

Republic Act No. 10073

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 House of Representatives of the Philippines in Congress assembled:

Section 1. Short Title. This Act shall be known and cited as the "Girl Scouts of the Philippines Charter of 2009".

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

Sec. 3. Recognition of the Girl Scouts of the Philippines. Pursuant to the ideals of the World Association of Girl Guides and Girl Scouts (WAGGGS), the "Girl Scouts of the Philippines", hereinafter referred to as the "GSP", is hereby recognized and known as the body corporate as originally and duly created by virtue of Commonwealth Act No. 542. The principal office of the GSP shall be located in Metropolitan Manila, Philippines.

Sec. 4. Corporate Powers. As a juridical entity, the GSP shall have perpetual succession and shall enjoy the following corporate powers:

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

Sec. 5. Vision and Mission. The GSP envisions the Filipino girl and young woman as God-loving, patriotic, progressive, dynamic and proactive. The mission of the GSP is to help girls and young women realize the ideals of womanhood and prepare themselves for their responsibilities in the home, the nation and the world community. To carry out its mission, the GSP shall be the sole directing and coordinating head of the Girl Scouts

Movement in the Philippines, and shall establish and maintain standards which will inspire every generation with the highest ideals of citizenship, character, conduct and attainment of international understanding.

Sec. 6. *Nature and Purpose.* The GSP is an independent and voluntary, nonstock, nonprofit, nonsectarian, nonpolitical entity which shall willingly cooperate with other persons, natural and juridical, public and private, whose ideals and procedures are in accord with those conferred or authorized by this Act.

Sec. 7. *Central Board.*"

- a. The governing body of the GSP shall be vested in a Central Board composed of at least thirty-seven (37) members but not more than forty-seven (47) members, as prescribed in the bylaws, as follows:
 1. Eight (8) Charter/Life members, who shall be chosen by and from among themselves;
 2. The Regional Chairpersons of the Girl Scout Regions of the Philippines, who shall be elected by their respective regions;
 3. The National President of the Boy Scouts of the Philippines;
 4. The immediate Past National President of the Girl Scouts of the Philippines;
 5. One (1) Senior Girl Scout/Cadet or young adult from each Girl Scout Region to represent the girl membership, who shall be elected by the Girl Scouts of each region; and
 6. The remaining members shall be members-at-large, who shall be elected by the National Council from a list submitted by the Nominating Committee, as defined by the bylaws, from nominees from Provincial/City Councils, Regional Committees and National Committees.

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

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

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

The Central Board shall elect from among themselves, the national officers

of the GSP, to wit: the National President, the First National Vice President, the Second National Vice President, the National Secretary, the National Treasurer, the Assistant National Secretary, the Assistant National Treasurer and other such officers as the Central Board may deem necessary.

- b. A woman President of the Philippines or the First Lady of the Philippines shall be the Chief Girl Scout of the Girl Scouts of the Philippines.

Sec. 8. *National Executive Committee.* There shall be a National Executive Committee which shall be responsible for implementing the policies and decisions of the National Council and the Central Board. The National Executive Committee shall be composed of all the officers and chairpersons of standing committees, as defined in the bylaws.

Sec. 9. *National Council.* There shall be a National Council which shall serve as a forum for guidelines, directions and evaluation of the Girl Scout Movement. It shall be composed of the members of the Central Board and the Presidents of the Girl Scout Councils or their duly designated representatives, and such number of elected delegates from each council as may be prescribed in the bylaws.

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

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

Sec. 10. *Girl Scout Symbols/Trademarks.*

- a. The GSP shall adopt distinctive emblems, badges, insigniae, uniforms and other equipment which shall be made available to and used only by registered Girl Scouts or officials who have satisfactorily complied with the international requirements prescribed by the WAGGGS, and which the GSP shall use in carrying out its programs consistent with the purpose of this Act. The GSP shall cause the registration of said emblems, badges, insignias, uniforms and other equipment in accordance with the provisions of Republic Act No. 8293, otherwise known as the Intellectual Property Code of the Philippines, as amended. The Intellectual Property Office (IPO) is hereby directed to cause said registration free of charge.
- b. The Securities and Exchange Commission, the IPO and the Department of Trade and Industry shall refuse the registration of associations, the registration of trade names and the filing of trademarks, commercial marks and industrial models and

designs making use of the emblems, badges, insignias, uniforms and other equipment of the GSP or their translation in any official language and dialect in violation of this Act.

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

- a. Exemption from all direct and indirect taxes, including value-added tax (VAT) fees and other charges of all kinds on all income derived from its operations, including the use, lease or sale of its real properties and the provision of services;
- b. Exemption from direct and indirect taxes, including VAT, duties, fees and other charges on importations and purchases for its exclusive use;
- c. Tax and/or duty exemption of donations from foreign countries as provided under relevant laws such as, but not limited to, Section 105 of the Tariff and Customs Code of the Philippines, as amended, and Section 109(K) of the National Internal Revenue Code of 1997, as amended.

Likewise, all donations, legacies and gifts to the GSP to support its purposes and objectives as embodied in this Act shall, under Section 101(A)(3) of the National Internal Revenue Code of 1997, as amended, be exempt from donor's tax and shall be deductible from the gross income of the donor for income tax purposes, and such donations, legacies and gifts shall be expended by the Central Board in pursuance of this Act.

The GSP shall likewise be exempt from payment of all other taxes, duties, imposts and charges; and

- d. Exemption from payment of real property taxes on all real properties owned by it.

Sec. 12. *Penal Clause.*

- a. Upon the effectivity of this Act, it shall be unlawful for any person within the jurisdiction of the Philippines to falsely and fraudulently call or represent herself as a member of, or an agent for the GSP. Any person who violates any of the provisions of this Act shall be punished by *prision correccional* in its minimum period under the Revised Penal Code or a fine not exceeding Twenty thousand pesos (P20,000.00), or both, at the discretion of the court.
- b. It shall be unlawful for any person to manufacture, sell, distribute, use, apply, feature, portray or cause to be manufactured, sold, distributed, applied, featured or portrayed fraudulently or without the knowledge and written approval of the Central Board of GSP badges, uniforms, insignias or scouting paraphernalia, photos or visuals of a Girl Scout or Girl Scouts in uniform, or the logo, seal or corporate name of the GSP, in any audio, visual, audiovisual or any form of presentation or advertisement regardless of medium, including the internet, or to use the name of the Girl Scouts of the Philippines for any illegal purpose or personal gain. A violation of this provision shall be punished by *prision*

correctional under the Revised Penal Code or a fine not less than Fifty thousand pesos (P50,000.00) but not more than Three hundred thousand pesos (P300,000.00), or both, at the discretion of the court: *Provided*, That in case of corporations, partnerships, associations, societies or any other juridical entity, the President, the Chief Executive Officer, the Managing Partner, the Chairman of the Board, the General Manager, the Administrator, or the person or persons in charge of the management or the administration of the business shall be criminally responsible for any such violation. These penalties shall be without prejudice to the proper civil action for recovery of civil damages which may be instituted together with or independently of the criminal prosecution.

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

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

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

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

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

Sec. 17. *Effectively.* This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved:

(Sgd.) JUAN PONCE ENRILE
President of Senate

(Sgd.) PROSPERO C. NOGRALES
Speaker of the House of Representatives

This Act which is a consolidation of House Bill No. 6025 and Senate Bill No. 3298 was finally passed by the House of Representatives and the Senate on January 26, 2010.

(Sgd.) EMMA LIRIO-REYES

(Sgd.) MARILYN B. BARUA-YAP

Secretary of Senate

*Secretary General House of
Representatives*

Approved: APR 20 2010

(Sgd.) GLORIA MACAPAGAL - ARROYO
President of the Philippines