



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

22 SEP 27 P3:54

SENATE

RECEIVED BY: _____

S. No. 1349

Introduced by **Senator Ronald "Bato" Dela Rosa**

AN ACT
STRENGTHENING THE CITIZEN ARMED FORCES OF THE PHILIPPINES,
MANDATING THE INSTITUTIONALIZATION OF THE RESERVE OFFICERS'
TRAINING CORPS (ROTC) PROGRAM IN PUBLIC AND PRIVATE TERTIARY-
LEVEL EDUCATIONAL INSTITUTIONS INCLUDING TECHNICAL VOCATIONAL
INSTITUTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER
PURPOSES

EXPLANATORY NOTE

The Philippines today is currently facing threats from within and outside its territory. Aside from the Covid-19 pandemic that wreaked havoc on the health and economic sector of the country, another threat to Philippine security and development is insurgency. It is seeking to overthrow the democratic form of government and change it to what they call democratic centralism or dictatorship.¹ Furthermore, to explain more of the dilemma the country is facing, we are also under threat from a much bigger nation that seeks to take our territorial claims specific to the West Philippine Sea.² The nation is also located on the "Pacific Ring of Fire" and along the Pacific typhoon belt which means that the country experiences many forms of natural disasters such as typhoons, earthquakes, floods, volcanic eruptions, landslides, and fires.³ Thus, it is significant for a country to prepare its citizens through education,

¹ <https://www.pna.gov.ph/articles/1115257>

² <https://www.stimson.org/event/looking-south-looking-west-manila-views-security-threats-to-the-philippines/>

³ <https://reliefweb.int/report/philippines/2021-philippines-disaster-management-reference-handbook>

training, and disaster-preparedness. Such is the purpose of the reinstatement of the Reserve Officers Training Corps (ROTC).

The 1987 Philippine Constitution states that: ⁴

1. Article II, Section 4: "The prime duty of the Government is to serve and protect the people. The Government may call upon the people to defend the State, and, in the fulfillment thereof, all citizens may be required, under conditions provided by law, to render personal, military, or civil service."
2. Article II, Section 13 also says that the "State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism and encourage their involvement in public and civic affairs".

Currently, the existence of the National Service Training Program under Republic Act No. 9163, despite its provision on the establishment of a National Service Reserve Corps, has not produced such a mobilizable force that the country can summon in times of threat at a national level. The Commission of Higher Education has stated that this program is a failed undertaking due to this reason.⁵ Thus, this bill seeks to produce a reserve force equipped for a purpose of becoming part of a mobilizable force that may be called upon to respond to national emergencies and contingencies.

This Bill proposes the reinstatement of the Reserve Officers Training Corps (ROTC) Program as a mandatory component in the curriculum of all undergraduate, diploma, or certificate programs in public and private tertiary-level educational institutions of the country.

⁴ <https://www.officialgazette.gov.ph/constitutions/1987-constitution/>

⁵ Position Paper of the University of the Philippines Vanguard, INC. "Antecedents". May 07, 2019.

For the above reasons, the passage of this bill is earnestly sought.


RONALD "BATO" DELA ROSA



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PURPOSES

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

ARTICLE I

GENERAL PROVISIONS

SEC. 1. Short Title – This Act shall be known as the "*Reserve Officers Training Corps (ROTC) for Tertiary Education Act of 2022*".

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to recognize the vital role of the youth in nation-building, to promote and protect their physical, moral, spiritual, intellectual, and social well-being, to inculcate unto them the value of patriotism, and to encourage their involvement in public and civic affairs. Towards this end, the State shall educate, train, equip, and organize the youth sector into a capable pool of reserve officers by reinstating a mandatory Reserve Officers' Training Corps

1 (ROTC) Program in the curriculum of all undergraduate degree, diploma or certificate
2 programs in all public and private tertiary-level educational institutions in the country,
3 allowing the State to organize and maintain a pool of capable reservists ready to
4 respond to the exigencies of hostilities, crises, calamities, and other contingencies both
5 in the national and local levels.

6
7 **ARTICLE II**

8 **RESERVE OFFICERS TRAINING CORPS PROGRAM**

9 *SEC. 3. Reinstitution of the Reserve Officers' Training Corps Program.* - The ROTC
10 Program is hereby reinstated as a mandatory component in the curriculum of all
11 undergraduate degree, diploma, or certificate programs in public and private tertiary-
12 level educational institutions in the country.

13
14 *SEC. 4. Coverage.* - All students enrolled in undergraduate degree, diploma, or
15 certificate programs in public and private tertiary-level educational institutions in the
16 country shall be required to undergo the ROTC Program.

17
18 *SEC. 5. Exemptions From Enrolment.* - Every student enrolled in undergraduate degree,
19 diploma, or certificate programs in public and private tertiary- level educational
20 institutions shall be required to undergo the Basic ROTC Program as provided in Section
21 7 of this Act, except for students with the following circumstances:

- 22
- 23 a. Those who are physically or mentally unfit to render military duty as certified by
24 a military medical officer;
 - 25 b. Those whose religious beliefs proscribe any aspect of military or national service
26 such as, but not limited to, using firearms and other deadly weapons, training in
27 warfare tactics and combat operations, or rendering service in military and other
28 similar institutions;
 - 29 c. Those who have been convicted by final judgment of criminal offenses involving
30 moral turpitude;

- 1 d. Those foreign students enrolled in undergraduate degree, diploma or certificate
- 2 program offered by any tertiary-level educational institution in the country;
- 3 e. Those who have undergone similar military training from a previous degree,
- 4 diploma, certificate, or technical-vocational program; and,
- 5 f. Those with circumstances that may impede the realization of the objectives of
- 6 the ROTC Program as determined by the Department of National Defense (DND).

7

8 The students with circumstances enumerated above, with the exceptions of students

9 with circumstances stipulated in item (e), shall undergo a Special National Service

10 Training Program as provided in Section 10 of this Act.

11

12 *SEC. 6. ROTC Units in Tertiary-Level Educational Institutions.* - All public and private

13 tertiary level educational institutions including Technical-Vocational Institutions (TVIs)

14 shall establish and maintain an ROTC Unit in their respective campuses with the primary

15 duty of implementing the Basic and Advanced ROTC Program, and the Special National

16 Service Training Program as provided for in this Act: Provided, That the DND shall

17 prescribe the minimum organization and staffing patterns of ROTC Units.

18

19 *SEC. 7. Repealing Clause.* – Basic ROTC Training Program. - A Basic ROTC Program

20 shall be established as a mandatory component in the curriculum of all undergraduate

21 degree, diploma, or certificate programs in public and private tertiary-level educational

22 institutions in the country.

23

24 *SEC. 8. Components of Basic ROTC Program.* - Subject to a program of instruction to be

25 prescribed by the DND in coordination with other government agencies concerned, the

26 Basic ROTC Program shall have the following components:

- 27 a. Training on External and Territorial Defense;
- 28 b. Training on Internal Security, Peace and Order, and Public Safety; and,
- 29 c. Training on Disaster Risk Reduction and Management.

1 *Sec. 9. Advanced ROTC Training Program.* - An Advanced ROTC Program shall be
2 established which may be pursued by undergraduate degree students on a voluntary
3 basis. Students enrolled in the Advanced ROTC Program shall comprise the Officer
4 Corps of their respective ROTC Units and shall assist the DND in the management and
5 conduct of the ROTC Program within their respective educational institutions.

6
7 The program of instruction for the Advanced ROTC Program shall be prescribed by the
8 DND in coordination with other government agencies concerned: Provided, That the
9 program of instruction shall include leadership and management training to effectively
10 administer the Basic ROTC Program: Provided, further; That all prospective applicants
11 shall complete an officer candidate qualifying course during their respective Basic ROTC
12 Program prior to their admission to the Advanced ROTC Program.

13
14 *Sec. 10. Special National Service Training Program.* - The Special National Service
15 Training Program is hereby established as a substitute program for students exempted
16 from undertaking the ROTC Program as provided for in Section 5 of this Act to comply
17 with the ROTC requirement in their curriculum and complete their undergraduate
18 degree, diploma, or certificate program.

19
20 The Special National Service Training Program shall include, but not be limited to, the
21 following components:

- 22 a. Literacy Training Service Program;
- 23 b. Civic Welfare Training Service Program; and,
- 24 c. Emergency Life Support Training Service Program.

25
26 The program of instruction for the Special National Service Training Program shall
27 be prescribed by the DND in consultation with the Commission on Higher Education
28 (CHED), Office of Civil Defense (OCD), Department of Social Welfare and Development
29 (DSWD) and other government agencies concerned.

1 *Sec. 11. Tuition Fees.* - Consistent with the provisions of Republic Act No. 10391,
2 otherwise known as the "Universal Access to Quality Tertiary Education Act", enrollment
3 in Basic and Advanced ROTC Programs in all State Universities and Colleges, Local
4 Universities and Colleges, state-run TVIs and other public tertiary level educational
5 institutions shall be exempt from the payment of tuition and other school fees:
6 Provided, That the tuition and other school fees to be incurred in Basic and Advanced
7 ROTC Programs of qualified students enrolled in private tertiary-level educational
8 institutions may be charged from the Tertiary Education Subsidy as provided for in
9 Republic Act No. 10391, otherwise known as the "Universal Access to Quality Tertiary
10 Education Act".

11
12 *Sec. 12. Benefits of Enrolment in the Advanced ROTC Programs.* - Students enrolled in
13 the Advanced ROTC Program shall, upon the approval of the Department of Budget and
14 Management (DBM) and in accordance with existing laws, rules, and regulations, be
15 entitled to the following benefits:

- 16 a. Provision for military uniforms;
- 17 b. Free accommodation in university- or college-owned student residences or
18 dormitories, subject to availability of such facilities;
- 19 c. Fifty percent (50%) tuition subsidy for students enrolled in private educational
20 institutions belonging to the top 5% of their respective academic class; and
- 21 d. Other allowances, benefits and privileges that may be prescribed by the DND,
22 subject to availability of funds.

23 24 **ARTICLE III**

25 **CITIZEN MILITARY TRAINING**

26 *Sec. 13. Citizen Military Training.* -The DND shall continue to implement the Citizen
27 Military Training Program in accordance with Republic Act No. 7077, as amended,
28 otherwise known as the "Citizen Armed Forces of the Philippines Reservist Act".

1 **ARTICLE IV**

2 **RESERVE OFFICERS CORPS**

3 *Sec. 14. Reserve Officers Corps.* - There shall be a Reserve Officers Corps composed
4 of the following:

5 a. Graduates of Basic and Advanced ROTC Programs and the Special National
6 Service Training Program as provided in this Act: Provided, that foreign
7 individuals who completed the Special National Service Training Program in
8 accordance with Section 10 of this Act shall be excepted from becoming
9 members of the Reserve Officers Corps;

10 b. Graduates of previous military or national service training programs, including:

11 i. Citizen Military Training as provided in Republic Act No. 7077, as amended,
12 otherwise known as the "Citizen Armed Forces of the Philippines Reservist
13 Act";

14 ii. ROTC Programs as provided in Commonwealth Act No. 1, as amended,
15 otherwise known as "The National Defense Act", and Republic Act No. 7077,
16 as amended, otherwise known as the "Citizen Armed Forces of the
17 Philippines Reservist Act"; and,

18 iii. National Service Training Program as provided in Republic Act No. 9163,
19 otherwise known as the "National Service Training Program (NSTP) Act of
20 2001".

21
22 *Sec. 15. Membership in the Reserve Officers Corps.* - All students who complete the
23 Basic and Advanced ROTC program and the Special National Service Training Program
24 shall receive an enlistment rank and a serial number.

25 Graduates of the Special National Service Training Program, with the exception
26 of foreign individuals who completed the program in accordance with this Act, shall be
27 automatically registered as members of the Reserve Officers Corps with enlistment rank
28 of private or its equivalent.

29 Graduates of the Basic ROTC Programs shall be automatically registered as
30 members of the Reserve Officers Corps with enlistment rank ranging from private to

1 sergeant or its equivalent: Provided, That conferment of ranks higher than private or its
2 equivalent shall be made based on merit: Provided, further, That graduates of the Basic
3 ROTC Program who opt to enroll in the Advanced ROTC Program shall carry their
4 enlistment rank until the completion of the same.

5 Graduates of the Advanced ROTC Program shall be automatically registered as
6 members of the Reserve Officers Corps with enlisted rank of sergeant and shall be
7 recommended for commission in the Reserve Officers Corps as second lieutenants:
8 Provided, That graduates of Advanced ROTC Program who manifest potential may be
9 commissioned as second lieutenants in the Regular Force and other Uniformed Services
10 subject to the qualifications and training requirements to be determined by the Major
11 Services of the Armed Forces of the Philippines (AFP), Bureau of Fire Protection (BFP),
12 Bureau of Jail Management and Penology (BJMP), and Philippine Coast Guard (PCG),
13 and Philippine National Police (PNP).

14
15 *Sec. 16. Deployment of Reserve Officers.* - Reserve officers shall be deployed in reserve
16 units of the AFP, BFP, BJMP, PCG, PNP, and other government agencies that may be
17 identified by the Office of the President. The reserve officer concerned shall be notified
18 of the reserve officer's deployment in writing and shall be provided with information
19 relevant to the said deployment: Provided, That the DND shall, in coordination with the
20 AFP, BFP, BJMP, PCG, PNP and other government agencies concerned, formulate
21 criteria and guidelines in the deployment of members of the Reserve Officers Corps:
22 *Provided further,* that the AFP, BFP, BJMP, PCG, and PNP shall be responsible for the
23 administration, equipage and maintenance of their respective reserve units.

24
25 *Sec. 17. Duration of Membership in the Reserve Officers Corps.* - A reserve officer shall
26 remain a member of the Reserve Officers Corps until the age of forty (40).

27
28 *Sec. 18. Accounting of Reserve Officers.* -To ensure the readiness of reserve officers to
29 the call of duty, the DND shall regularly update reserve officer's records and status. The
30 DND may call on government agencies and reservists and veteran organizations to

1 assist in the accounting of reserve officers in accordance with existing laws, rules, and
2 regulations.

3 **ARTICLE V**

4 **MOBILIZATION AND TRAINING OF RESERVE OFFICERS CORPS**

5 *Sec. 19. Mobilization of Reserve Officers Corps.* - The President of the Philippines,
6 acting as the Commander-in-Chief of all armed forces of the Philippines, shall have the
7 power to command full or partial mobilization of the Reserve Officers Corps in case of a
8 declaration of a state of war, state of lawless violence, or state of calamity, and in
9 response to national or local contingencies related to external and territorial defense,
10 internal security, peace and order, public safety, and disaster risk reduction and
11 management. The President shall have the authority to revert reserve officers mobilized
12 to active duty back to inactive status.

13 The Reserve Officers Corps may also be called upon and mobilized by the
14 President of the Philippines to assist government agencies and instrumentalities,
15 including local government units in their respective functions in relation to external and
16 territorial defense, internal security, peace and order, public safety, and disaster risk
17 reduction and management.

18 The DND shall, in coordination with the AFP, BFP, BJMP, PCG, PNP and other
19 government agencies concerned, establish the necessary organizational structure and
20 operations procedures for mobilizing the Reserve Officers Corps in accordance with the
21 provisions of this Act and other existing laws, rules and regulations.

22
23 *Sec. 20. Status of Reservists during Mobilization.* - Reserve officers called to active duty
24 by virtue of mobilization shall be entitled to equivalent pay and allowances, medical
25 care, and other privileges and benefits prescribed by law or regulations for officers and
26 enlisted personnel in the Regular Force.

27
28 *Sec. 21. Training of Reserve Officers Corps.* - Reserve officers shall be required to
29 attend a periodic training program to enhance the readiness of individual reserve
30 officers and reserve units in responding to calls for mobilization. Each reserve officer

1 shall, depending on the reserve rank conferred, render training duty during the
2 incumbency of his or her membership in the Reserve Office Corps: Provided, That the
3 minimum duration of the training duty shall be as follows:

4		
5	Reserve Soldier or Equivalent Rank	50 Training Days
6	Reserve Corporal or Equivalent Rank	60 Training Days
7	Reserve Sergeant or Equivalent Rank	70 Training Days
8	Reserve Technical Sergeant or Equivalent Rank	80 Training Days
9	Reserve Master Sergeant or Equivalent Rank	90 Training Days
10	Reserve First Lieutenant or Equivalent Rank	100 Training Days
11	Reserve Second Lieutenant or Equivalent Rank	110 Training Days
12	Reserve Captain or Equivalent Rank	120 Training Days
13	Reserve Major or Equivalent Rank	130 Training Days
14	Reserve Lieutenant Colonel or Equivalent Rank	140 Training Days
15	Reserve Colonel or Equivalent Rank	150 Training Days
16		

17 Provided, further, That the training duty requirement shall be apportioned
18 throughout the entire incumbency of the reserve officer in the Reserve Officers Corps in
19 tranches of five (5) days: Provided, finally, That the program of instruction for the
20 training program, including the system to notify and recruit reserve officers to fulfill
21 their training duty obligation, shall be developed and implemented by the AFP, BFP,
22 BJMP, PCG, PNP for their respective reserve units.

23
24 *Sec. 22. Exemptions from Training.* - Every reserve officer shall be required to undergo
25 training as provided in Section 21 of this Act, except for reserve officers with the
26 following circumstances:

- 27 a. Those who are physically or mentally unfit to undergo training as certified by a
28 military medical officer;
- 29 b. Those whose religious beliefs proscribe any aspect of military or national service
30 such as, but not limited to, using firearms and other deadly weapons, training or

1 engaging in warfare tactics and combat operations, or rendering service in
2 military and other similar institutions;

3 c. Those who have been convicted by final judgment of criminal offenses involving
4 moral turpitude;

5 d. Those who are employed as uniformed personnel in the AFP, BFP, BJMP,
6 National Mapping and Resource Information Authority, PCG, and PNP;

7 e. Those who are employed as medical and allied medical professionals in public
8 hospitals and other similar public health facilities;

9 f. Those who are employed as social workers in national government agencies and
10 local government units;

11 g. Those who are employed as teachers in kindergarten, elementary and secondary
12 educational institutions; and

13 h. Those who are engaged in employment or a profession involving the delivery of
14 basic health services, provision of emergency medical services, preparation and
15 response to disasters and calamities, and performance of other vital services to
16 be identified by the DND.

17
18 *Sec. 23. Employer Cooperation During Reserve Officer Mobilization and Training.* - Every
19 employer shall grant leave of absence to reserve officers when called for mobilization or
20 training in accordance with the provisions of this Act: Provided, That the reserve officer
21 concerned has been employed for a continuous period of at least six (6) months:
22 Provided further, that reserve officers employed for less than six (6) months under their
23 present employer may request in writing a deferment of mobilization or training until
24 such time that the minimum employment duration of six (6) months has been achieved.

25
26 No employer shall terminate the employment or forcibly retire a reserve officer
27 solely or mainly by reason of mobilization or training as provided for in this Act:
28 Provided, That an employer may terminate the employment or services of a reserve
29 officer if the contract of employment between the employer and the reserve officer
30 includes provisions terminating the contract after a pre-determined period of

1 employment, the completion of a specific objective, or the delivery of a specific output
2 or product.

3
4 For the purpose of this Act, a reserve officer terminated from employment within
5 three (3) months after the commencement of the reserve officer's mobilization or
6 training shall be presumed to have been terminated by reason of such mobilization or
7 training, unless the employer can provide proof that such termination of employment
8 was for a reason unconnected with the fulfillment of the reserve officer's obligations
9 under this Act.

10
11 **ARTICLE VI**
12 **PENAL PROVISIONS**

13 *Sec. 24. Failure to Respond to Mobilization Call.* - Failure of a reserve officer to respond
14 to the call for mobilization made after the declaration of a state of war or lawless
15 violence shall be punishable in accordance with the Articles of War, and shall, upon
16 conviction by a court-martial, be punishable by imprisonment of not less than six (6)
17 months but not more than two (2) years.

18 Failure to respond to the call for mobilization made after the declaration of a
19 state of calamity or during national or local contingencies related to internal security,
20 peace and order, public safety, or disaster risk reduction and management shall be
21 punishable by one hundred twenty (120) hours of community service to be
22 administered by the reserve unit of the erring reserve officer.

23
24 *Sec. 25. Failure to Grant Leave of Absence for Mobilization or Training.* - Employers who
25 shall deny leave of absence from a reserve officer being called for mobilization or
26 training shall be punished with a fine of not less than fifty thousand pesos (P50,000.00)
27 nor more than five hundred thousand pesos (P500,000.00) or imprisonment of not less
28 than one (1) month nor more than one (1) year, or both, at the discretion of the court.

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Sec. 30. Integration of Existing Reserve Units and Service Corps. - All reservists in the Reserve Force created under Commonwealth Act No. 1, as amended, and Republic Act No. 7077, as amended, and in the National Service Reserve Corps created under Republic Act No. 9163, otherwise known as the "National Service Training Program (NSTP) of 2001" shall be integrated to the Reserve Officers Corps created under this Act.

The DND shall formulate guidelines and procedure for the retrieval, collection, collation and transfer of information and records pertaining to reservists into the Reserve Officers Corps. The DND shall likewise establish guidelines and criteria for determination of the appropriate ranks and designation of reserve officers in the Reserve Officers Corps.

Sec. 31. Appropriations. - The amount necessary for the implementation of the provisions of this Act shall be included in the annual General Appropriations Act following its enactment into law.

Sec. 32. Implementing Rules and Regulations. - The DND shall, in coordination with CHED, DBM, and Technical Education Skills and Development Authority, and in consultation with tertiary-level school associations, promulgate the necessary implementing rules and regulations within thirty (30) days upon the effectivity of this Act.

Sec. 33. Separability Clause. - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision or part not otherwise affected shall remain valid and subsisting.

1 Sec. 34. Repealing Clause. - Any law, presidential decree or issuance, executive order,
2 letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
3 with the provisions of this Act are hereby repealed, modified, or amended accordingly.

4

5 Sec. 35. Effectivity. - This Act shall take effect fifteen (15) days after its publication in
6 the Official Gazette or in a newspaper of general circulation.

7

8 Approved,