

RA 8044



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Youth in Nation-Building Act of 1995



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**An Act Creating the
National Youth Commission...**

Republic of the Philippines

Congress of the Philippines
Metro Manila

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-fifth day of July, nineteen hundred and ninety-four

(REPUBLIC ACT NO. 8044)

AN ACT CREATING THE NATIONAL YOUTH COMMISSION, ESTABLISHING A NATIONAL COMPREHENSIVE AND COORDINATED PROGRAM ON YOUTH DEVELOPMENT, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. Title -This Act shall be known as the "Youth in Nation-Building Act".

SECTION 2. Policy - The State recognizes its responsibility to enable the youth to fulfill their vital role in nation-building and hereby establishes the National Comprehensive and Coordinated Program on Youth Development, creates the structures to complement the same and appropriate funds to provide support for the program and implementing structures on a continuing sustained basis.

The State hereby declares that "Youth" is the critical period in a person's growth and development from the onset of adolescence towards the peak of mature, self-reliant and responsible adulthood comprising the considerable sector of the population from the age of fifteen (15) to thirty (30) years.

The State further declares the National Comprehensive and Coordinated Program on Youth Development shall be based on the following principles:

(a) Promotion and protection of the physical, moral, spiritual, intellectual and social well-being of the youth to the end that the youth realize their potential for improving the quality of life;

(b) Inculcation in the youth of patriotism, nationalism and other basic desirable values to infuse in them faith in the Creator, belief in the sanctity of life and dignity of the human person, conviction for the strength and unity of the family and adherence to truth and justice;

regulations, other issuances or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 23. Effectivity Clause. This Act shall take effect upon its publication in at least one (1) national newspaper of general circulation.

Approved,

(Sgd.) **EDGARDO J. ANGARA**
President of the Senate

(Sgd.) **JOSE DE VENECIA, JR.**
Speaker of the House of Representatives

This Act is a consolidation of H.B. 11614 and S.B. No. 1977 was finally passed by the House of Representatives and the Senate on June 2, 1995.

(Sgd.) **EDGARDO E. TUMANGAN**
Secretary of the Senate

(Sgd.) **CAMILO L. SABIO**
Secretary General
House of Representatives

Approved: June 07, 1995

(Sgd.) **FIDEL V. RAMOS**
President of the Philippines

percent (86%) of said annual appropriation shall be disbursed for the national youth development program, projects and activities.

SECTION 16. Transfer of Assets, Properties and Funds. - Assets, properties and funds of the Pambansang Katipunan ng Kabataang Barangay and that of the Presidential Council for Youth Affairs under the Office of the President pursuant to Executive Order No. 274, series of 1987 and of all other youth-serving agencies under said Office shall be transferred to the Commission.

SECTION 17. Effect of Separation from Service as a Result of this Act. - Any official or employee of the Presidential Council for Youth Affairs created under Executive Order No. 274 or any other personnel of the national or local government separated from the service as a result of the operation and effect of this Act maybe absorbed, if qualified, by the Commission for the good of the service, or where qualified therefor, may opt to transfer to another office or elect to apply for separation pay or retirement benefits: *Provided*, That the official or employee who may be absorbed by the Commission shall not suffer any loss or diminution of pay, seniority or rank: *Provided further*, That benefits for separation or retirement of an official or employee of the Presidential Council for Youth Affairs shall be derived from the funds of said Council transferred to the Commission.

SECTION 18. Tax Deduction or Exemption of Donations and Contributions. - Any donation, contribution, bequest and grant which may be made to the Commission shall constitute as allowable deduction from the income of the donor for income tax purposes and shall be exempt from donor's tax, subject to such conditions as provided under the National Internal Revenue Code, as amended.

SECTION 19. Presidential Land Grant. - The provisions of any existing law to the contrary notwithstanding, the President may, upon the authority of Congress, grant by donation, sale, lease, or otherwise to the Commission, portion of the land of the public domain as may be necessary for the establishment of youth development and training centers in all regions of the country and for the accomplishment of any of its purposes.

SECTION 20. Stamps and Gold Coins for the Youth. - The Philippine Postal Corporation and the *Bangko Sentral ng Pilipinas* are hereby authorized to print paper stamps and mint gold coins which shall depict youth events and such other motif as they may decide, at the expense of the Commission.

SECTION 21. Separability Clause. - If for any reason or reasons, any part or provision of this Act shall be held to be unconstitutional or invalid, other parts or provisions thereof not affected thereby shall continue to be in full force and effect.

SECTION 22. Repealing Clause. - Presidential Decree Nos. 604 and 1191, Executive Order No. 274, series of 1987, and all other laws, decrees, rules and

(c) Encouragement of youth involvement in character-building and development activities for civic-efficiency, stewardship of natural resources, agricultural and industrial productivity, and an understanding of world economic commitments on tariffs and trade and participation in structures for policy-making and program implementation to reduce the incidence of poverty and accelerate socioeconomic development; and

(d) Mobilization of youth's abilities, talents and skills and redirecting their creativity, inventive genius and wellspring of enthusiasm and hope for the freedom of our people from fear, hunger and injustice.

SECTION 3. Development Program - In order to attain the declared national policy, there is hereby established the "National Comprehensive and Coordinated Program on Youth Development", hereinafter referred to as the "Development Program".

The components of the development program are the following:

(a) Formulation, approval and implementation of the Medium-Term Youth Development Program for four (4) years following the approval of this Act and every three (3) years thereafter, which shall be aligned to and shall complement the Medium-Term Philippine Development Plan for the corresponding period, taking into account the existing National Youth Development Plan as provided for in Executive Order No. 176, series of 1994;

(b) A national study on the "Situation of Youth in the Philippines", for the period up to the approval of this Act, and every three (3) years thereafter which identifies priority needs, prevailing attitudes and values of youth, existing services, and gaps in services delivery of the basic needs of youth;

(c) A "National Review, Evaluation and Reform" of all organizations delivering services to the youth for the period up to the approval of this Act and every three (3) years thereafter;

(d) Activities to operationalize the implementing structures of the Development Program, preparations and participation in activities of youth of global significance, including World Youth Day, and provide leadership and support therefore on a continuing sustained basis;

(e) The comprehensive, coordinated nationwide service delivery system comprising (i) existing public and civic services for youth which after review and reform or realignment fully support the policy and program framework under this Act, and (ii) innovative services and delivery systems institutionalized in areas with or without inadequate services and which are responsive to needs, following pilot demonstration projects to test the validity and feasibility of the services; and

(f) The participation of Filipino youth in the Biennial World Youth Day starting 1997 in Paris, France and every two (2) years thereafter.

SECTION 4. Definition of Terms For purposes of this Act, the following terms are hereby defined:

(a) "Youth" shall refer to those persons whose ages range from fifteen (15) to thirty (30) years old;

(b) "Youth organizations" shall refer to those organizations whose membership/composition are youth;

(c) "Youth Serving Organizations" shall refer to those registered organizations or institutions whose principal programs, projects and activities are youth-oriented and youth-related, and

(d) "Commission" shall refer to the National Youth Commission

SECTION 5. National Youth Commission There is hereby created the "National Youth Commission" hereinafter referred to as the "Commission".

It shall be composed of the following:

- (a) A chairman;
- (b) One commissioner representing Luzon;
- (c) One commissioner representing Visayas;
- (d) One commissioner representing Mindanao;
- (e) Two (2) commissioners to be chosen at large; and
- (f) The President of the Pambansang Katipunan ng mga Sangguniang Kabataan, as commissioner, who shall serve in an ex-officio capacity.

The first set of chairman and commissioners, which shall have a term of four (4) years, shall be constituted by the President of the Philippines from among the list of nominees submitted by youth organizations or institutions with national or regional constituencies and which have been in existence for at least three (3) years as of the approval of this Act.

The succeeding chairman and the two (2) commissioners to be chosen at large shall be appointed by the President from a list of at least three (3) but not more than five (5) nominees for each position, submitted by youth and youth-serving organizations or institutions with national constituencies duly registered with the Commission.

The succeeding commissioners representing Luzon, Visayas and Mindanao, respectively, shall be appointed by the President from a list of at least three (3) but not more than five (5) nominees for each position, submitted by youth and youth-serving organizations or institutions in

at the call of the National Youth Commission, and thereafter be convened every two (2) years. The Youth Parliament shall have a regular session from two (2) to three (3) days every time it is convened, but may form task forces which may meet during the period between the convening thereof.

Delegates to the Youth Parliament shall be chosen by the Commission taking into consideration equal and geographical representation among men and women. All delegates shall be of good moral character, able to read and write, has not been convicted of any crime involving moral turpitude, and shall not be more than thirty (30) years of age on the day of election to the position by virtue of which he qualifies as a delegate and on the day the Parliament is convened. The delegates shall elect the President of the Youth Parliament who shall preside during the session of the Parliament.

The Youth Parliament, at the end of each regular session, shall present its proceedings, declarations and resolutions to the Commission.

SECTION 14. Advisory Council. There shall be an Advisory Council which shall be composed of the Secretary of the Department of Education, Culture and Sports (DECS), as Chairman, and the Secretaries of the Department of Budget and Management (DBM), the Department of Social Welfare and Development (DSWD), the Department of Interior and Local Government (DILG), the Department of Agriculture (DA), the Department of Foreign Affairs (DFA), the Department of Labor and Employment (DOLE), the Department of Environment and Natural Resources (DENR), the Director-General of the National Economic and Development Authority (NEDA), the Chairman of the Philippine Charity Sweepstakes Office (PCSO), and the Chairmen of both Senate and House committees dealing with youth and sports development, and the Philippine Sports Commission (PSC), as members.

The Council shall meet once every three (3) months, or as often as maybe necessary, upon call of its chairman, advise and be consulted by the Commission on important matters relating to youth affairs, welfare and development.

The Council may form task forces which shall convene between the meetings of the Council. The Commission shall provide the technical support and the Secretariat required by the Council to function according to this Act.

SECTION 15. Appropriations. - There is hereby authorized to be appropriated the amount of Fifty million pesos (P50,000,000.00) as additional funding for the Commission, to be charged against the unexpended contingency funds of the Office of the President.

Thereafter, the amount needed for the operation and maintenance of the Commission shall be included in the annual General Appropriations Act: Provided, that operating expenses of the Commission itself shall not exceed fourteen percent (14%) of the annual appropriation and that at least eighty-six

President and to Congress; and

(q) To perform such other functions as may be necessary to effectively and efficiently carry out the provisions of this Act.

SECTION 11. *The Secretariat and the Executive Director.* The Commission shall organize a secretariat to be headed by an Executive Director who shall serve as Chief Operating Officer.

The Executive Director shall be appointed by the President of the Philippines upon the recommendation of the National Youth Commission for a term of three (3) years with reappointment for another term, and must have the qualifications, rank and privileges of a Bureau Director. He must not be more than forty-five (45) years of age during his incumbency, and must possess executive and management experience of at least three (3) years and with considerable exposure to youth affairs, projects and programs management. He shall be responsible for the effective implementation of the policies promulgated by the Commission and shall also direct and supervise the day-to-day operations of the Commission.

The first Executive Director shall have a term of four (4) years.

The staffing pattern and compensation schedule of the secretariat shall be drawn up in accordance with existing laws, rules and regulations.

SECTION 12. *Duties and Responsibilities of the Secretariat.* - The secretariat shall be responsible for:

- (a) Ensuring an effective and efficient performance of the functions of the Commission and prompt implementation of the programs;
- (b) Proposing specific allocation of resources for projects instated under approved programs;
- (c) Submitting periodic reports to the Commission on the progress and accomplishment of programs and projects;
- (d) Preparing an annual report on all activities of the Commission;
- (e) Providing and performing general administrative and technical staff support; and
- (f) Performing such other functions as the Commission may deem necessary.

SECTION 13. *Parliament of Youth Leaders.* There is hereby constituted the "Youth Parliament". The Youth Parliament shall be initially convened not later than six (6) months from the full constitution of the Commission, and shall meet

their respective areas duly registered with the Commission.

The chairman and the appointed commissioners shall serve for a term of three (3) years, with reappointment for another term. The chairman shall have the rank and privileges of a department undersecretary, and the appointive commissioners shall have the rank and privileges of assistant secretaries of a department. The ex-officio commissioner shall also have the rank and privileges of assistant secretary of a department.

SECTION 6. *Status and Nature of the Commission* The Commission shall be independent and autonomous and shall have the same status as that of a national government agency attached to the Office of the President.

The Commission shall exercise corporate powers. It shall have a seal, may sue and be sued, and shall be the sole policy-making coordinating body of all youth-related institutions, programs, projects and activities of the government.

SECTION 7. *Qualifications of the Chairman and Commissioners* The Chairman shall not be more than forty-five (45) years of age, and the appointive commissioners no more than forty (40) years of age, at any time during their incumbency; natural-born citizens of the Philippines; have occupied positions of responsibility and leadership in duly registered youth and youth-serving organizations or institutions, of good moral character; and not have been convicted of any crime involving moral turpitude.

The Chairman shall serve as the chief executive officer of the Commission.

SECTION 8. *Objectives of the Commission.* The objectives of the Commission are:

- (a) To provide the leadership in the formulation of policies and in the setting of priorities and direction of all youth promotion and development programs and activities;
- (b) To encourage wide and active participation of the youth in all governmental and non-governmental programs, projects and activities affecting them;
- (c) To harness and develop the full potential of the youth as partners in nation-building; and
- (d) To supplement government appropriations for youth promotion and development with funds from other sources.

SECTION 9. Powers of the Commission. - The Commission shall have the following powers:

- (a) To appoint the officers and other personnel of the Commission and fix their compensation, allowances and other emoluments, subject to the Civil Service and other existing applicable laws, rules and regulations;
- (b) To suspend, dismiss, or otherwise discipline for cause, any employee, and/or to approve or disapprove the appointment, transfer or detail of employees, subject to the provisions of existing laws and regulations;
- (c) To enter into contracts;
- (d) To acquire, use and control any land, building, facilities, equipment, instrument, tools and rights required or otherwise necessary for the accomplishment of the objectives of the Commission;
- (e) To acquire, own, possess and dispose of any real or personal property;
- (f) To accept donations, gifts, bequests, and grants;
- (g) To ensure the implementation by various government departments and agencies of their youth developmental projects and activities as indicated in their respective annual budgets;
- (h) To issue rules and regulations in pursuance of the provisions of this Act, and
- (i) To perform any and all other acts incident to or required by virtue of its creation.

SECTION 10. Functions of the Commission. - The Commission shall have the following functions:

- (a) To formulate and initiate the national policy or policies on youth;
- (b) To plan, implement, and oversee a national integrated youth promotion and development program;
- (c) To establish a consultative mechanism which shall provide a forum for continuing dialogue between the government and the youth sector on the proper planning and evaluation of policies, programs and projects affecting the youth, convening for the purpose, representatives of all youth organizations and institutions, including the Sangguniang Kabataan from barangay, municipal, city, provincial, and national levels;
- (d) To assist and coordinate with governmental and non-governmental organizations or institutions in the implementation of all laws, policies, programs

and projects relative to youth promotion and development;

- (e) To seek or request the assistance and support of any government agency, office or instrumentality including government-owned or controlled corporations, local government units as well as non-governmental organizations or institutions in pursuance of its policies, programs and projects;
- (f) To conduct scientific, interdisciplinary and policy-oriented researches and studies on youth-related matters, as well as trainings, seminars and workshops that will enhance the skills and leadership potentials of the youth, instilling in them nationalism and patriotism, with particular emphasis on Filipino culture and values;
- (g) To establish and maintain linkages with international youth and youth-serving organizations or institutions and counterpart agencies of foreign governments in order to facilitate and ensure the participation of the Filipino youth in international functions and affairs;
- (h) To administer youth exchange programs as well as to monitor and coordinate all foreign-sponsored youth programs and projects such as the Ship for Southeast Asian Youth Program and other similar exchanges and goodwill missions;
- (i) To establish such organizational structures including regional offices, as maybe required to effectively carry out its functions;
- (j) To conduct promotion and fund-raising campaigns in accordance with existing laws;
- (k) To allocate resources for the implementation of youth programs and projects;
- (l) To extend and provide support or assistance to deserving youth and youth organizations including scholarship grants;
- (m) To register, establish and/or facilitate and help in the establishment of youth organizations and youth-serving organizations;
- (n) To participate in international youth fora, symposia and organizations such as the International Youth Forum, Asian Youth Council, ASEAN Youth Forum, United Nations Commission for International Youth Year (IYY) and other similar bodies;
- (o) To provide training and a national secretariat for the Sangguniang Kabataan National Federation pursuant to R. A. No. 7160, otherwise known as the Local Government Code;
- (p) To submit an annual report on the implementation of this Act to the