

SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

OFFICE OF THE SECRETARY
OF THE SENATE
DOOR NO. 10, SENATE BUILDING
MANILA, PHILIPPINES

SENATE
S.B. No. 1609

*17 NOV -8 P3:20

Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

**AN ACT
AMENDING REPUBLIC ACT NO. 8049 ENTITLED "AN ACT REGULATING HAZING AND OTHER
FORMS OF INITIATION RITES IN FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS
AND PROVIDING PENALTIES THEREFOR," AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

On September 18, 2017, a young Filipino, whose body was marked with bruises, cigarette burns, and candle wax drippings, was declared dead on arrival at the Chinese General Hospital.

Twenty-two-year-old law student Horacio Tomas Topacio Castillo III known to family and friends as "Atio," who dreamt of becoming a senator, purportedly perished in the hands of peers during a vicious and cruel hazing ceremony all too familiar to our university students.

Although Atio's body tells the story of a brutal initiation ritual, justice still seems out of reach for him and his grieving parents. A guilt-ridden fraternity has yet to take responsibility.

Unfortunately, Atio's case is just one of many that languish in the fight against the culture of violence in fraternities and sororities. Clearly, our country's Anti-Hazing Act must be strengthened to enable the victims of abusive initiation rites to find justice and prevent organizations from employing senseless humiliation and violence in their application process.

Thus, this bill seeks to amend Republic Act No. 8094, otherwise known as the *Anti-Hazing Law*, to implement stricter measures, and heavier penalties that will ensure justice for victims of hazing and end the culture of violence especially in our schools.

This measure seeks to mandate school administrators to require the registration of all school organizations, sororities, and fraternities. On the existing circumstances where the maximum penalty may be levied by courts, this measure seeks the inclusion of two additional circumstances: when hazing or initiation rite is committed under the influence of illegal drugs, or liquor, and when there is a presence of non-resident or alumni fraternity

member during hazing. Finally, this measure seeks to extend the liability as principals to any person who was at the scene of the crime and who failed to report such crime to an appropriate law enforcement authority, and to any person who willfully obstructs, impedes, frustrates or delays the apprehension of suspects and the investigation and prosecution of criminal cases for any violation of the Anti-Hazing Law.

It is unacceptable that our organizations still resort to cruelty and violence to foster brotherhood and solidarity. We must refuse to tolerate the institutionalization of abuse, especially under the roof of our educational institutions.

Let's buttress our anti-hazing law, ensure those responsible for abuse are punished, and prevent the occurrence of any more senseless acts of violence for the sake of our youth, for the sake of every Filipino family.

In view of the foregoing, the approval of this measure is urgently sought.


A handwritten signature in black ink, appearing to read "Bam Aquino". The signature is written in a cursive, flowing style.

Senator Paolo Benigno "Bam" A. Aquino IV



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

1 **SECTION 1.** A new Section 2-A is hereby incorporated in Republic Act No. 8049, to read as
2 follows:

3 "SECTION. 2-A. ALL SCHOOL ORGANIZATIONS, FRATERNITIES, AND SORORITIES
4 AND THEIR MEMBERS SHALL REGISTER WITH THEIR RESPECTIVE SCHOOL
5 ADMINISTRATION. THE SCHOOL ADMINISTRATORS SHALL REGULATE AND
6 MONITOR THE ACTIVITIES OF THESE ORGANIZATIONS, FRATERNITIES, AND
7 SORORITIES AND MAY IMPOSE ADMINISTRATIVE SANCTIONS SUCH AS
8 REPRIMAND, SUSPENSION OR DISMISSAL FOR THE VIOLATION OF THIS
9 SECTION."

10 **SECTION 2.** Section 4 of this Act is hereby amended by incorporating two new instances
11 when the maximum penalty shall be imposed to read as follows:

12 "SECTION 4. If the person subjected to hazing or other forms of initiation rites
13 suffers any physical injury or dies as a result thereof, the officers and members of
14 the fraternity, sorority or organization who actually participated in the infliction
15 of physical harm shall be liable as principals. The person or persons who
16 participated in the hazing shall suffer:

17 x x x x x x x x x

18 The responsible officials of the school or of the police, military or citizen's army
19 training organization, may impose the appropriate administrative sanctions on
20 the person or the persons charged under this provision even before their
21 conviction. The maximum penalty herein provided shall be imposed in any of the
22 following instances:

- 1 (a) when the recruitment is accompanied by force, violence, threat, intimidation
2 or deceit on the person of the recruit who refuses to join;
3 (b) when the recruit, neophyte or applicant initially consents to join but upon
4 learning that hazing will be committed on his person, is prevented from
5 quitting;
6 (c) when the recruit, neophyte or applicant having undergone hazing is
7 prevented from reporting the unlawful act to his parents or guardians, to the
8 proper school authorities, or to the police authorities, through force,
9 violence, threat or intimidation;
10 (d) when the hazing is committed outside of the school or institution; **[OR]**
11 (e) when the victim is below twelve (12) years of age at the time of the
12 hazing[.];
13 **(F) WHEN THE HAZING OR INITIATION RITE IS COMMITTED UNDER THE**
14 **INFLUENCE OF ILLEGAL DRUGS OR LIQUOR; AND**
15 **(G) WHEN THERE IS A PRESENCE OF NON-RESIDENT OR ALUMNI FRATERNITY**
16 **MEMBERS DURING HAZING.**

17 x x x x x x x x x x"

18 **SECTION 3.** A new Section 4-A is hereby incorporated in Republic Act No. 8049 to read as
19 follows:

20 "SECTION 4-A. ANY PERSON WHO WAS AT THE SCENE OF THE CRIME WHERE
21 THE VIOLATION OF SECTION 4 OF THIS ACT WAS COMMITTED AND WHO
22 FAILED TO REPORT SUCH CRIME TO AN APPROPRIATE LAW ENFORCEMENT
23 OFFICIAL AS SOON AS REASONABLY PRACTICABLE WHEN HE COULD HAVE
24 DONE SO WITHOUT DANGER OR PERIL TO HIMSELF OR OTHER SHALL BE LIABLE
25 AS PRINCIPAL."

26 **SECTION 4.** A new Section 4-B is hereby incorporated in Republic Act No. 8049 to read as
27 follows:

28 "SECTION 4-B. ANY PERSON WHO KNOWINGLY OR WILLFULLY OBSTRUCTS,
29 IMPEDES, FRUSTRATES OR DELAYS THE APPREHENSION OF SUSPECTS AND THE
30 INVESTIGATION AND PROSECUTION OF CRIMINAL CASES FOR ANY VIOLATION
31 UNDER THIS ACT BY COMMITTING ANY OF THE PROHIBITED ACTS UNDER
32 PRESIDENTIAL DECREE NO. 1829 SHALL BE LIABLE AS PRINCIPAL SUBJECT TO
33 THE PENALTIES PROVIDED IN THIS ACT."

34 **SECTION 5. *Separability Clause.*** – Should any provision herein be declared unconstitutional,
35 the same shall not affect the validity of the other provisions of this Act.

36 **SECTION 6. *Repealing Clause.*** – All laws, decrees, orders, rules, and regulations or other
37 issuances or parts inconsistent with the provisions of this Act are hereby repealed or
38 modified accordingly.

1 **SECTION 7. Effectivity.** - This Act shall take effect fifteen (15) days after publication in the
2 Official Gazette or in (1) newspaper of general circulation in the Philippines.

3 *Approved,*