

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



22 AUG -1 P3:26

SENATE

RECEIVED BY: _____

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S. No. 980

Introduced by SENATOR RONALD "BATO" DELA ROSA

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

EXPLANATORY NOTE

Section 15, Subtitle II, Chapter 1 of Executive Order No. 292 or the "*Administrative Code of 1987*" provides that "The defense establishment shall be maintained to maximize its effectiveness for guarding against external and internal threats to national peace and security, and provide support for social and economic development.

During the administration of President Rodrigo Roa Duterte, the country's defense posture was strategically enhanced through purchase of modern military equipment and development of defense infrastructure. These enhancement significantly contribute in amplifying the security efforts of our Armed Forces of Philippines (AFP) in our territories while sustaining the counter-insurgency and counter-terrorism operations.

While funding the defense sector is a vital component of our country's security, review and possible modification of national defense policy framework is also necessary to strengthen our defense capabilities.

In the first State of the Nation Address of President Ferdinand Marcos Jr., he recognized the need to amend the National Defense Act of 1935 and change the military structure of the AFP that is “more responsive to current and future non-conventional security threats to the country’s territorial integrity and national sovereignty.”¹

This proposed measure supports the pronouncement of the President Marcos as it seeks to streamline the defense bureaucracy by updating and codifying various laws and executive issuances on national defense, the AFP and the civilian bureaus in the defense establishment. Ultimately, this would support the Department of National Defense to achieve its 2028 vision to be: “A defense organization that guarantees Philippine security, territorial integrity and sovereignty; a reliable partner in national development; and a strategic player in the Asia-Pacific Region,” will be achieved by streamlining the organizational role of the DND and its Bureaus.

In view thereof, the passage of this measure is earnestly sought.


RONALD "BATO" DELA ROSA

¹<https://www.cnnphilippines.com/news/2022/7/25/BBM-ROTC-priority-bills-.html>



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

Preliminary Provisions

1
2 Section 1. *Short Title.* – This Act shall be known as "*The National Defense*
3 *Act.*"

4 Sec. 2. *Declaration of National Defense Policies.* – The national defense
5 policies of the Republic of the Philippines shall be as follows:

6 (a) In defending the Philippines, the paramount consideration shall be
7 national sovereignty, territorial integrity, national interest and the broad concern of
8 national security.

9 (b) The preservation of the State is the obligation of every citizen. The
10 security, freedom and independence of the Philippines shall be guaranteed by the
11 mobilization of all citizens, without distinction of age, gender, civil status, ethnicity,
12 and religion, and all resources.

13 (c) The civil authority shall at all times be supreme over the military.
14 The President of the Philippines as the Commander-in-Chief of all military forces
15 shall be responsible that mobilization measures are prepared at all times.

1 (d) The national defense organization shall be adapted as closely as
2 possible to the territorial and administrative organization of the Philippines.

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

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

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

14 (1) The respective responsibilities of the concerned executive
15 departments in mobilization planning will be prescribed by the
16 President; and

17 (2) Forces and resources shall be employed so as to ensure unity
18 and continuity of effort until normalcy has been attained.

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

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

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

30 *Sec. 3. Defense Conditions and Authority.* – Defense conditions shall be the
31 bases for the designation of persons and entities to act in behalf of the State.
32 Defense Conditions, hereinafter referred to as DEFCON, are levels of national

1 security—peace, conflict and war— that tend to, or actually threaten, the security of
2 the State. The level of defense conditions and the persons or entities designated to
3 act in behalf of the State shall be prescribed by the President.

4 5 **Mobilization of Persons and Resources**

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

11 Sec. 5. *Registration.* – The registration of citizens for obligatory military
12 service shall be a military function carried out by the Major Services through their
13 respective Reserve Commands.

14 Sec. 6. *Mobilization.* – During mobilization, the President shall have the
15 power to secure all such resources as may be necessary for national defense. The
16 President may authorize and delegate the SND to undertake the action and activities
17 related thereto.

18 19 **TITLE I**

20 **DEPARTMENT OF NATIONAL DEFENSE**

21 **Article I – General Provisions**

22 Sec. 7. *Mandate.* – The Department of National Defense (DND) is the primary
23 government agency with the duty of implementing the provisions of this Act. The
24 defense establishment shall maximize its effectiveness for guarding against external
25 threats to national security, provide support as directed by the President to conduct
26 operations to address internal threats, support social and economic development,
27 and promote the welfare of soldiers and veterans.

28 Sec. 8. *Powers and Functions of the DND.* – To carry out the above-declared
29 mandate, the DND shall exercise and perform the following powers and functions:

30 (a) Design, formulate and prepare national defense concepts,
31 policies, strategies, plans and programs;

1 (b) Formulate, develop and update defense policies of the country,
2 including the mobilization plan for the employment of the country's citizens and
3 resources for national defense;

4 (c) Develop and build defense capabilities of the Armed Forces to
5 address readiness and mission requirements and threats;

6
7 (d) Continue to institutionalize and develop the Defense System of
8 Management (DSOM) that shall integrate but not limited to, strategic defense
9 assessment, planning, resource and financial management, acquisition, control,
10 support, administration, and decision-making responsibilities of the SND and DND
11 senior leaders.

12 (e) Control, monitor, coordinate, supervise and evaluate the
13 implementation of national defense policies, plans, programs and activities;

14 (f) Exercise control and supervision over the AFP, Government Arsenal
15 (GA), Office of Civil Defense (OCD), Philippine Veterans Affairs Office (PVAO) and
16 the National Defense University (NDU);

17 (g) Formulate, establish, implement and supervise the quality
18 management system;

19 (h) Establish, promote and maintain bilateral and multilateral linkages
20 for defense and military cooperation with its international counterparts for the
21 purpose of addressing traditional and non-traditional security threats;

22 (i) Implement the country's international defense and security
23 commitments based on defense and security treaties, cooperation agreements,
24 international conventions, protocols and other similar arrangements;

25 (j) Develop a Self-Reliant Defense Posture (SRDP) program to
26 guarantee the enhancement of responsive and progressive capabilities and
27 maximum utilization of resources; and

28 (k) Perform such other defense-related functions as may be provided
29 by law or directed by the President of the Philippines.

30 Sec. 9. *Contracts.* – The DND is hereby authorized to enter into, make,
31 perform and carry out contracts of every class, kind and description which are
32 necessary or incidental to the performance of its mandate as provided herein, with

1 any person, firm or corporation, public or private, and with foreign government
2 entities, subject to the provisions of existing laws, rules and regulations. Within
3 ninety (90) days from the approval of this Act, the Secretaries of National Defense,
4 Finance, Budget and Management, Trade and Industry, and the Director General of
5 the National Economic and Development Authority shall jointly promulgate rules and
6 regulations to facilitate the importation and exportation of defense articles
7 compliant with international conventions on the sale, transfer, and trade of such
8 articles.

9 *Sec. 10. Administration, Management and Control of Defense Real Properties.*

10 – (a) The Department is hereby authorized to administer, operate, manage, control,
11 maintain and develop defense real properties for strategic basing and to use, hold,
12 acquire, or lease any private real property, right of way, or easement which may be
13 proper or necessary for the accomplishment of its mandate as provided in this Act.

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

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

20 *Sec. 11. Special Defense Material Acquisition.* – Upon prior approval by the
21 President of the Philippines, and when the procurement for use by the AFP involves
22 major defense equipment or materiel or major defense-related consultancy services,
23 when the expertise or capability required is not available locally, and the Secretary
24 of National Defense has determined that the interests of the country shall be
25 protected by negotiating directly with an agency or instrumentality of another
26 country with which the Philippines has entered into a defense cooperation
27 agreement or otherwise maintains diplomatic relations, the AFP may be allowed to
28 resort to negotiated procurement: *Provided, however,* that the performance by the
29 supplier of its obligations under the procurement contract shall be covered by a
30 performance security in accordance with Section 39 of the IRR of Republic Act No.
31 9184.

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

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

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

15 *Sec. 12. Grants and Donations.* – The Department, or any of the bureaus,
16 agencies or offices under it, may accept donations, contributions, and grants from
17 various sources, domestic or foreign, for purposes relevant to its functions: *Provided*,
18 That in case of donations from foreign governments or persons, acceptance thereof
19 shall be subject to existing laws, rules and regulations.

20 *Sec. 13. Defense and Cooperation.* – Unless otherwise provided by the
21 Constitution, the DND may develop, enhance and sustain multi-dimensional defense
22 and security cooperation and engagements with the defense establishments and
23 armed forces of other countries, and other regional and international organizations
24 based on the principle of good governance, and mutual benefit and respect and in
25 line with the foreign policies of the Philippines.

26 27 **Article II - Organization**

28 *Sec. 14. Organizational Structure.* – The DND shall be composed of the DND-
29 Proper and its bureaus namely, the Armed Force of the Philippines (AFP), the
30 Philippine Veterans Affairs Office (PVAO), the Government Arsenal (GA), National
31 Defense University (NDU), and the Office of the Civil Defense (OCD).

1 (b) The Joint Headquarters AFP shall exercise centralized command
2 and control to ensure unity and coordination of efforts throughout the military
3 establishment;

4 (c) The Joint Force Operational Commands as force employers shall
5 be responsible for the decentralized execution of joint operations to achieve
6 maximum operational effectiveness within the military establishment unless
7 otherwise determined by the CSAFP through the supervision of the SND;

8 (d) The Major Services as force providers shall be responsible for the
9 development, organization, training, equipping, maintenance and sustainment of
10 combat forces, combat service forces, technical and administrative service, and
11 combat service support forces;

12 (e) The AFP Reserve Force shall provide for the base of expansion of
13 the Major Services.

14 15 **Chapter 2 - The General Headquarters Armed Forces of the Philippines**

16 *Sec. 26. Mandate.* – The General Headquarters, which shall be headed by the
17 CSAFP, shall be the command and control element of the AFP.

18 *Sec. 27. Organization.* - The General Headquarters shall be composed of the
19 Office of the CSAFP, Office of the Vice Chief of Staff, Office of the Deputy Chief of
20 Staff, the AFP Joint, Personal and Special Staff and the other key staff offices and
21 units necessary for effective command and control of the AFP as recommended by
22 the CSAFP with the approval of the SND.

23 *Sec. 28. Powers and Functions.* – The Chief of Staff shall:

24 (a) Serve as the principal military advisor to the President and the
25 Secretary of National Defense;

26 (b) Be responsible for the formulation of the national military strategy
27 consistent with the national defense strategy;

28 (c) Be responsible for the development of the policies, strategies,
29 missions, plans and programs of the AFP;

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

1 Sec. 29. *The Joint Staff.* – The Joint Staff, as coordinating staff shall advise
2 and assist the CSAFP in the performance of his/her functions. The organization,
3 functions and duties of the Joint Staff shall be prescribed by the CSAFP.

4 Sec. 30. *Personal Staff.* – The Personal Staff, as immediate staff shall directly
5 advise and assist the CSAFP in the performance of his/her functions. The
6 organization, functions and duties of the Personal Staff shall be prescribed by the
7 CSAFP: *Provided,* That coordination with other staff is not precluded.

8 Sec. 31. *Special Staff.* – The Special Staff, as specialized, technical and
9 administrative staff shall advise and assist the CSAFP in the performance of his/her
10 functions. The organization, functions and duties of the Special Staff shall be
11 prescribed by the CSAFP.

12 Sec. 32. *Authority to Reorganize the General Headquarters.* – In the interest
13 of efficiency and effectiveness, the CSAFP, upon the approval of the SND, may:

14 (a) Establish and organize staffs, offices and units in the General
15 Headquarters in addition to the AFP Joint, Personal and Special Staff, and
16 prescribe the organization, mission and functions; and

17 (b) Establish, organize, and/or abolish Staffs, offices and units in
18 the AFP and prescribe their structure, mission, functions, duties and
19 responsibilities, and other parameters and standards.

20 21 **Chapter 3 – Joint Force Operational Commands**

22 Sec. 33. *Organization, Mission and Function.* – The CSAFP, upon approval of
23 the SND, shall organize and establish the Joint Force Operational Commands which
24 shall be under the command, control and operational direction of its Joint Force
25 Commander; *Provided,* That the SND, upon the recommendation of the CSAFP, shall
26 prescribe the mission, functions, duties and responsibilities and joint area of
27 operations of the Joint Force Operational Commands.

28 Sec. 34. *The Philippine Army (PA).* – The PA, headed by the Chief of the
29 Philippine Army, shall provide forces that are responsible for the conduct of prompt
30 and sustained joint and combined ground operations in support of the AFP mission.
31 It shall be composed of its headquarters, maneuver units, and sustainment units
32 and such other units as may be necessary for the conduct of ground operations.

1 Sec. 35. *Functions of the PA.* – The PA shall:

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

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

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

11 (d) Implement mobilization of the Army Reserve; and

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

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

20 Sec. 37. *Functions of the PAF.* – The PAF shall:

21 (a) Develop, organize, train, equip, maintain, and sustain such air
22 forces or units as may be necessary for the conduct of prompt and sustained
23 operations;

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

27 (c) Formulate and develop, in coordination with the other Major
28 Services, doctrines, systems, tactics, techniques and procedures peculiar to the Air
29 Force;

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

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

1 Sec. 38. *The Philippine Navy (PN)*. – The PN headed by the Chief of the
2 Philippine Navy, shall provide forces that shall be employed for the conduct of
3 prompt and sustained naval operations in support of the AFP missions. It shall be
4 composed of its headquarters, naval forces, service support and sustainment units
5 and such other units as may be necessary for the conduct of naval operations.

6 Sec. 39. *Functions of the PN*. – The PN shall:

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

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

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

16 (d) Implement mobilization of the Navy Reserve; and

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

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

24 Sec. 41. *The Women's Auxiliary Corps*. – The Women's Auxiliary Corps as
25 created by Republic Act No. 3835, as amended shall be integrated to their respective
26 Major Service. For this purpose, RA 3835 is hereby repealed.

27 28 **Chapter 4 – Military Education and Training Institutions**

29 Sec. 42. *Organization, Mission and Function*. – (a) The Philippine Military
30 Academy (PMA), AFP Education, Training, and Doctrine Command, Officer Candidate
31 School (OCS), Non-commissioned Officer Academy and other military education and
32 training institutions organized and established by the CSAFP with the approval of the

1 SND shall be under the command, control and direction of their respective military
2 education and training Superintendent/Commandant.

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

6 Sec. 43. *The Philippine Military Academy (PMA)*. – (a) Mandate. PMA
7 categorized as special higher education institution is the primary training and
8 educational institution of the AFP, which shall be its principal source of regular
9 officers. PMA shall seek to have its academic program offerings be accredited by a
10 reputable accrediting agency of national or international standard.

11 (b) Organization. – The Academy headed by the Superintendent shall
12 be organized as prescribed by the SND, upon the recommendation of the CSAFP.

13 (c) Development. – The Academy shall determine its teaching,
14 manpower, curriculum, research and extension thrusts, plans and programs,
15 standards and budget.

16 (d) Cadet Corps. – The student body of the Academy shall be
17 known as the Cadet Corps Armed Forces of the Philippines (CCAFP) and shall have
18 such strength, as the SND shall determine, upon the recommendation of the CSAFP.

19 (e) Academic Board. – There shall be an Academic Board organized
20 by the Superintendent. The Board shall, in accordance with the rules and
21 regulations prescribed by the CSAFP, have the power to confer baccalaureate
22 degrees upon the cadets who satisfactorily complete the approved course of study.

23 (f) Board of Visitors. – The DND shall establish a board of visitors
24 to look into the academic affairs of the Academy with the end of enhancing its
25 educational systems. The composition of the Board of Visitors shall be prescribed by
26 the SND.

27 Sec. 44. *Authority to Establish Other Military Training Institutions*. – The
28 President, upon the recommendation of the CSAFP through the SND, is hereby
29 authorized to establish other military training academies and institutions in the AFP.
30

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

1 conclusion of their cases. Reasonable programmed allocation can be charged against
2 the fund of the concerned component service to support the effective handling and
3 defense of this category of cases.

4
5 **TITLE III**

6 **OTHER BUREAUS AND AGENCIES UNDER THE DEPARTMENT**

7 **ARTICLE I - GENERAL PROVISIONS**

8 *Sec. 47. Control and Supervision.* – The SND shall exercise control and
9 supervision over the bureaus and agencies under this Title, as well as its personnel.

10 *Sec. 48. Organization.* – (a) Unless otherwise provided by law, the
11 organization, functions, duties and responsibilities of the staff and operating units of
12 each of the bureaus and agencies under the DND shall be as prescribed by the SND
13 in appropriate rules and regulations issued for the purpose.

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

16 (1) Establish and organize staffs, offices and units in the
17 bureaus or agencies and prescribe the titles, powers, functions and duties of the
18 positions therein;

19 (2) Abolish existing staffs, offices and units in the bureaus or
20 agencies not specifically provided by law, or transfer or consolidate their functions
21 and duties with other staffs, offices or units; and

22 (3) Abolish a position of any bureau or agency and transfer
23 or consolidate its functions and duties with those of another position.

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

28
29 **ARTICLE II**

30 **THE GOVERNMENT ARSENAL**

31 *Sec. 50. Mandate.* - The GA shall develop, operate, maintain and secure
32 facilities for the manufacture of weapons, munitions and other defense materiel to

1 support the requirements of the AFP, Philippine National Police (PNP) and other law
2 enforcement agencies; and, to sell and export products in excess of the local
3 demand.

4 Sec. 51. *Power and Functions.* - The GA shall have the following powers and
5 functions:

6 (a) Formulate and implement plans and programs towards the
7 achievement of self-sufficiency in weapons, small arms ammunition, mortars,
8 medium and large caliber ammunition and other munitions needed by the country's
9 defense and security establishments;

10 (b) Design, conduct research, develop, manufacture, procure, repair,
11 stockpile and allocate weapons, munitions and other defense materiel subject to
12 existing laws and regulatory requirements;

13 (c) Sell and export products in excess of the requirements of the AFP
14 and other law enforcement agencies, subject to existing laws;

15 (d) Devise ways and means for the efficient mobilization of
16 civilian/private industry to augment its production for use of the defense and
17 security forces; and

18 (e) Establish, secure and operate government defense manufacturing
19 plants, as necessary, in strategic locations within the country.

20 Sec. 52. *Organization and Administration.* - The GA shall be headed by a
21 Director with one or more Assistant Directors who shall support the Director in the
22 administration, manufacturing operations and other affairs of the bureau; all of
23 whom shall be appointed by the President upon the recommendation from the SND,
24 and who shall have the relevant expertise, training and experience in the field of
25 munitions.

26 Sec. 53. *Modernization of the Arsenal.* - The modernization of the GA, for the
27 development of production capabilities to enhance self-sufficiency in defense
28 requirements, shall be part of the defense modernization program. The GA may use
29 such production facilities as it may own or be provided with under this Act or as it
30 may arrange, under joint venture, co-production or similar agreements with local
31 and foreign entities.

32

1 **ARTICLE III**

2 **NATIONAL DEFENSE UNIVERSITY**

3 Sec. 54. *Transformation of the NDCP.* – In view of the rapidly evolving
4 national and regional security environment, the current academic trends and
5 research thrusts of defense institutions in the Asia Pacific, and the increasing need
6 for specialized defense and security courses to enhance the academic foundation of
7 promoting Philippine national security, the National Defense College of the
8 Philippines (NDCP) is hereby transformed into the National Defense University
9 (NDU) categorized as a special higher education institution. To ensure the
10 continuous operation of the College, all its personnel and resources shall be
11 absorbed by the NDU.

12 The degree programs, instruction, faculty complement, research, and
13 facilities of the NDU shall be accredited by the Commission on Higher Education
14 (CHED). The NDU shall likewise receive appropriate funding to fulfill the
15 requirements of transforming into a defense university.

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

- 27 (a) A natural-born citizen;
- 28 (b) Holder of a masters or doctorate degree on defense and security;
- 29 (c) Proven track record as an administrator, preferably in the academe,
30 whether public or private, for at least five (5) years; and
- 31 (d) Must not have been convicted of any administrative offense or of any
32 crime involving moral turpitude.

1 Sec. 56. *Powers and Functions.* — The University shall have the following
2 powers and functions:

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

5 (b) Develop and Confer degrees relating to defense and security;

6 (c) Conduct non-degree programs, special course, seminar
7 workshops and symposia on defense and security;

8 (d) Undertake policy research and special studies on strategic
9 defense and security issues;

10 (e) Produce research and development output of practical
11 application to the various organizational units of defense;

12 (f) Establish relevant linkages and outreach programs that are
13 mindful of service to the various organizational units of defense; and

14 (g) Perform other functions and duties as may be directed by the
15 SND.

16 Sec. 57. *Organization and Administration.* —

17 a) The NDU President shall administer the affairs of the University with
18 the assistance of the Executive Vice President, who shall act as NDU President in the
19 absence or incapacity of the NDU President, and shall perform such other functions
20 and duties as may be assigned to him by the NDU President or the SND. There shall
21 be a *Vice-President for Academic Affairs*, who shall be responsible for the
22 development, implementation, supervision and evaluation of academic programs; a
23 *Vice-President for Research and Special Studies*, who shall be responsible for the
24 conduct and supervision of research work and special studies for the Department; a
25 *Vice-President for Military and Security Affairs*, who shall be responsible for the
26 overall military and security support to all the activities of the University; and a
27 *Vice-President for Administration*, who shall be responsible for the overall
28 administrative support to all the activities of the University.

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

31 1. Supervise the academic affairs of the University;

32 2. Recommend academic consultants, professors, lecturers, instructors,

1 research assistants and other resource persons of the University; and

2 3. Recommend the courses of studies to be conducted by the University
3 to accomplish its objectives.

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

10 d) The SND may establish a *Board of Regents* to assist and advise him in
11 providing strategic direction and guidance necessary to ensure the accomplishment
12 of the mandate of the University.

13 Sec. 58. *Transition.* - The SND shall determine the appropriate transition
14 period for NDCP to attain the status and competency of becoming a university.
15 Further, Congress shall allocate the necessary funds for the transformation of NDCP
16 to NDU.

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18

ARTICLE IV

19

OFFICE OF CIVIL DEFENSE

20 Sec. 59. *Mandate.* -The OCD shall have the primary mission of administering
21 a comprehensive national civil defense and disaster risk reduction and management
22 program during local and national emergencies by providing leadership in the
23 continuous development of strategic and systematic approaches as well as measures
24 to reduce the vulnerabilities and risks to hazards and manage the consequences of
25 disasters.

26 Sec. 60. *Powers and Functions.* - The Office shall have the following powers
27 and functions:

28 (a) Establish and administer a comprehensive national civil defense
29 and civil assistance program to include the allocation to agencies and local
30 government units such aid and funds as may be made available by the national
31 government, assisting governments, and international and local organizations;

32 (b) Formulate policies and prepare plans for the protection and

1 welfare of the civilian population in times of war or other national emergencies as
2 may be determined by the President of the Philippines;

3 (c) Furnish guidance and coordinate the activities of national
4 government agencies, local government units, private institutions and civic
5 organizations for natural and human-induced disasters;

6 (d) Develop and coordinate a program for informing, educating and
7 training the general public, volunteer workers and civil defense groups on civil
8 defense and assistance measures and activities;

9 (e) Prepare and disseminate disaster control manuals and other
10 publications related to measures on disaster prevention and mitigation,
11 preparedness, response and rehabilitation and recovery;

12 (f) Advise the SND on matters concerning civil defense and make
13 recommendations from time to time as may be deemed appropriate or as the
14 Secretary may require;

15 (g) Provide assistance and secretariat services to the National
16 Disaster Risk Reduction and Management Council to implement the policies set by
17 the latter relative to disaster management;

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

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

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

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29

ARTICLE V

30

PHILIPPINE VETERANS AFFAIRS OFFICE

31

32

Sec. 62. Mandate. - The Philippine Veterans Affairs Office (PVAO) shall be the government agency responsible for administering the benefits due to veterans and

1 their qualified beneficiaries and shall provide medical assistance to veterans
2 pursuant to existing laws. It shall also administer, maintain and develop military
3 memorials and battle monuments proclaimed as national shrines.

4 Sec. 63. *Powers and Functions.* - The Office shall have the following powers
5 and functions:

6 (a) Formulate and promulgate, subject to the approval of the SND,
7 policies, rules and regulations governing the adjudication and administration of
8 veterans claims and benefits;

9 (b) Adjudicate and administer benefits, pensions and other privileges
10 granted to veterans, their heirs and beneficiaries;

11 (c) Provide medical care and treatment to veterans pursuant to
12 existing programs and projects approved by the SND;

13 (d) Administer, develop and maintain military shrines;

14 (e) Develop patriotism and nationalism, PVAO preserves and promotes
15 the ideas of Kagitingan in the sacrifices and heroic deeds of our veterans;

16 (f) Formulate policies concerning the affairs, placement and training of
17 ex-servicemen and assist their widows and dependents, and other retired military
18 personnel;

19 (g) Undertake the promotion of the general welfare of veterans and
20 their families; and

21 (h) Perform such other functions as may be provided by law.

22 Sec. 64. *Organization.* - The PVAO shall be headed by an Administrator who
23 may be assisted by one or more Deputy Administrators, all of whom shall be
24 appointed by the President upon the recommendation of the SND. It shall have such
25 staff and other operating units as may be prescribed by the SND.

26

27

FINAL PROVISIONS

28 Sec. 65. *Implementing Rules and Regulations.* - The DND and all concerned
29 agencies shall formulate the corresponding Implementing Rules and Regulations
30 (IRR) for proper implementation of this Act within twelve (12) months from the
31 effectivity hereof. The said rules and regulations shall be approved by the President
32 of the Philippines.

1 Sec. 66. *Appropriations.* – The initial funding requirements for the
2 implementation of this Act shall be charged against existing appropriations of the
3 concerned agencies and such other appropriate funding sources as the Department
4 of Budget and Management may identify, subject to relevant laws, rules and
5 regulations. Thereafter, such sums as may be necessary for the continued
6 implementation of this Act shall be included in the General Appropriations Act.

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

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

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

Approved,