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SENATE
Senate Bill No. 1591

Introduced by **SENATOR JUAN MIGUEL F. ZUBIRI**

**AN ACT
PROHIBITING HAZING AND REGULATING OTHER FORMS OF INITIATION
RITES OF FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS, AND
PROVIDING PENALTIES FOR VIOLATION THEREOF, REPEALING FOR THE
PURPOSE REPUBLIC ACT NO. 8049**

EXPLANATORY NOTE

Since its enactment in 1995, there has only been one conviction under Republic Act 8049 or the Anti-Hazing Law. Justice was served for Marlon Villanueva, a neophyte of the University of the Philippines Los Baños' Alpha Phi Beta Fraternity, who died during the group's initiation rites in 2006.

However, this is only one of the many cases filed over the past 22 years relating to deaths caused by hazing. The long list of hazing victims include Alexander Miguel Icasiano, Ace Bernabe Ekid, Dominante Tunac, Edward Domingo, Rafael Albano, Jeffrey Corto, Dennis Africa, Marlon Villanueva, Mark Rodriguez, Roland Cequiña, Cris Anthony Mendez, Chester Paulo Abracia, Josephus dela Rosa, Elvis Sinaluan, Menardo Clamucha Jr., EJ Karl Intia, Marvin Reglos, Marc Andre Marcos, Guillo Servando, Ariel Inofre, Christian dela Cruz, and Anthony Javier. On 17 September 2017, Horacio Tomas Castillo III, a neophyte of the University of Santo Tomas' Aegis Juris Fraternity, joined this list after suffering extensive traumatic injuries, which ultimately led to his death.

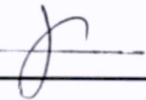
Despite the existence of an Anti-Hazing Law, fraternities, sororities and other organizations continue the practice of subjecting neophytes to severe physical and psychological suffering or injury. This bill seeks to once and for all end the senseless killings by prohibiting the practice of hazing, regulating other forms of initiation rites of fraternities, sororities and other organizations, and providing for stiffer penalties for those involved in this barbaric ritual.


JUAN MIGUEL F. ZUBIRI

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AN ACT
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OF FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS, AND
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PURPOSE REPUBLIC ACT NO. 8049

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

1 **SECTION 1.** *Short Title.* – This Act shall be known as the “Anti-Hazing
2 Act of 2017.”

3 **SEC. 2.** *Definition of Terms.* - For purposes of this Act:

4 a. Hazing – refers to any physical or psychological suffering, harm, or
5 injury inflicted on a recruit, member, neophyte, or applicant as a form of an
6 initiation rite or practice made as a prerequisite for the admission or a
7 requirement for continuing membership in a fraternity, sorority, or organization.
8 This shall also include any activity, intentionally made or otherwise, by one
9 person alone or acting with others, that tends to humiliate or embarrass,
10 degrade, abuse, or endanger, by requiring a recruit, member, neophyte or
11 applicant to do menial, silly, or foolish tasks.

12 b. Organization – refers to an organized body of people which includes but
13 is not limited to clubs, associations, and groups.

14 c. Schools – refer to colleges, universities, and all other educational
15 institutions.

16 **SEC. 3.** *Prohibition on Hazing.* - All forms of hazing shall be prohibited in
17 fraternities, sororities, and organizations in schools, including Citizens' Military

1 and Citizens' Army Training, or their equivalent. It shall likewise be prohibited in
2 fraternities, sororities, and organizations not based in schools, such as those
3 which are community-based. In no case shall hazing be made a requirement for
4 the employment in any business or corporation.

5 **SEC. 4. Regulation of Initiation Rites.** - Only initiation rites or practices,
6 which do not inflict direct or indirect physical or psychological suffering, harm, or
7 injury to the recruit, neophyte, or applicant of a fraternity, sorority, or
8 organization, shall be allowed: *Provided, That:*

9 a. A written application to conduct initiation rites shall be made to the
10 proper authorities of the school not later than seven (7) days prior to the
11 scheduled initiation date;

12 b. The written application shall indicate the place and date of the initiation
13 rites and the names of the recruit, neophyte, or applicant to be initiated;

14 c. The initiation rites shall not last more than three (3) days;

15 d. The application shall contain the names of the incumbent officers of the
16 fraternity, sorority, or organization and any person or persons that will take
17 charge in the conduct of the initiation rites;

18 e. The application shall be under oath with a declaration that it has been
19 posted in the official school bulletin board, the bulletin board of the office of the
20 fraternity, sorority, or organization, and two other conspicuous places in the
21 school or in the premises of the organization;

22 f. The application shall be posted from the time of submission of the
23 written notice to the school authorities or head of organization and shall only be
24 removed from its posting three (3) days after the conduct of the initiation rites;

25 The school, organization, fraternity, sorority shall provide for their
26 respective bulletin boards for the purposes of this Section.

27 The appropriate authorities of the school shall have the right to approve
28 or disapprove the application, and the reason thereof shall be stated clearly and
29 in unequivocal terms in a formal advice to the fraternity, sorority, or organization
30 concerned taking into consideration the safety and security of participants to

1 conduct initiation rites by a registered fraternity, sorority, or organization shall be
2 promulgated by the appropriate school officials not later than sixty (60) days
3 after the approval of this Act.

4 School officials shall have the authority to impose, after due notice and
5 summary hearing, disciplinary sanctions to the head and all other officers of the
6 fraternity, sorority, or organization which conducts an initiation without first
7 securing the necessary approval of the school as required under this Section. All
8 member of the fraternity, sorority or organization, who participated in the
9 unauthorized initiation rites, even if no hazing was conducted, shall also be
10 punished accordingly.

11 In case the written application for the conduct of initiation rites contains
12 false or inaccurate information, appropriate disciplinary sanctions shall be
13 imposed, after due notice and summary hearing, against the person who
14 prepared the application or supplied the false and inaccurate information and to
15 the head and other officers of the fraternity, sorority, or organization concerned.

16 **SEC. 5. *Monitoring of Initiation Rites.*** - The head of the school or an
17 authorized representative must assign at least two (2) representatives of the
18 school to be present during the initiation rites. The representatives of the school
19 who were present during the initiation shall make a report to the appropriate
20 officials of the school regarding the conduct of the initiation.

21 **SEC. 6. *Registration of Fraternities, Sororities, and Other Organizations.*** -
22 All existing fraternities, sororities, and other organizations otherwise not created
23 or organized by the school but has existing members who are students or plans
24 to recruit students to be its members shall be required to register with the
25 proper authorities of the school before it conducts activities whether on or off-
26 campus, including recruitment of members.

27 A newly established fraternity, sorority, or organization in a school shall
28 immediately registry with the proper authorities of the school during the
29 semester or trimester in which it was established or organized: *Provided*, That
30 the new fraternity, sorority, or organization has complied with the requirements
31 prescribed by the school in establishing a fraternity, sorority, or organization:
32 *Provided, further*, That schools shall promulgated their guidelines in the

1 registration of fraternities, sororities, and organizations within their jurisdiction
2 not later than sixty (60) days from the approval of this Act.

3 Upon registration, all fraternities, sororities, and organizations shall submit
4 a comprehensive list of members, which shall be updated not later than thirty
5 (30) days from the start of every semester or trimester, depending on the
6 academic calendar of the school.

7 School officials shall have the authority to impose, after due notice and
8 summary hearings, disciplinary penalties to the head and other officers of the
9 fraternity, sorority, or organization who fails to register or update their roster of
10 members as required under this Section.

11 **SEC. 7. Faculty Adviser.** - All fraternities, sororities, and organizations
12 must be assigned a faculty adviser responsible for monitoring the activities of the
13 fraternity, sorority, or organization. The faculty adviser must be a duly
14 recognized active member, in good standing, of the faculty adviser at the school
15 in which the fraternity, sorority, or organization is registered.

16 **SEC. 8. Role of Educational Institutions.** - Schools shall implement an
17 information dissemination campaign at the start of every semester or trimester
18 to provide adequate information to students regarding the consequences of
19 conducting and participating in hazing.

20 An orientation program relating to membership in a fraternity, sorority, or
21 organization shall also be conducted by schools at the start of every semester or
22 trimester.

23 Schools shall encourage fraternities, sororities, and organization to engage
24 in undertaking that foster holistic personal growth and development and
25 activities that contribute to solving relevant and pressing issues of society.

26 **SEC. 9. Registration of community-based fraternities, sororities, or**
27 **organizations.** - All new existing community-based fraternities, sororities, or
28 organizations shall register with the barangay or municipality or city wherein it is
29 primarily based.

1 Upon registration, all community-based fraternities, sororities, or
2 organizations shall submit comprehensive list of members and officers which
3 shall be updated yearly from the date of registration.

4 **SEC. 10.** *Regulation of initiation rights for community-based fraternities,*
5 *sororities, or organizations.* - Only initiation rites or practices which do not inflict
6 direct or indirect physical or psychological suffering, harm, or injury to the
7 recruit, neophyte, or applicant of a fraternity, sorority, or organization shall be
8 allowed. *Provided, That:*

9 a. A written to conduct the same shall be made the Barangay captain in
10 the barangay or the municipal or city mayor in the city or municipality where the
11 community-based fraternity, sorority, or organization is based not later than
12 seven (7) days prior to the schedules initiation date;

13 b. The written application shall indicate the place and the date of the
14 initiation rites and the names of the recruit, neophyte, or applicant to be
15 initiated;

16 c. The initiation rites shall not last more than three (3) days;

17 d. The application shall contain the names of the incumbent officers of the
18 community-based fraternity, sorority, or organization and any person that will
19 take charge in the conduct of the initiation rites;

20 e. The application shall be under oath with a declaration that it has been
21 posted in the official bulletin board of the barangay hall or the municipal or city
22 hall where the community-based fraternity, sorority, or organization is based and
23 the bulletin board of the office of the community-based fraternity, sorority, or
24 organization;

25 f. The application shall be posted from the time of submission of the
26 written notice to the barangay captain or municipal or city mayor and shall only
27 be removed from its posting three (3) days after the conduct of the initiation
28 rites.

29 **SEC. 11.** *Monitoring of initiation rites of community-based fraternities,*
30 *sororities, or organizations.* - The barangay captain of the barangay or the
31 municipal or city mayor of the municipality or city where the community-based

1 fraternity, sorority, or organization is based must assign at least two (2)
2 barangay or municipal or city officials to be present during the initiation. It shall
3 be their duty to see to it that no hazing is conducted during the initiation rites.
4 The representatives who were present during the initiation shall make a report to
5 the barangay captain, or the municipal or city mayor regarding the conduct of
6 the initiation.

7 **SEC. 12. Nullity of Waiver and Consent.** - Any form of approval, consent,
8 or agreement, whether written or otherwise, or of an express waiver of the right
9 to object to the initiation rite or proceeding which consists of hazing as defined in
10 this Act, made by the recruit, neophyte, or applicant prior to an initiation rite that
11 involves inflicting physical or psychological suffering, harm, or injury, shall be
12 void and without any binding effect on the parties.

13 The defense that the recruit, neophyte, or applicant consented to being
14 subjected to hazing shall be available to persons prosecuted under this Act.

15 **SEC. 13. Implementing Rules and Regulations.** - The Commission on
16 Higher Education (CHED), together with the Department of Education (DepEd),
17 Department of Justice (DOJ), Philippine National Police (PNP), Armed Forces of
18 the Philippines (AFP), Department of Interior and Local Government (DILG),
19 Department of Social Welfare and Development (DSWD) and National Youth
20 Commission (NYC), shall promulgate the implementing rules and regulations
21 implementing within ninety (90) days from the effectivity of this Act.

22 **SEC. 14. Administrative Sanctions.** - The responsible officials of the
23 school or of the police or military may impose the appropriate administrative
24 sanctions, after due notice and summary hearing, on the person or the persons
25 charged under this Act even before their conviction.

26 **SEC. 15. Penalties and Liability of Those Involved in Hazing.** -

27 a) The following penalties shall be imposed:

28 1. The penalty of *reclusion temporal* and a fine of one million pesos
29 (P1,000,000.000) shall be imposed upon the participating officers and members
30 of the fraternity, sorority, organization, business or corporation involved in the
31 hazing.

1 2. The penalty of *reclusion perpetua* and a fine of two million pesos
2 (P2,000,000.00) shall be imposed upon the members of the fraternity, sorority,
3 organization, business or corporation who were intoxicated or under the
4 influence of alcohol or illegal drugs when they actually participated in the hazing.

5 The same penalty shall be imposed upon the non-resident or alumni
6 members of the fraternity, sorority, organization, business or corporation who
7 actually participated in the hazing.

8 3. The penalty of *reclusion perpetua* and a fine of three million pesos
9 (P3,000,000.00) shall be imposed upon those who actually participated in the
10 hazing if, as a consequence of the hazing, death, rape, sodomy, or mutilation
11 results therefrom;

12 4. A fine of one million pesos (P1,000,000.00) shall be imposed on the
13 school if the fraternity, sorority, or organization filed a written application to
14 conduct an initiation which was subsequently approved by the school and hazing
15 occurred during the initiation rites or when no representatives from the school
16 were present during the initiation as provided under Section 5 of this Act.

17 5. It shall be unlawful for any person to intimidate, threaten, force, or to
18 employ, or administer any form of vexation against another person for the
19 purpose of recruitment in joining or promoting a particular fraternity, sorority,
20 organization, business or corporation. The persistent and repeated or join the
21 proposed fraternity, sorority, organization, business or corporation shall be *prima*
22 *facie* vexation for purposes of this Section. Provided further, that the violation of
23 this section shall be punished by *prision correccional* in its minimum period.

24 b) The owner of the place where hazing is conducted shall be liable as a
25 principal when he has actual knowledge of the hazing conducted therein but
26 failed to take any action to prevent the same from occurring or failed to promptly
27 report the same to the law enforcement authorities if he can do so without peril
28 to himself or his family.

29 c) The school authorities including faculty members as well as barangay,
30 municipal, or city officials shall be held administratively liable for hazing
31 conducted by fraternities, sororities, and other organizations, if it can be shown
32 that the school or barangay, municipal, or city official allowed or consented to

1 the conduct of hazing or where there is actual knowledge of hazing, but failed to
2 take any action to prevent the same from occurring or failed to promptly report
3 to the law enforcement authorities if the same can be done without peril to the
4 person reporting or his family.

5 d) The officers, former officers, or alumni of the fraternity, sorority,
6 organization, business or corporation who actually planned the hazing although
7 not present when the acts constituting the hazing were committed shall be liable
8 as principals. A fraternity, sorority, or organization's faculty adviser, who is
9 present when the acts constituting the hazing were committed and failed to take
10 the action to prevent the same from occurring or failed to promptly report the
11 same to the law enforcement authorities if he can do so without peril to himself
12 or his family, shall be liable as principal.

13 e) The presence of any person during the hazing is *prima facie* evidence of
14 participation therein as principal unless he prevented the commission of the acts
15 punishable herein or promptly reported the same to the law enforcement
16 authorities if he can do so without peril to himself or his family.

17 f) The incumbent officers of the fraternity, sorority, organization, business
18 or corporation concerned shall be jointly liable with those members who actually
19 participated in the hazing. The *prima facie* presumption that arises herein shall
20 be rebutted only by the individual defense of desistance and renunciation by the
21 accused.

22 g) Any person charged under this Act shall not be entitled to the
23 mitigating circumstance that there was no intention to commit so grave a wrong.

24 h) In the case of businesses and corporations, the president, manager,
25 director, or other responsible officer of a corporation engaged in hazing
26 shall likewise be liable under this Act.

27 This section shall apply to the president, manager, director or other
28 responsible officer of a corporation engaged in hazing as a requirement for
29 employment in the manner provided herein.

30 i) Any judgment of final conviction shall be reflected in the scholastic
31 record, personal, or employment record of the person convicted, regardless of
32 when the conviction is arrived at.

1 **SEC. 16. *Separability Clause.*** - If any provision or part of this Act is
2 declared invalid or unconstitutional, the remaining parts or provisions not
3 affected thereby shall remain in full force and effect.

4 **SEC. 17. *Repealing Clause.*** - Republic Act No. 8049 is hereby repealed.
5 All other laws, decreed, executive orders, proclamations, rules and regulations,
6 or parts thereof inconsistent with provisions of this Act are hereby amended,
7 repealed or modified accordingly.

8 **SEC. 18. *Effectivity Clause.*** - This Act shall take fifteen (15) days after its
9 publication in the Official or in any newspaper of general circulation.

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11 Approved,

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