

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

'22 JUL -7 P5 :05

SENATE

RECEIVED BY: 

S. No. 199

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

Article II, Section 4 of the 1987 Constitution provides 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, Article II, Section 13 thereof, recognizes the role of the youth in nation building, to wit:

"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."


Under the proposed measure, the aforementioned constitutional provisions will be put into practice through the Reserve Officers Training Corps ("ROTC") Program.

The ROTC program will consist of mandatory basic military training geared to instill moral virtues, patriotism, discipline, support and adherence to the Constitution. It will also provide training to students for them to be able to lend assistance in relief and rescue during disaster or calamities.

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 drastically. According to the Department of National Defense, there were around 800,000 enrollees every year when ROTC was mandatory. However, after the passage of RA 9163, about 14% only of the average enrollees take up ROTC. Consequently, the number of reservists that can fulfill the Citizen Armed Force mission' reduced as well.

The proposed measure seeks to enhance the capacity of the nation to produce the needed manpower and to expand its human resources in times of war, and calamities and disasters. This will also support the government's law enforcement strategy against crimes by creating a pool of trained reservists. More importantly, it aims to inculcate to the youth the virtues of patriotism and nationalism, and encourage their involvement in public and civic affairs.

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


RONALD "BATO" DELA ROSA



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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 2022".

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 Further, the State recognizes the vital role of the youth in nation-building and
7 shall promote and protect their physical, moral, spiritual, intellectual, and social well-
8 being. It shall inculcate in the youth patriotism and nationalism, and encourage their
9 involvement in public and civic affairs.

10 Towards this end, the State shall enhance the capacity of the nation to produce

1 the needed manpower and to expand its human resources in times of war, calamities
2 and disasters, national or local emergencies, and in support to the Government's law
3 enforcement strategy against crimes by creating a pool of trained reservists.

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

7 **SEC. 4. Establishment of the ROTC Program in all Public and Private**
8 *Educational Institutions.* –

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

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

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

24 2. Basic military training for students in order to motivate, train,

1 organize and utilize for national defense preparedness or civil-
2 military operations: *Provided*, That no student below the age of
3 eighteen (18) years shall take a direct part in hostilities;

4 3. Civic training for students in order to be active participants and
5 volunteers for the development and improvement of health,
6 education, ecology and environmental protection, human and civil
7 rights awareness and law enforcement;

8 4. Preparedness during actual disaster response operations on
9 needs assessment, improved skills for search, rescue and relief
10 operations, and early recovery activities. Integration of capacity-
11 building activities will help build understanding and skills with the
12 end in view of applying disaster risk reduction and management
13 principles, concepts, and concrete action steps towards building
14 their resilience.

15 c) Any student who fails to undergo the mandatory Basic ROTC in
16 accordance with this Act shall not be qualified for graduation. In addition
17 thereto, the non-taking of ROTC by any student shall be a ground for
18 Compulsory Military Training in pursuance to Section 14 of Republic Act
19 No. 7077. Any education institution that fails to institute and implement
20 the Basic ROTC program in pursuance to this Act shall be subject to
21 disciplinary and administrative sanctions as the Department of Education
22 (DepEd) may impose.

23 d) Guided by the provisions of Section 5(b) hereof, the Department of
24 National Defense (DND) and the DepEd, in consultation with other

1 relevant government agencies and private stakeholders as the Secretary
2 of National Defense may determine, shall design and formulate the
3 Program of Instructions (POI) on the Basic ROTC program in Grades 11
4 and 12.

5 **SEC. 5. Exemptions to the mandatory ROTC course.** – The following students are
6 exempted from the application of the mandatory ROTC course:

- 7 a) Ecclesiastics regularly ordained and serving as a member of the clergy and
8 seminary students of a recognized church or sect;
- 9 b) Those who are physically or mentally unfit as certified by any government
10 physicians or by AFP medical officer;
- 11 c) Those who may be exempted for valid reasons by appropriate and competent
12 authority;
- 13 d) Those who have undergone or are undergoing similar military training;
- 14 e) Such others as may hereafter be exempted by law.

15 **SEC. 6. Advance ROTC.** – The basic ROTC established in Section 4, paragraph 1
16 of RA 9163, also known as the “*National Service Training Program (NSTP) Act of*
17 *2001*”, as a component of the NSTP which forms part of the curricula for students of
18 any baccalaureate degree course shall be modified or reclassified as the Advance
19 ROTC pursuant to RA 7077, or the *Citizen Armed Forces of the Philippines Reservist*
20 *Act.*”

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

1 The DND, in coordination with the Commission on Higher Education (CHED), shall
2 prescribe the curriculum for the Advance ROTC and the program of instruction in
3 pursuance to the applicable provisions of RA 7077.

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

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

- 10 a) Subject to existing laws and rules on the use and design of military uniform
11 and insignias, students undergoing ROTC Program shall be provided with
12 free one (1) set of uniform including combats boots;
- 13 b) Subject to other requirements prescribed by rules and regulations,
14 graduates of Basic ROTC shall be eligible for commissionship/lateral entry
15 and enlistment in the Armed Forces of the Philippines (AFP), Philippine
16 National Police (PNP), Philippine Coast Guard (PCG), Bureau of Jail
17 Management and Penology (BJMP), and the Bureau of Fire Protection (BFP)
18 unless a waiver is issued by the Department Secretaries of the
19 aforementioned military and civilian armed forces;
- 20 c) Students undergoing Basic ROTC and those enrolled in Advance ROTC
21 Program shall be provided with free hospitalization in any government
22 hospital in case of accident or injury during the training. Mandatory
23 insurance for students undergoing ROTC shall be provided by the school
24 where the students are enrolled;

1 d) Students undergoing Advance ROTC shall be given access and privileges in
2 any AFP Commissary. The AFP shall issue the necessary regulations for the
3 implementation of this privilege.

4 **SEC. 8. *Establishment of ROTC Grievance Board.*** – There shall be created a ROTC
5 Grievance Board composed of the following:

- 6 a) One (1) representative from the DND;
- 7 b) One (1) District School Supervisor from the DepEd; and
- 8 c) One (1) Legal Officer from the DepEd.

9 The DepEd and the DND shall formulate the manner by which the educational
10 institutions implementing the Basic ROTC shall be clustered for the efficient resolution
11 of grievances.

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

21 **SEC. 9. *Appropriation.*** – The funding requirement necessary to implement the
22 establishment, maintenance, and operations of the Basic ROTC Program shall be
23 included in the budget of the implementing Department in the annual General
24 Appropriations Act.

1 **SEC. 10. *Mandatory Evaluation Review.*** – The DND and the DepEd shall jointly
2 conduct an annual review and submit a report to Congress on the status of the
3 implementation of the Basic ROTC and Advance ROTC Program one year after its full
4 implementation and annually thereafter.

5 **SEC. 11. *Implementing Rules.*** The DND, DepEd, and CHED shall have the joint
6 responsibility for the adoption of the implementing rules of this Act within sixty (60)
7 days from the approval of this Act.

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

10 **SEC. 12. *Repealing Clause.*** All laws, decrees, orders, rules and regulations and
11 other issuances inconsistent with the provisions of this Act are hereby deemed and
12 modified accordingly.

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

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

Approved,