

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



Senate
Office of the Secretary

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SENATE
Senate Bill No. 503

RECEIVED BY: *ja*

Introduced by Senator Cynthia A. Villar

EXPLANATORY NOTE

Fraternity violence has destroyed many promising young men and women and hurled them to their graves.

Republic Act No. 8049, more popularly known as the Anti-Hazing Law, prohibits physical violence during initiation rites and metes penalties ranging from prison correccional to reclusion perpetua should the person subjected to hazing or other forms of initiation rites suffer any physical injury, dies or is raped.

The law, however, has not deterred physical harm or death of applicants of fraternities, sororities, and organizations. In fact, there are groups whose memberships are based on the applicant's acceptance of physical violence or sexual abuse. Women in these groups are given a choice of hirap o sarap - a choice of beatings or sex with the male members.

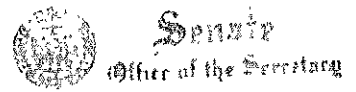
What is worse is that non-members of fraternities or sororities, the so called "barbarians," have often fallen prey to fraternity violence -- violence elicited by a brotherhood which many believe to have degenerated into a barbaric gang. Mass communications student, Nino Calinao, a non-fraternity member, suffered this fate when he was slayed near a fraternity hangout. Students believe that it was a case of mistaken identity.

All these incidents of fraternity violence emphasize the need to strengthen the existing mechanism for deterrence of the commission of crimes in the conduct of fraternity, sorority, confraternity and organization initiation rites. This bill answers that need. It amends Republic Act No. 8049 to provide rules of conduct of initiation rites and compels officers and members of the fraternity, sorority, confraternity or organization who actually participated in the infliction of physical harm or caused the death of an individual due to hazing to shoulder all actual damages including up to double the amount of loss of future income of the individual. The officers and members of the fraternity, sorority, confraternity or organization shall also suffer imprisonment -prison correccional to reclusion perpetua depending on the gravity of their offense.

The immediate passage of this bill is fervently called for


CYNTHIA A. VILLAR

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**AN ACT
TO FURTHER STRENGTHEN THE EXISTING MECHANISM FOR DETERRENCE
TO THE COMMISSION OF CRIME IN THE CONDUCT OF FRATERNITY, SORORITY,
CONFRATERNITY AND ORGANIZATION INITIATION RITES, AMENDING FOR THE
PURPOSE REPUBLIC ACT NUMBER EIGHT THOUSAND AND FORTY NINE**

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

SECTION 1. Republic Act Number Eight Thousand and Forty Nine is hereby
amended to read as follows:

SECTION 1. GENERAL WELFARE. - THE FRATERNITY,
SORORITY, CONFRATERNITY OR ORGANIZATION SHALL EXERCISE
THE RIGHTS EXPRESSLY GRANTED UNDER EXISTING LAWS,
THEREFROM, AS WELL AS DUTIES AND FUNCTIONS NECESSARY,
APPROPRIATE, OR INCIDENTAL FOR ITS EFFICIENT AND
EFFECTIVE EXISTENCE, AND THOSE WHICH ARE ESSENTIAL TO
THE PROMOTION OF GENERAL WELFARE. THE FRATERNITY,
SORORITY, CONFRATERNITY OR ORGANIZATION SHALL ENSURE
AND SUPPORT, AMONG OTHER THINGS, THE PRESERVATION,
ENRICHMENT AND RESPECT FOR HUMAN LIFE AND DIGNITY,
PROMOTE AND ENHANCE THE RIGHT OF PEOPLE TO HEALTH AND
SAFETY, IMPROVE PUBLIC MORALS, ENCOURAGE AND SUPPORT
THE DEVELOPMENT OF APPROPRIATE PROGRAMS AND
ACTIVITIES, MAINTAIN PEACE AND ORDER, AND PRESERVE THE
COMFORT AND CONVENIENCE OF ITS MEMBERS AND THE REST
OF SOCIETY,

SECTION 2. [Section 1.] DEFINITION OF HAZING. - xxx

SECTION 3. [Section 2.] ISSUANCE OF NOTICE OF INITIATION
RITES.

2
3 SECTION 4. RULES OF CONDUCT OF INITIATION RITES. - THE
4 FRATERNITY, SORORITY, CONFRATERNITY OR ORGANIZATION IS
5 MANDATED UNDER THIS ACT, TO OBSERVE THE FOLLOWING
6 RULES OF CONDUCT OF INITIATION RITES:
7

8 1. ANY FORM OF CONTACT, AND ANY WILLFUL ACT, DIRECTLY OR
9 INDIRECTLY PURSUED BY ANY MEMBER OR OFFICER OF THE
10 FRATERNITY, SORORITY, CONFRATERNITY OR ORGANIZATION, TO
11 INFLICT PHYSICAL HARM AND/OR INJURY UPON THE NEOPHYTE(S)
12 IS STRICTLY PROHIBITED.
13

14 2. PARENTAL CONSENT SHALL BE REQUIRED TO BECOME A
15 MEMBER OF A PARTICULAR FRATERNITY, SORORITY,
16 CONFRATERNITY OR ORGANIZATION AND/OR TO UNDERGO THE
17 PROCESS OF INITIATION RITE IF THE APPLICANT IS BELOW
18 TWENTY ONE (21) YEARS OF AGE. PARENTAL CONSENT SHALL BE
19 GIVEN THROUGH A SIGNED LETTER FOR HIS/HER SON/DAUGHTER
20 STIPULATING EITHER OF THE PARENT'S VOLUNTARY APPROVAL.
21

22 3. THE FRATERNITY, SORORITY, CONFRATERNITY, OR
23 ORGANIZATION SHALL EMPLOY THE PHYSICAL PRESENCE OF AT
24 LEAST TWO (2) OF ITS ADVISERS DURING THE CONDUCT OF
25 INITIATION RITE.
26

27 4. THE FRATERNITY, SORORITY, CONFRATERNITY OR
28 ORGANIZATION SHALL PROVIDE ADEQUATE LOGISTIC
29 PREPARATIONS SUCH AS BUT NOT LIMITED TO FIRST-AID
30 SERVICES AND THE DEPLOYMENT AND/OR EMPLOYMENT OF AT
31 LEAST ONE (1) REGISTERED MEDICAL PRACTITIONER DURING THE
32 CONDUCT OF INITIATION RITE.
33

34 5. PRIOR TO THE FORMAL ORIENTATION AND INTRODUCTION OF
35 THE APPLICANT TO THE ORGANIZATION, THE NEOPHYTE(S) SHALL
36 SUBJECT HIMSELF/HERSELF TO A COMPREHENSIVE MEDICAL AS
37 WELL AS PHYSIOLOGICAL EXAMINATION, RESULTS OF WHICH
38 DULY ATTESTED AND SIGNED BY REGISTERED PRACTITIONERS OF

1 BOTH SHALL BE MADE AVAILABLE AND SUBMITTED TO THE HEAD
2 OF THE FRATERNITY, SORORITY, CONFRATERNITY OR
3 ORGANIZATION CONDUCTING THE INITIATION RITES.

4
5 6. THE FRATERNITY, SORORITY, CONFRATERNITY OR
6 ORGANIZATION IS ABSOLUTELY PROHIBITED FROM EMPLOYMENT
7 OF ANY FORM OF SEXUAL HARASSMENT OR ANY ACTION, MOTIVE
8 OR IMMINENT PLAN LEADING TO SUCH BEFORE, DURING AND
9 AFTER THE CONDUCT OF INITIATION RITE.

10
11 7. THE FRATERNITY, SORORITY, CONFRATERNITY OR
12 ORGANIZATION SHALL MAKE ALL THE NECESSARY REQUISITES
13 FOR APPLICATION, HEREIN STIPULATED AND DEFINED KNOWN TO
14 THE APPLICANT(S) BEFORE THE START OF ORIENTATION AND
15 FORMAL INTRODUCTION OF THE APPLICANT TO THE
16 ORGANIZATION.

17
18 SECTION 5. [Section 3] RESPONSIBILITY OF SCHOOL OR
19 ORGANIZATION. - xxx '

20
21 SECTION 6. [Section 4] LIABILITIES OF OFFICERS AND MEMBERS;
22 PENALTIES. - xxx

23 a) xxx

24 xxx

25 e) xxx

26 [A new paragraph is inserted after (e)]

27 IF THE PERSON SUBJECTED TO HAZING OR OTHER FORMS OF
28 INITIATION RITES SUFFERS ANY PHYSICAL INJURY OR DIES AS A
29 RESULT THEREOF, THE OFFICERS AND MEMBERS OF THE
30 FRATERNITY, SORORITY, CONFRATERNITY OR ORGANIZATION
31 WHO ACTUALLY PARTICIPATED IN THE INFLICTION OF PHYSICAL
32 HARM OR CAUSED THE PERSON'S DEATH OR WHO WAS PRESENT
33 DURING SUCH PROCEEDING BUT WHO DID NOT TAKE STEPS TO
34 PREVENT THE INFLICTION OF THE HARM SHALL SHOULDERS ALL
35 ACTUAL DAMAGES SUSTAINED BY THE APPLICANT INCLUDING UP
36 TO DOUBLE THE AMOUNT OF LOST FUTURE INCOME.

37

1 LOST FUTURE INCOME REPRESENTS THE LOSS OF
2 EARNING CAPACITY OF THE VICTIM EITHER BY VIRTUE OF DEATH
3 OR TOTAL DISABILITY. IT SHALL BE COMPUTED BY THE COURT
4 BASED ON BUT NOT LIMITED TO THE PERSON'S STATE OF
5 HEALTH, EDUCATIONAL ATTAINMENT, NATURE OF OCCUPATION
6 WHETHER EXISTING OR PROSPECTIVE, AND OBLIGATION TO
7 SUPPORT DEPENDENTS.

8 xxx

9
10 SECTION 7. IMPLEMENTING RULES AND REGULATIONS. - THE
11 SECRETARY OF JUSTICE IS HEREBY AUTHORIZED TO
12 PROMULGATE THE NECESSARY GUIDELINES TO IMPLEMENT THE
13 AFORESAID SECTIONS IN ACCORDANCE WITH EXISTING LAWS.

14
15 SECTION 2. [Section 5] SEPARABILITY CLAUSE - xxx

16
17 SECTION 3. [Section 6] REPEALING CLAUSE - xxx

18
19 SECTION 4. [Section 7] EFFECTIVITY - xxx

20 Approved,