

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

'04 JUN 30 P4:55

RECEIVED BY: Osmeña

S E N A T E

S. No. 375

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

For many fraternities, sororities and other exclusive fraternal organizations, hazing is one of the most popular of their initiation rites. They reason that it is the only way they could gauge the strength of a neophyte to rightfully belong to their organization. Regrettably, hazing has caused the loss of so many lives, lives of young men and women laid to waste. This practice has been repeatedly condemned by the victims' family and friends, and yet to this day, it is still being practiced and therefore, have continually extinguish precious young lives whose only desire is to belong.

Section 1 of Republic Act 8049 defines hazing as that which includes subjecting the neophyte or applicant to physical or psychological suffering or injury.

This measure proposes to declare hazing as an unlawful act. Furthermore, it seeks to repeal Republic Act No. 8049 otherwise known as the Anti-Hazing Law as it merely regulate hazing but does not necessarily outlaw it.

It is also important to note that this bill does not outlaw fraternities and sororities or other exclusive organizations as they also have a positive role in shaping the social and academic lives of their members.

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

S. Osmeña III
SERGIO OSMEÑA III
Senator

THIRTEENTH CONGRESS OF THE PHILIPPINES)
OF THE PHILIPPINES)
First Regular Session)

'04 JUN 30 P4:55

RECEIVED BY: Atlu

S E N A T E

S. No. 375

Introduced by Senator S. R. Osmeña III

AN ACT
DECLARING HAZING UNLAWFUL PROVIDING PENALTIES THEREFOR,
AND REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8049,
OTHERWISE KNOWN AS THE ANTI-HAZING LAW, AND FOR OTHER
PURPOSES

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

1 **SECTION 1.** Hazing which under this Act is defined as the infliction of
2 physical injury or harm on any person as a prerequisite for his entry, admission
3 or acceptance in any fraternal organization, fraternity, sorority or society in any
4 school, college or university or in any other institution or organization or
5 association or persons, is hereby declared unlawful.

6 **SEC. 2.** Any person engaging or participating directly in this unlawful
7 activity shall be punished by *prison correccional* in its maximum period.
8 Provided, that:

9 a.) If death, rape, sodomy or mutilation results therefrom, the penalty
10 shall be *reclusion perpetua*.

11 b.) If as a consequence of the said unlawful activity, the victim shall
12 become insane, imbecile, impotent or blind, the penalty shall be
13 *reclusion temporal* in its maximum period.

14 c.) If as a consequence of the unlawful activity the victim shall have
15 lost the use of the speech or capacity to hear or smell, or shall lost
16 an eye, a hand, a foot, an arm or a leg or shall have lost the use of
17 any such member, or shall have become incapacitated for the

1 activity or work in which he was habitually engaged, the penalty
2 shall be *reclusion temporal* in its medium period.

3
4 d.) If as a consequence of the unlawful activity, the victim shall become
5 deformed or shall have lost any other part of his body, or shall have
6 lost the use thereof, or shall have been lost ill or incapacitated for
7 the performance of the activity or work he was habitually engaged
8 for a period of more than ninety (90) days, the penalty shall be
9 *reclusion temporal* in its minimum period.

10 e.) If as a consequence of the unlawful activity, the victim shall have
11 been ill or incapacitated for the performance in the activity or work
12 in which he was habitually engaged for more than thirty (30) days,
13 the penalty shall be *prison mayor* in its maximum period.

14 f.) If as a consequence of the unlawful activity the victim shall have
15 been ill or require medical attendance for the same period, the
16 penalty shall be *prison mayor* in its medium period.

17 g.) If as a consequence of the unlawful activity, the victim shall have
18 been ill or incapacitated for the performance of the activity or work
19 in which he was habitually engaged for ten (10) days or more, or
20 that the injury sustained shall require medical assistance for the
21 same period, the penalty shall be *prison mayor* in its minimum
22 period.

23 h.) If as a consequence of the unlawful activity, the victim sustained
24 physical injuries that do not prevent him from engaging in his
25 habitual activity or work nor requires medical assistance, the
26 penalty shall be *prison correccional* in its maximum period.

27 **SEC. 3.** That members, advisers or alumni of the fraternities, sororities or
28 society, who themselves were present while the hazing was taking place or who
29 had planned the same even if not present, shall be punished as principals by
30 direct participation.

1 **SEC. 4.** School authorities, including faculty members, and/or owners of
2 the houses or premises where the hazing took place provided the same was
3 conducted with their knowledge or consent, shall be liable as accomplices.

4 **SEC. 5.** The authorization or license granted to fraternities, sororities or
5 societies in schools, colleges, and/or universities, or to other institutions,
6 organizations or associations whose members or officers have violated the
7 provisions of this Act, shall be revoked.

8 **SEC. 6.** Republic Act No. 8049 is hereby repealed.

9 **SEC. 7.** If for any reason, any section or provision of this Act is held
10 unconstitutional or invalid, the other sections or provisions thereof shall not be
11 affected hereby.

12 **SEC. 8.** This Act shall take effect fifteen (15) days after its publication in at
13 least two (2) newspapers of general circulation.

14 Approved,