

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
Cotabato City

BTA Cabinet Bill No. 28

Introduced by : The Government of the Day

**AN ACT CREATING AND ESTABLISHING THE BANGSAMORO YOUTH
COMMISSION, DEFINING ITS POWERS, FUNCTIONS AND RESPONSIBILITIES,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Upon ratification of the Republic Act No. 11054 or also known as Bangsamoro Organic Law, the Bangsamoro Transition Authority (BTA) was created to serve as the interim government in the BARMM during its transition period. The BTA ensures the accomplishment of the priority legislations, such as the enactment of laws creating various offices under the BARMM, among others. In fact, the BTA is mandated to organize the bureaucracy during the transition period. But this is without prejudice to the authority of the Bangsamoro Government to reorganize the bureaucracy upon its constitution.

Under Sec. 8, Article XVI of the BOL, the BTA is specifically mandated to create the Office on Youth. Sec. 2, Article V, also provides powers to Bangsamoro Government to develop programs for the youth sector. Moreover, the Bangsamoro Government recognizes the vital role of the youth in nation-building, promote and protect their physical, moral, spiritual, and nationanism. The youth sector are even encouraged to participate in public and civic affairs, and promote mental and physical fitness through sports.

For this purpose, the Bill is hereby submitted for the creation of the Bangsamoro Youth Commission, defining its powers, functions, and composition.

In view of the foregoing, the passage of the Bill is earnestly requested.

1 Republic of the Philippines
2 Bangsamoro Autonomous Region in Muslim Mindanao
3 **BANGSAMORO TRANSITION AUTHORITY**
4 Cotabato City
5
6

7 BTA Cabinet Bill No. 29
8

9
10 Introduced by : **The Government of the Day**
11

12 **AN ACT CREATING AND ESTABLISHING THE BANGSAMORO YOUTH**
13 **COMMISSION, DEFINING ITS POWERS, FUNCTIONS AND RESPONSIBILITIES,**
14 **APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**
15

16
17 **BE IT ENACTED** by the Bangsamoro Transition Authority in Parliament
18 assembled, as follows:
19

20 **Section 1. Short Title.** This Act shall be known as the "Youth Commission of the
21 Bangsamoro Autonomous Region in Muslim Mindanao Act of 2019."
22

23 **Section 2. Creation of the Commission.** Pursuant to Article IX, Sec 13 of the
24 Bangsamoro Organic Law which recognizes the vital role of youth, there is hereby
25 created a Bangsamoro Youth Commission of the Bangsamoro Autonomous Region in
26 Muslim Mindanao, hereinafter referred to as the "*Commission*". The Commission shall
27 be administered in accordance with the provisions of this Act, under the supervision and
28 direction of a Chairperson.

29 **Section 3. Declaration of Policy.** The Bangsamoro Government recognizes the vital
30 role of the youth in nation-building. Similarly, it is the policy of the State to promote and
31 protect the physical, moral, spiritual, intellectual and social well-being of the youth, and
32 to inculcate in them patriotism, nationalism, and encourage their involvement in public
33 and civic affairs. Towards this end, the Commission shall:
34

- 35 (a) promote and protect the physical, moral, spiritual, intellectual, and social well-
36 being of the youth;
37
38 (b) provide opportunity for the involvement and participation in social challenges,
39 economic entrepreneurship and political leadership training of the Youth;
40
41 (c) imbue upon the youth the values of freedom, justice, and equality and empower
42 them to create a dignified, just and humane society;
43
44 (d) inculcate upon the youth the ideals of patriotism and nationalism, human rights
45 and other positive values; infuse and cultivate in them humane life and uphold
46 the sanctity and inviolability of the institution of a family;
47
48 (e) establish intervention mechanism for youth activities for civic duty, environmental
49 protection, agricultural and industrial productivity, reduction of the incidence of
50 poverty, and acceleration of socio-economic development;
51
52 (f) mobilize potentials, skills, abilities and talents of the Youth in the area of
53 autonomy and redirect their industry, creativity, inventive genius and enthusiasm

1 for socio-economic and political empowerment that shall pave the way for the
2 freedom of the people from fear, hunger and injustice;

3
4 (g) promote the culture of peace through youth participation on peace education
5 activities, thereby achieving unity, respect of human rights and discipline despite
6 diversity of culture; and

7
8 (h) adhere to policy of transparency, thereby inculcating upon the youth the values of
9 good governance and commitment to the goals of dignified youth leadership.

10
11 **Section 4. Definition of Terms.** As used in this Act, the following terms are defined as
12 follows:

13
14 (a) "Youth" shall refer to the critical period in a person's growth and development
15 from the onset of adolescence towards the peak of mature, self-reliant and
16 responsible adulthood comprising the considerable sector of the population from
17 the age of fifteen (15) to thirty (30) years.

18
19 (b) "Youth organizations" refer to those organizations and institutions whose
20 members are youth; or any organization or institution whose primary advocacies
21 and programs address youth development issues and concerns.

22
23 (c) "Youth Serving Organizations" shall refer to those registered organizations or
24 institutions whose principal programs, projects and activities are youth-oriented
25 and youth-related.

26
27 (d) "Commission" shall refer to the Bangsamoro Youth Commission.

28 **Section 5. Status and Nature of the Commission.** The Commission shall have the
29 same status as the other agencies/offices of the Bangsamoro Regional Government
30 under the Office of the Chief Minister.

31
32 The Commission shall exercise corporate powers. It shall have a seal.

33
34 The Commission shall have the power to determine its budget in accordance with the
35 applicable rules and regulations.

36
37 **Section 6. Mandate and Functions.** The Commission shall be the primary policy-
38 making and coordinating body of all institutions that have youth-related, programs,
39 projects, and activities of the Bangsamoro Government.

40
41 Its functions include policy determining, planning, coordinating, implementing, regulating
42 and administering youth programs consistent to the declared policies of this Act.

43
44 The Commission shall likewise be responsible for overseeing the accredited youth
45 organizations and youth serving organizations within the jurisdiction of Bangsamoro
46 Government.

47
48 In fulfilling its mandate, the Commission shall be guided by the declared policies and
49 principles of this Act and the following strategic objectives:

50
51 (a) To provide the leadership in the formulation of policies and in the setting of
52 priorities and direction of youth promotion and development programs and
53 activities;

54
55 (b) To encourage wide and active participation of the youth in governmental and
56 non-governmental programs, projects and activities affecting them;

- 1
2 (c) To harness and develop the full potential of the youth as partners in nation-
3 building;
4
5 (d) To initiate peace building activities and programs; and
6
7 (e) To supplement government appropriation for youth promotion and development
8 with funds from other sources.

9 **Section 7. *Composition and Appointment.*** The Commission shall be composed of
10 five (5) Commissioners coming from each of the major provinces in the BARMM. It shall
11 be headed by a Chairperson appointed by the Chief Minister from the Commissioners.
12 In no case shall more than one Commissioner come from the same province. This is
13 without prejudice to additional seats in the event the Parliament creates new province in
14 the BARMM.

15 The Chairperson and the Commissioners shall be appointed by the Chief Minister.

16 **Section 8. *Term of Office.*** –Of those first appointed under this Act, the Chairperson
17 shall hold office for Five (5) years, two (2) Member for Four (4) years and Two (2)
18 Member for three (3) years, all without reappointment. In no case shall any member be
19 appointed, re-appointed or designated in a temporary or acting capacity. The
20 succeeding appointment after the expiration of the term of the first appointment under
21 this Act shall serve the term of Three (3) years with reappointment for another term;
22 provided that they should not be more than the age limit at the time of their
23 reappointment.
24

25 The term of the Chairperson and Members of the Commission shall commence on the
26 day immediately after the end of the previous term, regardless of the date of
27 appointment. Appointment to any vacancy position occurring during the term shall serve
28 only for the remaining portion of said term. The successor appointed for the unexpired
29 term shall likewise be ineligible for reappointment.

30 The Chairperson shall, among others, supervise the formulation and implementation of
31 policies, plans, and programs on youth development.
32

33 **Section 9. *Qualifications.*** The Chairperson and the Commissioners shall possess the
34 following qualifications:
35

- 36 (a) a natural-born citizen of the Philippines,
37 (b) a resident of the BARMM for a period of five (5) years,
38 (c) must have exercised positions of responsibility and have shown leadership in any
39 youth and/ or youth-serving organizations or institutions,
40 (d) a college degree holder, of good moral character and not have been convicted of
41 a crime involving moral turpitude, and
42 (e) must have at least one (1) year exposure to youth affairs, projects and programs
43 management.
44

45 In addition to the qualifications stated above, the Chairperson shall not be more than
46 forty-five (45) years of age and Commissioners shall not be more than forty (40) years
47 of age, at any time during their incumbency, but both shall not be less than twenty-five
48 (25) years of age.

49 **Section 10. *Powers of the Commission.*** To carry out its mandate, the Commission
50 shall exercise the following powers and functions:
51

- 1 (a) Appoint the officers and other personnel of the Commission and fix their
2 compensation, allowances and other emoluments, subject to the Civil Service
3 and other existing applicable laws, rules and regulations;
4
5 (b) Suspend, dismiss, or otherwise discipline for cause, any employee, and/or to
6 approve or disapprove the appointment, transfer or detail of employees, subject
7 to the provisions of existing laws and regulations;
8
9 (c) Enter into contracts;
10
11 (d) Acquire, use and purchase any land, building, facilities, equipment, instrument,
12 tools and rights required or otherwise necessary for the accomplishment of the
13 objectives of the Commission;
14
15 (e) Acquire, own, possess and dispose of any real or personal property;
16
17 (f) Accept donations, gifts, bequests, and grants;
18
19 (g) Ensure the implementation by various government departments and agencies of
20 their youth developmental projects and activities as indicated in their respective
21 annual budgets;
22
23 (h) Issue rules and regulations in pursuance of the provisions of this Act;
24
25 (i) Allocate resources for implementation of youth programs and projects in the
26 region;
27
28 (j) Extend and provide support or assistance to deserving youth and youth
29 organizations including scholarship grants;
30
31 (k) Establish provincial and city offices as coordinating centers in all the provinces
32 and cities within BARMM; and
33
34 (l) Perform any and all other acts incident to or required by virtue of its Creation.
35

36 **Section 11. *Specific Functions of the Commission.*** The Commission shall have the
37 following functions:

- 38
39 (a) Formulate and initiate the regional policies concerning the youth sector;
40
41 (b) Plan, implement, and oversee a regional integrated youth promotion and
42 development program;
43
44 (c) Establish a consultative mechanism which shall provide a forum for continuing
45 dialogue between the Bangsamoro Government and the youth sector on the
46 proper planning and evaluation of the policies, programs and projects affecting
47 the youth, convening for their purpose, representatives of all youth organizations
48 and institutions, including the Sangguniang Kabataan from barangay, municipal,
49 city and, provincial and regional levels;
50
51 (d) Assist and coordinate with governmental and non-governmental organizations or
52 institutions in the implementation of all laws, policies, programs and projects
53 relative to youth promotion and development;
54
55 (e) Support any government agency, office or instrumentality including government-
56 owned or controlled corporations, local government units as well as non-

1 governmental organizations or institutions in pursuance of its policies, programs
2 and projects for the youth;

- 3
4 (f) Conduct scientific, interdisciplinary, and policy-oriented research and studies on
5 youth-related matters, as well as trainings, seminars and workshops that will
6 enhance the skills and leadership potentials of the youth, instilling in them
7 nationalism and patriotism, with particular emphasis on Bangsamoro culture and
8 Islamic values;
- 9
10 (g) Establish and maintain linkages with national and international youth
11 organizations or institutions and counterpart agencies of foreign governments in
12 order to facilitate and ensure the participation of Bangsamoro youth in national
13 and international functions and affairs;
- 14
15 (h) Administer youth exchange programs as well as monitor and coordinate all
16 foreign sponsored youth programs and projects in the region;
- 17
18 (i) Establish such organizational structures including provincial offices, as may be
19 required to effectively carry out its functions;
- 20
21 (j) Conduct promotional and fund-raising campaigns to support youth-related
22 programs and projects in accordance with existing laws;
- 23
24 (k) To extend and provide support or assistance to deserving youth and youth
25 organizations including scholarship grants;
- 26
27 (l) Conduct accreditation and registration of youth and youth-serving organizations
28 and/or facilitate and help in their establishment;
- 29
30 (m) Participate in national and international fora, symposia and activities of
31 organizations; for this purpose, the Commission shall coordinate with the
32 National Youth Commission;
- 33
34 (n) Submit an annual report on the implementation of this Act to the Chief Minister
35 and the Parliament; and
- 36
37 (o) Perform such other functions as may be necessary to efficiently carry out the
38 provisions of this Act.

39 **Section 12. Commission Secretariat.** The Commission shall be supported by a
40 Secretariat headed by the Executive Director. The Executive Director shall be appointed
41 by the Chief Minister upon the recommendation of the Commission. He shall head the
42 administrative and finance division and the technical service division.

43
44 The Executive Director must not be more than forty-five (45) years of age during his
45 incumbency, and must possess executive and management experience of at least three
46 (3) years and with experience in managing youth affairs, projects and programs.

47 The staffing pattern and compensation schedule of the secretariat shall be in
48 accordance with the existing laws, rules and regulations.

49
50 **Section 13. Duties and Responsibilities of the Secretariat.** – The secretariat shall be
51 responsible for:

- 52
53 (a) Effective and efficient performance of the functions of the Commission and
54 implementation of its programs;
- 55

- 1 (b) Assisting the Commission in identifying priority programs for fund allocation;
2
3 (c) Submission of periodic accomplishment reports to the Commission;
4
5 (d) Preparation of annual report of the Commission;
6
7 (e) Exercising other functions as the Commission may direct.

8 **Section 14. Provincial Offices.** The Commission shall be authorized to establish,
9 operate, and maintain a provincial office in each of the major provinces of the
10 Bangsamoro Autonomous in Muslim Mindanao. Each provincial office shall be
11 supervised by a Commissioner.

12
13 **Section 15. Powers and Functions of the Provincial Offices.** The provincial offices
14 shall have the powers and functions:

- 15 (a) Implement laws, policies, plans, programs, projects, rules and regulations of the
16 Commission;
17
18 (b) Provide efficient and effective service to the youth sector;
19
20 (c) Coordinate with provincial offices of other departments, offices and agencies for
21 youth programs;
22
23 (d) Coordinate with LGUs concerning youth affairs; and
24
25 (e) Perform such other functions as may be provided by law or assigned by the
26 Chairperson.

27 **Section 16. Administrative and Finance Division.** There shall be created an
28 Administrative and Finance Division.

29
30 The Administrative Unit shall perform the Human Resource and Management, Supplies
31 and Records functions. While the Finance Unit shall ensure that rules and regulations
32 regarding accounting, budget management, and cash disbursement are followed.
33

34 **Section 17. Technical Service Division.** There shall be created under the Commission
35 a Technical Service Division which shall be composed of the following sub-units: 1.
36 Planning and Development, 2. Research Service Unit, 3. Project Management,
37 Monitoring, and Evaluation, and 4. Public Relations Office.

38 **Section 18. Youth Coordinating Council.** There shall be created a Youth
39 Coordinating Council which shall be composed of the Chairperson of the Commission,
40 and Youth Representatives coming from the Ministry of Basic, Technical and Higher
41 Education, Ministry of Finance, Budget and Management, the Ministry of Social
42 Services, Ministry of Local Government, the Ministry of Environment, Natural Resources
43 and Energy, the Ministry of Labor and Employment, the Ministry of Agriculture,
44 Fisheries, and Agrarian Reform, and the Ministry of Health, Ministry of Indigenous
45 Peoples' Affairs, Regional Commission on Bangsamoro Women, and Ministry of Trade
46 and Investment and Tourism.

47
48 The Council shall assist the Commission in the establishment of policies, standards,
49 rules and guidelines and other initiatives for its provisions.

50
51 The Council shall meet once every three (3) months, or as often as maybe necessary,
52 upon call of its chairperson on important matters relating to youth affairs, welfare and
53 development.

1
2 **Section 19. Abolition and Transfer of Assets, Properties and Funds of the Office**
3 **on Bangsamoro Youth Affairs.** The Office on Bangsamoro Youth Affairs is hereby
4 abolished. The powers and functions, applicable funds and appropriations, records,
5 assets and equipment and properties acquired, owned and possessed by the Office on
6 Bangsamoro Youth Affairs is hereby transferred to the Bangsamoro Youth Commission.
7

8 **Section 20. Effect of Separation from Service as a Result of this Act.** Any official or
9 employee of the Office on Bangsamoro Youth Affairs or any other personnel of the
10 regional or local government separated from the service as a result of the operation and
11 effect of this Act maybe absorbed, if qualified, by the Commission for the good of the
12 service, or where qualified therefor, may opt to transfer to another office or elect to
13 apply for separation pay or retirement benefits: *Provided*, That the official or employee
14 who may be absorbed by the Commission shall not suffer any loss or diminution of pay,
15 seniority or rank.
16

17 **Section 21. Transitory Provisions.** Within sixty (60) to ninety (90) days after the
18 approval of this Act, the organizational structure, including the creation of new offices,
19 divisions or units as may be deemed necessary for the Commission to carry out its
20 powers and functions under this Act, shall be determined by the Chairperson through a
21 committee that shall be established for the purpose.
22

23 The Chief Minister, upon the approval of this act and during the transition period, shall
24 appoint the commissioners and the chairperson.
25

26 **Section 22. Tax Deduction and Exemption of Donations and Contributions.** - Any
27 donation, contribution, bequest and grant which may be made to the Commission shall
28 constitute as allowable deduction from the income of the donor for income tax purposes
29 and shall be exempt from donor's tax, subject to such conditions as provided under the
30 National Internal Revenue Code, as amended.
31

32 **Section 23. Implementing Rules and Regulations.** The Commission shall promulgate
33 and issue such rules and regulations and other issuances as may be necessary to
34 ensure the effective implementation of this Act within one hundred twenty (120) days
35 from the approval thereof.
36

37 **Section 24. Repealing Clause.** All laws, decrees, executive orders, rules and
38 regulations and other issuances or parts thereof which are inconsistent with this Act are
39 hereby repealed, amended or modified accordingly.
40

41 **Section 25. Separability Clause.** If any provision of this Act shall be declared
42 unconstitutional or invalid, the other provisions not otherwise affected shall remain in full
43 force and effect.
44

45 **Section 26. Effectivity Clause.** This Act shall take effect after fifteen (15) days from its
46 publication in at least two (2) newspapers of general circulation.
47

48 Approved.
49

50
51 **ATTY. PANGALIAN M. BALINDONG**
52 Speaker of the Parliament
53

54
55 This Act was finally passed into law on _____, 2019 Gregorian
56 Calendar and _____th day of _____, 1439, Hijra Calendar.
57

1 This Act was finally passed into law on _____, 2019
2 Gregorian Calendar and _____th day of _____, 1439, Hijra
3 Calendar.
4
5

6 **RABY ANGKAL**
7 Secretary General
8

9
10 **AHOD BALAWAG EBRAHIM**
11 Interim Chief Minister

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
Bangsamoro Transition Authority Parliament
OFFICE OF THE SECRETARY GENERAL

RECEIVED

By: NORIA Y. TAHA

Date: 10-24-19

Signature: _____

Time: 4:58

