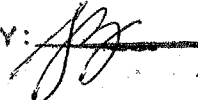


THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

04 JUN 30 P10:31

SENATE

S.B. No. 1111

READ BY: 

Introduced by Senator Franklin M. Drilon

EXPLANATORY NOTE

Article II Section 13 of the 1987 Constitution 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) is one of the existing organizations in the Philippines today that effectively promotes the objectives embodied in this Constitutional policy. The GSP aims 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.

As one of the 144 countries affiliated with the World Association of Girl Guides and Girl Scouts (WAGGGS), the GSP also helps promote and strengthen global unity and cooperation by participating in activities undertaken by WAGGGS and the United Nations. Further, it establishes open communications among girls and young women all over the world through correspondence and cultural exchanges and visits.

The GSP has made its mark not only in the Philippines but also in the international circle. Last June 18-25, 2002, GSP successfully played host to the 31st World Conference of WAGGGS and the Asia Pacific Committee Meeting bringing together 419 delegates from 118 member countries. In fact GSP Officers have gained such prominence to be elected to the World Board and that of the Asia-Pacific. This registered leadership has shown the identity of GSP in the world of girls and young women.

This bill aims to strengthen this organization which has existed for more than 60 years for all girls of the Philippines. Moreover, this measure will reaffirm the significant role played by the GSP in the country. This is a re-filed version of Senate Bill No. 532 filed by Senator Raul S. Roco in the 11th Congress.

In view of the foregoing, passage of this bill is earnestly recommended.


FRANKLIN M. DRILON

THIRTEENTH CONGRESS OF THE)
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AN ACT
FURTHER AMENDING COMMONWEALTH ACT NO. 542,
AS AMENDED, OTHERWISE KNOWN AS "AN ACT TO
CREATE A CORPORATION TO BE KNOWN AS THE GIRL
SCOUTS OF THE PHILIPPINES, AND TO DEFINE ITS
POWERS AND PURPOSES"

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

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

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

- (1) The Charter/Life members;
- (2) The Regional Chairman of the Girl Scout Regions of the Philippines who shall be elected by their respective Regions;
- (3) The President of the Boy Scouts of the Philippines;
- (4) The Immediate Past National President of the Girl Scouts of the Philippines;
- (5) One Senior Girl Scout/Cadet OR YOUNG ADULT from each Girl Scout Region to represent the Girl membership, who shall be elected by the Girl Scouts of each region;
- (6) The remaining members shall be the members-at-large, who shall be elected by the National Council from a list submitted by the Nominating Committee from nominees from Provincial/City Councils, REGIONAL COMMITTEES and National Committees.

The Central Board shall have the power to make and to amend the Constitution and By-Laws of the Girl Scouts of the Philippines subject to ratification by the National Council, create standing and special committees and provide

policies and procedures as may be necessary to carry out the business of the Corporation.

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

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

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

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

SECTION 2. Section 8 of Commonwealth Act No. 542 as amended, is hereby further amended to read as follows:

“SECTION 8. The Corporation [created by this Act] shall adopt distinctive badges, uniforms, insignia, and other [equipment(s)] EQUIPMENT [and] WHICH shall be made available to and used only by registered Girl Scouts or officials who have satisfactorily complied with the international requirements prescribed by the World Bureau of [this Movement] THE WORLD ASSOCIATION OF GIRL GUIDES AND GIRL SCOUTS (WAGGGS) and which the Girl Scouts of the Philippines shall use in carrying out its program in accordance with the purpose of this Act. The corporation shall cause the registration of said badges, uniforms, insignias, and other [equipments] EQUIPMENT in accordance with the provisions of Republic Act [Numbered One hundred sixty-six, and the Patent Office] NO. 8293, OTHERWISE KNOWN AS THE INTELLECTUAL PROPERTY CODE OF THE PHILIPPINES”, AS AMENDED. THE INTELLECTUAL PROPERTY OFFICE is hereby directed to cause said registration free of charge.”

SECTION 3. Section 9 of Commonwealth Act No. 542, as amended, is hereby further amended to read as follows :

“SECTION 9. [Any donation or contribution which from time to time may be made to the Girl Scouts of the

Philippines by the Government or any of its subdivisions, branches, offices, agencies or instrumentalities shall be administered by the Central Board in pursuance of this Act.]

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

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

- (a) EXEMPTION FROM INCOME TAX PURSUANT TO SECTION 30 (E), (G) AND (H) OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED; AND
- (b) TAX AND/OR DUTY EXEMPTION OF DONATIONS FROM FOREIGN COUNTRIES AS PROVIDED UNDER RELEVANT LAWS SUCH AS BUT NOT LIMITED TO SECTION 105 OF THE TARIFF AND CUSTOMS CODE OF THE PHILIPPINES, AS AMENDED, AND SECTION 109 (Q) OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED."

"LIKEWISE, ALL DONATIONS, LEGACIES, AND GIFTS TO THE GIRL SCOUTS OF THE PHILIPPINES TO SUPPORT ITS PURPOSES AND OBJECTIVES AS EMBODIED IN THIS ACT SHALL, SUBJECT TO THE LIMITATIONS AND CONDITIONS UNDER THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED, BE EXEMPT FROM THE DONOR'S TAX AND SHALL BE DEDUCTIBLE FROM THE GROSS INCOME OF THE DONOR FOR INCOME TAX PURPOSES, AND SUCH DONATIONS, LEGACIES, AND GIFTS SHALL BE EXPENDED BY THE CENTRAL BOARD IN PURSUANCE OF THIS ACT.

"THE CORPORATION SHALL LIKEWISE BE EXEMPT FROM PAYMENT OF ALL OTHER TAXES, DUTIES, IMPOSTS, AND OTHER CHARGES."

SECTION 4. Section 10 of Commonwealth Act No. 542, as amended, is hereby further amended to read as follows:

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

SECTION 5. Section 11 of Commonwealth Act No. 542, as amended, is hereby further amended to read as follows:

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

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

SECTION 6. Commonwealth Act No. 542, as amended, is hereby further amended by adding a new section, Section 14, to read as follows:

“Section 14. *DISSOLUTION* -IN THE EVENT THAT THE GIRL SCOUTS OF THE PHILIPPINES IS DISSOLVED BY LAW, THE PROPERTIES AND ASSETS THEREOF SHALL BE

CONVEYED AND TRANSFERED TO A GSP FOUNDATION, IF THERE BE ANY, ORGANIZED FOR THE PURPOSE, OR TO BE FORMED BY THE MEMBERS OF THE CENTRAL BOARD INCUMBENT AT THE TIME OF DISSOLUTION. “

SECTION 7. Section 2 (c), Section 6 (c), and Annex “C” of Executive Order No. 495 [series of 1991] insofar as they apply to the Girl Scouts of the Philippines are hereby repealed. All other laws, decrees, orders, proclamations, rules and regulations or parts thereof inconsistent with any of the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 8. If for any reason, any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remaining provisions not affected hereby shall continue to be in full force and effect.

SECTION 9. This Act shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,