



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
Second Regular Session

HOUSE BILL NO. 4883



Introduced by Honorable Catalino V. Figueroa

EXPLANATORY NOTE

This bill seeks to create a Department of Youth Welfare and Development to cater exclusively to the needs of the youth.

The 1987 Constitution, particularly Section 13, Article II thereof provides:

"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 cannot be denied that there are already existing government agencies which involve themselves with youth concerns. To name a few, these are the Council for the Welfare of Children and Youth under the Department of Social Welfare and Development, the National Manpower and Youth Council under the Department of Labor and Employment, the National Economic and Development Authority, the Department of Education and the National Youth Commission. It is sad to say, however, that because of the number of government agencies existing which cater to the needs of the Filipino youth, this results to confusion as to where the youth will go. Oftentimes, the functions of these agencies tend to overlap that it eventually cause chaos, envy and inefficiency of the officials and personnel, thus defeating the very purpose of their existence – to help the youth.

Almost two-thirds of the Filipino population belongs to the youth sector. It is therefore incumbent upon the State to ensure an excellent quality of life for the Filipino youth through a sustained, coordinated and nationwide implementation of youth programs. And this can be made possible by the creation of a centralized government agency that will exclusively cater to the needs of the youth in this country.

In view of the foregoing, approval of this bill is earnestly and highly recommended.



CATALINO V. FIGUEROA



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
Second Regular Session

HOUSE BILL NO. 4883

Introduced by Honorable Catalino V. Figueroa

AN ACT
CREATING THE DEPARTMENT OF YOUTH WELFARE AND
DEVELOPMENT AND APPROPRIATING FUNDS THEREFOR.

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
“Department of Youth Welfare and Development Act of 2005.”

SEC. 2. *Statement of Policy.* – The State recognizes the vital role of
the youth in nation-building and it undertakes to promote and protect their
physical, moral, spiritual, intellectual and social well-being. For this
purpose, the State shall provide a national and integrated government agency
that will cater to the needs of the youth through programs and projects for
civic efficiency, self-improvement and economic well-being.

SEC. 3. *Creation of the Department of Youth Welfare and Development.* – There is hereby created a Department of Youth Welfare and Development, hereinafter referred to as the DYWD, which will assume the functions of all government agencies, bureaus and councils currently catering to the welfare and development of the youth nationwide, and such other functions as may be assigned to it by law.

SEC. 4. *Objectives.* – The Department of Youth Welfare and Development shall have the following objectives:

- a) Provide for the formulation of policies and in the setting of priorities and directions of all youth development programs and activities;
- b) Encourage intensive and active participation of the youth in all governmental and non-governmental programs, projects and activities affecting them;
- c) Develop and harness the full potential of the youth as partners in nation-building;
- d) Supplement government efforts for youth promotion and development; and
- e) Provide a centralized, reliable, efficient and systematic youth welfare and development office for all the youth nationwide.

SEC. 5. *Authority and Responsibility.* – The authority and responsibility for the exercise of the mandate of the DYWD and for the discharge of its powers and functions shall be vested in the Secretary of Youth Welfare and Development, hereinafter referred to as the Secretary, who shall have supervision and control over the DYWD and who shall be appointed by the President of the Republic of the Philippines, subject to confirmation by the Commission on Appointments.

SEC. 6. *Powers and Functions.* – To accomplish its mandate, the DYWD shall have the following powers and functions:

- a) Formulate and recommend national policies and guidelines for the preparation and implementation of integrated and comprehensive youth-oriented programs;
- b) Coordinate and harmonize activities of all organizations engaged in youth development in the country by developing guidelines and standards governing their respective youth development programs;
- c) Develop, initiate and provide support for the development and coordination of youth projects and design strategies to gain the support and participation of the youth sector;

d) Assess, review and provide direction to youth welfare and development programs of the government in coordination with other institutions concerned;

e) Administer and enforce all laws, rules and regulations relating to youth welfare and development; and

f) Perform such other powers and functions as may be prescribed by law, or as may be necessary, incidental or proper to its mandate, or as may be assigned from time to time by the President of the Philippines.

SEC. 7. *Undersecretaries and Assistant Secretaries.* – The Secretary shall be assisted by three (3) Undersecretaries who shall be appointed by the President of the Philippines upon the recommendation of the Secretary.

The Secretary shall also be assisted by seven (7) Assistant Secretaries appointed by the President of the Philippines upon the recommendation of the Secretary, each of whom shall be responsible for four (4) staff offices composed of eight (8) services and three (3) line offices which shall report to their respective Undersecretaries who shall exercise control and supervision over said respective services and offices.

SEC. 8. *Structural Organization.* – The DYWD, which is comprised of the offices of the Secretary, Undersecretaries and Assistant Secretaries, shall include the regional offices and the attached agencies of the DYWD.

The Office of the Secretary shall have direct supervision and control over the regional offices. It shall be responsible for developing and implementing policies, plans, programs and projects for the Department.

SEC. 9. ***Regional Offices.*** – The DYWD shall have three (3) Regional Offices in each of the Administrative Regions of the country. Each Regional Office shall be headed by a Regional Director and assisted by an Assistant Regional Director.

The Regional Offices shall be responsible for the delivery of all front line services of the DYWD.

For such purposes, the Regional Offices shall have, within their respective administrative regions, the following functions:

- a) Implement laws, policies, plans, programs, projects, rules and regulations of the DYWD;
- b) Provide efficient and effective services to the youth;
- c) Coordinate with regional offices of other departments, offices and agencies;
- d) Coordinate with local government units; and
- e) Perform such other functions as may be provided by law.

SEC. 10. *Officials and Employees.* – All other officers not appointed by the President, which shall include all rank and file, contractual or casual employees, shall be appointed by the DYWD Secretary.

SEC. 11. *Nature of Appointment.* – Appointment to the positions with rank lower than that of the assistant secretaries of the DYWD shall be made only upon merit and fitness and shall be governed by relevant Civil Service laws, rules and regulations on the matter.

SEC. 12. *Transfer of Supervision and Control.* – The following government agencies are hereby transferred under the direct supervision and control of the DYWD, therefore all actions taken and exercised by said agencies shall require the prior approval of the Secretary and any provision of the law to the contrary notwithstanding:

- a. National Manpower and Youth Council (NMYC);
- b. National Youth Commission (NYC);
- c. Council for the Welfare of Children and Youth; and
- d. Inter-Country Adoption Board

SEC. 13. *Security of Tenure.* – In the implementation of this Act, there shall be no undue separation of personnel. In the event that the laying-off of personnel becomes unavoidable because of the abolition of their

offices or positions, impact mitigation measures shall be adopted, such as redeployment of separated employees to other appropriate agency or entity.

SEC. 14. ***Separation Benefits.*** – Employees who may be separated or removed from the service by reason of this Act shall be granted a gratuity equivalent to one hundred fifty percent (150%) of their basic monthly pay for every year of service, based on the highest salary received. For those employees who have been in the government service for at least fifteen (15) years and are at least fifty years old, they may opt to avail of the early retirement benefits equivalent to seventy-five percent (75%) of the amount they would have been entitled to receive as full retirement benefits had they remained in the service for the mandated period.

SEC. 15. ***Rules and Regulations.*** - Within sixty (60) days from the date of his appointment, the incoming DYWD Secretary shall promulgate rules and regulations for the effective implementation of this Act.

SEC. 16. ***Appropriation.*** – The amount of Twenty Million pesos (P20,000,000.00) is hereby appropriated for the effective implementation of this Act. Thereafter, the sum necessary for the operations and maintenance of the Department of Youth Welfare and Development (DYWD) shall be included in the General Appropriations Act.

SEC. 17. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, and other issuances, or parts thereof inconsistent with the provisions this Act are hereby repealed or modified accordingly.

SEC. 18. *Separability Clause.* – If any part or provision of this Act is held unconstitutional or invalid, other parts of provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 19. *Effectivity.* – This Act shall take effect after fifteen (15) days following its publication in at least two (2) national newspapers of general circulation.

Approved,