

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 663



Introduced by HON. CESAR V. SARMIENTO

EXPLANATORY NOTE

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

Around 876 million euros have already been given as total assistance made by Germany. In addition, the Philippines receives substantial assistance from the World Bank, European Union and the Asian Development Bank, where Germany is the biggest European donor.

German industries have also started to make its 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 the much needed foreign investments.

As a result of the growing German participation in the Philippine economy, a total of around twenty thousand (20,000) German nationals are permanent residents in the Philippines where majority have opted to reside in Metro Manila. In order to meet the demands of the German expatriates, the Deutsche Schule (German School) was set up in 1980 and was recognized by the Department of Education. The school's population immediately grew necessitating the transfer to a bigger campus twice: to 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 Mania, Inc. to comply with Philippine laws and regulations. In 2008, it further changed its name to German European School Manila, Inc. (GESM, for brevity) in preparation of its intent 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-Germans (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 of the GESM patently shows the need for the same to be established as an international school to enable itself to provide the unique German/European mode and procedure of education that endeared the school to its captive clients.

For this purpose, the bill aims to recognize the German European International School of Manila, Inc., the status as an international school and granting certain prerogatives conducive to its growth like the Southville International School and the Cebu International School.

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



HON. CESAR V. SARMIENTO

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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**

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

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 programs and /or course curriculum and/or generally, to universally accepted and recognized educational policies.

Sec. 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.

Sec. 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 purposes of the German School and be 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, have the right to obtain leases on real properties, acquire personal properties, tangible or intangible, or any interests in such properties other real, 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 the 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 be 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 extend 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.

Sec. 4. The Secretary of Education, in consultations 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.

Sec. 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.

Sec. 6. This Act shall take effect upon its approval.

Approved,