

Republic of the Philippines
Autonomous Region in Muslim Mindanao
REGIONAL LEGISLATIVE ASSEMBLY
Cotabato City

SEVENTH LEGISLATIVE ASSEMBLY
(Second Regular Session)

[**MUSLIM MINDANAO AUTONOMY ACT NO. 302**]

Begun and held in Cotabato City, on Monday, the twenty-second day of October 2012.

AN ACT CREATING THE BANGSAMORO YOUTH COMMISSION, DEFINING ITS COMPOSITION, POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Be it enacted by the Regional Assembly in session assembled:

Section 1. *Short Title.* This Act shall be known as the Bangsamoro Youth Commission Act of 2013 of the Autonomous Region in Muslim Mindanao.

Sec. 2. *Declaration of Policy.* The Autonomous Region in Muslim Mindanao to recognizes the vital role of the youth in regional development and nation building. Towards, this end, it is the policy of the Autonomous Regional Government to:

- (a) promote and protect the physical, moral, spiritual, intellectual and social well-being of the youth;
- (b) provide the opportunity for youth involvement and participation in social challenges, economic entrepreneurship and political leadership training;
- (c) imbue upon the youth the values of freedom, justice, and equality and empower them to create a dignified, just and humane society;
- (d) inculcate upon the youth the ideals of patriotism and nationalism, human rights and other positive values; infuse and cultivate in them human life and uphold the sanctity and inviolability of the institution of a family;
- (e) establish intervention mechanism for youth activities for civic duty, environmental protection, agricultural and industrial productivity, reduction of the incidence of poverty, and acceleration of socio-economic development;

(f) mobilize potentials, skills, abilities and talents of the youth in the area of autonomy and redirect their industry, creativity, inventive genius and enthusiasm for socio-economic and political empowerment that shall pave the way for the freedom of the people from fear, hunger and injustice.

(g) promote the Culture of Peace through youth participation on peace education activities, thereby achieving unity, respect of human rights and discipline despite diversity of culture.

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

Sec. 3. *Development Program.* In order to attain the declared policy, there is hereby established the “Regional Comprehensive and Coordinated Program on Youth Development,” hereinafter referred to as the “Development Program.” The components of the program are the following:

(a) Formulation, approval and implementation of the Youth Development Program within four (4) years following the approval of this Act and every three (3) 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 as provided for in Executive Order 484 dated June 8, 1998 and incorporating therein the four (4) key result areas of (1) peace process initiative, (2) enhancement on cultural heritage, (3) enhancement of Islamic awareness, and (4) enhancement on socio-economic and political awareness;

(b) A regional study on the “Situation of the Youth in the Autonomous Region in Muslim Mindanao,” for the period up to the approval of this Act, and every three (3) years thereafter which identifies priority needs, prevailing attitudes and values of youth, the existing services, and the gaps in services delivery of the basic needs of youth;

(c) A “Regional Review, Evaluation and Reform” of all organizations delivering services to youth for the period up to the approval of this Act and every three (3) years thereafter;

(d) Activities to operationalize the implementing structures of the Development Program, to prepare the participation of the youth in significant local, national and global, including but not limited to, the National Youth Congress and the Biennial World Youth Congress, preparations and participations in activities of youth of regional significance, and to provide leadership and support thereto on a sustainable basis; and

(e) The comprehensive, coordinated region-wide service delivery system comprising (1) existing public and civic services for youth which after review and reform or realignment fully support the policy and program framework under this Act; and (2) innovative services and delivery system institutionalized in areas with or without inadequate services and which are responsive to the needs, following pilot demonstration projects to test the validity and feasibility of the services.

Sec. 4. *Definition of Terms.* For Purposes of this Act, the following terms are hereby defined:

(a) "Commission" shall refer to the Regional Youth Commission

(b) "Region" shall refer to the Autonomous Region in Muslim Mindanao

(c) "Youth" shall refer to those persons whose ages range from fifteen (15) to thirty (30) years old;

(d) "Youth Organizations" shall refer to those organizations whose membership/composition are youth;

(e) "Youth Serving Organizations" shall refer to those registered organizations or institutions whose principal programs, projects and activities are youth-oriented and youth-related; and

(f) "Regional Comprehensive Program on Youth Development" shall refer to a component part of the Medium-Term Philippine National Development Plan to be devised by the Regional Advisory Council of the commission in collaboration with the National Youth Commission.

(g) "Culture of Peace" shall refer to integral approach to preventing violence and violent conflicts, and an alternative to the culture of war and violence based on education for peace, the promotion of sustainable economic and social development, respect for human rights, equality between women and men, democratic participation, tolerance, the free flow of information and disarmament.

(h) "Fiscal Autonomy" refers to independent management of funds.

Sec. 5. *Regional Youth Commission.* To carry out the purpose of this Act, there is hereby created Bangsamoro Youth Commission, hereinafter referred to as "Commission." The Commission is under the supervision of the Regional Governor.

Sec. 6. *Composition.* The Commission shall be composed of one (1) Chairperson and four (4) Commissioners, provided that each component province of the Autonomous Region in Muslim Mindanao shall be represented. Provided further, that the president of the Liga ng Mga Sangguniang ng Kabataan in the region who shall be elected from among themselves, shall serve as Commissioner in an ex-officio capacity.

The Chairman shall serve as chief executive officer of the Commission.

Sec. 7. *Qualification and Appointment.*

(a) The regular commissioners shall be appointed by the Regional Governor from among the list of nominees submitted by youth organizations and youth-serving organizations in the ARMM, subject to existing civil services laws, rules and regulations. Such nominating organizations which have been in existence for at least three (3) years as of the approval of this Act must be accredited and certified by the proper government agency.

(b) Upon their appointment and assumption to office, the Commissioners shall convene and elect from among themselves the Chairman of the Commission, subject to the approval of the Regional Governor.

(c) No person may be appointed Chairperson and Commissioner, unless he or she is a natural-born citizen of the Philippines, a resident of the ARMM for five (5) years, have occupied positions of responsibility and leadership in duly registered youth and youth-serving organizations or institutions, a college degree holder, of good moral character and not have been convicted of any crime involving moral turpitude.

(d) The Chairperson shall not be more than forty-five (45) years of age and not less than twenty-three (23) years of age, and the appointive commissioners no more than forty (40) years of age, at any time during their incumbency.

(e) The Chairperson and Commissioners shall be appointed for a term of three (3) years, with reappointment for another term; provided that they should not be more than the age limit at the time of their reappointment and at any time of the extension of their first term.

Sec. 8. *Status and Nature of the Commission.* The Commission shall be independent and autonomous and shall have the same status as the other agencies/offices of the Regional Government attached to the Office of the Regional Governor.

The Commission shall exercise corporate powers and fiscal autonomy. It shall have a seal, may sue and be sued, and shall be the sole policy –making and coordinating body of all youth-related institutions, programs, projects and activities of the Regional Government.

Sec. 9. *Aims and Purposes.* The aims and purposes of the Commission are the following:

- (a) To provide the leadership in the formulation of policies and in setting of priorities and direction of all youth promotion and development programs and activities;
- (b) To encourage wide and active participation of the youth in all governmental and non-governmental programs, projects and activities affecting them;
- (c) To harness and develop the full potential of the youth as partners in community development and nation-building; and
- (d) To supplement government appropriations for youth promotion and development with funds from other sources.

Sec. 10. *Powers of the Commission.* The Commission shall have the following powers while adhering to the policy of open governance:

- (a) To appoint the officers and other personnel of the Commission and fix their compensation, allowances and other emoluments, subject to civil service and other existing applicable laws, rules and regulations, with priority to qualified employees of the Coordinating and Development Office on Bangsamoro Youth Affairs;
- (b) To suspend, dismiss, or otherwise discipline for cause, any employee, and/or to approve or disapprove the appointment, transfer or detail of employees, subject to the provisions of existing laws and regulations;
- (c) To enter into contracts subject to the approval of the Regional Governor;
- (d) To acquire, own, possess and dispose of properties, real or personal, including use and control of any land, building, facilities, equipment, instruments, tools and rights required or otherwise necessary for the accomplishment of the objectives of the Commission.
- (e) To accept donations, gifts, bequests, and grants from benevolent individuals, entity, corporations, organizations, businesses, establishments and foundations, whether domestic or foreign;
- (f) To monitor and ensure the implementation by various departments and agencies of the Autonomous Government of their youth development projects and activities as indicated in their respective annual budget;
- (g) To issue the rules and regulations in pursuance of the provisions of this Act; and
- (h) To perform any and all other acts incident to or required by virtue of its creation.

Sec. 11. *Functions of the Commission.* The Commission shall have the following functions:

- (a) To formulate and initiate the regional policy or policies on youth;
- (b) To plan, implement, and oversee a regional integrated youth promotion and development program;
- (c) To establish a consultative mechanism which shall provide a forum for continuing dialogue between the regional government and the youth sector on the proper planning and evaluation of the policies, programs and projects affecting the youth, convening for their purpose, representatives of all youth organizations and institutions, including the *Sangguniang Kabataan* from barangay, municipal, city and, provincial and regional 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 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 institutions 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 trainings, seminars and workshops that will enhance the skills and leadership potentials of the youth, instilling in them nationalism and patriotism, with particular emphasis on Bangsamoro culture and Islamic values;
- (g) To establish and maintain linkages with national and international youth and youth-serving organizations or institutions and counterpart agencies of foreign governments in order to facilitate and ensure the participation of Bangsamoro youth in national and international functions and affairs;
- (h) To administer youth exchange programs as well as monitor and coordinate all foreign-sponsored youth programs and projects in the region;
- (i) To establish such organizational structures including provincial offices, as may be required to effectively carry out its functions;
- (j) To conduct promotion and fund-raising campaigns to support youth- related programs and projects in accordance with existing laws;

- (k) To allocate resources for implementation of youth programs and projects in the region;
- (l) To extend and provide support or assistance to deserving youth and youth organizations including scholarship grants;
- (m) To accredit and register youth and youth-serving organizations and/or facilitate and help in their establishment.
- (n) To participate in national and international fora, symposia and activities of organizations; for this purpose, the Commission shall coordinate with the National Youth Commission;
- (o) To submit an annual report on the implementation of this Act to the Regional Governor and the Regional Legislative Assembly; and
- (p) To perform such other functions as may be necessary to efficiently carry out the provisions of this Act.
- (q) To establish provincial and city offices as coordinating centers in all the provinces and cities within the region.

Sec. 12. *The Executive Director and Staff.* The Commission shall be supported by a Secretariat headed by an Executive Director who shall serve as the chief operating officer. Under the office of the Executive Director are three (3) divisions namely, the Finance and Administrative Division, Technical Management Division and Entrepreneurship and Livelihood Division headed by Chiefs. They shall receive standard annual compensation as may be authorized by law for equivalent rank, subject to across the board salary increases or adjustments.

The Executive Director shall be appointed by the Regional Governor for a term of three (3) years with reappointment for another term, upon the recommendation of the Commission from a list of nominees submitted by youth organizations in the region, subject to existing Civil Service laws, rules and regulations. Such nominating organizations must be certified by the proper government agency as bonafied youth organizations and existing for at least three (3) years.

He Must not be more than forty-five (45) years of age during his incumbency, a natural born citizen , resident of the Region for at least three (3) years, a college graduate and with considerable exposure to youth affairs, projects and programs management. He shall be responsible for the effective implementation of the policies promulgated by the Commission and shall also direct and supervise the day-to-day operations of the Commission.

The staffing pattern and compensation schedule of the staffs shall be drawn up in accordance with existing laws, rules and regulations.

As much as practicable, there shall be provincial coordinators to be taken from the staff and assigned in the component provinces of the Autonomous Region in Muslim Mindanao.

Sec. 13. *Regional Youth Congress* - There is hereby constituted the "Regional Congress". The Youth Congress shall be initially convened not later than eleven (11) months from the full constitution of the Commission, and shall meet at the call of the Commission, and thereafter be convened every two (2) years. The Regional Youth Congress shall have a regular session from two (2) to three (3) days every time it is convened, but may form task forces which may meet during the period between the convening thereof.

Delegates to the Regional Youth Congress 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, has not been convicted of any crime involving moral turpitude, and shall not be more than thirty (30) years of age on the day of election to the position by virtue of which he qualifies as a delegate and on the day the congress is convened. The delegates shall elect the Speaker of the Youth Congress who shall preside during the session of the congress.

The Regional Youth Congress (RYC) at the end of each regular session shall present its proceedings, declarations and resolutions to the Commission.

Sec. 14. *Advisory Council*. There shall be an Advisory Council which shall be composed of the Secretary of the Department of Education (DepEd) as Chair, and the Secretaries of the Department of Social Welfare and Development (DSWD), the Department of the Interior and Local Government (DILG), the Department of Agriculture and Fisheries (DAF), the Department of Environment and Natural Resources (DENR), the Department of Labor and Employment (DOLE), the Chairperson of the Commission on Higher Education (CHED) and the Chairperson of the Regional Legislative Assembly Committee on Women, Youth and Family Relations.

The Council shall meet once every three (3) months, or as often as may be necessary, upon call of its Chairperson, advise and be consulted by the Commission on important matters relating to youth affairs, welfare and development.

The Council may form task forces which shall convene between the meetings of the Council. The Commission shall provide the technical support and the secretariat required by the Council to function according to this Act.

Sec. 15. *Fiscal Autonomy.* The Commission shall have fiscal autonomy in managing the appropriated funds and subsidies in order to efficiently carry out its plans, programs and projects in accordance with the provisions of this Act.

Sec. 16. *Budget Appropriation and Properties.* After approval of this Act, the Budget for Fiscal Year 2013-2014 of the existing Coordinating and Development Office on Bangsamoro Youth Affairs (CDO-BYA) shall be transferred to the Commission including all the assets, properties, facilities, equipment, furniture, fixtures, acquired, owned and possessed by the Office prior to the passage of this Act. All youth-serving agencies under said office shall be transferred to the Commission. Succeeding budget of the Commission shall be incorporated in the Annual Local Fund Appropriations and/or the General Appropriations Act.

The Commission shall prepare and submit its annual budget for the ensuing fiscal year and thereafter.

Sec. 17. *Effect of Separation from Service as a Result of this Act.* Any official or employee of the Coordination and Development Office on Bangsamoro Youth Affairs (CDO-BYA) or any other personnel of the regional or local government separated from service as a result of the operation and effect of this Act may be absorbed, if qualified, by the Commission for the good service, or where qualified therefor, may opt to transfer to another office or elect to apply for separation pay or retirement benefits; *Provided*, that the official or employee who may be absorbed by the Commission shall not suffer any loss or diminution of pay, seniority or rank; *Provide further*, that benefits for separation or retirement of an official or employee of the office shall be derived from the funds of said office transferred to the Commission.

Sec. 18. *Transitory Provision.* The officials and employees of the Coordinating and Development Office on Bangsamoro Youth Affairs (CDO-BYA) shall continue to hold office and receive salaries unless otherwise terminated.

The Regional Governor, upon approval of this Act, shall appoint the commissioners who upon assumption to duty shall elect from among themselves the chairperson.

Obligations incurred by the Coordinating and Development Office on Bangsamoro Youth Affairs during its incumbency shall not make the Commission responsible, liable and answerable, except that whatever settlement thereof shall be charged against the transferred budget/appropriation of the Office for the Fiscal Year 2012-2013.

Sec. 19. *Separability Clause.* If for any reason or reasons, any part or provision of this Act shall be held to be unconstitutional or invalid, other parts or provisions thereof not affected thereby shall continue to be in full force and effect.

Sec. 20. *Repealing Clause.* All regional laws, orders, rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

Sec. 21. *Effectivity.* This Act shall take effect upon its approval.

APPROVED.

(SGD) RASOL Y. MITMUG, JR.
Speaker

This Act was passed by the Regional Legislative Assembly on April 11, 2013.

(SGD) DATU MAMA M. AMPATUAN
Secretary-General

APPROVED:

(SGD) MUJIV S. HATAMAN

Regional Governor

Date: _____