


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



'22 NOV 28 P1:56

SENATE
S.B. No. 1551

RECEIVED BY: 

Introduced by SENATOR WIN GATCHALIAN

**AN ACT
MANDATING THE INSTITUTIONALIZATION, DEVELOPMENT, TRAINING,
ORGANIZATION AND ADMINISTRATION OF BASIC RESERVE OFFICERS'
TRAINING CORPS (ROTC) IN PUBLIC AND PRIVATE UNIVERSITIES,
COLLEGES, VOCATIONAL SCHOOLS AND OTHER TERTIARY
EDUCATIONAL INSTITUTIONS, FURTHER AMENDING REPUBLIC ACT
NO. 7077, OTHERWISE KNOWN AS THE "CITIZEN ARMED FORCE OR
ARMED FORCES OF THE PHILIPPINES RESERVIST ACT", AS AMENDED
BY REPUBLIC ACT NO. 9163, OTHERWISE KNOWN AS THE "NATIONAL
SERVICE TRAINING PROGRAM (NSTP) ACT OF 2001", AND
APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

In line with the policy of the State to serve and protect the people and to call upon them to defend the State, this bill seeks to reinstitutionalize the two (2)-year mandatory Basic Reserve Officers' Training Corps (ROTC) Program for all students enrolled in any undergraduate degree, diploma, or certificate program in all public and private universities, colleges, vocational schools and other tertiary educational institutions. It also seeks to reinstitutionalize the two (2)-year voluntary Advance ROTC Program.

To enhance the capacity of the nation to produce the needed workforce and to expand its human resource in times of war, calamities and disasters, national or local emergencies, this bill mandates that:

- 1) the Basic ROTC Program be mandatory for all students enrolled in any undergraduate degree, diploma, or certificate program in all public and private universities, colleges, vocational schools and other tertiary educational institutions;
- 2) the voluntary Advance ROTC Program may be undertaken by graduates of the Basic ROTC Program who also complete a Cadet Officer Candidacy Course;
- 3) the organization, operation and maintenance for the establishment of the Basic ROTC Program and Advance ROTC Program be in accordance with Republic Act No. 7077, otherwise known as the "Citizen Armed Force or Armed Forces of the Philippines Reservist Act", as amended by this Act;
- 4) guidelines to safeguard students of the Basic ROTC Program be adopted to ensure the proper and effective implementation of the Basic ROTC Program and the Advance ROTC Program;
- 5) grievance committees and the National Grievance Committee be established;
- 6) incentives for undergoing the Basic ROTC Program and the Advance ROTC Program be given; and
- 7) a training program for Basic ROTC Program and Advance ROTC Program instructors be created and established to ensure that they meet the highest physical and moral standards to teach and carry out the said program.

Given recent events and circumstances, mandating the Basic ROTC Program at the tertiary level, instead of requiring it in Senior High School, is the most viable track for this proposal. Primarily, the COVID-19 pandemic has caused learning loss among our learners. Learning recovery, such as through streamlining the basic education curriculum, should be the top priority of the basic education sector. Adding the Basic ROTC Program to the basic education curriculum will prove to be counterproductive. Second, estimates provided by the Armed Forces of the Philippines and the Department of Education reveal that implementation of the Basic ROTC

Program in basic education will incur heavy costs for the government. The total cost to fully implement the Basic ROTC Program on a national scale in the first year alone would amount to around Php9.3 billion. As the country is reeling from the negative effects on the economy due to the COVID-19 pandemic, the cost implications of the Basic ROTC Program in Senior High School are undesirable. On the other hand, implementing the Basic ROTC Program in the tertiary level will not result in a significant decrease of enrollees who shall eventually be enlisted in the Reserve Force. In the past four (4) years, on average, about 81% of those who graduated Senior High School proceeded to enroll in college. Thus, a substantial number of Senior High School graduates will still be captured under the Basic ROTC Program in the tertiary level.

Discipline is a foundational attribute necessary to succeed in nation-building. As today's youth will lead the nation in the near future, it is important to inculcate in them the ethics of service, patriotism and nationalism. The revival of the mandatory Basic ROTC Program and the voluntary Advance ROTC Program will ingrain this kind of discipline in our youth through the enhancement of the values of leadership, camaraderie, and sacrifice for the achievement of our national vision and shared objectives towards peace and progress.

In view of the foregoing, support for the passage and approval of this legislation is earnestly sought.



WIN GATCHALIAN



Senate
Office of the Secretary

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AN ACT

MANDATING THE INSTITUTIONALIZATION, DEVELOPMENT, TRAINING, ORGANIZATION AND ADMINISTRATION OF BASIC RESERVE OFFICERS' TRAINING CORPS (ROTC) IN PUBLIC AND PRIVATE UNIVERSITIES, COLLEGES, VOCATIONAL SCHOOLS AND OTHER TERTIARY EDUCATIONAL INSTITUTIONS, FURTHER AMENDING REPUBLIC ACT NO. 7077, OTHERWISE KNOWN AS THE "CITIZEN ARMED FORCE OR ARMED FORCES OF THE PHILIPPINES RESERVIST ACT", AS AMENDED BY REPUBLIC ACT NO. 9163, OTHERWISE KNOWN AS THE "NATIONAL SERVICE TRAINING PROGRAM (NSTP) ACT OF 2001", 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 “*Mandatory*
2 *Basic Reserve Officers' Training Corps (ROTC) Act*”.

3

4 Sec. 2. *Declaration of Policy.* – It is the policy of the State to serve and
5 protect the people. The government may call upon the people to defend the
6 State and, in fulfillment thereof, all citizens may be required, under
7 conditions provided by law, to render personal, military or civil service. The
8 State recognizes the role of the youth in nation-building and shall promote
9 and protect their physical, moral, spiritual, intellectual and social well-being.

10 It shall inculcate in the youth patriotism and nationalism, and encourage

1 their involvement in public and civic affairs.

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

7

8 *Sec. 3. Definition of Terms.* – As used in this Act:

9 a) *Reserve Force* refers to the organization of trained reservists under
10 the command of the Armed Forces of the Philippines (AFP) who may
11 be called for duty in the event of war, invasion or rebellion; to assist
12 in relief and rescue during disaster or calamities; to assist in
13 socioeconomic development; and to assist in the operation and
14 maintenance of essential government or private utilities in the
15 furtherance of overall mission.

16 b) *Basic Reserve Officers' Training Corps (ROTC) Program* refers to a
17 mandatory two (2)-year basic leadership and military training
18 program for students enrolled in any undergraduate degree,
19 diploma, or certificate program in all public and private universities,
20 colleges, vocational schools and other tertiary educational
21 institutions.

22 c) *Advance ROTC Program* refers to the two (2)-year optional and
23 enhanced ROTC program that is offered in public and private
24 universities, colleges, vocational schools and other tertiary
25 educational institutions.

26 d) *Grievance Committee* refers to an independent body that is tasked
27 to investigate any complaint or allegation of abuse, violence or
28 corruption in any educational institution implementing the ROTC
29 Program.

30 e) *National Grievance Committee* refers to the appellate body that has
31 jurisdiction to hear appeals on the findings and recommendations
32 of any local grievance committee.

33 f) *Public Educational Institutions* refer to educational institutions that

1 are established and administered by the government.

2 g) *Private Educational Institutions* refer to educational institutions
3 maintained and administered by private individuals or groups.
4

5 Sec. 4. *Coverage.* – The conduct of basic military and leadership
6 training under the Basic ROTC Program shall apply to all students enrolled
7 in any undergraduate degree, diploma, or certificate programs in all public
8 and private universities, colleges, vocational schools and other tertiary
9 educational institutions.
10

11 Sec. 5. *Mandatory Basic Reserve Officers' Training Corps Program in all*
12 *Public and Private Universities, Colleges, Vocational Schools and Other Tertiary*
13 *Educational Institutions.* –

14 a) The mandatory Basic ROTC Program for all students enrolled in any
15 undergraduate degree, diploma, or certificate program in all public and
16 private universities, colleges, vocational schools and other tertiary
17 educational institutions is hereby reinstitutionalized, further amending
18 Sections 38 and 39 of Republic Act (R.A.) No. 7077, otherwise known
19 as the “Citizen Armed Force or Armed Forces of the Philippines
20 Reservist Act”, as amended by R.A. No. 9163, otherwise known as the
21 “National Service Training Program (NSTP) Act of 2001”, with the
22 objective of producing well-trained and prepared reservists for military
23 and civic service.

24 b) The mandatory Basic ROTC Program shall be undertaken by all
25 undergraduate students for no more than two (2) academic years.

26 c) The Basic ROTC Program is aimed to instill patriotism, love of country,
27 moral and spiritual virtues, respect for human rights and adherence to
28 the Constitution, and shall be administered in accordance with the
29 following modules:

30 1) enhancing the consciousness of students in the ethics of service,
31 patriotism and nationalism, respect for human rights,
32 appreciation of the role of national heroes in the historical
33 development of the country, strengthening ethical and spiritual

1 values, developing personal discipline and leadership and to
2 encourage creative thinking for scientific and technological
3 development;

4 2) basic military training for students in order to motivate, train,
5 organize and utilize for national defense preparedness or civil-
6 military operations;

7 3) civic training for students in order to be active participants and
8 volunteers for the development and improvement of health,
9 education, ecology and environmental protection, human and
10 civil rights awareness, and law enforcement; and

11 4) preparedness during actual disaster response operations on
12 needs assessment, improved skills for search, rescue and relief
13 operations, and early recovery activities. Integration of capacity-
14 building activities revolving around risk-related situations in
15 order for students to be proactive in lessening the socio-economic
16 and environmental impacts of disasters including climate
17 change. These capacity-building activities will help build
18 understanding and skills with the end view of applying disaster
19 risk reduction and management principles, concepts, and
20 concrete action steps toward building their resilience.

21 d) Any student who fails to undergo the mandatory Basic ROTC Program
22 in accordance with this Act shall not be qualified for graduation. In
23 addition thereto, the non-taking of the program by any student shall be
24 a ground for Compulsory Military Training pursuant to Section 14 of
25 R.A. No. 7077, otherwise known as the "Citizen Armed Forces or Armed
26 Forces of the Philippines Reservist Act". Any educational institution
27 that fails to institute and implement the Basic ROTC Program pursuant
28 to this Act shall be subject to disciplinary and administrative sanctions
29 as the Commission on Higher Education (CHED) or the Technical
30 Education and Skills Development Authority (TESDA) may impose.

31 e) The Department of National Defense (DND), CHED and TESDA, in
32 consultation with other relevant government agencies and private
33 stakeholders as the Secretary of National Defense may determine, shall

1 design and formulate the Program of Instruction (POI) on the Basic
2 ROTC Program.

3
4 Sec. 6. *Students Exempted from this Act.* – The following may be
5 exempted from the coverage of this Act:

- 6 a) those who are physically or psychologically unfit, as certified by the AFP
7 Surgeon General or his or her authorized medical officer, pursuant to
8 the recommendation of the educational institutions where the
9 concerned student is enrolled;
- 10 b) those who have undergone or are undergoing similar military training;
- 11 c) those who were chosen by their school to serve as varsity players in
12 sports competitions; and
- 13 d) those who may be exempted from training for valid reasons as approved
14 by the DND, upon recommendation by any educational institution.

15
16 Sec. 7. *Advance ROTC Program.* – The voluntary Advance ROTC
17 Program is hereby reinstitutionalized, further amending Sections 39 and 40
18 of R.A. No. 7077. All students that will undergo Advance ROTC Program must
19 have completed the Basic ROTC Program and a Cadet Officer Candidacy
20 Course prior to admission into the Advance ROTC Program. They shall
21 comprise the Cadet Officer Corps of their respective educational institutions
22 and shall assist in the management and conduct of the Basic ROTC Program.
23 Students may undergo the Advance ROTC Program for no more than two (2)
24 academic years.

25 The DND, in coordination with the CHED and, where appropriate, the
26 TESDA, shall prescribe the curriculum for the Advance ROTC Program and
27 the POI pursuant to the applicable provisions of R.A. No. 7077.

28
29 Sec. 8. *Organization, Operation, and Maintenance of ROTC Units.* – The
30 organization, operation and maintenance for the establishment of the Basic
31 ROTC Program shall be in accordance with Sections 41 and 42 of R.A. No.
32 7077, as amended, which shall remain effective and operative unless
33 inconsistent with this Act.

1 Sec. 9. *Composition of the Reserve Force.* – All tertiary-level students
2 shall be enlisted as members of the Reserve Force upon completion of the
3 Basic ROTC Program, with ranks and assignments pursuant to Section 45 of
4 R.A. No. 7077, as amended. Those who completed the Advance ROTC Program
5 shall be conferred with ranks and assignments pursuant to Section 46 of R.A.
6 No. 7077, as amended.

7
8 Sec. 10. *Guidelines to Safeguard Students of the Basic ROTC Program.*
9 – In order to properly and effectively implement the Basic ROTC Program and
10 the Advance ROTC Program, the following policies shall be adopted to prevent
11 the occurrence of hazing, corruption and other forms of abuses:

- 12 a) the Basic ROTC Program and the Advance ROTC Program prohibit
13 hazing as defined under R.A. No. 8049, otherwise known as “An Act
14 Regulating Hazing and Other Forms of Initiation Rites in Fraternities,
15 Sororities, And Other Organizations and Providing Penalties Therefor”
16 as amended by R.A. No. 11053, otherwise known as the “Anti-Hazing
17 Act of 2018” and as such, adopt the penalties for any act committed
18 under the provisions of the said law;
- 19 b) in case of school officials or employees of public or government
20 educational institutions, who shall accept any gift from any student, or
21 from any parent or guardian of the student, or who shall commit other
22 practices contemplated under R.A. No. 3019, otherwise known as the
23 “Anti-Graft and Corrupt Practices Act” and the Revised Penal Code on
24 Bribery and Corruption, the maximum penalty shall be imposed; and
- 25 c) the penalties provided under the Revised Penal Code on Bribery and
26 Corruption shall be imposed upon school officials or employees of
27 private educational institutions who shall accept directly or indirectly,
28 any gift, in cash or in kind, from any student, or from any parent or
29 guardian of the student in relation to or pertinent with the conduct of
30 the Basic ROTC Program and the Advance ROTC Program.

31
32 Sec. 11. *Establishment of Grievance Committees.* –

- 1 a) A Grievance Committee shall be formed from a cluster of educational
2 institutions that shall receive complaints and/or *motu proprio*
3 conduct investigations on any complaint or allegation of abuse,
4 violence or corruption in any educational institution implementing
5 the Basic ROTC Program and the Advance ROTC Program.
- 6 b) Every Grievance Committee shall be composed of three members:
7 one (1) District Commandant from the DND to be chosen by the
8 Secretary of National Defense, one (1) employee from the CHED
9 Regional Office to be chosen by the CHED Chairperson, and one (1)
10 employee from the TESDA Regional Office to be chosen by the
11 TESDA Director General. Each member may serve on more than one
12 (1) Grievance Committee.
- 13 c) The DND, CHED and TESDA shall jointly formulate the manner by
14 which the educational institutions implementing the Basic ROTC
15 Program and the Advance ROTC Program shall be clustered for the
16 efficient resolution of grievances.
- 17 d) The Grievance Committee shall function as an independent
18 investigative body, which shall formulate the recommendation to the
19 proper disciplinary authority that has jurisdiction over the
20 respondent, depending on whether he or she belongs to the military
21 for which purpose, the Articles of War shall be employed. Whereas,
22 for school officials and/or employees of public and private
23 educational institutions, the provisions of R.A. No. 6713, otherwise
24 known as the “Code of Conduct and Ethical Standards for Public
25 Officials and Employees” and other relevant laws on the matter shall
26 be applied. This is without prejudice to administrative cases that
27 may be filed pursuant to the Civil Service rules for public officers
28 and employees involved in the complaint.
- 29 e) Nothing herein shall prevent any person from filing directly with the
30 regular courts any incident of violation of R.A. No. 11053 and other
31 penal laws.
- 32

1 Sec. 12. *Powers and Duties of the Grievance Committee.* – Every
2 Grievance Committee shall be pro-active in its duty to:

- 3 a) establish a system and prescribe a process to promote and encourage
4 the reporting of any incident of hazing, violence, abuse and corruption
5 in every clustered ROTC unit;
- 6 b) *motu proprio* or upon a complaint filed by any person, investigate, any
7 act of hazing, violence, abuse and corruption in the clustered ROTC
8 unit;
- 9 c) issue preventive suspension orders against officers of the ROTC or any
10 school employee involved in the training within three (3) days: (1) upon
11 receipt of the complaint; or (2) after initiation of the *motu proprio*
12 investigation, to preclude him from exerting undue influence over the
13 complainant and impede the normal course of the investigation;
- 14 d) recommend the appropriate action for any offense committed in the
15 clustered ROTC unit to the proper disciplinary authority which has
16 jurisdiction over the respondent within fifteen (15) days upon receipt of
17 the complaint or after initiation of the *motu proprio* investigation;
- 18 e) monitor all complaints filed with the Committee and maintain an
19 updated record of the status of each case;
- 20 f) provide the parties of the complaint its findings and recommendations
21 within thirty (30) days upon receipt thereof;
- 22 g) promulgate rules and regulations necessary to carry out its objectives,
23 functions and disciplinary procedures; and
- 24 h) perform such other functions as may be provided by law.

25
26 Sec. 13. *National Grievance Committee.* – There is hereby established a
27 National Grievance Committee (NGC) composed of the Secretary of National
28 Defense or his or her permanent authorized representative, the Chairperson
29 of CHED or his or her permanent authorized representative, the Director
30 General of TESDA or his or her permanent authorized representative, and the
31 Secretary of Justice or his or her permanent authorized representative.

32 The NGC shall receive appeals on petitions for review from the findings or
33 recommendations of any of the Grievance Committees. It shall provide the

1 parties with its decision within fifteen (15) days from the time of receipt of the
2 petition. Any resolution of the NGC shall be final.

3
4 *Sec. 14. Incentives for Undergoing the ROTC Program. –*

- 5 a) Subject to other requirements that may be prescribed by rules and
6 regulations, graduates of the Advance ROTC Program shall be
7 eligible for commissionship or lateral entry and enlistment in the
8 AFP, Philippine National Police, Philippine Coast Guard, Bureau of
9 Jail Management and Penology, and Bureau of Fire Protection
10 unless a waiver is issued by the Department Secretaries of the
11 aforementioned military and civilian armed forces.
- 12 b) Students undergoing the Basic ROTC Program and the Advance
13 ROTC Program shall be provided with free hospitalization in any
14 government hospital in case of accident or injury during the
15 training. Mandatory insurance for students undergoing the Basic
16 ROTC Program and the Advance ROTC Program shall be provided
17 by the school where the students are enrolled.
- 18 c) Students undergoing the Advance ROTC Program shall be given
19 access and privileges with any AFP Commissary. The Chief of Staff
20 of the AFP shall issue the necessary regulations for the
21 implementation of this privilege.

22
23 *Sec. 15. Capacity Development and Enhancement Program for Basic
24 ROTC Program and Advance ROTC Program Instructors. –* There is hereby
25 created and established a training program for Basic ROTC Program and
26 Advance ROTC Program instructors, to ensure that they meet the highest
27 physical and moral standards to teach and carry out the Basic ROTC Program
28 and the Advance ROTC Program. The program shall be developed and
29 administered under the guidance and tutelage of the DND, together with
30 CHED and TESDA.

31 A comprehensive training manual shall be developed for the conduct of
32 these trainings incorporating, among other things, gender sensitivity and
33 anti-sexual harassment, human rights, relevant laws on the ROTC, national

1 defense, and international humanitarian law, and other domestic and
2 international laws necessary and appropriate to guarantee the integrity and
3 the highest standard of moral character for the implementers of the Basic
4 ROTC Program and the Advance ROTC Program.

5
6 Sec. 16. *Penal Provisions.* – Offenses committed by persons involved in
7 or in relation to the implementation of this Act shall be subject to penalties in
8 accordance with the applicable laws, rules and regulations.

9
10 Sec. 17. *Offenses Punishable Under Existing Laws.* – For acts already
11 penalized under existing laws such as corruption, graft, hazing, sexual
12 harassment, and other abuses committed by persons authorized to
13 administer the Basic ROTC Program and the Advance ROTC Program, the
14 maximum penalty imposable under existing laws shall be imposed.

15
16 Sec. 18. *Integration into the Reserve Force.* – All members of the Reserve
17 Force created under Commonwealth Act No. 1, otherwise known as “The
18 National Defense Act”, as amended, and of the Reserve Forces created under
19 R.A No. 7077, as amended, shall be integrated into the Reserve Force created
20 under this Act.

21
22 Sec. 19. *Report to Congress.* – The DepEd, CHED and TESDA shall
23 conduct a mandatory review on the implementation of this Act and submit an
24 assessment report to Congress on its impact and effectiveness not later than
25 two (2) years from its effectivity.

26
27 Sec. 20. *Joint Congressional Oversight Committee.* – There is hereby
28 created a Joint Congressional Oversight Committee (JCOC) to oversee,
29 monitor, and evaluate the implementation of this Act. The JCOC shall be
30 composed of five (5) members each from the Senate and from the House of
31 Representatives with the Chairpersons of the Committees on Higher
32 Education of both houses as Co-Chairpersons. The Chairpersons of the
33 Committees on National Defense and Security shall likewise be designated as

1 members of the JCOC. The Speaker of the House of Representatives and the
2 President of the Senate shall designate the other three (3) members of the
3 JCOC from the House and the Senate, respectively, from among the members
4 of the Committees on Higher Education, one (1) member of which shall be
5 from the minority.

6
7 Sec. 21. *Appropriations.* – The amount necessary for the implementation
8 of this Act shall be charged against those authorized in the current
9 appropriations of the DND, CHED and TESDA. Thereafter, the amount
10 necessary for its continued implementation shall be included in the annual
11 General Appropriations Act.

12
13 Sec. 22. *Implementing Rules and Regulations.* – Within ninety (90) days
14 from the effectivity of this Act, the DND, CHED and TESDA shall issue the
15 rules and regulations implementing its provisions. The Implementing Rules
16 and Regulations (IRR) issued pursuant to this section shall take effect thirty
17 (30) days after its publication in a newspaper of general circulation.

18
19 Sec. 23. *Separability Clause.* – If any provision of this Act is held invalid
20 or unconstitutional, the other provisions not so declared shall remain in force
21 and effect.

22
23 Sec. 24. *Repealing Clause.* – All laws, executive orders, presidential
24 decrees, administrative orders, rules and regulations, issuances, or parts
25 thereof contrary to or inconsistent with any provisions of this Act are hereby
26 repealed or amended accordingly.

27
28 Sec. 25. *Effectivity.* – Notwithstanding the non-issuance of the IRR, this
29 Act shall take effect fifteen (15) days after its publication in the Official Gazette
30 or in a newspaper of general circulation.

Approved,