

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
FIRST REGULAR SESSION)

5 MAR -3 P4:21

RECEIVED BY:

SENATE
S.B. No. 1948

Introduced by Senator Magsaysay, Jr.

EXPLANATORY NOTE

A strong Republic in order for it to remain strong, effective and democratic must have strong checks and balances not only in the bureaucracy, but also in the Armed Services as well. An Armed Forces dominated by one culture of officers coming from one military institution opens itself to manipulations and easy commitment of acts inimical to national security, the negative aspects of common bonds and cultures among officers. It should be policy of the State to have multiple sources of commission of officers in the AFP. No one group of officers from a particular source of commission be allowed to dominate the AFP. Thus there is a necessity to establish separate military academies of the major services of the AFP.


Officers from varied sources of commission will enhance checks and balances in the AFP. The negative aspect of cultural bonding among alumni of the same institution will be lessened and officers will have a healthy professional competition to rise up to higher ranks. This bill proposes the establishment of a Philippine Naval Academy (PNA) to train Naval Officers of the AFP. The instruction will be a 2-year program, basing from the minimum General College Education requirements as established by the Commission on Higher Education (CHED).

The present facilities, equipment, applicable areas, faculty and administrative personnel of the Philippine Naval Training Command shall be absorbed by the PNA. The PNA shall establish a strong working relationship for specific academic as well as training facilities with the Philippine Merchant Marine Academy and other colleges, universities and institutions. Nothing prevents the PNA from establishing arrangements with colleges and universities to augment capabilities to train midshipmen. Upon graduation from PNA the midshipmen shall be commissioned regular officers of the AFP. The baccalaureate degrees earned at the PNA prepare the graduates to pass certain government licensure examinations for mariners. And since the degrees acquired from PNA are CHED accredited, the graduates will be able to use their academic and leadership training not only as Navy Officers but also as licensed mariners.


RAMON B. MAGSAYSAY, JR.

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AN ACT
ESTABLISHING THE PHILIPPINE NAVAL ACADEMY (PNA) AND
APPROPRIATING FUNDS THEREFOR

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

SECTION 1. Applicability - The provision of this Act shall apply to the AFP in so far as to the establishment of the Philippine Naval Academy; admission of cadets, who shall be known and called as midshipmen; organization and administration of the Academy; appointment to the regular force as officers in the AFP from those who successfully complete the academic and officer training in the academy; the composition of the Corps of Midshipmen; composition of the Academic Board and Faculty members.

SEC. 2. Definition of Terms - For purposes of this Act, the following are hereby defined:

- a. Active Commission Service - A period of the active service rendered by an individual as commissioned officer.
- b. CHED - Commission on Higher Education
- c. Commission - a status conferred to an individual by the President of the Republic of the Philippines to serve as regular officer in the AFP.
- d. CMPN - Corps of Midshipmen of the Philippine Navy.
- e. Midshipman - a cadet in the Philippine Naval Academy who is pursuing a baccalaureate degree and being trained as an officer of the AFP and specializing in the maritime fields.
- f. PNA - Philippine Naval Academy.
- g. Regular Officer - a commissioned officer in the regular forces of the AFP appointed as such by the President of the Republic of the Philippines.

SEC. 3. Declaration of State Policy - It is hereby declared that the State promotes multiple sourcing of regular officers of the AFP from diverse military institutions of the Major Services of AFP including from the Coast Guard Academy/School that maybe established in the future. This State policy conforms to the policy of developing checks and balances in a democratic country like ours not only in the government bureaucracy but also in the defense and national security agencies.

SEC. 4. Philippine Naval Academy - There shall be established in the Philippine Navy an educational institution to be known as the Philippine Naval Academy (PNA), hereinafter referred to as the Academy,

for the instruction and preparation for military service of Philippine Naval Cadets, to be known as Midshipmen. This instruction is a 2-year program, basing from the minimum academic entry requirements as established by the Commission on Higher Education (CHED).

Certain applicable facilities of the PN Training Command shall be absorbed by the Philippine Naval Academy including equipment, facilities school ground and applicable members of the faculty and administrative personnel as the case maybe.

SEC. 5. Corps of Midshipmen of the Philippine Navy - The student body of the Academy shall be known as the Corps of Midshipmen of the Philippine Navy (CMPN). The processing of applicants for midshipmen begins from the filling-up and submission of application forms to the office of midshipmen admission. A national competitive examination for qualified applicants be announced by the Philippine Navy. Successful examinees will be notified by telegram and their names published in a national daily. They will then undergo a thorough medical, dental, and neuro-psychiatric examination. The medical examination as well as the transportation fare from the applicants' address to the government hospital conducting the check-up will be free.

SEC. 6. Eligibility for Admission - To be eligible for admission, a candidate must:

1. Be single and must never have been married;
2. Be a natural-born citizen of the Philippines;
3. Be at least eighteen years (18) of age but not more than twenty-one (21) years of age on the 1st day of May of the year of admission;
4. Have at least completed the necessary General College Education requirements as established by the Commission on Higher Education (CHED) obtained from any government recognized colleges or universities or accredited institutions leading to a 4- year baccalaureate degree;
5. Have passed and completed basic ROTC;
6. Pass the competitive national examination given for the purpose;
7. Must pass the physical examination and psychological tests to be given by competent authorities of the Philippine Navy;
8. Be willing to conform to and abide by all laws of the country and rules and regulations of the AFP.

The Academy shall provide for educational and physical facilities for the recruitment and training of women as members of the midshipmen.

Women shall be admitted and shall comprise not less than five percent (5%) of the strength of midshipmen shall be appointed by the President. An appointment is conditional until the midshipman is admitted.

If it is to be determined that, upon the admission of a new class to the Academy, the number of midshipmen at the Academy will be below the authorized number, the Chief of Staff may nominate, as may be qualified, alternates and are recommended and found qualified by the

Faculty as are necessary to meet the needs of the Philippine Navy, but not more than the authorized strength of the midshipmen, which is three hundred (300) all at one time.

SEC. 7. Academic Courses -

- a. Academic courses, which are major requirements for the conferral of baccalaureate degrees, shall be taught to the Midshipmen in the academy. The Academy shall be manned and equipped with the necessary faculty, expertise, equipment and facilities to conform to CHEDs requirements to be able to award baccalaureate degrees within 2 years of continuing academic instructions and officer training. There will be no academic breaks except on legal and national holidays. Nothing prevents the Academy from inviting professors and other experts in the maritime and other technical fields from existing national agencies, or having agreements with schools, colleges and universities to augment its capabilities, nor the hiring of civilian professors to man professorial chairs. All these personnel shall be subject to AFP and Academy rules and regulations whichever maybe applicable.
- b. The Superintendent of the Academy shall recommend to the Chief of Staff of the Armed Forces of the Philippines, individuals who will be designated/commissioned as members of the Corps of Professors. Applicable laws governing appointment and commissionship in the Corps Professors shall apply.

SEC. 8. Organization of the Corps of Midshipmen -

The Corps of Midshipmen of the Philippine Navy (CMPN) shall be organized along the lines of the Navy organizations. The CMPN shall have a First Captain appointed by the Superintendent of the Academy from among the most qualified Midshipmen. The CMPN shall have an honor code of conduct, which shall be used to govern the behavior of each and every individual of the CMPN in addition to the established AFP rules and regulations.

SEC. 9. Pay and Allowances - The pay allowances of the midshipmen shall be fixed by the President.

SEC. 10. Undertaking - Each midshipman shall sign an agreement that, unless sooner separated by duly authorized authorities, he shall:

1. Complete the course of instruction at the academy;
2. Accept an appointment and serve as a commissioned officer of the Armed Forces of the Philippines for at least eight (8) years immediately after graduation from Academy. Entry into the Academy shall be on the 1st week of May every year. Graduation will also be on the 1st week of May every year.

SEC. 11. Midshipmen Retirement - Any midshipman, who shall, after entrance to the Academy and before completion of prescribed courses of training, be found physically or mentally unfit for military

assignment by reason of injury or disease incident to the service, shall be retired with the rank of Ensign of the Philippine Navy.

SEC. 12. Commission - Upon satisfactory completion of the course of instruction at the Academy, the midshipmen shall be commissioned Ensigns in the regular force of the Armed Forces of the Philippines with the relative rank in the order of final general standing as determined by the Academic Board of the Academy and approved by the Chief of Staff of the Armed Forces of the Philippines.

SEC. 13. Administration - The Academy as herein established shall be organized and administered by the Flag Officer in Command, Philippine Navy (PN) under the general supervision and control of the Chief of Staff of the Armed Forces of the Philippines.

SEC. 14. Academic Board - The Academic Board of the Academy shall be composed of the Superintendent, the Dean of the Corps of Professors, the Commandant of midshipman and the Heads of the Departments to be constituted as follows:

- a. The Superintendent and the Commandant of midshipmen of the Academy shall be detailed to those positions by the President from the officers of the Philippine Navy;
- b. The Dean of the Corps of Professors shall be appointed from the permanent professors who have served as heads of departments of instructions at the Academy.

The Academic Board shall have the power to confer Baccalaureate degrees under such rules and regulations as the Chief of Staff of the Armed Forces of the Philippines may prescribe upon all midshipmen who may hereafter satisfactorily complete the approved course of studies.

Cadets/Students from other Philippine Military institutions may be admitted to the Academy provided that these cadets/students must have completed the necessary General College Education requirements of CHED as specified in Section 4 and section 6. These cadets/students, however, will no longer take the competitive examinations nationwide except that they must pass the physical and psychological examinations provided for. Upon entry into the Academy these cadets/students shall be appointed as midshipmen. Commissionship in the AFP for these cadets/students shall be subject to the requirements for commissionship as applicable in their previous military institutions.

SEC. 15. Baccalaureate Degree

Baccalaureate degree to be conferred to those who successfully complete their courses in the Academy:

Bachelor of Science in Marine and Naval Systems
Bachelor of Science in Naval Electronics

The degree mentioned above are the initial degrees. Other degrees that may be needed in the future will be conferred provided that the Academic Board shall determine these degrees in consonance with the need of the country and the AFP as well. The Academy will develop these courses and the necessary expertise.

SEC. 16. Prohibition Against Hazing - Subject to the approval of the Secretary of National Defense, the Superintendent of the Academy shall issue rules and regulations hazing and prescribe dismissal, suspension and other adequate punishment for violation thereof.

For the purpose of this Act, "hazing" means any unauthorized assumption of authority by a midshipman whereby another midshipman suffers or is exposed to any form of injury, indignity, humiliation, hardship or oppression or the deprivation or abridgement of rights.

If a midshipman is charged with violating any rules and regulations issued pursuant to this Section, the penalty of which is dismissal from the Academy, a request in writing for a trial by a general court martial may be submitted.

A midshipman dismissed from the Academy for hazing shall not be reappointed as a midshipman and shall be ineligible for appointment as a commissioned officer in the Armed Forces of the Philippines until after two (2) years from the graduation of his class.

SEC. 17. Transfer of Assets and Liabilities - The Philippine Naval Training Command applicable assets and liabilities including the members of faculty and personnel, records and equipment, are hereby transferred to and integrated with the Philippine Naval Academy. Similar assets necessary for training now existing elsewhere in the AFP shall be transferred to the Academy.

SEC. 18. Implementing Rules and Regulation - The Secretary of National Defense shall prescribe the implementing rules and regulation (IRR) necessary for the effective implementation of the provisions of this Act.

SEC. 19. Budget - The initial appropriations necessary for the establishment of the Academy shall be charged to the appropriation of the Department of National Defense. Improvement necessary for the operation and maintenance of the Academy shall be included in the annual General Appropriations Act.

SEC. 20. Separability Clause - If any provision of this Act is held invalid, all the other provisions not affected hereby shall remain valid.

SEC. 21. Effectivity - This Act shall take effect fifteen (15) days after its publication in two (2) national newspapers of general circulation.

Approved,