


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

8 NOV 25 AM :29

SENATE
S. No. 2900

RECEIVED BY 

Introduced by Senator FRANCIS G. ESCUDERO

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) is one of the existing organizations in the Philippines today that effectively promotes the objectives embodied in this Constitutional policy. The GSP mission 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.* As one of the 144 National Associations affiliated with the World Association of Girl Guides and Girl Scouts (WAGGGS), the GSP also helps promote and strengthen global unity and cooperation by participating in activities undertaken by WAGGGS and the United Nations. Further, it establishes open communications among girls and young women all over the world through correspondence and cultural exchanges and visits.

The GSP was created on 26 May 1940 under C.A. 542, as amended. On December 6, 1991, consistent with the Government's Corporate Rationalization Program, Pres. Corazon C. Aquino issued E.O. 495 repealing C.A. 542 together with the charters of the Boy Scouts of the Philippines and the Philippine Shippers 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. Further, officials like those in educational institutions and local government units, upon whom the GSP has relied for support and cooperation in implementing its Girl Scouting programs, may not be as supportive once the GSP becomes an ordinary corporation.

This bill is actually a version of Senate Bill Nos. 532 and 1111 filed by Senator Raul S. Roco in the Eleventh Congress and Senator Franklin M. Drilon in the Thirteenth Congress, respectively.

In view of the foregoing, and to effectively strengthen the role of the youth in nation-building, passage of this bill is earnestly recommended.

A handwritten signature in black ink, appearing to be 'Francis G. Escudero', written over a horizontal line.

FRANCIS G. ESCUDERO

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AN ACT
INSTITUTING THE GIRL SCOUTS OF THE
PHILIPPINES CHARTER

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

1 **SECTION 1.** *Title.* - This Act shall be known and cited as the "Girl
2 *Scouts of the Philippines Charter of 2008."*

3 **SEC. 2.** *Incorporation.* - The "Girl Scouts of the Philippines,"
4 hereinafter called the "Corporation", with principal office in Metropolitan
5 Manila, Philippines, is hereby recognized and known as a juridical entity as
6 originally and duly organized and incorporated by Concepcion R. Gonzalez,
7 Trinidad F. Legarda, Emilia Q. Lim, Concepcion M. Gil, Marina Y. Vargas, Pilar
8 Hidalgo Lim, Josefa Llanes Escoda, Helena Z. Benitez, Maria Aurora Quezon,
9 Lulu Reyes, Lily de las Alas, Leni Alano, Erlinda Kalaw, Betty Magalona,
10 Lourdes Ledesma, Minerva G. Laudico, all of Manila, Philippines, their
11 associates and successors.

12 **SEC. 3.** *Corporate powers.* - The said Corporation shall have
13 perpetual succession, with power to sue and be sued; to acquire, hold, and
14 convey such real and personal estate, rights and choses in action as shall be
15 necessary for corporate purposes, and to receive funds, real and personal
16 property by gift, devise, bequest or other means; to adopt a seal; to have offices

1 and conduct its business and affairs in the Metropolitan Manila area and in the
2 provinces, cities, municipalities, and barangays of the Philippines; to make and
3 adopt By-laws, and generally do all acts and exercise all powers of a corporation
4 under existing pertinent laws as may be necessary to carry into effect the
5 provisions of this Act and promote the purpose of said Corporation.

6 **SEC. 4.** *Vision and Mission.* – The Corporation envisions the Filipino
7 girl and young woman as God-loving, patriotic, progressive, dynamic, and pro-
8 active. The mission of this Corporation is to help girls and young women realize
9 the ideals of womanhood and prepare themselves for their responsibilities in the
10 home, the nation, and the world community. To carry out the mission, the
11 Corporation shall be the directing and coordinating head of the Girl Scout
12 Movement in the Philippines, and shall fix and maintain standards which will
13 inspire every generation with the highest ideals of citizenship, character,
14 conduct, attainment, and international understanding.

15 **SEC. 5.** *Nature and Purpose.* – The Girl Scouts of the Philippines is
16 non-stock, non-profit, non-sectarian, non-political, independent, and voluntary
17 but it shall willingly cooperate with other entities, public and private, whose
18 ideals and procedures are in accord with those conferred or authorized by this
19 Act.

20 **SEC. 6.** *Central Board.* – (a) The governing body of the Corporation
21 shall be vested in a Central Board composed of at least thirty-seven (37)
22 members, but not more than forty-seven (47) members, as prescribed in the By-
23 laws, as follows:

- 24 (1) eight (8) Charter/Life members;
- 25 (2) the Regional Chairpersons of the Girl Scout
26 Regions of the Philippines who shall be elected
27 by their respective Regions;

- 1 (3) the National President of the Boy Scouts of the
2 Philippines;
- 3 (4) the Immediate Past National President of the Girl
4 Scouts of the Philippines;
- 5 (5) one Senior Girl Scout/Cadet or young adult from
6 each Girl Scout Region to represent the girl
7 membership, who shall be elected by the Girl
8 Scouts of each region;
- 9 (6) the remaining members shall be the members-at-
10 large, who shall be elected by the National
11 Council from a list submitted by the
12 Nominating Committee from nominees from
13 Provincial/City Councils, Regional
14 Committees and National Committees.

15 The Central Board shall have the power to make and
16 to amend the Constitution and By-laws of the Girl Scouts of the
17 Philippines subject to ratification by the National Council, create standing
18 and special committees and provide policies and procedures as may be
19 necessary to carry out the business of the Corporation.

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

23 The members of the Central Board shall serve for a
24 term of three (3) years or until their successors shall have been elected and
25 qualified. In case of inability of a member to assume office or when any
26 vacancy occurs by reason of death, resignation, or incapacity, the position

1 shall be filled by the candidate who received the next highest number of
2 votes in the preceding election.

3 The Central Board shall elect from among themselves
4 the National Officers of the Corporation, to wit: the National President,
5 the First National Vice-President, the Second National Vice-President, the
6 National Secretary, the National Treasurer, the Assistant National
7 Secretary, the Assistant National Treasurer, and such other officers as the
8 Central Board may deem necessary.

9 (b) A woman President of the Philippines or the First
10 Lady of the Philippines shall be the Chief Girl Scout of the Girl Scouts of the
11 Philippines.

12 **SEC. 7.** *National Executive Committee.* - There shall be a National
13 Executive Committee composed of all the officers and chairpersons of Standing
14 Committees which shall be responsible for implementing the policies and
15 decisions of the National Council and the Central Board.

16 **SEC. 8.** *National Council.* - There shall be a National Council which
17 shall serve as a forum for guidelines, directions and evaluation of the Girl Scout
18 Movement. It shall be composed of the members of the Central Board and the
19 Presidents of the Girl Scout Councils or their duly designated representatives,
20 and such number of elected delegates from each Council as may be prescribed in
21 the By-laws.

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

26 The National Council shall elect the Members-at-Large of the
27 Central Board; ratify amendments to the Constitution and By-Laws of the Girl

1 Scouts of the Philippines by a two-thirds (2/3) vote of its members present and
2 voting; serve as a forum for guidelines, policies, and directions; and consider
3 such matters as may come before the convention.

4 **SEC. 9.** *Girl Scouts Symbols/Trademarks.* - The Corporation shall
5 adopt distinctive badges, uniforms, insignia, and other equipment which shall
6 be made available to and used only by registered Girl Scouts or officials who
7 have satisfactorily complied with the international requirements prescribed
8 by the World Bureau of the World Association of Girl Guides and Girl
9 Scouts (WAGGGS) and which the Girl Scouts of the Philippines shall
10 use in carrying out its program in accordance with the purpose of this
11 Act. The Corporation shall cause the registration of said badges, uniforms,
12 insignias, and other equipment in accordance with the provisions of
13 Republic Act No. 8293, otherwise known as the Intellectual Property
14 Code of the Philippines, as amended. The Intellectual Property Office
15 is hereby directed to cause said registration free of charge.

16 **SEC. 10.** *Fiscal Incentives.* - The Corporation shall be entitled to the
17 following tax incentives, duty privileges, and exemptions:

18 (a) Exemption from income tax pursuant to Section
19 30 (e), (g) and (h) of the National Internal Revenue Code, as amended; and

20 (b) Tax and/or duty exemption of donations
21 from foreign countries as provided under relevant laws such as, but not
22 limited to, Section 105 of the Tariff and Customs Code of the
23 Philippines, as amended, and Section 109 (q) of the National Internal
24 Revenue Code, as amended.

25 Likewise, all donations, legacies, and gifts to the
26 Girl Scouts of the Philippines to support its purposes and objectives as
27 embodied in this Act shall, subject to the limitations and conditions

1 under the National Internal Revenue Code of 1997, as amended, be exempt
2 from the donor's tax and shall be deductible from the gross income of the
3 donor for income tax purposes, and such donations, legacies, and gifts shall
4 be expended by the Central Board in pursuance of this Act.

5 The Corporation shall likewise be exempt from payment of all
6 other taxes, duties, imposts, and other charges.

7 (c) Exemption from real property taxes.

8 **SEC. 11.** *Penal Clause.* - Upon the *effectivity* of this Act, it shall be
9 unlawful for any person within the jurisdiction of the Philippines to falsely
10 and fraudulently call herself as or represent herself to be a member of, or
11 an agent for, the Girl Scouts of the Philippines; and any person who violates
12 any of the provisions of this Act shall be punished by *prision correccional* in
13 its minimum period or a fine not exceeding Twenty Thousand
14 Pesos (P20,000.00) or both, at the discretion of the court.

15 It shall be unlawful for any person to manufacture,
16 sell, distribute, use, apply, feature, portray or cause to be
17 manufactured, sold, distributed, applied, featured or portrayed
18 fraudulently or without the official knowledge and written approval of
19 the Central Board of the Girl Scouts of the Philippines badges, uniforms,
20 insignia, or scouting paraphernalia or the photos or visuals of a Girl
21 Scout or Girl Scouts in uniform, or the logo, seal or corporate name of
22 the Girl Scouts of the Philippines in any print and radio or television
23 commercial, billboard, collateral material, or any form of
24 advertisement; or to use the name of the Girl Scouts of the Philippines
25 in any illegal purpose or personal gain.

26 Any violation of the provisions of Section 9 and this
27 section shall be punished by *prision correccional* in its medium period to

1 *prision mayor* in its minimum period or a fine of not less than Fifty
2 Thousand Pesos (P50,000.00) nor more than Five Hundred Thousand
3 Pesos (P500,000.00), or both, at the discretion of the court; provided, that in
4 case of corporations, partnerships, associations, societies or companies, the
5 President, the Chief Executive Officer, the Managing Partner, the Chairman of
6 the Board, the General Manager, the Administrator, or the person in charge
7 of the management or administration of the business shall be
8 criminally responsible for any such violation. These penalties shall be without
9 prejudice to the proper civil action for recovery of civil damages, which may
10 be instituted together with or independently of the criminal prosecution.

11 **SEC. 12.** *Transitory Provision.* - Until such time as the reorganization
12 and restructuring of the Central Board in accordance with Section 6 herein is
13 effected, the present administrative set-up shall be maintained to conduct the
14 affairs of the Girl Scouts of the Philippines and to take the necessary steps to
15 effect the reorganization within six (6) months from the *effectivity* of this Act.

16 **SEC. 13.** *Dissolution.* - In the event that the Girl Scouts of the
17 Philippines is dissolved in any manner provided for by law, the properties
18 and assets thereof shall be conveyed and transferred to a Girl Scouts of the
19 Philippines Foundation organized for the purpose consistent with this Act and to
20 be formed by the members of the Central Board incumbent at the time of
21 such dissolution.

22 **SEC. 14.** *Repealing Clause.* - All other laws, decrees, presidential
23 issuances, proclamations, and administrative regulations inconsistent with or
24 contrary to the provisions of this Act are hereby amended, modified or repealed
25 accordingly, specifically, among others, Executive Order No. 495 dated 06
26 December 1992.

1 **SEC. 15.** *Separability Clause.* - In the event that any provision of this
2 Act is declared void or unconstitutional such declaration shall not affect the
3 validity of the unaffected provisions of this Act.

4 **SEC. 16.** *Effectivity Clause.* - This Act shall take effect fifteen (15) days
5 after its complete publication in at least two (2) newspapers of general
6 circulation.

7 *Approved,*