

[REPUBLIC ACT NO. 10349, December 11, 2012]

**AN ACT AMENDING REPUBLIC ACT NO. 7898, ESTABLISHING
THE REVISED AFP MODERNIZATION PROGRAM AND FOR OTHER
PURPOSES**

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

SECTION 1. Section 4(b), (d) and (e) of Republic Act No. 7898, otherwise known as the "AFP Modernization Act", is hereby amended to read as follows:

"SEC. 4. *Components of the Revised AFP Modernization Program.* – The Revised AFP Modernization Program shall consist of the following components:

"(a) x x x

"(b) Capability, materiel, and technology development – The AFP Modernization Program entails the development and employment of certain capabilities that can address the assessed threats: *Provided*, That the acquisition of air force, navy and army equipment and materiel of such types and quantities shall be made in accordance with the need to develop AFP capabilities pursuant, to its modernization objectives: *Provided, further*, That the acquisition of new equipment and weapons systems shall be synchronized with the phase-out of uneconomical and obsolete major equipment and weapons systems in the AFP inventory: *Provided, even further*, That no major equipment and weapons system shall be purchased if the same are not being used by the armed forces in the country of origin or used by the armed forces of at least two countries: *Provided, furthermore*, That only offers from suppliers who are themselves the manufacturers shall be entertained: *Provided, finally*, That no supply contract shall be entered into unless such contract provides for, in clear and unambiguous terms, an after-sales services and the availability of spare parts.

"(c) x x x

"(d) Human resource development – The human resource development component of the Revised AFP Modernization Program shall have the following objectives:

"(1) x x x

"(2) To develop and transform the AFP into a multi-mission oriented force capable of effectively addressing internal and external security threats;

"(3) x x x

"(4) x x x

"(5) x x x

“(6) x x x

“(e) Doctrines development – The Department of National Defense and the AFP shall be responsible for the generation, evaluation, consolidation and formalization of doctrines; the conduct of periodic review and validation of doctrines through field application, testing and exercises; and the dissemination of approved doctrines at all levels of command.

“The Secretary of National Defense shall formulate guidelines to implement this section in accordance with the objectives of the modernization program enumerated in the preceding section.”

SEC. 2. Section 6 of the same Act is hereby amended to read as follows:

“SEC. 6. *Period of Implementation.* – The Revised AFP Modernization Program under this Act, shall be implemented over a period of fifteen (15) years effective upon the date of the approval of this Act: *Provided, however,* That payments for amortization of outstanding multi-year contract, obligations incurred under the Revised AFP Modernization Act may extend beyond tins period.”

SEC. 3. Section 7 of the same Act is hereby amended to read as follows:

“SEC. 7. *Submission of the Revised AFP Modernization Program.* – (a) Within sixty (60) days from the effectivity of this Act, the President, upon the recommendation of the Secretaries of National Defense and Budget and Management, shall submit the Revised AFP Modernization Program as provided for in this Act to Congress. The Program shall indicate or show *inter alia*:

“(1) The size and shape of the AFP in terms of personnel, equipment, and facilities during the various phases of the modernization program;

“(2) The modernization projects under it, including the major weapon and non-weapon equipment and technology acquisitions sought by the respective services and units of the AFP, any major infrastructure construction or improvement to be made and the particular objective(s) and component(s) under Sections 3 and 4, respectively, of this Act to which such intended acquisition, construction or improvements belongs; and

“(3) The priorities, schedules as well as estimated average cost of each modernization project or upgrading to be undertaken: *Provided,* That in the implementation of the AFP Modernization Program, the acquisition of equipment or upgrading to be undertaken shall be devoted towards the development of the AFP with shifting capability to meet internal and external threats.

“(b) The Revised AFP Modernization Program, as submitted to Congress shall be the basis for subsequent executive and legislative actions to implement the Revised AFP Modernization Program from year to year until its complete and full realization.”

SEC. 4. Section 8 of the same Act is hereby amended to read as follows:

“SEC. 8. *Appropriations for the Revised AFP Modernization Program.* – The annual appropriations for the Revised AFP Modernization Program shall include the amounts necessary to support the funding requirements for all modernization projects submitted to Congress under the preceding section.