

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

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22 NOV 29 P2:36

SENATE
S. No. 1565

RECEIVED BY: _____

Introduced by SENATOR FRANCIS "TOL" N. TOLENTINO

AN ACT
**PROVIDING FOR A MANDATORY BASIC MILITARY AND POLICE TRAINING
PROGRAM TO ALL STUDENTS IN ALL PUBLIC AND PRIVATE HIGHER AND
TECHNICAL VOCATIONAL INSTITUTIONS, APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Article II on the Declaration of Principles and State Policies of the 1987 Constitution of the Philippines provides:

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

Sec. 13. The State recognizes the vital role of the youth in nation building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs."

In addition, on the responsibility of all educational institutions, Article XIV, Section 3(2) of the Constitution provides:

They are mandated to inculcate patriotism and nationalism, foster love of humanity, respect for human rights, appreciation of the role of national heroes in the historical development of the country, teach the rights and duties of citizenship, strengthen ethical and spiritual values, develop moral character and personal discipline, encourage critical and creative thinking, broaden scientific and technological knowledge, and promote vocational efficiency.

This bill seeks to include in all public and private higher and technical vocational level curricula subjects that will introduce the students to basic military and police training program to increase their awareness of the country's need for human resources in times of war, calamities and disasters, national or local emergencies, and in support to the Government's law enforcement strategy against crimes and other civic obligations.

The proposed bill provides safeguards for the protection of all higher and technical vocational students against abuses such as bribery, corruption, graft, hazing, sexual harassment, and others which had become the concern of the public in the past. With this proposed measure, the youth – the hope of our motherland – will rekindle in their hearts their love of country and fellow citizens, nationalism and patriotism, and will once again make their mark in the annals of history.

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



FRANCIS "TOL" N. TOLENTINO

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

1 **Section 1. *Short Title.*** - This Act shall be known as the "Basic Military and
2 Police Training For All Higher and Technical Vocational Students Act."

3 **Sec. 2. *Declaration of Policy.*** - It is the policy of the State to recognize the
4 role of the youth in nation building and to promote and protect their physical,
5 intellectual and social well-being. It shall inculcate in the youth patriotism and
6 nationalism, develop their moral character and personal discipline, and encourage
7 their involvement in public and civil affairs. Towards this end, the State shall include
8 in all higher and technical vocational curriculum such subjects that will introduce the
9 students to basic military and police training and will increase their awareness to the
10 country's need for human resources in times of war, calamities and disasters, and
11 national or local emergencies. This also supports the Government's law enforcement
12 strategy against crimes and other civic obligations.

1 **Sec. 3. *Definition of Terms.*** – In this Act, the term:

2 (a) *Appeals Board* - refers to the appellate body that
3 has jurisdiction to hear appeals on the findings and
4 recommendations of any local investigating body.

5 (b) *Basic Military Training Program* - refers to the
6 training program under the command of the Armed Forces of the
7 Philippines (AFP) which shall include, but not limited to, basic
8 military science subject, basic training on relief and rescue
9 operations during disaster or calamities; and basic training in the
10 operation and maintenance of essential government or private
11 utilities in the furtherance of overall mission.

12 (c) *Basic Police Training Program* - refers to the training
13 program under the command of the Philippine National Police
14 (PNP), which shall include, but not limited to, basic training on
15 law enforcement, disaster preparedness, traffic management,
16 rule of law, and civil rights.

17 (d) *Clustered Training Unit* - refers to two or more
18 educational institutions that are strategically grouped together for
19 the purpose of holding Basic Military and Police Training classes
20 in one location.

21 (e) *Investigative Body* - refers to an independent body
22 that is tasked to investigate any complaint or allegation of abuse,
23 violence or corruption in any clustered training unit or any
24 educational institution implementing the Basic Military and Police
25 Training.

26 (f) *Private Educational Institutions* - refer to
27 educational institutions maintained and administered by private
28 individuals or groups.

29 (g) *Public Educational Institutions* - refer to educational
30 institutions that are established and administered by the
31 government.

1 **Sec. 4. Coverage.** - The conduct of mandatory basic military and police
2 training shall apply to all students of higher and technical vocational educational
3 institutions both public and private.

4 **Sec. 5. Establishment of the Basic Military and Police Training**
5 **Program in all Public and Private Educational Institutions.** - The Commission
6 on Higher Education (CHED) and the Technical Education and Skills Development
7 Authority (TESDA), in coordination with the Department of National Defense (DND)
8 and the Department of the Interior and Local Government (DILG), shall establish as
9 part of their basic curriculum a mandatory two (2)-year Basic Military and Police
10 Training Program for students of all baccalaureate degree courses and of at least two
11 years technical vocational courses who are enrolled in public and private higher and
12 technical vocational educational institutions. Students who fail to undergo the
13 mandatory Basic Military and Police Training Program in accordance with this Act shall
14 not be qualified for graduation. Students of higher and technical vocational institutions
15 undergoing the Basic Military and Police Training Program shall not be subject to
16 military or PNP law and shall be recognized as civilians in law.

17 **Sec. 6. Purposes and Objectives.** - The Basic Military and Police Training
18 Program instituted as part of the curricula shall be administered in accordance with
19 the following purposes and objectives:

20 (a) To enhance the students' consciousness in the
21 ethics of service, patriotism and nationalism, respect for human
22 rights, appreciation of the role of national heroes in the historical
23 development of the country, strengthen ethical and spiritual
24 values, develop personal discipline and leadership and to
25 encourage creative thinking for scientific and technological
26 development;

27 (b) To motivate students to undergo further training
28 in national defense preparedness or civil-military operations;

29 (c) To encourage students to be active participants and
30 volunteers for the development and improvement of health,

1 education, ecology and environmental protection, human and
2 civil-rights awareness, and law enforcement;

3 (d) To prepare the students during actual disaster
4 response operations on needs assessment, improved skills for
5 search, rescue and relief operations, and early recovery activities;
6 and

7 (e) To integrate capacity-building activities
8 revolving around risk-related situations in order for students to
9 be proactive in lessening the socio-economic and environmental
10 impacts of disasters including climate change. These capacity
11 building activities will help build understanding and skills with the
12 end of applying disaster risk reduction and management
13 principles, concepts, and concrete action steps towards building
14 their resilience.

15 **Sec. 7. Program of Instruction.** - Guided by the purposes and objectives of
16 this Act, the CHED, TESDA, DND and DILG, in consultation with other relevant
17 government agencies and private stakeholders as the CHED Commissioner or TESDA
18 Director General may determine, shall design and formulate the Program of Instruction
19 of the Basic Military and Police Training Program for students enrolled in higher and
20 technical vocational educational institutions.

21 **Sec. 8. Students Exempted from this Act.** - The following may be
22 exempted from the coverage of this Act:

23 (a) Those who are physically or psychologically unfit, as
24 certified by the AFP or PNP medical officer, in pursuance to the
25 recommendation of the educational institutions where the
26 concerned student is enrolled.

27 (b) Those who were chosen by their school to serve as
28 varsity players in sports competitions.

1 (c) Those who may be exempted from training for valid
2 reasons as approved by the DND or DILG, upon recommendation
3 by any educational institution.

4 **Sec. 10. Organization, Operation, and Maintenance of Basic Military**
5 **and Police Training Units.** - The Secretary of National Defense and the Secretary
6 of the Interior and Local Government, in consultation with the CHED Chairman and
7 the TESDA Director General, shall prescribe the organization and operational manual
8 of the training units in all higher and technical vocational public and private educational
9 institutions. Such educational institutions shall be required to provide an adequate
10 office for the DND and DILG administrative staff assigned thereat. The AFP and the
11 PNP shall create an office dedicated to the supervision and administration of the Basic
12 Military and Police Training program within the Reserve Commands of the AFP and
13 the PNP in coordination with the DepEd.

14 **Sec. 11. Acceptance for Advance Military Training.** - Students who
15 volunteer for Advance Military Training Program in all higher and technical vocational
16 educational institutions shall be governed by Section 40 of Republic Act No. 7077 or
17 the "Citizen Armed Forces of the Philippines Reservist Act." The provisions of Section
18 42 and 43 of R.A. No. 7077 in terms of training, uniforms and supplies, and the
19 scholarship incentive shall remain effective and applicable for those accepted in the
20 Advance Military Training course. It shall be mandatory for all public and private higher
21 and technical and vocational educational and similar learning institutions to offer and
22 provide a training school for the Advance Military Training Program which shall have
23 a duration in accordance with the curriculum prescribed by the DND and the
24 Commission on Higher Education (CHED) and Technical Education and Skills
25 Development Authority (TESDA).

26 The Secretary of National Defense, in coordination with CHED and TESDA, shall
27 prescribe the curriculum for Advance Military Training and the program of instruction
28 in pursuance to the applicable provisions of R.A. No. 7077.

1 Graduates of Advance Military Training shall be eligible for enlistment in the
2 AFP or shall be given priority for lateral entry in other armed and law enforcement
3 services of the government.

4 **Sec. 12. *Incentives for Undergoing Military and Police Training***
5 ***Program. -***

6 (a) Subject to other requirements prescribed by the
7 rules and regulations, graduates of Basic Military Training shall be
8 eligible for enlistment in the AFP, PNP, Philippine Coast Guard
9 (PCG), Bureau of Jail Management and Penology (BJMP), and
10 Bureau of Fire Protection (BFP) unless a waiver is issued by the
11 Department Secretaries of the aforementioned military and
12 civilian organizations.

13 (b) Students undergoing Basic Military and Police
14 Training and those accepted in the Advance Military Training
15 Course shall be provided free hospitalization in any government
16 hospital in case of accident or injury during the training.
17 Mandatory insurance for students undergoing Military and Police
18 Training shall be provided by the school where the students are
19 enrolled.

20 (c) Students undergoing Basic Military and Police
21 Training and Advance Military Training shall be given access and
22 privileges with any AFP Commissary and PX Stores nationwide.
23 The Chief of Staff of the AFP shall issue the necessary regulations
24 for the implementation of this privilege.

25 (d) Graduates of Basic Military and Police Training
26 program who have completed a four (4) year baccalaureate
27 degree shall be considered as First Level Civil Service Eligible,
28 whereas graduate of Advance Military Training Program, who
29 have finished a four (4) baccalaureate degree shall be considered
30 a Second Level Civil Service Eligible in the Civil Service.

1 **Sec. 13. Prohibited Acts.** - The following acts shall be prohibited:

2 a. Hazing as defined and penalized under R.A.
3 8049, as amended by R.A. 11053;

4 (b) b. Physical, sexual or psychological abuse,
5 emotional maltreatment, or any act by deed which tends to
6 degrade or demean the dignity of a child/student as provided
7 under R.A. 7610, otherwise known as the "Special Protection of
8 Children Against Abuse, Exploitation and Discrimination Act";

9 a. Physical, humiliating or degrading
10 punishments or penalties by a teacher, school
11 administrator, an adult, or any other child who has been
12 given or has assumed authority or responsibility for
13 punishment or discipline for an alleged or actual offense
14 for the purpose of discipline, training or control except for
15 mild to moderate physical exercise such as push-ups, sit-
16 ups and running within the medically recommended limit
17 for the concerned age group as provided under DepEd
18 Order No. 40, Series of 2012 on Child Protection Policy;

19 b. Bribery as penalized under the Revised Penal
20 Code, by directly or indirectly accepting, any gift, in cash
21 or in kind, from any student, or from any parent/guardian
22 of the student in relation to or pertinent with the conduct
23 of the Basic Military and Police Training Program;

24 c. Corruption of public officials as penalized
25 under the Revised Penal Code, by offering any gift in
26 relation to or pertinent with the conduct of the Basic
27 Military and Police Training Program;

28 d. Graft and corrupt practices contemplated
29 under R.A. 3019, otherwise known as the "Anti-Graft and
30 Corrupt Practices Act."

31 **Sec. 14. Establishment of Investigative Body.** -

1 (a) An Investigative Body shall be organized from a
2 cluster of higher and technical vocational educational institutions
3 that shall receive complaints and/or *motu proprio* conduct
4 investigations on any complaint or allegation of abuse, violence
5 or corruption in any educational institution implementing the
6 Basic Military and Police Training Program;

7 (b) Every Investigative Body shall be composed of three
8 members, to be chosen by the Secretary of National Defense, the
9 Secretary of the Interior and Local Government and the Chairman
10 of CHED or TESDA Director General: one (1) District Commandant
11 from the DND, one (1) District Commandant from the DILG, and
12 one (1) District Schools Supervisor from the DepEd;

13 (c) The CHED, TESDA, DND, and DILG shall formulate
14 the manner by which the educational institutions implementing
15 the Basic Military and Police Training Program shall be clustered
16 for the efficient resolution of grievances;

17 (d) The Investigative Body shall function as an
18 independent fact-finding body, which shall formulate the
19 recommendation to the proper disciplinary authority that has
20 jurisdiction over the respondent, and depending on whether
21 he/she belongs to the military or the police for which purpose,
22 the Articles of War or the PNP Law, as the case may be, shall be
23 employed. In case of school officials and/or employees of public
24 and private educational institutions, the provisions of R.A. 6713
25 or the "Code of Conduct of Public Officers and Employees" and
26 other relevant laws on the matter shall be applied. This is without
27 prejudice to administrative cases that may be filed pursuant to
28 the Civil service rules for public officers and employees involved
29 in the complaint;

30 (e) Nothing herein shall prevent any person from filing
31 directly with the regular courts any incident of violation of
32 Republic Act 11053 or the Anti-Hazing Act of 2018.

1 **Sec. 15. Powers and Duties of the Investigative Body.** - Every
2 Investigative Body shall have the following powers and duties:

3 (a) Encourage the reporting of any incident of hazing, violence
4 abuse and corruption in every clustered training unit;

5 (b) *Motu proprio* or upon a complaint filed by any person,
6 investigate, any act of hazing, violence, abuse and corruption in the
7 clustered training unit;

8 (c) Issue preventive suspension orders against officers of the
9 Basic Military and Police Training Program or any school employee
10 involved in the training within three (3) days: (i) upon receipt of the
11 complaint, or (ii) after initiation of the *motu proprio* investigation, to
12 preclude him from exerting undue influence over the complaint and
13 impede the normal course of the investigation;

14 (d) Recommend the appropriate action for any offense
15 committed in the clustered training unit to the proper disciplinary
16 authority which has jurisdiction over the respondent within fifteen (15)
17 days: (i) upon receipt of the complaint, or (ii) after initiation of the *motu*
18 *proprio* investigation;

19 (e) Monitor all complaints filed with the Body and maintain an
20 updated record of the status of each case;

21 (f) Provide the parties of the complaint its findings and
22 recommendations within thirty (30) days upon receipt thereof;

23 (g) Promulgate rules and regulations necessary to carry out its
24 objectives, functions and disciplinary procedures; and

25 (h) Performs such other functions as may be provided by law.

26 **Sec. 16. Appeals Board.** - There is hereby established an Appeal Board (AB)
27 composed of the Secretary of National Defense or his permanent authorized
28 representative, the Secretary of the Interior and Local Government or his permanent
29 authorized representative, the CHED Chairman or his permanent authorized
30 representative, the TESDA Director General or his authorized representative and the
31 Secretary of Justice or his permanent authorized representative. The AB shall receive

1 appeals on petitions for review from the findings/recommendation of any of the
2 Investigative Bodies. It shall render its decision or resolution within fifteen (15) days
3 from the time the petition was received. Any resolution of the AB shall be final.

4 **Sec. 17. *Training Instructors' Capacity Development and***
5 ***Enhancement Program.*** - There is hereby created and established a training
6 program for training instructors, to ensure that they meet the highest physical and
7 moral standards to teach and carry out the Basic Military and Police Training Program.
8 The Instructors' Program shall be developed and administered under the guidance and
9 tutelage of the DND, the DILG, the CHED and TESDA. A comprehensive training
10 manual shall be developed for the conduct of these trainings, incorporating among
11 other things, gender-appropriate awareness, familiarity with relevant domestic laws
12 and international obligations necessary and appropriate to guarantee the integrity and
13 the highest standard of morality for the implementers of the Basic Military and Police
14 Training Program.

15 **Sec. 18. *Initial Implementation of the Program.*** - In order to manage the
16 initial implementation of the Basic Military and Police Training Program to all higher
17 and technical vocational students, the DND, the DILG, the CHED and TESDA shall,
18 within six (6) months from the effectivity of this Act, design, institute and implement
19 a Pilot Program. The DND, the DILG, the CHED and TESDA shall jointly submit an
20 annual review and evaluation report to Congress on the Implementation of the Pilot
21 Program. Upon review and approval by Congress, the framework utilized under the
22 Pilot Program shall become the standard for the full national implementation of the
23 Basic Military and Police Training Program.

24 **Sec. 19. *Mandatory Evaluation and Review.*** - The DND, the DILG, the
25 CHED and TESDA shall jointly conduct an annual review and submit a report to
26 Congress on the status of the implementation of the Basic Military and Police Training
27 Program one year after its full implementation.

28 **Sec. 20. *Penal Provisions.*** - Any person who shall commit any act already
29 penalized under existing laws and particularly described in Section 13 of this Act such
30 as bribery, corruption of public officials, graft, hazing, sexual harassment, and other

1 abuses shall be prosecuted and subject to penalties in accordance with the applicable
2 laws. In case that bribery, corruption of public officials, graft, hazing, sexual
3 harassment, and other abuses as particularly described in Section 13 of this Act is
4 committed by persons authorized to administer the Basic Military and Police Training
5 Program or by school officials or employees of public or government educational
6 institutions directly involved in the implementation of the program, the maximum
7 penalty provided under existing laws shall be imposed.

8 **Sec. 21. *Funding.*** - The funding requirement to implement the establishment,
9 maintenance, and operations of the Military and Police Training Program shall be
10 included in the budget of the implementing agencies/departments in the annual
11 General Appropriations Act.

12 **Sec. 22. *Implementing Rules and Regulations.*** - Within sixty (60) days
13 from the effectivity of this Act, the CHED and TESDA in coordination with the DND and
14 DILG shall promulgate rules and regulations necessary to ensure the effective
15 implementation of this Act.

16 **Sec. 23. *Separability Clause.*** - If any provision of this Act is held invalid or
17 unconstitutional, the other provisions not so declared shall remain in force and effect.

18 **Sec. 24. *Repealing Clause.*** - All other laws, executive orders, presidential
19 decrees, and rules and regulations inconsistent with any provisions of this Act are
20 hereby repealed, amended, or modified accordingly.

21 **Sec. 25. *Effectivity.*** - This Act shall take effect after fifteen (15) days
22 following its publication in the *Official Gazette* or in a newspaper of general circulation.

23 *Approved,*