

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 4792



Introduced by Honorable Rosenda Ann Ocampo

EXPLANATORY NOTE

This bill seeks to prohibit business establishments from accommodating truants during school hours.

Our youth is a significant human resource in propelling the country towards further growth and stability. Section 13, Article II of the 1987 Constitution provides that *"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."*

Because education is the primal catalyst for the over-all development of the youth, several laws have been passed to ensure that these young minds get the education they need to become productive members of society. Presidential Decree (PD) No. 603, otherwise known as *The Child and Youth Welfare Code*, provides for the rights of the child and the responsibilities of parents, the school and the community in promoting their welfare. Among its other provisions, PD 603 imposes criminal liability to parents who abandon, neglect, conceal, or sell their child or cause the truancy of their child from school.

While PD 603 defines truancy as the ***"absence without cause for more than twenty school days, not necessarily consecutive"***, this Act provides a more stringent definition befitting the purpose of this measure and defines a truant as ***"a student, 7 to 18 years of age, who loafs, loiters, lingers or stays inside business establishments during school hours."***

Studies reveal that truancy augurs delinquent behavior later in life such that children who are habitual truants are likely to engage in gang membership, use of prohibited drugs, alcohol intoxication, vandalism, theft, and high-risk sexual ventures. To combat truancy and to fill in the missing link to the confluence of the roles of the home, the school and the community in counteracting and eliminating activities that are inimical to the health and morals of school children, this measure aims to prohibit business establishments like internet cafes, computer or video shops, billiard halls,

movie houses, malls, places where alcoholic drinks are consumed or sold, and similar establishments from allowing students in these kinds of places during school hours.

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



ROSENDA ANN OCAMPO

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**"AN ACT
PROHIBITING BUSINESS ESTABLISHMENTS FROM
ACCOMMODATING TRUANTS DURING SCHOOL HOURS"**

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

SECTION 1. *Prohibited Act.* – It shall be unlawful for business establishments to accommodate truants within their premises during school hours or the period from 7:00 in the morning until 5:00 in the afternoon, Mondays to Fridays. *Business establishments* include internet cafes, computer or video shops, billiard halls, movie houses, malls, places where alcoholic drinks are consumed or sold, or similar establishments which are directly or indirectly operating for entertainment.

Notwithstanding any provision of law, rule or regulation to the contrary, a *truant*, for purposes of this Act, refers to a student, 7 to 18 years of age, who loafes, loiters, lingers or stays inside the business establishment during school hours.

SEC. 2. *Exceptions.* – The business establishment is not liable under Section 1 of this Act if the student is:

- (a) Accompanied by a parent or guardian;
- (b) Attending to an emergency; and
- (c) Issued a permit or letter of authorization by the school in cases where classes are scheduled beyond the regular school days or hours or where school assignments are required to be performed inside the business establishments.

SEC. 3. *Penalties.* – The following penalties shall be imposed upon the owner, operator, manager or administrator of a business establishment found violating Section 1 of this Act:

- (a) For the **FIRST OFFENSE**, a suspension of business operation for a period of **ONE (1) WEEK** and a fine of **FIVE THOUSAND PESOS (P5,000.00)**;
- (b) For the **SECOND OFFENSE**, a suspension of business operation for a period of **ONE (1) MONTH** and a fine of **TEN THOUSAND PESOS (P10,000.00)**; and
- (c) For the **THIRD OFFENSE**, the closure of the business establishment for **ONE (1) YEAR** and a fine of **TWENTY THOUSAND PESOS (P20,000.00)**.

SEC. 4. *Implementing Rules and Regulations.* – Within Thirty (30) days from the effectivity of this Act, the Secretary of Interior and Local Government, in coordination with the Secretaries of Education and Trade and Industry, shall issue the necessary rules and regulations for the implementation of this Act.

SEC.5. *Effectivity.* – This Act shall take effect fifteen (15) days after publication in the *Official Gazette* or in a newspaper of general circulation.

APPROVED.