NATIONAL ADMINISTRATIVE REGISTER · [NYC, SEPTEMBER 14, 1998]

IMPLEMENTING RULES AND REGULATIONS OF THE “YOUTH IN NATION-BUILDING ACT”, R.A. No. 8044

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Pursuant to Section 9, par. (h) of R.A. No. 8044, otherwise known as the "Youth in Nation-Building Act" giving the National Youth Commission the power to issue rules and regulations to implement the provisions of said Act, the National Youth Commission hereby promulgates these Rules and Regulations as follows:

RULE I
The National Policy

Section 1. Declaration of Policy. — It is the policy of the State:

a) To recognize the vital role of the youth in nation-building and to promote and protect the youth's physical, moral, spiritual and social well-being;

b) To inculcate in the youth patriotism and nationalism, and to encourage the involvement of the youth in public and civic affairs; and,

c) To insure that the National Comprehensive and Coordinated Program on Youth Development established by R.A. No. 8044 shall be based on the following principles:

> 1. Promotion and protection of the physical, moral, spiritual, intellectual and social well-being of the youth to the end that the youth realize their potential for improving the quality of their life;
>
> 2. Inculcation in the youth patriotism and nationalism and other basis desirable values to infuse in them faith in the Creator, belief in the sanctity of life and dignity of the human person, conviction for the strength and unity of the family, and adherence to truth and justice;
>
> 3. Encouragement of youth involvement in character-building and development activities for civic efficiency; stewardship of natural resources, agricultural and industrial productivity and an understanding of world economic commitments on tariffs and trade as well as other relevant international treaties, agreements, and conventions;
>
> 4. Participation in structures for policy-making and program implementation to reduce the incidence of poverty and accelerate socio-economic development; and
>
> 5. Mobilization of the youth's abilities, talents and skills and redirecting their creativity, inventive genius, and wellspring of enthusiasm and hope for the freedom of our people from fear, hunger and injustice.

RULE II
Definition of Terms and Interpretation of Rules

Section 1. Definition of Terms. — As used in these Rules, the following terms are hereby defined:

(a) "Youth" refers to the persons in the age range of 15 to 30 years.

(b) "Youth Organization/s" refers to an organized group whose membership or composition consists of youth as defined herein.

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(c) "Youth-Serving Organization/s" refers to organizations or institutions whose principal programs, projects and activities are youth-oriented and/or youth-related.

(d) "Commission" refers to the National Youth Commission.

(e) "Commission Proper" refers to the Chairperson and the Commissioners acting as a body.

(f) "Development Program" refers to the National Comprehensive and Coordinated Program on Youth Development established by R.A. 8044

(g) "Council" refers to the Advisory Council created under Sec. 14 of R.A. NO. 8044.

(h) "Medium-Term Youth Development Plan" refers to the development program the government for the youth.

Section 2. Interpretation. — These Rules shall be interpreted with liberality to better achieve the objectives of R.A. 8044.

RULE III
The National Comprehensive and Coordinated Program on Youth Development

Section 1. Components. — The Development Program shall have the following components which must be observed in the formulation, development and implementation thereof:

(a) A four-year Medium Term Youth Development Plan (MTYDP) following the approval of R.A. 8044 and every three years thereafter which shall be aligned to and shall complement the Medium Term Philippine Development Plan for the corresponding period, taking into account the existing National Youth Development Plan (NYDP) as provided for in Executive Order No. 176, Series of 1994;

(b) "A National Study on the Situation of the Youth in the Philippines", for the period up to the approval of R.A. 8044, and every three years thereafter, which identifies priority needs, prevailing attitudes and values of the youth, the existing services, and the gaps in the delivery of services required in meeting the basic needs of the youth;

(c) A "National Review, Evaluation and Reform" of all organizations delivering services to youth for the period up to the approval of R.A. 8044 and every three years thereafter;

(d) Activities to operationalize the implementing structures of the Development Program, preparations and participation in activities of youth with global significance, including World Youth Day, and leadership and support therefore on a continuing and sustained basis;

(e) The comprehensive, coordinated and nationwide service delivery system comprising [i] existing public and civic services for the youth which, after review and reform or realignment, fully support the policy and program framework under R.A. No. 8044, and [ii] innovative services and delivery systems institutionalized in areas without adequate services and which are responsive to needs, following pilot demonstration projects to test the validity and feasibility of the services; and

(f) The participation of the Filipino youth in the Biennial World Youth Day starting 1997 in Paris, France and every two (2) years thereafter.

RULE IV
The National Youth Commission

A. Composition and Qualifications

Section 1. Composition. — The National Youth Commission Proper shall be composed of the Chairperson, two

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Commissioners chosen at large, the Commissioners representing Luzon, Visayas and Mindanao, and the President of the Pambansang Katipunan ng mga Sangguniang Kabataan who shall serve in an ex-officio capacity.

Section 2. Qualifications of the Chairperson and the Commissioners. — The Chairperson shall not be more than forty-five years of age and the appointive Commissioners no more than forty years of age, at any time during their incumbency; are natural-born citizens of the Philippines; have occupied positions of responsibility and leadership in duly registered youth and youth-serving organizations or institutions; of good moral character; and have not been convicted of any crime involving moral turpitude.

Section 3. Nominations and Appointments. — The first Chairperson and Commissioners shall be appointed by the President of the Philippines from among the list of nominees submitted by youth organizations or institutions with national constituencies, in the case of the Chairperson and Commissioner-at-Large, and those with regional constituencies in the case of regional Commissioners for Luzon, Visayas and Mindanao respectively.

The ex-officio Commissioner shall be appointed by the President upon his election as the President of the Pambansang Katipunan ng mga Sangguniang Kabataan (PKSK) for a term co-extensive with his term as PKSK President.

The succeeding Chairperson and the two (2) Commissioner-at-Large shall be appointed by the President of the Philippines from a list of at least three (3) but not more than five (5) nominees for each position submitted by youth and youth-serving organizations or institutions with national constituencies duly registered with the Commission. The succeeding regional commissioners shall be appointed by the President from a list of at least three (3) but not more than five (5) nominees for each position submitted by organizations or institutions in their respective areas, duly registered with the Commission.

Section 4. Terms of Office. — The first Chairperson and Commissioners shall have a term of four (4) years. The succeeding Chairperson and Commissioners shall have a term of three (3) years with reappointment for another term.

Section 5. Rank and Privileges. — The Chairperson shall have the rank and privileges of a Department Undersecretary, and the Commissioners, including the ex-officio Commissioner shall have the rank and privileges of Assistant Secretaries of a Department.

B. Status and Nature

Section 6. Status and Nature. — The Commission shall be independent and autonomous and shall have the same status as that of a national agency attached to the Office of the President. The Commission shall exercise corporate powers and shall be the sole policy-making and coordinating body of all youth-related institutions, programs, projects and activities of the government.

Section 7. Objectives. — The objectives of the Commission are:

(a) To provide leadership in the formulation of policies and in the setting of priorities and direction of all youth promotion and development programs and activities of the government;

(b) To encourage wide and active participation of the youth in all government and non-governmental programs, projects and activities affecting them;

(c) To harness and develop the full potential of the youth as partners in nation-building;

(d) To supplement government appropriations for youth promotion and development with funds from other sources; and

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(e) To provide leadership in the formulation and implementation of the Development Program.

C. Powers of the Commission Proper

Section 8. Powers of the Commission Proper. — The Commission shall have the following powers:

(a) To appoint the officers and other personnel of the Commission and fix their compensation, allowances and other emoluments, subject to the civil service and other existing applicable laws, rules and regulations;

(b) To suspend, dismiss, or otherwise discipline for cause, any employee, and to approve or disapprove the appointment, transfer or detail of employees, subject to the provisions of existing laws and regulations;

(c) To adopt a seal;

(d) To enter into contracts;

(e) To acquire, use and control any land, building, facilities and equipment, instrument, tools and rights acquired or otherwise necessary for the accomplishment of the objectives of the Commission;

(f) To acquire, own, possess and dispose of any real or personal property;

(g) To accept donations, gifts, bequests and grants;

(i) To ensure the implementation by various government departments and agencies of their youth development projects and activities as indicated in their respective annual budgets;

(j) To sue and be sued; and

(k) To perform any and all other acts incident to or required by virtue of its creation.

D. Functions of the Commission

Section 9. Functions of the Commission. — The Commission shall have the following functions:

(a) To formulate and initiate the national policy or policies on youth;

(b) To plan, implement, and oversee a national integrated youth promotion and development program in accordance with the Development Program;

(c) To establish a consultative mechanism which shall provide a forum for continuing dialogue between the government and the youth sector on the proper planning and evaluation of policies, programs and projects affecting the youth, and to convene for this purpose, representatives of all youth organizations and institutions, including the Sangguniang Kabataan from barangay, municipal, city, provincial and national levels;

(d) To assist and coordinate with governmental and non-governmental organizations or institutions in the implementation of all laws, policies, programs and projects relative to youth promotion and development;

(e) To seek or request the assistance and support of any government agency, office or instrumentality, including government owned or controlled corporations, local government units as well as non-governmental organizations or institution in pursuance of its policies, programs and projects;

(f) To conduct scientific, interdisciplinary and policy-oriented researches and studies on youth-related matters, as well as training, seminars and workshops that will enhance the skills and leadership potentials of the youth, while at the same time instilling in them nationalism and patriotism, with particular emphasis on Filipino culture and values;

(g) To establish and maintain linkages with international youth and youth-serving organizations or institutions and counter-part agencies of foreign governments in order to facilitate and ensure the participation of the Filipino youth in international functions and affairs;

(h) To administer youth exchange programs as well as monitor and coordinate all foreign-sponsored youth programs and projects such as the Ship for Southeast Asia Youth Program and other similar exchanges and goodwill missions;

(i) To establish such organizational structures, including regional offices, as may be required to carry out its mandated functions;

(j) To conduct promotion and fund-raising campaigns in accordance with existing laws;

(k) To allocate resources for the implementation of youth programs and projects;

(l) To extend and provide support or assistance to deserving youth and youth organizations, including scholarship grants;

(m) To register, establish, facilitate and help in the establishment of youth organizations and to issue the corresponding procedure and guidelines governing the registration with the Commission of youth organizations and youth-serving organizations;

(n) To participate in international youth for a, symposia and organizations such as the International Youth Forum (IYF), Asian Youth Council (AYC), United Nations Commission for International Youth Year (IYY) and other similar bodies;

(o) To designate technical panels and working committees as may be appropriate;

(p) To provide training for the Sangguniang Kabataan and a National Secretariat for the Sangguniang Kabataan National Federation created under R.A. 7160, otherwise known as the Local Government Code of 1991;

(q) To submit an annual report in the implementation of R.A. No. 8044 to the President and to Congress; and

(r) To perform such other functions as may be necessary to effectively and efficiently carry out the provisions of R.A. No. 8044.

E. Relationship with Youth and Youth Serving Organizations, as Well as Government Agencies Dealing with the Youth

Section 10. Relationship with Youth and Youth Serving Organizations. — The Commission may enter into Memoranda of Agreement (MOAs) with any government agency or instrumentality dealing with the youth, as well as with any youth or youth-serving organization or institution, in the planning and/or implementation of any or all aspects of any program, project or activity concerning to the youth.

Section 11. Registration and Accreditation of Youth and Youth Serving Organizations. — The Commission shall register and accredit youth and youth-serving organizations.

RULE V
Functions of the Commission Chairperson and the Commissioners

Section 1. The Functions of the Commission Chairperson. — The Chairperson, who shall be the Chief Executive Officer of the Commission, shall:

(a) Execute and administer the policies, decisions, orders and resolutions approved by the Commission;

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(b) Direct and supervise the operations and internal administration of the Commission;

(c) Sign appointments of subordinate officials and employees approved by the Commission and enforce decisions on administrative disciplinary cases involving them;

(d) Make temporary assignments, rotate and transfer personnel in accordance with the provisions of the civil service law;

(e) Submit an annual budget to the Commission for its approval;

(f) Submit policy proposals to the Commission for its approval;

(g) Be the official spokesperson of the Commission;

(h) Delegate authority, in whole or in part, to the Commissioners or other officials of the Commission in accordance with these Rules and Regulations;

(i) Convene and preside over the meetings of the Commission and be responsible for the fixing of the agenda;

(j) Provide leadership and over-all direction, coordination and supervision of all aspects of the Commission's programs, projects and activities of the Commission;

(k) Represent the Commission and the youth sector in all agencies, activities, international or national, when such representation is necessary and appropriate;

(l) Exercise supervision, through the Executive Director, over the Secretariat; and

(m) Perform such other related functions as may be provided by law or as may be assigned by the Commission from time to time.

Section 2. Temporary and Permanent Vacancy in the Office of the Chairperson. — When the Chairperson is temporarily unable or incapacitated to perform his duties, for physical or legal reasons, such as but not limited to leave of absence, travel whether locally or abroad, and there are necessary matters to be attended to, he may designate in writing a Commissioner to serve as the Commissioners-in-charge. Such designation shall be automatically revoked when the Chairperson reports back to office.

In case of death, permanent disability, removal from office or resignation of the Chairperson, the Commissioners shall elect from among themselves a Commissioner-in-charge to serve as the Chairperson until the new Chairperson shall been appointed by the President and have qualified.

Section 3. Permanent Vacancy in the Offices of the Commissioners. — In case of permanent vacancy in the Office of the Commissioners, the Commissioner Proper shall resolve to inform the Office of the President of such vacancy within thirty (30) days from the actual knowledge of the Commission.

Section 4. Functions of the Commissioners. — The six (6) Commissioners shall assist the Chairperson in the review and evaluation of existing policies as well as in the formulation of new ones.

The Commissioners-at-Large shall have advisory and monitoring functions over matters pertaining to national and international youth concerns.

The Commissioners representing the three main island groupings of the Philippines shall have the advisory and monitoring functions over all matters pertaining to their areas of jurisdiction.

The ex-officio Commissioner shall have advisory and monitoring functions over all matters pertaining to the Sangguniang Kabataan.

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All the Commissioners shall further perform such other duties and obligations incumbent upon their positions given the objectives and functions of the Commission.

Section 5. Meetings. — The Commission shall hold a regular meeting once a week, on a day to be determined by the Commission through a majority vote. Any change in schedule of regular meetings shall require the consent of a majority of the Commissioners. In case/s of extreme urgency, the Chairperson, through the Executive Director, may call a special meeting of the Commission.

The Chairperson shall convene and preside over the meetings of the Commission unless the Chairperson designates a Commissioner as presiding officer.

Section 6. Quorum. — A quorum is required before the Commission can do business. A quorum shall only be declared when there are at least four (4) Commissioners physically present.

The presence of quorum is presumed to continue until the end of the meeting unless the issue of quorum is timely raised in the same meeting.

Section 7. Decisions. — Decisions of the Commission shall be arrived at by a majority vote in a meeting where there is a quorum.

RULE VI
The Executive Director

Section 1. Appointment. — The Executive Director shall be appointed by the President of the Philippines on recommendation of the Commission for the term provided under R.A. No. 8044.

Section 2. Qualifications and Rank. — The Executive Director must not be more than 45 years of age during his incumbency, must possess executive and management experience of at least three (3) years with considerable exposure to youth affairs and project or program management. The Executive Director shall have the qualifications, rank and privileges of a bureau director.

Section 3. The Office of the Executive Director. — The Executive Director shall serve as the chief operating officer and concurrently act as the head of the Secretariat to be organized by the commission.

As its chief operating officer, the Executive Director shall:

(a) Advise and assist the Chairman in the formulation and implementation of the objectives, policies, plans and programs of the Commission;

(b) Serve as the principal assistant of the Chairman in the overall supervision of the administrative business of the Commission;

(c) Oversee all the operational activities of the Commission;

(d) Coordinate the programs and projects of the Commission and be responsible for its economical, efficient and effective administration;

(e) Propose specific allocation of resources for projects under the approved programs;

(f) Submit periodic reports to the Commission on the progress and accomplishment of programs and projects;

(g) Prepare an annual report on all activities of the Commission;

(h) Provide and perform general administrative and technical staff support;

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(i) Provide legal advise to the Commission, interpret laws and rules affecting the operation of the Commission; and

(j) Supervise the field offices in their operations;

(k) Shall act as the Commission Secretary for the commissioners meeting and ensure that the necessary documents are properly prepared and maintained;

(l) Perform such other functions or duties as may be assigned to or required of him by the Chairperson or the Commission.

RULE VII
Parliament of Youth Leaders

Section 1. Convening. — The Commission shall constitute the Parliament of Youth Leaders.

Section 2. Regular Session. — The Youth Parliament shall meet at the call of the Commission, and thereafter, be convened every two (2) years in a regular session from two to three days every time it is convened.

Section 3. Delegates. — The delegates of the Youth Parliaments shall be chosen by the Commission taking into consideration equal and geographical representation among men and women.

All delegates shall be of good moral character, able to read and write, have not been convicted of any crime involving moral turpitude and shall not be more than thirty (30) years of age on the day of the election to the position by virtue of which he qualifies as a delegate and on the day the Parliament is convened. Provided however, that the members of the Youth Parliament shall serve for only one (1) term.

Section 4. Rules and Regulations. — The Commission shall, in an appropriate resolution, define the rules and procedure for the identification, selection and accreditation of agencies, organizations and institutions qualified to be represented in the Youth Parliament, and for the selection of their respective delegates.

Section 5. Functions of the Youth Parliament. — The Youth Parliament shall perform the following functions:

(a) Study and discuss current concerns and issues on youth and youth development, socio-political involvement, and welfare;

(b) Formulate a legislative agenda on youth matters to be recommended to the Commission, other government agencies, and non-government organizations.

(c) Create and support task forces with specific agenda of work to be done between the sessions of the Youth Parliament, such task forces to be responsible for submitting the results of their work to the appropriate session of the Parliament; and

(d) Serve as the official coordinators of the Commission in the areas of their jurisdiction;

(e) Perform such other functions provided under R.A. No. 8044, and also those functions that may be designated by the Commission.

SECTION 6. Report. — The Youth Parliament, at the end of each regular session, shall present its proceedings, declarations and resolutions to the Commission.

RULE VIII
The Advisory Council

Section 1. Composition. — There shall be an Advisory Council to the Commission to be composed of the Secretary

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of the Department of Education, Culture and Sports (DECS) as Chairperson, and the Secretaries of the Department of Budget and Management (DBM), the Department of Social Welfare and Development (DSWD), the Department of the Interior and Local Government (DILG), the Department of Agriculture (DA), the Department of Labor and Employment (DOLE), the Department of Environment and Natural Resources (DENR), the National Economic and Development Authority (NEDA), the Chairman of the Philippine Charity Sweepstakes Office (PCSO), the Chairman of the Philippine Sports Commission (PSC), and the Chairmen of the Senate and House Committees dealing with youth and sports development, as members.

The Council may consult/invite Commission on Higher Education (CHED), Technical Education and Skill Development Authority (TESDA), Dangerous Drugs Board (DDB) and other government agencies, when necessary, in the implementation of R.A. 8044.

Section 2. Meetings. — The Council shall meet once every three (3) months, or as often as may be necessary, upon call of the Chairman of the Advisory Council, and shall advise the Commission and shall be consulted by it on matters relative to youth affairs, welfare and development.

Section 3. Task Forces. — The Council may organize task forces whenever necessary, and such task forces shall convene between meetings of the Council.

Section 4. Council Secretariat. — The Commission shall provide technical support and the secretariat required by the Council to carry out its functions under R.A. No. 8044.

RULE IX
Fiscal Matters

Section 1. General Rule. — No money shall be paid out of the funds of the Commission except under authority of a resolution promulgated by the Commission or as part of regular operations, subject to the availability of funds.

Section 2. Procedure. — The Commission, in disbursement of funds, shall follow the pertinent rules and regulations issued governing the disbursement of public funds.

RULE X
Transfer of Assets, Properties and Funds

Section 1. Transfer of Assets. — No money shall assets, properties and funds of the Pambansang Katipunan ng Kabataan Barangay and that of the Pambansang Katipunan ng Kabataan Barangay and that of the Presidential Council for Youth Affairs (PCYA) and all other youth-serving agencies under the Office of the President shall be transferred to the Commission which shall assume property rights and be responsible for recording, utilizing and managing the same in accordance with pertinent rules and regulations to be promulgated by the Commission subject to the usual accounting rules and procedure.

Section 2. Transactions. — Pending the final transfer of the aforementioned assets, properties and funds, the Commission may undertake transactions involving them in accordance with pertinent laws, rules and regulations and in consultation with the Department of Budget and Management and the Commission on Audit.

RULE XI
Deductions or Exemptions

Section 1. Tax deductions or Exemptions. — Any donation, contribution, bequest and grant to the Commission shall constitute as allowable deduction from the income of the donor for income tax purposes and shall be exempt from donor's tax, subject to such conditions as are provided under the National Internal Revenue Code, as amended.

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RULE XII
Presidential Land Grant

Section 1. Presidential Land Grant. — The President may, upon the authority of Congress, grant by donation, sale, lease, or otherwise to the Commission any portion of the public domain as may be necessary for the establishment of youth development and training centers in all regions of the country and for the accomplishment of any of its purposes. The Commission shall identify and recommend to the President such portion of-the public domain as may be appropriate in the implementation of this section.

Section 2. Responsibility of the Commission. — The Commission shall be responsible for the development, management and maximum utilization of such land grants as may be provided.

RULE XIII
Stamps and Gold Coins for the Youth

Section 1. Stamps and Coins. — The Commission shall arrange with the Philippine Postal Corporation and the Bangko Sentral ng Pilipinas the issuance of paper stamps and the minting of gold coins depicting youth events and such other motifs as they may decide, under terms beneficial to the Commission.

Section 2. National Historical Institute. — The selection of such events and motifs for the printing of stamps and minting of gold coins shall be in accordance with the rules and criteria to be promulgated by the Commission in consultation with the National Historic Institute.

RULE XIV
Miscellaneous Provisions

Section 1. Separability. — If for any reason/s, any part or provision of these Rules shall be declared unconstitutional or invalid, other parts or provisions hereof not affected thereby shall continue to be in full force and effect.

Section 2. Amendment. — These Rules may be amended at any time the Commission may deem it necessary with the majority vote of not less than five members.

Section 3. Effectivity. — These Rules shall take effect upon publication in the Official Gazette.

Approved: 14 Sept. 1998

(SGD.) CESAR B. CHAVEZ
Chairman and CEO

(SGD.) EVANS A. PINO
Commissioner-at-Large

(Sgd.) CELINE R. MADAMBA
Commissioner Representing Luzon

(SGD.) J. RIBOMAPIL S. HOLGANZA, JR.
Commissioner Representing Visayas

(SGD.)PENDATUN B. DISAMBAN
Commissioner Representing Mindanao

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