



Republic of the Philippines  
**House of Representatives**  
Quezon City

**TWENTIETH CONGRESS**

*First Regular Session*

**House Bill No. 5419**



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**Introduced by Representative Jernie Jett V. Nisay**  
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**EXPLANATORY NOTE**

Out-of-school youth (OSY) comprise one of the most vulnerable sectors in the country. According to the 2022 Annual Poverty Indicators Survey (APIS) of the Philippine Statistics Authority (PSA), about 1 in every 10 Filipino youth aged 15 to 30 is not attending school and is either unemployed or underemployed<sup>1</sup>. This reality reflects the continuing barriers faced by many young Filipinos, including poverty, lack of access to education, early parenthood, and limited employment opportunities.

The 1987 Philippine Constitution mandates the State to “promote the physical, moral, spiritual, intellectual, and social well-being of the youth” and to “encourage their involvement in public and civic affairs” under Article II, Section 13, while Article XIV, Sections 1 and 2 ensure access to quality education at all levels.<sup>2</sup> Despite existing programs such as the Alternative Learning System (ALS), Technical-Vocational Education and Training (TVET), and various initiatives of the National Youth Commission (NYC), gaps in implementation and coordination persist.<sup>3</sup>

This bill seeks to institutionalize the “Magna Carta of the Out-of-School Youth”—a national framework for recognizing, protecting, and promoting the rights and welfare of OSYs. It provides a rights-based and development-oriented approach, ensuring access to education, employment, social protection, and participation in governance.

It ensures access to formal, non-formal, and informal education; promotes entrepreneurial and technical skills development; and provides social protection mechanisms for those in especially difficult circumstances, including victims of abuse, trafficking, or conflict.

Moreover, the measure reinforces the participation of local government units (LGUs), Sangguniang Kabataan (SK), and Local Youth Development Councils (LYDCs) in profiling, assisting, and empowering OSYs in their respective communities. It also recognizes the invaluable role of non-government organizations (NGOs) and private sector partners in implementing innovative programs and livelihood initiatives.

Through this measure, the government reaffirms its commitment to empower OSYs, enabling them to become active participants in nation-building and contributors to inclusive growth.

<sup>1</sup> Philippine Statistics Authority (2022). *Annual Poverty Indicators Survey (APIS)*. Quezon City: PSA.

<sup>2</sup> 1987 Philippine Constitution, Article II, Section 13; Article XIV, Sections 1–2.

<sup>3</sup> Department of Education (2023). *Alternative Learning System Program Report*.

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



**REP. JERNIE JETT V. MISAY**  
Pusong Pinoy Partylist



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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 Congress assembled:*

**CHAPTER I**  
**GENERAL PROVISIONS**

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

**SEC. 2. *Declaration of Policy.*** – Article II, Section 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.

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

- (a) To recognize, protect, and promote the rights of the OSYs;
- (b) To empower and encourage the OSYs to contribute to nation-building;
- (c) To give full support to the improvement of the total well-being of the 6 OSYs by providing learning and employment opportunities as well as 7 the needed social services and interventions; and

1 (d) To recognize the important role of the private sector in improving the 9  
2 welfare of the OSY and to actively seek their partnership.  
3

## 4 CHAPTER II 5 DEFINITION OF TERMS 6

### 7 **SEC. 4. *Definition of Terms.*** – As used in this Act:

8 (a) *Alternative Learning System (ALS)* refers to a parallel learning system in  
9 the Philippines that provides a practical option to the existing formal  
10 instruction and equivalent pathways to basic education. It includes both  
11 the non-formal and informal sources of knowledge and skills;

12 (b) *Local Social Welfare and Development Officer (LSWDO)* refers to the  
13 officer designated as such under the Social Welfare and Development  
14 Offices in the local government unit (LGU);

15 (c) *Out-of-school youth* refers to a member of the population aged 15 to 30  
16 years old who is currently out of school, not gainfully employed, and has  
17 not finished secondary or college education;

18 (d) *Social protection* refers to policies and programs that seek to reduce  
19 poverty and vulnerability to risks and enhance the social status and rights  
20 of all OSY by promoting livelihood and employment opportunities,  
21 including its major components such as labor market interventions, social  
22 insurance, social welfare, and social safety nets;

23 (e) *Substantive equality* refers to the fundamental aspect of human rights law  
24 that is concerned with equitable outcomes and equal opportunities for the  
25 disadvantaged and marginalized groups in society, including protection  
26 against discrimination, marginalization, unequal distribution of  
27 opportunities, and limited access to goods and services;

28 (f) *Technical-Vocational Education and Training (TVET)* refers to the  
29 education or training process designed at post-secondary and lower  
30 tertiary levels, officially recognized as non-degree programs aimed at  
31 preparing technicians, paraprofessionals and other categories of middle  
32 level workers by providing them with a broad range of general education,  
33 theoretical, scientific and technological studies, and related job skills  
34 training; and

1 (g) *TVET graduate* refers to a student or trainee who has completed the  
2 requirements set for a Technical Education and Skills Development  
3 Authority (TESDA)-registered TVET course or program.  
4

5 **CHAPTER III**  
6 **DUTIES RELATED TO THE HUMAN RIGHTS OF OUT-OF-SCHOOL YOUTH**  
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8 **SEC. 5. *State as the Primary Duty-Bearer.*** – The State shall, through the  
9 National Youth Commission (NYC), Commission on Human Rights, and other  
10 concerned youth-serving agencies, be guided by progressive developments on the  
11 aspect of human rights of the OSY under international law and shall endeavor to  
12 formulate policies, laws, and other regulatory measures to fulfill these duties. It shall  
13 institute programs that will carry out the objectives of this Act and promote:

14 (a) The protection of the rights of the OSYs against discrimination of any kind  
15 by private corporations, entities, individuals, and from any institution,  
16 public or private; and

17 (b) The promotion of substantive equality on the rights of the OSY in all  
18 aspects of growth and development.  
19

20 **SEC. 6. *Duties of the State Agencies and Instrumentalities.*** – The duties of  
21 the State as stated in Section 5 of this Act shall extend to all state agencies, offices,  
22 and instrumentalities at all levels of government, including government-owned and  
23 controlled corporations, subject to the Constitution and pertinent laws, policies, and  
24 administrative guidelines that define specific duties of concerned state agencies and  
25 entities.  
26

27 **CHAPTER IV**  
28 **RIGHTS AND EMPOWERMENT**  
29

30 **SEC. 7. *Human Rights of Out-of-School Youth.*** – An OSY shall enjoy, without  
31 discrimination, all rights provided for in the Constitution and those rights recognized  
32 under international instruments duly ratified by the Philippines.  
33

34 **SEC. 8. *Protection from Violence.*** – The State shall ensure that all OSYs shall  
35 be protected from all forms of violence, physical abuse, sexual exploitation, and  
36 human trafficking as provided for under existing laws. The Department of Justice,

1 Department of Social Welfare and Development (DSWD), and other concerned  
2 agencies shall give priority to the defense and protection of the OSYs and help  
3 them in attaining justice and social equality.  
4

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

10 **SEC. 10. *Representation of Out-of-School Youth Issues and Concerns in***  
11 ***Media, Film, and Other Platforms.*** – The NYC and other concerned agencies shall  
12 formulate policies and programs for the advancement of the OSYs in collaboration with  
13 government and non-government organization (NGO) media-related organizations.  
14

15 For this purpose, the State shall ensure the allocation of resources for the  
16 production, publication, dissemination, and airing of all forms of information materials  
17 on the rights of the OSYs and the various services and benefits provided to them under  
18 this Act.  
19

20 **SEC. 11. *Recognition and Preservation of Cultural Identity and Integrity.*** –  
21 The rights of Moro and indigenous OSYs to practice, promote, protect, and preserve  
22 their own culture, traditions, and institutions and to consider these rights in the  
23 formulation and implementation of national policies and programs shall be upheld. To  
24 this end, the National Commission on Muslim Filipinos and the National Commission  
25 on Indigenous Peoples shall, in consultation with the sectors concerned, protect their  
26 rights, indigenous knowledge system and practices, traditional livelihood, and other  
27 cultural manifestations, recommend legislation and other appropriate measures to  
28 promote and to respect them: Provided, That these cultural systems and practices do  
29 not discriminate against other OSYs who do not belong to the Muslim or Indigenous  
30 Peoples.  
31

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

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

## 11 **CHAPTER V**

### 12 **GOVERNMENT ASSISTANCE AND SUPPORT**

13 **SEC. 13. *Government Assistance.*** – The national government shall, through  
14 its agencies and instrumentalities, provide the following:

- 15 (a) **Education** - The Department of Education (DepEd), TESDA, and the  
16 Commission on Higher Education (CHED) shall, in consultation with  
17 NGOs, institute a program that will ensure access of the OSYs to formal,  
18 informal, and non-formal learning opportunities;
- 19 (b) **Health** - The Department of Health (DOH) shall, in coordination with LGUs  
20 and NGOs, institute a national health program and provide an integrated  
21 health service for OSYs: Provided, That the DOH shall provide the OSYs  
22 and their families with sexual and reproductive health education and  
23 information, as well as family counseling to curb the number of dropout  
24 cases due to early marriage and pregnancy, marital conflict, and other  
25 family problems;
- 26 (c) **Social Services** - The DSWD shall, in cooperation with the LGUs, NGOs,  
27 and other relevant stakeholders, develop and implement programs on  
28 social services for the OSYs, the components of which are:
- 29
- 30 (1) Social Enhancement Services that provide the OSYs with  
31 opportunities for socializing, organizing creative expression, and  
32 self-improvement;
- 33 (2) After Care Services that provide support for the OSYs who are  
34 discharged from the homes or institutions of the DSWD, and other

1 private institutions duly accredited by the DSWD, especially those  
2 who have problems of reintegration with family and the community;  
3 and

4 (3) Social Case Management that includes a comprehensive, updated  
5 list and detailed profile of all known OSYs in the respective  
6 localities for the purpose of providing age-appropriate social  
7 service interventions.  
8

9 (d) **Employment** - The DOLE shall, in coordination with other government  
10 agencies such as the Department of Trade and Industry (DTI) and  
11 TESDA, assess, design, and implement training programs that will  
12 provide jobs, entrepreneurial skills and facilitation, agricultural training,  
13 and livelihood opportunities for the OSYs.  
14

15 **SEC. 14. Social Protection.** – The National Anti-Poverty Commission and  
16 concerned agencies shall institute for the OSYs policies and programs that seek to  
17 reduce poverty and vulnerability to risks by mandating their employers to provide  
18 mandatory life, accident, and health insurance coverage.  
19

## 20 **CHAPTER VI**

### 21 **EDUCATION**

22

23 **SEC. 15. Technical Vocational Education.** – It shall be the duty of the State to  
24 provide technical or vocational education to the OSYs. The course shall be provided  
25 and managed by TESDA subject to its rules and regulations: *Provided*, That an officer  
26 of the TESDA shall be assigned as a TESDA adviser who shall monitor the progress  
27 and development of the OSYs in the chosen technical vocational course.  
28

29 **SEC. 16. Alternative Learning System.** – An ALS of education shall be 13  
30 made available to OSYs.  
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32 For OSYs who are under the care and custody of a home or an institution  
33 managed or accredited by the DSWD, the latter shall coordinate with the DepEd for the  
34 provision of an ALS within its premises.

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**SEC. 17. *Promotion to Formal Tertiary Education.*** – The LSWDO may recommend an OSY to be a recipient of a scholarship grant from the CHED 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.*”

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

**SEC.18. *Entrepreneurial Education.*** – The DTI shall, in coordination with TESDA and other relevant government agencies, 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, developing creativity or the introduction of new products or services to the markets and providing aid to nascent entrepreneurial undertaking to grow and sustain the business of the OSYs.

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

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

**CHAPTER VII  
ESPECIALLY DIFFICULT CIRCUMSTANCES**



- 1 (c) Cause the dissemination of information and engender national public awareness  
2 of the plight of the OSYs in the country through social media, government media  
3 and broadcasting facilities, and other modern channels of communication;
- 4 (d) Review and ascertain existing policies that are discriminatory to the OSYs as a  
5 subsector and recommend to Congress remedial legislative measures and  
6 interventions to eradicate all forms of discrimination to the OSYs; and
- 7 (e) Furnish the NYC on a yearly basis a national situationer on OSYs, including the  
8 available programs, services, and interventions available for 16 them.

9

10 **SEC. 22. Roles and Responsibilities of Concerned Agencies.** – The following  
11 agencies shall perform the following duties and responsibilities:

12 (a) The NYC shall:

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

24

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

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

31 (c) The LSWDO shall:

- 32 (1) Conduct social case management and profiling of the OSYs in every city  
33 and municipality for the provision of age-appropriate social service  
34 interventions;

- 1 (2) Draw up a list of available and necessary services which can be provided  
2 for the OSYs;
- 3 (3) Institutionalize the implementation of LGU-based psycho-social services  
4 for OSYs such as the Unlad Kabataan and Pag-asa Youth Association  
5 programs;
- 6 (4) Maintain and regularly update on an annual basis the list of OSYs and  
7 submit the list to the Office of the Secretary of the DSWD, the NYC, and  
8 the Philippine Statistics Authority;
- 9 (5) Issue nationally uniform individual identification cards free of charge,  
10 which shall be valid anywhere in the country;
- 11 (6) Serve as a focal person on the dissemination of general information and  
12 feedback in regard to the needs of the OSYs;
- 13 (7) Report to the Mayor, any individual, establishment, business entity,  
14 institution, or agency found violating any provision of this Act;
- 15 (8) Monitor, supervise, and enforce the implementation of information  
16 dissemination through social media, government media, and  
17 broadcasting facilities of the plight of the country's OSYs; and
- 18 (9) Coordinate with the Advisory Council to ensure compliance with the  
19 provisions of this Act.

20  
21 (d) The SK and LYDC shall:

- 22 (1) Initiate and implement, in coordination with concerned government  
23 agencies, private or NGOs, programs and projects designed to promote  
24 the general welfare, development, and empowerment of the OSYs;
- 25 (2) Promulgate resolutions, in consultation with the *Katipunan ng Kabataan*,  
26 necessary to carry out the objectives for the OSYs in the barangay;
- 27 (3) Assist in the mapping out of the OSYs in every barangay;
- 28 (4) Conduct programs and activities for the OSYs which are in line with the  
29 Comprehensive Barangay Youth Development Plan and the applicable  
30 provisions of this Act;
- 31 (5) Partner with other youth-serving agencies and organizations in planning  
32 and executing projects and programs of specific advocacies for the OSYs  
33 such as health and anti-drug abuse, including reproductive health,

1 disaster risk reduction and resiliency, employment and livelihood, gender  
2 sensitivity, and sports development; and

3 (6) The *Panlalawigang Pederasyon ng mga SK* shall submit an annual  
4 situationer report on the OSYs of their respective provinces to the NYC.  
5

6 (e) The LGUs shall:

7 (1) Ensure the database creation and mapping out of OSYs at the municipal,  
8 city, and barangay levels;

9 (2) Mobilize the SK and the LYDCs to assist in the delivery of the necessary  
10 services and interventions for the OSYs under their respective  
11 jurisdictions;

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

16 (4) Set targets on the number of OSYs to be back in school, enrolled in ALS  
17 or TVET, and availed of the social protection programs:  
18

19 *Provided, That the LGUs shall, through the Community Training and*  
20 *Employment Coordinators or duly designated LGU personnel, monitor the*  
21 *progress and development of the OSYs in the chosen technical vocational*  
22 *course by requiring the technical vocational institutions to submit, among*  
23 *others, regular enrollment and completion reports of the programs being*  
24 *implemented.*  
25

26 (f) The Department of Agriculture (DA) through the Philippine Council for Agriculture  
27 and Fisheries shall, in coordination with LGUs and DA, ensure the inclusion of  
28 the OSYs through their organizations to be represented in the agriculture and  
29 fishery councils from the national down to the regional and local levels to ensure  
30 full engagement of OSYs in agricultural development.  
31

32 **SEC. 23. Role of Non-Government Organizations.** – NGOs or private  
33 volunteer organizations dedicated to promoting, enhancing, and supporting the welfare

1 of OSYs are hereby encouraged to become government partners in implementing  
2 programs and projects for the OSYs.

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4 **CHAPTER IX**  
5 **FINAL PROVISIONS**  
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7 **SEC. 24. Punishable Acts and Penalties.** – The following acts shall be deemed  
8 violations of this Act with the following corresponding penalties: (1) Discrimination  
9 against OSYs by private corporations, entities, and individuals; (2) Discrimination in  
10 wages, condition of work, and employment opportunities; and (3) Non-compliance with  
11 the mandatory coverage by employers of health, accident, and life insurance.  
12

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

17 (b) For any subsequent violation, imprisonment of not less than two (2) years  
18 but not more than six (6) years and a fine of not less than One hundred  
19 thousand pesos (P100,000.00) but not more than Two hundred thousand  
20 pesos (P200,000.00);

21 (c) For any person who avails of any of the benefits and privileges under this  
22 Act but who is not qualified to avail of the same, imprisonment of not less  
23 than six (6) months and a fine of not less than Fifty thousand pesos  
24 (P50,000.00) but not more than One hundred thousand pesos  
25 (P100,000.00); and

26 (d) If the offender is a corporation, organization, or any similar entity, the  
27 officials thereof directly involved in the violation or abuse shall be held  
28 liable.  
29

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

32 Upon filing of the appropriate complaint or information, the proper authorities  
33 shall, in coordination with the concerned LGU, cause the cancellation or revocation of  
34 the business permit, permit to operate, franchise, and other similar privileges granted

1 to any business, entity, or person that fails to abide by or violates the provisions of this  
2 Act.

3  
4 **SEC. 25. Appropriations.** – The amount necessary for the initial implementation  
5 of this Act shall be charged against the current year’s appropriation of the departments  
6 and agencies concerned. Thereafter, such amount shall be included in the annual  
7 General Appropriations Act.

8  
9 The LGU concerned may set aside funds from any local revenue an amount  
10 deemed appropriate for the implementation of this Act.

11  
12 **SEC. 26. Implementing Rules and Regulations.** – The NYC, the members of  
13 the Advisory Council created under Republic Act No. 8044, TESDA, and CHED shall,  
14 not later than thirty (30) days upon the effectivity of this Act, promulgate the necessary  
15 rules and regulations for the effective implementation of this Act: *Provided*, That failure  
16 to promulgate the rules and regulations shall not prevent the implementation of this Act  
17 upon its effectivity.

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19 **SEC. 27. Separability Clause.** – If any part or provision of this Act is held invalid  
20 or unconstitutional, the other provisions not affected thereby shall remain in full force  
21 and effect.

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23 **SEC. 28. Repealing Clause.** – All laws, executive orders, issuances, decrees,  
24 rules, and regulations inconsistent with or contrary to the provisions of this Act are  
25 deemed amended, modified or repealed accordingly.

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

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30 Approved,