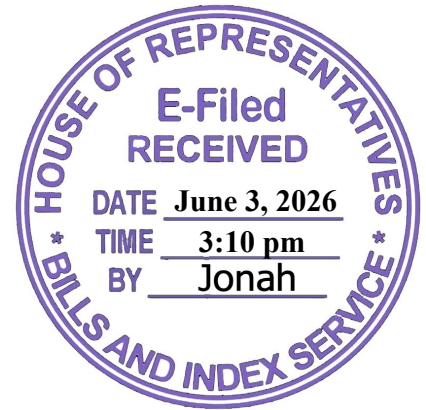


Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 9726



Introduced by Representative Kenneth T. Gatchalian

EXPLANATORY NOTE

Out-of-school youth (OSY) remain one of the most vulnerable yet underutilized sectors in Philippine society. Despite existing programs under the Alternative Learning System (ALS), Technical-Vocational Education and Training (TVET), and various social protection mechanisms, significant gaps persist in coordination, accessibility, and long-term reintegration. Many OSYs continue to face systemic barriers such as poverty, lack of access to education, unemployment, social exclusion, and exposure to exploitation and abuse. Current interventions are largely fragmented across agencies, resulting in duplication of efforts, inefficient delivery of services, and limited measurable outcomes. More importantly, there is no comprehensive rights-based framework that explicitly recognizes OSYs as a distinct sector entitled to targeted protection, opportunities, and government support.

This proposed measure seeks to address these gaps by institutionalizing a Magna Carta of the Out-of-School Youth, anchored on human rights, substantive equality, and inclusive development. It establishes a unified policy framework that consolidates government efforts and mandates a whole-of-government and multi-stakeholder approach toward the empowerment of OSYs. The bill provides for the recognition and protection of the rights of OSYs, including protection from discrimination, violence, and exploitation; guaranteed access to education through ALS, TVET, and pathways to formal tertiary education; expanded employment, entrepreneurship, and livelihood opportunities through coordinated programs of the Department of Labor and Employment (DOLE), Technical

Education and Skills Development Authority (TESDA), and Department of Trade and Industry (DTI); comprehensive social protection measures, including health, insurance, and social services; special interventions for OSYs in especially difficult circumstances; strengthened institutional mechanisms, including a national database, localized profiling, and coordinated implementation across national and local government units; and clear accountability measures and penalties for violations of the rights of OSYs.

By investing in the development of OSYs, the State not only fulfills its constitutional mandate to promote social justice and human dignity, but also unlocks a critical segment of the population that can significantly contribute to national development. This measure ensures that no young Filipino is left behind—not by circumstance, not by system failure, and not by lack of opportunity. In view of the foregoing, the passage of this bill is earnestly sought.



KENNETH T. GATCHALIAN

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

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HOUSE BILL NO. 9726

Introduced by Representative Kenneth T. Gatchalian

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 “*Magna Carta
of the Out-of-School Youth.*”

SEC. 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.

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 OSYs by providing learning and employment opportunities as well as the needed social services and interventions; and
- d. To recognize the important role of the private sector in improving the welfare of the OSY and to actively seek their partnership.

CHAPTER II

DEFINITION OF TERMS

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;

- 1 f. *Technical-Vocational Education and Training (TVET)* refers to the
2 education or training process designed at post-secondary and lower
3 tertiary levels, officially recognized as non-degree programs aimed at
4 preparing technicians, paraprofessionals and other categories of middle-
5 level workers by providing them with a broad range of general
6 education, theoretical, scientific and technological studies, and related
7 job skills training; and
8 g. *TVET graduate* refers to a student or trainee who has completed the
9 requirements set for a Technical Education and Skills Development
10 Authority (TESDA)-registered TVET course or program.
11

12 **CHAPTER III**
13 **DUTIES RELATED TO THE HUMAN RIGHTS OF**
14 **OUT-OF-SCHOOL YOUTH**

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

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

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

1 **CHAPTER IV**

2 **RIGHTS AND EMPOWERMENT**

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

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

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

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

22 For this purpose, the State shall ensure the allocation of resources for the
23 production, publication, dissemination, and airing of all forms of information
24 materials on the rights of the OSYs and the various services and benefits provided
25 to them under this Act.

26 **SEC. 11. *Recognition and Preservation of Cultural Identity and Integrity.***
27 – The rights of Moro and indigenous OSYs to practice, promote, protect, and
28 preserve their own culture, traditions, and institutions and to consider these rights

1 in the formulation and implementation of national policies and programs shall be
2 upheld. To this end, the National Commission on Muslim Filipinos and the
3 National Commission on Indigenous Peoples shall, in consultation with the sectors
4 concerned, protect their rights, indigenous knowledge system and practices,
5 traditional livelihood, and other cultural manifestations, recommend legislation
6 and other appropriate measures to promote and to respect them: *Provided, That*
7 these cultural systems and practices do not discriminate against other OSYs who
8 do not belong to the Muslim or Indigenous Peoples.

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

- 13 a. Local job generation and employment, economic opportunities, and
14 providing strict regulations against forced and involuntary displacement;
- 15 b. Protection of the rights and promotion of the welfare of migrant TVET
16 graduates regardless of work status and protection against discrimination
17 in wages, conditions of work, and employment opportunities in host
18 countries; and
- 19 c. Opportunities for work shall be productive and fairly remunerative as
20 family living wage, security of tenure in the workplace, and better
21 prospects for personal development and social integration.

23 **CHAPTER V**

24 **GOVERNMENT ASSISTANCE AND SUPPORT**

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

- 27 a. Education – The Department of Education (DepEd), TESDA, and the
28 Commission on Higher Education (CHED) shall, in consultation with

1 NGOs, institute a program that will ensure access of the OSYs to
2 formal, informal, and non-formal learning opportunities;

3 b. Health - The Department of Health (DOH) shall, in coordination with
4 LGUs and NGOs, institute a national health program and provide an
5 integrated health service for OSYs: *Provided*, That the DOH shall
6 provide the OSYs and their families with sexual and reproductive health
7 education and information, as well as family counseling to curb the
8 number of dropout cases due to early marriage and pregnancy, marital
9 conflict, and other family problems;

10 c. Social Services - The DSWD shall, in cooperation with the LGUs,
11 NGOs, and other relevant stakeholders, develop and implement
12 programs on social services for the OSYs, the components of which are:

13 1. Social Enhancement Services that provide the OSYs with
14 opportunities for socializing, organizing creative expression, and
15 self-improvement;

16 2. After Care Services that provide support for the OSYs who are
17 discharged from the homes or institutions of the DSWD, and
18 other private institutions duly accredited by the DSWD,
19 especially those who have problems of reintegration with family
20 and the community; and

21 3. Social Case Management that includes a comprehensive,
22 updated list and detailed profile of all known OSYs in the
23 respective localities for the purpose of providing age-appropriate
24 social service interventions.

25 d. Employment - The DOLE shall, in coordination with other government
26 agencies such as the Department of Trade and Industry (DTI) and
27 TESDA, assess, design, and implement training programs that Will

1 provide jobs, entrepreneurial skills and facilitation, agricultural training,
2 and livelihood opportunities for the OSYs.

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

7
8 **CHAPTER VI**
9 **EDUCATION**

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

16 **SEC. 16. *Alternative Learning System.*** – An ALS of education shall be
17 made available to OSYs.

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

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

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 with 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:

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

1 d. The SK and LYDC shall:

- 2 1. Initiate and implement, in coordination with concerned
3 government agencies, private or NGOs, programs and projects
4 designed to promote the general welfare, development, and
5 empowerment of the OSYs;
- 6 2. Promulgate resolutions, in consultations with the Katipunan ng
7 Kabataan, necessary to carry out the objectives for the OSYs in
8 the barangay;
- 9 3. Assist in the mapping out of the OSYs in every barangay;
- 10 4. Conduct programs and activities for the OSYs which are in line
11 with the Comprehensive Barangay Youth Development Plan and
12 the applicable provisions of this Act;
- 13 5. Partner with other youth-serving agencies and organizations in
14 planning and executing projects and programs of specific
15 advocacies for the OSYs such as health and anti-drug abuse,
16 including reproductive health, disaster risk reduction and
17 resiliency, employment and livelihood, gender sensitivity, and
18 sports development; and
- 19 6. The Panlalawigang Pederasyon ng mga SK shall submit an
20 annual situationer report on the OSYs of their respective provinces
21 to the NYC.

22 e. The LGUs shall:

- 23 1. Ensure the database creation and mapping out of OSYs at the
24 municipal, city, and barangay levels;
- 25 2. Mobilize the SK and the LYDCs to assist in the delivery of the
26 necessary services and interventions for the OSYs under
27 their respective jurisdictions;

- 1 3. Provide programs for the OSYs, including back-to-school
2 transition, enrolment in the ALS or TVET, provision of
3 counseling, and mental and reproductive health services in the
4 barangay, municipal, and city levels; and
5 4. Set targets on the number of OSYs to be back in school,
6 enrolled in ALS or TVET, and availed of the social protection
7 programs:

8
9 *Provided, That the LGUs shall, through the Community Training*
10 *and Employment Coordinators or duly designated LGU*
11 *personnel, monitor the progress and development of the OSYs in*
12 *the chosen technical vocational course by requiring the technical*
13 *vocational institutions to submit, among others, regular*
14 *enrollment and completion reports of the programs being*
15 *implemented.*

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

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

26
27 **CHAPTER IX**
28 **FINAL PROVISIONS**

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

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

11 b. For any subsequent violation, imprisonment of not less than two (2)
12 years but not more than six (6) years and a fine of not less than One
13 hundred thousand pesos (P100,000.00) but not more than Two hundred
14 thousand pesos (P200,000.00);

15 c. For any person who avails of any of the benefits and privileges under
16 this Act but who is not qualified to avail of the same, imprisonment of
17 not less than six (6) months and a fine of not less than Fifty thousand
18 pesos (P50,000.00) but not more than One hundred thousand pesos
19 (P100,000.00); and

20 d. If the offender is a corporation, organization, or any similar entity, the
21 officials thereof directly involved in the violation or abuse shall be held
22 liable.

23
24 If the offender is an alien or a foreigner, the person shall be deported
25 immediately upon service of sentence without further proceedings.

26
27 Upon filing of the appropriate complaint or information, the proper
28 authorities shall, in coordination with the concerned LGU, cause

1 the cancellation or revocation of the business permit, permit to operate,
2 franchise, and other similar privileges granted to any business, entity, or
3 person that fails to abide by or violates the provisions of this Act.
4

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

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

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

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

20 **SEC. 28. Repealing Clause.** – All laws, executive orders, presidential
21 decrees or issuances, letter of instruction, administrative orders, rules, and
22 regulations as well as local ordinances contrary to or inconsistent with the
23 provisions of this Act are hereby repealed, amended, or modified accordingly.

24 **SEC. 29. Effectivity.** - This Act shall take effect fifteen (15) days after
25 publication in the Official Gazette or in two (2) national newspapers of general
26 circulation.

Approved,