

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



'22 JUL 11 P 6:36

**SENATE**  
S. No. 285

RECEIVED BY: \_\_\_\_\_

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**Introduced by SENATOR JINGGOY EJERCITO ESTRADA**

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**AN ACT  
ESTABLISHING THE NATIONAL DEFENSE UNIVERSITY OF THE  
PHILIPPINES AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

The National Defense College of the Philippines (NDCP) was created by virtue of Presidential Decree No. 190 in 1973 as the government's premiere institution for education, training and research on defense and national security. NDCP is mandated "to train and develop the skills and competencies of potential national defense leaders, civilian officials of the different agencies and instrumentalities of government, and selected executives from the private sector in the formulation and implementation of national security policies, and for high commend and staff duty."

Through the decades, NDCP continues to provide continuing and intensive studies relative to national defense and security to qualified military leaders and civilian executives. It has produced more than 3,000 graduates comprising of national security leaders across the sectors.

The "*National Defense University of the Philippines (NDUP) Act*" seeks to strengthen the mandate and mission of NDCP by elevating it to university status which shall be known as the "National Defense University of the Philippines" or NDUP. It shall aim to develop the skills and competencies, as well as the enhancement of proper attitude and values of its students, to be able to formulate and implement national

security policies and conduct strategic and international studies in support of said policies. For this purpose, masters and doctorate degrees in National Security Administration shall be offered to qualify military officials and civilian executives. Moreover, the organizational structure of the NDUP will be strengthened to ensure that it will have the capacity to fulfill its mandate.

In view of the foregoing, the immediate passage of this bill is highly recommended.



**JINGGOY EJERCITO ESTRADA**

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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 "*National Defense University*  
2 *of the Philippines (NDUP) Act*".

3           Sec. 2. *Declaration of Policy*. – it shall be the policy of the State to provide  
4 advanced education in national security administration to outstanding men and  
5 women in the military as well as key officers in government agencies and the private  
6 sector.

7           Sec. 3. *Establishment of the National Defense University of the Philippines*  
8 *(NDUP)*. – In furtherance of the policy enunciated under Section 2 hereof, there shall  
9 be established in the Philippines an educational, training and research institution to be  
10 known as the "National Defense University of the Philippines" or NDUP.

11           Sec. 4. *Objectives*. – As an institution of higher learning, National Defense  
12 University of the Philippines shall aim to promote, to the highest degree possible, the  
13 traditional functions of teaching, research and extension. The NDUP shall have as its  
14 objectives, the development of the skills and competence as well as the enhancement  
15 of proper attitude and values of its students so that they can help formulate and  
16 implement national security policies. It shall also conduct strategic and international  
17 studies and support of, or as basis for national security policies.

1           Sec. 5. *Functions.* – In order to achieve the objective defined in the preceding  
2 section, the NDUP shall:

- 3           a) Conduct academic program consisting of graduate courses at both masters  
4           and doctorate levels of studies and other special courses in the field of  
5           national security administration;  
6           b) Undertake research and studies program that will enhance the quality and  
7           effectiveness of national security formulation and management;  
8           c) Provide an extension program consisting of short courses, seminar  
9           workshop, policy conferences and fora on national security issues which  
10           may be held various location in the country to supplement its academic  
11           and research studies program;  
12           d) Perform such other functions as may be directed by the Republic of the  
13           Philippines.

14           Sec. 6. *Organizational Structure.* – The NDUP, as an academic institution of the  
15 Department of National Defense, shall initially to be composed of the National Defense  
16 University of the Philippines, Center for National Security Studies and a Center of  
17 Extension Services. Other units may be established by the Secretary of the National  
18 Defense upon the recommendation of the President of NDUP in response to particular  
19 needs of the defense established.

20           Sec. 7. *The President.* – Under the general direction and supervision of the  
21 Secretary of National Defense, the NDUP shall be headed by a president who shall  
22 have full power and authority to administer, manage and control its affairs. The  
23 president of the NDUP shall be a holder of doctorate degree, preferably with a masters  
24 in National Security Administration, and shall be appointed by the President of the  
25 Philippines upon the recommendation by the Secretary of National Defense. Based on  
26 the committee recommendation, this committee may formulate its rule for selection  
27 and based therefrom, shall select and recommended at least three (3) candidates from  
28 which the Secretary of National Defense may choose to recommend for appointment  
29 by the President of the Philippines.

30           Sec. 8. *The Executive Vice President and other Vice President.* – The President  
31 of NDUP shall be assisted by an Executive Vice President, Vice President of Academic



1 Affairs, Vice President for Administration Services, Vice President for Research and  
2 special Studies and a Vice President for Extension Activities.

3 A. *Functions.* The Executive Vice President who shall be responsible for  
4 planning and development shall act for the President in his absence and  
5 shall perform such other functions as may be assigned to him by the  
6 President. The Vice President for Academic Affairs shall be responsible for  
7 the development, implementation, supervision and evaluation of the  
8 academic program. The Vice President for Administrative Service shall be  
9 responsible for the overall administration support to all activities of the  
10 University. The Vice President for Research and Special Studies shall direct  
11 the conduct of research work and special studies while the Vice President  
12 Extension Services shall be responsible for the outreach program and  
13 extension activities of the NDUP.

14 B. *Qualifications.* The Executive Vice President and all the Vice Presidents shall  
15 be holders of a doctorate degree and preferably also holders of masters  
16 degree in National Security Administration or equivalent degree. They shall  
17 be appointed by the Secretary of National Defense.

18 Sec. 9. *The Dean of the Colleges and the Directors of Centers.* – The Colleges  
19 of the National Defense University of the Philippines shall be headed by a Dean while  
20 the Center for National Security Studies and Center for Extension services shall each  
21 be under a director. They shall be holders of a doctorate degree and preferably also  
22 with a master’s degree in National Security Administration.

23 Sec. 10. *Term of Office.* – The President, Executive Vice President, all Vice  
24 President, the Dean of the Colleges and Directors of the Center shall serve for a term  
25 of six (6) years without prejudice to one re-appointment for the same period.

26 Sec. 11. *Registrar.* – The NDUP shall have a Registrar who shall be appointed  
27 by the Secretary of National Defense upon recommendation of the University  
28 President. The Registrar shall keep all Transcripts of Records and related records of  
29 students as well as the minutes of academic board meetings.

30 Sec. 12. *Course Offering.* – The University shall offer graduate degree at both  
31 master and doctorate of study in National Security Administration and Development  
32 and shall undertake applied research and strategic and international studies. The

1 Center for Extension Services shall undertake an extension and outreach program for  
2 promotion of national security consciousness. The NDUP shall conduct such other  
3 courses or perform such studies as it may deem necessary to carry out its mandate or  
4 as directed by the Secretary of National Defense or the President of the Philippines.

5 *Sec. 13. Conferment of Academic and Degrees.* – The NDUP shall confer  
6 graduate degrees upon successful candidates for graduation and may award honorary  
7 degree upon persons who have made outstanding contribution to or have  
8 distinguished themselves in the field of national security.

9 *Sec. 14. Direction and Supervision of NDUP.* - The NDUP shall be under the  
10 general direction and supervision of the Secretary of National Defense who shall  
11 organize the university and appoint the heads of units other official with the ranks  
12 comparable with those of other graduate colleges or universities. The NDUP shall have  
13 such personnel as may be necessary to enable the institution to effectively carry out  
14 its mandate.

15 *Sec. 15. The Academic Board.* –

16 a) *Composition.* The National Defense University of the Philippines shall have an  
17 academic board composed of the Vice-President for Academic Affairs as  
18 Chairman, the Dean of the NDUP, the Director of the Center for National  
19 Strategic studies, the director of the Center for Extension Services, the heads  
20 of the academic disciplines of the college, the institutes and the centers as  
21 members. The Board may be expanded, at the discretion of the President, to  
22 include such staff and faculty members as may be determined by him provided  
23 the additional members shall not exceed twenty (20). Resource persons may  
24 be requested to attend academic board meetings to provide information or  
25 expertise necessary in making appropriate recommendation or decisions.

26 b) *Function.* The Academic Board shall assist the President in the discharge of the  
27 following functions:

28 (1) To supervise the academic affairs of the University;

29 (2) To take responsibility for discipline of students;

30 (3) To recommend the courses of study which shall include, but not necessarily  
31 limited to, all facets and elements of national security, strategic and  
32 international studies;

1 (4) To recommend the establishment of professional chairs in the University;  
2 and,

3 (5) To recommend the adoption of admission requirements and the conferment  
4 of degrees to candidates for graduation for the approval of the President.

5 *Sec. 16. The Board of Visitors. –*

6 *A. Composition.* The NDUP shall have a Board of Visitors composed of not more  
7 than nine (9) members who are distinguished alumni of NDUP, captains of industry,  
8 members of the academe or government officials whose functional and professional  
9 expertise span the mission and specific curricula of the University and who shall be  
10 appointed by the Secretary of National Defense for a term of three (3) years. No  
11 member of the Board shall serve a total of more than nine (9) years.

12 *B. Meetings.* The Board shall meet at least once every year to assist the NDUP  
13 in the review of the curricular offering, make written observations and submit  
14 recommendations relative to the accomplishment of the mission of the University.

15 *C. Honoraria and expenses.* The members of the Board shall not receive any  
16 salary but shall, however, be entitled to honoraria and reimbursement for actual and  
17 necessary expenses incurred in attendance to meetings as may be determined by the  
18 Secretary of National Defense.

19 *Sec. 17. Remuneration.* - The salary, privileges and other benefits of the  
20 President, the Vice President, the Dean of the College and the Directors of the two  
21 Centers shall be comparable to that being received by the president, academic heads,  
22 faculty, and staff of premier educational institutions in the country: *Provided,* That in  
23 addition to the regular salaries, merit increases and across-the-board salary  
24 adjustments and other forms of emoluments and benefits may be given.

25 *Sec. 18. Exemption from Compensation and Position Classification and Civil*  
26 *Service Commission Rules.* - The President, the Executive Vice President, the Vice  
27 Presidents, the College Dean, the Institute Director, and the members of the faculty  
28 shall be exempt from the rules and regulations on the compensation and position  
29 classification of civil servants. Likewise, they shall be exempt from the Civil Service  
30 Examination as a requisite for appointment. No religious or political affiliation shall be  
31 a matter of inquiry in the appointment of the officials or employees of the University.



1           Sec. 19. *Honoraria of Faculty Members and Consultants.* - The National Defense  
2 University of the Philippines shall have a core faculty composed of professors,  
3 instructors and lecturers in full time basis. Consultants of the University on part-time  
4 basis may be drawn from the military and civilian branches of the national government,  
5 from business, and from public and private educational institutions. All academic  
6 consultants, professors, instructors or lecturers, whether civilian or military personnel,  
7 in addition to their regular salaries, shall be entitled to receive honorarium or fees as  
8 may be fixed by the President with the approval of the Secretary of National Defense.

9           Sec. 20. *Fiscal Autonomy.* - The NDUP shall enjoy fiscal autonomy. Pursuant to  
10 each authority to collect various fees in all academic and training courses, it shall be  
11 allowed to retain the proceeds of such collection and to appropriate the same for the  
12 regular expenditure of NDUP subject to government accounting rules and regulations.  
13 The NDUP may receive in trust legacies, devises, gifts, donations of real and personal  
14 property of all kinds and nature and to administer the same for the benefit of the  
15 University in accordance with the instructions or directions of the donor or in default  
16 thereof, as the law on donation may provide.

17           Sec. 21. *Personnel on Special Studies Details or Secondment.* – Heads of  
18 bureaus and officers of the national government are hereby authorized to loan or  
19 transfer upon request of the President of the University, such apparatus or supplies  
20 as may be needed by the University and to assign employees on detail or secondment,  
21 for duty therein, when in the judgment of the head of the bureau or office such  
22 supplies or employees can be spared without serious detriment to the public service.  
23 For the purpose of promotion or other personnel transactions, service in the university  
24 either by uniformed or civilian personnel shall be counted as part of active service in  
25 their mother units.

26           Sec. 22. *Academic Freedom.* -The NDUP shall enjoy academic freedom.  
27

28           Sec. 23. *Grant of Career Executive Service Eligibility.* - For purposes of  
29 appointment or promotion to key and sensitive positions in the government, graduates  
30 of doctoral or graduate courses of the National Defense University of the Philippines  
31 are granted a career executive service officer eligibility, Level 3 and 5, respectively  
32 and preferential consideration and/or credit points in the grade or class of their



1 respective positions. This provision on eligibility shall have retroactive effect insofar as  
2 it benefits holders of a master in national security administration degree from the  
3 NDUP.

4         *Sec. 24. Promotion to General / Flag Rank.* - For purposes of promotion to the  
5 rank of brigadier general or flag officer in the Armed Forces of the Philippines, a  
6 master's degree in National Security Administration shall be a requirement.  
7 Nonetheless, accreditation of equivalent courses taken in foreign schools may be  
8 allowed as an exemption on case-to-case basis upon consultation with the Chief of  
9 Staff, AFP and the recommendation of NDUP.

10         *Sec. 25. Grant of Commission to Civilian Graduates.* - Subject to existing AFP  
11 regulations, civilian graduates of regular courses from NDUP may be commissioned as  
12 officers in the Reserve Corps of the AFP with the initial rank of lieutenant colonel for  
13 those who are holders of master's degree. For holders of Doctorate in National Security  
14 Administration, the rank of full colonel may be given provided that the candidate is at  
15 least forty-two (42) years old and holds the rank equivalent to a department  
16 undersecretary. Those who are holders of commission in the AFP (inactive) below the  
17 rank of lieutenant colonel shall be promoted to lieutenant colonel or full colonel, as  
18 the case may be.

19         *Sec. 26. Eligibility, Lists, and Authority to Use "MNSA" and "DNSA".* - All  
20 graduates of the masters in National Security Administration course and doctorate in  
21 National Security Administration shall be included in the MNSA and DNSA eligibility list  
22 and authorized to use with honor the abbreviation "MNSA" after their name while  
23 those graduating with doctoral degree may use "DNSA". The eligibility lists shall be  
24 published periodically by the NDUP, copy of which shall be furnished the Chief of Staff  
25 of the AFP.

26         *Sec. 27. Annual Report.* - Within thirty (30) days after the opening of the regular  
27 classes each year, the President of the NDUP shall submit to the Secretary of National  
28 Defense with a copy to the Office of the President of the Philippines and to both  
29 Houses of Congress, an annual report containing details on the conduct of the  
30 preceding classes, progress on the on-going classes, and conditions and needs of the  
31 University.

1           Sec. 28. *Transfer of Personnel, Equipment, Assets and Liabilities.* – All  
2 personnel, records, equipment, appropriations, assets and liabilities of the National  
3 Defense College of the Philippines are hereby transferred to the NDUP.

4           Sec. 29. *Campus of NDUP.* -The NDUP campus shall be located in Metro Manila.

5           Sec. 30. *Transitory Provision.* - The incumbent President of the NDCP shall be  
6 the officer-in-charge of NDUP pending the appointment of the first president of the  
7 University pursuant to this Act.

8           Sec. 31. *Promulgation of Implementing Rules.* - The Secretary of National  
9 Defense is hereby empowered to promulgate rules and regulations to effectively  
10 implement the objectives and purposes of this Act.

11          Sec. 32. *Initial Appropriations.* - The amount of One hundred fifty million pesos  
12 (P150,000,000.00) or such sum or sums as may be needed to carry out the provisions  
13 of this Act shall be appropriated and shall be carried generally under the Department  
14 of National Defense in the General Appropriations Act.

15          Sec. 33. *Repealing Clause.* - All laws, decrees, executive orders, presidential  
16 issuances, rules and regulations or part thereof contrary to or inconsistent with any  
17 provisions of this Act are hereby repealed or amended accordingly.

18          Sec. 34. *Separability Clause.* - If any part or provision of this Act is declared  
19 unconstitutional, the remaining provisions which are not affected thereby shall  
20 continue to have the force and effect of law.

21          Sec. 35. *Effectivity.* - This Act shall take effect upon its approval.

*Approved,*