

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

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SENATE
S. No. 2717

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Art. II, Section 13 provides:

Section 13. 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.

Youth camps have become popular in the Philippines in recent years. They offer a wide variety of specialized activities and serve as an alternative learning system for young people. There are now camps for the performing arts, outdoor activities, language learning, sports, and children with special needs, among others. There are also religiously-affiliated youth camps, such as those run by church groups. The primary purpose of most youth camps is educational or cultural development. A youth camp environment may allow young people to take healthy risks in a safe and nurturing environment.

This Act regulates youth camps to ensure the safety and well-being of the young people who attend these camps.


MIRIAM DEFENSOR SANTIAGO
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1 AN ACT REGULATING YOUTH CAMPS

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

2 SECTION 1. *Short Title.* – This Act shall be known as the “Youth Camps Act.”

3 SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to
4 promote and protect the physical, moral, spiritual, intellectual, and social well-being of the
5 youth. The State encourages the establishment of youth camps which serve as alternative
6 learning systems for young people.

7 SECTION 3. *Definitions.* – In this Act, the term –

8 (a) “Youth camp” includes any regularly scheduled program or organized group
9 activity advertised as a camp or operated only during school vacations or on weekends by a
10 person, partnership, corporation, association, or an agency under the local government for
11 recreational or educational purposes, and accommodating for profit or under philanthropic or
12 charitable auspices five (5) or more children, who are under eighteen (18) years of age and who
13 are (i) not bona fide personal guests in the private home of an individual, and (ii) living apart
14 from their relatives, parents, or legal guardian, for a period of two (2) days or more per week or
15 portions of two (2) or more days per week, provided any such relative, parent, or guardian who is
16 an employee of such camp shall not be considered to be in the position of *loco parentis* to such
17 employee’s child for the purposes of this Act.

18 A youth camp, for purposes of this Act, does not include (i) classroom-based summer
19 instructional programs operated by any person, provided no activities that may pose a health risk
20 or hazard to participating children are conducted at such programs; (ii) schools which operate a

1 summer educational program; (iii) licensed day care centers; or (iv) drop-in programs for
2 children who are at least six (6) years of age administered by a nationally chartered boy's and
3 girls' club;

4 (b) "Resident camp" means any youth camp which is established, conducted or
5 maintained on any parcel or parcels of land on which there are located dwelling units or
6 buildings intended to accommodate five (5) or more children who are under eighteen (18) years
7 of age for at least twenty-four (24) consecutive hours and in which the campers attending such
8 camps eat and sleep;

9 (c) "Day camp" means any youth camp which is established, conducted, or
10 maintained on any parcel or parcels of land on which there are located dwelling units or
11 buildings intended to accommodate five (5) or more children who are under eighteen (18) years
12 of age during daylight hours for at least two (2) days a week with the campers eating and
13 sleeping at home, except for one meal per day;

14 (d) "Person" means any agency of a local government unit, individual, partnership,
15 association, organization, limited liability company, or corporation;

16 (e) "Secretary" means the Secretary of Health; and

17 (f) "Department" means the Department of Health (DOH).

18 SECTION 4. *License.* – No person shall establish, conduct, or maintain a youth camp
19 without a license issued by the department. Applications for such license shall be made in
20 writing at least thirty (30) days prior to the opening of the youth camp on forms provided and in
21 accordance with procedures established by the Secretary and shall be accompanied by payment
22 of a license fee to be prescribed by the Secretary. All such licenses shall be valid for a period of
23 one (1) year from the date of issuance, unless surrendered for cancellation or suspended or
24 revoked by the Secretary for violation of this Act or any regulations adopted under this Act; and
25 shall be renewable upon payment of the appropriate license fee.

26 The Secretary may waive the payment of the license fee if the applicant is a nonprofit,
27 nonstock corporation or association.

1 SECTION 5. *Requirements for Licensing of Camps.* -- To be eligible for the issuance or
2 renewal of a youth camp license pursuant to this Act, the camp shall satisfy the following
3 requirements:

4 (a) The location of the camp shall be such as to provide adequate surface drainage
5 and afford facilities for obtaining a good water supply;

6 (b) Each dwelling unit, building, and structure shall be maintained in good condition,
7 suitable for the use to which it is put, and shall present no health or fire hazard as so certified by
8 the department and the local fire marshal, as indicated by a current fire marshal certificate dated
9 within the past year and available on site when the youth camp is in operation;

10 (c) There shall be an adequate and competent staff, which includes the camp director
11 or assistant director, one of whom shall be on site at all times the camp is in operation, activities
12 specialists, counselors, and maintenance personnel, all of whom shall be of good character and
13 reputation;

14 (d) Prior to assuming responsibility for campers, the staff shall be trained, at a
15 minimum, on the camp's policies and procedures pertaining to behavioral management and
16 supervision, emergency health and safety procedures, and recognizing, preventing, and reporting
17 child abuse and neglect;

18 (e) All sports and other physical activities, including, but not limited to, archery,
19 aquatics, or horseback riding, shall be supervised by a qualified activities specialist who has
20 adequate experience and training in such specialist's area of specialty;

21 (f) The staff of a resident and nonresident camp shall at all times include an adult
22 trained in the administration of first aid;

23 (g) Records of personal data for each camper shall be kept in any reasonable form the
24 camp director may choose, and shall include (i) the camper's name, age, and address, (ii) the
25 name, address, and telephone number of the parents or guardian, (iii) the dates of admission and
26 discharge, and (iv) such other information as the Secretary shall require.

27 (h) The Secretary may prescribe additional requirements for licensing in appropriate
28 rules or regulations.

1 Any youth camp licensed under this Act shall operate only as the type of camp authorized
2 by such license. Such camps shall not advertise any service they are not equipped or licensed to
3 offer. The license shall be posted in a conspicuous place at camp headquarters and failure to so
4 post the license shall result in the presumption that the camp is being operated in violation of this
5 Act.

6 SECTION 6. *Revocation or Suspension of License.* – (a) The Secretary may take any of
7 the actions authorized under subsection (b) if the youth camp licensee:

- 8 (i) is convicted of any offense involving moral turpitude, the record of conviction
9 being conclusive evidence thereof;
- 10 (ii) is legally adjudicated insane or mentally incompetent, the record of such
11 adjudication being conclusive evidence thereof;
- 12 (iii) uses any dangerous drug; or any narcotic or any controlled drug, to an extent or in
13 a manner that such use impairs the licensee’s ability to properly care for children;
- 14 (iv) fails to comply with laws and regulations for licensing youth camps;
- 15 (v) furnishes or makes any misleading or any false statement or report to the
16 department;
- 17 (vi) refuses to submit to the department any reports or refuses to make available to the
18 department any records required by it in investigating the facility for licensing
19 purposes;
- 20 (vii) fails or refuses to submit to an investigation or inspection by the department or to
21 admit authorized representatives of the department at any reasonable time for the
22 purpose of investigation, inspection, or licensing;
- 23 (viii) fails to provide, maintain, equip, and keep in safe and sanitary condition premises
24 established for or used by the campers pursuant to minimum standards prescribed
25 by the department or by ordinances or regulations applicable to the location of
26 such facility; or
- 27 (ix) willfully or deliberately violates any of the provisions of this Act.

1 (b) The Secretary may take any of the following actions, singly or in combination, in
2 any case in which the Secretary finds that there has been a substantial failure to comply with this
3 Act and regulations adopted pursuant to this Act:

4 (i) Revoke a license;

5 (ii) Suspend a license;

6 (iii) Impose a fine of not less than one thousand pesos (P1,000) per violation for each
7 day of occurrence;

8 (iv) Place a licensee on probationary status and require such licensee to report
9 regularly to the department on the matters that are the basis of the probation; or

10 (v) Restrict the acquisition of other facilities for a period of time set by the Secretary.

11 (c) The Secretary shall notify the licensee, in writing, of the Secretary's intention to
12 suspend or revoke the license or to impose a licensure action. The licensee may, if aggrieved by
13 such intended action, make application for a hearing, in writing, over the licensee's signature to
14 the Secretary. The licensee shall state in the application in plain language the reasons why the
15 licensee claims to be aggrieved. The application shall be delivered to the Secretary not later than
16 thirty (30) days after the licensee's receipt of notification of the intended action.

17 (d) The Secretary shall hold a hearing not later than sixty (60) days after receipt of
18 such application and shall, at least ten (10) days prior to the date of such hearing, mail a notice,
19 giving the time and place of the hearing, to the licensee. The hearing may be conducted by the
20 Secretary or by a hearing officer appointed by the Secretary, in writing. The Secretary or hearing
21 officer may issue subpoenas requiring the attendance of witnesses. The licensee shall be entitled
22 to be represented by counsel and a transcript of the hearing shall be made. If the hearing is
23 conducted by a hearing officer, the hearing officer shall state the hearing officer's findings and
24 make a recommendation to the Secretary on the issue of revocation or suspension or the intended
25 licensure action.

26 (e) The Secretary, based upon the findings and recommendation of the hearing
27 officer, or after a hearing conducted by the Secretary, shall render the Secretary's decision, in
28 writing, suspending, revoking, or continuing the license or regarding the intended licensure
29 action. A copy of the decision shall be sent by certified mail to the licensee. The decision

1 revoking or suspending the license or a decision imposing a licensure action shall become
2 effective thirty (30) days after it is mailed by registered or certified mail to the licensee. A
3 licensee aggrieved by the decision of the Secretary may appeal to the Office of the President
4 within thirty (30) days from receipt of the decision.

5 (f) The provisions of subsections (c) to (e) shall not apply to the denial of an initial
6 application for a license under section 4, provided the Secretary notifies the applicant of any such
7 denial and the reasons for such denial by mailing written notice to the applicant at the applicant's
8 address shown on the license application.

9 SECTION 7. *Penalties.* – Any person who establishes, conducts, or maintains a youth
10 camp without a license as required by this Act for a first offense shall be subject to a fine of not
11 more than five thousand pesos (P5,000), and for a second or subsequent offense shall be subject
12 to a fine of not more than ten thousand pesos (P10,000), and each day during which a youth
13 camp is conducted or maintained without a license, after notification to such person by the
14 Secretary, shall constitute a separate offense. The Secretary may apply to the courts for an
15 injunction to restrain the operation or maintenance of a youth camp by any person other than a
16 licensed operator. The application for such injunction or the issuance of the same shall be in
17 addition to and shall not relieve any such person from the imposition of the fines under this
18 section. In connection with any such application for an injunction, it shall not be necessary to
19 prove that an adequate remedy at law does not exist.

20 SECTION 8. *Inspection of Facilities.* – The Department of Health shall inspect or cause
21 to be inspected the facilities to be operated by an applicant for an original license before the
22 license shall be granted, and shall annually thereafter inspect or cause to be inspected the
23 facilities of all licensees. No annual inspection shall be required under this section in the case of
24 facilities of a licensee located in any dormitory, classroom, or other building or any athletic
25 facility owned and maintained by any college or university, provided a timely safety inspection
26 of such building or facility, satisfactory to the department, is conducted by or on behalf of such
27 college or university.

28 SECTION 9. *Regulations on Safe Operation, Physical Examinations, and Glucose*
29 *Monitoring for Diabetes.* – (a) The Secretary shall adopt regulations relating to the safe operation

1 of youth camps, including, but not limited to, personnel qualifications for director and staff; ratio
2 of staff to campers; sanitation and public health; personal health, first aid, and medical services;
3 food handling, mass feeding, and cleanliness; water supply and waste disposal; water safety,
4 including use of lakes and rivers, swimming and boating equipment and practices, vehicle
5 condition and operation; building and site design; equipment; and condition and density of use,
6 as the Secretary may deem necessary or desirable. Such regulations shall be construed to be
7 minimum standards subject to the imposition and enforcement of higher standards by the local
8 government in the municipality, city, or province where the youth camp is located, or by other
9 laws, rules, or regulations.

10 (b) The Secretary shall adopt regulations on physical examinations or health status
11 certifications by a physician or a registered nurse that may be required by youth camps for their
12 campers prior to the date of arrival at the youth camps. Such regulations shall permit a physical
13 examination that is required for school purposes to also be used to satisfy any such required
14 youth camp examination or certification, subject to such conditions regarding the timeliness of
15 such examination as the Secretary deems appropriate.

16 (c) The Secretary shall adopt regulations that specify conditions under which youth
17 camp directors and staff may administer tests to monitor glucose levels in a child with diagnosed
18 diabetes mellitus, and administer medicinal preparations, including controlled drugs specified in
19 the regulations adopted by the Secretary, to a child enrolled in the youth camp. The regulations
20 shall require authorization pursuant to: (1) the written order of a physician, dentist, or qualified
21 medical practitioner; and (2) the written authorization of a parent or guardian of such child.

22 SECTION 10. *Complaints Against Youth Camps.* – Any person having reasonable cause
23 to believe that a youth camp is operating without a current and valid license, or in violation of
24 this Act or any regulations under it, or in a manner which may pose a potential danger to the
25 health, welfare, and safety of a child receiving youth camp services, may report such information
26 to the Department of Health. The department shall investigate any report or complaint received
27 pursuant to this section. In connection with any investigation of a youth camp, the Secretary or
28 said Secretary’s authorized agent may administer oaths, issue subpoenas, compel testimony, and
29 order the production of books, records, and documents. If any person refuses to appear, to testify

1 or to produce any book, record, or document when so ordered, a judge of the Regional Trial
2 Court may make such order as may be appropriate to aid in the enforcement of this section. The
3 name of the person making the report or complaint shall not be disclosed unless (1) such person
4 consents to such disclosure; (2) a judicial or administrative proceeding results therefrom; or (3) a
5 license action pursuant to section 6 results from such report or complaint.

6 SECTION 11. *Separability Clause.* – If any provision, or part hereof is held invalid or
7 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
8 valid and subsisting.

9 SECTION 12. *Repealing Clause.* – Any law, presidential decree or issuance, executive
10 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
11 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

12 SECTION 13. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
13 publication in at least two (2) newspapers of general circulation.

Approved,

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