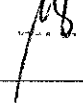


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

8 OCT 27 1995

SENATE
S. No. 2690

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

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) effectively promotes this Constitutional policy through its mission, which is “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.”

The GSP was created under C.A. 542, as amended. Consistent with the Government’s Corporate Rationalization Program, E.O. 495 was issued repealing C.A. 542 together with the charters of the Boy Scouts of the Philippines and the Philippine Shipper’s Council. E.O. 495 mandated each of the governing bodies of the three entities to convert their organizations into private corporations and register themselves with the Securities and Exchange Commission.

Privatization of the GSP, however, will lead to the erosion of the special status and support it has gained as a uniquely chartered organization dedicated to serving the youth of the country for almost 68 years. If it is converted into an ordinary corporation, its continued existence may be threatened, as it will be relatively easier to dissolve a private corporation than an organization mandated by law.


This bill is a re-filed version of one filed by the late Senator Raul S. Roco in the 11th Congress and another filed by Senator Franklin Drilon in the 13th Congress.


MIRIAM DEFENSOR SANTIAGO

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

8 OCT 27 2011

SENATE
S. No. 2690

RECEIVED BY 

Introduced by Senator Miriam Defensor Santiago

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

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

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

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

- 11 (1) the Charter/Life members;
- 12 (2) the Regional Chairmen of the Girl Scout Regions of the Philippines who shall be
13 elected by their respective Regions;
- 14 (3) the President of the Boy Scouts of the Philippines;
- 15 (4) the Immediate Past National President of the Girl Scouts of the Philippines;
- 16 (5) one Senior Girl Scout/Cadet OR YOUNG ADULT from each Girl Scout Region to
17 represent the Girl membership, who shall be elected by the Girl Scouts of each
18 region;
- 19 (6) the remaining members shall be the members-at-large, who shall be elected by the
20 National Council from a list submitted by the Nominating Committee from
21 nominees from Provincial/City Councils, REGIONAL COMMITTEES and National
22 Committees.

1 The Central Board shall have the power to make and to amend the Constitution and By-
2 Laws of the Girl Scouts of the Philippines subject to ratification by the National Council,
3 create standing and special committees and provide policies and procedures as may be
4 necessary to carry out the business of the Corporation.

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

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

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

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

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

21 “SECTION 8. The Corporation [created by this Act] shall adopt distinctive
22 badges, uniforms, insignia, and other [equipment(s)] EQUIPMENT [and] WHICH shall be made
23 available to and used only by registered Girl Scouts or officials who have satisfactorily complied
24 with the international requirements prescribed by the World Bureau of [this Movement] THE
25 WORLD ASSOCIATION OF GIRL GUIDES AND GIRL SCOUTS (WAGGGS) and which the
26 Girl Scouts of the Philippines shall use in carrying out its program in accordance with the
27 purpose of this Act. The corporation shall cause the registration of said badges, uniforms,

1 insignias, and other [equipments] EQUIPMENT in accordance with the provisions of Republic
2 Act [Numbered One hundred sixty-six, and the Patent Office] NO. 8293, OTHERWISE
3 KNOWN AS THE “INTELECTUAL PROPERTY CODE OF THE PHILIPPINES,” AS
4 AMENDED. THE INTELLECTUAL PROPERTY OFFICE is hereby directed to cause said
5 registration free of charge.”

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

8 “SECTION 9. [Any donation or contribution which from time to time may
9 be made to the Girl Scouts of the Philippines by the Government or any of its subdivisions,
10 branches, offices agencies or instrumentalities shall be administered by the Central Board in
11 pursuance of this Act.]

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

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

17 (a) EXEMPTION FROM INCOME TAX PURSUANT TO SECTION 30 (E),
18 (G) AND (H) OF THE NATIONOAL INTERNAL REVENUE CODE OF
19 1997, AS AMENDED; AND

20 (b) TAX AND/OR DUTY EXEMPTION OF DONATIONS FROM FOREIGN
21 COUNTRIES AS PROVIDED UNDER RELEVANT LAW SUCH AS,
22 BUT NOT LIMITED TO, SECTION 105 OF THE TARIFF AND
23 CUSTOMS CODE OF THE PHILIPPINES, AS AMENDED, AND
24 SECTION 109 (Q) OF THE NATIONAL INTERNAL REVENUE CODE
25 OF 1997, AS AMENDED.

1 “LIKEWISE, ALL DONATIONS, LEGACIES, AND GIFTS TO THE
2 GIRL SCOUTS OF THE PHILIPPINES TO SUPPORT ITS PURPOSES
3 AND OBJECTIVES AS EMBODIED IN THIS ACT SHALL, SUBJECT
4 TO THE LIMITATIONS AND CONDITIONS UNDER THE NATIONAL
5 INTERNAL REVENUE CODE OF 1997, AS AMENDED, BE EXEMPT
6 FROM THE DONOR’S TAX AND SHALL BE DEDUCTIBLE FROM
7 THE GROSS INCOME OF THE DONOR FOR INCOME TAX
8 PURPOSES, AND SUCH DONATIONS, LEGACIES, AND GIFTS
9 SHALL BE EXPENDED BY THE CENTRAL BOARD IN PURSUANCE
10 OF THIS ACT.

11 “THE CORPORATION SHALL LIKEWISE BE EXEMPT
12 FROM PAYMENT OF ALL OTHER TAXES, DUTIES, IMPOSTS, AND
13 OTHER CHARGES.”

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

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

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

23 “SECTION 11. From and after passage of this Act, it shall be unlawful for
24 any person within the jurisdiction of the Philippines to falsely and fraudulently call herself to be
25 a member of, or an agent for, the Girl Scouts of the Philippines; and any person who violates any
26 of the provisions of this Act shall be punished by [imprisonment of not to exceed six (6) months
27 or a fine not exceeding five hundred pesos (500.00),] PRISION CORRECCIONAL IN ITS

1 MINIMUM PERIOD OR A FINE NOT EXCEEDING TWENTY THOUSAND PESOS
2 (P20,000.00) or both, at the discretion of the court.”

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

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

1 “Section 14. DISSOLUTION – IN THE EVENT THAT THE GIRL SCOUTS
2 OF THE PHILIPPINES IS DISSOLVED BY LAW, THE PROPERTIES AND ASSETS
3 THEREOF SHALL BE CONVEYED AND TRANSFERRED TO A GSP FOUNDATION, IF
4 THERE BE ANY, ORGANIZED FOR THE PURPOSE, OR TO BE FORMED BY THE
5 MEMBERS OF THE CENTRAL BOARD INCUMBENT AT THE TIME OF DISSOLUTION.”

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

10 SECTION 8. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts
11 thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified
12 accordingly.

13 SECTION 9. *Separability Clause.* – If, for any reason, any provision of this Act is
14 declared to be unconstitutional or invalid, the other sections or provisions hereof which are not
15 affected thereby shall continue to be in full force and effect.

16 SECTION 10. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days
17 following its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

18 Approved,