



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila
SIXTEENTH CONGRESS



First Regular Session

House Bill **3947**

Introduced by ABAKADA Representative Jonathan A. de la Cruz

EXPLANATORY NOTE

German-Filipino relations have never been better. From 1961, when Germany decided to make the Philippines as one of its development partners in Asia, it is now our fourth largest bilateral donor after Japan, the United States and Australia.

Around 876 Million euros have already been given by Germany as total assistance to the country in various forms. In addition, the Philippines receives substantial funding and technical assistance from the World Bank, European Union and the Asian Development Bank, internal institutions where Germany is the biggest donor among the European Union members.

German industries have also started to make their mark in the Philippine economy providing investment and employment. To name a few, Lufthansa Technik, Continental, Bosch, Porsche/Audi, Siemens and Schenker, have all set up business offices and/or plants in the Philippines to infuse much needed foreign investments and technology.

As a result of growing German participation in the Philippine economy and society, a total of around twenty thousand (20000) German nationals are permanent residents in the Philippines majority of whom opting to reside in the Metro Manila area. In order to meet the demands of the German community in the country a number of institutions and services have been setup such as language schools, restaurants, libraries, travel agencies and the like, Topping this off, was the setting up of the Deutsche Schule (German School) in 1980 which was duly recognized by the Department of Education in the same year. The school's population immediately grew necessitating the transfer to a bigger campus twice: first, to the University of Life and later to Better Living in Paranaque City along 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 (GESM), for brevity, in preparation with its desire to be recognized as an international school.

Presently, GESM has a total of 198 students of different nationalities, namely, Germans (69), Filipino-German (41), Filipinos (26), Americans (7), American-German (4), Swiss-Filipinos (4), Swiss (5), Dutch and Dutch-Filipino (8), Austrians (4) British (7), among others.

Clearly, the patronage of the European community in the Philippines as well as our very own citizens of the GESM shows the need for the same to be established as an international school to enable itself to provide the unique German-European learning mode and its unique procedures educational ways and practices which have endeared the school to its core clients and the respect of other educational institutions.

For this purpose, the bill aims to recognize the German European School Manila, Inc. and accord it the status of an international school; granting certain prerogatives conducive to its growth and development as a partner in the country's progress and a potent bridge for the enhancement of RP-German/European relations.

In view of the foregoing, the approval of this bill is earnestly sought.

Approved,


JONATHAN A. DE LA CRUZ



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

Section 1. German European School Manila, Inc., herein referred to as the German School, is hereby declared an educational institution of international character authorized to operate recognized German educational programs that primarily and principally adhere to, specifically, German educational for and/or course curriculum and/or generally, to universally accepted and recognized educational policies.

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

Section 3. To enable the German School to continue carrying out its educational program, improve its standard of instruction and meet the special needs of the foreign temporary resident community for quality education, it shall:

- (a) Be able to accept provisions and donations of every kind to carry out the purpose of the German School and entitled to use properties, real or personal, so donated and to construct and own buildings thereon exclusively for educational purposes: Provided, that for any reason, the German School, ceases to occupy and/or use real properties it may acquire by virtue of this Act, the properties and all improvements thereon of permanent nature shall accrue to the Government of the Republic of the Philippines;
- (b) Whenever necessary to carry out its objectives, it shall have the right to obtain leases on real properties, acquire personal properties, tangible or intangible, or any interests in such properties, by purchase, lease, barter, donation, gift or otherwise, and dispose of, mortgage or encumber them for the benefit of the school concerned;
- (c) Accept applicants for admission, regardless of nationality, in accordance with its own eligibility standards, and rules for admission and grade placement: Provided, that no single alien nationality shall consist more than thirty percent (30%) of the entire student population in a given school year, as stated in the records of the School: Provided, further, that the Board of the German School may allow enrolment of as many German and/or Filipino citizens in a given school year that the total number of German and/or Filipino pupils/students may exceed the thirty (30%) percent limit as stated above;
- (d) Be managed and administered by a superintendent, who shall be a German citizen and shall possess the qualifications prescribed by the Board;
- (e) Determine its own curriculum and teach the German language and whatever language or languages it may deem proper and determine the amount of fees and assessments which may or reasonably imposed upon its pupils and/or students, to maintain or conform to the German School's standard of education;
- (f) Maintain standards of education compatible with those obtaining in similar schools in Germany, the Philippines and other International educational institutions of generally recognized standing;

- (g) Employ its own teaching and management personnel selected by the Board either locally or abroad, from Germany and/or the Philippines or other nationalities, such foreign personnel being exempt from laws that imposes nationality restrictions on control and administration of educational institutions, except laws that have been or will be enacted for the protection of employees: Provided, That such exemption shall not be extended to their liability for income taxes, unless otherwise provided by a bilateral agreement;
- (h) Promote international friendship, goodwill and understanding among the members of the foreign community and the citizens of the Philippines; and
- (i) Not teach anything derogatory to the prestige and well-being of the Philippines and its people, nor those which will subvert its institutions and government.

Section 4. The Secretary of Education, in consultation with the German Embassy and the members of the Board of the German School shall issue such rules as may be necessary to carry out the provisions of this Act.

Section 5. If any clause, sentence, paragraph or part of this Act is subsequently declared unconstitutional, the validity of the remaining provisions hereof shall remain in full force and effect.

Section 6. This act shall take effect upon its approval.