



Republic of the Philippines
BANGSAMORO PARLIAMENT
Bangsamoro Autonomous Region in Muslim Mindanao
BARMM Compound, Cotabato City

**BANGSAMORO TRANSITION AUTHORITY
(FIRST REGULAR SESSION)**

BANGSAMORO AUTONOMY ACT NO. 10

Begun and held in Cotabato City, on Friday, the 29th day of March, 2019.

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

Be it enacted by the Bangsamoro Transition Authority Parliament in session assembled:

Section 1. Short Title. - This Act shall be known as the “Youth Commission of the Bangsamoro Autonomous Region in Muslim Mindanao Act of 2020.”

Section 2. Declaration of Policy. - The Bangsamoro Government recognizes the vital role of the youth in nation-building. Thus, it is the policy of the Bangsamoro Government to promote and protect the physical, moral, spiritual, intellectual, and social well-being of the youth, to inculcate in them patriotism and nationalism, and to encourage their involvement in public and civic affairs.

The Bangsamoro Government likewise appreciates the distinctive role of religion, faith, or one’s traditional belief system in the holistic development of the youth in the Bangsamoro Autonomous Region. As such, it shall consistently incorporate the teachings of Islam and other major religions and belief systems in the Bangsamoro Autonomous Region in the crafting of policies affecting the youth.

Section 3. Definition of Terms. - As used in this Act, the following terms are defined as follows:

- (a) “Youth” shall refer to the critical period in a person's growth and development from the onset of adolescence towards the peak of a mature, self-reliant, and responsible adulthood comprising the considerable sector of the population from the age of fifteen (15) to forty (40) years.
- (b) “Youth organizations” refer to those registered organizations and institutions whose members are the youth.

- (c) "Youth Group" refers to any voluntary association of individuals between the ages of fifteen (15) and forty (40) constituted for some legitimate purpose.
- (d) "Youth Serving Organizations" shall refer to those registered organizations or institutions whose principal or major programs, projects, and/or activities are youth-oriented and youth-related.

Section 4. Creation of the Commission. - There is hereby created a Bangsamoro Youth Commission of the Bangsamoro Autonomous Region in Muslim Mindanao, hereinafter referred to as the "Commission".

The Commission shall be administered in accordance with the provisions of this Act, under the supervision and direction of a Chairperson.

I. Nature, Mandate, Powers and Functions

Section 5. Status and Nature of the Commission. - The Commission, to be headed by a Chairperson, shall have the same status as the other agencies/offices of the Bangsamoro Regional Government attached to the Office of the Chief Minister.

The Chairperson shall be part of the expanded cabinet of the Chief Minister.

Section 6. Mandate. - Pursuant to Sec. 13, Article IX of Republic Act No. 11054, otherwise known as the Bangsamoro Organic Law, the Commission shall be the primary policy-making and coordinating body of the Bangsamoro Government in all matters affecting the youth. The Commission shall ensure compliance therewith by all ministries, agencies, offices, and other instrumentalities of the Bangsamoro Government that are mandated to implement programs, projects, and activities affecting the youth of the Bangsamoro Autonomous Region.

Section 7. Powers of the Commission - To carry out its mandate, the Commission shall exercise the following powers:

- (a) Provide leadership in the formulation and initiation of regional policies and plans, and in the setting of priorities and direction on youth promotion and development programs and activities;
- (b) Establish a consultative mechanism which shall provide a forum for continuing dialogue between the Bangsamoro Government and the youth sector on the proper planning and evaluation of the policies, programs and projects affecting the youth, convening for this purpose representatives of all youth organizations and institutions, including the Sangguniang Kabataan;
- (c) Issue rules and regulations in pursuance of the provisions of this Act;
- (d) Accredite, register, and oversee youth organizations and youth-serving organizations within the Bangsamoro Autonomous Region and/or facilitate and help in their establishment;

- (e) Promulgate its own rules of procedures;
- (f) Suspend, dismiss, or otherwise discipline for cause, any employee subject to the mechanisms or processes that may be provided by the Commission;
- (g) Enter into contracts;
- (h) Acquire, use, and purchase any land, building, facilities, equipment, instrument, tools, and rights required or otherwise necessary for the accomplishment of the objectives of the Commission;
- (i) Acquire, own, possess, and dispose of any real or personal property;
- (j) Accept donations, gifts, bequests, and grants;
- (k) Convene a youth advisory council composed of youth representatives from local government units in the BARMM, women sector, civil society organizations, traditional leaders, Bangsamoro communities outside BARMM, and religious leaders. For this purpose, the Commission shall issue guidelines for the convening of the Council; and
- (l) In addition, the Commission may perform any and all other acts incidental to the delivery of its mandate.

Section 8. Functions of the Commission. - To carry out its mandates, the Commission shall exercise the following functions:

- a. 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, ensuring that the various government ministries, agencies, offices, and other instrumentalities implement the youth development projects and activities in accordance with their respective annual budget;
- b. Support 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 for the youth;
- c. Plan, implement, and oversee a regional integrated youth promotion and development program;
- d. Coordinate, implement, regulate, and administer youth programs consistent with the declared policies of this Act;
- e. Establish and maintain linkages with national and international youth 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;
- f. Conduct scientific, interdisciplinary, and policy-oriented research and studies on youth-related matters;
- g. Organize 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;

- h. Conduct promotional and fund-raising campaigns to support youth-related programs and projects in accordance with existing laws;
- i. Extend and provide support or assistance to deserving youth and youth organizations including scholarship grants;
- j. Initiate peace building activities and programs;
- k. Administer youth exchange programs as well as monitor and coordinate all foreign-sponsored youth programs and projects in the region;
- l. Participate in national and international fora, symposia and activities of organizations; and
- m. Perform any and all other acts incident to or required by virtue of its Creation.

Section 9. Powers of the Chairperson. - The Chairperson:

- (a) convenes and presides regular and special sessions and meetings of the Commission and Divisions it may constitute;
- (b) represents the Commission in all its business transactions and signs, on its behalf, contracts, and obligations, and such other documents pursuant to a resolution of the Commission Proper;
- (c) acts as the focal point of communication of the Commission;
- (d) appoint the employees and other personnel of the Commission;
- (e) approve or disapprove the transfer or detail of employees, subject to the provisions of existing laws and regulations; and
- (f) performs such other powers as may be vested by the Commission Proper.

II. Appointments, Term of Office, and Qualifications

Section 10. Composition. - The Commission shall be composed of one (1) Chairperson and four (4) regular commissioners representing the major political subdivisions of the Bangsamoro Autonomous Region, namely:

- a) Maguindanao, including Cotabato City and the 63 barangays from North Cotabato that joined the Bangsamoro Autonomous Region;
- b) Lanao del Sur, including Marawi City;
- c) Sulu;
- d) Basilan, including Lamitan City; and
- e) Tawi-tawi.

There shall be two (2) ex-officio Commissioners coming from the Non-Moro Indigenous Peoples and Settler Communities. For this purpose, the respective heads of the Ministry of Indigenous People Affairs and the office for settler communities, shall designate the ex-officio Commissioner from their offices. The ex-officio commissioners shall have the right to participate and the right to vote. At least two (2) of the commissioners shall be women.

Section 11. Appointments. - The Chairperson and the Commissioners shall be appointed by the Chief Minister.

The Chairperson, as a matter of policy, shall be rotated every term in accordance with representations in the major geographical subdivisions.

For the first set of appointees to the positions of Chairperson and Commissioners, the Chief Minister shall select from the list of nominees submitted by youth groups, youth organizations or youth-serving organizations operating within the BARMM and which have been in existence for at least three (3) years as of the approval of this Act.

For the succeeding appointees, the Chief Minister shall select from a list containing between three (3) and five (5) names for each position, submitted by youth groups, youth organizations or youth-serving organizations in their respective areas as duly accredited by the Commission. Nominating youth groups, youth organizations or youth-serving organizations should have been in existence for at least three (3) years at the time of the submission of the nomination.

Section 12. Term of Office and Compensation. - Of those first appointed under this Act, the Chairperson shall hold office for five (5) years, two (2) members for four (4) years, and two (2) members for three (3) years.

Thereafter, all succeeding appointees shall serve for a term of three (3) years. They may be re-appointed for another term, provided that they shall not exceed the age limit at the time of their reappointment. In no case shall any member be appointed, re-appointed more than once, nor designated in a temporary or acting capacity.

The term of the Chairperson and Members of the Commission shall commence on the day immediately succeeding the end of the previous term, regardless of the date of appointment. Appointees to any vacancy occurring during the term shall serve only for the remaining portion of said term.

The Chairperson and the regular Commissioners shall receive compensation equivalent to salary grade 28 and 27, respectively.

Section 13. Qualifications. - The Chairperson and the Commissioners including the regular and ex-officio Commissioners shall have the following qualifications:

- (a) a citizen of the Philippines ;
- (b) a registered voter of the BARMM and, in the case of the Chairperson and the regular Commissioners, a registered voter of the major political subdivision he/she represents;
- (c) a resident of the BARMM for a period of two (2) years;
- (d) must have exercised positions of responsibility and have shown leadership in any youth and/ or youth-serving organizations or institutions;
- (e) must be of good moral character and not have been convicted of a crime involving moral turpitude;
- (f) must have at least one (1) year exposure to youth affairs, projects and programs management; and
- (g) not more than forty (40) years of age at the time of his/her appointment.

Majority of the Commission including the chairperson shall be holders of bachelor's degree or its equivalent.

Section 14. Commission Secretariat and Executive Director.- The Commission shall be supported by a Secretariat headed by an Executive Director who shall also be the Secretary of the Commission. The Executive Director shall be appointed by the Chief Minister upon the recommendation of the Commission. He/she shall head the administrative and finance division and the technical service division.

The Secretariat shall assist the Commission proper in the performance of its policy-making function, as well as its other functions.

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

Section 15. Duties and Responsibilities of the Secretariat. – The secretariat shall be responsible for:

- (a) the effective and efficient performance of the functions of the Commission and implementation of its programs;
- (b) assisting the Commission in identifying priority programs for fund allocation;
- (c) submission of periodic accomplishment reports to the Commission;
- (d) preparation of annual reports of the Commission; and
- (e) exercising such other functions as the Commission may direct.

Section 16. Organizational Structure.- The Commission shall be composed of the following divisions:

1. Technical Services Division which shall consist of the following sub-units;
 - a. Planning and Development Unit;
 - b. Research Service Unit;
 - c. Project Management, Monitoring and Evaluation Unit;
 - d. Public Relations Unit; and
2. Administrative and Finance Division.

Section 17. Offices of the Commissioner.- Each Commissioner shall have an office in the province that he/she represents.

Section 18. Powers and Functions of the Offices of the Commissioner.- The Offices of the Commissioner shall have the following powers and functions:

- (a) Coordinate with provincial offices of ministries and agencies for youth programs;

- (b) Coordinate with LGUs concerning youth affairs; and
- (c) Perform other powers and functions as may be vested by the Commission proper.

Section 19. Youth Coordinating Council.- There shall be a Youth Coordinating Council which shall:

- (a) be the venue for coordination between the Commission and the ministries and other instrumentalities of the Bangsamoro Government in the implementation of youth-related projects, programs, and activities;
- (b) be the mechanism for monitoring the compliance of the ministries and other instrumentalities of the Bangsamoro Government on youth-related policies;
- (c) be the forum for the discussions in relation to the Commission's formulation and issuance of youth-related policies, standards, rules, and guidelines; and
- (d) be the body that may be consulted by the Commission for advice, guidance, and assistance on important matters relating to youth affairs, welfare and development.

The Council shall be headed by the chairperson of the commission and composed of the senior officers and representatives of the agencies with policy formulating functions of the following: Ministries of Basic, Higher and Technical Education, Science and Technology, Social Services, Local Government, Environment, Natural Resources and Energy, Labor and Employment, Agriculture, Fisheries, and Agrarian Reform, Health, Trade, Investment, and Tourism, Indigenous Peoples' Affairs, Bangsamoro Women Commission, offices of settler communities, sports, and religious affairs, and such other ministries, offices, commissions, agencies, and other instrumentalities that have relevant programs as may be determined by the Chief Minister.

The Council shall meet twice a year or as often as maybe necessary, upon call of the Chairperson.

III. Transitional Arrangements

Section 20. Abolition and Transfer of Assets, Properties and Funds of the Office on Bangsamoro Youth Affairs.- The Office on Bangsamoro Youth Affairs is hereby abolished. The powers and functions, applicable funds and appropriations, records, assets and equipment and properties acquired, owned and possessed by the Office on Bangsamoro Youth Affairs are hereby transferred to the Bangsamoro Youth Commission.

Section 21. Appropriations.- The initial amount of Ten Million and Five Hundred Thousand Pesos (Php10,500,000.00) for the Personnel Services, Eighteen Million Pesos (Php18,000,000.00) for Miscellaneous and Other Operating Expenses, and One Million and Five Hundred Thousand Pesos (Php1,500,000.00) for the Capital Outlay of the Commission shall be sourced from the Miscellaneous Personnel Benefits Fund (MPBF) and the Contingent Fund, subject to existing rules and regulations. Additional funding for Personnel services,

Miscellaneous and Other Operating Expenses, and Capital Outlay may be charged to the MPBF and Contingent Fund.

The succeeding budget of the Commission shall be incorporated in the Appropriations Act passed by the Bangsamoro Parliament. Appropriations for the Commission shall be regularly and directly released to the Commission, subject to usual accounting and auditing rules and regulations.

Section 22. Repealing Clause. - All laws, decrees, executive orders, rules and regulations and other issuances or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

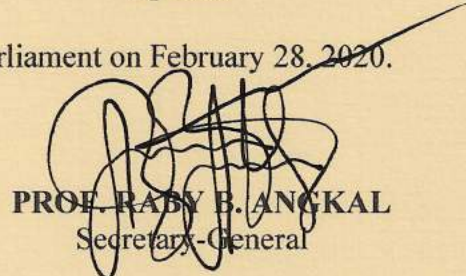
Section 23. Separability Clause. - If any provision of this Act shall be declared unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

Section 24. Effectivity Clause. - This Act shall take effect after fifteen (15) days from its publication in a newspaper of regional circulation.

APPROVED.


ATTY. ALI PANGALIAN M. BALINDONG
Speaker

This Act was passed by the Bangsamoro Parliament on February 28, 2020.


PROF. RABY B. ANGKAL
Secretary-General

APPROVED:


AHOD BALAWAG EBRAHIM
Chief Minister

Date: 4-14-2020