

SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Second Regular Session )

Office of the Secretary

5 JAN -5 P4:00

SENATE  
S. No. **2562**

Office of the Secretary *ji*

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Introduced by Senator Miriam Defensor Santiago

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AN ACT REGULATING YOUTH CAMPS

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.

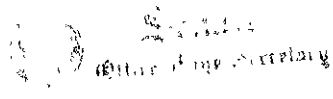
Youth camps have become popular in the Philippines in recent years. They offer a wide variety of specialized activities and serve as an alternative learning system for young people. There are now camps for the performing arts, outdoor activities, language learning, sports, and children with special needs, 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*  
MIRIAM DEFENSOR SANTIAGO  
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\* This bill was originally filed during the Fourteenth Congress.



15 JAN -5 P 4 :00

SENATE  
S. No. 2562

RECEIVED BY. *Ji*

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Introduced by Senator Miriam Defensor Santiago

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

1 AN ACT REGULATING YOUTH CAMPS

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.

1 A youth camp, for purposes of this Act, does not include (i) classroom-based summer  
2 instructional programs operated by any person, provided no activities that may pose a health risk  
3 or hazard to participating children are conducted at such programs; (ii) schools which operate a  
4 summer educational program; (iii) licensed day care centers; or (iv) drop-in programs for  
5 children who are at least six (6) years of age administered by a nationally chartered boy's and  
6 girls' club;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 standards prescribed by the department or by ordinances or regulations  
2 applicable to the location of such facility; or

3 (ix) willfully or deliberately violates any of the provisions of this Act.

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

7 (i) Revoke a license;

8 (ii) Suspend a license;

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

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

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

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

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

1 make a recommendation to the Secretary on the issue of revocation or suspension or the intended  
2 licensure action.

3 (e) The Secretary, based upon the findings and recommendation of the hearing  
4 officer, or after a hearing conducted by the Secretary, shall render the Secretary's decision, in  
5 writing, suspending, revoking, or continuing the license or regarding the intended licensure  
6 action. A copy of the decision shall be sent by certified mail to the licensee. The decision  
7 revoking or suspending the license or a decision imposing a licensure action shall become  
8 effective thirty (30) days after it is mailed by registered or certified mail to the licensee. A  
9 licensee aggrieved by the decision of the Secretary may appeal to the Office of the President  
10 within thirty (30) days from receipt of the decision.

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

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

26 SECTION 8. *Inspection of Facilities.* – The Department of Health shall inspect or cause  
27 to be inspected the facilities to be operated by an applicant for an original license before the

1 license shall be granted, and shall annually thereafter inspect or cause to be inspected the  
2 facilities of all licensees. No annual inspection shall be required under this section in the case of  
3 facilities of a licensee located in any dormitory, classroom, or other building or any athletic  
4 facility owned and maintained by any college or university, provided a timely safety inspection  
5 of such building or facility, satisfactory to the department, is conducted by or on behalf of such  
6 college or university.

7 SECTION 9. *Regulations on Safe Operation, Physical Examinations, and Glucose*

8 *Monitoring for Diabetes.* – (a) The Secretary shall adopt regulations relating to the safe operation  
9 of youth camps, including, but not limited to, personnel qualifications for director and staff; ratio  
10 of staff to campers; sanitation and public health; personal health, first aid, and medical services;  
11 food handling, mass feeding, and cleanliness; water supply and waste disposal; water safety,  
12 including use of lakes and rivers, swimming and boating equipment and practices, vehicle  
13 condition and operation; building and site design; equipment; and condition and density of use,  
14 as the Secretary may deem necessary or desirable. Such regulations shall be construed to be  
15 minimum standards subject to the imposition and enforcement of higher standards by the local  
16 government in the municipality, city, or province where the youth camp is located, or by other  
17 laws, rules, or regulations.

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

24 (c) The Secretary shall adopt regulations that specify conditions under which youth  
25 camp directors and staff may administer tests to monitor glucose levels in a child with diagnosed  
26 diabetes mellitus, and administer medicinal preparations, including controlled drugs specified in  
27 the regulations adopted by the Secretary, to a child enrolled in the youth camp. The regulations



1 shall require authorization pursuant to: (i) the written order of a physician, dentist, or qualified  
2 medical practitioner; and (2) the written authorization of a parent or guardian of such child.

3 SECTION 10. *Complaints Against Youth Camps.* – Any person having reasonable cause  
4 to believe that a youth camp is operating without a current and valid license, or in violation of  
5 this Act or any regulations under it, or in a manner which may pose a potential danger to the  
6 health, welfare, and safety of a child receiving youth camp services, may report such information  
7 to the Department of Health. The department shall investigate any report or complaint received  
8 pursuant to this section. In connection with any investigation of a youth camp, the Secretary or  
9 said Secretary’s authorized agent may administer oaths, issue subpoenas, compel testimony, and  
10 order the production of books, records, and documents. If any person refuses to appear, to testify  
11 or to produce any book, record, or document when so ordered, a judge of the Regional Trial  
12 Court may make such order as may be appropriate to aid in the enforcement of this section. The  
13 name of the person making the report or complaint shall not be disclosed unless (1) such person  
14 consents to such disclosure; (2) a judicial or administrative proceeding results therefrom; or (3) a  
15 license action pursuant to section 6 results from such report or complaint.

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

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

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

Approved,

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