




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

'16 DEC -7 P6:27

RECEIVED BY: 

SENATE  
S. No. 1272

Introduced by **Senator Richard "Dick" J. Gordon**

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

**EXPLANATORY NOTE**

On October 8, 2016, the Republic of the Philippines and the Federal Republic of Germany celebrated the 62<sup>nd</sup> anniversary of diplomatic relations. Since both countries agreed to exchange diplomatic representatives in 1954, there have been regular political exchanges between the two countries at government and parliamentary level. In fact, in terms of economic relations, the volume of trade between Germany and the Philippines already reached EUR 5.24 billion in 2015.<sup>1</sup> The Philippines enjoys a positive balance of trade with Germany with German imports from the Philippines increasing to EUR 3.09 billion from EUR 2.73 billion in 2014, and German exports to the Philippines arising to EUR 2.15 billion from EUR 2.04 billion in 2014.<sup>2</sup>

Moreover, Germany is the fifth largest bilateral development aid donor to the Philippines after Japan, the United States, Australia and France, with \$12.9 million in development aid in 2015; and one of the few donors to have opened an office in Mindanao.<sup>3</sup> In addition, the Philippines receives substantial assistance from the World Bank, the European Union and the Asian Development Bank, where Germany is the biggest European donor.

<sup>1</sup> Federal Foreign Office. Retrieved from [http://www.auswaertiges-amt.de/EN/Aussenpolitik/Laender/Laenderinfos/01-Nodes/Philippinen\\_node.html](http://www.auswaertiges-amt.de/EN/Aussenpolitik/Laender/Laenderinfos/01-Nodes/Philippinen_node.html) on 6 December 2016.

<sup>2</sup> Ibid.

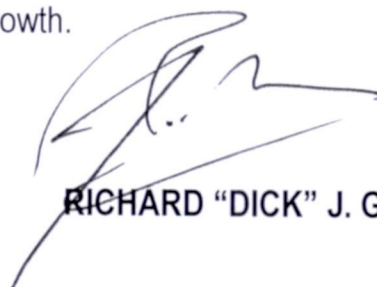
<sup>3</sup> Retrieved from <https://www.devex.com/news/top-development-aid-donors-to-the-philippines-2015-89091> on 6 December 2016.

As a result of the growing German participation in the Philippine economy, around twenty thousand (20,000) German nationals are permanent residents in the Philippines. Based on the latest available data from the Philippine Statistics Authority, there are about 3,184 German households<sup>4</sup> in the country with the majority opting to reside in Metro Manila.

Thus, in order to meet the demands of German expatriates, the Deutsche Schule (German School) was set up in 1980 and was recognized by the Department of Education (DepEd) in the same year. The school's population immediately grew necessitating the transfer to a bigger campus twice: to the University of Life in Pasig City and later to Better Living in Paranaque City where they operate in a campus together 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. (German School, for brevity) in preparation for recognition as an international school.

Presently, the German School has a total of 198 students coming from different nationalities namely: 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).

Clearly, the patronage of the European community in the Philippines of the German School 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 the students, parents and alumni. For this purpose, the bill aims to recognize the German European School Manila, Inc. as an international school and granting certain prerogatives conducive to its growth.



**RICHARD "DICK" J. GORDON**

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<sup>4</sup> Philippine Statistics Authority. Retrieved from <https://psa.gov.ph/sites/default/files/attachments/hsd/pressrelease/Citizenship%20by%20Country.pdf> on 7 December 2016.



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**OTHER PURPOSES**

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

1        **Section 1. Declaration of Policy.** German European School Manila, Inc., herein  
2 referred to as the German School, is hereby declared an educational institution of  
3 international character authorized to operate educational program and / or course  
4 curriculum recognized by the Federal Ministry of Education and Research (BMBF) of  
5 Germany that primarily and principally adhere to universally accepted and recognized  
6 educational policies.

7        **Sec. 2. Members.** The members of the German School, shall be comprised of  
8 parents or guardians, of the children who have enrolled and attended the School for at least  
9 one (1) school year: *Provided*, That the majority of whom shall be German and/or Filipino  
10 citizens and the minority of whom shall be of other foreign nationality; *Provided, further*, that  
11 the school year shall be determined in accordance with the German School's own calendar  
12 of studies and work schedule: *Provided, finally*, That the German School shall be governed  
13 by a Board of Trustees, herein referred to as the Board, elected at large from among the  
14 corporation's German and/or Filipino members of good standing.

15        **Sec. 3. German Educational Program.** To enable the German School to continue  
16 carrying out its educational program, improve its standard of instruction and meet the  
17 special needs of the foreign resident community temporarily or permanently based in the  
18 Philippines seeking quality education, it shall:

- 1 (a) Be able to accept provisions and donations of every kind to carry out the purposes  
2 of the German School and be entitled to use properties, real or personal, so  
3 donated and to construct and own buildings thereon exclusively for educational  
4 purposes: *Provided*, That for any reason, the German School, ceases to occupy  
5 and/or use real properties it may acquire by virtue of this Act, the properties and all  
6 improvements thereon of permanent nature shall accrue to the Government of the  
7 Republic of the Philippines;
- 8 (b) Whenever necessary to carry out its objectives, have the right to obtain leases on  
9 real properties, acquire personal properties, tangible or intangible, or any interests  
10 in such properties, by purchase, lease, barter, donation, gift or otherwise, and  
11 dispose of, mortgage or encumber them for the benefit of the school concerned;
- 12 (c) Accept applicants for admission, regardless of nationality, in accordance with its  
13 own eligibility standards, and rules for admission and grade placement: *Provided*,  
14 That no single alien nationality shall consist more than thirty percent (30%) of the  
15 entire student population in a given school year, as stated in the records of the  
16 School: *Provided, further*, that the Board of the German School may allow the  
17 enrollment of as many German and/or Filipino citizens in a given school year that  
18 the total number of German and/or Filipino pupils/students may exceed the thirty  
19 (30%) percent limit as stated above;
- 20 (d) Be managed and administered by a superintendent, who shall be a German citizen  
21 and shall possess the qualifications prescribed by the Board;
- 22 (e) Determine its own curriculum and teach the German language and whatever  
23 language or languages it may deem proper and determine; the amount of fees and  
24 assessments which may be reasonably imposed upon its pupils and/or students,  
25 to maintain or conform to the German School's standard of education;
- 26 (f) Maintain standards of education compatible with those obtaining in similar schools  
27 in Germany, the Philippines and other International educational institutions of  
28 generally recognized standing;
- 29 (g) Employ its own teaching and management personnel selected by the Board either  
30 locally or abroad, from Germany and/or the Philippines or other nationalities, such  
31 foreign personnel being exempt from laws that imposes nationality restrictions on  
32 control and administration of educational institutions, except laws that have been or  
33 will be enacted for the protection of employees: *Provided*, That such exemption



1 shall not extend to their liability for income taxes, unless otherwise provided by a  
2 bilateral agreement;

3 (h) Promote international friendship, goodwill and understanding among the members  
4 of the foreign community and the citizens of the Philippines; and

5 (i) Not teach anything derogatory to the prestige and well-being of the Philippines and  
6 its people, nor those which will subvert its institutions and government.

7 **Sec. 4. *Implementing Rules and Regulations.*** The Secretary of Education, in  
8 consultation with the German Embassy and the members of the Board of the German  
9 School, shall issue such rules and regulations as may be necessary to carry out the  
10 provisions of this Act.

11 **Sec. 5. *Repealing Clause.*** All laws, decrees, orders, rules and regulations or other  
12 issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or  
13 modified accordingly.

14 **Sec. 6. *Separability Clause.*** If any portion or provision of this Act is declared  
15 unconstitutional, the remainder of this Act or any provisions not affected thereby shall  
16 remain in force and effect.

17 **Sec. 7. *Effectivity.*** This Act shall take effect after fifteen (15) days following the  
18 completion of its publication in the Official Gazette or in a newspaper of general circulation  
19 in the Philippines.

20 *Approved,*