

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**Fifteenth Congress**

First Regular Session

House Bill No. 324

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**Introduced by Honorable Mar-Len Abigail S. Binay**

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**EXPLANATORY NOTE**

Scouting, or the skill of scoutcraft, is one of the strongest means of promoting physical, moral, spiritual and social growth in our children and youth. As a tool to develop various holistic traits in our children and youth – from moral values and civic consciousness to environment protection and civic responsibility, this bill aims to reorganize the Boy Scouts of the Philippines in order to better serve its purpose.

The Constitution encourages rearing our children and youth towards civic consciousness and moral values so that they may be productive and patriotic members of society. In this regard, this bill seeks to reorganize and restructure the government entity created under Commonwealth Act No. 111, as amended, that would handle such a crucial role in molding and upbringing our children and the youth. In this bill, the new acting entity, the Scouts Philippines, along with its powers, functions and duties will be redefined so that our Scouts may have a formal and organized corporation that is more attuned to the times and adapted to growing challenges they face.

Attempts to formulate an organized law for such purpose has existed since the 8<sup>th</sup> Congress, but this bill seeks to install a more concrete institution in order that the Scout Philippines may be more developed to achieve its goals in the guidance and moral, civic and social development of our children and youth.

In light of the foregoing and for better government service to our children and youth in the form of a more organized Scouts Philippines, the passage of this bill is earnestly sought.

  
**MAR-LEN ABIGAIL S. BINAY**

Republic of the Philippines  
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House Bill No. 224

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**AN ACT**

**REMAINING THE BOY SCOUTS OF THE PHILIPPINES TO SCOUT PHILIPPINES, DEFINING ITS OBJECTIVES, POWERS AND FUNCTIONS, AMENDING FOR THE PURPOSE COMMONWEALTH ACT NO. 111, AS AMENDED**

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

**Section 1. Title-** This Act shall be known as the "Scouts Philippines Act of 2011".

**Sec. 2. Declaration of Policy** - recognizing the vital role of young people (children and youth) under the ages 4 to 25 in nation-building, it is therefore the policy of the State to ensure and protect their physical, moral, intellectual, emotional, social and spiritual growth by promoting scouting as an integral component of the basic education system.

**Sec. 3. Objectives** - The objectives of this Act are:

(a) To promote through organizations and cooperation with other agencies, the ability of the young people and/or the Filipino youth to do useful things for themselves and others;

(b) To train the young people and/or the Filipino youth in the attitudes, skills, and the habits of responsible citizens;

(c) To train them in Scout craft and to inculcate in the young people and/or the Filipino youth patriotism, civic consciousness and responsibility, environmental protection awareness and activities and, courage, self-reliance, selflessness, discipline and kindred virtues, as well as moral and spiritual values, using the method which are in common use by Scouts.

**Sec. 4. Scouts Philippines** - The Boy Scouts of the Philippines (BSP) is hereby renamed as the Scouts Philippines hereinafter referred to as the Corporation which shall have its principal office in Metropolitan Manila. The Corporation may establish such other offices, agencies or branches anywhere in the Philippines as its operations would require and its National Executive Board would determine.

**Sec. 5. Powers and Functions** – The said Corporation shall have the powers of perpetual succession, to sue and to be sued; to enter into contracts; to acquire, own, lease, convey and dispose of such real and personal estate, land grants, rights and chooses in action as shall be necessary for corporate purposes, and to accept and receive funds, real and personal property by gift, devise, bequest or other means, to conduct fund raising activities, to adopt and use a seal, and the same to alter and destroy; to have offices and conduct its business and affairs in Metropolitan Manila and in the regions, provinces, cities, municipalities and barangays of the Philippines, to make and adopt bylaws, rules and regulations not inconsistent with this Act and the laws of the Philippines, and generally to do all such acts and things, including the establishment of regulations for the elections of associates and successors, as may be necessary to carry into effect the provisions of this act and promote the purposes of said Corporation: Provided, that said Corporation shall have no power to issue certificates of stock or declare or pay dividends, its objectives and purposes being solely of benevolent character and not for pecuniary profit of its members.

**Sec. 6. Chief Scout**- The President of the Republic of the Philippines shall be the Chief Scout of Scouts Philippines.

**Sec. 7. Vice Chief Scout**- The Vice- President of the Republic of the Philippines shall be the Vice Chief Scout of Scouts Philippines.

**Sec. 8. Authority and Powers of the Chief Scout and Vice Chief Scout**- The Chief Scout and Vice Chief Scout are Honorary Members of Scouts Philippines but are not deemed to be members of the National Executive Board unless they are duly elected as members thereof in accordance with the provisions of this Act and of the Corporation's by-laws.

**Sec. 9. National Executive Board** - The governing body of the said Corporation shall consist of a National Executive Board, the members of which shall be Filipino citizens of good moral character. The Board shall be composed of the following:

- (a) The Secretary of the Department of Education;
- (b) Secretary of the Department of Interior and Local Governments
- (c) The National President of the Girl Scouts of the Philippines.

(d) Regional Chairmen of the ten geographical regions of the Corporation to be known as Scout Regions who shall be elected by the representatives of all the chartered Provincial, City or conglomerate of cities and municipalities to be known as Local Scout Councils within the region during its meeting

called for this purpose. The candidate for Regional Chairman need not be a Chairman of a local Scout Council.

(e) One Senior/Rover Scout each from Luzon, Visayas and Mindanao areas, to be elected by Senior/Rover Scout Delegates to the conference of Scouts ages 13 to 25 known as the Scout Youth Forum in their respective Philippine geographical areas

(f) Twelve (12) regular members to be elected by the members of the National Council in its meeting called for this purpose;

(g) At least five (5) but not more than eight (8) additional members from the private sector representing Banking and Finance, Interfaith, Tri-Media, Civil Society, Non-Government Organizations, Sports and Athletics who shall be elected by the members of the National Executive Board referred to in the preceding paragraphs (a), (b), (c), (d) and (e) at the organizational meeting of the newly reconstituted National Executive Board which shall be held immediately after the meeting of the National Council wherein the twelve (12) regular members were elected.

Thereafter, the National Executive Board as herein fully constituted shall elect from among themselves the following officers of the corporation:

(a) President;

(b) Senior Vice-President

(c) One (1) Vice-President each from Luzon, Visayas and Mindanao areas; and,

(d) Such other officers as the Board may deem necessary.

The numerical composition of the National Executive Board shall be provided for in the Bylaws of the Scouts Philippines; Provided, that said numerical composition shall not be less than thirty-three (33) and not more than thirty-seven (37) for all elected and ex-officio members

The qualification, term of office and manner of electing the above mentioned members of the National Executive Board shall be prescribed within the By-Laws of the corporation.

The term of office of the members of the Board shall be three (3) years. Elective officers and members of the Board may be reelected, except for the National President who shall be eligible for not more than one reelection or a maximum of six (6) years: Provided, that all incumbent elective officers of the BSP whose terms have not yet expired at the effectivity of this Act shall be allowed to serve the unexpired portion of their terms as herein provided for and the President of the Corporation shall be eligible for one more reelection to complete two (2) full terms.

Vacancies in the National Executive Board shall be filled by a majority vote of the remaining members and a member thus elected shall serve only for the unexpired term.

The bylaws may prescribe the number of members of the National Executive Board necessary to constitute a quorum of the board.

**Sec. 10.** Powers and Functions of the National Executive Board shall exercise the following powers and functions:

(a) To make and to amend the bylaws subject to the ratification by a majority vote of the members present at a meeting of the National Council or at a special meeting called for this purpose;

(b) To authorize and cause to be executed mortgages and liens upon the property of the Corporation by a two-thirds (2/3) vote of the whole Board at meeting called for this purpose;

(c) To designate five (5) or more of their number to constitute an executive or governing committee, of which a majority shall constitute a quorum, through a resolution passed by a majority of the whole Board. Such committee, to the extent provided in said resolution or in the bylaws of the Corporation, shall have and exercise the powers of the National Executive Board in the management of the business affairs of the Corporation and may have the power to authorize the seal of the corporation to be affixed to all papers which may require it;

(d) To create standing and special committees and appoint the chairmen and members thereof from among themselves by the affirmative vote of a majority of the whole Board. Such standing committees shall exercise such powers as may be authorized by the bylaws;

(e) To dispose in any manner a part or the whole property of the Corporation with the consent in writing and pursuant to an affirmative vote of two-thirds (2/3) of the members of the National Council; and,

(f) To hold regular quarterly meetings at a time and place to be designated in the bylaws. Special meetings of the Board may be called by the National President or upon such notice as may be prescribed in the bylaws.

(g) The National Executive Board shall have the power to hold their meetings and keep the seal, books, documents, and papers of the corporation within or without the Metropolitan Manila.

**Sec. 11. National Council** - The National Council is the highest corporate policy making body of Scouts Philippines. The National Council shall be composed of the following members:

(a) The members of the National Executive Board

(b) The Regional Scout Commissioner; a person duly appointed and commissioned by the National Council;

(c) The chairmen and commissioners of all local scout councils; and,

(d) Other duly accredited delegates of local scout councils as may be provided in the bylaws.

The qualifications, terms of office, and the manner of electing the above mentioned members of the National Council shall be prescribed in the bylaws of the corporation.

The numerical composition of the National Council shall provided for in the bylaws of the Boy Scouts of the Philippines. Provided, that all regions and all local councils shall be duly represented therein by a least two (2) duly accredited delegates, in addition to those who are members of the National Executive Board as provided for under Section 9 of this Act.

The Annual Meeting of the National Council shall be held at such time and place as shall be prescribed in the bylaws, at which meeting the annual reports of the officers and the National Executive Board shall be presented and the election of members to the National Executive Board shall be held.

Special meetings of the National Council may be called upon such notice as may be prescribed in the bylaws, provided that, one-third (1/3) of the members of the National Council shall constitute a quorum to do business at any annual or special meeting, provided further, that the National President of the Corporation shall preside over the meeting of the National Council.

Each local Scout council represented in the annual or special meeting of the National Council shall be entitled to four (4) votes plus one (1) vote for every Ten Thousand (10,000.00) of their Scout membership. The members of the National Executive Board shall each be entitled to one (1) vote.

The National President of the corporation shall preside over the meetings of the National Council.

**Sec. 12. Powers and Duties of the National Council** – The National Council shall exercise the following powers and functions:

(a) To hold Annual Council Meetings at a time and place to be designated by the bylaws. The purpose of such meetings is to discuss the National concerns and issues of each Local Scout Council for the proper governance of the Scout Philippines.

(b) To require the majority vote of the National Council first be attained before the cause of any lien, encumbrance or disposition of any real property.

(c) To propose the creation of any committee either governing or special to govern or do any legal task that the Regional of Local Councils may require.

(d) The National Council shall have the power to hold their meetings and keep the seal, books, documents, and papers of the corporation within or without the Metropolitan Manila.

(e) All other powers necessary for the effective management of the affairs of the National, Regional and Local Councils as long as they are not inconsistent with the decisions and powers of the National Executive board and the powers and duties provided for in the by-laws.

**Sec. 13. Exclusivity Clause** - The corporation created by this Act shall adopt and shall have the sole and exclusive right to use distinctive titles, emblems, descriptive or designing marks, words and phrases, badges, uniforms and insignia for the Scouts Philippines in carrying out its program in accordance with the purposes of this Act, and which shall be published in the Official Gazette or in any newspaper of general circulation in the Philippines.

**Sec. 14. Tax and duty Privileges** - Any donation or contribution which from time to time may be made to Scouts Philippines by the Government or any of its subdivisions, branches, offices, agencies or instrumentalities or by a foreign government or by private entities and individuals shall be expended by the National Executive Board in pursuance of this Act. The Corporation shall be entitled to the following tax and duty privileges:

(a) Exemption from income tax pursuant to Section 30 (e), (g) and (h) of the National Internal Revenue code of 1997, as amended

(b) 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 (q) of the National Internal Revenue code of 1997, as Amended.

Likewise, all donations, legacies and gifts of the Scouts Philippines to support its purposes and objectives as embodied in this Act shall, subject to the limitations and conditions under the National Internal Revenue Code of 1997, as amended, be exempt from the donor's tax and shall be deductible from the gross income of the donor for income tax purposes. Such donations, legacies and gifts shall be expended by the National Executive Board in pursuance of this Act.

**Sec. 15. Penalties** - From and after the passage of this Act, it shall be unlawful for any person within the jurisdiction of the Philippines to falsely and fraudulently wear the Scouts Philippines uniform, call himself as, or represent himself to be a member of, or an agent for, the Scout Philippines; and any person who violates any of the provisions of this Act shall be punished by prison correctional in its medium period and a fine of not less than fifty Thousand Pesos (Php. 50,00.00) nor more than One Hundred Thousand Pesos (Php100,000.00).

It shall be unlawful for any person to manufacture, sell or distribute or cause to be manufactured, sold or distributed fraudulently or without the official knowledge and written approval of the National Executive Board of the Scouts Philippines' badges, uniforms, insignia, or Scouting paraphernalia or the photos or visuals of a Scout or Scouts in uniform, or the logo, seal or corporate name of the Scouts Philippines, in any print ad, radio or television commercial, billboard, collateral material or any form of advertisement; or to

use the name of the Scouts Philippines in any illegal purpose or personal gain. Any violation of the provisions of Section 9 and of this section shall be punished by prison correctional in its maximum period to prison mayor in its medium period and fine of not less than Two Hundred Thousand Pesos (Php200,000.00) nor more than Five Hundred Thousand Pesos (Php500,000.00). Provided, that in case of corporations, partnership, associations, societies or companies, the manager, administrator or the person in charge or the management or 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.

**Sec. 16. Transitory Clause** - Until such time as the organization and restructuring of the Scouts Philippines in accordance with this Act is affected, the incumbent officers and members of the National Executive Board of the Boy Scouts of the Philippines shall conduct the affairs of Scouts Philippines and take the necessary steps to effect such reorganization until a new National Executive Board and a new set of National Officers shall have been elected within six (6) months from the effectivity of this Act.

The powers and functions, all applicable funds, records, personnel, assets and property of the Boy Scouts of the Philippines are transferred to and absorbed by the Corporation. The Corporation shall succeed to all rights and assume all contacts and liabilities of the Boy Scouts of the Philippines in accordance with the Auditing Code and other pertinent laws, rules and regulations.

**Sec. 17. Implementing Rules and Regulations.**- The Corporation shall promulgate the rules and regulations necessary for the implementation of and consistent with this Act.

**Sec. 18. Repealing/Amending Clause** - Commonwealth Act No. 111, Presidential Decree No. 460, Republic Act No. 7278, and Executive Order 509 (series of 1992) are hereby repealed and/or amended. All other laws, orders and proclamations, rules and regulations or parts thereof, inconsistent with or contrary to the provisions of this Act or its purposes are hereby amended or modified accordingly.

**Sec. 19. Separability Clause** - If for any reason, any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remaining provision not affected thereby shall be in full force and effect.

**Sec. 20. Effectivity Clause** - this act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least (2) newspaper of general circulation.

Approved,