

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 144



Introduced by Hon. Francis Gerald Aguinaldo Abaya

EXPLANATORY NOTE

The 1987 Philippine Constitution, in Section 4, Article II, provides:

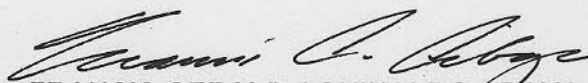
"SEC. 4. The prime duty of the Government is to serve and protect protect the people. The Government may call upon the people to defend the State and, in the fulfillment thereof, all citizens may be required under conditions provided by law, to render personal, military, or civil service."

This constitutional provision has never been more true and timely in light of recent events wherein the Philippines becomes duty-bound to defend its territory over incursions of foreign powers.

The abolition of the mandatory nature of the Reserved Officers Training Corps (ROTC), through the passage of RA 9163 (National Service Training Program of 2001), has made this constitutional mandate harder to implement. At the rate the number of college students under the NSTP prefer other forms of civic duty over ROTC, it is not unimaginable that our country will not have sufficient reserve officers to call to render military services when warranted by national circumstances, whether as response to any national security threat or national emergency.

This bill, therefore, seeks to re-institute ROTC as a mandatory course for all Filipino male college students, repealing for the purpose RA 9163, otherwise known as the "National Service Training Program (NSTP) Act of 2001.

In view of the foregoing, immediate approval of this bill is earnestly sought.


FRANCIS GERALD AGUINALDO ABAYA
Representative, First District, Cavite

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HOUSE BILL NO. 144

Introduced by **Hon. Francis Gerald A. Abaya**

AN ACT
REINSTATING THE MANDATORY RESERVE OFFICERS' TRAINING
CORPS (ROTC) FOR STUDENTS IN ALL PUBLIC AND PRIVATE
UNIVERSITIES, COLLEGES AND SIMILAR LEARNING INSTITUTIONS

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

Section 1. Short Title. – This Act shall be known as the “*Mandatory Reserve Officers' Training Corps (ROTC) Act of 2013*”.

Sec. 2. Statement of Policy – It is the policy of the State to serve and protect the people. The government may call upon the people to defend the State and, in fulfillment thereof, all citizens may be required, under conditions provided by law, to render personal, military or civil service.

Sec. 3. Coverage – The Reserve Officers Training Corps (ROTC) shall apply to all male tertiary students enrolled in public or private universities, colleges and similar learning institutions. It shall form part of the curricula of all baccalaureate degree courses and two-year technical or vocational courses as requisite for graduation.

Sec. 4. –Mandatory Reserve Officers' Training Corps (ROTC) --
The Reserve Officers' Training Corps (ROTC) is hereby declared mandatory for all male students enrolled in any private or public university, college and similar learning institutions. Universities, colleges and similar learning institutions shall request for the conduct of military training in their respective

schools, through the Secretary of National Defense for the purpose of producing enlisted and officer reservists.

The program instruction shall be prescribed by the Secretary of National Defense to prepare male students for military service. Such course of instruction shall not exceed sixty (60) consecutive days of summer instruction in the case of enlisted reservists and four (4) academic years in the case of officer reservists, which shall include the necessary summer or probationary training of not more than sixty (60) consecutive days.

The ROTC course of instruction for the enlisted reservist, which shall be mandatory, shall hereafter be referred to as the Basic ROTC, while the course of instruction for the officer reservist, which is voluntary, shall hereafter be referred to as Advance ROTC. The allocation of ROTC units to the various services of the AFP shall conform to the projected manpower needs of their respective reserve components.

Sec. 5. Acceptance for Advance ROTC – Students who volunteer for advance ROTC shall be screened by an ROTC Acceptance Board which is hereby created for the purpose, composed of the commandant of the ROTC unit, a representative of the school nominated by the school authorities, and a military physician. The student volunteer shall be physically examined for fitness for training of his own volition. Where the student is below eighteen (18) years of age, he shall be required to obtain his parents' or guardian's consent. In the case of students volunteering for reserve officers' training, they shall further be subject to competitive examination. The students undergoing Advance ROTC shall be referred to as Advance ROTC cadets.

Sec. 6. Persons Disqualified or Exempted – The following students are disqualified or exempted from the coverage:

- a. Students who are physically or psychologically unfit, as certified by the medical personnel of the university or institution concerned;
- b. Those convicted by final judgment of criminal offenses involving moral turpitude;
- c. Students of universities, colleges and other similar learning institutions who have undergone or are still undergoing ROTC or

- similar military training as recognized by the military authorities as among those undergoing training to qualify as reservists; and
- d. Those persons who are members of affiliated units in the Armed Forces of the Philippines and the Philippine National Police.

Sec. 7. *Implementing Rules and Regulations* -- Within six (6) months from the effectivity of this Act, the Secretary of Education shall, in coordination with the Commission on Higher Education and the Department of National Defense, issue the necessary rules and regulations to carry out the objectives of this Act.

Sec. 8. *Repealing Clause* -- For purposes of this Act, pertinent provisions of Republic Act No. 9163, otherwise known as the "*National Service Training Act of 2001*" is hereby deemed amended. All other laws, executive orders, presidential decrees, rules and regulations or parts thereof inconsistent with any provisions of this Act are hereby repealed, amended or modified accordingly.

Sec. 9. *Effectivity* -- This Act shall effect fifteen (15) days following its publication in the Official Gazette or in any two (2) newspapers of general circulation.

Approved,