



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO. **1653**

Introduced by **REPRESENTATIVE CHEENO MIGUEL D. ALMARIO**

EXPLANATORY NOTE

According to the Philippine Statistics Authority (PSA), 10.7 million or 25 percent of children between ages five to 24 years old are out-of-school.¹ This staggering number should be a cause for concern for the government.

A child who is not receiving a formal education is vulnerable to maltreatment, teen pregnancy, and illegal drug use. The PSA reported that young girls between ages 16-24 were forced to dropout from school due to underage pregnancy.² As for the drug use, the Dangerous Drugs Board reports that 63.98% of recorded drug users did not finish college.³

In order to curb the negative effects of being an out-of-school youth, the government must act and protect this very susceptible sector of the population. The Magna Carta of out-of-school youth shall serve as the baseline to set the minimum protection that they shall receive. We are hoping that this shall be the first step to eradicate discrimination against them and provide them with a lifeline so they can be an effective partner of nation building and a functioning member of the society.

Hence, the passage of this bill is earnestly sought.


CHEENO MIGUEL D. ALMARIO
Representative
2nd District, Davao Oriental

¹ Nearly 11 million children, youth not in school – PSA, May 15, 2024.

<https://www.philstar.com/headlines/2024/05/15/2355189/nearly-11-million-children-youth-not-school-psa>.

² DepEd: High dropout rate due to teenage pregnancy, September 5, 2019.

<https://www.philstar.com/headlines/2019/09/05/1949246/depd-high-dropout-rate-due-teenage-pregnancy>.

³ <https://ddb.gov.ph/2023-statistical-analysis/>.



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AN ACT
PROVIDING FOR THE MAGNA CARTA OF THE OUT-OF-SCHOOL YOUTH

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

CHAPTER I
GENERAL PROVISIONS

1 **SECTION 1. Short Title.** - This Act shall be known as the “Magna Carta of the Out-
2 of-School Youth.”
3

4 **SEC. 2. Declaration of Policy.** - Article II, Section 11 of the Constitution provides
5 that the State values the dignity of every human person and guarantees full respect for
6 human rights. Pursuant to the aforementioned mandate, the State recognizes the rights
7 of the out-of-school youth (OSY) to social protection and to the development of their full
8 potential as partners in nation-building.
9

10 **SEC. 3. Objectives.** - The objectives of this Act are as follows:

- 11 (a) To recognize, protect, and promote the rights of the OSYs;
12 (b) To empower and encourage the OSYs to contribute to nation-building;
13 (c) To give full support to the improvement of the total well-being of the
14 OSYs by providing learning and employment opportunities as well as the
15 needed social services and interventions; and
16 (d) To recognize the important role of the private sector in improving the
17 welfare of the OSY and to actively seek their partnership.
18

19 **CHAPTER II**
20 **DEFINITION OF TERMS**
21

SEC. 4. Definition of Terms. - As used in this Act:

- (a) Alternative Learning System (ALS) refers to a parallel learning system in the Philippines that provides a practical option to the existing formal instruction and equivalent pathways to basic education. It includes both the non-formal and informal sources of knowledge and skills;
- (b) Local Social Welfare and Development Officer (LSWDO) refers to the officer designated as such under the Social Welfare and Development Offices in the local government unit (LGU);
- (c) Out-of-school youth refers to a member of the population aged 15 to 30 years old who is currently out of school, not gainfully employed, and has not finished secondary or college education;
- (d) Social protection refers to policies and programs that seek to reduce poverty and vulnerability to risks and enhance the social status and rights of all OSY by promoting livelihood and employment opportunities, including its major components such as labor market interventions, social insurance, social welfare, and social safety nets;
- (e) Substantive equality refers to the fundamental aspect of human rights law that is concerned with equitable outcomes and equal opportunities for the disadvantaged and marginalized groups in society, including protection against discrimination, marginalization, unequal distribution of opportunities, and limited access to goods and services;
- (f) Technical-Vocational Education and Training (TVET) refers to the education or training process designed at post-secondary and lower tertiary levels, officially recognized as non-degree programs aimed at preparing technicians, paraprofessionals and other categories of middle level workers by providing them with a broad range of general education, theoretical, scientific and technological studies, and related job skills training; and
- (g) TVET graduate refers to a student or trainee who has completed the requirements set for a Technical Education and Skills Development Authority (TESDA)-registered TVET course or program.

CHAPTER III

DUTIES RELATED TO THE HUMAN RIGHTS OF OUT-OF-SCHOOL YOUTH

SEC. 5. State as the Primary Duty-Bearer. - The State shall, through the National Youth Commission (NYC), Commission on Human Rights, and other concerned youth-serving agencies, be guided by progressive developments on the aspect of human rights of the OSY under international law and shall endeavor to formulate policies, laws, and other regulatory measures to fulfill these duties. It shall institute programs that will carry out the objectives of this Act and promote:

- (a) The protection of the rights of the OSYs against discrimination of any kind by private corporations, entities, individuals, and from any institution, public or private; and
- (b) The promotion of substantive equality on the rights of the OSY in all aspects of growth and development.

1 **SEC. 6. Duties of the State Agencies and Instrumentalities.** - The duties of the
2 State as stated in Section 5 of this Act shall extend to all state agencies, offices, and
3 instrumentalities at all levels of government, including government-owned and
4 controlled corporations, subject to the Constitution and pertinent laws, policies, and
5 administrative guidelines that define specific duties of concerned state agencies and
6 entities.

7
8
9 **CHAPTER IV**
10 **RIGHTS AND EMPOWERMENT**

11
12 **SEC. 7. Human Rights of Out-of-School Youth.** - An OSY shall enjoy, without
13 discrimination, all rights provided for in the Constitution and those rights recognized
14 under international instruments duly ratified by the Philippines.

15
16 **SEC. 8. Protection from Violence.** - The State shall ensure that all OSYs shall be
17 protected from all forms of violence, physical abuse, sexual exploitation, and human
18 trafficking as provided for under existing laws. The Department of Justice, Department of
19 Social Welfare and Development (DSWD), and other concerned agencies shall give
20 priority to the defense and protection of the OSYs and help them in attaining justice and
21 social equality.

22
23 **SEC. 9. Equal Treatment Before the Law.** - The NYC and other youth serving
24 agencies shall take active steps to review and, when necessary, submit proposals to
25 amend or repeal existing laws that are discriminatory to the OSYs, and submit legislative
26 proposals, as far as practicable, at the start of every Congress.

27
28 **SEC. 10. Representation of Out-of-School Youth Issues and Concerns in**
29 **Media, Film, and Other Platforms.** - The NYC and other concerned agencies shall
30 formulate policies and programs for the advancement of the OSYs in collaboration with
31 government and non-government organization (NGO) media-related organizations.

32
33 For this purpose, the State shall ensure the allocation of resources for the
34 production, publication, dissemination, and airing of all forms of information materials
35 on the rights of the OSYs and the various services and benefits provided to them under
36 this Act.

37
38 **SEC. 11. Recognition and Preservation of Cultural Identity and Integrity.** -
39 The rights of Moro and indigenous OSYs to practice, promote, protect, and preserve their
40 own culture, traditions, and institutions and to consider these rights in the formulation
41 and implementation of national policies and programs shall be upheld. To this end, the
42 National Commission on Muslim Filipinos and the National Commission on Indigenous
43 Peoples shall, in consultation with the sectors concerned, protect their rights, indigenous
44 knowledge system and practices, traditional livelihood, and other cultural
45 manifestations, recommend legislation and other appropriate measures to promote and
46 to respect them: Provided, That these cultural systems and practices do not discriminate
47 against other OSYs who do not belong to the Muslim or Indigenous Peoples.

1 **SEC. 12. Right to Decent Work.** - The Department of Labor and Employment
2 (DOLE) shall, in coordination with TESDA, ensure decent work standards for OSYs who
3 have graduated from TVET courses, including the following minimum guarantees:
4

- 5 (a) Local job generation and employment, economic opportunities, and providing
6 strict regulations against forced and involuntary displacement;
7 (b) Protection of the rights and promotion of the welfare of migrant TVET
8 graduates regardless of work status and protection against discrimination in
9 wages, conditions of work, and employment opportunities in host countries;
10 and
11 (c) Opportunities for work shall be productive and fairly remunerative as family
12 living wage, security of tenure in the workplace, and better prospects for
13 personal development and social integration.
14

15 **CHAPTER V**
16 **GOVERNMENT ASSISTANCE AND SUPPORT**
17

18 **SEC. 13. Government Assistance.** - The national government shall, through its
19 agencies and instrumentalities, provide the following:
20

- 21 (a) Education - The Department of Education (DepEd), TESDA, and the
22 Commission on Higher Education (CHED) shall, in consultation with NGOs,
23 institute a program that will ensure access of the OSYs to formal, informal, and
24 non-formal learning opportunities;
25 (b) Health - The Department of Health (DOH) shall, in coordination with LGUs and
26 NGOs, institute a national health program and provide an integrated health
27 service for OSYs: Provided, That the DOH shall provide the OSYs and their
28 families with sexual and reproductive health education and information, as
29 well as family counseling to curb the number of dropout cases due to early
30 marriage and pregnancy, marital conflict, and other family problems;
31 (c) Social Services - The DSWD shall, in cooperation with the LGUs, NGOs, and
32 other relevant stakeholders, develop and implement programs on social
33 services for the OSYs, the components of which are:
34 1. Social Enhancement Services that provide the OSYs with opportunities for
35 socializing, organizing creative expression, and self-improvement;
36 2. After Care Services that provide support for the OSYs who are discharged
37 from the homes or institutions of the DSWD, and other private institutions
38 duly accredited by the DSWD, especially those who have problems of
39 reintegration with family and the community; and
40 3. Social Case Management that includes a comprehensive, updated list and
41 detailed profile of all known OSYs in the respective localities for the
42 purpose of providing age-appropriate social service interventions.
43 (d) Employment- The DOLE shall, in coordination with other government
44 agencies such as the Department of Trade and Industry (DTI) and TESDA,
45 assess, design, and implement training programs that will provide jobs,
46 entrepreneurial skills and facilitation, agricultural training, and livelihood
47 opportunities for the OSYs.
48

1 **SEC. 14. Social Protection.** - The National Anti-Poverty Commission and
2 concerned agencies shall institute for the OSYs policies and programs that seek to reduce
3 poverty and vulnerability to risks by mandating their employers to provide mandatory
4 life, accident, and health insurance coverage.

5 6 **CHAPTER VI** 7 **EDUCATION** 8

9 **SEC. 15. Technical Vocational Education.** - It shall be the duty of the State to
10 provide technical or vocational education to the OSYs. The course shall be provided and
11 managed by TESDA subject to its rules and regulations: Provided, That an officer of the
12 TESDA shall be assigned as a TESDA adviser who shall monitor the progress and
13 development of the OSYs in the chosen technical vocational course.

14
15 **SEC. 16. Alternative Learning System.** - An ALS of education shall be made
16 available to OSYs.

17
18 For OSYs who are under the care and custody of a home or an institution managed
19 or accredited by the DSWD, the latter shall coordinate with the DepEd for the provision
20 of an ALS within its premises.

21
22 **SEC. 17. Promotion to Formal Tertiary Education.** - The LSWDO may
23 recommend an OSY to be a recipient of a scholarship grant from the CHED under either
24 Republic Act No. 10931, otherwise known as the "Universal Access to Quality Tertiary
25 Education Act" or Republic Act No. 10687, otherwise known as the "Unified Student
26 Financial Assistance System for Tertiary Education (UniFAST) Act."

27
28 An OSY who is a recipient of any CHED scholarship grant shall execute a
29 scholarship bond, subject to the condition of rendering at least two (2) years of service to
30 the government upon completion thereof.

31
32 **SEC. 18. Entrepreneurial Education.** - The DTI shall, in coordination with TESDA
33 and other relevant government agencies, conduct training programs to provide the OSYs
34 with the knowledge, skills, and motivation to engage in entrepreneurial endeavors in a
35 variety of settings. These programs shall include small business management, new
36 approaches to innovation, developing creativity or the introduction of new products or
37 services to the markets and providing aid to nascent entrepreneurial undertaking to
38 grow and sustain the business of the OSYs.

39
40 Both public and private higher education institutions shall set a minimum number
41 of admissions of returning OSYs, scholarship grants, and other financial support to OSYs.

42
43 **SEC. 19. Education Cost and Support.** - The DepEd, CHED, and TESDA shall
44 provide formal, non-formal, informal, technical and vocational education services to the
45 OSYs free of charge. It shall likewise provide materials, instruments, and tools needed to
46 carry out and complete said programs.

47 48 **CHAPTER VII** 49 **ESPECIALLY DIFFICULT CIRCUMSTANCES**

SEC. 20. Especially Difficult Circumstances. – OSYs who are in especially difficult circumstances such as those with disabilities, victims of sexual and physical abuse, illegal recruitment, prostitution, trafficking, armed conflict, OSYs in conflict with the law, and other difficult circumstances such as pandemic and other public health emergencies, which have caused functional incapacity in society, shall be provided with services and interventions as necessary, such as:

- (a) Temporary and protective custody;
- (b) Medical, dental, and physical therapy services;
- (c) Mental health care;
- (d) Psychological evaluation;
- (e) Counseling;
- (f) Psychiatric evaluation;
- (g) Legal services;
- (h) Productivity capability building;
- (i) Livelihood assistance;
- (j) Financial assistance;
- (k) Life skills training; and
- (l) Health education and information.

CHAPTER VIII ADMINISTRATION AND ENFORCEMENT

SEC. 21. Role of the Advisory Council. - The Advisory Council created under Section 14 of Republic Act No. 8044, otherwise known as the “Youth in Nation-Building Act” shall, in addition to its respective mandates, implement the provisions of this Act which shall include the following duties and functions:

- (a) Formulate a National Comprehensive Multi-Stakeholder Plan of Action for the OSYs which shall include back-to-school transitional support, career pathing, counseling, mental and reproductive health education and services, skills training and livelihood assistance;
- (b) Coordinate, monitor, and ensure that the relevant agencies of the government have appropriate yearly work programs for the OSYs in accordance with the objectives of this Act;
- (c) Cause the dissemination of information and engender national public awareness of the plight of the OSYs in the country through social media, government media and broadcasting facilities, and other modern channels of communication;
- (d) Review and ascertain existing policies that are discriminatory to the OSYs as a subsector and recommend to Congress remedial legislative measures and interventions to eradicate all forms of discrimination to the OSYs; and
- (e) Furnish the NYC on a yearly basis a national situationer on OSYs, including the available programs, services, and interventions available for them.

SEC. 22. Roles and Responsibilities of Concerned Agencies. - The following agencies shall perform the following duties and responsibilities:

1 (a) The NYC shall:

- 2 1. Establish and maintain an updated database of OSYs at the national and local
3 levels;
4 2. Assess the needs of the OSYs and recommend to concerned agencies the
5 necessary interventions to address them;
6 3. Capacitate the Sangguniang Kabataan (SK), Task Force on Youth
7 Development, and Local Youth Development Council (LYDC) to implement the
8 provisions of this Act at the local level; and
9 4. Coordinate with concerned government agencies, private or NGOs, the
10 necessary programs and projects designed to promote the general welfare,
11 development, and empowerment of the OSYs as part of the multi-stakeholder
12 plan of action for the OSYs.
13

14 (b) The DepEd, CHED, and TESDA shall:

- 15 1. Identify learning opportunities and establish programs for the OSYs such as
16 returning to formal schooling, enrolling in the ALS, pursuing TVET for those
17 who are not fully equipped to return to in-school education;
18 2. Provide materials, instruments, and tools needed by the OSYs; and
19 3. Monitor the progress of the OSYs.
20

21 (c) The LSWDO shall:

- 22 1. Conduct social case management and profiling of the OSYs in every city and
23 municipality for the provision of age-appropriate social service interventions;
24 2. Draw up a list of available and necessary services which can be provided for
25 the OSYs;
26 3. Institutionalize the implementation of LGU-based psycho-social services for
27 OSYs such as the Unlad Kabataan and Pag-asa Youth Association programs;
28 4. Maintain and regularly update on an annual basis the list of OSYs and submit
29 the list to the Office of the Secretary of the DSWD, the NYC, and the Philippine
30 Statistics Authority;
31 5. Issue nationally uniform individual identification cards free of charge, which
32 shall be valid anywhere in the country;
33 6. Serve as a focal person on the dissemination of general information and
34 feedback in regard to the needs of the OSYs;
35 7. Report to the Mayor, any individual, establishment, business entity,
36 institution, or agency found violating any provision of this Act;
37 8. Monitor, supervise, and enforce the implementation of information
38 dissemination through social media, government media, and broadcasting
39 facilities of the plight of the country's OSYs; and
40 9. Coordinate with the Advisory Council to ensure compliance with the
41 provisions of this Act.
42

43 (d) The SK and LYDC shall:

- 44 1. Initiate and implement, in coordination with concerned government
45 agencies, private or NGOs, programs and projects designed to promote the
46 general welfare, development, and empowerment of the OSYs;
47 2. Promulgate resolutions, in consultation with the Katipunan ng Kabataan,
48 necessary to carry out the objectives for the OSYs in the barangay;
49 3. Assist in the mapping out of the OSYs in every barangay;

4. Conduct programs and activities for the OSYs which are in line with the Comprehensive Barangay Youth Development Plan and the applicable provisions of this Act;

5. Partner with other youth-serving agencies and organizations in planning and executing projects and programs of specific advocacies for the OSYs such as health and anti-drug abuse, including reproductive health, disaster risk reduction and resiliency, employment and livelihood, gender sensitivity, and sports development; and

6. The Panlalawigang Pederasyon ng mga SK shall submit an annual situationer report on the OSYs of their respective provinces to the NYC.

(e) The LGUs shall:

1. Ensure the database creation and mapping out of OSYs at the municipal, city, and barangay levels;

2. Mobilize the SK and the LYDCs to assist in the delivery of the necessary services and interventions for the OSYs under their respective jurisdictions;

3. Provide programs for the OSYs, including back-to-school transition, enrolment in the ALS or TVET, provision of counseling, and mental and reproductive health services in the barangay, municipal, and city levels; and

4. Set targets on the number of OSYs to be back in school, enrolled in ALS or TVET, and availed of the social protection programs:

Provided, That the LGUs shall, through the Community Training and Employment Coordinators or duly designated LGU personnel, monitor the progress and development of the OSYs in the chosen technical vocational course by requiring the technical vocational institutions to submit, among others, regular enrollment and completion reports of the programs being implemented.

(f) The Department of Agriculture (DA) through the Philippine Council for Agriculture and Fisheries shall, in coordination with LGUs and DA, ensure the inclusion of the OSYs through their organizations to be represented in the agriculture and fishery councils from the national down to the regional and local levels to ensure full engagement of OSYs in agricultural development.

SEC. 23. Role of Non-Government Organizations. - NGOs or private volunteer organizations dedicated to promoting, enhancing, and supporting the welfare of OSYs are hereby encouraged to become government partners in implementing programs and projects for the OSYs.

CHAPTER IX FINAL PROVISIONS

SEC. 24. Punishable Acts and Penalties. - The following acts shall be deemed violations of this Act with the following corresponding penalties: (1) Discrimination against OSYs by private corporations, entities, and individuals; (2) Discrimination in wages, condition of work, and employment opportunities; and (3) Non-compliance with the mandatory coverage by employers of health, accident, and 30 life insurance.

- 1 (a) For the first violation, imprisonment of not less than six (6) months but not
2 more than two (2) years and a fine of not less than Fifty thousand pesos
3 (P50,000.00) but not more than One hundred thousand pesos (P100,000.00);
4 (b) For any subsequent violation, imprisonment of not less than two (2) years but
5 not more than six (6) years and a fine of not less than One hundred thousand
6 pesos (P100,000.00) but not more than Two hundred thousand pesos
7 (P200,000.00);
8 (c) For any person who avails of any of the benefits and privileges under this Act
9 but who is not qualified to avail of the same, imprisonment of not less than six
10 (6) months and a fine of not less than Fifty thousand pesos (P50,000.00) but
11 not more than One hundred thousand pesos (P100,000.00); and
12 (d) If the offender is a corporation, organization, or any similar entity, the officials
13 thereof directly involved in the violation or abuse shall be held liable.
14

15 If the offender is an alien or a foreigner, the person shall be deported immediately
16 upon service of sentence without further proceedings.
17

18 Upon filing of the appropriate complaint or information, the proper authorities
19 shall, in coordination with the concerned LGU, cause the cancellation or revocation of the
20 business permit, permit to operate, franchise, and other similar privileges granted to any
21 business, entity, or person that fails to abide by or violates the provisions of this Act.
22

23 **SEC. 25. Appropriations.** - The amount necessary for the initial implementation
24 of this Act shall be charged against the current year's appropriation of the departments
25 and agencies concerned. Thereafter, such amount shall be included in the annual General
26 Appropriations Act.
27

28 The LGU concerned may set aside funds from any local revenue an amount
29 deemed appropriate for the implementation of this Act.
30

31 **SEC. 26. Implementing Rules and Regulations.** - The NYC, the members of the
32 Advisory Council created under Republic Act No. 8044, TESDA, and CHED shall, not later
33 than thirty (30) days upon the effectivity of this Act, promulgate the necessary rules and
34 regulations for the effective implementation of this Act: Provided, That failure to
35 promulgate the rules and regulations shall not prevent the implementation of this Act
36 upon its effectivity
37

38 **SEC. 27. Separability Clause.** - If any part or provision of this Act is held invalid
39 or unconstitutional, the other provisions not affected thereby shall remain in full force
40 and effect.
41

42 **SEC. 28. Repealing Clause.** - All laws, executive orders, issuances, decrees, rules,
43 and regulations inconsistent with or contrary to the provisions of this Act are deemed
44 amended, modified or repealed accordingly.
45

46 **SEC. 29. Effectivity.** - This Act shall take effect fifteen (15) days after its
47 publication in the Official Gazette or in a newspaper of general circulation.
48

49 Approved.