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OF THE PHILIPPINES)
First Regular Session)

SENATE
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SENATE

S. No. 2137

RECEIVED BY:

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

The existence of strong checks and balances in government is the essence to preserve democracy. The checks and balances must not be limited only in branches of government but also in the national security agencies and the Armed Forces as protector of the people and State. The State, therefore, must promote the multiple sourcing of regular officers of the AFP from Filipino citizens of diverse cultures and institutions.

In this light, there shall be established in the Philippine Air Force an educational institution to be known as the Philippine Air Force Academy (PAFA), hereinafter referred to as the Academy, for instruction and preparation for military service of the Philippine Air Force Cadets, to be known as "Aviation Cadets". This instruction is a 2-year program in the Academy based on entry of students from the General College Education (GCE) requirements as established by the Commission on Higher Education (CHED) leading to the award of a four-year baccalaureate degree, major courses for respective degrees shall be taught in the Academy together with the officer and aviation fields training.

Graduates shall be awarded baccalaureate degrees and commissioned as regular officers of AFP. The GCE requirement is basic to all 4-year baccalaureate degrees as determined by CHED. A candidate who have completed the GCE brings with him into the Academy the wealth of experience necessary to broaden his/her perspectives in academics as well as his outlook among all cultures. The young men and women who are bright and come from the minority groups can earn their General College Education units required for entry into the Academy through scholarships existing in any government recognized colleges and universities, NGO's, GSIS and SSS. Their experiences and academic disciplines in social sciences obtained from the colleges and universities will hasten their maturity and will give them wider and better perspectives on what kind of a career they really would like to pursue and how to serve country and people.

Furthermore, with the military training and discipline added to their highly technical expertise in aviation and related fields obtained and instilled in the Academy, performance of their mission and exercise of leadership will be more balanced and matured.

The present assets of the Philippine Air Force Flying School (PAFFS), the PAF Officers Candidate School (OCS) and the PAF Technical School such as barracks, dormitories, office buildings, classrooms, technical equipment and other facilities necessary for training are already existing at the Air Education and Training Command (AETC), Fernando Air Base Lipa, City. These assets can be transferred to the Academy. The present budget of the PAF is enough to start, sustain and operate the

Academy. If ever there will be expenses to be incurred it will just be for salaries and accommodation of civilian professors and civilian employees. Majority of the instructors will be officers in the PAF. Future expansions and upgrading of the Academy will be budgeted by Congress.

Also having a 2-year program in the Academy will be cheaper than a 4-year program. The Academy experiences of the Aviation Cadets plus the military discipline instilled in them will make them good leaders in the AFP and the country as well. From these graduates will be pilots and other aviation field officers who will man the modernized Philippine Air Force.

And even after retirement or separation from the military service the degrees earned in the Academy, which are accredited by CHED, will be usable throughout life.

In view of the foregoing, approval of this bill is earnestly requested.




MANUEL "LITO" M. LAPID
Senator

10 JUL 27 AM 1:37

SENATE

S. No. 2137

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Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
ESTABLISHING THE PHILIPPINE AIR FORCE ACADEMY (PAFA),
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. – This act shall be known as the "**Philippine Air Force Academy Act of 2010**".

SEC. 2. Applicability. - The provision of this Act shall apply to the AFP in so far as to the establishment of the Philippine Air Force Academy; admission of cadets, who shall be known and called as Aviation Cadets; 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 Aviation Cadets; composition of the Academic Board and Faculty members.

SEC. 3. 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. **Aviation Cadet** - a cadet in the Philippine Air Force Academy who is pursuing a baccalaureate degree and being trained as an officer of the AFP and specializing in the aviation fields;
- c. **Commission** - a status conferred to an individual by the President of the Republic of the Philippines to serve as regular officer or reserve officer in the AFP;
- d. **CACPAE** - Corps of Aviation Cadets of the Philippine Air Force;

First Captain - designation of the highest-ranking Aviation Cadet who will act as leader of the Corps of Aviation Cadets of the Philippine Air Force Academy;
- e. **CHED** - Commission on Higher Education;
- f. **Regular Officer** - a commissioned officer in the regular forces of the AFP appointed as such by the President of the Republic of the Philippines;

- g. **Reserve Officer** - a commissioned officer in the Reserve Force of the AFP.

SEC. 4. 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. 5. Philippine Air Force Academy. - There shall be established in the Philippine Air Force an educational institution to be known as the Philippine Air Force Academy (PAFA), hereinafter referred to as the Academy, for the instruction and preparation for military service of Philippine Air Force cadets, to be known as Aviation Cadets. This instruction is a 2-year program, basing from the minimum academic entry requirements into the Academy, that is the General College. Education requirements as established by the Commission on Higher Education (CHED) leading to the award of a four-year baccalaureate degrees; these major courses shall be taught in the Academy together with the officer and aviation fields training.

The present Philippine Air Force (PAF) Flying School, PAF Officer Candidate School and PAF Technical School shall he absorbed by the Academy including equipment, facilities, school grounds and applicable members of the faculty and administrative personnel as the case maybe.

SEC. 6. Corps of Aviation Cadets of the Philippine Air Force. – The student body of the Academy shall he known as the Corps of Aviation Cadets of the Philippine Air Force (CACPAF). The President is authorized to appoint annually, subject to such physical and mental examinations as may be prescribed, the number of aviation cadets necessary to maintain the Corp of Aviation Cadets at a strength of One Hundred Twenty (120) and not to exceed Two Hundred Fifty (250) at anyone time.

The strength of the Corps of Aviation Cadets of the Philippine Air Force is as follows:

- 1) Sixty (60) from the Philippines, at large, which shall he composed of:
 - a) Twenty (20) selected in order merit, as established by competitive examination from the children of members of the Armed Forces who:
 - i) Were killed in action or died of wounds or injuries received or diseases contracted in or pre-existing injury or disease aggravated by active service, or
 - ii) Were awarded the Medal of Honor for an act performed while in the Armed Forces,

For the purpose of this Act, a determination by the Line of Duty Board of the major services that a death is service connected is binding upon the Secretary of National Defense.

- 2) Twenty (20) from the enlisted members of the Armed Forces;
- 3) Twenty (20) from the reserve components of the Armed Forces.

SEC. 7. 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 (18) years of age but not more than twenty one (21) years of age on the 2nd day of January of the year of admission;
- 4) Have at least completed the necessary General College Education (GCE) 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 Air Force;
- 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 Corps of Aviation Cadets.

Women shall be admitted and shall comprise not less than five percent (5%) of the strength of the Corps of Aviation Cadets at any time.

All Aviation Cadets shall be appointed by the President. An appointment is conditional until the cadet is admitted.

If it is to be determined that, upon the admission of a new class to the Academy, the number of aviation cadets 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 Air Force, but not more than the authorized strength of the Corps of Aviation Cadets.

SEC. 8. Academic Courses.

- a. Academic courses, which are major requirements for the conferral of baccalaureate degrees, shall be taught to the Aviation Cadets in the Academy. The Academy shall be manned and equipped with the necessary faculty, expertise, equipment and facilities to conform with CHED's 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 aviation 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, AFP, individuals who will be designated / commissioned as members of the Corps of Professors. Applicable laws governing appointment and commissionship in the Corps of Professors shall apply.

SEC. 9. *Organization of the Corps of Aviation Cadets.* - The Corps of Aviation Cadets of the Philippine Air Force (CACPAF) shall be organized along the lines of the PAF organizations. The CAC PAF shall have a First Captain appointed by the Superintendent of the Academy from among the most qualified Aviation Cadets. The CAC PAF shall have an honor code of conduct which shall be used to govern the behavior of each and every individual of the CAC PAF in addition to the established AFP rules and regulations.

SEC. 10. *Pay and Allowances.* - The pay and allowances of the Aviation Cadets shall be fixed by the President.

SEC. 11. *Undertaking.* - Each Aviation Cadet shall sign an agreement that, unless sooner separated by duly authorized authorities, he/she 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 the Academy. Entry into the Academy shall be on January 2nd every year. Graduation will be last week of December every year.

SEC. 12. *Aviation Cadet Retirement.* - Any Aviation Cadet, 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 a second lieutenant of the Armed Forces of the Philippines.

SEC. 13. *Commission.* - Upon satisfactory completion of the course of instruction at the Academy, the aviation cadets shall be commissioned second lieutenants 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. 14. *Administration.* - The Academy as herein established shall be organized and administered by the Commanding General, Philippine Air Force (PAF) under the general supervision and control of the Chief of Staff of the Armed Forces of the Philippines.

SEC. 15. *Academic Board.* - The Academic Board of the Academy shall be composed of the Superintendent, the Dean of the Corps of Professors, the Commandant of Cadets and the Heads of the Departments to be constituted as follows:

- (a) The Superintendent and the Commandant of Cadets of the Academy shall be detailed to those positions by the President from the officers of the Philippine Air Force.
- (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 Aviation Cadets who may hereafter satisfactorily complete the approved course of studies. Aviation Cadets who have finished at least one hundred fifty (150) hours of flying lessons shall be eligible for graduation. Cadets/Students from other Philippine Military institutions maybe 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 Aviation Cadets. Commissionship in the AFP for these cadets/student shall be subject to the requirements for commissionship as applicable in their previous military institutions.

SEC. 16. *Baccalaureate Degrees.* - Baccalaureate degrees to be conferred to those who successfully complete their courses in the Academy are the following:

- a. Bachelor of Science in Aviation
- b. Bachelor of Science in Aircraft Maintenance
- c. Bachelor of Science in Avionics

The degrees mentioned above are the initial degrees. Other degrees that maybe 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. 17. *Prohibition Against Hazing.* - Subject to the approval of the Secretary of National Defense, the Superintendent of the Academy shall issue rules and regulations preventing 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 cadet whereby another cadet suffers or is exposed to any form of injury, indignity, humiliation, hardship or oppression or the deprivation or abridgement of rights.

If an aviation cadet is charged with violating any rules or regulation 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.

An Aviation Cadet dismissed from the Academy for hazing shall not be reappointed as an Aviation Cadet 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/her class.

SEC. 18. *Transfer of Assets and Liabilities.* - The Philippine Air Force Flying School, the PAF Officer Candidate School, and the PAF Technical School including the members of faculty and personnel, records, equipment, assets and liabilities are hereby transferred to and integrated with the Philippine Air Force Academy. Similar assets necessary for training pilots now existing elsewhere in the AFP shall be transferred to the Academy.

SEC. 19. *Implementing Rules and Regulation (IRR).* - 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. 20. Budget. - The initial appropriations necessary for the establishment of the Academy shall be charged to the appropriation of the Department of National Defense (DND). Thereafter, the amount necessary for the improvement, operation and maintenance of the Academy shall be included in the annual General Appropriations Act.

SEC. 21. Separability Clause. - If any provision of this Act is held invalid, all the other provisions not affected hereby shall remain valid.

SEC. 22. Effectivity. - This act shall take effect fifteen (15) days after its publication in two (2) national newspapers of general circulation.

Approved,