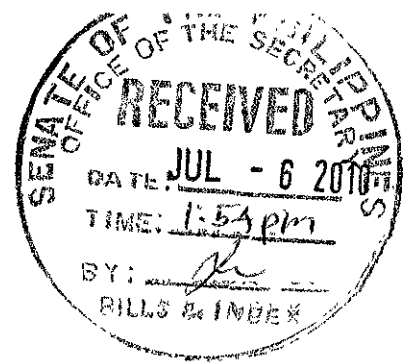


FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE

S. NO. 351

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

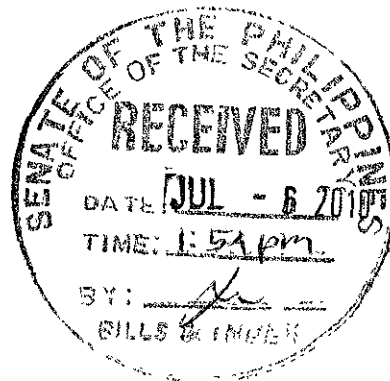
Article II Section 3 of the 1987 Constitution declares that the Armed Forces of the Philippines is the protector of the people of the State. Its goal is to secure the sovereignty of the State and the integrity of the national territory. It is in this light that Republic Act No. 7898, otherwise known as the AFP Modernization Act was enacted in 1995. However, fifteen years and billions of pesos later, the present AFP is still a far cry from the modern, professional force capable of containing internal security threats and external defense risks that it envisaged itself to be.

Among the major obstructions that thwart the full implementation of the law is the highly tedious procurement process of the AFP which has consequently resulted to the lengthy acquisition of its weaponry and artillery. In its early years, AFP and defense officials cited a lack of funds and the cumbersome procurement process as among the reasons for the AFP's failure to acquire equipment.¹ One of the possible roadblocks to the acquisition of the same is the provision that no major equipment and weapons system shall be purchased if the same are not being used by the armed forces in the country of origin or used by the armed forces of at least two countries. In response, this bill seeks to amend the aforementioned provision by allowing the acquisition of the same provided that they are being used by the armed forces in the country of origin or used by the armed forces of another country. It is hoped that by loosening the limitation to the acquisition of quality and modern equipment and weapons system, the acquisition process shall be unclogged, thereby hastening the implementation of the law.

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

ANTONIO "SONNY" F. TRILLANES IV
Senator

¹ Yvonne T. Chua, Luz Rimban. *AFP modernization drive sputters*. Information retrieved from: http://newsinfo.inquirer.net/inquirerheadlines/nation/view/20070108-42164/AFP_modernization_drive_sputters
Retrieved on 6 July 2020.



SENATE

S. NO. 351

Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
AMENDING SECTION 4 (B) OF REPUBLIC ACT NO. 7898, OTHERWISE KNOWN
AS THE "AFP MODERNIZATION ACT"

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

1 **SECTION 1.** Republic Act No. 7898 is hereby amended to read as follows:

2 Sec. 4 (b). *Capability, material, and technology.* – The AFP
3 modernization program entails development and employment of certain
4 capabilities that can address the assessed threats: *Provided,* That the acquisition of
5 air force, navy and army equipment and material of such types and quantities shall
6 be made in accordance with the need to develop AFP capabilities pursuant to its
7 modernization objectives: *Provided, further,* That the acquisition of new
8 equipment and weapons system, shall be synchronized with the phase-out of
9 uneconomical and obsolete major equipment and weapons system in the AFP
10 inventory. *Provided, even further,* That no major equipment and weapons system
11 shall be purchased if the same are not being used by the armed forces in the
12 country of origin or used by the armed forces of [at least two countries]
13 **ANOTHER COUNTRY.** *Provided, furthermore,* That only offers from suppliers
14 who are themselves the manufacturers shall be entertained: *Provided, finally,* That
15 no supply contract shall be entered into unless such contract provides for, it is
16 clear and unambiguous terms, an after-sales services and the availability of spare
17 parts.

1 **SEC. 2. Effectivity Clause.** – This Act shall take effect fifteen (15) days following its
2 publication in the *Official Gazette* or in at least two (2) national newspapers of general
3 circulation.

Approved,