

SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



'18 MAR 13 A10 :22

SENATE
S.B. NO. 1741

RECEIVED BY _____

Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT
ESTABLISHING THE PHILIPPINE MARINE CORPS, DEFINING ITS
POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND
FOR OTHER PURPOSES

EXPLANATORY NOTE

The Philippine Marine Corps ("PMC") was organized on November 7, 1950 under the orders of former President Elpidio Quirino and former Secretary of National Defense Ramon Magsaysay through the Armed Forces of the Philippines ("AFP") General Orders nr. 319 s. 1950. The PMC was first organized to respond to the security threat of the emerging *Hukbalahap* insurgency in Central Luzon up to Marawi, Mindanao.

Despite experiencing institutional challenges, including but not limited to fiscal and organizational restrictions, due the absence of its own Charter, the PMC has lived up to its mandate in providing amphibious and rapid deployment units and seamless transition of military power between sea and land domains.

Over the years, the men and women of the PMC have gallantly served and responded to the call of duty. In the 1960s, the PMC spearheaded the strategic maneuvers against the *Hukbalahap*. In the 1980s, they upheld stability of the country during the EDSA People Power. In the 2000s, the PMC were the one of the main forces in the fall of Camp Abu Bakr as well as combating terrorist in Basilan, Sulu, and Tawi-Tawi. In the 2010s, the valiant men and women of the

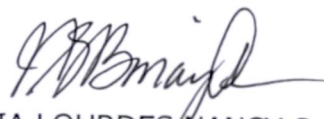
PMC also provided assistance to many Filipino people affected by natural disasters.

The numerous engagements of the PMC in protecting and fighting for our country with honor and pride have given their lives for the motherland since the 1950s. In respect of their service, it is adjuratory that the establishment of a charter that would institutionalize the PMC to alleviate them of institutional challenges.

The archipelagic geography of the Philippines calls for the need for an expanded, rapidly deployable amphibious maneuver force mandated to conduct seaborne, sustained on-shore, multinational cooperation and engagement for the protection of the country and its people along with response to the country's need in times of natural disaster.

This bill seeks to establish the PMC as an autonomous and distinct branch of service that is complementary to the Army, Air Force, and Navy under the AFP. This bill also seeks to institutionalize the PMC as an amphibious armed uniform service and a maneuver force in readiness of the AFP that among others include seaborne, land, combat, and support services.

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



MARIA LOURDES NANCY S. BINAY
Senator

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

1 Section 1. *Short Title.* – This Act shall be known as the “*Philippine Marine*
2 *Corps Act*”.

3
4 Sec. 2. *Declaration of Policy.* – In accordance with Section 3, Article II of
5 the Constitution that mandates the supremacy of civilian authority over the
6 military, and Section 4, Article XVI of the same that provides “the Armed Forces
7 of the Philippines (“AFP”) shall be composed of a citizen armed force that shall
8 undergo military training and serve, as may be provided by law”, it is hereby
9 declared the policy of the State to maintain, organize, and enhance the AFP for
10 the continuing development of national defense to maintain peace and order.

11
12 Sec. 3. *Establishment.* – The Philippine Marine Corps, (“PMC”), is hereby
13 established as an armed uniformed service, amphibious in character; distinct,
14 autonomous, but complementary to the Army, the Air Force and the Navy, as an
15 independent branch of service of the AFP.

16

1 The PMC shall include ground combat, combat support, combat service support,
2 aviation component, and such other units as may be necessary for the pursuit of
3 its mandate.

4
5 Sec. 4. *Powers and Functions.* – The PMC shall have the following powers
6 and functions:

- 7
- 8 (a) To conduct combined arms operations in the littoral battle space
9 and beyond under the AFP;
 - 10 (b) To coordinate with the other branches of service in developing
11 various phases of amphibious operations, which pertain to the
12 tactics, techniques, and procedures with the necessary equipment
13 employed by landing forces and that of a joint maneuver force;
 - 14 (c) To organize, train, equip, maintain, develop, deploy, and
15 supervise the PMC Reserve Force (“PMCRF”) for the purpose of
16 assisting the PMC in carrying out its functions;
 - 17 (d) To formulate and develop doctrines, concepts, systems, policies,
18 procedures, strategies, tactics, and techniques for operations
19 peculiar to the Marines;
 - 20 (e) To develop its capabilities for seaborne maneuvers; sustain
21 maneuver ashore; and multinational cooperation and engagement
22 that is amphibious in character, multi-role in nature, a seaborne
23 arms force with on-shore defense capability possessing combined
24 arms with supporting air components ensuring its capability and
25 effectiveness as a major combatant in the protection of the
26 islands of the Philippine Archipelago;
 - 27 (f) To establish bases and facilities for the realization of its
28 operational potential;
 - 29 (g) To utilize Information Technology, and technological innovations
30 to advance the pursuit of its mandate;

- 1 (h) To deploy such forces necessary for strategic defense under the
2 Joint Defense Force and for employment of operational
3 commands;
- 4 (i) To deploy forces for disaster response, relief, and rehabilitation
5 efforts of the AFP;
- 6 (j) To deploy forces in support to the law enforcement agencies in
7 the performance of their duties and responsibilities in
8 implementing the laws of the land;
- 9 (k) To perform such other functions that may be necessary in the
10 attainment of the objectives of this Act; and
- 11 (l) To determine its requirements which shall be addressed by a
12 fiscal allocation and modernization efforts of the Department of
13 National Defense ("DND").
14

15 Sec. 5. *Philippine Marine Corps Bases and Facilities.* – To carry out the
16 powers and functions of the PMC and the enhancement of its capabilities, three
17 (3) PMC Headquarters, shall be established – one (1) in Luzon, one (1) in
18 Visayas, and (1) in Mindanao. The PMC Headquarters in Mindanao shall serve as
19 the National Headquarters of the PMC. All of the PMC Headquarters shall be in
20 strategic locations where it can sustain its deployed forces given both spectrums
21 of war condition. A Marine Division may be established to effectively respond to
22 the needs of the operational commands based on its distinct characteristics and
23 operating concept, as may deem necessary.
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25 Sec. 6. *PMC Commandant.* – The Commandant shall head the PMC, and
26 shall carry the rank of Lieutenant General. The Commandant shall be directly
27 appointed by the President from among its Marine Corps General, upon the
28 recommendation of the AFP Chief-of-Staff and the Secretary of the DND.
29

1 Sec. 7. *Creation of the Marine Reserve Component.* – The PMC shall
2 maintain, supervise, develop and train the PMC Reservists as a reserve force
3 under the direct control and supervision of the PMC Commandant and shall assist
4 the PMC in the conduct of efforts on force development as a whole.
5

6 Sec. 8. *Implementing Rules and Regulations.* – The Commandant of the
7 PMC shall promulgate rules and regulations for the implementation of this Act, as
8 well as the provisions of acts, decrees, and orders, related to the implementation
9 of the PMC functions, to be approved by the President and the Commander-in-
10 Chief, with the conformity of the Secretary of DND, and recommendation by the
11 Chief-of-Staff of the AFP.
12

13 Sec. 9. *Appropriations.* – The PMC Commandant shall immediately prepare
14 the necessary guidelines to cover the establishment of the PMC as a service
15 branch of the AFP, the initial funding of which shall be charged against the
16 current year's appropriations of the PMC and, thereafter, in the Annual General
17 Appropriations Act.
18

19 Sec. 10. *Transitory Provisions.* – The incumbent two-star officer, Major
20 General, shall be the Acting PMC Commandant, pending the appointment by the
21 President. Likewise, the existing organizational structure of the PMC shall be
22 followed until new rules and regulations have been promulgated, and approved
23 by the President.
24

25 Further, this Act shall not diminish, reduce, or remove the existing benefits and
26 privileges of PMC personnel under existing laws, rules and regulations.
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28 Sec. 11. *Separability Clause.* – If for any reason, any provision of this Act
29 is declared unconstitutional or invalid; such parts not affected thereby shall
30 remain in full force and effect.

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Sec. 12. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations and other issuance's or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

Sec. 13. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any two (2) newspapers of general circulation.

Approved,