



HOUSE OF REPRESENTATIVES

H. No. 8961

BY REPRESENTATIVES ABU, TUPAS, VIOLAGO, DURANO, ALEJANO,
ESCUADERO, ANTONIO, ROBES, NIETO AND SY-ALVARADO, PER
COMMITTEE REPORT NO. 1146

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,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO.
7077, OTHERWISE KNOWN AS THE "CITIZEN ARMED
FORCES OF THE PHILIPPINES RESERVIST ACT", AND
APPROPRIATING FUNDS THEREFOR

*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
2 "Reserve Officers' Training Corps (ROTC) Act".

3 SEC. 2. *Declaration of Constitutional Policy.* – The prime
4 duty of the government is to serve and protect the people. The
5 government may call upon the people to defend the State and, in
6 the fulfillment thereof, all citizens may be required, under
7 conditions provided by law, to render personal military or civil
8 service. In the same manner, the State recognizes the vital role of
9 the youth in nation-building, and shall promote civic consciousness

1 among the youth and shall develop their physical, moral, spiritual,
2 intellectual and social well-being. It shall inculcate in the youth
3 patriotism, nationalism, and encourage involvement in public and
4 civic affairs.

5 Towards this end, the State shall enhance the capacity of the
6 nation to produce the needed manpower and to expand its human
7 resources in times of war, calamities and disasters, national or local
8 emergencies, and in support to the government's law enforcement
9 strategy against crimes, by creating a pool of trained reservists.

10 SEC. 3. *Coverage.* - The conduct of military training under
11 the ROTC shall apply to all students in Grades 11 and 12 in all
12 senior high schools in public and private educational institutions.

13 SEC. 4. *Establishment of ROTC Program in All Public and*
14 *Private Educational Institutions.* -

15 (a) There is hereby established a mandatory two (2)-year
16 Basic ROTC program for students enrolled in Grades 11 and 12
17 which shall form part of the basic curricula for the Senior High
18 School Education in public and private educational institutions in
19 pursuance to the provisions of the National Defense Act and the
20 1987 Constitution, with the objective of producing well-trained and
21 prepared reservists for military and civic service. The ROTC
22 training is aimed to instill patriotism, love of country, moral and
23 spiritual virtues, respect for human rights and adherence to the
24 Constitution. In no way shall the ROTC be used for political aims, to
25 teach and instill a particular ideology and as a mechanism for
26 hazing and abuse.

1 (b) The ROTC shall include the following program of
2 instruction:

3 (1) Enhancing the students consciousness in the ethics of
4 service, patriotism and nationalism, respect for human rights,
5 appreciation of the role of national heroes in the historical
6 development of the country, strengthen ethical and spiritual values,
7 develop personal discipline and leadership, and to encourage
8 creative thinking for scientific and technological development.

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

13 (3) Civic training for students in order to be active
14 participants and volunteers for the development and improvement
15 of health, education, ecology and environmental protection, disaster
16 risk reduction and management, human and civil rights awareness,
17 and law enforcement.

18 (c) Any student who fails to undergo the mandatory Basic
19 ROTC in accordance with this Act shall not be qualified for
20 graduation. In addition thereto, the non-taking of Basic ROTC by
21 any student shall be a ground for Compulsory Military Training in
22 pursuance to Section 14 of Republic Act No. 7077. Any educational
23 institution that fails to institute and implement the ROTC Program
24 in pursuance to this Act shall be subject to disciplinary and
25 administrative sanctions as the Department of Education (DepEd),
26 Commission on Higher Education (CHED), and Technical Education
27 and Skills Development Authority (TESDA) may impose.

1 (d) Guided by the provision of Section 4(b) hereof, the
2 Department of National Defense (DND), DepEd, and TESDA, in
3 consultation with other relevant government agencies and private
4 stakeholders as the Secretary of National Defense may determine,
5 shall design and formulate the Program of Instruction (POI) on
6 the Basic ROTC Program in Grades 11 and 12, within sixty (60)
7 days from the approval of this Act and shall jointly issue
8 the implementing rules and regulations for the effective
9 implementation of the provisions of this Act.

10 SEC. 5. *Students Exempted from this Act.* – The following
11 may be exempted from the coverage of this Act:

12 (a) Those who are physically or psychologically unfit, as
13 certified by the Armed Forces of the Philippines (AFP) Surgeon
14 General or his authorized medical officer, in pursuance to the
15 recommendation of the educational institutions where the
16 concerned student is enrolled;

17 (b) Those who have undergone or are undergoing similar
18 military training;

19 (c) Those who were chosen by their school to serve as the
20 school's varsity players in sports competitions; and

21 (d) Those who may be exempted from training for valid
22 reasons as approved by the DND, upon recommendation by any
23 educational institution where the concerned student is enrolled.

24 SEC. 6. *Acceptance for Advance ROTC.* – Students who
25 volunteer for Advance ROTC Program in universities, colleges,
26 vocational schools and other tertiary institutions shall be governed
27 by Section 40 of Republic Act No. 7077, or the Citizen Armed Forces

1 of the Philippines Reservist Act. The provisions of Sections 42 and
2 43 of Republic Act No. 7077 in terms of training, uniforms and
3 supplies, and the scholarship incentive shall remain effective and
4 applicable for those accepted in the Advance ROTC course.

5 SEC. 7. *Organization, Operation and Maintenance of ROTC*
6 *Units.* – The organization, operation and maintenance for the
7 establishment of ROTC shall be in accordance with Sections 41 and
8 42 of Republic Act No. 7077 which shall remain effective and
9 operative unless inconsistent with this Act. The Secretary of
10 National Defense, in consultation with the DepEd and TESDA,
11 shall prescribe the organizational and operational manual of ROTC
12 units in public and private educational institutions for Grades 11
13 and 12: *Provided,* That such educational institutions shall be
14 required to provide an adequate office for the ROTC administrative
15 staff assigned thereat.

16 The AFP shall create an office dedicated to the supervision
17 and administration of the ROTC Program within the Reserve
18 Commands of the AFP in coordination with the DepEd and TESDA.

19 SEC. 8. *Incentives for Undergoing ROTC Program.* –

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

1 (b) Students undergoing Basic ROTC and those accepted in
2 the ROTC Advance Course shall be provided with free
3 hospitalization in any government hospital in case of accident or
4 injury during the training. Mandatory insurance for students
5 undergoing ROTC shall be provided by the school where the
6 students are enrolled.

7 (c) Students undergoing Basic and Advance ROTC shall be
8 given access and privileges with any AFP Commissary and PX
9 Stores nationwide. The Chief of Staff of the AFP shall issue the
10 necessary regulations for the implementation of this privilege.

11 SEC. 9. *The ROTC Grievance Board.* - There shall be created
12 a Reserve Officers' Training Corps (ROTC) Grievance Board
13 composed of one (1) representative from the Department of National
14 Defense and two (2) representatives from the Department of
15 Education with the more senior representative from the
16 Department of Education as chairperson. These representatives
17 shall be appointed for their known integrity, probity, and
18 independence.

19 The ROTC Grievance Board shall have the following powers:

20 (a) Investigate and resolve any and all complaints, in any
21 form, involving corruption and abuse, in any form, in the ROTC
22 Program;

23 (b) Ensure that the ROTC Program be free from politicization
24 and from being used to instill a particular ideology; and

25 (c) Recommend policies and reforms to ensure adherence of
26 the ROTC Program to the Constitution and all laws penalizing
27 abuse in any form.

1 All decisions of the ROTC Grievance Board shall be
2 appealable to the Office of the President.

3 SEC. 10. *Liability of the Educational Institution.* - The
4 instructor or faculty-in-charge of the ROTC shall be responsible for
5 monitoring the activities involved in the ROTC. The instructor or
6 the faculty-in-charge must be a duly recognized active member, in
7 good standing, of the faculty at the school in which the ROTC course
8 is being implemented.

9 The school or the university and its administrators shall
10 exercise special parental authority and supervise the
11 implementation of the ROTC.

12 In case of violation of any of the provisions of this Act and
13 other related laws, the instructor or faculty-in-charge and the school
14 or university and its officials shall be responsible and liable for any
15 damage or injury caused to a student.

16 SEC. 11. *Funding.* - The funding requirement to implement
17 the establishment, maintenance and operations of the ROTC
18 Program shall be included in the budget of the implementing
19 agencies/departments in the annual General Appropriations Act.

20 SEC. 12. *Separability Clause.* - If any provision of this Act
21 is held invalid or unconstitutional, the other provisions not so
22 declared shall remain in force and effect.

23 SEC. 13. *Repealing Clause.* - Pertinent provisions of
24 Republic Act No. 7077, or the "Citizen Armed Forces of the
25 Philippines Reservist Act", and all other laws, decrees, executive
26 orders and rules and regulations contrary to or inconsistent with

1 the provisions of this Act are hereby repealed or amended
2 accordingly.

3 SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15)
4 days after its publication in the *Official Gazette* or in a newspaper
5 of general circulation.

Approved,

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