


'19 JUL -4 A 9 :25

SENATE

S. No. 227

RECEIVED 

Introduced by SENATOR RONALD "BATO" DELA ROSA

AN ACT
MANDATING THE INSTITUTIONALIZATION, DEVELOPMENT, TRAINING, ORGANIZATION AND ADMINISTRATION OF BASIC RESERVE OFFICERS TRAINING CORPS (ROTC) IN GRADES 11 AND 12 IN PUBLIC AND PRIVATE EDUCATIONAL INSTITUTIONS, FURTHER AMENDING REPUBLIC ACT NO. 7077, OTHERWISE KNOWN AS THE "CITIZEN ARMED FORCES OF THE PHILIPPINES RESERVIST ACT", AS AMENDED BY REPUBLIC ACT NO. 9163, OTHERWISE KNOWN AS THE "NATIONAL SERVICE TRAINING PROGRAM" AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

It is anchored upon the 1987 Philippine Constitutional provision under Article II, Section 4 which states that:

"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."

In addition, the 1987 Philippine Constitution Article II, Section 13 thereof, further recognize the role of the youth in nation building where it states 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."

ROTC Program consists of basic military training, which includes, among others, subject on moral virtues, patriotism, discipline, support and adherence to the Constitution, and respect for the right of civilians. Contrary to the popular beliefs, reservist, who completed military training under ROTC Programs, are not only called upon in the event of war, invasion or rebellion. They are also mandated to lend assistance in relief and rescue during disaster or calamities, in socioeconomic development and in the operation and maintenance of essential government or private utilities in the furtherance of overall mission.

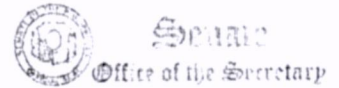
Since the enactment of Republic Act No. 9163 otherwise known as the "National Service Training Program (NSTP) Act of 2001", enrollment in ROTC Programs declined dramatically. According to the Department of National Defense, there were around 800,000 enrollees every year when ROTC was mandatory. However, only about 14% enrolled in ROTC after the passage of RA 9163. Consequently, the number of reservist that can fulfill the Citizen Armed Force mission' reduced as well. As of July 2018, there are only 398,988 total Armed Forces of the Philippines Reserve Force.

No less than the President Rodrigo Roa Duterte declared that, military training instills discipline and patriotism among the youth & promote spirit of love of country". This bill is a consolidation of the ROTC Bill reported out by the Senate Committee on Education, Arts and Culture and House of Representatives' ROTC bill passed on third reading during the Seventeenth Congress both seeking the reinstatement of the mandatory character of the ROTC.

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


RONALD "BATO" DELA ROSA

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



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AN ACT
MANDATING THE INSTITUTIONALIZATION, DEVELOPMENT, TRAINING,
ORGANIZATION AND ADMINISTRATION OF BASIC RESERVE OFFICERS
TRAINING CORPS (ROTC) IN GRADES 11 AND 12 IN PUBLIC AND PRIVATE
EDUCATIONAL INSTITUTIONS, FURTHER AMENDING REPUBLIC ACT NO.
7077, OTHERWISE KNOWN AS THE "CITIZEN ARMED FORCES OF THE
PHILIPPINES RESERVIST ACT", AS AMENDED BY REPUBLIC ACT NO. 9163,
OTHERWISE KNOWN AS THE "NATIONAL SERVICE TRAINING PROGRAM"
AND APPROPRIATING FUNDS THEREFOR

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

- 1 Section 1. *Short Title.* – This Act shall be known as the "ROTC Act of 2019".
- 2 Sec. 2. *Statement of Policy.* – The 1987 Constitution provides that the
- 3 Government may call upon the people to defend the State, and, in the fulfillment
- 4 thereof, all citizens may be required, under conditions provided by law, to render
- 5 personal, military or civil service.
- 6 In the same wise, the State recognizes the vital role of the youth in nation-
- 7 building and shall promote and protect their physical, moral, spiritual, intellectual,
- 8 and social well-being. It shall inculcate in the youth patriotism and nationalism, and
- 9 encourage their involvement in public and civic affairs.
- 10 Towards this end, the State shall enhance the capacity of the nation to
- 11 produce the needed manpower and to expand its human resources in times of war,
- 12 calamities and disasters, national or local emergencies, and in support to the
- 13 Government's law enforcement strategy against crimes by creating a pool of trained

1 reservists.

2 Sec. 3. *Coverage.* – The conduct of basic military and leadership training
3 under the ROTC shall apply to all students in Grades 11 and 12 in all senior high
4 schools in public and private educational institutions.

5 Sec. 4. *Establishment of the ROTC Program in all Public and Private*
6 *Educational Institutions.* –

7 a) There is hereby established a mandatory two (2) year Basic ROTC
8 program for students in Grades 11 and 12 which shall form part of the
9 basic curricula for the Senior High School Education in any public and
10 private educational institutions in pursuance to the provision of the
11 National Defense Act, Revised Administrative Code of 1987, and the
12 1987 Constitution, with the objective of producing well-trained and
13 prepared reservists for military and civil service.

14 b) The Basic ROTC shall include the following program of instruction:

15 1. Enhancing the students consciousness in the ethics of service,
16 patriotism and nationalism, respect for human rights,
17 appreciation of the role of national heroes in the historical
18 development of the country, strengthen ethical and spritual
19 values, develop personal discipline and leadership and to
20 encourage creative thinking for scientific and technological
21 development;

22 2. Basic military training for students in order to motivate, train,
23 organize and utilize for national defense preparedness or civil-
24 military operations: *Provided*, That no student below the age of
25 eighteen (18) years shall take a direct part in hostilities;

26 3. Civic training for students in order to be active participants and
27 volunteers for the development and improvement of health,
28 education, ecology and environmental protection, human and
29 civil rights awareness and law enforcement;

30 4. Preparedness during actual disaster response operations on
31 needs assessment, improved skills for search, rescue and relief
32 operations, and early recovery activities. Integration of capacity-

1 building activities will help build understanding and skills with
2 the end in view of applying disaster risk reduction and
3 management principles, concepts, and concrete action steps
4 towards building their resilience.

5 c) Any student who fails to undergo the mandatory Basic ROTC in
6 accordance with this Act shall not be qualified for graduation. In
7 addition thereto, the non-taking of ROTC by any student shall be a
8 ground for Compulsory Military Training in pursuance to Section 14 of
9 Republic Act No. 7077. Any education institution that fails to institute
10 and implement the Basic ROTC program in pursuance to this Act shall
11 be subject to disciplinary and administrative sanctions as the
12 Department of Education (DepEd) may impose.

13 d) Guided by the provisions of Section 5(b) hereof, the DND and the
14 DepEd, in consultation with other relevant government agencies and
15 private stakeholders as the Secretary of National Defense may
16 determine, shall design and formulate the Program of Instructions
17 (POI) on the Basic ROTC program in Grades 11 and 12.

18 *Sec. 5. Exemptions to the mandatory ROTC course.* The following students are
19 exempted from the application of the mandatory ROTC course:

- 20 a) Ecclesiastics regularly ordained and serving as a member of the clergy and
21 seminary students of a recognized church or sect;
- 22 b) Those who are physically or mentally unfit as certified by any government
23 physicians or by AFP medical officer;
- 24 c) Those who may be exempted for valid reasons by appropriate and competent
25 authority;
- 26 d) Those who have undergone or are undergoing similar military training;
- 27 e) Such others as may hereafter be exempted by law.

28 *Sec. 6. Advance ROTC.* – The basic ROTC established in Section 4, paragraph 1
29 of RA 9163, also known as the “*National Service Training Program (NSTP) Act of*
30 *2001*”, as a component of the NSTP which forms part of the curricula for students of
31 any baccalaureate degree course shall be modified or reclassified as the Advance
32 ROTC pursuant to RA 7077, or the *Citizen Armed Forces of the Philippines Reservist*

1 *Act.”*

2 The Advance ROTC in the tertiary level shall continue as an optional and
3 voluntary component of the NSTP. Students who opt to enroll in Advance ROTC
4 program in universities, colleges, vocational schools and other tertiary institutions
5 shall remain to be governed by RA 9163 in so far as they are consistent with this
6 Act.

7 The Department of National Defense, in coordination with the Commission on
8 Higher Education (CHED), shall prescribe the curriculum for the Advance ROTC and
9 the program of instruction in pursuance to the applicable provisions of RA 7077.

10 *Sec. 7. Organization, Operation and Maintenance of ROTC Units.* – The Secretary
11 of National Defense, in consultation with the DepEd, shall prescribe the organization
12 and operational manual of ROTC units in public and private educational institutions
13 for Grades 11 and 12: *Provided,* That such educational institutions shall be required
14 to provide an adequate office for the ROTC administrative staff assigned thereat.

15 *Sec. 8. Incentives for Undergoing ROTC Program.* –

16 a) Subject to other requirements prescribed by rules and regulations,
17 graduates of Basic ROTC shall be eligible for commissionship/lateral entry
18 and enlistment in the AFP, Philippine National Police (PNP), Philippine
19 Coast Guard (PCG), Bureau of Jail Management and Penology (BJMP), and
20 the Bureau of Fire Protection (BFP) unless a waiver is issued by the
21 Department of Secretaries of the aforementioned military and civilian
22 armed forces;

23 b) Students undergoing Basic ROTC and those enrolled in Advance ROTC
24 Program shall be provided with free hospitalization in any government
25 hospital in case of accident or injury during the training. Mandatory
26 insurance for students undergoing ROTC shall be provided by the school
27 where the students are enrolled;

28 c) Students undergoing Advance ROTC shall be given access and privileges
29 with any AFP Commissary. The AFP shall issue the necessary regulations
30 for the implementation of this privilege.

31 *Sec. 8. Establishment of ROTC Grievance Board.* – There shall be created a ROTC
32 Grievance Board composed of the following:

- 1 a) One (1) representative from the DND;
- 2 b) One (1) District Schools Supervisor from the DepEd; and
- 3 c) One (1) Legal Officer from the DepEd.

4 The DepEd and the DND shall formulate the manner by which the educational
5 institutions implementing the Basic ROTC shall be clustered for the efficient
6 resolution of grievances.

7 The Grievance Committee shall function as an independent investigative body,
8 which shall formulate the recommendation to the proper disciplinary authority that
9 has jurisdiction over the respondent, depending on whether he/she belongs to the
10 military for which purpose, the Articles of War shall be employed. Whereas, for
11 school officials and/or employees of public and private educational institutions, the
12 provisions of RA 6173 or the *Code of Conduct of Public Officers and Employees* and
13 other relevant laws on the matter shall be applied. This is without prejudice to
14 administrative cases that may be filed pursuant to the Civil Service rules for public
15 officers and employees involved in the complaint.

16 *Sec. 9. Appropriation.* – The funding requirement necessary to implement the
17 establishment, maintenance, and operations of the Basic ROTC Program shall be
18 included in the budget of the implementing Department in the annual General
19 Appropriations Act.

20 *Sec. 10. Mandatory Evaluation Review.* – The DND and the DepEd shall jointly
21 conduct an annual review and submit a report to Congress on the status of the
22 implementation of the Basic ROTC and Advance ROTC Program one year after its full
23 implementation and annually thereafter.

24 *Sec. 11. Implementing Rules.* The DND, DepEd, and CHED shall have the joint
25 responsibility for the adoption of the implementing rules of this Act within sixty (60)
26 days from the approval of this Act.

27 These three (3) agencies shall consult with other concerned government
28 agencies, , NGOs and recognized student organizations in drafting the implementing
29 rules.

30 *Sec. 12. Repealing Clause.* All laws, decrees, orders, rules and regulations and
31 other issuances inconsistent with the provisions of this Act are hereby deemed and
32 modified accordingly.

1 Sec. 13. *Separability Clause.* If any section or provision of this Act shall be
2 declared unconstitutional or invalid, the other sections or provisions not affected
3 thereby shall remain in full force and effect.

4 Sec. 14. *Effectivity.* This Act shall take effect fifteen (15) days after its
5 publication in at least two (2) newspapers of general circulation.

Approved,