

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



'13 SEP 16 P3:07

SENATE
S. No. 1658

RECEIVED BY: *ja*

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

Last year, President Benigno Simeon Aquino III finally affixed his signature on the Revised Armed Forces Modernization Program to extend the 15-year old measure, which aims to modernize all branches of the AFP. However, despite the laudable action, the law, as amended, is in need of at least one relevant and urgent amendment.

Among the major obstructions, which have thwarted the full implementation of the law, is the highly tedious and circuitous procurement process of the AFP. This has consequently resulted to the lengthy and protracted acquisition of the AFP's weaponry and artillery. Indeed, in the early years of the implementation of the extended AFP Modernization Program, AFP and defense officials cited lack of funds and the cumbersome procurement process as among the reasons for the AFP's failure to acquire equipment.

One of the possible roadblocks to the acquisition of necessary armament and equipment is the provision in the AFP modernization law that no major equipment and/or weapons system shall be purchased if the same are not being used by the armed forces in the country of origin or used by the armed forces of at least two countries.

This bill seeks to amend and relax the aforementioned provision by allowing the purchase of major equipment and/or weapons system so long as the same are being used by the armed forces in the country of origin or by the armed forces of another country.

It is hoped that by relaxing said requirement in the acquisition of quality and modern equipment and weapons system, the acquisition process of the AFP can be unclogged, thereby hastening the implementation of the law.

A similar bill was filed and adopted on third reading by the Senate during the 15th Congress but failed to get the nod of the bicameral conference committee. It is hoped that during this Congress, a compromise could be arrived at and this bill could be finally enacted into law for the benefit of our armed forces and of our country.


ANTONIO "SONNY" F. TRILLANES IV
Senator

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AN ACT
AMENDING SECTION 4(B) OF REPUBLIC ACT NO. 7898, OTHERWISE KNOWN AS
THE AFP MODERNIZATION ACT, AS AMENDED BY REPUBLIC ACT NO. 10349,
ESTABLISHING THE "REVISED AFP MODERNIZATION PROGRAM", AND FOR
OTHER PURPOSES

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

SECTION 1. Section 4(b) of Republic Act No. 7898, otherwise known as the AFP Modernization Act, as amended by Republic Act No. 10349, establishing the "Revised AFP Modernization Program" is hereby further amended to read as follows:

"(b) Capability, material, and technology development. – the AFP modernization program entails the development and employment of certain capabilities that can address the assessed threats: *Provided,* That the acquisition of air force, navy and army equipment and material of such types and quantities shall be made in accordance with the need to develop AFP capabilities pursuant to its modernization objectives: *Provided, further,* That the acquisition of new equipment and weapons systems, shall be synchronized with the phase-out of uneconomical and obsolete major equipment and weapons systems in the AFP inventory: *Provided, even further,* That **ONLY** [no] major equipment and weapons system [shall be purchased if the same are not] being used by the armed forces in the country of origin or used by the armed forces of [at least two countries] **ANOTHER COUNTRY SHALL BE PURCHASED UNDER THIS ACT:** *Provided, furthermore,* That only offers from suppliers who are themselves

the manufacturers shall be entertained: *Provided, final,* That no supply contract shall be entered into unless such contract provides for, in clear and unambiguous terms, an after-sales services and availability of spare parts.

SEC. 2. *Repealing Clause.* - All laws, executive orders, rules and regulations inconsistent with or contrary to this Act are hereby deemed accordingly repealed or amended.

SEC. 3. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of national circulation.

Approved,