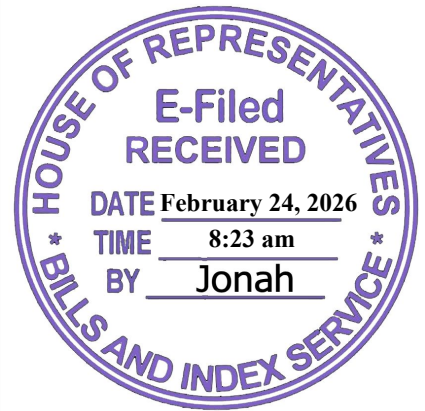


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO. 8023

Introduced by **REPRESENTATIVE AUDREY KAY T. ZUBIRI**

AN ACT
TO ENHANCE THE CAPABILITY AND STREAMLINE THE ORGANIZATIONAL
ROLE OF THE DEPARTMENT OF NATIONAL DEFENSE AND ITS BUREAUS,
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

EXPLANATORY NOTE

¹The Philippines has emerged as a central flashpoint in the evolving gray-zone warfare landscape of the Indo-Pacific, serving as a high-stakes arena for strategic competition among massive countries such as the United States and China. At the same time, the country faces a complex and multidimensional security environment characterized by cyber and information warfare, terrorism, and increasingly frequent climate-related emergencies.

In light of these challenges, this proposed Act seeks to restructure and strengthen the Department of National Defense (DND) so it can function as a modern, forward-looking defense ministry. A streamlined and coherent DND structure will enhance interagency coordination and improve crisis preparedness and response. It will likewise enable the mobilization of able-bodied citizens aged 18 to 65 during national emergencies, ensuring a whole-of-nation approach to crisis management.

Moreover, the measure advances sustainable and strategic defense management by institutionalizing bilateral and multilateral partnerships to address both traditional and non-traditional security threats. It also reinforces the Self-Reliant Defense Posture (SRDP) program to continuously enhance responsive and progressive defense capabilities while maximizing the efficient use of national resources.

¹ <https://www.crisisgroup.org/rpt/asia-pacific/south-east-asia/philippines-china-united-states/349-riding-unruly-waves-philippines-military-modernisation-effort#:~:text=I.,Hide%20Footnote>

This reform recognizes that national security depends not only on military strength but also on the effectiveness, coherence, and professionalism of the institutions that sustain it. By refining the organizational structure and strengthening the capabilities of the Department of National Defense and its bureaus, the proposed Act positions the Philippines to safeguard its sovereignty, advance its national interests, and respond decisively to emerging threats in an increasingly uncertain global environment.

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


AUDREY KAY T. ZUBIRI
Representative, 3rd District of Bukidnon

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

Preliminary Provisions

SECTION 1. *Short Title.* - This Act shall be known as "*The National Defense Act.*"

SEC. 2. *Declaration of National Defense Policies.* - 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 broad concern of national security;
- 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, gender, civil status, ethnicity, and religion, and all resources;
- c. 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 d. The national defense organization shall be adapted as closely as possible to the
2 territorial and administrative organization of the Philippines;

3 e. The employment of the nation's citizens and resources for national defense shall be
4 effected by mobilization based on the defense posture prescribed in defense policies;

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

8 g. The mobilization plans of financial, industrial, economic, technological and social
9 resources of the Philippines shall conform to the defense concept based on the defense
10 policies and shall be prepared by the executive departments concerned in accordance
11 with the following general policies:

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

17 h. No profit incident to war shall accrue to any individual, corporation, association or
18 partnership;

19 i. The State values the dignity of every human person, guarantees full respect for human
20 rights, including but not limited to the rights of indigenous cultural communities, the
21 equitable rights of women in peace building, gender and development, the protection
22 of children and other vulnerable groups, and adhered to the generally accepted
23 principles of international law, including applicable conventions, protocols and other
24 international agreements; and

25 j. The State shall pursue the development of an industrial capacity necessary for the
26 development of self-reliance defense posture, providing adequate support to local
27 industries and partnership with international entities.

1 **SEC. 3. *Defense Conditions and Authority.*** - Defense conditions shall be the bases for
2 the designation of persons and entities to act in behalf of the state. Defense conditions,
3 hereinafter referred to as DEFCON, are levels of national security - peace, conflict and war -
4 that tend to, or actually threaten, the security of the State. The level of defense conditions and
5 the persons or entities designated to act in behalf of the state shall be prescribed by the
6 President.

7 8 **Mobilization of Persons and Resources**

9
10 **SEC. 4. *Military Service.*** - Military service shall be obligatory for all able-bodied
11 citizens 18 to 65 years of age, in case of war, invasion, or rebellion, as declared by Congress.
12 The methods and procedures for the classification, selection, examination, induction, training,
13 mobilization, and release of all citizens from their military obligations shall be prescribed by
14 the President.

15 **SEC. 5. *Registration.*** - The registration of citizens for obligatory military service shall
16 be a military function carried out by the Major Services through their respective Reserve
17 Commands.

18 **SEC. 6. *Mobilization.*** - During mobilization, the President shall have the power to
19 secure all such resources as may be necessary for national defense. The President may authorize
20 and delegate the SND to undertake the action and activities related thereto

21 22 **TITLE I**

23 **DEPARTMENT OF NATIONAL DEFENSE**

24 **Article I - General Provisions**

25

1 **SEC. 7. *Mandate.*** - The Department of National Defense (DND) is the primary
2 government agency charged with the duty of implementing the provisions of this Act. The
3 defense establishment shall maximize its effectiveness for guarding against external threats to
4 national security, provide support as directed by the President to conduct operations to address
5 internal threats, support social and economic development, and promote the welfare of soldiers
6 and veterans.

7 **SEC. 8. *Powers and Functions of the Department.*** - To carry out the above-declared
8 mandate, the DND shall exercise and perform the following powers and functions:

- 9 a. Design, formulate and prepare national defense concepts, policies, strategies, plans and
10 programs;
- 11 b. Formulate, develop and update the national defense policies of the country, including
12 the mobilization plan for the employment of the country's citizens and resources for
13 national defense;
- 14 c. Develop and build defense capabilities of the Armed Forces to address readiness and
15 mission requirements and threats;
- 16 d. Continue to institutionalize and develop the Defense System of Management (DSOM)
17 that shall integrate, but shall not be limited to, strategic defense assessment, planning,
18 resource and financial management, acquisition, control, support, administration, and
19 decision-making responsibilities of the SND and DND senior leaders;
- 20 e. Control, monitor, coordinate, supervise and evaluate the implementation of national
21 defense policies, plans, programs and activities;
- 22 f. Exercise supervision and control over the Armed Forces of the Philippines (AFP),
23 Government Arsenal (GA), Office of Civil Defense (OCD), Philippine Veterans Affairs
24 Office (PVAO) and the National Defense University (NDU);
- 25 g. Formulate, establish, implement, and supervise the quality management system;

- 1 h. 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 i. Implement the country's international defense and security commitments based on
5 defense and security treaties, cooperation agreements, international covenants,
6 protocols and other similar arrangements;
- 7 j. Develop a Self-Reliant Defense Posture (SRDP) program to guarantee the enhancement
8 of responsive and progressive capabilities and maximum utilization of resources; and
- 9 k. Perform such other defense-related functions as may be provided by law or directed by
10 the President of the Philippines.

11 **SEC. 9. *Contracts.*** - The DND is hereby authorized to enter into, make, perform and
12 carry out contracts of every class, kind and description which are necessary or incidental to the
13 performance of its mandate as provided herein, with any person, firm or corporation, public or
14 private, and with foreign government entities, subject to the provisions of existing laws, rules
15 and regulations. Within ninety (90) days from the approval of this Act, the Secretaries of
16 National Defense, Finance, Budget and Management, Trade and Industry, and Economy,
17 Planning and Development shall jointly promulgate rules and regulations to facilitate the
18 importation and exportation of defense articles compliant with international conventions on the
19 sale, transfer, and trade of such articles.

20 **SEC. 10. *Administration, Management and Control of Defense Real Properties.*** - (a)
21 The Department is hereby authorized to administer, operate, manage, control, maintain and
22 develop defense real properties for strategic basing and to use, hold, acquire, or lease any
23 private real property, right of way, or easement which may be proper or necessary for the
24 accomplishment of its mandate as provided in this Act.

25 (b) The sale and/or exchange of strategic defense real properties shall be prohibited unless
26 otherwise recommended by the SND, approved by the President of the Philippines, with the
27 consent of Congress.

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

3 **SEC. 11. *Special Defense Materiel Acquisition.*** - Upon prior approval by the President
4 of the Philippines, and when the procurement for use by the AFP involves major defense
5 equipment or materiel and/or defense-related consultancy services, when the expertise or
6 capability required is not available locally, and the SND has determined that the interests of
7 the country shall be protected by negotiating directly with an agency or instrumentality of
8 another country with which the Philippines has entered into a defense cooperation agreement
9 or otherwise maintains diplomatic relations, the AFP may be allowed to resort to negotiated
10 procurement: *Provided, however,* That the performance by the supplier of its obligations under
11 the procurement contract shall be covered by a performance security in accordance with
12 Section 39 of the IRR of R.A. No. 9184 or the "Government Procurement Reform Act."

13 The DND shall give preference to the Self-Reliant Defense Posture as a means to
14 acquire defense materiel and equipment; *Provided,* That priority shall be given to local defense
15 industry manufacturers; *Provided, further,* That in case of foreign procurements, the latter must
16 be willing to set up an in-country manufacturing and production facility with technology
17 transfer schemes and will undertake to employ Filipino technical skilled workers, scientists and
18 engineers; *Provided, finally,* That collaboration among government, academe and industries
19 shall likewise be encouraged particularly on defense research and development (R&D).

20 The Secretary of National Defense is hereby authorized to enter into contracts and
21 agreements particularly under international defense cooperation agreements with technology
22 transfer industry development components.

23 A best rated offer shall be applied for Filipino-owned defense industries located within
24 the Philippines.

25 **SEC. 12. *Grants and Donations.*** - The Department, or any of the bureaus, agencies or
26 offices under it, may accept donations, contributions, and grants from various sources,

1 domestic or foreign, for purposes relevant to its functions: *Provided*, That in case of donations
2 from foreign governments or persons, acceptance thereof shall be subject to existing laws, rules
3 and regulations.

4 **SEC. 13. *Defense and Cooperation.*** - Unless otherwise provided by the Constitution,
5 the DND may develop, enhance and sustain multi-dimensional defense and security
6 cooperation and engagements with the defense establishments and armed forces of other
7 countries, and other regional and international organizations based on the principle of good
8 governance, and mutual benefit and respect and in line with the foreign policies of the
9 Philippines.

10 **Article II - Organization**

11 **SEC. 14. *Organizational Structure.*** - The DND shall be composed of the DND-Proper
12 and its bureaus namely, the Armed Forces of the Philippines (AFP), Philippine Veterans Affairs
13 Office (PVAO), Government Arsenal (GA), National Defense University (NDU), and the
14 Office of Civil Defense (OCD).

15 **SEC. 15. *Composition.*** - The DND-Proper shall be composed of the Office of the SND
16 and the Offices of the Undersecretaries and Executive Staff.

17 **SEC. 16. *Office of the Secretary.*** - The Office of the Secretary shall consist of the SND
18 and his/her immediate staff as determined by him/her.

19 **SEC. 17. *The Secretary of National Defense.*** - Subject to qualifications and
20 prohibitions under Republic Act No. 11709 and other existing laws, the SND shall be appointed
21 by the President, subject to confirmation by the Commission on Appointments.

22 **SEC. 18. *Powers and Functions of the Secretary.*** - The SND shall be vested with the
23 authority and responsibility to have control and supervision of the DND in the performance of
24 its mandate, and perform such other functions as may be necessary to attain the objectives of
25 this Act or as may be provided by law or directed by the President.

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TITLE II

THE ARMED FORCES OF THE PHILIPPINES

Article I - General Provisions

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

- a. Defend against all forms of threats to national defense and security;
- b. Design, plan, organize, train, equip, develop, employ and sustain its Regular and Reserve Forces for national defense and security; and
- c. Perform such other functions as may be provided by law or assigned by the Commander-in-Chief.

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

SEC. 21. *Organization and Composition.* - The AFP shall be initially composed of three (3) major services - the Philippine Army, the Philippine Air Force, and the Philippine Navy. The AFP composition shall be guided by the Table of Organization and Equipment (TOE) prescribed by the SND upon recommendation of the CSAFP.

Article II - The Regular Force

A. ORGANIZATION AND COMPOSITION

Chapter I - General Provisions

1 **SEC. 22. *Size and Composition.*** - The Regular Force, alternately referred to as the

2 Standing Force, shall be initially composed of the following:

- 3 a. Regular Officers and Enlisted Personnel;
- 4 b. Reservists called to active duty, or on active duty tour for training; and
- 5 c. Draftees, trainees and government-sponsored Filipino cadets enrolled in local or
- 6 foreign military schools.

7 The size and composition of the Regular Force shall be prescribed by the TOE as

8 approved by the SND and shall be the basis of manning the AFP.

9 **SEC. 23. *Organizational Principle.*** - The SND, upon the recommendation of the

10 CSAFP, shall organize the AFP into such commands, forces and units in accordance with

11 operational requirements. For this purpose, the national territory may be divided into such

12 operational areas as the SND may direct.

13 **SEC. 24. *Organizational Structure.*** - The Regular Force of the AFP shall consist of

14 the Joint Headquarters; the Joint Force Operational Commands; the Component Services

15 namely: the PA, the PN and the PAF; and the other existing commands, units, and services of

16 the AFP.

17 **SEC. 25. *Operational Principles.*** - The operational principles of the AFP shall be as

18 follows:

- 19 a. The Commander-in-Chief shall exercise command and control through the CSAFP with
- 20 the supervision of the SND. The Joint Headquarters AFP, shall be the command and
- 21 control element of the AFP;
- 22 b. The Joint Headquarters AFP shall exercise centralized command and control to ensure
- 23 unity and coordination of efforts throughout the military establishment;
- 24 c. The Joint Force Operational Commands as force employers shall be responsible for the
- 25 decentralized execution of joint operations to achieve maximum operational
- 26 effectiveness within the military establishment unless otherwise determined by the
- 27 CSAFP through the supervision of the SND;

1 d. The Major Services as force providers shall be responsible for the development,
2 organization, training, equipping, maintenance and sustainment of combat forces,
3 combat service forces, technical and administrative service, and combat service support
4 forces;

5 e. The AFP Reserve Force shall provide for the base of expansion of the Major Services.

6 **Chapter 2 - The General Headquarters Armed Forces of the Philippines**

7 **SEC. 26. *Mandate.*** - The General Headquarters, which shall be headed by the CSAFP,
8 shall be the command and control element of the AFP.

9 **SEC. 27. *Organization.*** - The General Headquarters shall be composed of the Office
10 of the CSAFP, Office of the Vice Chief of Staff, Office of the Deputy Chief of Staff, the AFP
11 Joint, Personal and Special Staff and the other key staff offices and units necessary for effective
12 command and control of the AFP as recommended by the CSAFP with the approval of the
13 SND.

14 **SEC. 28. *Powers and Functions.*** - The Chief of Staff shall:

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

16 b. Be responsible for the formulation of the national military strategy consistent with the
17 national defense strategy;

18 c. Be responsible for the development of the policies, strategies, missions, plans and programs
19 of the AFP;

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

22 **SEC. 29. *The Joint Staff.*** - The Joint Staff, as coordinating staff shall advise and assist
23 the CSAFP in the performance of his/her functions. The organization, functions and duties of
24 the Joint Staff shall be prescribed by the CSAFP.

1 **SEC. 30. *Personal Staff.*** - The Personal Staff, as immediate staff shall directly advise
2 and assist the CSAFP in the performance of his/her functions. The organization, functions and
3 duties of the Personal Staff shall be prescribed by the CSAFP: *Provided*, That coordination
4 with other staff is not precluded.

5 **SEC. 31. *Special Staff.*** - The Special Staff, as specialized, technical and administrative
6 staff shall advise and assist the CSAFP in the performance of his/her functions. The
7 organization, functions and duties of the Special Staff shall be prescribed by the CSAFP.

8 **SEC. 32. *Authority to Reorganize the General Headquarters.*** - In the interest of
9 efficiency and effectiveness, the CSAFP, upon the approval of the SND, may:

- 10 a. Establish and organize staffs, offices and units in the General Headquarters in addition
11 to the AFP Joint, Personal and Special Staff, and prescribe the organization, mission
12 and functions; and
13 b. Establish, organize, and/or abolish staffs, offices and units in the AFP and prescribe
14 their structure, mission, functions, duties and responsibilities, and other parameters and
15 standards.

16 **Chapter 3 - Joint Force Operational Commands**

17 **SEC. 33. *Organization, Mission and Function.*** - The CSAFP, upon approval of the
18 SND, shall organize and establish the Joint Force Operational Commands which shall be under
19 the command, control and operational direction of its Joint Force Commander: *Provided*, That
20 the SND, upon the recommendation of the CSAFP, shall prescribe the mission, functions,
21 duties and responsibilities and joint area of operations of the Joint Force Operational
22 Commands.

23 **SEC. 34. *The Philippine Army (PA).*** - The PA, headed by the Chief of the Philippine
24 Army, shall provide forces that will be responsible for the conduct of prompt and sustained
25 joint and combined ground operations in support of the AFP mission. It shall be composed of

1 its headquarters, maneuver units, and sustainment units and such other units as may be
2 necessary for the conduct of ground operations.

3 **SEC. 35. *Functions of the PA.*** - The PA shall:

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

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

10 d. Implement mobilization of the Army Reserve; and

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

13 **SEC. 36. *The Philippine Air Force (PAF).*** - The PAF headed by the Chief of the
14 Philippine Air Force shall provide forces that will be responsible for the conduct of prompt and
15 sustained air operations in support of the AFP mission. It shall be composed of its headquarters,
16 air combat, combat support and sustainment units and such other units as may be necessary for
17 the conduct of air and support operations.

18 **SEC. 37. *Functions of the PAF.*** - The PAF shall:

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

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

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

1 d. Implement mobilization of the Air Force Reserve; and

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

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

9 **SEC. 47. *Functions of the PN.*** - The PN shall:

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

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

14 c. Formulate and develop, in coordination with the other Major Services, doctrines, systems,
15 tactics, techniques and procedures peculiar to the Navy;

16 d. Implement mobilization of the Navy Reserve; and

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

19 **SEC. 40. *Technical and Administrative Service.*** - Each Major Service shall develop,
20 organize, train, equip, maintain, and sustain their respective Technical and Administrative
21 Service composed of but not limited to, the Judge Advocate General Service, Medical Corps,
22 Veterinary Corps, Medical and Administrative Corps, Nurse Corps, Dental Corps, Chaplain
23 Service, and Corps of Professors.

1 **SEC. 41. *The Women's Auxiliary Corps.*** - The Women's Auxiliary Corps as created
2 by Republic Act No. 3835, as amended, shall be integrated to their respective Major Service.
3 For this purpose, R.A. No. 3835 is hereby repealed.

4
5 **Chapter 4 — Military Education and Training Institutions**

6 **SEC. 42. *Organization, Mission and Function.*** - (a) The Philippine Military Academy
7 (PMA), AFP Education, Training, and Doctrine Command, Officer Candidate School (OCS),
8 Non-Commissioned Officer Academy and other Military Education and Training Institutions
9 organized and established by the CSAFP with the approval of the SND shall be under the
10 command, control and direction of their respective Military Education and Training
11 Superintendent/Commandant.

12 (b) The mission, functions, duties and responsibilities of the military education and training
13 institutions shall be prescribed by the CSAFP with the approval of 16 the SND.

14 **SEC. 43. *The Philippine Military Academy (PMA).*** -

- 15 a) **Mandate.** - The PMA categorized as special higher education institution is the primary
16 training and educational institution of the AFP, which shall be its principal source of
17 regular officers. The PMA shall seek to have its academic program offerings accredited
18 by a reputable accrediting agency of national or international standard.
- 19 b) **Organization.** - The Academy headed by the Superintendent shall be organized as
20 prescribed by the SND, upon the recommendation of the CSAFP.
- 21 c) **Development.** - The Academy shall determine its teaching, manpower, curriculum,
22 research and extension thrusts, plans and programs, standards and budget.
- 23 d) **Cadet Corps.** - The student body of the Academy shall be known as the Cadet Corps
24 Armed Forces of the Philippines (CCAFP) and shall have such strength, as the SND
25 shall determine, upon the recommendation of the CSAFP.

1 e) Academic Board. - There shall be an Academic Board organized by the Superintendent.
2 The Board shall, in accordance with the rules and regulations prescribed by the CSAFP,
3 have the power to confer baccalaureate degrees upon the cadets who satisfactorily
4 complete the approved course of study.

5 f) Board of Visitors. - The DND shall establish a board of visitors to look into the
6 academic affairs of the Academy with the end of enhancing its educational systems.
7 The composition of the Board of Visitors shall be prescribed by the SND.

8 **SEC. 44. Authority to Establish Other Military Training Institutions.** - The President,
9 upon the recommendation of the CSAFP through the SND, is hereby authorized to establish
10 other military training academies and institutions in the AFP.

11 **B. ADMINISTRATION OF MILITARY DISCIPLINE AND JUSTICE SYSTEM**

12 **SEC. 45. Military Discipline and Justice.** - (a) There shall be a military discipline and
13 justice system consisting of rules governing the conduct of military personnel and providing a
14 method of punishment for the purpose of enforcement of discipline and administration of
15 justice in the AFP.

16 (b) Military justice shall be applicable at all times and in all places to all persons subject to
17 military law as defined by existing laws.

18 (c) The President as Commander-in-Chief and subordinate authorities as provided for in this
19 Act shall have the exclusive authority to administratively discipline military personnel for
20 purely service-related offenses or infractions. The power to investigate and adjudicate
21 administrative cases against military personnel for acts arising from the performance of official
22 duties shall be under the exclusive jurisdiction of the AFP.

23 (d) No order of separation, dismissal or discharge from the active service or acceptance of
24 resignation of Commissioned Officers shall be implemented unless approved by the President.

1 (e) There shall be reduction in grade, suspension of active service, and forfeiture, suspension,
2 or withholding of pay and allowances of Commissioned Officers found administratively liable,
3 the procedure, extent, grounds or system of which shall be prescribed by the President as
4 recommended by the SND. Other lower disciplinary measures against erring Commissioned
5 Officers shall be prescribed by the SND.

6 (c) Procedure, extent, grounds or system of reduction in grade, demotion of rank, suspension
7 of active service, and forfeiture, suspension or withholding of pay and allowances of Warrant
8 Officers and Enlisted Personnel by the CSAFP.

9 C. LEGAL ASSISTANCE

10 **SEC. 46. *Extension of Legal Assistance.*** - All military personnel charged of service-
11 related or service-connected civil or criminal cases, upon determination by the Judge Advocate
12 General or the concerned Major Service Judge Advocate of the fact of service connection with
13 the approval of the concerned Chief of Component Services, shall be provided adequate and
14 competent legal representation and assistance by military lawyers or counsel of their own
15 choice until the logical conclusion of their cases. Reasonable programmed allocation can be
16 charged against the fund of the concerned component service to support the effective handling
17 and defense of this category of cases.

18 TITLE III

19 OTHER BUREAUS AND AGENCIES UNDER THE DEPARTMENT 39 ARTICLE I- 20 GENERAL PROVISIONS

21 **SEC. 47. *Control and Supervision.*** - The SND shall exercise control and supervision
22 over the bureaus and agencies under this Title, as well as its personnel.

23 **SEC. 48. *Organization.*** - (a) Unless otherwise provided by law, the organization,
24 functions, duties and responsibilities of the staff and operating units of each of the bureaus and

1 agencies under the DND shall be as prescribed by the SND in appropriate rules and regulations
2 issued for the purpose.

3 (b) For this purpose, and in the interest of service, the SND may, in accordance with the policies
4 or directives of the President:

- 5 1. Establish and organize staffs, offices and units in the bureaus or agencies and
6 prescribe the titles, powers, functions and duties of the positions therein;
- 7 2. Abolish existing staffs, offices and units in the bureaus or agencies not specifically
8 provided by law, or transfer or consolidate their functions and duties with other staffs,
9 offices or units; and

- 10 3. Abolish a position of any bureau or agency and transfer or consolidate its functions and
11 duties with those of another position.

12 **SEC. 49. Separation Benefits of Officials and Employees of Affected Bureaus or**
13 **Agencies.** - Government employees displaced or separated from the service as a result of the
14 restructuring pursuant to this Act shall be entitled to a separation pay and other benefits in
15 accordance with existing laws, rules or regulations.

16 **ARTICLE II**

17 **THE GOVERNMENT ARSENAL**

18 **SEC. 50. *Mandate.*** - The GA shall develop, operate, maintain and secure facilities for
19 the manufacture of weapons, munitions and other defense materiel to support the requirements
20 of the AFP, the Philippine National Police (PNP) and other law enforcement agencies; and, to
21 sell and export products in excess of the local demand.

22 **SEC. 51. *Powers and Functions.*** - The GA shall have the following powers and
23 functions:

- 24 a. Formulate and implement plans and programs towards the achievement of self-
25 sufficiency in weapons, small arms ammunition, mortars, medium and large caliber

1 ammunition and other munitions needed by the country's defense and security
2 establishments;

3 b. Design, conduct research, develop, manufacture, procure, repair, stockpile and allocate
4 weapons, munitions and other defense materiel subject to existing laws and regulatory
5 requirements;

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

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

10 e. Establish, secure and operate government defense manufacturing plants, as necessary,
11 in strategic locations within the country.

12 **SEC. 52. *Organization and Administration.*** - The GA shall be headed by a Director
13 with one or more Assistant Directors who shall support the Director in the administration,
14 manufacturing operations and other affairs of the bureau; all of whom shall be appointed by
15 the President upon the recommendation from the SND, and who shall have the relevant
16 expertise, training and experience in the field of munitions.

17 **SEC. 53. *Modernization of the Arsenal.*** - The modernization of the GA, for the
18 development of production capabilities to enhance self-sufficiency in defense requirements,
19 shall be part of the defense modernization program. The GA may use such production facilities
20 as it may own or be provided with under this Act or as it may arrange, under joint venture, co-
21 production or similar agreements with local and foreign entities.

22 **ARTICLE III**

23 **NATIONAL DEFENSE UNIVERSITY**

24 **SEC. 54. *Conversion of the NDCP.*** - In view of the rapidly evolving national and
25 regional security environment, the current academic trends and research thrusts of defense
26 institutions in the Asia Pacific, and the increasing need for specialized defense and security

1 courses to enhance the academic foundation of promoting Philippine national security, the
2 National Defense College of the Philippines (NDCP) is hereby converted into the National
3 Defense University (NDU) categorized as a special higher education institution. To ensure the
4 continuous operation of the College, all its personnel and resources shall be absorbed by the
5 NDU. The degree programs, instruction, faculty complement, research, and facilities of the
6 NDU shall be accredited by the Commission on Higher Education (CHED). The NDU shall
7 likewise receive appropriate funding to fulfill the requirements of conversion into a defense
8 university.

9 **SEC. 55. *Mandate.*** - In accordance with the standards set forth in pertinent laws and
10 regulations on higher education, the NDU shall train and develop the competence of potential
11 national defense leaders, civilian officials of the different agencies and instrumentalities of the
12 Government, and selected executives from the private sector in the formulation and review of
13 national security policies and undertake research and studies as basis for the formulation of
14 national defense and security policies, plans and programs. The NDU shall be headed by a
15 President, and assisted by an Executive Vice President, and four (4) Vice Presidents, all of
16 whom shall be appointed by the President of the Philippines, upon the recommendation of the
17 SND. The NDU President shall have a term of six (6) years who shall have the following
18 minimum qualifications:

- 19 a. A natural-born citizen;
20 b. Holder of a masters or doctorate degree on defense and security;
21 c. Proven track record as an administrator, preferably In the academe, whether public or
22 private, for at least five (5) years; and
23 d. Must not have been convicted of any administrative offense or of any crime involving
24 moral turpitude.

25 **SEC. 56. *Powers and Functions.*** The University shall have the following powers and
26 functions:

- 27 a. Confer the degree of Master in National Security Administration (MNSA) upon the
28 graduates thereof;
29 b. Develop and confer degrees relating to defense and security;

- c. Conduct non-degree programs, special course, seminar workshops and symposia on defense and security;
- d. Undertake policy research and special studies on strategic defense and security issues;
- e. Produce research and development output of practical application to the various organizational units of defense;
- f. Establish relevant linkages and outreach programs that are mindful of service to the various organizational units of defense; and
- g. Perform other functions and duties as may be directed by the SND.

SEC. 57. *Organization and Administration.* — (a) The NDU President shall administer the affairs of the University with the assistance of the Executive Vice President, who shall act as NDU President in the absence or incapacity of the NDUP President, and shall perform such other functions and duties as may be assigned to him by the NDU President or the SND. There shall be a Vice President for Academic Affairs, who shall be responsible for the development, implementation, supervision and evaluation of academic programs; a Vice President for Research and Special Studies, who shall be responsible for the conduct and supervision of research work and special studies for the Department; a Vice President for Military and Security Affairs, who shall be responsible for the overall military activities of the University; a Vice President for Administration, who shall be responsible for the overall military and security support to all the activities of the University; and a Vice President for Administration, who shall be responsible for the overall administrative support to all the activities of the University.

(b) The University shall have an Academic Board to assist the President discharge the following functions:

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

1 (c) All resource persons of the University including but not limited to academic consultants,
2 professors, lecturers, instructor, thesis advisers, members of examining and evaluating panels,
3 examiners, correctors, and technicians who are regularly employed in the Government shall, in
4 addition to their salaries, be entitled to receive honoraria, fees and other emoluments fixed by
5 the SND in accordance with accounting and budgeting rules.

6 (d) The SND may establish a Board of Regents to assist and advise him in providing strategic
7 direction and guidance necessary to ensure the accomplishment of the mandate of the
8 University.

9 **SEC. 58. *Transition.*** - The SND shall determine the appropriate transition period for
10 NDCP to attain the status and competency of becoming a university. Further, Congress shall
11 allocate the necessary funds for the conversion of NDCP to NDU.

12 **ARTICLE IV**

13 **OFFICE OF CIVIL DEFENSE**

14 **SEC. 59. *Mandate.*** - The OCD shall have the primary mission of administering a
15 comprehensive national civil defense and disaster risk reduction and management program
16 during local and national emergencies by providing leadership in the continuous development
17 of strategic and systematic approaches as well as measures to reduce the vulnerabilities and
18 risks to hazards and manage the consequences of disasters.

19 **SEC. 60. *Powers and Functions.*** - The Office shall have the following powers and
20 functions:

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

- 1 b. Formulate policies and prepare plans for the protection and welfare of the civilian
2 population in times of war or other national emergencies as may be determined by the
3 President of the Philippines;
- 4 c. Furnish guidance and coordinate the activities of national government agencies, local
5 government units, private institutions and civic organizations for natural and human-
6 induced disasters;
- 7 d. Develop and coordinate a program for informing, educating and training the general
8 public, volunteer workers and civil defense groups on civil defense and assistance
9 measures and activities;
- 10 e. Prepare and disseminate disaster control manuals and other publications related to
11 measures on disaster prevention and mitigation, preparedness, response and
12 rehabilitation and recovery;
- 13 f. Advise the SND on matters concerning civil defense and make recommendations from
14 time to time as may be deemed appropriate or as the Secretary may require;
- 15 g. Provide assistance and secretariat services to the National Disaster Risk Reduction and
16 Management Council to implement the policies set by the latter relative to disaster
17 management;
- 18 h. Furnish guidance to the various provinces, cities and municipalities in the planning,
19 accreditation, organization and operation of their civil defense organizations; and
20 i. Perform such other civil defense functions as may be provided by law.

21 **SEC. 61. *Organization.*** - The OCD shall be headed by an Administrator who shall also
22 serve as Executive Director of the National Disaster Risk Reduction and Management Council
23 and, as such, shall have the same duties and privileges of a department undersecretary. It shall
24 operate under a duly approved organization and staffing as recommended by the SND.

25 **ARTICLE V**

26 **PHILIPPINE VETERANS AFFAIRS OFFICE**

SEC. 62. *Mandate.* - The Philippine Veterans Affairs Office (PVAO) shall be the government agency responsible for administering the benefits due to veterans and their qualified beneficiaries and shall provide medical assistance to veterans pursuant to existing laws. It shall also administer, maintain and develop military memorials and battle monuments proclaimed as national shrines.

SEC. 63. Powers and Functions. - The Office shall have the following powers and functions:

- a. Formulate and promulgate, subject to the approval of the SND, policies, rules and regulations governing the adjudication and administration of veterans claims and benefits;
- b. Adjudicate and administer benefits, pensions and other privileges granted to veterans, their heirs and beneficiaries;
- c. Provide medical care and treatment to veterans pursuant to existing programs and projects approved by the SND;
- d. Administer, develop and maintain military shrines;
- e. Develop patriotism and nationalism, PVAO preserves and promotes the ideas of Kagitingan in the sacrifices and heroic deeds of our veterans;
- f. Formulate policies concerning the affairs, placement and training of ex-servicemen and assist their widow and dependents, and other retired military personnel;
- g. Undertake the promotion of the general welfare of veterans and their families; and
- h. Perform such other functions as may be provided by law.

SEC. 64. *Organization.* - The PVAO 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 SND. It shall have such staff and other operating units as may be prescribed by the SND.

FINAL PROVISIONS

1 **SEC. 65. *Implementing Rules and Regulations.*** - The DND and all concerned agencies
2 shall formulate the corresponding Implementing Rules and Regulations (IRR) for proper
3 implementation of this Act within twelve (12) months from the effectivity hereof. The said
4 rules and regulations shall be approved by the President of the Philippines.

5 **SEC. 66. *Appropriations.*** - The initial funding requirements for the implementation of
6 this Act shall be charged against existing appropriations of the concerned agencies and such
7 other appropriate funding sources as the Department of Budget and Management may identify,
8 subject to relevant laws, rules and regulations. Thereafter, such sums as may be necessary for
9 the continued implementation of this Act shall be included in the annual General
10 Appropriations Act.

11 **SEC. 67. *Separability Clause.*** - If any part or provision of this Act is held invalid or
12 unconstitutional, other provisions not affected thereby shall remain in force and effect.

13 **SEC. 68. *Repealing Clause.*** - All laws, decrees, orders, rules and regulations or parts
14 thereof which are contrary to or inconsistent with the provisions of this Act are hereby repealed
15 or modified accordingly. All affected provisions of existing laws are deemed effective until
16 such promulgation of the IRR.

17 **SEC. 69. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days upon its
18 complete publication in the Official Gazette or in at least two (2) newspapers of general
19 circulation, whichever comes first.

20 *Approved,*