


SENATE

9 JUN -1 P7:11

COMMITTEE REPORT NO. **530**

RECEIVED BY: 

Submitted jointly by the Committees on Government Corporations and Public Enterprises; Constitutional Amendments Revision of Codes and Laws; and Ways and Means on JUN - 1 2009

Re: Senate Bill No. **3298**

Recommending its approval in substitution of Senate Bill Nos. 778, 946, 2690, 2900, 3207, 3256 and House Bill No. 6025.

Sponsors: Senators Gordon, Escudero and Lacson.

**MR. PRESIDENT:**

The Committees on Government Corporations and Public Enterprises; Constitutional Amendments, Revision of Codes and Laws; and Ways and Means to which were referred Senate Bill No. 778, introduced by Senator Revilla, Jr., entitled:

**“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”**

Senate Bill No. 946, introduced by Senator Legarda, entitled:

**“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”**

Senate Bill No. 2690, introduced by Senator Defensor Santiago, entitled:

**“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”**

Senate Bill No. 2900, introduced by Senator Escudero, entitled:

**“AN ACT  
INSTITUTING THE GIRL SCOUTS OF THE PHILIPPINES CHARTER”**

Senate Bill No. 3207, introduced by Senator Zubiri, entitled:

**“AN ACT  
INSTITUTING THE GIRL SCOUTS OF THE PHILIPPINES CHARTER”**

Senate Bill No. 3256, introduced by Senator Gordon, entitled:

**“AN ACT  
INSTITUTING THE GIRL SCOUTS OF THE PHILIPPINES CHARTER”**

and House Bill No. 6025, introduced by Rep. Villarosa, entitled:

**“AN ACT  
INSTITUTING THE GIRL SCOUTS OF THE PHILIPPINES CHARTER”**

have considered the same and have the honor to report them back to the Senate with the recommendation that the attached Senate Bill No. 3298, prepared by the Committees, entitled:

**“AN ACT  
INSTITUTING THE NEW GIRL SCOUTS OF THE PHILIPPINES CHARTER,  
PENALIZING VIOLATIONS THEREOF, AND FOR OTHER PURPOSES”**

be approved in substitution of Senate Bill Nos. 778, 946, 2690, 2900, 3207, 3256, and House Bill No. 6025 with Senators Revilla, Jr., Legarda, Defensor Santiago, Escudero, Zubiri, Gordon and Lacson as authors.

Respectfully submitted:

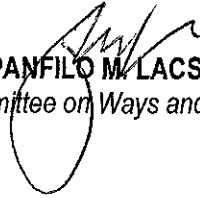
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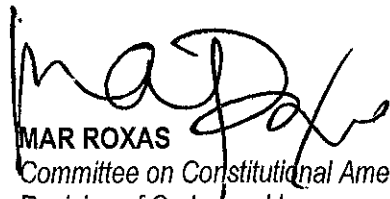


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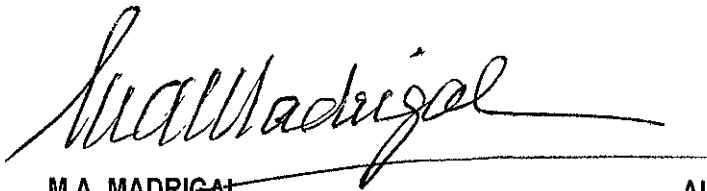
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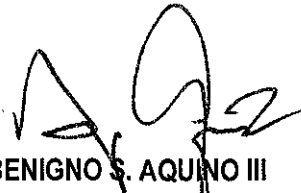


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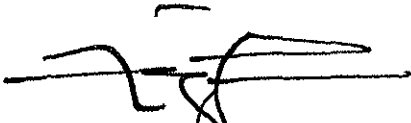
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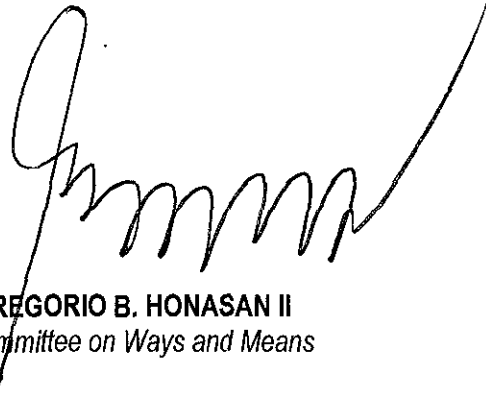
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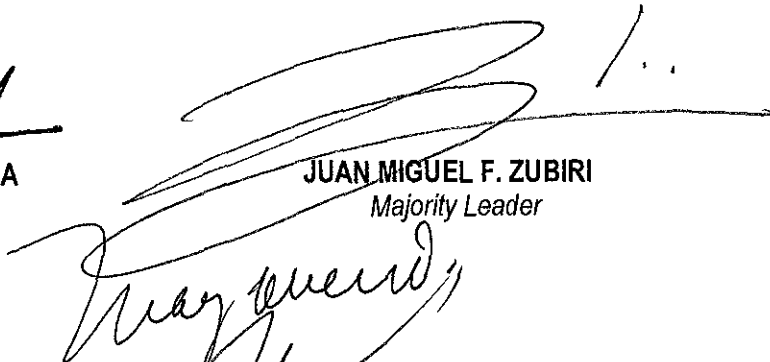


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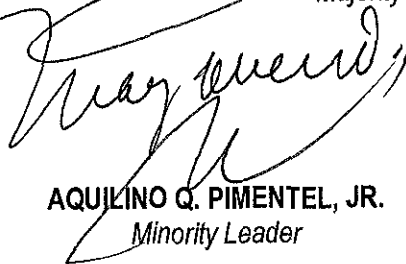
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*Prepared and submitted jointly by the Committee on Government Corporations and Public Enterprises, Committee on Constitutional Amendments, Revision of Codes and Laws and Committee on Ways and Means with Senators Revilla, Jr., Legarda, Defensor Santiago, Escudero, Zubiri, Gordon and Lacson as authors.*

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**AN ACT**  
**INSTITUTING THE NEW GIRL SCOUTS OF THE PHILIPPINES CHARTER,**  
**PENALIZING VIOLATIONS THEREOF, AND FOR OTHER PURPOSES**

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

1           **SECTION 1. *Short Title.*** – This Act shall be known and cited as the “*Girl*  
2           *Scouts of the Philippines Charter of 2009.*”

3           **SECTION 2. *Declaration of Principles and State Policies.*** – The State  
4           recognizes the vital role of the youth in nation-building. To this end, the State affirms  
5           the contribution of the Girl Scouts of the Philippines to the promotion of positive  
6           values, responsible citizenship and volunteerism to young women through its faithful  
7           adherence to the fundamental principles of the World Association of Girl Guides and  
8           Girl Scouts, an internationally recognized organization.

9           **SECTION 3. *Recognition of the Girl Scouts of the Philippines.*** – Pursuant  
10          to the ideals of the World Association of Girl Guides and Girl Scouts (“WAGGGS”),  
11          the “Girl Scouts of the Philippines,” hereinafter referred to as the “GSP,” is hereby  
12          recognized and known as the body corporate as originally and duly created by virtue  
13          of Commonwealth Act No. 542, as amended. The principal office of the GSP shall  
14          be located in Metropolitan Manila, Philippines.

1           **SECTION 4. *Corporate Powers.*** – As a juridical entity, the GSP shall have  
2 perpetual succession and shall enjoy the following corporate powers:

- 3           a.     To sue and be sued;
- 4           b.     To acquire, hold, and convey such real and personal properties, rights  
5               and choses in action as shall be deemed necessary and desirable for  
6               its purposes as hereinafter set forth;
- 7           c.     To receive funds, real and personal properties by gift, device, and  
8               donation, contribution or other means;
- 9           d.     To adopt a seal and to alter and destroy the same at pleasure;
- 10          e.     To have offices and conduct its business and affairs in the Metropolitan  
11               Manila area and in the provinces, cities, municipalities, and barangays  
12               in the Philippines;
- 13          f.     Generally to exercise all the powers of a corporation and do all such  
14               acts and things as may be necessary to carry into effect the provisions  
15               of this Act and promote the purposes of said organization.

16           **SECTION 5. *Vision and Mission.*** – The GSP envisions the Filipino girl and  
17 young woman as God-loving, patriotic, progressive, dynamic, and pro-active. The  
18 mission of the GSP is to help girls and young women realize the ideals of  
19 womanhood and prepare themselves for their responsibilities in the home, the  
20 nation, and the world community. To carry out its mission, the GSP shall be the sole  
21 directing and coordinating head of the Girl Scouts Movement in the Philippines, and  
22 shall establish and maintain standards which will inspire every generation with the  
23 highest ideals of citizenship, character, conduct, and attainment of international  
24 understanding.

25           **SECTION 6. *Nature and Purpose.*** – The GSP is an independent and

1 voluntary non-governmental, non-stock, non-profit, non-sectarian, non-political entity  
2 which shall willingly cooperate with other persons, natural and juridical, public and  
3 private, whose ideals and procedures are in accord with those conferred or  
4 authorized by this Act.

5 **SECTION 7. Central Board.** – (a) The governing body of the GSP shall be  
6 vested in a Central Board composed of at least thirty-seven (37) members, but not  
7 more than forty-seven (47) members, as prescribed in the By-laws, as follows:

- 8 (1) eight (8) Charter/Life members, who shall be chosen by  
9 and from among themselves;
- 10 (2) the Regional Chairpersons of the Girl Scout Regions of  
11 the Philippines, who shall be elected by their respective  
12 Regions;
- 13 (3) the National President of the Boy Scouts of the  
14 Philippines;
- 15 (4) the immediate Past National President of the Girl Scouts  
16 of the Philippines;
- 17 (5) one Senior Girl Scout/Cadet or young adult from each  
18 Girl Scout Region to represent the girl membership, who  
19 shall be elected by the Girl Scouts of each region;
- 20 (6) the remaining members shall be members-at-large, who  
21 shall be elected by the National Council from a list  
22 submitted by the Nominating Committee, as defined by  
23 the By-laws, from nominees from Provincial/City  
24 Councils, Regional Committees, and National  
25 Committees.



1           The Central Board shall have the power to make and amend the Constitution  
2 and By-laws of the GSP, subject to ratification by the National Council, create  
3 standing and special committees, and provide policies and procedures as may be  
4 necessary and desirable to carry out the purposes of the GSP.

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

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

13           The Central Board shall elect from among themselves, the National Officers of  
14 the GSP, to wit: the National President, the First National Vice President, the  
15 Second National Vice President, the National Secretary, the National Treasurer, the  
16 Assistant National Secretary, the Assistant National Treasurer, and other such  
17 officers as the Central Board may deem necessary.

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

20           **SECTION 8. National Executive Committee.** – There shall be a National  
21 Executive Committee which shall be responsible for implementing the policies and  
22 decisions of the National Council and the Central Board. The National Executive  
23 Committee shall be composed of all the officers and chairpersons of Standing  
24 Committees, as defined in the By-laws,

25           **SECTION 9. National Council.** - There shall be a National Council which

1 shall serve as a forum for guidelines, directions, and evaluation of the Girl Scout  
2 Movement. It shall be composed of the members of the Central Board and the  
3 Presidents of the Girl Scout Councils or their duly designated representatives, and  
4 such number of elected delegates from each council as may be prescribed in the By-  
5 laws.

6 The National Council shall convene once every three (3) years in a  
7 convention assembled for the purpose. Special conventions may be called. The  
8 number of delegates to constitute a quorum in both conventions, as well as the time,  
9 place, and manner of holding the same shall be prescribed in the By-laws.

10 The National Council shall elect the Members-at-Large of the Central Board;  
11 ratify amendments to the Constitution and By-laws of the Girl Scouts of the  
12 Philippines by a vote or assent of two-thirds (2/3) of its members present and voting;  
13 serve as a forum for guidelines, policies, and directions; and consider such matters  
14 as may come before the convention.

15 **SECTION 10. *Girl Scouts Symbols/Trademarks.*** – (a) The GSP shall adopt  
16 distinctive emblems, badges, insignias, uniforms, and other equipment which shall  
17 be made available to and used only by registered Girl Scouts or officials who have  
18 satisfactorily complied with the international requirements prescribed by the  
19 WAGGGS, and which the GSP shall use in carrying out its programs consistent with  
20 the purpose of this Act. The GSP shall cause the registration of said emblems,  
21 badges, insignias, uniforms, and other equipment in accordance with the provisions  
22 of Republic Act No. 8293, otherwise known as the Intellectual Property Code of the  
23 Philippines, as amended. The Intellectual Property Office (“IPO”) is hereby directed  
24 to cause said registration free of charge.

25 (b) The Securities and Exchange Commission, IPO, and the Department

1 of Trade and Industry shall refuse the registration of associations, the registration of  
2 trade names, and the filing of trademarks, commercial marks, and industrial models  
3 and designs making use of the emblems, badges, insignias, uniforms, and other  
4 equipment of the GSP or their translation in any official language and dialect in  
5 violation of this Act.

6 **SECTION 11. *Fiscal Incentives.*** – All provisions of law to the contrary  
7 notwithstanding, the GSP shall be entitled to the following tax and duty incentives  
8 and privileges:

9 (a) Exemption from all direct and indirect taxes, including Value-Added Tax  
10 (“VAT”) fees and other charges of all kinds on all income derived from its operations,  
11 including the use, lease or sale of its real properties, and the provision of services;

12 (b) Exemption from direct and indirect taxes, including VAT, duties, fees  
13 and other charges on importations and purchases for its exclusive use;

14 (c) Exemption from donor’s tax of all donations, legacies and gifts made to  
15 the GSP in support of its purposes and objectives as embodied in this Act. Such  
16 donations, legacies, and gifts shall be deductible from the gross income of the donor  
17 for income tax purposes, or from the donor-decedent’s net estate as a transfer to a  
18 social welfare institution for estate tax purposes. The GSP shall likewise be exempt  
19 from payment of all other taxes, duties, imposts and charges.

20 (d) Exemption from payment of real property taxes on all real properties  
21 owned by it.

22 **SECTION 12. *Penal Clause.*** – (a) Upon the effectivity of this Act, it shall be  
23 unlawful for any person within the jurisdiction of the Philippines to falsely and  
24 fraudulently call or represent herself as a member of, or an agent for the GSP. Any  
25 person who violates any of the provisions of this Act shall be punished by *prison*

1 *correccional* in its minimum period under the Revised Penal Code or a fine not  
2 exceeding Twenty Thousand Pesos (P20,000.00) or both, at the discretion of the  
3 court.

4 (b) It shall be unlawful for any person to manufacture, sell, distribute, use,  
5 apply, feature, portray or cause to be manufactured, sold, distributed, applied,  
6 featured or portrayed fraudulently or without the knowledge and written approval of  
7 the Central Board of GSP, badges, uniforms, insignias, or scouting paraphernalia,  
8 photos or visuals of a Girl Scout or Girl Scouts in uniform, or the logo, seal or  
9 corporate name of the Girl Scouts of the Philippines, in any audio, visual,  
10 audiovisual, or any form of presentation or advertisement regardless of medium,  
11 including the internet, or to use the name of the Girl Scouts of the Philippines for any  
12 illegal purpose or personal gain. A violation of this provision shall be punished by  
13 *prisión correccional* under the Revised Penal Code or a fine not less than Fifty  
14 Thousand Pesos (P50,000.00) but not more than Three Hundred Thousand Pesos  
15 (P300,000.00), or both, at the discretion of the court; *provided*, that in case of  
16 corporations, partnerships, associations, societies, or any other juridical entity, the  
17 President, the Chief Executive Officer, the Managing Partner, the Chairman of the  
18 Board, the General Manager, the Administrator, or the person or persons in charge of  
19 the management or the administration of the business shall be criminally responsible  
20 for any such violation. These penalties shall be without prejudice to the proper civil  
21 action for recovery of civil damages which may be instituted together with or  
22 independently of the criminal prosecution.

23 (c) This shall be without prejudice to the applicable penalties for violations  
24 of the intellectual property rights of the GSP under the Intellectual Property Code of  
25 the Philippines, as amended.

1-           **SECTION 13. *Transitory Provision.*** – Until such time as the reorganization  
2 and restructuring of the Central Board in accordance with Section 7 hereof, the  
3 present administrative structure shall be maintained for purposes of conducting the  
4 affairs of the GSP and performing acts necessary to effect its reorganization within  
5 six (6) months from the effectivity of this Act.

6           **SECTION 14. *Dissolution.*** – In the event that the Girl Scouts of the  
7 Philippines is dissolved in any manner provided for by law, the Central Board  
8 incumbent at the time of such dissolution shall, for purposes consistent with this Act,  
9 organize and form a Girl Scouts of the Philippines Foundation, in which favor the  
10 properties and assets of the GSP shall be conveyed and transferred.

11           **SECTION 15. *Repealing Clause.*** – Commonwealth Act No. 542, as  
12 amended, and all other laws, decrees, Presidential issuances, proclamations, and  
13 administrative rules and regulations inconsistent with or contrary to the provisions of  
14 this Act, are hereby repealed or modified accordingly.

15           **SECTION 16. *Separability Clause.*** - If any of the provisions of this Act is  
16 declared void or unconstitutional, the other provisions not affected thereby shall  
17 remain in full force and effect.

18           **SECTION 17. *Effectivity.*** - This Act shall take effect fifteen (15) days  
19 following its publication in the Official Gazette or in at least two newspapers of  
20 general circulation.

21           Approved,