

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

22 OCT 13 P 6 :33

SENATE  
S. No. 1390

RECEIVED BY: 

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**Introduced by SENATOR RAMON BONG REVILLA, JR.**

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**AN ACT  
TO ENHANCE THE CAPABILITY AND STREAMLINE ORGANIZATIONAL ROLE  
OF THE DEPARTMENT OF NATIONAL DEFENSE AND ITS BUREAUS,  
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

The Administrative Code of 1987, under Subtitle II, Chapter 1, Section 15, clearly states that, "*The defense establishment shall be maintained to maximize its effectiveness for guarding against external and internal threats to national peace and security, and provide support for social and economic development.*"

The past administration's Department of National Defense (DND) leadership boasted of the efforts and steady hard work of then President Rodrigo Roa Duterte for the country to attain a credible defense posture in the name of the sacred protection of our maritime territories. Likewise, the DND asserted that the Duterte administration's Armed Forces of the Philippines (AFP) was able to significantly step up its external defense operations to secure the Philippine strategic border areas and exclusive economic zone.<sup>1</sup>

In his recent State of the Nation Address, President Ferdinand "Bongbong" Marcos, Jr. articulated the need to amend the National Defense Act of 1935 as one of his administration's priority legislative measures to provide a change in the military

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<sup>1</sup> Philippine News Agency. *PH credible defense posture boosted under Duterte admin: DND*. Data retrieved at <https://www.pna.gov.ph/articles/1176352> on 03 October 2022.

structure of the AFP, for it to become *"more responsive to current and future non-conventional security threats to the country's territorial integrity and national sovereignty."*

Given the pronouncement of President Bongbong Marcos to amend the 87-year-old National Defense Act and the urgent need for an improved strategy for our national defense, this bill seeks to streamline the defense bureaucracy by updating and codifying various laws and executive issuances on national defense, the AFP and the civilian bureaus in the defense establishment. Undoubtedly, this proposed measure's aim to streamline the organizational role of the DND and its Bureaus will be highly instrumental in achieving the mission of the Department to *"defend against external and internal threats to territorial integrity and sovereignty, and promote the welfare of the people, in order to create a secure and stable environment conducive to national development."*

In recognition of the DND's crucial role to serve and protect the Filipino people, the passage of this bill is earnestly sought.

  
**RAMON BONG REVILLA, JR.**  


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

**Preliminary Provisions**

1  
2       Section 1. *Short Title.* — This Act shall be known as "*National Defense Act of*  
3 *2022.*"

4       Sec. 2. *Declaration of National Defense Policies.* — The national defense policies  
5 of the Republic of the Philippines shall be as follows:

6       (a) In defending the Philippines, the paramount consideration shall be the  
7 national sovereignty, territorial integrity, national interest and the broad concern of  
8 national security.

9       (b) The preservation of the State shall be the obligation of every citizen. The  
10 security, freedom and independence of the Philippines shall be guaranteed by the  
11 mobilization of all citizens, without distinction of age, gender, civil status, ethnicity,  
12 religion, and all resources.

13       (c) The civil authority shall at all times be supreme over the military. The  
14 President of the Philippines, as the Commander-in-Chief of all military forces, shall  
15 ensure that mobilization measures are prepared at all times.

1 (d) The national defense organization shall be adapted as closely as possible to  
2 the territorial and administrative organization of the Philippines.

3 (e) The employment of the nation's citizens and resources for national defense  
4 shall be effected by mobilization based on the defense posture prescribed in defense  
5 policies.

6 (f) The mobilization shall include the execution of all measures necessary to  
7 pass from a peace to a war footing, or in any case of actual invasion, or when public  
8 safety and security so requires, as well as during its transition to normalcy or  
9 rehabilitation.

10 (g) The mobilization plans of financial, industrial, economic, technological  
11 and social resources of the Philippines shall conform to the defense concept based on  
12 the defense policies and shall be prepared by the executive departments concerned  
13 in accordance with the following general policies:

14 (1) The respective responsibilities of the concerned executive  
15 departments in mobilization planning will be prescribed by the President; and

16 (2) Forces and resources shall be employed so as to ensure unity and  
17 continuity of effort until normalcy has been attained.

18 (h) No profit incident to war shall accrue to any individual, corporation,  
19 association or partnership.

20 (i) The State values the dignity of every human person, guarantees full  
21 respect for human rights, including but not limited to the rights of indigenous cultural  
22 communities, the equitable rights of women in peacebuilding, gender and  
23 development, the protection of children and other vulnerable groups, and adheres to  
24 the generally accepted principles of international law, including applicable  
25 conventions, protocols and other international agreements.

26 (j) The State shall pursue the development of an industrial capacity  
27 necessary for the development of self-reliance defense posture, providing adequate  
28 support to local industries and partnership with international entities.

29 *Sec. 3. Defense Conditions and Authority.* — Defense conditions shall be the  
30 basis for the designation of persons and entities to act in behalf of the State. Defense  
31 Conditions, hereinafter referred to as DEFCON, shall refer to levels of national  
32 security—peace, conflict and war— that tend to, or actually threaten, the security of

1 the State. The level of defense conditions and the persons or entities designated to  
2 act in behalf of the State shall be prescribed by the President.

### 3 **Mobilization of Persons and Resources**

4 *Sec. 4. Military Service.* — Military service shall be for all able-bodied citizens,  
5 in case of war, invasion, or rebellion, as declared by Congress. The methods and  
6 procedures for the classification, selection, examination, induction, training,  
7 mobilization, and release of all citizens from their military obligations shall be  
8 recommended by the Secretary of Defense and approved by the President.

9 *Sec. 5. Registration.* — The registration of citizens for military service shall be  
10 a military function carried out by the Major Services through their respective Reserve  
11 Commands.

12 *Sec. 6. Mobilization.* — During mobilization, the President shall have the power  
13 to secure all such resources as may be necessary for national defense. The President  
14 may authorize and delegate the Secretary of National Defense (SND) to undertake the  
15 action and activities related thereto.

## 16 **TITLE I**

### 17 **DEPARTMENT OF NATIONAL DEFENSE**

#### 18 **Article I — General Provisions**

19 *Sec. 7. Mandate.* - The Department of National Defense (DND) shall be the  
20 primary government agency with the duty of implementing the provisions of this Act.  
21 The defense establishment shall maximize its effectiveness for guarding against  
22 external threats to national security, provide support as directed by the President to  
23 conduct operations to address internal threats, support social and economic  
24 development, and promote the welfare of soldiers and veterans.

25 *Sec. 8. Powers and Functions of the DND.* — To carry out the above-declared  
26 mandate, the DND shall exercise and perform the following powers and functions:

27 (a) Design, formulate and prepare national defense concepts, policies,  
28 strategies, plans and programs;

29 (b) Formulate, develop and update defense policies of the country, including  
30 the mobilization plan for the employment of the country's citizens and resources for  
31 national defense;  
32

1 (c) Develop and build defense capabilities of the Armed Forces to address  
2 readiness and mission requirements and threats;

3 (d) Continue to institutionalize and develop the Defense System of  
4 Management (DSOM) that shall integrate but not limited to, strategic defense  
5 assessment, planning, resource and financial management, acquisition, control,  
6 support, administration, and decision-making responsibilities of the SND and DND  
7 senior leaders;

8 (e) Control, monitor, coordinate, supervise and evaluate the implementation  
9 of national defense policies, plans, programs and activities;

10 (f) Exercise control and supervision over the Armed Forces of the Philippines  
11 (AFP), Government Arsenal (GA), Office of Civil Defense (OCD), Philippine Veterans  
12 Affairs Office (PVAO) and the National Defense University (NDU);

13 (g) Formulate, establish, implement and supervise the quality management  
14 system;

15 (h) Establish, promote and maintain bilateral and multilateral linkages for  
16 defense and military cooperation with its international counterparts for the purpose of  
17 addressing traditional and non-traditional security threats;

18 (i) Implement the country's international defense and security commitments  
19 based on defense and security treaties, cooperation agreements, international  
20 conventions, protocols and other similar arrangements;

21 (j) Develop a Self-Reliant Defense Posture (SRDP) program to guarantee  
22 the enhancement of responsive and progressive capabilities and maximum  
23 utilization of resources; and

24 (k) Perform such other defense-related functions as may be provided by law or  
25 directed by the President of the Philippines.

26 *Sec. 9. Contracts.* — The DND shall be authorized to enter into, make, perform  
27 and carry out contracts of every class, kind and description, which are necessary or  
28 incidental to the performance of its mandate as provided herein, with any person, firm  
29 or corporation, public or private, and with foreign government entities, subject to the  
30 provisions of existing laws, rules and regulations. Within ninety (90) days from the  
31 approval of this Act, the Secretaries of National Defense, Finance, Budget and  
32 Management, Trade and Industry, and the Director General of the National Economic

1 and Development Authority shall jointly promulgate rules and regulations to  
2 facilitate the importation and exportation of defense articles compliant with  
3 international conventions on the sale, transfer, and trade of such articles.

4 Sec. 10. *Administration, Management and Control of Defense Real Properties-*

5 (a) The Department shall be authorized to administer, operate, manage,  
6 control, maintain and develop defense real properties for strategic basing and  
7 to use, hold, acquire, or lease any private real property, right of way, or  
8 easement which may be proper or necessary for the accomplishment of its  
9 mandate as provided in this Act;

10 (b) The sale and/or exchange of strategic defense real properties shall be  
11 prohibited, unless otherwise recommended by the SND, approved by the President of  
12 the Philippines, with the consent of Congress; and

13 (c) The lease and/or development of defense real properties, by joint venture  
14 or otherwise, shall be allowed upon approval of the President of the Philippines.

15 Sec. 11. *Special Defense Material Acquisition.* — Upon prior approval of the  
16 President of the Philippines, and when the procurement for use by the AFP involves  
17 major defense equipment or materiel or major defense-related consultancy services,  
18 when the expertise or capability required is not available locally, and the Secretary of  
19 National Defense has determined that the interests of the country shall be protected  
20 by negotiating directly with an agency or instrumentality of another country with  
21 which the Philippines has entered into a defense cooperation agreement or otherwise  
22 maintains diplomatic relations, the AFP may be allowed to resort to negotiated  
23 procurement: *Provided*, however, that the performance by the supplier of its  
24 obligations under the procurement contract shall be covered by a performance security  
25 in accordance with Section 39 of the Implementing Rules and Regulations (IRR) of  
26 Republic Act No. 9184, otherwise known as the Government Procurement Act.

27 The DND shall give preference to the Self-Reliant Defense Posture as a means  
28 to acquire defense material and equipment; *Provided*, That, priority shall be given to  
29 local defense industry manufacturers; *Provided further*, That, in case of foreign  
30 procurements, the latter must be willing to set-up an in-country manufacturing and  
31 production facility with technology transfer schemes and will undertake to employ  
32 Filipino technical skilled workers, scientists and engineers; *Provided finally*, That

1 collaboration among government, academe and industries shall likewise be  
2 encouraged, particularly on defense research and development (R&D).

3 The Secretary of National Defense shall be authorized to enter into contracts  
4 and agreements, particularly under international defense cooperation agreements  
5 with technology transfer industry development components.

6 A best rated offer shall be applied for Filipino-owned defense industries located  
7 within the Philippines.

8 *Sec. 12. Grants and Donations.* — The Department, or any of the bureaus,  
9 agencies or offices under it, may accept donations, contributions, and grants from  
10 various sources, domestic or foreign, for purposes relevant to its functions: *Provided,*  
11 That, in case of donations from foreign governments or persons, acceptance thereof  
12 shall be subject to existing laws, rules and regulations.

13 *Sec. 13. Defense and Cooperation.* — Unless otherwise provided by the  
14 Constitution, the DND may develop, enhance and sustain multi-dimensional defense  
15 and security cooperation and engagements with the defense establishments and  
16 Armed Forces of other countries, and other regional and international organizations  
17 based on the principle of good governance, and mutual benefit and respect and in  
18 line with the foreign policies of the Philippines.

## 19 **Article II - Organization**

20 *Sec. 14. Organizational Structure.* — The DND shall be composed of the DND-  
21 Proper and its bureaus namely, the Armed Force of the Philippines (AFP), the Philippine  
22 Veterans Affairs Office (PVAO), the Government Arsenal (GA), National Defense  
23 University (NDU), and the Office of the Civil Defense (OCD).

24 *Sec. 15. Composition.* — The DND-Proper shall be composed of the Office of  
25 the SND and the Offices of the Undersecretaries and Executive Staff.

26 *Sec. 16. Office of the Secretary.* — The Office of the Secretary shall consist of  
27 the SND and their immediate staff as determined by them.

28 *Sec. 17. The Secretary of National Defense.* — Subject to qualifications and  
29 prohibitions under Republic Act No. 11709 and other existing laws, the SND shall be  
30 appointed by the President, subject to confirmation by the Commission on  
31 Appointments.



1 **Article II - The Regular Force**

2 **A. ORGANIZATION AND COMPOSITION**

3 **Chapter 1 - General Provisions**

4 *Sec. 22. Size and Composition.* — The Regular Force, alternately referred to as  
5 the Standing Force, shall be initially composed of the following:

6 (a) Regular Officers and Enlisted Personnel;

7 (b) Reservists called to active duty, or on active-duty tour for training; and

8 (c) Draftees, trainees and government-sponsored Filipino cadets enrolled in  
9 local or foreign military schools.

10 The size and composition of the Regular Force shall be prescribed by the TOE  
11 as approved by the SND and shall be the basis of manning the AFP.

12 *Sec. 23. Organizational Principle.* — The SND, upon the recommendation of the  
13 CSAFP, shall organize the AFP into such commands, forces and units in accordance  
14 with operational requirements. For this purpose, the national territory may be divided  
15 into such operational areas as the SND may direct.

16 *Sec. 24. Organizational Structure.* — The Regular Force of the AFP shall consist  
17 of the Joint Headquarters; the Joint Force Operational Commands; the major Services  
18 namely: the PA, the PN and the PAF; and the other existing commands, units, offices  
19 and services of the AFP.

20 *Sec. 25. Operational Principles.* — The operational principles of the AFP shall  
21 be as follows:

22 (a) The Commander-in-Chief shall exercise command and control through  
23 the CSAFP with the supervision of the SND. The Joint Headquarters of the AFP, shall  
24 be the command-and-control element of the AFP;

25 (b) The Joint Headquarters of the AFP shall exercise centralized command  
26 and control to ensure unity and coordination of efforts throughout the military  
27 establishment;

28 (c) The Joint Force Operational Commands as force employers shall be  
29 responsible for the decentralized execution of joint operations to achieve maximum  
30 operational effectiveness within the military establishment, unless otherwise  
31 determined by the CSAFP through the supervision of the SND;

1 (d) The Major Services, as force providers, shall be responsible for the  
2 development, organization, training, equipping, maintenance and sustainment of  
3 combat forces, combat service forces, technical and administrative service, and  
4 combat service support forces;

5 (e) The AFP Reserve Force shall provide for the base of expansion of the Major  
6 Services.

## 7 Chapter 2

### 8 The General Headquarters of the Armed Forces of the Philippines

9 Sec. 26. *Mandate.* — The General Headquarters, which shall be headed by the  
10 CSAFP, shall be the command-and-control element of the AFP.

11 Sec. 27. *Organization.* - The General Headquarters shall be composed of the  
12 Office of the CSAFP, Office of the Vice Chief of Staff, Office of the Deputy Chief of  
13 Staff, the AFP Joint, Personal and Special Staff and the other key staff offices and  
14 units necessary for effective command and control of the AFP as recommended by the  
15 CSAFP with the approval of the SND.

16 Sec. 28. *Powers and Functions.* — The Chief of Staff shall:

17 (a) Serve as the principal military adviser to the President and the Secretary of  
18 National Defense;

19 (b) Be responsible for the formulation of the national military strategy  
20 consistent with the national defense strategy;

21 (c) Be responsible for the development of the policies, strategies, missions,  
22 plans and programs of the AFP;

23 (d) Prescribe the organization, powers, functions and duties of the various staff,  
24 services, and other units of the AFP in accordance with the national defense policy.

25 Sec. 29. *The Joint Staff.* — The Joint Staff, as coordinating staff, shall advise  
26 and assist the CSAFP in the performance of their functions. The organization, functions  
27 and duties of the Joint Staff shall be prescribed by the CSAFP.

28 Sec. 30. *Personal Staff.* - The Personal Staff, as immediate staff, shall directly  
29 advise and assist the CSAFP in the performance of their functions. The organization,  
30 functions and duties of the Personal Staff shall be prescribed by the CSAFP: *Provided,*  
31 that coordination with other staff shall not be precluded.



1 (c) Formulate and develop, in coordination with the other Major Services,  
2 doctrines, systems, tactics, techniques and procedures peculiar to the Army;

3 (d) Implement mobilization of the Army Reserve; and

4 (e) Perform such other functions and duties as may be provided by law or  
5 assigned by the CSAFP.

6 Sec. 36. The Philippine Air Force (PAF). - The PAF, headed by the Chief of the  
7 Philippine Air Force, shall provide forces that will be responsible for the conduct of  
8 prompt and sustained air operations in support of the AFP mission. It shall be  
9 composed of its headquarters, air combat, combat support sustainment units, and  
10 such other units as may be necessary for the conduct of air and support operations.

11 Sec. 37. Functions of the PAF. — The PAF shall:

12 (a) Develop, organize, train, equip, maintain, and sustain such air forces or  
13 units as may be necessary for the conduct of prompt and sustained operations;

14 (b) Prepare such forces or units as may be necessary for the effective  
15 implementation of the national defense plans and programs and armed forces  
16 missions;

17 (c) Formulate and develop, in coordination with the other Major Services,  
18 doctrines, systems, tactics, techniques and procedures peculiar to the Air Force;

19 (d) Implement mobilization of the Air Force Reserve; and

20 (e) Perform such other functions and duties as may be provided by law or  
21 assigned by the CSAFP.

22 Sec. 38. *The Philippine Navy (PN)*. – The PN, headed by the Chief of the  
23 Philippine Navy, shall provide forces that shall be employed for the conduct of prompt  
24 and sustained naval operations in support of the AFP missions. It shall be composed  
25 of its headquarters, naval forces, service support units, and such other units as may  
26 be necessary for the conduct of naval operations.

27 Sec. 39. *Functions of the PN*. – The PN shall:

28 (a) Develop, organize, train, equip, maintain, and sustain such naval forces  
29 or units as may be necessary for the conduct of prompt and sustained operations;

30 (b) Prepare such forces or units as may be necessary for the effective  
31 implementation of the national defense plans and programs and armed forces  
32 missions;

- 1 (c) Formulate and develop, in coordination with the other Major Services,  
2 doctrines, systems, tactics, techniques and procedures peculiar to the Navy;  
3 (d) Implement mobilization of the Navy Reserve; and  
4 (e) Perform such other functions and duties as may be provided by law or  
5 assigned by the CSAFP.

6 Sec. 40. *Technical and Administrative Service.* – Each Major Service shall  
7 develop, organize, train, equip, maintain, and sustain their respective Technical and  
8 Administrative Service, composed of but not limited to, The Judge Advocate General  
9 Service, Medical Corps, Veterinary Corps, Medical and Administrative Corps, Nurse  
10 Corps, Dental Corps, Chaplain Service, and Corps of Professors.

11 Sec. 41. *The Women’s Auxiliary Corps.* – The Women’s Auxiliary Corps, as  
12 created by Republic Act No. 3835, as amended, shall be integrated in their respective  
13 Major Service. For this purpose, Republic Act No. 3835 is hereby repealed.

#### 14 Chapter 4

##### 15 A. MILITARY EDUCATION AND TRAINING INSTITUTIONS

16 Sec. 42. *Organization, Mission and Function* –

17 (a) The Philippine Military Academy (PMA), AFP Education, Training, and  
18 Doctrine Command, Officer Candidate School (OCS), Non-commissioned Officer  
19 Academy and other military education and training institutions, organized and  
20 established by the CSAFP, with the approval of the SND, shall be under the command,  
21 control and direction of their respective military education and training  
22 Superintendent/Commandant;

23 (b) the mission, functions, duties and responsibilities of the military education  
24 and training institutions shall be prescribed by the CSAFP, with the approval of the  
25 SND.

26 Sec. 43. *The Philippine Military Academy (PMA).* –

27 (a) Mandate. The PMA categorized as a special higher education institution, is  
28 the primary training and educational institution of the AFP, which shall be its principal  
29 source of regular officers. PMA shall seek to have its academic program offerings be  
30 accredited by a reputable accrediting agency of national or international standard.

31 (b) Organization. – The PMA, headed by the Superintendent, shall be organized  
32 as prescribed by the SND, upon the recommendation of the CSAFP.

1 (c) Development. – The PMA, shall determine its teaching, manpower,  
2 curriculum, research and extension thrusts, plans and programs, standards and  
3 budget.

4 (d) Cadet Corps. – The student body of the PMA shall be known as the Cadet  
5 Corps Armed Forces of the Philippines (CCAFP) and shall have such strength, as the  
6 SND shall determine, upon the recommendation of the CSAFP.

7 (e) Academic Board. – There shall be an Academic Board organized by the  
8 Superintendent. The Board shall, in accordance with the rules and regulations  
9 prescribed by the CSAFP, have the power to confer baccalaureate degrees upon the  
10 cadets who satisfactorily complete the approved course of study.

11 (f) Board of Visitors. – The DND shall establish a board of visitors to look into  
12 the academic affairs of the PMA with the end of enhancing its educational systems.  
13 The composition of the Board of Visitors shall be prescribed by the SND.

14 Sec. 44. *Authority to Establish Other Military Training Institutions.* – The  
15 President, upon the recommendation of the CSAFP through the SND, is hereby  
16 authorized to establish other military training academies and institutions in the AFP.

## 17 **B. ADMINISTRATION OF MILITARY DISCIPLINES AND JUSTICE SYSTEM**

18 *Sec. 45. Military Discipline and Justice.* –

19 (a) There shall be a military discipline and justice system consisting of rules  
20 governing the conduct of military personnel and providing a method of punishment  
21 for the purpose of enforcement of discipline and administration of justice in the AFP.

22 (b) Military justice shall be applicable at all times and in all places to all persons  
23 subject to military law as defined by existing laws.

24 (c) The President as Commander-in-Chief and subordinate authorities as  
25 provided for in this Act shall have the exclusive authority to administratively discipline  
26 military personnel for purely service-related offenses or infractions. The power to  
27 investigate and adjudicate administrative cases against military personnel for acts  
28 arising from the performance of official duties shall be under the exclusive jurisdiction  
29 of the AFP.  
30

1 (d) No order of separation, dismissal or discharge from the active service or  
2 acceptance of resignation of Commissioned Officers shall be implemented unless  
3 approved by the President.

4 (e) There shall be reduction in grade, suspension of active service, and  
5 forfeiture, suspension, or withholding of pay and allowances of Commissioned Officers  
6 found to be administratively liable. The procedure, extent, grounds or system of which  
7 shall be prescribed by the President, as recommended by the SND. Other lower  
8 disciplinary measures against erring Commissioned Officers shall be prescribed by the  
9 SND.

10 (f) Procedure, extent, grounds or system of reduction in grade, demotion of  
11 rank, suspension of active service, and forfeiture, suspension or withholding of pay  
12 and allowances of Enlisted Personnel by the CASFP shall be prescribed by the  
13 President, as recommended by the SND.

#### 14 **C. LEGAL ASSISTANCE**

15 *Sec. 46. Extension of Legal Assistance.* – All military personnel charged of  
16 service-related or service-connected administrative, civil or criminal offenses, upon  
17 approval of their Chiefs of Component Services, shall be provided adequate legal  
18 representation and assistance by military lawyers or counsel of their own choice until  
19 conclusion of the case. Reasonable allocation can be charged against the fund of  
20 component service to support such case.

### 21 **TITLE III**

#### 22 **OTHER BUREAUS AND AGENCIES UNDER THE DEPARTMENT**

##### 23 **ARTICLE I – GENERAL PROVISIONS**

24 *Sec. 47. Control and Supervision.* – The SND shall exercise control and  
25 supervision over the bureaus and agencies under this Title, as well as its personnel.

26 *Sec. 48. Organization.* –

27 (a) Unless otherwise provided by law, the organization, functions, duties and  
28 responsibilities of the staff and operating units of each of the bureaus and agencies  
29 under the DND shall be as prescribed by the SND in appropriate rules and regulations  
30 issued for the purpose.  
31

1 (b) For this purpose, and in the interest of service, the SND may, in accordance  
2 with the policies or directives of the President:

3 (1) Establish and organize staff, offices and units in the bureaus or  
4 agencies, and prescribe the titles, powers, functions and duties of the positions  
5 therein;

6 (2) Abolish existing staff, offices and units in the bureaus or agencies  
7 not specifically provided for by law, or transfer or consolidate their functions and duties  
8 with other staff, offices or units; and

9 (3) Abolish a position of any bureau or agency, and transfer or  
10 consolidate its functions and duties with those of another position.

11 *Sec. 49. Separation Benefits of Officials and Employees of Affected Bureaus or*  
12 *Agencies.* – Government employees displaced or separated from the service as a result  
13 of the restructuring pursuant to this Act shall be entitled to a separation pay and other  
14 benefits in accordance with existing laws, rules and regulations.

## 15 **ARTICLE II**

### 16 **THE GOVERNMENT ARSENAL**

17 *Sec. 50. Mandate.* – The Government Arsenal (GA) shall develop, operate,  
18 maintain and secure facilities for the manufacture of weapons, munitions and other  
19 defense materiel to support the requirements of the AFP, Philippine National Police  
20 (PNP) and other law enforcement agencies; and to sell and export products in excess  
21 of the local demand.

22 *Sec. 51. Power and Functions.* – The GA shall have the following powers and  
23 functions:

24 (a) Formulate and implement plans and programs towards the achievement  
25 of self-sufficiency in weapons, small arms ammunition, mortars, medium and large  
26 caliber ammunition and other munitions needed by the country's defense and security  
27 establishments;

28 (b) Design, conduct research, develop, manufacture, procure, repair,  
29 stockpile and allocate weapons, munitions and other defense materiel subject to  
30 existing laws and regulatory requirements;

31 (c) Sell and export products in excess of the requirements of the AFP and  
32 other law enforcement agencies, subject to existing laws;

1 (d) Devise ways and means for the efficient mobilization of civilian/private  
2 industry to augment its production for use of the defense and security forces; and

3 (e) Establish, secure and operate government defense manufacturing  
4 plants, as necessary, in strategic locations within the country.

5 Sec. 52. *Organization and Administration.* – The GA shall be headed by a  
6 Director with one or more Assistant Directors, who shall support the Director in the  
7 administration, manufacturing, operations and other affairs of the bureau; all of whom  
8 shall be appointed by the President upon the recommendation of the SND, and who  
9 shall have the relevant expertise, training and experience in the field of munitions.

10 Sec. 53. *Modernization of the Arsenal.* – The modernization of the GA, for the  
11 development of production capabilities to enhance self-sufficiency in defense  
12 requirements, shall be part of the defense modernization program. The GA may use  
13 such production facilities as it may own or be provided with under this Act or as it may  
14 arrange, under joint venture, co-production or similar agreements with local and  
15 foreign entities.

### 16 **ARTICLE III**

#### 17 **NATIONAL DEFENSE UNIVERSITY**

18 Sec. 54. *Transformation of the National Defense College of the Philippines*  
19 *(NDCP).* – In view of the rapidly evolving national and regional security environment,  
20 the current academic trends and research thrusts of defense institutions in the Asia  
21 Pacific, and the increasing need for specialized defense and security courses to  
22 enhance the academic foundation of promoting Philippine national security, the NDCP  
23 is hereby transformed into the National Defense University (NDU) categorized as a  
24 special higher education institution. To ensure the continuous operation of the college,  
25 all its personnel and resources shall be absorbed by the NDU.

26 The degree programs, instruction, faculty complement, research and facilities  
27 of the NDU shall be accredited by the Commission on Higher Education (CHED). The  
28 NDU shall likewise receive appropriate funding to fulfill the requirements of  
29 transforming into a defense university.

30 Sec. 55. *Mandate.* – In accordance with the standards set forth in pertinent  
31 laws and regulations on higher education, the NDU shall train and develop the  
32 competence of potential national defense leaders, civilian officials of the different

1 agencies and instrumentalities of the government, and selected executives from the  
2 private sector in the formulation and reviews of national security policies and  
3 undertake research and studies as basis for the formulation of national defense and  
4 security policies, plans and programs. The NDU shall be headed by a President, and  
5 assisted by an Executive Vice President, and four (4) Vice Presidents, all of whom shall  
6 be appointed by the President of the Philippines, upon the recommendation of the  
7 SND. The NDU President shall have a term of six (6) years who shall have the following  
8 minimum qualifications:

- 9 (a) A natural-born citizen;
- 10 (b) Holder of a masters or doctorate degree on defense and security;
- 11 (c) Proven track record as an administrator, preferably in the academe,  
12 whether public or private, for at least five (5) years; and
- 13 (d) Must not have been convicted of any administrative offense and of any  
14 crime involving moral turpitude.

15 *Sec. 56. Powers and Functions.* – The University shall have the following powers  
16 and functions:

- 17 (a) Confer the degree of Master in National Security Administration (MNSA)  
18 upon the graduates thereof;
- 19 (b) Develop and confer degrees relating to defense and security;
- 20 (c) Conduct non-degree programs, special course, seminar workshops and  
21 symposia on defense and security;
- 22 (d) Undertake policy research and special studies on strategic defense and  
23 security issues;
- 24 (e) Produce research and development output of practical application to the  
25 various organizational units of defense;
- 26 (f) Establish relevant linkages and outreach programs that are mindful of  
27 service to the various organizational units of defense; and
- 28 (g) Perform other functions and duties as may be directed by the SND.

29 *Sec. 57. Organization and Administration.* -

- 30 (a) The NDU President shall administer the affairs of the University with the  
31 assistance of the Executive Vice President, who shall act as NDU President in the  
32 latter’s absence or incapacity, and shall perform such other functions and duties as

1 may be assigned to him by the NDU President or the SND. There shall be a Vice  
2 President for Academic Affairs, who shall be responsible for the development,  
3 implementation, supervision and evaluation of academic programs; a Vice President  
4 for Research and Special Studies, who shall be responsible for the conduct and  
5 supervision of research work and special studies for the Department; a Vice President  
6 for Military and Security Affairs, who shall be responsible for the overall military and  
7 security support to all the activities of the University; and a Vice President for  
8 Administration, who shall be responsible for the overall administrative support to all  
9 activities of the University.

10 (b) The University shall have an Academic Board to assist the President  
11 discharge the following functions:

- 12 (1) Supervise the academic affairs of the University;
- 13 (2) Recommend academic consultants, professors, lecturers,  
14 instructors, research assistants and other resource persons of the University;  
15 and,
- 16 (3) Recommend the courses of studies to be conducted by the  
17 University to accomplish its objectives.

18 (c) All resource persons of the University, including but not limited, to  
19 academic consultants, professors, lecturers, instructors, thesis advisers, members of  
20 examining and evaluating panels, examiners, correctors, and technicians who are  
21 regularly employed in the Government shall, in addition to their salaries, be entitled  
22 to receive honoraria, fees and other emoluments fixed by the SND, in accordance with  
23 accounting and budgeting rules.

24 (d) The SND may establish a Board of Regents to assist and advise him in  
25 providing strategic direction and guidance necessary to ensure the accomplishment of  
26 the mandate of the University.

27 *Sec. 58. Transition.* – The SND shall determine the appropriate transition period  
28 for NDCP to attain the status and competency of becoming a university, provided not  
29 longer than three (3) fiscal years. Further, Congress shall allocate the necessary funds  
30 for the transformation of NDCP to NDU.

1 **ARTICLE IV**

2 **OFFICE OF CIVIL DEFENSE**

3 *Sec. 59. Mandate.* – The Office of the Civil Defense (OCD) shall have the  
4 primary mission of administering a comprehensive national civil defense and disaster  
5 risk reduction and management program during local and national emergencies by  
6 providing leadership in the continuous development of strategic and systematic  
7 approaches, as well as measures to reduce the vulnerabilities and risks to hazards and  
8 manage the consequences of disasters.

9 *Sec. 60. Powers and Functions.* – The OCD shall have the following powers and  
10 functions:

11 (a) Establish and administer a comprehensive national civil defense and civil  
12 assistance program to include the allocation to agencies and local government units  
13 such aid and funds as may be made available by the national and other local  
14 governments, foreign governments, and international and local organizations;

15 (b) Formulate policies and prepare plans for the protection and welfare of  
16 the civilian population in times of war or other national emergencies as may be  
17 determined by the President of the Philippines;

18 (c) Furnish guidance and coordinate the activities of national government  
19 agencies, local government units, private institutions and civic organizations for  
20 natural and human-induced disasters;

21 (d) Develop and coordinate a program for informing, educating and training  
22 the general public, volunteer workers and civil defense groups on civil defense and  
23 assistance measures and activities;

24 (e) Prepare and disseminate disaster control annuals and other publications  
25 related to measures on disaster prevention and mitigation, preparedness, response,  
26 and rehabilitation and recovery;

27 (f) Advise the SND on matters concerning civil defense and make  
28 recommendations from time to time as may be deemed appropriate or as the  
29 Secretary may require;

30 (g) Provide assistance and secretariat services to the National Disaster Risk  
31 Reduction and Management Council (NDRRMC) to implement the policies as set by  
32 the latter relative to disaster management;

1 (h) Furnish guidance to the various provinces, cities and municipalities in  
2 the planning, accreditation, organization and operation of their civil defense  
3 organizations; and

4 (i) Perform such other civil defense functions as may be provided by law.

5 Sec. 61. *Organization.* – The OCD shall be headed by an Administrator who  
6 shall also serve as Executive Director of the NDRRMC and, as such, shall have the  
7 same duties and privileges of a department undersecretary. It shall operate under a  
8 duly approved organization and staffing as recommended by the SND.

## 9 **ARTICLE V**

### 10 **PHILIPPINE VETERANS AFFAIRS OFFICE**

11 Sec. 62. *Mandate.* - The Philippine Veterans Affairs Office (PVAO) shall be the  
12 government agency responsible for administering the benefits due to veterans and  
13 their qualified beneficiaries, and shall provide medical assistance to veterans pursuant  
14 to existing laws. It shall also administer, maintain and develop military memorials and  
15 battle monuments proclaimed as national shrines.

16 Sec. 63. *Powers and Functions.* - The Office shall have the following powers  
17 and functions:

18 (a) Formulate and promulgate, subject to the approval of the SND, policies,  
19 rules and regulations governing the adjudication and administration of veterans claims  
20 and benefits;

21 (b) Adjudicate and administer benefits, pensions and other privileges granted  
22 to veterans, their heirs and beneficiaries;

23 (c) Provide medical care and treatment to veterans pursuant to existing  
24 programs and projects approved by the SND;

25 (d) Administer, develop and maintain military shrines to promote patriotism and  
26 nationalism;

27 (e) Formulate policies concerning the affairs, placement and training of former  
28 servicemen, and assist their widows and dependents, and other retired military  
29 personnel;

30 (f) Undertake the promotion of the general welfare of veterans and their  
31 families; and

32 (g) Perform such other functions as may be provided for by law.

