

SENATE OF THE PHILIPPINES

SB NO. 3293

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INTRODUCED BY SENATOR LACSON

EXPLANATORY NOTE

Since 1961, the developmental partnership between the Republic of the Philippines and Germany has tremendously grown and improved such that at present, Germany is considered as the fourth largest bilateral donor of the Philippines after Japan, the United States of America and Australia

Records will show that around 876 million Euros had already been given as total assistance by Germany to the Philippines in addition to the substantial assistance it received from the World Bank, the European Union and the Asian Development Bank, where Germany is the biggest European donor.

German industries have also started to make its mark in the Philippine economy providing investment and employment. To name a few, Lufthansa Technik, Continental, Bosch, Porsche/Audi, Siemens and Schenker, have all set-up business offices and/or plants in the Philippines to infuse the much needed foreign investments.

As a result of the growing German participation in the Philippine economy, a total of around twenty thousand (20,000) German nationals are permanently residing in the Philippines where majority have opted to live in Metro Manila.

In order to meet the demands of the German expatriates, the Deutsche Schule (German School) was established in 1980 and the same is recognized by the Department of Education. The school's population immediately grew necessitating the transfer to a bigger campus twice: to the University of Life and later to Better Living in Paranaque City along with the French School Manila.

In 2006, the Deutsche Schule changed its name to Deutsche International Schule Manila, Inc., to comply with Philippine laws and regulations. In 2008, it further changed its name to German European School Manila, Inc. (GESM, for brevity) in preparation of its intent to be recognized as an international school.

Presently, GESM has a total of 198 students of different nationalities, to wit.: Germans (69), Filipino-German (41), Filipinos (26), Americans (7), American-Germans (4), Swiss-Filipinos (4), Swiss (5), Dutch and Dutch-Filipino (8), Austrians (4), British (7) among others.

Clearly, the patronage of the European community in the Philippines of the GESM patently shows the need for the same to be established as an international school to enable itself to provide the unique German/European mode and procedure of education that endeared the school to its captive clients.

For this purpose, the bill aims to recognize the German European School Manila, Incorporated as an educational institution of international character and granting it certain prerogatives conducive to its growth.

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


PANFILO M. LACSON
Senator

**FIFTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Third Regular Session**

SENATE OF THE PHILIPPINES

SB. NO. 3293

Introduced by Senator Panfilo M. Lacson

**AN ACT
RECOGNIZING THE GERMAN EUROPEAN SCHOOL MANILA, INCORPORATED
AS AN EDUCATIONAL INSTITUTION OF INTERNATIONAL CHARACTER,
GRANTING CERTAIN PREROGATIVES CONDUCTIVE TO ITS GROWTH AS SUCH,
AND FOR OTHER PURPOSES**

Section 1. The German European School Manila Incorporated, herein referred to as the German School, is hereby declared a basic education institution of international character authorized to operate recognized German educational programs that primarily and principally adhere to universally accepted and recognized educational policies.

Sec. 2. The members of the German School shall be comprised of the parents or guardians, whether of Philippine or foreign nationality, of children who have enrolled and attended the School for at least one (1) school year: *Provided*, That no group of foreign nationality shall comprise more than one-third (1/3) of the school's enrollment. *Provided, further*, That the school year shall be determined in accordance with the German School's own calendar of studies and work schedule: *Provided, finally*, That the German School shall be governed by a Board of Trustees, herein referred to as the Board, elected at large from among the corporation's members of good standing.

Sec. 3. To enable the German School to continue carrying out its educational program, improve its standard of instruction and meet the special needs of the foreign temporary resident community for quality education, it shall:

- (a) Be authorize to accept provisions and donations of every kind to carry out the purposes of the German School and be entitled to use properties, real or personal, so donated and to construct and own buildings thereon exclusively for educational purposes: *Provided*, That for any reason, the German School ceases to occupy and/or use real properties it may acquire by virtue of this Act, the properties and all improvements thereon of permanent nature shall accrue to the Government of the Republic of the Philippines;

- (b) have the right to obtain leases on real properties, acquire personal properties, tangible or intangible, or any interests in such properties other than real, by purchase, lease, barter, donation, gift or otherwise, and dispose of, mortgage or encumber them for the benefit of the school concerned;
- (c) accept applicants for admission, regardless of nationality, in accordance with its own eligibility standards, and rules for admission and grade placement;
- (d) be managed and administered by a superintendent, who shall possess the qualifications prescribed by the Board;
- (e) upon consultation with the Secretary of Education, determine its own basic education curriculum and teach the German language and/or any foreign languages it may deem appropriate and determine the reasonable amount of fees which shall be imposed upon its students to maintain and conform to the German School's standard of education;
- (f) maintain standards of education compatible with those obtaining in similar schools in Germany, the Philippines and other International educational institutions of generally recognized standing;
- (g) employ its own teaching and management personnel selected by the Board either locally or abroad, from the Philippines or other nationalities, such foreign personnel being exempt from laws that impose nationality restrictions on control and administration of educational institutions, except laws that have been or will be enacted for the protection of employees: *Provided*, That such exemption shall not extend to their liability for income taxes;
- (h) promote international friendship, goodwill and understanding among the members of the foreign community and the citizens of the Philippines; and
- (i) not teach anything derogatory to the prestige and well-being of the Philippines and its people, nor those which will subvert its institutions and government.

Sec. 4. The Secretary of Education, in consultations with the German Embassy and the members of the Board of the German School shall issue such rules as may be necessary to carry out the provisions of this Act.

Sec. 5. If any clause, sentence, paragraph or part of this Act is subsequently declared unconstitutional, the validity of the remaining provisions hereof shall remain in full force and effect.

Sec. 6. This Act shall take effect upon its approval.

Approved,