

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
TWENTIETH CONGRESS
First Regular Session
House Bill No. 3704



Introduced by Representative

BRIAN DANIEL POE LLAMANZARES, PhD, MNSA

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

The youth are the nation’s most valuable resource, embodying the promise of our country’s future. However, a significant portion of our young people remain outside the formal education system, lacking stable employment or training opportunities. These **Out-of-School Youth (OSY)**—also referred to internationally as *Youth Not in Education, Employment, or Training (NEET)*—face heightened risks of poverty, social exclusion, and diminished life prospects. Addressing their needs is not only a matter of social justice but also a strategic investment in national development.

The National Youth Commission (NYC), pursuant to its mandate under Republic Act No. 8044 or the “Youth in Nation-Building Act,” has identified the passage of a **Magna Carta of the Out-of-School Youth** as the top legislative priority in the Philippine Youth Development Plan 2023–2028. This bill represents the culmination of extensive multi-sector consultations, including focus group discussions with over 300 OSY representatives from Luzon, Visayas, and Mindanao, and a writeshop involving government agencies, civil society organizations, and international development partners.

This proposed measure establishes a comprehensive rights-based framework for protecting, empowering, and enabling OSYs to reintegrate into society as productive citizens. Among its salient provisions are:

1. **Recognition and Protection of Rights** – Ensuring OSYs are free from discrimination and are given preferential treatment in access to education, employment, health care, and social services.
2. **Clear and Standardized Definition of OSY** – Adopting the NEET framework while retaining the term “OSY” to maintain public understanding and legislative continuity.
3. **Prevention and Early Intervention** – Identifying *Children-at-Risk of Becoming OSY* and implementing measures to keep them in school.
4. **Access to Education and Training** – Mandating technical-vocational education, reserving at least 5% of CHED scholarships for OSYs, and streamlining requirements for admission.
5. **Employment and Livelihood Opportunities** – Providing tax incentives to employers who hire OSYs and facilitating entrepreneurship programs through the DTI and other agencies.
6. **Health and Social Protection** – Ensuring access to comprehensive health services and targeted support for OSYs in especially difficult circumstances.
7. **Local and National Coordination** – Establishing OSY databases at the local level, integrating OSY concerns in development plans, and creating an OSY Coordination Council to harmonize interventions.
8. **Community Engagement** – Institutionalizing OSY representation in local youth councils and ensuring their participation in governance and program design.
9. **Integrity Safeguards** – Implementing penalties for falsification of OSY status or certification to protect resources from misuse.

The ultimate objective of this measure is the eradication of the OSY classification, ensuring that no Filipino youth is left without access to learning, livelihood, and life opportunities. It contains a sunset provision rendering the Act inoperative once no OSYs have been identified for three consecutive years, with automatic reinstatement should any new OSY be reported.

In line with the constitutional mandate to promote the welfare of the youth and the State’s duty to provide equal opportunities for all, the passage of this bill will not only address the urgent plight of our OSYs but also harness their potential for nation-building.

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



HON. BRIAN DANIEL POE LLAMANZARES, PhD, MNSA

Representative

FPJ Panday Bayanihan Party-List

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CHAPTER I
GENERAL PROVISIONS

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

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

SECTION 3. Objectives. – The objectives of this Act are as follows:

- a) To recognize, protect, and promote the rights of the OSYs;

- b) To encourage, empower, and enable OSYs to contribute to nation-building;
- c) To give full support to the improvement of the total well-being of the OSYs by providing learning and employment opportunities as well as the needed social services and interventions with the goal of becoming self-reliant;
- d) To provide OSYs with the opportunity to learn and practice their culture without fear of discrimination;
- e) To recognize the important role of the private sector in improving the welfare of the OSYs and to actively seek their partnership;
- f) To return to formal or non-formal education as the primary intervention, if the OSY is below 18 years of age; and

- g) To implement policies and programs with the ultimate goal of creating a nation whereby no youth can be classified as an OSY.

CHAPTER II

DEFINITION OF TERMS

SECTION 4. 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.

SECTION 5. Out-of-School Youth (OSY) – refers to a member of the population aged fifteen (15) to thirty years (30) old who is not gainfully and sustainably employed, has not been enrolled in an educational institution within the immediately preceding period of at least six months, and has not completed formal or non-formal secondary or technical vocational education. They can also be referred to as Youth Not in Education, Employment or Training (NEET).

Employment shall be considered gainful and sustainable if the individual has maintained employment for a continuous period of at least six months while being paid a living wage.

SECTION 6. Children-at-Risk of Becoming OSY (CRB-OSY) – refers to those within schooling age below 18 years old who are at risk to become an OSY due to factors including but not limited to:

- a. Family income is below the poverty threshold;
- b. Solo parent family;
- c. Youth abandoned or neglected by their parents;

- d. Consistently absent and unenrolled youth for long periods of time, especially pregnant girls and teenage parents; and
- e. Former OSY.

The Department of Education (DepEd), Commission on Higher Education (CHED), and Technical Education and Skills Development Authority (TESDA) shall identify additional factors that shall be considered in determining who may qualify as Children-at-Risk of Becoming OSY (CRB-OSY).

SECTION 7. Out-of-School Youth from Especially Difficult Circumstances - refers to OSYs who are in especially difficult circumstances such as victims of sexual, physical, mental, and economic abuse, illegal recruitment, prostitution, trafficking, armed conflict, hit by natural disasters and man-made calamities, persons with disabilities (PWD), OSYs in conflict with the law, displaced due to the implementation of government regulations, and such other related circumstances which have caused functional incapacity in society.

SECTION 8. 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.

SECTION 9. TVET Graduate – refers to a student or trainee who has completed the requirements set for a TESDA-registered TVET course or program.

CHAPTER III

RIGHTS

SECTION 10. Human Rights of Out-of-School Youth. – An OSY shall enjoy, without discrimination, all rights provided for in the Constitution, Philippine laws, ordinances, duly promulgated issuances, and those rights recognized under international instruments duly ratified by the Philippines and generally accepted principles of international law.

SECTION 11. Non-Discrimination. – OSYs shall be protected against any discriminatory practice on the sole basis of their status as such. This shall include any discriminatory practice that shall hinder or otherwise minimize their participation in or access to education, employment, entrepreneurship, healthcare, justice, local governance, community-building, and other services.

SECTION 12. Representation. – OSYs shall have the right to be dignifiedly represented within the appropriate government structure, non-government bodies, and other concerned private entities. The sector's issues and concerns shall also have the right of representation in media, film, and such other platforms as may be present.

SECTION 13. Special Protection. – OSYs shall have the right to be protected from violence and all forms of abuse, such as sexual, emotional, mental, economical, and physical abuse, illegal recruitment, prostitution, trafficking, and armed conflict. Furthermore, CRB-OSYs and OSYs in especially difficult circumstances shall be provided with services and interventions as necessary.

SECTION 14. Recognition and Preservation of Cultural Identity and Integrity. – The rights of Moro OSY and of OSY belonging to indigenous cultural communities to practice, promote, protect, and preserve their own culture, traditions, and institutions and to consider these rights in the formulation and implementation of national policies and programs shall be upheld. Institutions should provide access to educational opportunity

skills training, ALS and livelihood programs that are culturally relevant and sensitive to their unique circumstances

Provided, these cultural systems and practices do not discriminate against other OSYs who do not belong to the Moro or Indigenous Peoples.

SECTION 15. Preferential Treatment. – In order to achieve societal equity, economically marginalized OSYs and OSY from especially difficult circumstances, shall receive the right to preferential treatment in terms of the creation and implementation of policies, programs, and projects, with reference to the following:

- a) **Education.** OSYs shall have the right to be provided access to formal, informal, and non-formal learning opportunities, including but not limited to, scholarship programs, alternative education programs, vocational training, skills development, and literacy programs. Further, support shall also be provided to facilitate the reintegration of OSYs into formal or non-formal educational pathways.
- b) **Employment.** OSYs shall have the right to decent work and general labor standards, a framework for maintaining order, promoting safety, and ensuring ethical conduct in the workplace, after completing the ALS or TVET. Furthermore, OSYs have the right to be protected against extremely hazardous and exploitative labor practices.
- c) **Entrepreneurship.** OSYs shall have the right to be provided with support for business development through policies, projects, and programs, including but not limited to, programs involving training, mentorship, and financial assistance to support the entrepreneurial endeavors of OSYs.

- d) **Engagement.** OSYs shall have the right to exercise active citizenship, including but not limited to, community building and governance, civic engagement, volunteerism, and leadership development. Such participation shall be encouraged and supported through relevant policies, projects, and programs.
- e) **Health.** OSYs shall have the right to access comprehensive health services, including physical, mental, and reproductive health care. This shall include, but shall not be limited to, available and affordable health services tailored to the needs of OSYs, including counseling, preventive care, and other forms of psychosocial support.
- f) **Social Services.** OSYs shall be protected from systemic vulnerabilities and challenges, and shall have the right to the development and implementation of social services.

CHAPTER IV PREVENTION

SECTION 16. Formal and Non-formal Education Institutions. – Formal and non-formal educational institutions shall, at the end of every semester, identify students who may qualify as CRB-OSYs and report to their respective LGUs and DepEd, TESDA, or CHED, as applicable. Data collected will strictly be used only for the benefit of CRB-OSYs or OSYs.

Private and Public formal and non-formal educational institutions shall promulgate internal guidelines for a referral system for CRB-OSYs, which shall include guidance counseling, career development support, and referral to ALS and TVET courses.

SECTION 17. Local Government Units – Local Government Units (LGUs), through the Local School Boards, in collaboration with the Public Employment Service Offices (PESOs), shall develop a OSY Reporting Mechanism that shall allow stakeholders in formal and non-formal educational institutions to identify students who may qualify as CRB-OSYs.

SECTION 18. Local OSY Database, Reporting, and Monitoring - Local Governments, through the Local Youth Development Officer (LYDO) and Sangguniang Kabataan Councils, shall identify and track the number of OSYs and CRB-OSYs within their jurisdiction. The database shall be based on, including but not limited to, the Katipunan ng Kabataan Barangay Profiling, OSY Reporting Mechanism, data collected by formal and non-formal educational institutions, the Public Employment Service Office of the Department of Labor and Employment, and local Social Welfare Development Office in full compliance of Republic Act No. 10173 or the “Data Privacy Act”. The database shall be submitted to NYC on an annual basis.

The report should also be presented to the Local and Regional Development Council meetings for intervention and monitoring.

SECTION 19. Local Government Support for CRB-OSY - LGUs, through the Local School Boards, may allocate their Special Education Fund Tax to assist CRB-OSYs in their database including but not limited to:

- a) Subsidy to pay for their school fees;
- b) Provision of transportation allowance;
- c) Provision of meals allowance;
- d) Provision for textbook and materials allowance and
- e) Subsidy for training expenses

Furthermore, LGUs, with formal and non-formal educational institutions, shall develop and implement programs that will prevent the increase and likelihood of OSYs including, but not limited to issues on teenage pregnancies, early parenthood, early marriages, mental health, discrimination, and bullying.

SECTION 20. Sexual and Reproductive Health Education - Formal and non-formal educational institutions shall provide age appropriate sexual and reproductive health education to CRB-OSY, OSYs, and youth in general.

SECTION 21. Protection Against Discriminatory Practices – Formal and non-formal educational institutions shall not dismiss or prohibit the enrollment of youth for the sole reason of their early pregnancy and youth parenthood. These institutions shall develop a special curriculum to allow the continued schooling of pregnant children, pregnant adolescents, and youth parents. Sexual orientation, gender identity and expression, religious belief, and indigenous and cultural traditions of OSYs and the youth shall also be protected and no institution shall use it as a basis for any disciplinary action, suspension, refusal of admission, or expulsion from any educational institution or program.

SECTION 22. Government Agencies – The Department of Education, Commission on Higher Education, Technical Education And Skills Development Authority, National Commission on Indigenous Peoples, Department of Labor and Employment, Commission on Population, Department of Health, and the Department of Social Welfare and Development shall develop and conduct other programs to support CRB-OSYs.

Furthermore, DSWD shall consider the inclusion of households or institutions housing CRB-OSY in the Pantawid Pamilyang Pilipino Program.

CHAPTER V

GOVERNMENT ASSISTANCE AND SUPPORT

SECTION 23. Government Assistance. - The National Government, through its agencies and instrumentalities shall provide the following:

- a. Education - The DepEd, TESDA, and the CHED, in consultation with the non-government organizations (NGOs), shall institute programs and implement policies that will ensure access of OSYs to formal and non-formal education;
- b. Health - The Department of Health (DOH), in coordination with local government units (LGUs) and NGOs, shall institute a national health program and provide an integral health service for OSYs;
- c. Social Service and Social Protection - The Department of Social Welfare and Development (DSWD), in cooperation with the LGUs, NGOs, and other relevant stakeholders shall develop and implement programs on social services for out-of-school youth while the National Anti-Poverty Commission and concerned agencies shall institute for the OSYs policies and programs that seek to reduce poverty and vulnerability to risks by mandating their employers to provide mandatory life, accident, and health insurance coverage.
- d. Employment - The Department of Labor and Employment (DOLE), in coordination with other government agencies such as the Department of Trade and Industry (DTI) and TESDA, shall assess, design, and implement training programs that will provide skills and welfare or livelihood support for OSYs.

SECTION 24. Local Government Support for OSY - LGUs, through the Local School Boards, may allocate their Special Education Fund Tax, in addition to other sources of funds, to assist OSYs in their database including but not limited to:

- f) Subsidy to pay for their school fees, provided ;
- g) Provision of transportation allowance;
- h) Provision of meals allowance;
- i) Provision for textbook and materials allowance and
- j) Support for training materials expenses

LGUs shall identify a percentage of their available scholarships reserved for OSY and CRB-OSY, provided that, no LGU shall allocate no lower than 30% of its scholarships to OSYs.

SECTION 25. Consideration and Integration of OSY in Development Plans and Frameworks. - The issue of OSY shall be considered and integrated in the different development plans and frameworks of the identified government agencies and local government units, such as but not limited to the Comprehensive Barangay Youth Development Plan, Local Youth Development Plan, Philippine Development Plan, and the Philippine Youth Development Plan.

SECTION 26. Certification of OSY Status. - A certification from the Barangay, Sangguniang Kabataan, or formal and non-formal educational institutions shall be the basis for OSYs to avail of programs, benefits, and privileges provided to OSY. This certification shall be free of charge. Failure to provide certification shall be considered a violation of this Act and punished under the penalties provided hereof.

CHAPTER VI
MANDATORY TECHNICAL AND
VOCATIONAL EDUCATION

SECTION 27. Alternative Learning System. – DepEd shall make ALS widely available, accessible, and free of charge to OSYs to earn and complete their basic and secondary education. Educational institutions shall not withhold requirements for enrollment in ALS, such as but not limited to the academic or training records of students who dropped out of school. Completion of the ALS program shall amount to earning the equivalent level in formal education, as mandated by Republic Act No. 11510 or the “Alternative Learning System Act.”

DepEd shall ensure that all Accreditation and Equivalency Programs (A&E Program) as mandated by the Alternative Learning System Act are fully functional within two (2) years from the passage of this law. A mandatory review of the A&E Program shall be implemented upon every major update of the Basic Education Curriculum.

For OSYs who are under the care and custody of a home or an institution managed or accredited by DSWD and the Department of Interior and Local Government (DILG), the latter shall coordinate with the DepEd for the provision of an ALS within its premises.

SECTION 28. TESDA Support. The TESDA shall prioritize and provide technical and vocational education services to OSYs free of charge. TESDA shall accept ALS certification of completion as proof of reaching equivalent level in formal education as the basis for admission. TESDA shall assign officials and staff at the central and local levels to develop, implement, promote, and monitor technical or vocational education opportunities for OSYs.

SECTION 29. Promotion to Formal Tertiary Education. – Upon completion of basic education in either formal or non-formal institutions, DepEd or LGUs shall endorse OSYs who are interested in pursuing formal tertiary education to CHED. CHED shall ensure that at least 5% of the total scholarships provided shall be reserved to OSYs, provided, this percentage shall be reviewed and agreed upon annually by the Coordination Council based on the data gathered and submitted. Provided further, the percentage shall be based on the ratio of the OSY population vis-a-vis the in-school youth population. Educational institutions shall not withhold requirements for enrollment in Tertiary Education, such as but not limited to the academic or training records of students who dropped out of school.

CHED shall facilitate the access of the OSY to scholarships under either Republic Act No. 10931, otherwise known as the “Universal Access to Quality Tertiary Education Act” or Republic Act No. 10687, otherwise known as the “Unified Student Financial Assistance System for Tertiary Education (UniFAST) Act.” CHED shall set and streamline documentary and other requirements for admission of OSYs, considering their special circumstances.

SECTION 30. Entrepreneurial Education. – The Department of Trade and Industry (DTI) shall, in coordination with DOLE, DepEd, CHED, TESDA, other relevant government agencies, and private sector entities, conduct training programs to provide the OSYs with the knowledge, skills, and motivation to engage in entrepreneurial endeavors in a variety of settings. These programs shall include small business management, new approaches to innovation, participation in the digital gig economy, developing creativity or the introduction of new products or services to the markets, and providing aid to nascent entrepreneurial undertakings to grow and sustain the business of the OSYs.

SECTION 31. Education Cost and Support. – DepEd and TESDA shall provide ALS and technical and vocational education services to OSYs free of charge. It shall likewise provide materials, instruments, and tools that the OSYs may need while enrolled in ALS or a technical/vocational course, and financial support to cover transportation and other related costs for the duration of training. LGUs, Sangguniang Kabataan (SK), government agencies, non-government organizations, the private sector, the academe, and other duty bearers to ensure that OSYs will be supported when undergoing their studies or training such as but not limited to, providing support in the development of learning hubs, transportation, and learning materials.

CHAPTER VII

EMPLOYMENT AND ENTREPRENEURIAL FACILITATION

SECTION 32. Employment. – OSYs who have the capacity and desire to work shall be provided employment opportunities to enable their transition as productive members of society. Employers shall not discriminate against the selection of OSYs, ALS learners and graduates, and TESDA students and graduates, who meet the necessary job qualifications.

Section 33. Covered Governmental Transactions. - No fees and other charges shall be collected from first-time OSY jobseekers when obtaining the following.:

- (a) Police clearance certificate;
- (b) National Bureau of Investigation clearance;
- (c) Barangay clearance;
- (d) Medical certificate from a public hospital, provided that fees and charges collected for laboratory tests and other medical procedures required for the grant of a medical certificate shall not be free of charge;
- (e) Birth Certificate;

- (f) Marriage Certificate;
- (g) Transcript of academic records issued by state colleges and universities;
- (h) Tax Identification Number (TIN);
- (i) Unified Multi-Purpose ID (UMID) card and
- (f) professional driver's license,

SECTION 34. Entrepreneurial Facilitation. – The DTI shall establish a community-based method of addressing the needs and barriers facing OSY entrepreneurs. The objective of entrepreneurial facilitation is to encourage and retain a diverse and robust local entrepreneurial economy that leads to more opportunities for OSYs. The DTI shall coordinate the entrepreneurial facilitation with the LGUs, SKs, institutionalized OSY development alliances, and its members.

SECTION 35. Entrepreneurship Training. – The DTI, in coordination with TESDA, LGUs, Local Economic and Investment Promotions Offices, and other relevant government agencies, shall conduct skills and training programs, and strengthen initiatives on youth entrepreneurship to provide OSYs with knowledge, skills, and opportunities to engage in entrepreneurial endeavors. These programs shall include:

- a. Institutionalization and localization of a comprehensive youth entrepreneurship and financial literacy training program;
- b. Facilitation of learning of new and sustainable approaches to innovation and business management through engagement with the private sector, private or non-government organizations;
- c. Regular skills enhancement training and mentorship or coaching sessions for youth business owners;
- d. Increasing access of OSYs to start-up support and capital, microfinancing/microcredit, and loan for businesses through specific targeting and provision of slots directly for them;

- e. Coordination with the private sector institutions to build networks of partner businesses; and
- f. Creation of entrepreneurship modules, in coordination with the National Youth Commission, for implementation by Barangay and SK officials within their respective jurisdictions.

SECTION 36. Right To Decent Work. – DOLE, in coordination with DepEd, and TESDA, shall ensure general labor standards for OSYs who have graduated from secondary education (formal and ALS) and TVET courses, including the following minimum guarantees:

- a. Local job generation and employment, economic opportunities, and providing strict regulations against forced and involuntary displacement;
- b. Protection of the rights and promotion of the welfare of migrant secondary education (formal and ALS) and TVET graduates regardless of work status, and protection against discrimination in wages, conditions of work, and employment opportunities in host countries; and
- c. Opportunities for work shall be productive and fairly remunerative as family living wage in adherence to local wage board, security of tenure in the workplace, and better prospects for personal development and social integration.

SECTION 37. Mandatory Provision of Records. – Educational and training institutions shall provide OSYs academic and/or training records within 15 days to facilitate the employment or further education of OSYs. Any cost relating to such matter shall be shouldered by the local governments through the Special Education Tax Fund.

SECTION 38. OSY Government Internship Program. – OSYs shall be given access to the Government Internship Program. The DOLE shall ensure that OSYs are informed of the availability and requirements of the program.

SECTION 39. Benefits for Entities Employing OSY. – Private entities that will employ OSY as employees, upon the effectivity of this Act, shall be entitled to an additional deduction from their gross income, equivalent to fifteen percent (15%) of the total amount paid as salaries and wages to qualified OSY within the first six (6) months of their employment, subject to the provision of Section 34 of the NIRC, as amended: Provided, however, That such employment shall continue for a period of at least six (6) months: Provided, further, That the annual income of the OSY does not exceed the latest poverty threshold as determined by the Philippine Statistics Authority. Private entities that will employ OSY as employees shall also be entitled to a discount on the application of business permits.

CHAPTER VIII

HEALTH SUPPORT

SECTION 40. Health. – The Department of Health (DOH) shall, in coordination with LGUs, and other relevant stakeholders, shall develop and implement a national health program and provide comprehensive and integrated health services tailored to the needs of OSY. DOH shall undertake the following:

- a. Create and implement policies and programs that increase equitable access to health services such as:
 - i. Medical and psychosocial support, including accessible mental healthcare, family and peer-driven counseling, and support for domestic abuse;
 - ii. Adolescent sexual and reproductive healthcare;
 - iii. Support for substance abuse covering prevention, drug education, drug awareness, and rehabilitative support;
 - iv. Occupational healthcare and special protection in hazardous environments; and
 - v. Social health insurance coverage.

- b. Conduct health education, comprehensive sexual education, and awareness campaigns to disseminate information regarding health issues and concerns relevant to OSYs and their families.
- c. Organize training and facilitate re-tooling of healthcare services to offer confidential and non-judgmental healthcare on highly sensitive health issues, focusing on reproductive health, mental health, substance abuse prevention, social work, and other relevant issues.
- d. Integrate health services into other programs targeting OSYs, such as education, sports development, vocational training, community development, and similar initiatives.
 - a. Provide accessible basic health services to the dependents of the OSYs, if any.

SECTION 41. Nutrition. – The DOH, through the National Nutrition Council, shall coordinate with the Local Health Boards on the conduct of information campaigns on a healthy and nutrient rich diet for parents of OSYs, and CRB-OSY, and solo parent OSYs. The DepEd shall also implement nutrition programs to students in non-formal educational institutions.

CHAPTER IX

SOCIAL SERVICES AND SOCIAL PROTECTION

SECTION 42. Social Services. The DSWD, in cooperation with NGAs, LGUs, and other relevant stakeholders, shall develop and implement a national program on social services for OSYs and OSYs in especially difficult circumstances, the components of which are:

- a. Social Enhancement Services, which provide OSYs with opportunities for socializing, organizing creative expression, and improvement of self;

- b. After Care Services that provide support for OSYs who are discharged from the homes or institutions of the DSWD, and other private institutions duly accredited by the DSWD, especially those who have problems with reintegration with family and the community;
- c. Creation of projects, policies, and programs that provide access to social enhancement services, including organizing, creating expression, self-improvement, promotion of well-being, and decreasing the stigma that surrounds OSYs;
- d. Social Case Management that includes a comprehensive, updated list and detailed profile of all known OSYs in the respective localities to provide age-appropriate social service interventions
- e. Ensure the implementation of the human rights of OSYs in social protection programs, including but not limited to intervention and diversion programs aligned with the Juvenile Justice and Welfare Act;
- f. Special programs and policies for OSY from indigenous communities covering financial assistance, folding into the Comprehensive Program for Children and Families in Street Situations, and Indigenous People, and following the Indigenous Peoples Participation Framework (IPPF); and
- g. Review, monitor, and evaluate programs targeting OSYs and report its effectiveness to the Coordinating Council.

SECTION 43. Social Protection. The National Anti-Poverty Commission (NAPC) and DSWD shall institute policies and programs, respectively, that seek to reduce the poverty and vulnerability to risks of OSYs by protecting them against the financial hazards of a sudden loss of income and improving their capacity to manage risks.

CHAPTER X

OSY ENGAGEMENT

SECTION 44. Engagement. The NYC, in coordination with the SKs, and Local Youth Development Councils (LYDC) and the Local Youth Development Offices (LYDO), shall fund, ensure, and encourage the engagement and participation of OSYs in community activities and decision-making. It shall institute initiatives such as:

- a. Election of at least one (1) OSY-led organization registered under the Youth Organization Registration Program (YORP) to the LYDC to ensure inclusion and representation of OSYs in local youth development, provided in areas where LGUs do not have OSY-led organizations, the LGUs through the LYDO and SKs shall take the lead in forming such organization and provide technical assistance in their operations and sustainability.;
- b. Capacitate SK officials and LYDC representatives on planning and implementation of OSY programs and activities;
- c. Submission of Annual Situationer Report on OSYs per LGU to ensure that policies and programs are being developed and implemented;
- d. Consultation or town hall sessions with OSYs as part of the assessment of their needs and to determine their advocacies;
- e. Ensure inclusion of OSY-related programs and initiatives in the Local Youth Development Plan and Annual Investment Program per LGU and the Comprehensive Barangay Youth Development Plan (CBYDP) and Annual Barangay Investment Program ;
- f. Initiate and implement, in coordination with concerned government agencies and departments, private or non-governmental organizations, and in consultation with OSYs, programs, and projects designed to promote the general welfare, development, and empowerment of the OSYs; and
- g. Promote participation and involvement of OSYs in all youth activities at the local and national level.

CHAPTER XI

ESPECIALLY DIFFICULT CIRCUMSTANCE

SECTION 45. Programs for OSY in Especially Difficult Circumstances. - OSYs who are in especially difficult circumstances shall be provided with services and interventions as necessary such as:

- a. Temporary protective custody;
- b. Medical and dental services;
- c. Psychological evaluation;
- d. Counseling;
- e. Psychiatric evaluation;
- f. Legal services;
- g. Productivity skill capacity building;
- h. Livelihood assistance;
- i. Financial assistance;
- j. Life skills training; and
- k. Health education and information.

SECTION 46. Inter-Agency Support. - The NYC, in coordination with the DSWD, DOJ, DOH, DepEd and the Advisory Council created under R.A. No. 8044, and concerned LGUs shall lead in facilitating, implementing, monitoring and planning programs for the rehabilitation of OSYs.

SECTION 47. Duty of the LGU. - It is the duty of the LGU where the OSY resides to deliver the necessary services and interventions under their respective jurisdictions.

CHAPTER XII

ADMINISTRATION AND ENFORCEMENT

SECTION 48. Creation of the OSY Coordination Council to Provide Special Protection for Out-of-School Youth – To ensure effective coordination and collaboration among the relevant government agencies and stakeholders involved in providing support and interventions for OSY in the Philippines, a Coordination Council to Provide Special Protection for Out-of-School Youth, hereinafter called the Coordination Council, is hereby created with the following powers and functions:

- a) Monitor and coordinate the performance and implementation of mandates of concerned agencies, such as, but not limited to, the NYC, DepEd, DSWD, among others;
- b) Establish policies and procedures for coordination among agencies involved in the implementation of this Act;
- c) Submit reports and recommendations to the Congressional Committees on Youth and Finance on the implementation of this Act;
- d) Provide policy recommendations to agencies involved in the implementation of this Act to ensure the efficient and effective implementation of this Act.

Within three (3) months from the effectivity of this Act, the Coordination Council shall convene and draft a manual of procedures containing the rules for the conduct of meetings and decision-making, among others.

SECTION 49. Lead Agency. – The NYC shall oversee and ensure the implementation of the provisions of this Act in coordination with the agencies that shall comprise the inter-agency Coordination Council, and shall have the power to issue other policies, rules, regulations, and standards for such implementation. In line with this mandate, the NYC shall convene and lead the inter-agency Coordination Council.

SECTION 50. Composition of the Coordination Council – The Coordination Council shall be composed of the following:

- a) NYC as Chairperson of the Coordination Council;
- b) Department of Education as Vice-Chairperson;
- c) One (1) representative from each of the following agencies:
 - i) DSWD;
 - ii) CHED;
 - iii) TESDA;
 - iv) DOH;
 - v) DILG;
 - vi) DTI;
 - vii) NAPC
 - viii) DOLE;
 - ix) DOJ; and
 - x) National Commission on Disability Affairs (NCDA)
 - xi) National Commission on Indigenous People (NCIP)
 - xii) Council on the Welfare of Children (CWC)
 - xiii) Philippine Statistics Authority (PSA)
 - xiv) National Economic and Development Authority (NEDA)

The Department Secretaries or Chairpersons may designate permanent and alternate authorized representatives to the Coordination Council

- d) Three (3) sectoral representatives from OSY organizations (one each from Luzon, Visayas, and Mindanao), to be approved by the Coordination Council Chairperson and Vice-Chairperson, and
- e) Representatives from civil society and the private sector, to be approved by the Coordination Council Chairperson and Vice-Chairperson.

The Commission on Human Rights shall act as Observer for all meetings of the Council.

The Coordination Council, upon a vote of majority members present in a meeting, shall have the power to add other national government agencies, commissions, councils, or entities as members, provided that none of the existing members object to such. Provided further, such objection can be overridden by $\frac{3}{4}$ votes of the current composition of membership, if found to be unreasonable.

SECTION 51. Term. – The sectoral, civil society, and private sector representatives shall serve for a term of three (3) years. Any member of the Coordination Council may, upon observance of due process and completion of proper investigation, be suspended or removed by the Chairperson from office for cause, such as such as gross neglect of duty, unethical or dishonorable conduct, final conviction of any crime involving moral turpitude, any act of graft and corruption, provided, that, a majority of members of the Coordination Council may vote to suspend or remove the Chairperson or Vice-Chairperson for cause.

The members of the Coordination Council shall receive per diem at rates to be determined by the Department of Budget and Management (DBM), in accordance with existing rules and regulations.

SECTION 52. Coordination Council Responsibilities. – The Coordination Council shall:

- a) Coordinate and align programs, policies, strategies, and activities to enforce the provisions of this Act, as applicable;
- b) Monitor and evaluate the implementation of this Act;
- c) Develop and regularly implement a nationwide information, education, and communications (IEC) campaign to raise awareness about this Act and the need to provide special protection and support for OSY;

- d) Ensure that strategies specific for OSYs are integrated in the Philippine Youth Development Plan; and
- e) Develop and implement programs and activities to build the capacity of the Coordination Council members to fulfill their mandates and functions under this Act.

The Coordination Council may, as necessary, coordinate and collaborate with other government agencies, private entities, civil society and non-government organizations, and individual experts that have relevant mandates and/or expertise that may be useful to accomplish its functions under this Act.

SECTION 53. Meeting Frequency and Reporting. – The Coordination Council shall convene at least quarterly, and often as needed, to assess the progress of implementation of this Act, address challenges, and develop strategies for improvement.

SECTION 54. Info Dissemination. - The Council shall develop information education communication materials on programs for the benefit of OSYs and effective communication strategies for their dissemination on programs for OSYs based on the report submitted by the different members of the Council.

SECTION 55. Roles and Responsibilities of Concerned Agencies. – In addition to those mentioned above, the following agencies shall perform the following additional duties and responsibilities:

- a) The NYC shall:
 - (1) Establish and maintain an updated database of OSYs at the national and local levels;
 - (2) Assess the needs of the OSYs and recommend to concerned agencies the necessary interventions to address them;

- (3) Capacitate the Sangguniang Kabataan (SK), Task Force on Youth Development, and Local Youth Development Council (LYDC) to implement the provisions of this Act at the local level; and
- (4) Coordinate with concerned government agencies, private or NGOs, the necessary programs and projects designed to promote the general welfare, development, and empowerment of the OSYs as part of the multi-stakeholder plan of action for the OSYs.

b) The DepEd, CHED, and TESDA shall:

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

c) The Local Social Welfare and Development Officer.- The Local Social Welfare and Development Officer shall:

- (1) Draw up a list of available and required services which can be provided for OSYs;
- (2) Maintain and regularly update on an annual basis the list of OSYs and to issue nationally uniform Individual Identification cards free of charge, which shall be valid anywhere in the country;
- (3) Serve as a focal person on the dissemination of general information and feedback in regard to the needs of the OSYs;
- (4) Report to the Mayor, any individual, establishment, business entity, institution, or agent found violating any provision of this Act;
- (5) Coordinate with the Coordination Council to ensure compliance with the provisions of this Act; and

- (6) Monitor the compliance of government institutions as well as private establishments to prominently display information materials such as posters, banners and pamphlets that will generate public awareness on the rights and welfare of OSYs

d) The SK, LYDO, and LYDC shall:

- (1) Initiate and implement, in coordination with concerned government agencies, private or NGOs, programs and projects designed to promote the general welfare, development, and empowerment of the OSYs;
- (2) Promulgate resolutions, in consultation with the Katipunan ng Kabataan, necessary to carry out the objectives for the OSYs in the barangay;
- (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, enrollment 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.

SECTION 56. Commission on Human Rights. – The Commission acting as the OSY Ombudsman, consistent with its mandate, shall undertake measures such as the following:

- (a) Monitor with the NYC and other state agencies, among others, in developing indicators and guidelines to comply with their duties related to the human rights of OSY

- (b) Designate one (1) commissioner to be primarily responsible for formulating and implementing programs and activities related to the promotion and protection of the human rights of women, including the investigations and complaints of discrimination and violations of their rights brought under this Act and related laws and regulations;
- (c) Establish guidelines and mechanisms, among others, that will facilitate access of OSY and CRB-OSY to legal remedies under this Act and related laws, and enhance the protection and promotion of the rights of women, especially marginalized women;
- (d) Assist in the filing of cases against individuals, agencies, institutions, or establishments that violate the provisions of this Act; and
- (e) Recommend to the President of the Philippines or the Civil Service Commission any possible administrative action based on noncompliance or failure to implement the provisions of this Act.

SECTION 57. Reporting. – All concerned agencies shall also report to the Coordinating Council as to the status of the implementation of all mandates assigned, agreed upon by the Coordinating Council, and provided in this law, including but not limited to:

(1) The DepEd, CHED, and TESDA shall provide a report detailing the following:

- (a) Number of CRB-OSY, and OSYs
- (b) Number of former CRB-OSY and OSYs and the program they transitioned into
- (c) Number of CRB-OSYs and OSYs currently enrolled in ALS and TVET

- (2) DOLE shall report on the existing work standard for OSYs in coordination with LGUs, relevant offices, and organizations.
- (3) DOH shall report the number of OSYs currently enrolled in the national health program.
- (4) DSWD shall report on best practices identified by the LSWO on OSY prevention and protection.

The NYC shall consolidate the reports submitted to the Coordinating Council and report to the Office of the President and to the Senate and House Committees on Youth on the Status of OSYs in the country.

SECTION 58. Access Framework. Subject to the approval of the Coordination Council, all agencies responsible for implementing programs mandated by this law may develop respective frameworks designed to deter abuse and ensure equal access to opportunities. The said framework may include, but is not limited to, setting reasonable and just limits on the re-entry or reapplication of OSYs into the same programs previously availed of.

CHAPTER XIII

PENALTIES

SECTION 59. Penalties. - Any person who violates any provision of this Act shall, upon conviction, suffer the following penalties:

- a) For the first violation, imprisonment of not less than six (6) months but not more than two (2) years and fine of not less than Fifty Thousand pesos (P50,000.00) but not more than One hundred thousand pesos (P100,000.00);

- b) For any subsequent violation, imprisonment of not less than two (2) years but not more than six (6) years and a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Two hundred thousand pesos (P200,000.00);
- c) If the offender is a corporation, organization or any similar entity, the officials thereof directly involved in the violation or abuse shall be held liable.
- d) If the offender is an alien or a foreigner, the person shall be deported immediately upon service of sentence without further proceedings.

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

SECTION 60. Falsification of OSY Status. - Any person who wrongfully declared themselves as a OSY and avails of the benefits and privileges under this law shall suffer the following penalties:

- a) For the first violation, public censure.
- b) For the second violation, public censure and a fine of not less than Twenty Five Thousand Pesos (P25,000.00).
- c) For the third violation or oftener, public censure and a fine of not less than Fifty Thousand Pesos (P50,000).

SECTION 61. Falsification of OSY Certification. - Any person who, with lack of due diligence, issues an OSY certification to a person who does not fall within the definition of OSY shall suffer the following penalties:

- 1) For the first violation, a fine of not less than Fifty Thousand Pesos (P50,000).
- 2) For the second violation, temporary suspension from office and/or a fine of not less than One Hundred Thousand Pesos (P100,000)
- 3) For the third violation, imprisonment of not less than six (6) months but not more than two (2) years and fine of not less than Two Hundred Thousand Pesos (P200,000.00).

CHAPTER XIV

FINAL PROVISIONS

SECTION 62. Non-Existence of OSYs - The provisions of this Act shall be rendered inoperative upon the Coordination Council's formal declaration that no youth within the nation has been classified as an OSY for a continuous period of three years. Notwithstanding, this Act shall be automatically reinstated upon the verified report of any interested persons to the NYC identifying at least one youth as an OSY.

SECTION 63. Appropriations. - The amount necessary for the effective implementation of this Act shall be included in the budget of the concerned government agencies in the annual General Appropriations Act;

SECTION 64. Implementing Rules and Regulations. - The Advisory Council created under Republic Act No. 8044 shall promulgate, not later than thirty (30) days upon the effectivity of this Act, the necessary rules and regulations for the effective implementation of this Act: *Provided*, That the failure to promulgate the rules and regulations shall not prevent the implementation of this Act upon its effectivity.

SECTION 65. Separability Clause. - If any provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

SECTION 66. Repealing Clause. - All laws, decrees, orders, issuances, rules and regulations or parts thereof inconsistent with that provisions of this Act are hereby repealed, amended or modified accordingly;

SECTION 67. Effectivity. - This Act shall take effect fifteen (15) days after Its publication in the Official Gazette or In a newspaper of general circulation.

Approved,

A handwritten signature in black ink, reading "Brian Poe", with a stylized, flowing script.

HON. BRIAN DANIEL POE LLAMANZARES, PhD, MNSA
Representative
FPJ Panday Bayanihan Party-List