

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



23 AUG 22 P3:36

SENATE
S.B. No. 2419

RECEIVED BY.

Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT REORGANIZING THE BOY SCOUTS OF THE PHILIPPINES AS AN INDEPENDENT, VOLUNTARY, AUTONOMOUS ORGANIZATION, INSTITUTING ITS NEW CHARTER, DEFINING ITS OBJECTIVES, POWERS AND FUNCTIONS, REPEALING FOR THE PURPOSE, COMMONWEALTH ACT NO. 111, AS AMENDED

EXPLANATORY NOTE

Our Constitution recognizes the vital role of the youth in nation-building. Thus, it is the policy of the State to promote and protect their physical, moral, spiritual, intellectual, and social well-being. Further, it is the duty of the State to inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

Created under Commonwealth Act No. 111, as amended, the purpose of the Boy Scouts of the Philippines (BSP) is to promote the ability of boys to do useful things for themselves and others, to train them in scoutcraft, and to inculcate in them patriotism, civic consciousness and responsibility, courage, self-reliance, discipline and kindred virtues, and moral values, using the method which are in common use by boy scouts.

For over 70 years the BSP has become the largest, fast growing and most influential youth organization in the Philippines and in the world. However, to better achieve its purpose of developing the youth, it is necessary to make the BSP more responsive to the changing times. Also, to be consistent with the mandate of the World Organization of the Scout Movement, of which the BSP is a member, this proposed measure, seeks to create a vibrant BSP, an independent, voluntary, autonomous and non-political organization, with no other aim but the development of young people in achieving their full physical, intellectual, emotional, social and spiritual potentials as individuals,

as responsible citizens and as members of their local, national and international communities.

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



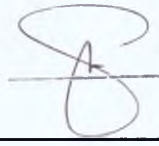
MARIA LOURDES NANCY S. BINAY

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



23 AUG 22 P 3 :36

SENATE
S.B. No. 2419

RECEIVED BY: 

Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT REORGANIZING THE BOY SCOUTS OF THE PHILIPPINES AS AN INDEPENDENT, VOLUNTARY, AUTONOMOUS ORGANIZATION, INSTITUTING ITS NEW CHARTER, DEFINING ITS OBJECTIVES, POWERS AND FUNCTIONS, REPEALING FOR THE PURPOSE, COMMONWEALTH ACT NO. 111, AS AMENDED

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

1 SECTION 1. *Short Title.* - This Act shall be known and cited as the "New Charter of
2 the Boy Scouts of the Philippines."
3

4 SEC. 2. *Declaration of State Policies.* - The State recognizes the vital role of the youth
5 in nation-building. Towards this end, the State shall protect their physical, moral,
6 intellectual, emotional, social and spiritual growth by promoting scouting as an
7 educational means complementary to the basic education system by adhering to the
8 principles embodied in the constitution of the World Organization of the Scout
9 Movement (WOSM), an international organization governing all scout movements
10 worldwide.
11

12 SEC. 3. *Recognition and Institutionalization of the Boy Scouts of the Philippines* - In
13 conformity with international covenants embodied in the Universal Declaration on
14 Human Rights, the United Nations Convention on the Rights of the Child, and other
15 international laws, protocols and statutes relating to the youth and gender-equality,
16 as well as the pertinent provisions of the Charter of the WOSM, the State hereby
17 recognizes the Boy Scouts of the Philippines (BSP), as a body corporate, originally and
18 duly created by virtue of Commonwealth Act No. 111.

1 The State shall at all times, respect the independence, autonomy, neutrality, voluntary
2 nature of the organization. It recognizes the BSP as the sole scouting organization
3 empowered to represent the Philippines in the WOSM.
4

5 *SEC. 4. BSP Nature and Purpose.* - The BSP is an independent, voluntary, non-stock,
6 non-sectarian, non-political, autonomous nongovernmental organization which shall
7 willingly cooperate with other persons, natural and juridical, public and private, whose
8 ideals and procedures are in accord with those conferred or authorized by this Act.
9

10 *SEC. 5. Principal Office.* - The BSP shall have its principal office in Metropolitan Manila.
11 It may establish such other offices anywhere in the Philippines as its operations would
12 require and its National Executive Board would deem necessary.
13

14 *SEC. 6. Powers.* - As a juridical entity, the BSP shall have perpetual succession and
15 shall have the following powers:
16

- 17 a. To sue and be sued;
- 18
- 19 b. To acquire, hold and convey such real and personal properties, rights and
20 choses in action as shall be deemed necessary and desirable for its purposes
21 as hereinafter set forth or other means, to do business in whatever form and
22 to conduct fundraising activities;
- 23
- 24 c. To receive funds, real and personal properties by gift, devise and donation,
25 contribution or other means and accept bequests of all classes;
- 26
- 27 d. To adapt a seal and to alter and destroy the same at pleasure;
- 28
- 29 e. To have offices and conduct its business and affairs in the Metropolitan Manila
30 area and in the provinces, cities, municipalities and barangays in the
31 Philippines; and
- 32
- 33 f. To generally exercise all the powers of a corporation, make and adopt its own
34 by-laws and do all such acts and things as may be necessary to carry into effect
35 of the provisions of this Act.
36

37 *SEC. 7. Chief Scout.* - The President of the Republic of the Philippines shall be the
38 Chief Scout of the BSP who shall act in an honorary ex-officio capacity.
39

40 *SEC. 8. National Executive Board.* - The governing body of the BSP shall consist of a
41 National Executive Board (NEB), the members of which shall be Filipino citizens of
42 known probity and good moral character. The NEB shall be composed of the following:

- 1
- 2 a. Secretary of the Department of Education;
- 3
- 4 b. Secretary of the Department of the Interior and Local Government;
- 5
- 6 c. National President of the Girl Scouts of the Philippines;
- 7
- 8 d. Regional chairmen of the geographical regions to be known as Scout Regions
- 9 who shall be elected by the representatives of all the chartered provincial, city
- 10 or conglomerate of cities and municipalities to be known as Local Councils
- 11 within the region during its meeting called for this purpose;
- 12
- 13 e. One senior scout each from Luzon, Visayas and Mindanao areas, to be elected
- 14 as national scout representative during the conference of scouts ages thirteen
- 15 (13) to twenty-one (21) known as the Scouts Parliament in their respective
- 16 geographical areas;
- 17
- 18 f. Twelve (12) regular members to be elected by the members of the National
- 19 Council in its meeting called for this purpose;
- 20
- 21 g. Eight (8) additional members from the private sector; and
- 22
- 23 h. The immediate past National President as ex-officio non-voting member of the
- 24 NEB.
- 25

26 Thereafter, the NEB, as herein duly constituted, shall elect from the elected regular
27 members by the National Council, the following officers of the BSP:

- 28
- 29 a. National President;
- 30
- 31 b. Senior Vice President;
- 32
- 33 c. One (1) Vice President each from Luzon, Visayas and Mindanao areas;
- 34
- 35 d. Treasurer
- 36
- 37 e. Chief National Commissioner;
- 38
- 39 f. International Commissioner; and
- 40
- 41 g. Such other officers as the NEB may deem necessary.

1 The officers duly elected shall be entitled to serve for a period commensurate with
2 their remaining tenure as a member of the NEB which shall be a maximum of three
3 (3) years and a minimum of one (1) year. In case of vacancy by reason of the
4 expiration of the term of office, the NEB shall elect from its members the officers of
5 the BSP who shall serve in the interim until such successor is elected in an election
6 called for the purpose upon the reconstitution of the NEB.

7
8 The numerical composition as well as the qualifications and manner of electing the
9 abovementioned members of the NEB shall also be provided for in the by-laws.

10
11 The term of office of the regular members of the NEB shall be three (3) years while
12 private sector representatives shall only serve for a period of one (1) year.

13
14 All incumbent elective regular members or officers of the BSP whose terms have not
15 yet expired at the effectivity of this Act shall not serve anymore the unexpired portion
16 of their terms but they shall be eligible for reelection.

17
18 Vacancies in the NEB shall be filled by a majority vote of the remaining members and
19 a member thus elected shall serve only for the unexpired term.

20
21 Owing to the voluntary nature of their services and involvement in the organization,
22 the officers and members of the NEB shall serve without any kind of compensation,
23 allowances or emoluments and are subject to the jurisdiction of the regular courts.

24
25 The by-laws may prescribe the number of members of the NEB necessary to constitute
26 a quorum.

27
28 Pending reorganization and in the interim, the present provisions of the existing by-
29 laws not inconsistent with this act shall govern the day-to-day operations of the NEB
30 until such new by-laws is promulgated and approved by the National Council.

31
32 *SEC. 9. Powers and Functions of the NEB.* - The NEB shall exercise the following
33 powers and functions:

- 34
- 35 a. To make and to amend the by-laws subject to the ratification by a majority
36 vote of the members present at a meeting of the National Council or at a special
37 meeting of the National Council called for this purpose;
 - 38
 - 39 b. To authorize and cause to be executed mortgages and liens upon the property
40 of the BSP by a two-thirds (2/3) vote of the whole NEB in a meeting called for
41 this purpose;

- 1 c. To designate five (5) or more of their members to constitute an executive or
2 governing committee, to include the National President as its chairman, of
3 which a majority shall constitute a quorum, through a resolution passed by a
4 majority of the whole NEB. Such committee, to the extent provided in said
5 resolution or in the by-laws shall have, and exercise, the powers of the NEB in
6 the management of the business affairs of the BSP, and may have the power
7 to authorize the seal of the BSP to be affixed to all papers which may require
8 it;
9
- 10 d. To create standing and special committees and appoint the chairmen and
11 members thereof from among themselves by an affirmative vote of a majority
12 of the whole NEB. Such standing committees shall exercise such powers as may
13 be authorized by the by-Laws;
14
- 15 e. To dispose of, in any manner, a part or the whole property of the BSP with the
16 consent in writing and pursuant to an affirmative vote of two-thirds (2/3) of
17 the members of the National Council;
18
- 19 f. To hold regular meetings at a time and place to be designated in the by-laws.
20 Special meetings of the NEB may be called by the National President or upon
21 such notice as may be prescribed in the by-laws; and
22
- 23 g. Appoint and/or remove its officers in accordance with the by-laws.
24

25 SEC. 10. *National President.* - The National President, as voted by the NEB, shall have
26 the following powers and functions:
27

- 28 a. Exercise general supervision and authority over the regular course of business,
29 affairs, and property of the BSP, and over its employees and officers;
30
- 31 b. Ensure that all orders and resolutions of the NEB are carried into effect;
32
- 33 c. Submit to the NEB as soon as possible, after the close of each fiscal year, at
34 the meeting called for, if applicable, a complete report of the operations of the
35 BSP for the preceding year, and the state of its affairs;
36
- 37 d. Report to the NEB from time to time all matters which the interest of the BSP
38 may require to be brought to its notice; and
39
- 40 e. Perform such other duties and responsibilities as the NEB may require.

1 SEC. 11. *National Council.* - The National Council is the highest corporate policy-
2 making body of the BSP that shall manage its affairs and business. The National
3 Council shall be composed of the following members:

- 4
- 5 a. Members of the NEB;
- 6
- 7 b. Regional Scout Committee Chairmen;
- 8
- 9 c. Regional Scout Commissioner, a person duly appointed and commissioned by
10 the NEB;
- 11
- 12 d. Chairmen and Commissioners of all local councils; and
- 13
- 14 e. Other duly accredited delegates of all local councils as may be provided in the
15 by-laws.
- 16

17 The qualifications, terms of office, and the manner of electing the above-mentioned
18 members of the National Council shall be prescribed in the by-laws.

19

20 The numerical composition of the National Council shall be provided for in the by-laws.
21 Provided, that all regions and all local councils shall be duly represented therein by at
22 least two (2) duly accredited delegates in addition to those who are members of the
23 NEB as provided for under Section 8 of this Act.

24

25 The National Council shall convene every three (3) years in a convention assembled
26 for the purpose.

27

28 Special meetings of the National Council may be called upon with such notice as may
29 be prescribed in the by-laws. One-third (1/3) of the members of the National Council
30 shall constitute a quorum to do business during meetings.

31

32 The National Council and the NEB shall have the power to hold their meetings and
33 keep the seal, books, documents, and papers of the BSP within or outside Metropolitan
34 Manila.

35

36 The National President shall preside over the meetings of the National Council. Each
37 local council represented in the annual or special meetings of the National Council
38 shall be entitled to three (3) votes plus one (1) vote for every ten thousand (10,000)
39 of their scout membership. The members of the NEB are entitled to one (1) vote.

40

41 SEC. 12. *Power and Duties of the National Council.* - The National Council shall exercise
42 the following powers and functions:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

- a. To hold a National Council meeting at a time and place to be designated in the by-laws. The purpose of such meetings is to discuss the national concerns and issues of each local council for the proper governance of the BSP;
- b. To approve and/or ordain any amendments to the national by-laws;
- c. To require the majority vote of the National Council before the cause of any lien, encumbrance or disposition of any real property;
- d. To propose the creation of any committee either governing, standing or special to govern or do any legal task that the regional or local councils may require; and
- e. All other powers necessary for the effective management of the affairs of the regional and local councils as long as they are not inconsistent with the decisions and powers of the NEB and the powers and duties provided for in the by-laws.

SEC. 13. *Chartered Councils.* - Chartered Councils shall be autonomous of the BSP but in no case treated as body corporate separate of the BSP, as such all properties they hold or hereinafter acquire shall be held in trust for the BSP and shall be dealt with in a manner consistent with this act, the by-laws and the rules as may hereinafter be adopted by National Council.

SEC. 14. *Exclusive Right to Seal, Emblems and other Insignias.* - The BSP shall adopt and shall have the sole and exclusive right to use its own distinctive titles, emblems, descriptive or designing marks, words and phrases, badges, uniforms and insignia in carrying out its program in accordance with the purposes of this Act, and which shall be published in the Official Gazette or in any newspaper of general circulation in the Philippines.

- a. The BSP shall adopt distinctive emblems, badges, insignias, uniforms and other equipment which shall be made available to and used only by registered scouts or officials who have satisfactorily complied with the international requirements and which BSP shall use in carrying out its program consistent with purpose of this Act.

The BSP shall cause the registration of said emblems, badges, insignias, uniforms and other equipment in accordance with the provisions of Republic Act No. 8293, otherwise known as the Intellectual Property Code of the Philippines, as amended.

1
2 The Intellectual Property Office (IPO) is hereby directed to cause said
3 registration free of charge.
4

5 b. The Securities and Exchange Commission, the IPO and the Department of
6 Trade and Industry shall refuse the registration of associations, the registration
7 of trade names and the filing of trademarks, commercial marks and industrial
8 models and designs making use of the emblems, badges, insignias, uniforms
9 and other equipment of the BSP or their translation in any official language and
10 dialect in violation of this Act.
11

12 c. The BSP shall have the authority to use the terminology "Scouts Philippines"
13 for branding and promotion.
14

15 SEC. 15. *Fiscal Incentives.* - Any donation or contribution which from time to time may
16 be made to the BSP by the government or any of its subdivisions, branches, offices,
17 agencies or instrumentalities or by a foreign government or by private entities and
18 individuals shall be expended by the NEB pursuant to this Act. The BSP shall be entitled
19 to the following tax and duty privileges:
20

21 a. Exemption from income tax pursuant to Section 30 (E), (G) and (H) of the
22 National Internal Revenue Code of 1997, as amended;
23

24 b. Tax and duty exemption of donations from foreign countries as provided under
25 relevant laws such as but not limited to Section 105 of the Tariff and Customs
26 Code of the Philippines, as amended, and Section 109 (K) of the National
27 Internal Revenue Code of 1997, as amended;
28

29 c. Exemption from all direct and indirect taxes, including value-added tax (VAT),
30 capital gains tax, income tax, fees and other charges of all kinds on all income
31 derived from its operations, scout shops, and other economic enterprise,
32 including the use, lease or sale of its real properties and the provisions of
33 services;
34

35 d. Exemption from the direct and indirect taxes, including VAT, duties, fees and
36 other charges on importations and purchases for its exclusive use;
37

38 e. Exemption from payment of any tax or duty for any donation or contribution
39 which from time to time may be made to the BSP by the national or local
40 government or any of its subdivisions, branches, offices, agencies or
41 instrumentalities or by foreign governments or international scout
42 organizations, foundations, private corporations or entities and individuals

1 which shall be used by the organization in accordance with the provisions of
2 this Act;

3
4 f. Exemption from payment of real property taxes on all real properties owned by
5 it;

6
7 g. BSP shall likewise be exempt from payment from all other taxes, duties,
8 imports, and charges. Likewise, all donations, legacies and gifts made to the
9 BSP to support its purposes and objectives shall be exempt from the donor's
10 tax and shall be deductible from the gross income of the donor for income tax
11 purposes or from the computation of the donor-decedent's net estate as a
12 transfer for public use for estate tax purposes.

13
14 h. All properties owned or hereinafter acquired by the BSP shall be owned and
15 possessed by it in its private capacity and shall not be subject to government
16 control by reason of its neutral and autonomous status.

17
18 SEC. 16. *Prohibited Acts.* - From and after the passage of this Act, it shall be unlawful
19 for any person within the jurisdiction of the Philippines:

20
21 a. To falsely and fraudulently wear the BSP uniform, call himself as, or represent
22 himself to be a member of, or an agent for, the BSP;

23
24 b. To manufacture, sell or distribute or cause to be manufactured, sold or
25 distributed fraudulently or without the official knowledge and written approval
26 of the NEB of the BSP badges, uniforms, insignia, or scouting paraphernalia or
27 the photos or visuals of a scout or scouts in uniform, or the logo, seal, motto,
28 slogan, scout oath and law, neckerchief, badge, emblem or corporate name of
29 the BSP, in any print ad, radio or television commercial, billboard, collateral
30 material or any form of advertisement, including the internet, or on any clothing
31 material, polo, polo shirt, jackets and the likes, pen, ball pen, pencils, book,
32 notebook or any writing material and other similar items goods and clothing;

33
34 c. To use the name of the BSP or Scouts Philippines in any illegal purpose or
35 personal or economic gain.

36 Any violation of the provisions of this Act shall be punished by prison correccional in
37 its maximum period to prison mayor in its medium period and fine of not less than
38 five hundred thousand pesos (Php500,000.00) nor more than one million pesos
39 (Php1,000,000.00). Provided, that in case of corporations, partnerships, associations,
40 societies or companies, the manager, administrator or the person in charge of the

1 management or administration of the business shall be criminally responsible for any
2 such violation.

3

4 This shall be without prejudice to the applicable penalties for violations of the
5 intellectual property rights of the BSP under the Intellectual Code of the Philippines,
6 as amended, as well as other applicable laws.

7

8 SEC. 17. *Transitory Provision.* - Until such time that the organization and restructuring
9 of the BSP in accordance with this Act is effected, the incumbent officers and members
10 of the NEB of the BSP shall conduct the affairs of the BSP and take the necessary
11 steps to effect such reorganization until a new set of national officers shall have been
12 elected within six (6) months from the effectivity of this Act.

13

14 SEC. 18. *Repealing Clause.* - Commonwealth Act No. 111, Presidential Decree No. 460,
15 Republic Act No. 7278, and Executive Order 509 (series of 1992) are hereby repealed.
16 All other laws, decrees, executive orders, rules and regulations, other issuances, part
17 or parts thereof, inconsistent with the provisions of this Act are hereby repealed or
18 modified accordingly.

19

20 SEC. 19. *Separability Clause.* - If for any reason, any provision of this Act or the
21 application thereof to any person or circumstances, is held invalid, the remaining
22 provisions not affected thereby shall be in full force and effect.

23

24 SEC. 20. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
25 publication in the Official Gazette or in a newspaper of general circulation.

Approved,