to support the requirements of the AFP, Philippine National Police (PNP), and other law enforcement agencies, and to sell and export products in excess of the local demand.

SEC. 85. *Power and Functions.* – The Government Arsenal shall have the following powers and functions:

- (a) Formulate and implement plans and programs towards the achievement of self-sufficiency in weapons, small arms ammunition, mortars, medium and large caliber ammunition, and other munitions needed by the country's defense and security establishments;
- (b) Design, conduct research, develop, manufacture, procure, repair, stockpile, and allocate weapons, munitions, and other defense materiel subject to existing laws and regulatory requirement;
- (c) Sell and export products in excess of the requirements of the AFP and other law enforcement agencies, subject to existing laws;
- (d) Devise ways and means for the efficient mobilization of civilian/private industry to augment its production for use of the defense and security forces; and
- (e) Establish, secure, and operate government defense manufacturing plants, as necessary, in strategic locations within the country.

SEC. 86. *Organization and Administration.* – The Government Arsenal shall be headed by a Director with one or more Assistant Directors who shall support the Director in the administration, manufacturing operations, and other affairs of the bureau; all of whom shall be appointed by the President upon the recommendation from the Secretary of National Defense, and who shall have the relevant expertise, training, and experience in the field of munitions.

SEC. 87. *Modernization of the Arsenal.* – The modernization of the Government Arsenal, for the development of production capabilities to enhance self-sufficiency in defense requirements, shall be part of the defense modernization program. The Government Arsenal may use such production facilities as it may own or be provided with under this Act or as it may arrange, under joint venture, co-production, or similar agreements with local and foreign entities.

ARTICLE III
NATIONAL DEFENSE UNIVERSITY OF THE PHILIPPINES

SEC. 88. *Transformation of the NDCP.* – In view of the rapidly evolving national and regional security environment, the current academic trends and research thrusts of defense institutions in the Asia Pacific, and the increasing need for specialized defense and security courses to enhance the academic foundation of promoting Philippine national security, the National Defense College of the Philippines (NDCP) is hereby transformed into the National Defense University of the Philippines (NDUP) categorized as a special higher education institution. To ensure the continuous operation of the College, all its personnel and resources shall be absorbed by the NDUP.

SEC. 89. *Mandate.* – In accordance with the standards set forth in pertinent laws and regulations on higher education, the NDUP shall train and develop the competence of potential national defense leaders, civilian officials of the different agencies and instrumentalities of the Government, and selected executives from the private sector in the formulation and review of national security policies and undertake research and studies as basis of the formulation and review of national defense and security policies, plans, and programs. The NDUP shall be headed by a President, and assisted by an Executive Vice President (EVP), and four (4) Vice Presidents, all of whom shall be appointed by the President of the Philippines, upon the recommendation of the Secretary of National Defense. The NDUP President shall have a term of six (6) years.

SEC. 90. *Powers and Functions.* – The University shall have the following powers and functions:

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

1
2 (b) Develop and confer other baccalaureate, master's, and doctorate degrees on defense and
3 security; and

4
5 (c) Undertake policy research and special studies as well as policy formulation on strategic
6 defense and security issues.

7
8 **SEC. 91. *Organization and Administration.*** – (a) The NDUP President shall administer the
9 affairs of the University.

10
11 (b) The NDUP President shall be assisted by the EVP. The EVP shall act as NDUP President
12 in the absence or incapacity of the NDUP President, and shall perform such other functions and
13 duties as may be assigned to him by the NDUP President or the Secretary of National Defense.

14
15 (c) There shall be a Vice President for Academic Affairs, who shall be responsible for the
16 development, implementation, supervision, and evaluation of academic programs; a Vice
17 President for Strategic Studies and Policy Formulation, who shall be responsible for the conduct
18 and supervision of research and special studies and policy formulation and review for the
19 Department; a Vice President for Military Affairs, who shall be responsible for the overall
20 military activities of the University; a Vice President for Administration, who shall be
21 responsible for the overall administrative support to all the activities of the University and such
22 other officials as may be required by the University subject to the approval of the Secretary of
23 National Defense.

24
25 (d) The University shall have an Academic Board to assist the President discharge the
26 following functions:

- 27
28 1. Supervise the academic affairs of the University;
29 2. Recommend academic consultants, professors, lecturers, instructors, research
30 assistants, and other resource persons of the University; and
31 3. Recommend the courses of studies to be conducted by the University to accomplish
32 its objectives.

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

4
5 (e) All resource persons of the University including, but not limited to, academic consultants,
6 professors, lecturers, instructors, thesis advisers, members of examining and evaluating panels,
7 examiners, correctors, and technicians who are regularly employed in the Government shall, in
8 addition to their salaries, be entitled to receive honoraria, fees, and other emoluments fixed by
9 the Secretary of National Defense.

10
11 (f) The Secretary of National Defense may establish a *Council of Fellows* in the University to
12 assist and advise him in providing strategic direction and guidance necessary to ensure the
13 accomplishment of the mandate of the University.

14
15 **SEC. 92. *Graduates of the Regular Course of the University.*** – All graduates of the University
16 shall be conferred the degree of Master in National Security Administration (MNSA). Civilian
17 graduates of the MNSA program shall receive an initial rank of Lieutenant
18 Colonel/Commander in the Reserve Force subject to existing AFP regulations. The MNSA or
19 its equivalent in military career development course shall be required for appointment or
20 designation to key positions and promotion of AFP officers to the grade of O-7 (Brigadier
21 General/Commodore).

22
23 **SEC. 93. *Transition.*** – The Secretary of National Defense shall determine the appropriate
24 transition period for NDCP to attain the status and competency of becoming a university.
25 Further, Congress shall allocate the necessary funds for the transformation of NDCP to NDUP.

26
27 **ARTICLE IV**
28 **OFFICE OF CIVIL DEFENSE**
29

30 **SEC. 94. *Mandate.*** – The Office of Civil Defense (OCD) shall have the primary mission of
31 administering a comprehensive national civil defense and disaster risk reduction and
32 management program during local and national emergencies by providing leadership in the
33 continuous development of strategic and systematic approaches as well as measures to reduce
34 the vulnerabilities and risks to hazards and manage the consequences of disasters.

1
2 **SEC. 95. *Powers and Functions.*** – The Office shall have the following powers and functions:
3

4 (a) Establish and administer a comprehensive national civil defense and civil assistance
5 program to include the allocation to agencies and local government units such aid and
6 funds as may be made available by the national government, assisting governments, and
7 international and local organizations;
8

9 (b) Formulate policies and prepare plans for the protection and welfare of the civilian
10 population in times of war or other national emergencies as may be determined by the
11 President of the Philippines;
12

13 (c) Furnish guidance and coordinate the activities of national government agencies, local
14 government units, private institutions and civic organizations for natural and human-
15 induced disasters;
16

17 (d) Develop and coordinate a program for informing, educating, and training the general
18 public, volunteer workers and civil defense groups on civil defense and assistance
19 measures and activities;
20

21 (e) Prepare and disseminate disaster control manuals and other publications related to
22 measures on disaster prevention and mitigation, preparedness, response, and
23 rehabilitation and recovery;
24

25 (f) Advise the Secretary of National Defense on matters concerning civil defense and make
26 recommendations from time to time as may be deemed appropriate or as the Secretary
27 may require;
28

29 (g) Provide assistance and secretariat services to the National Disaster Risk Reduction and
30 Management Council to implement the policies set by the latter relative to disaster
31 management;
32

33 (h) Furnish guidance to the various provinces, cities, and municipalities in the planning,
34 accreditation, organization, and operation of their civil defense organizations; and
35

1 (i) Perform such other civil defense functions as may be provided by law.

2
3 **SEC. 96. *Organization.*** – The Office of Civil Defense shall be headed by an Administrator
4 who shall also serve as Executive Director of the National Disaster Risk Reduction and
5 Management Council and, as such, shall have the same duties and privileges of a department
6 undersecretary. It shall operate under a duly approved organization and staffing as
7 recommended by the Secretary of National Defense.

8
9 **ARTICLE V**
10 **PHILIPPINE VETERANS AFFAIRS OFFICE**
11

12 **SEC. 97. *Mandate.*** – The Philippine Veterans Affairs Office shall be the government agency
13 responsible for administering the benefits due to veterans, their heirs, and beneficiaries, and
14 shall provide medical care and treatment to veterans pursuant to existing laws. It shall also
15 administer, maintain, and develop military memorials and battle monuments proclaimed as
16 national shrines.

17
18 **SEC. 98. *Powers and Functions.*** – The Office shall have the following powers and functions:
19

20 (a) Formulate and promulgate, subject to the approval of the Secretary of National Defense,
21 policies, rules, and regulations governing the adjudication and administration of
22 veterans claims and benefits;

23
24 (b) Adjudicate and administer benefits, pensions, and other privileges granted to veterans,
25 their heirs, and beneficiaries;

26
27 (c) Provide medical care and treatment to veterans pursuant to existing law;

28
29 (d) Administer, develop, and maintain military memorials and battle monuments
30 proclaimed as national shrines; and

31
32 (e) Perform such other functions as may be provided by law.
33

SEC. 99. *Organization.* – The Philippine Veterans Affairs Office shall be headed by an Administrator who may be assisted by one or more Deputy Administrators, all of whom shall be appointed by the President upon the recommendation of the Secretary of National Defense. It shall have such staff and other operating units as may be prescribed by the Secretary of National Defense.

FINAL PROVISIONS

SEC. 100. *Implementing Rules and Regulations.* – The DND shall formulate the Implementing Rules and Regulations (IRR) for proper implementation of this Act within twelve (12) months from the effectivity hereof. The said rules and regulations shall be approved by the President of the Philippines

SEC. 101. Appropriations. – The amount necessary to carry out the provisions of this Act is hereby appropriated in the General Appropriations Act (GAA) of the year following its enactment into law. Thereafter, such sums as may be necessary for its continued implementation shall be included in the annual GAA.

SEC. 102. *Separability Clause.* – If any part or provision of this Act is held invalid or unconstitutional, other provisions not affected thereby shall remain in force and effect.

SEC. 103. *Repealing Clause.* – All laws, executive orders, presidential decrees, rules and regulations inconsistent herewith are deemed modified and repealed accordingly. All affected provisions of existing laws are deemed effective until such promulgation of the IRR.

SEC. 104. *Effectivity.* – This Act shall take effect after fifteen (15) days from its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes first.

Approved,