

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



Senate  
Office of the Secretary

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SENATE  
S. No. 1201

RECEIVED BY: *ji*

Introduced by Senator Miriam Defensor Santiago

#### EXPLANATORY NOTE

The Constitution, Article 2, Section 13 provides:

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.

The Girl Scouts of the Philippines (GSP) effectively promotes this Constitutional policy through its mission, which is "to help girls and young women realize the ideals of womanhood and prepare them for their roles and responsibilities in the home and in nation-building."

The GSP was created under Commonwealth Act No. 542. Consistent with the Government's Corporate Rationalization Program, E.O. 495 was issued repealing C.A. 542 together with the charters of the Boy Scouts of the Philippines and the Philippine Shipper's Council. E.O. 495 mandated each of the governing bodies of the three entities to convert their organizations into private corporations and register themselves with the Securities and Exchange Commission.

Privatization of the GSP, however, will lead to the erosion of the special status and support it has gained as a uniquely chartered organization dedicated to serving the youth of the country for almost 68 years. If it is converted into an ordinary corporation, its continued existence may be threatened, as it will be relatively easier to dissolve a private corporation than an organization mandated by law.\*

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

\* This bill is a re-filed version of one filed by the late Senator Raul S. Roco in the 11<sup>th</sup> Congress and another filed by Senator Franklin Drilon in the 13<sup>th</sup> Congress.



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1 AN ACT  
2 AMENDING COMMONWEALTH ACT NO. 542,  
3 OTHERWISE KNOWN AS "AN ACT TO CREATE A CORPORATION TO BE KNOWN AS  
4 THE GIRL SCOUTS OF THE PHILIPPINES, AND TO DEFINE ITS POWERS AND  
5 PURPOSES"

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

6 SECTION 1. Section 5 of Commonwealth Act No. 542 is hereby amended to read as  
7 follows:

8 "SECTION 5. (a) The governing body of the Corporation shall be vested  
9 in a Central Board composed of thirty-seven (37) Members, as prescribed in the  
10 By-Laws, as follows:

- 11 (1) the Charter/Life members;
- 12 (2) the Regional Chairmen of the Girl Scout Regions of the Philippines  
13 who shall be elected by their respective Regions;
- 14 (3) the President of the Boy Scouts of the Philippines;
- 15 (4) the Immediate Past National President of the Girl Scouts of the  
16 Philippines;
- 17 (5) one Senior Girl Scout/Cadet OR YOUNG ADULT from each Girl  
18 Scout Region to represent the Girl membership, who shall be elected  
19 by the Girl Scouts of each region;
- 20 (6) the remaining members shall be the members-at-large, who shall be  
21 elected by the National Council from a list submitted by the  
22 Nominating Committee from nominees from Provincial/City Councils,  
23 REGIONAL COMMITTEES and National Committees.

1           The Central Board shall have the power to make and to amend the  
2 Constitution and By-Laws of the Girl Scouts of the Philippines subject to  
3 ratification by the National Council, create standing and special committees and  
4 provide policies and procedures as may be necessary to carry out the business of  
5 the Corporation.

6           It shall meet regularly at least twice a year. The number necessary to  
7 constitute a quorum, which number may be less than a majority of the whole  
8 number of the Board shall be fixed by the By-Laws.

9           The members of the Central Board shall serve for a term of three (3) years  
10 or until their successors shall have been elected and qualified. In case of inability  
11 of a member to assume office or when any vacancy occurs by reason of death,  
12 resignation, or incapacity, the position shall be filled by the candidate who  
13 received the next highest number of votes in the preceding election.

14           The Central Board shall elect from among themselves the NATIONAL  
15 officers of the Corporation, to wit: the National President, the First National  
16 Vice-President, the Second National Vice-President, the National Secretary, the  
17 Assistant National Secretary, the National Treasurer, and the Assistant National  
18 Treasurer.

19           (b) A woman President of the Philippines or the First Lady of the  
20 Philippines shall be the Chief Girl Scout of the Philippines.”

21 SECTION 2. Section 8 of the same Act is hereby amended to read as follows:

22           “SECTION 8. The Corporation [created by this Act] shall adopt  
23 distinctive badges, uniforms, insignia, and other [equipment(s)] EQUIPMENT  
24 [and] WHICH shall be made available to and used only by registered Girl Scouts  
25 or officials who have satisfactorily complied with the international requirements  
26 prescribed by the World Bureau of [this Movement] THE WORLD  
27 ASSOCIATION OF GIRL GUIDES AND GIRL SCOUTS (WAGGGS) and  
28 which the Girl Scouts of the Philippines shall use in carrying out its program in

1 accordance with the purpose of this Act. The corporation shall cause the  
2 registration of said badges, uniforms, insignias, and other [equipments]  
3 EQUIPMENT in accordance with the provisions of Republic Act [Numbered One  
4 hundred sixty-six, and the Patent Office] NO. 8293, OTHERWISE KNOWN AS  
5 THE 'INTELLECTUAL PROPERTY CODE OF THE PHILIPPINES,' AS  
6 AMENDED. THE INTELLECTUAL PROPERTY OFFICE is hereby directed to  
7 cause said registration free of charge.”

8 SECTION 3. Section 9 of the same Act is hereby amended to read as follows:

9 “SECTION 9. [Any donation or contribution which from time to time may  
10 be made to the Girl Scouts of the Philippines by the Government or any of its  
11 subdivisions, branches, offices agencies or instrumentalities shall be administered  
12 by the Central Board in pursuance of this Act.]

13 [All donations made to the Girl Scouts of the Philippine shall be from  
14 payment of taxes on donations, and the Corporation shall be exempt from the  
15 payment of all taxes, duties, imposts, and other charges]

16 THE CORPORATION SHALL BE ENTITLED TO THE FOLLOWING  
17 TAX AND DUTY PRIVILEGES:

18 (a) EXEMPTION FROM INCOME TAX PURSUANT TO SECTION  
19 30 (E), (G) AND (H) OF THE NATIONOAL INTERNAL REVENUE CODE OF  
20 1997, AS AMENDED; AND

21 (b) TAX AND/OR DUTY EXEMPTION OF DONATIONS FROM  
22 FOREIGN COUNTRIES AS PROVIDED UNDER RELEVANT LAW SUCH  
23 AS, BUT NOT LIMITED TO, SECTION 105 OF THE TARIFF AND  
24 CUSTOMS CODE OF THE PHILIPPINES, AS AMENDED, AND SECTION  
25 109 (Q) OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS  
26 AMENDED.

27 LIKewise, ALL DONATIONS, LEGACIES, AND GIFTS TO THE  
28 GIRL SCOUTS OF THE PHILIPPINES TO SUPPORT ITS PURPOSES AND

1 OBJECTIVES AS EMBODIED IN THIS ACT SHALL, SUBJECT TO THE  
2 LIMITATIONS AND CONDITIONS UNDER THE NATIONAL INTERNAL  
3 REVENUE CODE OF 1997, AS AMENDED, BE EXEMPT FROM THE  
4 DONOR'S TAX AND SHALL BE DEDUCTIBLE FROM THE GROSS  
5 INCOME OF THE DONOR FOR INCOME TAX PURPOSES, AND SUCH  
6 DONATIONS, LEGACIES, AND GIFTS SHALL BE EXPENDED BY THE  
7 CENTRAL BOARD IN PURSUANCE OF THIS ACT.

8 THE CORPORATION SHALL LIKEWISE BE EXEMPT FROM  
9 PAYMENT OF ALL OTHER TAXES, DUTIES, IMPOSTS, AND OTHER  
10 CHARGES.”

11 SECTION 4. Section 10 the same Act is hereby amended to read as follows:

12 “SECTION 10. [On or before the first day of May each year, the said]  
13 THE Corporation shall make and transmit to the [President] CHIEF GIRL  
14 SCOUT of the Philippines [a] AN ANNUAL report [of its proceedings for the  
15 year ending December thirty-first preceding, including] WHICH SHALL  
16 INCLUDE a full, complete, and itemized report of receipts and expenditures of  
17 whatever kind.”

18 SECTION 5. Section 11 of the same Act is hereby amended to read as follows:

19 “SECTION 11. From and after passage of this Act, it shall be unlawful for  
20 any person within the jurisdiction of the Philippines to falsely and fraudulently  
21 call herself to be a member of, or an agent for, the Girl Scouts of the Philippines;  
22 and any person who violates any of the provisions of this Act shall be punished by  
23 [imprisonment of not to exceed six (6) months or a fine not exceeding five  
24 hundred pesos (500.00),] PRISION CORRECCIONAL IN ITS MINIMUM  
25 PERIOD OR A FINE NOT EXCEEDING TWENTY THOUSAND PESOS  
26 (P20,000.00) or both, at the discretion of the court.

1           IT SHALL BE UNLAWFUL FOR ANY PERSON TO  
2 MANUFACTURE, SELL, DISTRIBUTE, USE, APPLY, FEATURE, PORTRAY  
3 OR CAUSE TO BE MANUFACTURED, SOLD, DISTRIBUTED, APPLIED,  
4 FEATURED OR PORTRAYED FRAUDULENTLY OR WITHOUT THE  
5 OFFICIAL KNOWLEDGE AND WRITTEN APPROVAL OF THE CENTRAL  
6 BOARD OF THE GIRL SCOUTS OF THE PHILIPPINES BADGES,  
7 UNIFORMS, INSIGNIA, OR SCOUTING PARAPHERNALIA OR THE  
8 PHOTOS OR VISUALS OF A GIRL SCOUT OR GIRL SCOUTS IN  
9 UNIFORM, OR THE LOGO, SEAL OR CORPORATE NAME OF THE GIRL  
10 SCOUTS OF THE PHILIPPINES IN ANY PRINT AND RADIO OR  
11 TELEVISION COMMERCIAL, BILLBOARD, COLLATERAL MATERIAL  
12 OR ANY FORM ADVERTISEMENT; OR TO USE THE NAME OF THE GIRL  
13 SCOUTS OF THE PHILIPPINES IN ANY ILLEGAL PURPOSE OR  
14 PERSONAL GAIN. ANY VIOLATION OF THE PROVISIONS OF SECTION  
15 8 AND THIS SECTION SHALL BE PUNISHED BY *PRISION*  
16 *CORRECCIONAL* IN ITS MEDIUM PERIOD TO *PRISION* MAYOR IN ITS  
17 MINIMUM PERIOD OR A FINE OF NOT LESS THAN FIFTY THOUSAND  
18 PESOS (P50,000.00) NOR MORE THAN FIVE HUNDRED THOUSAND  
19 PESOS (P500,000.00), OR BOTH, AT THE DISCRETION OF THE COURT:  
20 PROVIDED, THAT IN CASE OF CORPORATIONS, PARTNERSHIPS,  
21 ASSOCIATIONS, SOCIETIES OR COMPANIES, THE MANAGER,  
22 ADMINISTRATOR, OR THE PERSON IN CHARGE OF THE  
23 MANAGEMENT OR ADMINISTRATION OF THE BUSINESS SHALL BE  
24 CRIMINALLY RESPONSIBLE FOR ANY SUCH VIOLATION. THESE  
25 PENALTIES SHALL BE WITHOUT PREJUDICE TO THE PROPER CIVIL  
26 ACTION FOR RECOVERY OF CIVIL DAMAGES, WHICH MAY BE  
27 INSTITUTED TOGETHER WITH OR INDEPENDENTLY OF THE  
28 CRIMINAL PROSECUTION.”

1 SECTION 6. The same Act is hereby amended by adding a new section, Section 14, to  
2 read as follows:

3 "Section 14. DISSOLUTION – IN THE EVENT THAT THE GIRL  
4 SCOUTS OF THE PHILIPPINES IS DISSOLVED BY LAW, THE  
5 PROPERTIES AND ASSETS THEREOF SHALL BE CONVEYED AND  
6 TRANSFERRED TO A GSP FOUNDATION, IF THERE BE ANY,  
7 ORGANIZED FOR THE PURPOSE, OR TO BE FORMED BY THE  
8 MEMBERS OF THE CENTRAL BOARD INCUMBENT AT THE TIME OF  
9 DISSOLUTION."

10 SECTION 7. *Separability Clause.* – If any provision of this Act is declared  
11 unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby  
12 shall continue to be in full force and effect.

13  
14 SECTION 8. *Repealing Clause.* – Section 2 (c), Section 6 (c), and Annex "C" of  
15 Executive Order No. 495 (series of 1991), insofar as they apply to the Girl Scouts of the  
16 Philippines, are hereby repealed. All other laws, decrees, orders, proclamations, rules, and  
17 regulations inconsistent with any of the provisions of this Act are hereby repealed, amended, or  
18 modified accordingly.

19 SECTION 9. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days  
20 following its publication in at least two (2) newspapers of general circulation.

Approved,