



OFFICE OF THE CITY COUNCIL

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ORDINANCE NO. 13369-2018

AN ORDINANCE PROVIDING FOR A COMPREHENSIVE CODE FOR THE YOUTH OF CAGAYAN DE ORO CITY, AND FOR OTHER PURPOSES

Whereas, Article 2 Section 13 of the 1987 Constitution states that, "the States recognizes the vital role of the youth in nation building and shall promote and protect their physical, moral, spiritual, intellectual and social well-being." It shall inculcate in the youth, patriotism and nationalism and encourage their involvement in public and civic affairs;

Whereas, Republic act No 10742 also known as the Sangguniang Kabataan Reform Act of 2015 has introduced innovations such as the institutionalization of a local youth development council, creation of a youth affairs office, establishing mandatory training and providing an anti-political dynasty provision among others;

Whereas, it is a declared policy of the City of Cagayan de Oro to promote and protect the physical, moral, spiritual, intellectual, cultural and social well-being of the Kagay-anon youth and to inculcate in them values of patriotism and nationalism and to encourage their involvement in public and civic affairs of the city;

Whereas, it is vital to institutionalize youth participation in the local government recognizing the diversity of the youth sectors and towards this end, encourage them to actively participate and be involved in the crafting and monitoring of the policies of the city;

NOW THEREFORE:

BE IT ORDAINED by the 18th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro, that:

**ARTICLE I
GENERAL PROVISIONS**

SECTION 1. TITLE. - This ordinance, for brevity, shall be known as the "Oro Youth Code."

SECTION 2. DECLARATION OF POLICY. -

- a) The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs. Towards this end, the State shall establish adequate, effective, responsive and enabling mechanism and support systems that will ensure the meaningful participation of the youth in local governance and nation-building.
- b) The Local Government of Cagayan de Oro recognizes the vitality of youth involvement in the decision-making process on the various issues affecting them and towards this end, the local government shall ensure adequate and meaningful participation be afforded to them in both executive and legislative functions;
- c) The Local Government of Cagayan de Oro recognizes the important role of the private youth organizations composed of various sectors and shall ensure that a rights-based and economic-based approach in development be integrated in the various process and regulations of the city.



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SECTION 3. DEFINITION OF TERMS -

- a) **Youth** shall refer to those persons whose ages range from fifteen (15) to thirty (30) years old as defined in Republic Act No. 8044. For purpose of targeted programming for the youth, the age disaggregation shall be considered as follows:
 - a.1 15 - 17 - child youth
 - a.2 18 - 24 - core youth
 - a.3 25 - 30 - adult youth
- b) **Working Youth** shall refer to all youth whose ages range from 18-30 years and who are employed either on a regular or temporary basis;
- c) **Out-of-School-Youth** shall refer to all youth of school age, whether organized or not, who are unable to avail of the formal school system or who have dropped out from formal elementary, secondary, tertiary or vocational education;
- d) **In-School Youth** shall refer to all youth of school age, whether organized or not, presently enrolled with any educational, vocational institution, which include but not limited to the following school organizations (academic or non-academic), student government, fraternities and sororities;
- e) **Special Advocacy-Based Youth** shall refer to any youth organization whose primary purpose is to serve youth with particular needs namely, youth with disabilities, youth in situations of armed conflict, victims of natural disaster and calamities, youth offenders, delinquent youth, LGBTQ youth, drug dependent youth, street youth, abused/exploited youth and abandoned/neglected youth among others;
- f) **Faith-based Youth** shall refer to all youth organizations organized under the rules and regulations of a religious institution and recognize as such;
- g) **The Cultural Identity-based Youth** shall refer to youth organizations whose primary purpose is to advance the cultural identity of the Moro and Indigenous peoples;
- h) **Community Youth Organizations** shall refer to organizations whose majority of membership are youth residing in the particular barangay or contiguous area and whose advocacy centers on serving the youth in that particular area;
- i) **Council** shall refer to the Oro Youth Development Council or OYDC;
- j) **Commission** shall refer to the National Youth Commission; and
- k) **Center** shall refer to the Oro Youth Center or OYC.

SECTION 4. CAGAYAN DE ORO YOUTH DEVELOPMENT PLAN. - The Oro Youth Development Council shall formulate a comprehensive program for the youth, within six (6) months from the effectivity of this Code, after thorough consultation with the Sangguniang Kabataan, youth groups, other government agencies, private sector, and non-government organizations.



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ARTICLE 2 THE ORO YOUTH DEVELOPMENT COUNCIL

SECTION 5. CREATION & FUNCTIONS. - (a) To ensure the wide and multi-sectoral youth participation in local governance, there shall be created the Oro Youth Development Council, which shall be called the "OYDC" for brevity. The OYDC shall be headed by the concerned Pederasyon ng SK President, co-chaired by the Sectoral Chairperson and composed of representatives of youth and youth-serving organizations in the city level. The OYDC shall assist in the planning and execution of projects and programs of its member organizations, the SK, and the Pederasyons in all levels.

(b) Formal Organization of Non-Organized Youth - to give equal opportunity for the youth, from the time of the enactment of this ordinance and up to the deadline for registration set by the Commission and DILG, non-organized youth groups may formally organize themselves and register in accordance with paragraph d of this provision.

(c) Composition of the Youth Organization and Youth Serving Organization - Youth Organization is an organization with members entirely composed of the youth, whose ages range from fifteen (15) to thirty (30) years old with a core advocacy that serves the youth. On the other hand, Youth Serving Organization is an organization with the same core advocacy but whose members are not entirely composed of the youth, which may include civil society organizations. The Youth Serving Organization shall determine which youth sector it mainly serves.

(d) Local Registration of Youth Organization and Youth Serving Organization - all youth organization and youth serving organizations, with a minimum of ten (10) members in good standing and which are operating in Cagayan de Oro City shall be registered in the Oro Youth Center.

(e) Local Verification of Youth Organization and Youth Serving Organization. - The Oro Youth Development Officer shall verify the registration information provided by these organizations. The officer shall then send a list of registered and verified youth organizations and youth serving organizations to the National Youth Commission.

(f) Renewal, Verification and Continuing Local Registration - Registered youth and youth serving-organizations shall renew their local registration and verification every three years. The Center shall conduct a continuing registration procedure taking into consideration the budgetary and manpower requirements and the presence of youth and youth-serving organizations.

(g) Condition Precedent - local registration and verification of youth organization and youth serving organization is a condition precedent for participation in the OYDC elections. However, if a youth organization or youth-serving organization is denied local registration and verification, such organization can apply for special registration and verification to the National Youth Commission as provided for by law. Such special registration and verification entitles the organization to participate in the OYDC elections.

(h) Qualifications of the Members of the OYDC - a member of the OYDC must be a citizen of the Philippines, a resident of Cagayan de Oro City for not less than one year immediately preceding the day of her/his election to the OYDC. She/He should be at least 15 years, but not more than thirty (30) years of age on the day of his/her election to the council,



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able to read and write, Filipino, English, or the local dialect and must not have been convicted by final judgment of any crime involving moral turpitude.

(i) Composition of the OYDC – The OYDC shall be composed of 21 members including the 2 core members from the SK. The two (2) core members shall be composed of the president and the vice-president of the Pederasyon and shall be supported by 19 other representatives from the various youth sectors. The following shall be the maximum allocation of representatives from each of the different sectors:

- i. Three (3) from the In-School Youth Sector
- ii. Three (3) from the out of School Youth Sector
- iii. Three (3) from the Faith-Based Youth Sector
- iv. Three (4) from the special advocacy based youth sector
- v. Three (3) from community – based youth
- vi. Three (3) from cultural identity- based youth

(j) Manner of election – within forty-five (45) days after the SK elections, the Center shall notify all the presidents or authorized representatives of the registered youth organizations and of youth serving organizations in the city, assemble them in a public venue, and by consensus per or secret balloting per youth sector. These representatives shall serve for a term of three (3) years as members of the OYDC.

(k) Election of OYDC Sectoral Chairperson as Co-chair – The 19 representatives from the youth organizations or youth serving organizations shall vote among themselves a Sectoral chairperson who shall act as co-chair with the SK President and who shall serve a term of one year. No Sectoral chairperson shall serve for more than 3 consecutive terms. The Sectoral Co-chairperson shall coordinate with the SK President in all matters relating to sectoral concerns. The SK President shall be the official representative of the OYDC to the City Council as provided for by law.

(l) Convening of the OYDC – Any of the Co-chairpersons (SK Chairperson and the Sectoral Chairperson) with the concurrence of one another may call a meeting. The SK Pederasyon President, or in her/his absence, the Vice-President shall initially convene the council and shall be given preference to preside over the meeting.

(m) Meetings and Quorum –

- (1) The OYDC shall schedule a meeting every month, and as often as needed. However, if the President, the Vice President of the SK or the Sectoral Chairperson fails to convene the OYDC as scheduled, at least one-third of the total membership of the OYDC may call for a meeting. In both instances, a written notice shall be sent either through traditional or non-traditional means, to all members setting the date, time, place and agenda of the meeting which must be received at least two (2) days in advance.
- (2) The presence of the majority (50% + 1) of all members of the OYDC shall constitute a quorum.

(n) Duties and Functions of the OYDC – The OYDC shall discharge the following duties and functions:



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- (1) Serve as the core of the advocacy on youth participation in nation-building and youth empowerment;
- (2) Finalize the three (3) year LYDP that is anchored in the PYDP and the development plans of the City of Cagayan de Oro;

The LYDP shall be initially drafted by the respective SK Pederasyon and shall be finalized by the OYDC. This shall be submitted to the LCE for inclusion in the Local Development Plan and subsequently endorsed to the Sanggunian. These plans shall give priority to programs projects and activities that will promote and ensure the meaningful youth participation in nation-building, sustainable youth development and empowerment, equitable access to quality education, environmental protection, climate change adaptation, disaster risk reduction and resiliency, youth employment and livelihood, health and anti-drug abuse, gender sensitivity, social protection, capability building and sports development;

- (3) Monitor and evaluate the implementation of the Local Youth Development Plan
- (4) To formulate, adopt, and prescribe policies, guidelines, and rules and regulations that will guide the Community Improvement Division for the smooth operation of the Youth Center
- (5) To receive, evaluate, modify, and approve Youth Center-related project proposals and accordance with the approved plans and programs of the Youth Center;
- (6) To approve the annual and/or supplemental budget of the Youth Center as may be submitted to it by the Community Improvement Division;
- (7) To formulate and approve the internal rules and regulations of the Council including policies addressing representation, substitution, absence and delinquency of council members; and
- (8) Perform such other functions as may be provided by law or ordinances.

(o) Special Bodies and Committees – The members of the OYDC shall designate among themselves the alternate representatives of the SK President in all committees or special bodies in which the SK President is an official sitting member subject to the Council's internal rules. If the SK President is not available during a meeting of a committee or special body, the alternative representative shall represent the SK President and report to the latter and to Council all matters that have transpired during the meeting.

(p) Advisory Group - The following shall be resource persons whom the Oro Youth Council may invite to shed light and advise the body on pertinent issues affecting the youth:

- i. Area Representative from the National Youth Commission
- ii. City Planning and Development Officer
- iii. City Social Welfare and Development Officer
- iv. City Health Officer
- v. Schools District Supervisor
- vi. Officer in Charge or Representative from the Community Improvement Division
- vii. Chair of the Committee on Youth and Sports Development
- viii. Chair of the Committee on Barangay Affairs



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- ix. Chair of the Committee on Education
- x. Chair of the Committee on Health and Social Services
- xi. Regional Director or Representative from the Population Commission
- xii. Department Head or Representative from the City Disaster Risk Reduction and Management

ARTICLE 3
THE ORO YOUTH DEVELOPMENT OFFICE

SECTION 6. CREATION. – (a) There shall be a Cagayan de Oro Youth Development Office which shall be housed within the operating structure of the Oro Youth Center.

(b) Functions of the Oro Youth Development Office – the office shall have the following functions:

- (1) In accordance with Section 5(d) of this ordinance, register and verify youth and youth-serving organizations;
- (2) Provide technical assistance to the OYDC in the formulation of the LYDP
- (3) Facilitate the election of the OYDC Representatives;
- (4) Serve as secretariat to the OYDC;
- (5) Conduct the mandatory and continuing training of the SK Officials and OYDC members, in accordance with the programs jointly designed and implemented by the Commission and the DILG. The local youth development officer and/or his or her staff shall apply for accreditation from the Commission in order for them to conduct the mandatory and continuing training programs of the SK officials and OYDC members.
- (6) Provide technical, logistical and other support in the conduct of the mandatory and continuing training programs, and to such other programs of the Commission and DILG;
- (7) Coordinate with the Commission through the YAPO, with regard to the youth programs within their jurisdiction;
- (8) Perform such other functions as may be prescribed by law, ordinance or as the Local Chief Executive, the DILG or the Commission may require;
- (9) To assist the Oro Youth Center in its duty as a drop-in and referral center for the youth with problems such as teenage pregnancy, teenage prostitution, sexually transmitted diseases/infection, boyfriend-girlfriend relationship, parent-child relationship, substance abuse, vagrancy and other anti-social behavior such as truancy and vandalism, and other adolescent-related problems;
- (10) To organize and implement programs and activities that will promote a broad understanding of the problems affecting the youth in highly urbanized cities such as Cagayan de Oro;
- (11) To undertake such action projects as may be necessary to promote the attainment of the objectives and purposes of this ordinance;
- (12) To promote and publish information and studies on the youth, especially in the City in all its aspects; and



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- (13) To coordinate with any department, division, office, or any instrumentality of the City Government of Cagayan de Oro or of the national government for such assistance as it may require in the performance of its functions.

(c) Qualification of the Youth Development Officer and other staff of the office. - In addition to the requirements prescribed by the Civil Service Commission (CSC) and reasonable standards set by the Human Resource Management Office, the Youth Development Officer and other staff of the office shall:

- (1) Be preferably not more than thirty years of age at the time of his/her appointment;
- (2) Be of good moral character;
- (3) Must have acquired experience in youth development affairs or involvement in youth or youth-serving organizations for at least three (3) years; and
- (4) He or she shall be appointed by the Local Chief Executive, but in no case is he or she be within the fourth civil degree of consanguinity or affinity of the appointing authority.

(d) Personnel and functions of the Oro Youth Development Office. - The following staff and their functions shall comprise the Oro Youth Development Office:

- (1) Oro Youth Development Officer III (SG-18) shall have the following functions:
 - i. Direct all operations of the Office;
 - ii. Establish procedures for the effective operation of the Office;
 - iii. Submit to the City Mayor rules and regulations, and other guidelines adopted by the Office and approved by the Council, which would require the Local Executive's attention including annual and periodic reports;
 - iv. Submit Quarterly Report on the status of the youth programs, regulations in force and other pertinent information and recommendations to the Council and to other relevant agencies;
 - v. Delegate any function and tasks to competent staff of the Office;
 - vi. Prepares and submits the annual and supplemental budgets of the Office following existing budgetary rules and regulations;
 - vii. Subject to the approval of the City Mayor and recommendation from the Council, arrange for donations, grants, gifts, and to implement sports plans, programs, and policies;
 - viii. Performs such other functions as may be assigned by the office of the City Mayor or the Council; and



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- ix. Represent Cagayan de Oro City in any regional, national or international forum, meeting and functions related to youth development together with other youth representatives from the council.
- (2) Administrative Assistant IV (SG-10) shall have the following functions:
- i. Oversees the preparation of the minutes, agenda and records the attendance and proceedings of all meetings of the Oro Youth Development Council;
 - ii. Oversees the preparation of the office budget and other financial matters;
 - iii. Disseminates notices of all meetings;
 - iv. Responsible for the development of internal office procedures, office internal control, document inventory, office layout and other similar matters; and
 - v. Performs all duties incidental to the office and those that may be delegated or assigned to her/him by the Oro Youth Development Officer.
- (3) Youth Development Officer 1 (SG -10) who shall act as the Program Coordinator for Program and Operations shall have the following functions:
- i. Develops, recommends, initiates, coordinates and implements a more effective and systematic training program for the office's staff and accredited member youth organizations;
 - ii. Develops and maintains systematic data-based records and documentation on trainings;
 - iii. Acquires and maintains training facilities including training materials and reference;
 - iv. Creates a pool of trainers and volunteers in the different fields of youth development and leadership; and
 - v. In cooperation with the whole office and other agencies of government, organize and implement the yearly Oro Youth Leaders Convergence and facilitate the regular and special elections of the members of the council in cooperation with the Commission and the Department of Interior and Local Government.
- (4) Youth Development Officer 1 (SG -10) who shall act as the Program Coordinator for Policy and Planning shall have the following functions:
- i. Conducts research for the continuous improvement of the youth sector with specific emphasis on youth participation in nation-building, sustainable youth development and empowerment, equitable access to quality education, environmental protection, climate change adaptation, disaster risk reduction and resiliency, youth employment and livelihood,



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health and anti-drug abuse, gender sensitivity, social protection, capability building and sports development;

- ii. Undertakes access and establishes networks in the provincial, regional, international levels on youth development;
 - iii. Keeps records, updates, and database on youth-related researches;
 - iv. Periodically formulate policy-recommendations, which shall be forwarded to the Council and other relevant offices for further action.; and
 - v. Conducts regular needs assessments, focused group discussions, validations and other methodologies needed to guide and advice policy recommendations and strategic direction for the office and the council.
- (5) Youth Development Officer 1 (SG -10) who shall act as the Program Coordinator for Advocacy and Communications shall have the following functions:
- i. Conduct regular accreditation promotion and facilitate the accreditation process as provided for by this ordinance; and
 - ii. Develop and implement a comprehensive and effective communications plan for and within the office which shall take into consideration the enhancement of youth participation and involvement in nation-building, promotion of values, and deliberation of pertinent youth-related issues.

(e) Other Personnel of the Oro Youth Development Office – the local government unit, upon the recommendation of the Oro Youth Development Officer and the council, may provide additional staffing requirements in the office and shall be appointed by the Local Chief Executive in whatever status deemed appropriate, and in accordance with the civil service rules and regulations.

SECTION 7. FUNDING – There shall be allocated in the Annual Budget or Supplemental Budget so much amount as may be necessary for the operation and effective functioning of the Oro Youth Development Office, in accordance with accounting and auditing rules and regulations.

ARTICLE 4
THE ORO YOUTH LEADERS CONVERGENCE

SECTION 8. CREATION. - (a) There shall be a yearly congress of all registered youth organizations and youth serving organizations in the city or as many as needed within the year upon the approval of the OYDC.

(b) **PURPOSE.** - The yearly congress shall be a venue for the SK President and the various representatives from the Oro Youth Development Council to present their courses of action and accomplishments for the year. It shall also be a venue where various youth leaders will discuss issues and recommend courses of action.



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**ARTICLE 5
TRANSITORY PROVISIONS**

SECTION 9. INTERIM OYDC CHAIRPERSON. - During the absence of the Sangguniang Kabataan, the Chairmanship of the Oro Youth Development Council shall be vested to the duly elected sectoral Chairman duly elected by the members of the said council with a term of one year and shall not serve more than three consecutive terms.

**ARTICLE 6
FINAL PROVISIONS**

SECTION 10. FORMULATION OF IMPLEMENTING RULES AND REGULATIONS - Within six (6) months after the approval of this Code, the Oro Youth Development Council through a Technical Working Group with the assistance of the Interim Youth Development Office shall formulate and issue the appropriate rules and regulations necessary for the efficient and effective implementation of any and all provisions of this Ordinance which shall be effective after approval by the City Mayor.

SECTION 11. APPROPRIATIONS. - To effectively implement this Ordinance, Youth Development Fund shall be appropriated annually.

SECTION 12. SEVERABILITY. - If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue in full force and effect.

SECTION 13. REPEALING CLAUSE. - All ordinances, local issuances or rules inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 14. EFFECTIVITY. - This Ordinance shall immediately take effect upon approval and in accordance with law.

UNANIMOUSLY APPROVED.

AUTHORS: COUNCILOR JAY R. PASCUAL
COUNCILOR IAN MARK Q. NACAYA

- | | | | |
|---------------------------------|--------------------------------------|-------------------------------------|-----------------------------|
| <u>Present:</u> | <i>1st District:</i> | - Councilor Zaldy O. Ocon | - Councilor Romeo V. Calizo |
| | | - Councilor Lordan G. Suan | - Councilor Annie Y. Daba |
| | | - Councilor George S. Goking | - Councilor Reuben R. Daba |
| | | - Councilor Jay R. Pascual | |
| <i>2nd District:</i> | - Councilor Maria Lourdes S. Gaane | - Councilor Ian Mark Q. Nacaya | |
| | - Councilor Teodulfo E. Lao, Jr. | - Councilor Dometilo C. Acenas, Jr. | |
| | - Councilor Suzette G. Magtajas-Daba | | |
| <u>On Official Business:</u> | - Councilor Yan Lam S. Lim | | |
| <u>On Leave:</u> | - Councilor Enrico D. Salcedo | | |
| <u>Absent:</u> | - Councilor Nadya B. Emano-Elipe | - Councilor Leon D. Gan, Jr. | |
| <u>Out of Session Hall:</u> | - Councilor Edna M. Dahino | | |


ENACTED this 22nd day of January 2018 in the City of Cagayan de Oro.



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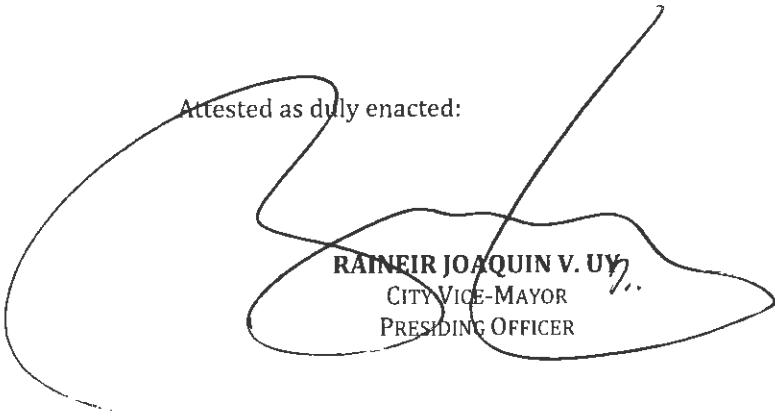
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I hereby certify to the correctness of the foregoing Ordinance.



ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:



RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:



OSCAR S. MORENO
CITY MAYOR

Attested:



TEODORO A. SABUGA-A, JR.
ACTING CITY ADMINISTRATOR